BENJAMIN J. CAYETANO



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SAM CALLEJO COMPTROLLER

MARY PATRICIA WATERHOUSE DEPUTY COMPTROLLER

LETTER NO. (P) 1291.6

STATE OF HAWAII

DEPARTMENT OF ACCOUNTING AND GOGERHAYSETOICES7:42

OFC. OF ERVIRONMENT OUALITY CONTROL

MAY 3 1996

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

Dear Mr. Gill:

Subject: Negative Declaration for Kapaa Elementary School Building "D" Demolition/Replacement Cafetorium

TMK 4-6-14:31 and 4-16-15:15

The Department of Accounting and General Services did not receive any comments during the 30-day public comment period which began on March 8, 1996. The agency has determined that this project will not have significant environmental effect and has issued a negative declaration. Please publish this notice in the May 23, 1996 OEQC Bulletin.

We have enclosed a completed OEQC Bulletin Publication Form and four copies of the final EA. If there are any questions, please have your staff call Mr. Ralph Morita of the Planning Branch at 586-0486.

ndu Mis

Very truly yours,

GORDON MATSUOKA State Public Works Engineer

GC:jk Attachments 1996-05-23-KA-FEA - Kapan Elementary Schul Cafetanie COPY

FINAL ENVIRONMENTAL ASSESSMENT
(NEGATIVE DECLARATION)

KAPAA ELEMENTARY SCHOOL

BUILDING "D" DEMOLITION/REPLACEMENT CAFETORIUM

APRIL 30, 1996

- A. <u>PROPOSING AGENCY</u>: Department of Accounting and General Services for the Department of Education.
- B. <u>APPROVING AGENCY</u>: Not applicable.
- C. AGENCY CONSULTED: Department of Education.
- D. <u>GENERAL DESCRIPTION OF THE TECHNICAL</u>, SOCIO-ECONOMIC AND ENVIRONMENTAL CHARACTERISTICS:
 - <u>Technical</u>: This project is to demolish the existing Building "D" located on Kapaa Elementary School grounds, Kauai. The existing building of timber construction was damaged by Hurricane Iniki. The building was surveyed by architectural and structural engineering consultants for building code requirements and structural integrity. The conclusion was that the building does not meet current structural, electrical, lighting, plumbing, hazardous waste, fire and ADAAG building code requirements. The building also does not appear to have sufficient strength to structurally support the current building code wind loads requirements and it is questionable that the timber floor structure is able to handle the intended use of the building as a cafetorium. The State Historic Preservation Division of the Department of Land and Natural Resources has approved the demolition of this existing building (see Attachment 1). The State also intends to comply with the Memorandum of Agreement (MOA) among the Federal Emergency Management Agency, the Advisory Council of Historic Preservation and the Hawaii State Historic Preservation Officer (see Attachment 2).

The Department of Education proposes to demolish the existing building and construct a replacement cafetorium of reinforced concrete/masonry structure with an area of approximately 8,181 square feet. Also included in this project are any site improvements, connections to public utilities and easements which may result from this project.

As required by the MOA, the replacement cafetorium will be designed to retain certain characteristics of the building to be demolished and also will be designed to meet current building code requirements. Final Environmental Assessment (Negative Declaration)
Kapaa Elementary School
Building "D" Demolition/Replacement Cafetorium

2. <u>Socio-Economic</u>:

- a. The proposed project will not create sufficient work to substantially impact the economy and welfare of the community and State.
- b. The estimated cost of the project is approximately \$2,500,000.
- c. Since the project will be constructed within the existing school campus, no land will be removed from the tax base.
- d. The project will provide the school with a muchneeded facility to implement its program in accordance with the Educational Specifications approved by the State Board of Education.

3. Environmental:

- a. The project will not create any major long-term environmental impacts.
- b. However, during construction, the air quality may be affected by dust and exhaust emissions and it is anticipated there will be a temporary increase in noise levels.
- c. These impacts are expected to be minimal since State and Federal regulations need to be met.

E. <u>SUMMARY DESCRIPTION OF THE AFFECTED ENVIRONMENT, INCLUDING SITE MAPS:</u>

- The site of the proposed project is located on the school campus (TMK 4-6-14:31 and 4-6-15:15).
- 2. No habitat of endangered species, flora or fauna are known to exist at the site.
- 3. No archaeological site is known to exist at the site. The school historic/cultural site will be enhanced as the existing run-down building is demolished and the replacement building will be designed to retain the historic characteristic of the demolished building.

- 4. The site is not in a Special Management Area.
- 5. The location map and site plan are as shown on Figures 1 and 2, respectively.

F. <u>IDENTIFICATION AND SUMMARY OF MAJOR IMPACTS AND ALTERNATIVES</u> <u>CONSIDERED</u>:

- 1. Major Impacts: The proposed project will not:
 - a. Involve an irrevocable commitment to loss or destruction of any natural or cultural resources. As required by the MOA, the replacement building will be designed to retain certain historic characteristics of the historic building to be demolished.
 - b. Curtail the range of beneficial uses of the environment.
 - c. Conflict with the State's long term environmental policies. The site will remain to be a school site.
 - d. Substantially affect the economic or social welfare of the community or State. No substantial increase in job is expected due to this project.
 - e. Involve substantial secondary impacts, such as population changes or effects on public facilities. No substantial increase in population is expected.
 - f. Involve a substantial degradation of environmental quality. The environmental quality will not be degraded as the new building will be used by the school and will meet the DOE's Educational Specifications and Standards for Facilities.
 - g. Detrimentally affect air or water quality or ambient noise levels. The replacement building will not generate detrimental air, water and noise to affect the existing environment.

- h. Be located in any environmentally sensitive area, such as a flood plain, tsunami zone, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters.
- 2. <u>Alternatives to the Proposed Project</u>: "No action" is not considered to be a viable or desirable alternative. The existing building is run-down and unsafe for use.
- G. <u>PROPOSED MITIGATION MEASURES</u>: Short term impacts on air and noise quality during construction will be controlled by application of appropriate pollution and noise control measures.
- H. <u>DETERMINATION</u>: On the basis of the above assessment, it is concluded that the proposed project will not have a significant adverse impact on the environment. Based on our findings, it has been concluded that this project will not have significant permanent adverse impact on the environment (project is located on a developed school site currently used for educational purposes), social or economic welfare of the community or State (project will not create many additional jobs since new workers are required to work in the new cafetorium project), public facilities (facility may be used by the public after school hours on a case by case basis approved by the Department of Education), and public access or right-of-ways (no change in public access or right-of-way due to construction of this project). During construction, historical and/or archaeological sites discovered will be reported to the Department of Land and Natural Resources, State Historic Preservation Division for guidance. It is also noted that background information from the Geographic Information System database (mainly from the County of Kauai) is not currently available for this submittal but will be incorporated in other submittals to OEQC when the information is readily available to DAGS.







STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION 33 SOUTH KING STREET, STH FLOOR HONOLULU, HAWAE 96813

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LOG NO: 11308

HISTORIC PRESERVATION DEVISION LAND HAMAGEMENT STATE PARKS WATER AND LAND DEVELOPMENT

REF:HP-JEN

APR 13 1994

MEMORANDUM

DOC NO: 9404DH01 Honorable Herman Aizawa, Acting Superintendent

Department of Education

From:

To:

Keith W. Ahue, Chairperson

Subject:

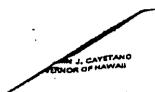
Building D., Kalaheo School and Building D., Kapas Elementary School

As a result of the meetings held on Kanai on April 5, 1994, between our staffs and members of the educational community for the two respective schools, our department concurs with the DOE's proposal to demolish these two historic buildings as it does not appear to be cost effective to attempt to renovate them.:

In concurring with the DOE proposal we understand that the DOE intends to replace Building D, the original auditorium, at Kapaa Elementary School with a new structure which would serve as an auditorium/cafeteria, and that the design of this support facility would be in keeping with the scale and character of the historic nature of the school. Such a design would not have to be rendered in wood. Similarly, any buildings constructed on the Kalaheo School campus on the site of Building D would also be designed to be compatible with the historic scale and character of that campus. Any proposals for new construction on these two campuses which might effect the character of these schools would be submitted to DLNR for review and concurrence.

DH:jen

cc: Cindy Fuller Clifton Bailey Warren Mizutani





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STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION 23 SOUTH KING STREET, 6TH FLOOR HONOLULU, HAWAII 96813

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RESOURCES ENFORCEMENT CONVEYANCES

FORESTRY AND WILDLIFE HISTORIC PRESERVATION ORVISION

LAND MANAGEMENT STATE PARKS

WATER AND LAND DEVELOPMENT

MEMORANDUM

LOG NO: 14470 DOC NO: 9505tm10

TO:

Mr. Paul K. Kiyabu, Director

Facilities and Support Services Branch

Department of Education

FROM:

Don J. Hibbard, Administrator

Historic Preservation Division, DLNR

SUBJECT:

Kapaa Elementary School Building D

TMK: 4-6-14:31, Kapaa, Kauai and

Kalaheo Elementary School Building D

TMK: 2-3-02:05, Kalaheo, Kauai

Architecture

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This correspondence is confirmation of the conversation between Mr. Lester Chuck of your office and myself. If the Department of Education (DOE) opts not to seek Federal Emergency Management Agency (FEMA) funds for the demolition and replacement of the two buildings, then Advisory Council comment is not mandatory. Since we have already concurred with the demolition (see attached letter dated April 13, 1994), the project may proceed as DOE sees fit.

As a reminder, the letter also indicates that plans for any replacement building or projects on these two campuses which might affect the character of these schools should be submitted to our office for review and concurrence.

Should you have any questions, please call Tonia Moy at 587-0005.

TM:ab

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MEMORANDUM OF AGREEMENT AMONG

THE FEDERAL EMERGENCY MANAGEMENT AGENCY,
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
AND THE HAWAII STATE HISTORIC PRESERVATION OFFICER
REGARDING DEMOLITION AND REPLACEMENT OF
BUILDING "D" AT KAPAA ELEMENTARY SCHOOL
KAUAI, HAWAII

WHEREAS, the Federal Emergency Management Agency (FEMA), proposes to provide public assistance funding, pursuant to Section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, through the Hawaii State Civil Defense (HCD) to the Hawaii Department of Education and the Department of Accounting and General Services (DOE/DAGS) for the demolition and replacement of Building D at Kapaa Elementary School located on the Island of Kauai (Building), damaged by Hurricane Iniki, FEMA Major Disaster Number 961 (Disaster); and

WHEREAS, FEMA has determined that the demolition and replacement of the Building (Undertaking) will have an effect upon the Kapaa Elementary School (Property), which is included in the National Register of Historic Places and has consulted with the Hawaii State Historic Preservation Officer (SHFO), and the Advisory Council on Historic Preservation (Council), pursuant to 36 CFR Part 800, regulations implementing the National Historic Preservation Act (16 U.S.C. 470f); and

WHEREAS, HCD, DOE/DAGS, the Historic Hawaii Foundation (HHF), and the Kauai Historic Preservation Review Commission (KHPRC) have participated in the consultation and have been invited to concur in this Memorandum of Agreement (MOA);

NOW, THEREFORE, FEMA, Council, and SHPO agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effects of the Undertaking on the historic properties.

STIPULATIONS

To the extent of its legal authority and in coordination with SHPO and DOE/DAGS, FEMA shall require that the following measures are carried out:

AREA OF POTENTIAL EFFECTS

The Area of Potential Effects (APE) will be limited to the boundary of the School Property.

II. PROPERTY RECORDATION

Prior to the start of any work that comprises the Undertaking, the DOE/DAGS shall contact the National Park Service (NPS), c/o

PAGE-1 of 13

Historic American Building Survey (HABS), to determine what level and kind of recordation are required for the Properties. Unless otherwise agreed to by NPS, the DOE/DAGS shall ensure that all documentation is completed and accepted by HABS prior to the start of any demolition or construction work and that copies of this documentation are made available to the SHPO, HHF, and appropriate local archives designated by the SHPO.

III. SALVAGE OF ARCHITECTURAL ELEMENTS

The DOE/DAGS will ensure that the KHPRC or its designee has the opportunity to select architectural elements for curation, public education, or incorporation into the new construction. The DOE/DAGS shall ensure that the items selected are documented, marked, cataloged, and removed in a manner that minimizes damage and are delivered with legal title to the KHPRC or its designee.

IV. STANDARDS FOR NEW CONSTRUCTION

construction of the replacement Building is compatible with the historic and architectural qualities of the respective Properties in terms of scale, massing, color and materials, and is responsive to the recommended approaches to new construction set forth in The Secretary of the Interior's Standards for the Treatment of Historic Properties (U.S. Department of the Interior, National Park Service, 1992), and The Secretary of the Interior's Standards and Guidelines Rehabilitation and Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National Park Service, 1992). Hereafter these will be referred to collectively as the Standards.

2. The DOE/DAGS shall ensure that the design and specifications for the construction of the replacement Building are developed in consultation with FEMA and SHPO and submitted to FEMA and SHPO for approval, as described in Stipulation V below.

PROJECT DOCUMENTS REVIEW

1. The design and specifications for the replacement Building shall be carried out by DOE/DAGS in substantial accordance with the review process described herein.

- 2. DOE/DAGS shall submit, to both FEMA and SHPO concurrently, Schematic Drawings (15% drawings), Preliminary Drawings (35% drawings) and Pre-final Drawings (90% drawings), (collectively, the Design Drawings) including specifications, for the Undertaking.
- 3. FEMA and SHPO shall coordinate the review of all Design Drawings submitted by DOE/DAGS for comment. The parties agree to allow SHPO 30 calendar days from the date of receipt to review submitted Design Drawings. FEMA shall provide written comments, if any, to SHPO within 20 calendar days from the date of receipt of each submittal. SHPO shall be afforded 10 calendar days from the

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PAGE 2 of 13

date of receipt of FEMA's comments, if any, to review and consider FEMA's comments, if any. SHPO shall forward to FEMA, if participating in the review, all comments within the specified 30 day review period. FEMA shall be afforded an additional 5 working days from the date of receipt of SHPO's comments to forward all comments to the DOE/DAGS. If FEMA has not participated in the review by providing timely comments to SHPO, SHPO shall forward comments, if any, to FEMA and DOE/DAGS within the 30 calendar day review period. Failure of FEMA or SHPO to provide written comments within the agreed upon time frames shall not preclude DOE/DAGS from implementing construction in accordance with the submitted Design Drawings.

- 4. The DOE/DAGS shall notify the Council that Design Drawings have been prepared at the time of submittal to FEMA and SHPO. Council may request, at its discretion, any or all Design Drawings from DOE/DAGS to be submitted concurrently with FEMA and SHPO documents for review and comment purposes. The Council shall be afforded 30 calendar days from receipt of such documents for review and comment in writing to FEMA. Failure of Council to comment within the specified time period shall not preclude DOE/DAGS from within the specified time period shall not preclude DOE/DAGS from implementing construction in accordance with the documents as submitted and as amended by FEMA and SHPO comments, if any.
- 5. The DOE/DAGS shall notify HHF and KHPRC that Design Drawings have been prepared at the time of submittal to FEMA and SHPO. HHF and KHPRC may request, at their discretion, any or all Design Drawings from DOE/DAGS to be submitted for review and comment purposes. HHF and KHPRC shall be afforded 14 calendar days from receipt of such documents for review and comment in writing to FEMA, but within the 30 day time period afforded the SHPO. FEMA shall consider any comments received by HHF and KHPRC in formulating its comments to DOE/DAGS. If FEMA has not participated in the review by providing timely comments to SHPO, FEMA shall forward HHF and KHPRC comments, if any, to SHPO within the 30 calendar day review period and the SHPO will consider these comments in formulating its comments to DOE/DAGS.
- 6. Written comments by FEMA, SHPO, and Council, if actively participating in the review and comment of the applicable Design Drawings in accordance with stipulations V.3 and V.4 above, shall concern historic preservation issues arising as a direct result of the Undertaking which affect the conformance of the Design Drawings to the provisions of the Standards and, to the extent not in conformance, ways to avoid, minimize or mitigate any resulting adverse effects on the Properties.
- 7. DOE/DAGS shall incorporate comments by FEMA, SHPO, and Council into the Design Drawings, to the fullest, reasonable and practicable extent. FEMA shall review final Design Drawings to ensure that DOE/DAGS has in good faith incorporated any FEMA, SHPO, or Council comments concerning historic preservation issues into such documents to the fullest, reasonable and practicable extent.
- 8. Should DOE/DAGS object to the incorporation of any comments into the Design Drawings, DOE/DAGS shall provide FEMA, SHPO, HHF,

PAGE 3 of 13

KHPRC, and Council with an explanation, in writing, of the reasons for its objection. Promptly after receiving any such written objection from DOE/DAGS, FEMA shall initiate consultation with SHPO, DOE/DAGS, HHF, KHPRC, and the Council, if participating, to resolve the objection. If such consultation does not result in agreement within 14 calendar days, FEMA will request Council review to determine if the work which is the subject of the dispute may be modified to avoid, minimize, or mitigate the adverse effect(s) and shall promptly forward all documentation relevant to the dispute to the Council for resolution in accordance with Stipulation IX below.

VI. REVIEW OF CHANGES TO APPROVED SCOPE OF WORK; MANNER OF CONSTRUCTIONS

- In the event it becomes necessary to modify (a) the approved scope of work necessary to implement the Undertaking, or (b) the conditions governing the manner in which construction is to be carried out, DOE/DAGS shall immediately notify FEMA, SHPO, HHF, KHPRC, and the Council, if actively participating, and provide them with the opportunity to review and approve such charges in accordance with Stipulation V.
- 2. If FEMA, SHPO, or the Council, in their review of any proposed modification to the Undertaking, determines that revisions must be made to this Agreement, the process of amending this Agreement shall be as set forth in 36 CFR Part 800.5(e)(5).

VII. ARCHEOLOGICAL MONITORING AND DISCOVERIES

- 1. Prior to commencing any work which comprises the Undertaking, the DOE/DAGS will request the SHFO's opinion on the potential that archeological properties may be present and may be affected by ground disturbing activities. It is agreed that the following ground disturbing activities have the potential to affect the properties: removal of trees; excavation for footings and properties: removal of trees; excavation for footings and foundations; and installation of utilities such as water, sewer, storm drains, electrical, gas, leach lines, and septic tanks except where those activities are restricted solely to areas previously disturbed by the installation, replacement, or maintenance of such systems. It is agreed that previously disturbed areas include all of the existing footings of the Building and utility installations serving the Building.
- 2. To the extent that work which comprises the Undertaking will occur within previously disturbed areas, if an archeologist meeting (qualified archeologist) the Secretary of the Interior's Professional Qualifications Standards (48 FR 44738-9), determines that there is no likely adverse effect to cultural resources, the Undertaking within the previously disturbed areas may proceed without the need for monitoring or further consultation.
- 3. If the SHPO determines that archeological properties may be affected by the ground breaking activities within previously undisturbed areas within the APE, the DOE/DAGS shall ensure that a

PAGE 4 of 13

qualified archeologist shall monitor such activities. At a minimum, such monitoring will include recording and reporting of major features or artifact concentrations uncovered, and recovery/curation of a sample of uncovered remains where practicable.

- 4. If major features or artifact concentrations are uncovered, the DOE/DAGS shall immediately notify SHPO and consult with the SHPO to develop a plan for the recovery/curation of archeological data from the property and the DOE/DAGS shall ensure that all reasonable measures to avoid or minimize harm to the newly discovered historic properties are taken until it concludes consultation with the SHPO. The SHPO shall advise the DOE/DAGS on any feasible steps that should be accomplished to avoid any National Register eligible archeological property and its recommended plan for the recovery/curation of archeological data from the property. This plan shall be consistent with the Secretary of the Interior's Standards and Guidelines for Archeological Documentation (48 FR 44734-37) and take into account the Council's publication, Treatment of Archeological Properties.
- 5. If the DOE/DAGS objects to the treatment plan, it will forward its objection and the reasons for its objection, in writing, to FEMA and SHPO for review. Promptly after receiving such objection, FEMA shall initiate consultation with SHPO and DOE/DAGS to resolve the objection. If no agreement is reached within 14 days, FEMA will request Council comment on the subject matter of the dispute pursuant to Stipulation IX below.

VIII. DISPUTE RESOLUTION

- 1. Should the SHPO or the Council object within time frames provided by this Agreement to any plans, specifications, or actions provided for review pursuant to this Agreement, FEMA will consult further with the objecting party to seek resolution. If FEMA determines that the objection cannot be resolved, FEMA shall forward all documentation relevant to the dispute to the Council. Within 30 calendar days after receipt of all pertinent documentation, the Council will either:
 - a. provide FEMA with recommendations, which FEMA will take into account in reaching a final decision regarding the dispute; or
 - b. notify FEMA that it will comment pursuant to 36 CFR \$800.6(b), and proceed to comment. Any Council comment provided in response to such a request will be taken into account by FEMA in accordance with 36 CFR \$800.6(c)(2) with reference to the subject of the dispute.
- 2. Any recommendation or comment provided by the Council will pertain only to the subject of the dispute; the responsibility of FEMA and DOE/DAGS to carry out all actions under this Agreement that are not a subject of the dispute will remain unchanged. Failure of Council to comment within the specified time period

PAGE 5 of 13

shall not preclude the DOE/DAGS from implementing construction in accordance with the Design Drawings as submitted and as amended by FEMA and SHPO comments, if any.

IX. NON-COMPLIANCE

- At any time during implementation of the Undertaking, should an objection be raised to the conformance of the Undertaking with the measures stipulated in this Agreement by any of the consulting parties or a member of the public, FEMA shall take such objection into account and consult with the objecting party, DOE/DAGS, the SHPO and, as needed, the Council to resolve such objection. If the objection cannot be resolved without Council participation, the dispute resolution process set forth in Stipulation IX above will be followed.
- 2. If FEMA determines that it cannot carry out the terms of this Agreement, it shall resubmit the Undertaking to the Council for comment in accordance with 36 CFR 800.6(b).

X. EXECUTION OF AGREEMENTS

This MOA may be executed in counterparts, with each signature on a separate page, and FEMA will ensure that each party is provided with a copy of the fully executed MOA.

PAGE 6 of 13

EXECUTION AND IMPLEMENTATION of this Memorandum of Agreement evidences that FEMA has afforded the Council a reasonable opportunity to comment on the Undertaking and its effect on historic properties, that FEMA has taken into account the effects of the Undertaking on historic properties, and has satisfied its responsibilities under Section 106 of the National Historic Freservation Act and applicable implementing regulations.

PEDERAL EMERGENCY MANAGEMENT AGENCY

y: Shirley Mattingly, Regional Director, RIX

Date: 701/9

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By: Major General Edward V. Richardson, Director of Civil Defense

HILIFIMOA KAPAA, MOA

KAPAA E.S. - BLDG. "D" - M.O.A.

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DOCUMENT CAPTURED AS RECEIVED

MANATE DEPARTMENT OF EDUCATION

Herman Aizawa, Acting Ph.D

Acting Superintendent

Date: 7/2

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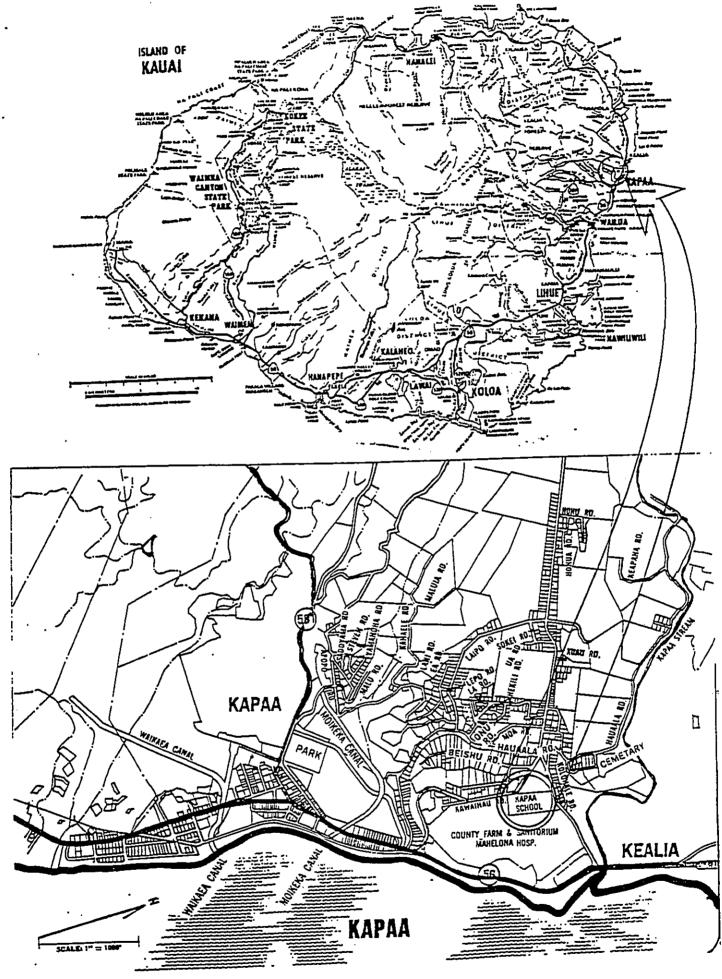


FIGURE 1

