Bryan J. Baptiste
Mayor

Gary K. Heu
Administrative Assistant

Bernard P. Carvalho Jr.
Director

Kenneth N. Rainforth
Executive on Housing

OFFICES OF COMMUNITY ASSISTANCE
KAUAI COUNTY HOUSING AGENCY

July 26, 2005

Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

Dear Ms. Salmonson:

Finding of No Significant Impact (FONSI) for Emergency Shelter and Transitional Housing Program, TMK (4) 3-8-5:1, Lihue, Kauai, Hawaii.

The County's Offices of Community Assistance, Housing Agency, has reviewed the comments received during the 30-day comment period, which began on June 23, 2005. The Agency has determined that this project will not have a significant environmental effect and has issued a FONSI. Please publish this notice in the next available OEQC Environmental Notice.

We have enclosed a completed OEQC Publication Form and four copies of the final EA. Please contact me at 241-4429 if you have any questions.

Sincerely,

Gary A. Mackler
Development Coordinator

enc: OEQC Publication Form; Final EA (4 copies)

cc: MaBel Fujiuchi, KEO
Ron Agor, Agor Architecture
Ken Rainforth

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OFC. OF ENVIRONMENTAL
QUALITY CONTROL

2005-08-08 - KA · FONSI LIHUE EMERGENCY SHELTER & TRANSITIONAL HOUSING

FINAL
Environmental Assessment

KEO
EMEGENCY SHELTER
AND
TRANSITIONAL HOUSING PROGRAM
Lihue, Kauai, Hawaii

Tax Map Key: (4) 3-8-5:1

Preparer:
Agor Architecture
4374 Kukui Grove Dr., Suite 204
Lihue, Kauai, Hawaii, 96766

Applicant:
Kauai Economic Opportunity, Inc.
2804 Wehe Road
Lihue, Kauai, Hawaii, 96766

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KEO EMERGENCY SHELTER
AND TRANSITIONAL HOUSING PROGRAM

PROJECT FEATURES:

Project Title:	KEO Emergency Shelter and Transitional Housing Program
Tax Map Key:	(4) 3-8-5:1
Location:	2804 Wehe Road, Lihue, Kauai, 96766
Land Area:	1.93 Acres
Zoning:	Urban District
Land Owner:	County of Kauai
Applicant:	Kauai Economic Opportunity, Inc. 2804 Wehe Road Lihue, Kauai, Hawaii, 96766
Consultant:	Agor Architecture 4374 Kukui Grove Dr., Suite 204 Lihue, Kauai, Hawaii, 96766
Responsible Entity:	County of Kauai
(Approving Agency)	Offices of Community Assistance, Housing Agency 4444 Rice Street, Suite 330 Lihue, Kauai, Hawaii, 96766
Certifying Officer:	Bryan J. Baptiste Mayor, County of Kauai
Proposed Use:	Emergency shelter and transitional housing for Kauai's homeless population
Existing Use:	Site vacant. Formerly used by State DAGS for storage of lighting fixtures, classroom furniture and vehicles until June 2004.
Proposed Funding:	Community Development Block Grant Program HOME Investment Partnerships Program Economic Development Initiative – Special Project Grant Private Foundation

1.0 PROJECT DESCRIPTION

1.1 Location

The KEO Emergency Shelter and Transitional Housing Program site is located in the community of Lihue town, the county seat and urban center of the island of Kauai. The parcel is bounded by KEO's facility immediately adjacent on the western boundary. The County automotive repair shop is to the parcels eastern boundary. Road access is off Wehe Road. On the opposite side of Wehe Road is the State DLNR property known as Pua Loke Arboretum. Haleko Road borders to the south and is not suitable for site access. See site map (Map 1).

The parcel, identified by Tax Map Key (4) 3-8-5:1, is 1.93 acres in size (Map 2). The parcel has a State land use designation of Urban (Map 3). The County zoning is Urban District, and the intended use as an emergency shelter and transitional housing requires that the applicant obtain a project development use permit.

1.2 Proposed Action

Kauai Economic Opportunity, Inc. ("KEO") is a private, non-profit community action agency. KEO plans to develop homeless facilities to address two key components of the island's homeless facilities – an emergency shelter and transitional housing units. See proposed site layout (Exhibit 1).

Emergency Shelter – An emergency shelter will be designed to serve approximately 19 homeless people, providing overnight shelter. The larger schoolhouse building on site will be rehabilitated and converted into a 19-bed emergency shelter, complete with connecting bathroom facility. A smaller building will be rehabilitated and used as a training center for employment services, educational classes, lifeskills, etc., for program participants. Both structures will be repositioned on-site from their existing footprints.

Transitional Housing – A transitional housing program will include eight rental apartment units. Transitional housing programs typically provide up to two years of affordable rental housing to homeless families and individuals, and provides essential support services to help tenants make a transition to permanent housing and attain self-sufficiency. Renovation of four portable buildings donated by the County of Kauai will produce eight rental units. The buildings are portable structures located adjacent to the parking lot of the Kauai War Memorial Convention Hall in Lihue. The portables are no longer used as administrative offices and will be moved to the project site. Portable buildings are in fair condition.

Each portable building will be converted into duplex apartments. Interior modifications are required to achieve this use and each unit will have its own kitchen and bathroom.

Storage/Laundry – A storage structure existing on site will be preserved and redesigned for a dual use as a storage room and laundry facility. Upgrades are required for this structure.

Site Improvements - The facility will require installation of on-site improvements (parking lot, sidewalks, walkways, utility connections, wastewater system, water lines, fencing, etc.).

1.3 Environmental Review

The proposed expenditure of federal funds for the rehabilitation of structures and installation of site improvements requires an environmental review under 24 CFR Part 58 (National Environmental Policy Act). The proposed use of County land requires an environmental review under Chapter 343, Hawaii Revised Statutes.

1.4 Land Development

1.4.1 Land Use and Zoning

State of Hawaii Land Use Classification: The land use classification of the project site is Urban.

County of Kauai General Plan: The project adheres to the policies and objectives of the Kauai General Plan. Section 8.1.10 of the General Plan, as it relates to housing and community development provides, among other things, to support the development of housing and support services for special needs groups, including the homeless and other at-risk populations needing shelter.

County of Kauai Zoning: The applicable County of Kauai zoning map designates the project site as Urban District. Under this zoning, the Comprehensive Zoning Ordinance requires a use permit for the project development. Such use may be allowed if it is demonstrated that the development is compatible to the generally permitted uses and to public health, safety and welfare, and compatible to uses on lands adjacent to the project development site and to uses in the general vicinity.

1.4.2 Roads

Access to the project is off Wehe Road to an entry driveway. The project is expected to generate low-volume traffic along Wehe Road. No vehicular or pedestrian access is available or is to be provided off Haleko Road.

1.4.3 Electrical/Telephone/Cable Systems

The project will be designed to install underground electrical lines and to obtain service from Kauai Island Utility Cooperative. Underground telephone lines will

be installed with service from Verizon Hawaii, Inc. Cable television lines also will be installed underground.

1.4.4 Slope

The site is relatively flat at 220 feet above sea level, except for the 1 percent slope from the north/northwest to the south/southeast boundary ending near Haleko Road.

1.4.5 Soil Suitability

A Soil Survey prepared by the U.S. Department of Agriculture, Soil Conservation Service dated August 1972 has categorized the soils of the Lihue area as Lihue-Puhi Association. The Lihue-Puhi Association is made up of well-drained, medium textured soils, having nearly level to steep slopes. The soils were developed from material weathered from basic igneous rock; they make up about 12% of the island. The Lihue soils make up about 40 percent of the association and the Puhi soils 35 percent. (Map 4).

1.4.6 Hazards and Nuisances

Clayton Group Services, Inc. conducted a Phase I Environmental Site Assessment of the proposed site using ASTM E1527-00, Standard Practice for Environmental Site Assessments. See Clayton Group Services, Inc. Environmental Site Assessment for findings and recommendations (Exhibit 2).

1.4.7 Noise

Noise levels from the proposed project are considered to be within the range of normal suburban levels. The proposed use is equivalent to a residential project that should not generate or be impacted by large amounts of noise. The County Automobile Base Yard operates Monday through Friday, from 7:00 a.m. to 3:30 p.m. The addition of eight residential rental units should not adversely affect noise quality in the surrounding area.

1.4.8 Air Quality

The proposed project will not impact air quality of the surrounding area.

1.5 Socio-Economic Characteristics

1.5.1 Statement of Need and Purpose

According to KEO, widespread homelessness continues to exist on Kauai. In a 2003 Homeless Point-In-Time count conducted by SMS Research and Marketing, Inc., the count revealed that the number of homeless persons increased on Kauai

by 20% over the past 6 years. In the past fiscal year ending June 30, 2004, KEO's Homeless Outreach Care-A-Van program assisted over 500 homeless unsheltered persons.

In addressing this community problem, KEO has initiated a number of programs and supportive services structured after HUD's Continuum of Care concept. The Continuum of Care concept is aimed at breaking the cycle of homelessness and empowering individuals and families to become self–sufficient. In order to carry out this objective, homeless facilities are required. The main component missing from Kauai's continuum of care is a homeless emergency shelter. Kauai is still the only county in the State without an emergency shelter for its homeless population.

The need for an emergency homeless shelter and transitional housing has been identified in a Gaps Analysis conducted by the Continuum of Care Committee, as a high priority need. The County of Kauai Consolidated Plan (July 1, 2005 - June 30, 2010) recognizes a gap in homeless facilities and prioritizes the use of federal housing and community development resources for development of emergency shelter facilities and transitional housing units.

1.5.2 Existing Conditions and Trends

The primary cause of homelessness is the growing gap between housing costs and income. Over the past few years, KEO and other service agencies have reported an increase in the number of families (single parent & intact families) who are experiencing homelessness. With fewer affordable rental units available, higher rents, and escalation of housing costs on Kauai, an increase in homelessness will probably continue. The proposed project can offer some relief to the island's shortage in homeless facilities.

1.5.3 Social Benefit

The immediate social benefit to the community will be to offer shelter and care for homeless persons who may be living in unsafe conditions. The emergency shelter will offer homeless overnight shelter and some essential services. This "safety net" will benefit many homeless that are living in outdoor and exposed areas (e.g. beach parks; automobiles). Some homeless may be assessed as qualified to move to the next level of assistance along the continuum of care (e.g. transitional housing). Transitional housing can offer homeless the prospect of a stable living environment and help to resolve barriers to self-sufficiency. From there, those tenants who are successful in the transitional program can ultimately move into permanent housing for long-term independent living.

The long-term social benefit is that the community will have a safety net to assist homeless living in unsafe and unsanitary living conditions. Other social benefit can be achieved by assisting working homeless to stabilize their living situation in

the transitional housing program, and to obtain permanent housing for the long term.

1.6 Community Facilities and Services

1.6.1 Educational Facilities

The nearest schools are Wilcox Elementary (grades K-5), Chiefess Kamakahelei Middle School (grades 6-8) and Kauai High School (grades 9-12). The present enrollment and capacity for these schools are as follows:

	Enrollment	Capacity	Difference
Wilcox	945	1039	94
Chiefess	1043	1183	140
Kauai High	1285	1730	445

1.6.2 Health Care

Wilcox Hospital, approximately 1.7 miles from the site, is the nearest major medical facility. Other medical services in the area are available at the Kuhio Medical Center and various private physicians within Lihue Town.

1.6.3 Social Services

Social services in the project area are readily accessible to homeless. Many services on the island are based in the greater Lihue Area, including the State Dept. of Human Services, Dept. of Health, Dept. of Vocational Rehabilitation, Dept. of Labor, Workforce Development Division, Young Women Christian Association (YWCA), Kauai Economic Opportunity, Inc., Catholic Charities, Salvation Army, Alu Like, Queen Lili'uokulani Children's Center, and Veterans Center.

1.6.4 Solid Waste

The Solid Waste Division of the Department of Public Works, County of Kauai, or a private refuse service, will collect solid waste generated from the emergency shelter and transitional housing units. Solid waste not appropriate for pick up by the Solid Waste Division or private refuse service can be taken to the Lihue Transfer Station on Ahukini Road for transfer to the landfill in Kekaha.

1.6.5 Wastewater

A municipal sewage treatment plant serves portions of Lihue. However, there are no sewer lines in the immediate vicinity of the site. The closest County line is on Haleko Road near Rice Street. The sewage pumping station that pump sewage from this line is at capacity and will need to be upgraded to serve any new facility

in the vicinity of the proposed facility. Some residential developments nearby are connected to the Kukui Grove wastewater treatment plant, a private plant owned by Grove Farm. Grove Farm has no obligation to connect other users outside of their development master plan area.

An aerobic wastewater system will be designed by Aqua Engineers to meet the capacity needs for the proposed facility. The wastewater system will be designed in accordance with State of Hawaii, Dept. of Health - Wastewater Division standards and requirements. As part of the design, a proper soil test will be conducted to verify the actual percolation rate.

1.6.6 Drainage

The proposed on-site improvements will increase the impervious area of the site. The site design will include measures to keep storm run off on-site.

1.6.7 Water Supply

The County of Kauai, Department of Water, provides water service to the Lihue area. The 8-inch water line along Wehe Road is adequate to serve the KEO Building. However, consultation with the Department of Water will be made to determine the adequacy of the water main line, source and storage, and any additional fire hydrant requirements as a result of the proposed facility improvements and usage.

1.6.8 Public Safety

The nearest police station is the Lihue Police Station, which is approximately 1.34 miles from the site. The nearest fire station is the Lihue Fire Station, which is an approximately .59 miles from the site.

1.6.9 Open Space and Recreation

The Pua Loke Arboretum is located adjacent to the proposed project. The Arboretum is used mainly as a community park. It is owned and maintained by the State of Hawaii. In addition, there are numerous public and commercial recreational facilities within the Lihue area including, Kalapaki Beach, Lihue Sports Complex, Isenberg Field, and other baseball and softball fields.

1.6.10 Transportation

The County's Agency on Transportation operates an islandwide Kauai Bus transportation system. The nearest bus stop is located at the Kukui Grove Shopping Center, or .36 miles from the project site. The Kukui Grove bus stop serves as a major transportation hub with routes available from Lihue to Kekaha (Highway 50) and Lihue to Hanalei (Highway 56).

1.7 Environmental Characteristics

The project site in its present condition is a blighted area, having been used for storage of miscellaneous schoolhouse materials and vehicles. The buildings are in disrepair and require substantial rehabilitation. The proposed project will increase the productive use of the property and significantly upgrade buildings and other site improvements.

Construction of the proposed improvements will temporarily impact existing air quality and noise levels. Construction will increase the amount of dust in the air. Noise levels in the surrounding area will increase during this time. These impacts are considered short-term and are addressed in Section 2.0.

2.0 AFFECTED ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATION MEASURES

2.1 Existing Land Use

The subject site is located in Lihue. The parcel is further identified as Tax Map Key (4) 3-8-5:1. The site was formally used as the Lihue Grammar School. More recently, the State Department of Education has used the site as a storage facility. In July 2004, the State relocated all of their stored materials to a new facility in Puhi. The project site lays vacant.

The State of Hawaii Land Use Classification of the project site is Urban. Under this zoning, the Comprehensive Zoning Ordinance requires a use permit for the project development. Such use may be allowed if it is demonstrated that the development is compatible to the generally permitted uses and to public health, safety and welfare, and compatible to uses on lands adjacent to the project development site and to uses in the general vicinity.

Impacts and Mitigation Measures

The proposed project is not anticipated to have any significant impact on land uses in the area. The restoration of buildings located at the project site, and the addition of site improvements will be compatible with existing neighboring properties. A Class IV Zoning Permit will be submitted to the County of Kauai Planning Department to seek a use permit.

2.2 Topography, Geology, Soils, Climate

The site is relatively flat at 220 feet above sea level, except for the steep slopes at the southeastern boundary running along Haleko Road. A Soil Survey prepared by the U.S. Department of Agriculture, Soil Conservation Service dated August 1972 has categorized the soils of the Lihue area as Lihue-Puhi Association.

Lihue-Puhi Association is made up of well-drained, medium textured soils, having nearly level to steep slopes. The soils were developed from material weathered from basic igneous rock; they make up about 12% of the island. The Lihue soils make up about 40 percent of the association and the Puhi soils 35 percent.

The climate is mild semitropical and mean annual temperature at sea level is approximately 75 degrees Fahrenheit with seasonal fluctuation seldom exceeding +/-10 degrees of this mean. The average annual precipitation at the site is approximately 45 inches per year.

Impacts and Mitigation Measures
If necessary, soil borings of the site will be conducted to determine soil characteristics for design purposes. The soil tests will be done to determine:

a) soil bearing capacity for the foundation design of the structures
b) soil percolation rate for the design of the leaching field
c) slope stability analysis for the design of the retention basin

2.3 Geotechnical

If necessary, a geotechnical specialist shall monitor sitework construction to ensure proper soils compaction, and adherence to County of Kauai construction standards and requirements.

Impacts and Mitigation Measures
As the soil is suitable for existing and new structures, there should be no adverse impact from the proposed project.

2.4 Drainage

A drainage study may be conducted in conjunction with the site work construction plans and, if so, will be available upon completion.

Impacts and Mitigation Measures
The site is relatively flat with a slight slope to the south (rear) of the property. The existing soil provides good permeability, thus making for slow storm run offs. The site design will include measures to keep storm run offs on-site. A storm retention pond exists on the south side of the property. No use of the existing retention pond for site drainage of construction area is expected.

2.5 Flood Hazard

Federal Emergency Management Flood Insurance Rate Map, Panel 202, dated June 30, 1995, shows the site to be in Zone X (unshaded). Zone X (unshaded) means that the Federal Emergency Management Agency (FEMA) determined this

area to be outside the 500-year flood plain. The site is well above the Puali (Niumalu) Stream, Huleia Stream, and Nawiliwili Harbor. There are no scenic rivers or wetlands on or near the site.

Impacts and Mitigation Measures

The project site does not lie within the tsunami inundation zone as shown on the Flood Insurance Rate Map. It is much higher in elevation than Niumalu Stream, Huleia Stream and Nawiliwili Harbor and is not in the path of any major flood ways. Further, the project site is not at risk to flooding from stream overflow or heavy localized rainfall. Therefore, flooding is not expected to be a problem.

2.6 Hazardous Materials

The Clayton Group Services Phase I Assessment includes an asbestos survey, lead-based paint survey, and survey inspection of the property for the presence of recognized environmental conditions and suspected hazardous materials. The Assessment identifies the presence of asbestos containing material (e.g. roof sealant; floor tile; seal undercoating) and lead-based paint above the regulatory of 0.5%. Mitigation of these recognized environmental conditions is required. The project consultant will incorporate the finding and recommendations of Clayton Group Services into the rehabilitation and site development scope of work.

Impact and Mitigation Measures

Materials identified as containing asbestos shall be removed, segregated and disposed of in accordance with USEPA regulations. Lead paint materials shall be removed and disposed, or encapsulated, in accordance with Hawaii Occupational Safety and Health regulations.

2.7 Flora and Fauna

Flora

The site has been completely cleared from prior uses and is covered in grass, weeds, and trees. The lands are highly disturbed, and the existence of endangered species is unlikely. Consultation letter sent to the Department of Land and Natural Resources on September 29, 2004 received no comments back.

Fauna

According to the Hawaii Natural Diversity Database, there have been no recordings of rare species or ecosystems within the vicinity of the project site. Considering the current activity and the proximity of urban areas, threatened or endangered birds would not be expected.

2.8 Historic, Cultural and Archaeological Resources

According to the Historic Preservation Division, State Department of Land and Natural Resources, no historic properties will be affected by the proposed undertaking. The Kauai Historic Preservation Review Commission (KHPRC) has also been consulted with regard to the school buildings that are over 50 years old.

Impacts and Mitigation Measures
The proposed project will have no adverse impact on historical or cultural resources as determined by the State Historical Preservation Division, DLNR. However, should historic sites, including human burials, be uncovered during construction, all work in the area will terminate and the State of Hawaii, Historic Preservation Division will be contacted for further action. With regard to the rehabilitation of the school buildings, plans and drawings will be submitted to KHPRC for review and comments.

2.9 Site Preparation, Grading and Grubbing, Construction Waste

The property may harbor rodents that will be dispersed to the surrounding areas when the site is cleared.

Temporary fugitive dust emissions could be emitted during site preparation and construction and impact nearby properties.

There will be grubbed materials and construction waste generated by the project.

Impacts and Mitigation Measures
In accordance with Title 11, HAR, Chapter 11-26, entitled "Vector Control", the applicant will 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.

In accordance with Title 11, HAR, Chapter 11-60.1, entitled "Air Pollution Control", effective air pollution control measures will be provided to prevent or minimize any fugitive dust emissions caused by the construction work from impacting the surrounding area. Best Management Practices will be used to reduce the impact of any polluted runoff to the environment.

Grubbed material and construction waste that will be generated by the project shall be disposed of at a Solid Waste Division, the following methods can be used to dispose of materials produced during the site improvement phase of the project. Green waste can be separated for recycling. The Kauai Resource Center can recycle any scrap metals that may be generated. Other construction materials and debris would be placed in the landfill.

2.10 Noise

There may be temporary noise generated from the equipment and machinery used during the site preparation, moving of buildings, and construction of site improvements. Under normal tradewind conditions, the neighboring Pua Loke Subdivision would be upwind and should not be significantly affected by temporary construction noise. The operation of the facility improvement should not adversely affect noise quality in the surrounding area.

Impacts and Mitigation Measures
During the construction phase of the project, there will be short-term, temporary noise impacts on the surrounding area. Construction machinery will increase noise levels. Contractors will work during reasonable hours of the day, install appropriate devices, e.g. mufflers on heavy equipment, and comply with State Department of Health noise regulations during construction. Should the noise levels exceed permissible sound levels, a noise permit will be obtained from the Department of Health, as stated in Title 11, HAR, Chapter 11-46, entitled "Community Noise Control."

Post construction, there will be an increase in traffic noise generated by the proposed project, but the noise levels should not be significantly increased above the familiar traffic occurring in the vicinity of the project.

2.11 Air and Water Quality, Wastewater, Solid and Hazardous Waste

The proposed facility will not impact air or water quality in the surrounding area. During the construction phase of the project there may be short-term, temporary impacts from dust. According to the Federal Environmental Protection Agency, there are no toxic sites within the immediate surrounding area, nor will there be any generated by the project.

Impacts and Mitigation Measures
Building rehabilitation and site improvements will increase the amount of fugitive dust in the air. Construction machinery will increase exhaust gases in the area of the proposed project. These temporary construction nuisances cannot be avoided but can be mitigated by frequent water sprinkling of the exposed dirt surfaces. The Contractor will be responsible for keeping adjacent areas free of mud, sediment, and construction debris.

To mitigate the dust problems during the site preparation phase, contractors will comply with the County of Kauai, Department of Public Works and State of Hawaii, Department of Health, Clean Air Branch requirements to utilize Best Management Practices.

KEO and its contractor(s) will obtain any necessary permits for each activity, including the National Pollutant Discharge Elimination System permit. KEO will require its contractor(s) to comply with all applicable Federal, State and County permitting requirements such as Section 401 Water Quality Certification; Hawaii Administrative Rules, Chapter 11-60.1, Air Pollution Control, Section 11-60.1-33, Fugitive Dust. In accordance with Title 11, Chapter 11-55, Water Pollution Control, and Chapter 11-54, Water Quality Standards, HAR, KEO will be responsible for ensuring that the Best Management Practices be implemented to minimize or prevent the discharge of sediments, debris and other water pollutants into State waters.

2.12 Traffic and Circulation

The project site is accessed off Wehe Road. Wehe Road is not a thoroughfare and no interior road on-site is required or will be constructed. The site will have one driveway entry for vehicular access. The facility is expected to generate low-volume traffic for Wehe Road.

Impacts and Mitigation Measures

During the construction phase of the project, there will be impacts on Wehe Road. These impacts will be temporary, and short-term. Contractors will work during reasonable hours of the day and lessen potential impacts on the surrounding area.

Traffic impacts post-construction will be generated from facility use. It is estimated that 8 rental units may generate approximately 32 additional vehicle trips per day, in an out of the facility (8 units x 2 vehicles per unit x 2 trips per day). It is estimated that the homeless shelter with a carrying capacity of 19 people may generate an estimated 19 additional trips per day.

2.13 Utilities

Utilities will be underground.

Electricity, Cable TV

Kauai Island Utility Company (KIUC) will provide electric service. The proposed project will require service typical for school buildings and residences and will not require substantial energy consumption. Oceanic Time Warner Cable will provide cable television service.

Telephone

Verizon Hawaii services the area where the proposed project is located.

Impacts and Mitigation Measures
The rental units will be rehabilitated to comply with County and State building code and building permit procedures, including but not limited to the Uniform Building Code, as amended, and Title 11, Chapter 11-14, Housing, HAR.

No negative impacts are anticipated from the installation of electrical, cable TV or telephone services to the project.

2.14 Scenic and Visual Resources

The project is nestled between KEO's office building and County automobile base yard. No appreciable change in building scale will occur, although four additional buildings will be moved onto the site for transitional housing. The rehabilitation of buildings and other site improvements will improve the visual character of the immediate community. The project will not interfere with the makai or mauka view planes.

Impacts and Mitigation Measures
The proposed facility is in keeping with the mixed commercial use of the surrounding area. To the north of the project is the State Pua Loke Arboretum that will remain open space. Therefore, there will be no adverse impacts to scenic or visual resources of the surrounding area.

2.15 Economic Activity

The proposed project will entail the planning, design and construction of on-site improvements and rehabilitation of buildings.

Impacts and Mitigation Measures
The planning, design, and construction of the proposed project will create direct employment opportunities. This will improve Kauai's economy in the short-term. The operation of the emergency shelter and social services may benefit employment opportunities to some small degree.

2.16 Affordable Housing

The proposed project will provide 8 rental units for the transitional housing program. This will increase the islands stock of decent affordable rental housing for extremely low (below 30% of HUD's median income) and very low (below 50% of HUD's median income) persons. Kauai has an acute housing shortage and nearly no housing stock reserved for its homeless population.

Impacts and Mitigation Measures

The proposed project is designed to enhance the social welfare of the community and will help to alleviate some of the housing shortage, especially for homeless that are ready to take part in transitional housing programs. The availability of affordable rental housing will meet the needs of the existing population rather than stimulate a new population growth.

3.0 ALTERNATIVES TO THE PROPOSED ACTION

3.1 "No-Action" Alternative

An alternative to the proposed action is not to proceed with the emergency shelter or the transitional housing program. A "No-Action" alternative would not address the pressing need to provide a safety net for unsheltered homeless. A 'No-Action alternative would leave the island with an unmet gap in critical homeless facilities needed to carry out an effective continuum of care program.

3.2 Consider Alternative Sites

Although there are other vacant parcels in the Lihue area, the subject site has several advantages. Two other potential sites in the Lihue area were assessed and determined infeasible in terms of development costs and availability of basic infrastructure. The subject site is cost-effective to develop, being there are no acquisition costs. This is vital in keeping the project feasible and sustainable. The site also has building improvements that can be restored for use as the emergency shelter, training facility, office, storage and laundry. The site is centrally located to the island population and infrastructure is available. An alternative site is not considered a viable option.

3.3 Proceed with Project

The proposed action will offer a safety net for homeless to find shelter and, for some, transition housing will lead to permanent housing. The proposed action will assist service providers' to more effectively address the community problem of homelessness.

4.0 DETERMINATION

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

1. ***The proposed action does not involve an irrevocable commitment to loss or destruction of any natural or cultural resources;***

   The proposed emergency shelter and transitional housing is consistent with land use plans for the area. Based on consultations and site inspection, no natural or cultural resources will be destroyed by the proposed action.

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

   The urban character of the proposed homeless facility will blend into the existing community and surrounding properties. The only adverse impacts on the physical environment will be temporary during construction. The removal of asbestos containing materials and lead-based paint from the existing on-site improvements will be a long-term benefit to the environment.

3. ***The proposed action does not conflict with the State's long-term goals or guidelines as expressed in Chapter 344, HRS, State Environmental Policy;***

   The project is consistent with the State of Hawaii' long-term environmental goal. By its overall development plan and implementation of mitigative measures to conserve resources and remove blight, the project will establish a community facility that provides "a sense of identity, wise use of land, and aesthetic and social satisfaction in harmony with the natural environment that is uniquely Hawaiian."

4. ***The proposed action does not substantially affect the economic or social welfare of the community or state;***

   The proposed action enables unsheltered homeless to have a "safety net" from sleeping in exposed and high risk areas. The proposed action offers homeless an opportunity to be placed in transitional housing to assist them in transitioning to independent living and permanent housing. The economic and social impacts of this project are positive.

5. ***The proposed action does not substantially affect public health;***

The developer will take all measures during construction to minimize noise, dust, and disruption to surrounding and adjacent properties. The proposed action will have a beneficial affect on public health by arranging for essential services to assist the unsheltered homeless population

6. ***The proposed action does not involve substantial secondary effects;***

The development of an emergency shelter and eight rental units for transitional housing will have minimal effect on population growth or the use of public facilities.

7. ***The proposed action does not involve substantial degradation of environmental quality;***

The proposed action will have little or no effect on environmental quality due to minimal grading of the site. The proposed action will remove urban blight and benefit environmental quality of the area.

8. ***The proposed action does not cumulatively have a considerable effect on the environment or involve a commitment to larger actions;***

The developer has no plans for shelter capacity, housing units, or site improvements, other that what is proposed.

9. ***The proposed action does not affect a rare, threatened, or endangered species or its habitat;***

There are no known rare, threatened, or endangered species or critical habitat on these lands.

10. ***The proposed action does not detrimentally affect air or water quality or ambient noise levels;***

Aside from temporary disruptions during construction of site improvements and rehabilitation of buildings, air, water and noise impacts will be minimal. As previously mention, mitigative measures will be taken during construction.

11. ***The proposed action does not affect an environmentally sensitive area;***

The project site is not considered an environmentally sensitive area.

12. ***The proposed action does not substantially affect scenic vistas and view plans; and***

There a no scenic vistas and view planes that will be impacted by the proposed action.

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

The proposed project will not require substantial energy consumption. The eight rental units will have solar water heating systems.

5.0 CONDITIONS FOR APPROVAL

A determination and proposed finding of no significant impact is based on compliance with the following conditions for approval:

5.1 Air Quality

Frequent watering of exposed dirt surfaces using best management practices should mitigate short-term fugitive dust from construction related activities.

5.2 Noise

Limiting work to reasonable work hours and installing appropriate devices, e.g. mufflers on heavy equipment should mitigate temporary noise generated by equipment and machinery used for construction.

5.3 Cultural Resources

If, upon discovery of a cultural site or human burial, work shall immediately cease until DLNR-Historic Preservation official is notified and a determination is made.

5.4 Hazardous Materials

Materials identified as containing asbestos shall be removed, segregated and disposed of in accordance with USEPA regulations. Lead paint materials shall be removed and disposed, or encapsulated, in accordance with Hawaii Occupational Safety and Health regulations.

6.0 CERTIFICATION

__X__ **Finding of No Significant Impact**
(The project will not result in a significant impact on the quality of the human environment)

_____ **Finding of Significant Impact**
(The project may significantly affect the quality of the human environment)

Preparer Signature: _____ **Date:** 6/1/05

Name/Title/Agency: Ron Agor, Architect, Agor Architecture

Responsible Entity Approving Official Signature:

_____ **Date:** June 27, 2005

Name/Title/Agency: Bryan J. Baptiste, Mayor, County of Kauai

7.0 AGENCIES CONSULTED

The following agencies, organizations and individuals were consulted or contacted in the preparation of the draft Environmental Assessment:

Federal
U. S. Department of Housing and Urban Development
Department of Interior, Fish & Wildlife Service, Endangered Species
Department of the Army

State
Office of Environmental Quality Control
DLNR, Hawaii Historic Preservation Division
Department of Health, Clean Air Branch
Department of Health, Clean Water Branch
Department of Health, Hazard Evaluation and Emergency Response
State Land and Natural Resources
Department of Transportation, Airports Division

County
Kauai Historic Preservation Review Commission
Department of Water
Fire Department

Private Organizations
Kauai Continuum of Care Homeless Committee
ConVault

8.0 PERMITS REQUIRED

Building Permit
Project Development Use Permit

9.0 REFERENCES

Clayton Group Services, Inc., *Phase I Environmental Site Assessment for Proposed Kauai Homeless Shelter, May 2005.*

County of Kauai, Planning Department. *Kauai General Plan, November 2002.*

SMS Research & Marketing, Inc., *Hawaii Housing Policy Study Update, 2003.*

Belt Collins and Associates, *Draft Environmental Assessment for Kauai Economic Opportunity Building (Phase 1) and Lihue Multi-Agency Storage Facility (Phase 2).*

Federal Emergency Management Agency. *"National Flood Insurance Program FIRM Flood Insurance Rate Map."* Kauai County, Hawaii, Community Panel No. 202.

United States Fish & Wildlife Services. Online at http://www.nwi.fws.gov.

U.S. Environmental Protection Agency. Online at http://map3.epa.gov/environmapper.

National Wild & Scenic Rivers By State. Online at http://wwwnps.gov/rivers/wild.

State of Hawaii Data Book, Kauai Data Book, Seventh Edition, 2001

Statutory Checklist

[24 CFR §58.5]

Record the determinations made regarding each listed statue, executive order or regulation. Provide appropriate source documentation. [Note reviews or consultations completed as well as any applicable permits or approvals obtained or required. Note dates of contact or page references]. Provide compliance or consistency documentation. Attach additional material as appropriate. Note conditions, attenuation or mitigation measures required.

FACTORS DOCUMENTATION	DETERMINATION AND COMPLIANCE
Historic Preservation [36 CFR 800]	PRINTED. No effect on historic properties per letter dated October 18, 2004 from the DLNR State Historic Preservation Office **(Exhibit 3)**.
Floodplain Management [24 CFR 55, Executive Order 11988]	PRINTED. No effect. Review of pertinent Flood Insurance Rate Map, Community Panel No. 202, indicates Project is in Zone X (unshaded), not in Zones A or V **(Exhibit 4)**.
Wetlands Protection [Executive Order 11990]	SITE INSPECTION/PRINTED. No effect. Project site is not situated between terrestrial and aquatic systems or is saturated or covered by water. See attached U.S. Fish & Wildlife definition **(Exhibit 5)**.
Coastal Zone Management Act [Sections 307(c), (d)]	PRINTED. No effect. Per State DBEDT letter dated June 24, 2004, CZM consistency approval no longer required. Per Planning Dept., project is outside Special Management Area **(Exhibit 6)**.
Sole Source Aquifers [40 CFR 149]	PRINTED. No effect. Per EPA web site, there are no designated sole source aquifiers for Kauai. See EPA Map **(Exhibit 7)**.
Endangered Species Act [50 CFR 402]	CONTACT. No effect. Per Gordon Smith, Fish and Wildlife Biologist, Ecological Services, U.S. Fish & Wildlife Service, no record of threatened or endangered species by project.
Wild and Scenic Rivers Act [Sections 7 (b), (c)]	PRINTED. No effect. According to National Park Service Website, there are no Wild & Scenic Rivers in Hawaii. See Website state by state listing **(Exhibit 8)**.
Air Quality [Clean Air Act, Sections 176 (c) and (d), and 40 CFR 6, 51, 93]	PRINTED. No effect. Per State of Hawaii letter dated March 18, 2003 and website map for Region 9: Air Programs. Project is in an "attainment area" per EPA Region IX, National Ambient Air Quality Standards **(Exhibit 9)**.
Farmland Protection Policy Act [7 CFR 658]	PRINTED. No effect. Project is located in an area that the State of Hawaii has designated as Urban and is committed to urban use. See Map 3.
Environmental Justice [Executive Order 12898]	The project is not in a neighborhood that suffers from adverse human health concerns or recognized environmental conditions.

HUD ENVIRONMENTAL STANDARDS DOCUMENTATION	DETERMINATION AND COMPLIANCE
Noise Abatement and Control [24 CFR 51 B]	Short-term mitigation required for construction activity. Mitigation per Title II, HAR, Chapter 11-46, Community Noise, Subsection 2.9.
Toxic/Hazardous/Radioactive Materials	PRINTED. Mitigation required for potentially hazardous materials (e.g. asbestos; lead-based paint). Clayton Group Services Report

	dated May 11, 2005 **(Exhibit 2).**
Contamination, Chemical or Gases [24 CFR 58.5(I)(2)]	PRINTED. Mitigation possible for suspected ground contamination. See Clayton Group Services Report dated May 11, 2005 **(Exhibit 2).**
Siting of HUD-Assisted Projects near hazardous Operations [24 CFR 51 C]	SITE INSPECTION/PRINTED. No effect from above ground storage tanks at Lihue Repair Shop. See Con Vault letter dated April 29, 2005 **(Exhibit 10)** and State of Hawaii Dept. of Health letter dated April 27, 2005 **(Exhibit 11).**
Airport Clear Zones and Accident Potential Zones [24 CFR 51 D]	PRINTED. No effect. Per Assistant Airport Superintendent for Lihue Airport, State of Hawaii Department of Transportation letter dated April 16, 2005. **(Exhibit 12).**

Environmental Assessment Checklist

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]
Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a determination of impact. **Impact Codes: (1)**– No impact anticipated; **(2)** – Potentially beneficial; **(3)** – Potentially adverse; **(4)** – Requires mitigation; **(5)** – Requires project modification. Note names, dates of contact, telephone numbers and page reference. Attach additional material as appropriate. Note conditions or mitigation measures required.

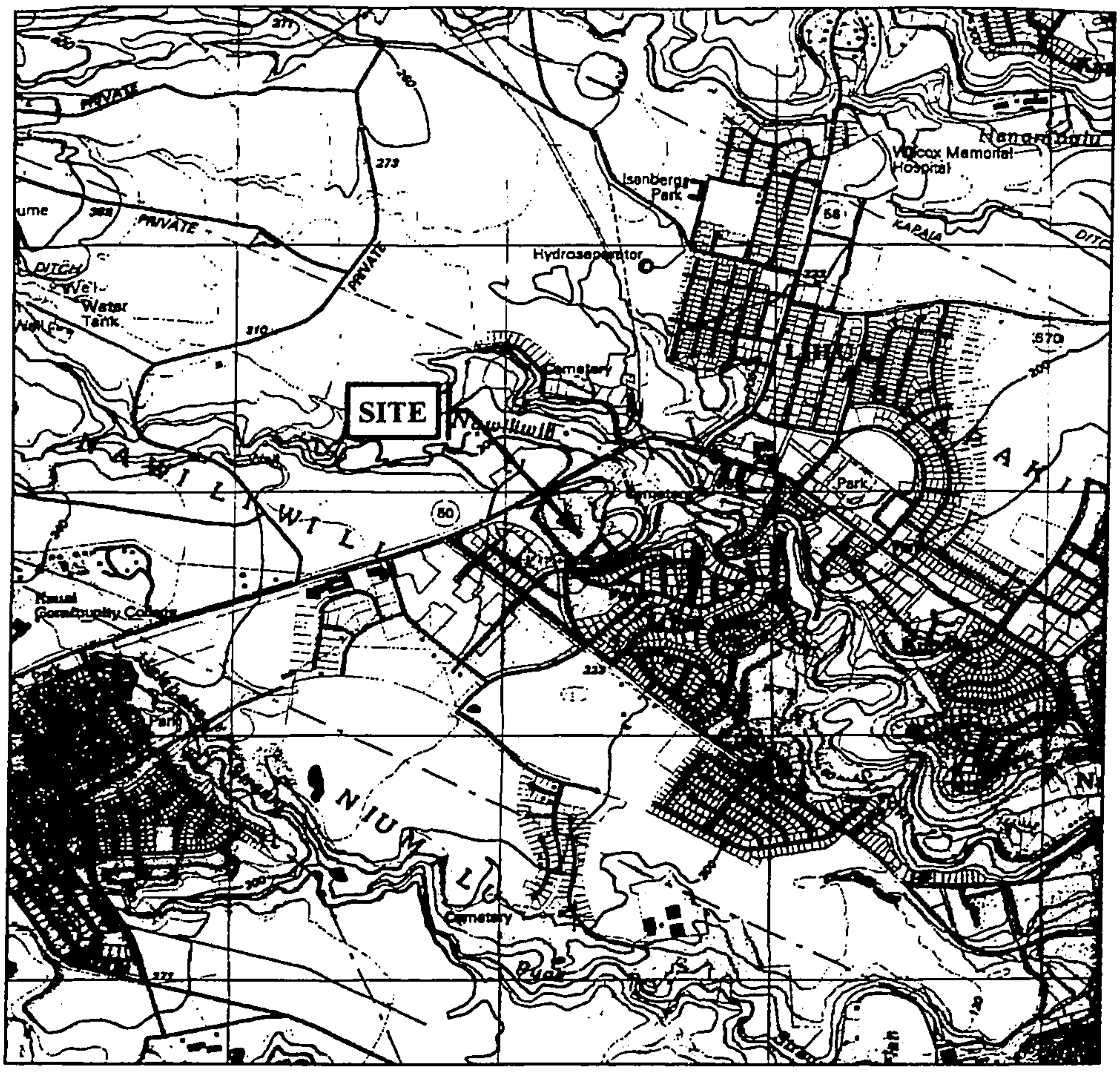
LAND DEVELOPMENT	CODE	SOURCE or DOCUMENTATION
Conformance with Comprehensive Plans and Zoning	4	Proposed project complies with Kauai General Plan policies. The Comprehensive Zoning Ordinance requires project development use permit approval for Urban District.
Compatibility and Urban Impact	4	See above.
Slope	1	
Erosion	1	Land Study Bureau, Detailed Land Classification-Island of Kauai
Soil Suitability	1	Land Study Bureau, Detailed Land Classification-Island of Kauai
Hazards and Nuisances including Site Safety	4	Title 11, Hawaii Administrative Rules (HAR), Chapters 11-26, Vector Control, 11-60.1, Air Pollution Control, and 11-58.1, Solid Waste Management Control
Energy Consumption	1	Kauai Island Utility Cooperative
Noise – Contribution to Community Noise Levels	4	Title 11, HAR, Chapter 11-46, Community Noise Control
Air Quality – Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	4	Title 11, HAR, Chapter 11-60.1, Air Pollution Control
Environmental Design – Visual Quality - Coherence, Diversity, Compatible Use and Scale	1	The proposed project is designed to have minimal impact on the physical environment by utilizing existing topography and grade. Facility will remove blighted area and be compatible in use and scale with the surrounding commercial uses.

SOCIOECONOMIC	CODE	SOURCE or DOCUMENTATION
Demographic Character Changes	1	No data available.
Displacement	1	The land is currently vacant. No displacement will occur from the proposed activities.
Employment and Income Patterns	2	No data available.

COMMUNITY FACILITIES AND SERVICES	CODE	SOURCE or DOCUMENTATION
Educational Facilities	1	Department of Education, Complex Area Superintendent's Office.
Commercial Facilities	1	2001 State of Hawaii Data Book; Kauai Data Book, Seventh Edition
Health Care	1	2001 State of Hawaii Data Book; Kauai Data Book, Seventh Edition
Social Services	1	2001 State of Hawaii Data Book; Kauai Data Book, Seventh Edition
Solid Waste	4	Title 11, HAR, Chapter 11-58.1
Waste Water	4	Individual wastewater system to be designed by Aqua Engineers for proposed project capacity.
Storm Water	1	PRINTED. Per State of Hawaii, Dept. of Health letter dated October 11, 2004, NPDES permit will be obtained for project construction, as required **(Exhibit 13)**.
Water Supply	1	PRINTED. Per Department of Water, existing storage & transmission adequate. Adequate source is expected when Grove Farm surface source is constructed **(Exhibit 14)**.
Public Safety – Police	1	Lihue Police Station is 1.34 miles from project.
Public Safety - Fire	1	Lihue Fire Station is .59 miles from project. No new hydrant system anticipated.
Emergency Medical	1	Wilcox Hospital emergency room is 1.7miles from project
Open Space and Recreation - Open Space	1	Site design will not obstruct view planes for adjacent properties or reduce open space in general vicinity of project site.
- Recreation	1	Numerous public recreation facilities are located in Lihue area.
-Cultural Facilities	1	Letter from State Historic Preservation Office dated 10/12/04 determination of no affect.
Transportation	1	Kauai Bus transportation system serving island is .36 miles from project.

NATURAL FEATURES		SOURCE or DOCUMENTATION
Water Resources	1	PRINTED. No impact on perennial or intermittent streams. See Dept. of the Army letter dated May 13, 2005 **(Exhibit 15).**
Surface Water	1	Site drainage will be designed to channel to an existing drainage basin.
Unique Natural Features and Agricultural Lands	1	Farmland Protection Policy Act (7 CFR 658) not applicable to lands already committed to urban development.
Vegetation and Wildlife	1	SITE INSPECTION

OTHER FACTORS		SOURCE or DOCUMENTATION
Flood Disaster Protection Act [Flood Insurance][§58.6(a)]	1	FEMA Flood Insurance Rate Map, Panel 202.
Coastal Barrier Resources Act/ [§58.6(c)]	1	Per Dept. of Interior, no coastal barriers (e.g. sand bars, spits, dunes) are present with the State of Hawaii
Airport Runway Clear Zone or Clear Zone Disclosure[§58.6(d)]	1	PRINTED. No effect. Per Assistant Airport Superintendent for Lihue Airport, State of Hawaii Department of Transportation letter dated April 16, 2005. **(Exhibit 12).**



SCALE 1:24,000

1 0.5 0 1 Miles

1,000 500 0 1,000 2,000 3,000 4,000 5,000 6,000 7,000 Feet

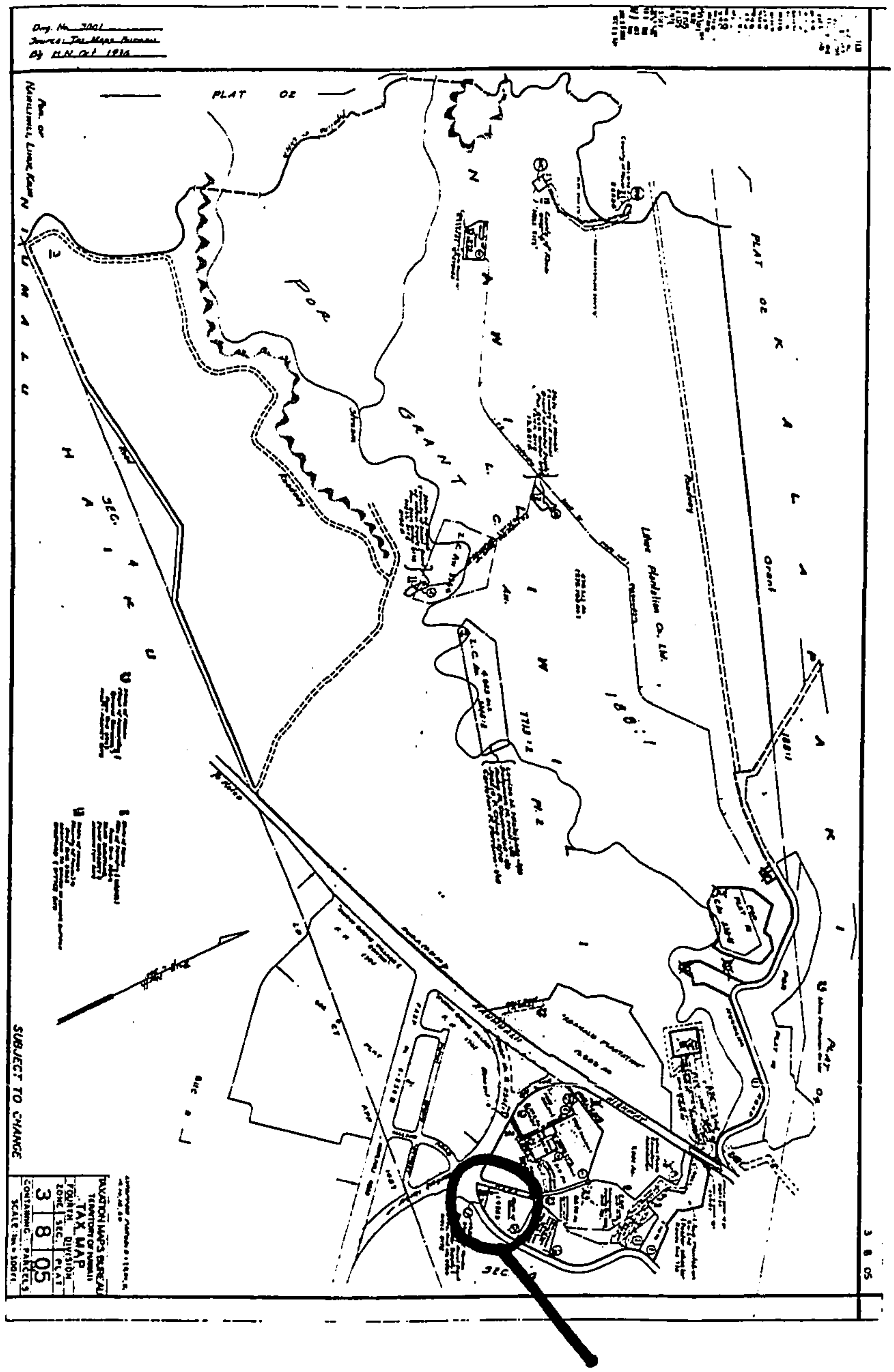
1 0.5 0 1 Kilometers

N

Portion of 7.5-minute Series (Topographic) Maps
United States Department of Interior
United States Geological Survey
Lihue Quadrangle, Kauai County, Hawaii
1996

Project No.:	Title:	Site Location Map
Date:	Location:	TMK [4] 3-8-005:001 Lihue, Kauai, Hawaii
Revised By:		
Checked By:	Client:	Agor Architecture

MAP 1

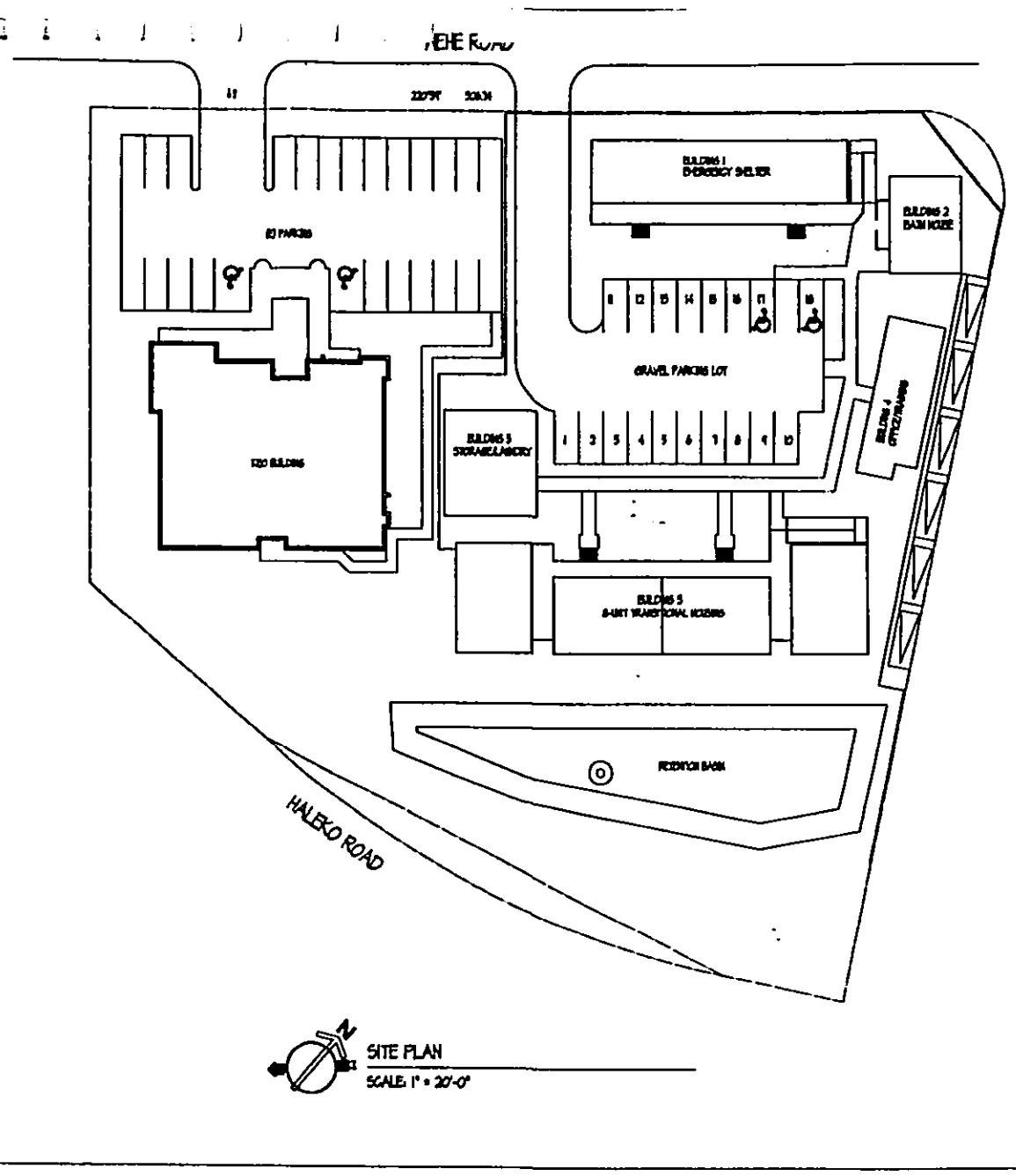


MAP 2

DOCUMENT CAPTURED AS RECEIVED

KAUAI ISLAND, HAWAII — SHEET NUMBER 31

MAP 4



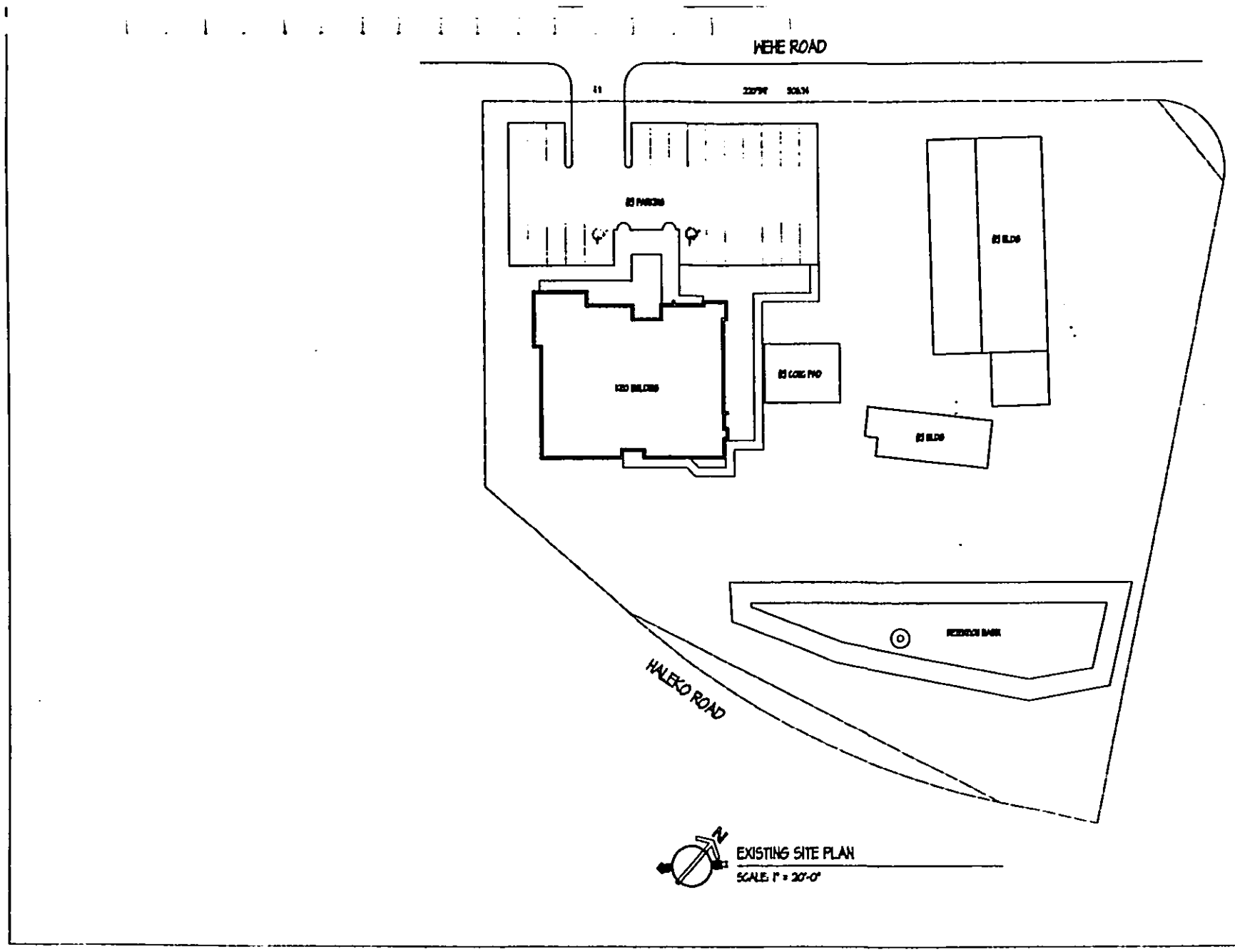
SITE PLAN
SCALE: 1" = 20'-0"

AGOR ARCHITECTURE
4374 KUKUI GROVE DR., # 204
LIHUE, KAUAI, HAWAII 96766
(808) 245-4350 FAX: (808) 246-1091

KEO Homeless and Transitional Housing Center
TMK: (4) 3-6-5:1
2804 Haleko Road
Lihue, Kauai, Hawaii

APRIL 14, 2008

EXHIBIT 1



EXISTING SITE PLAN
SCALE: 1" = 20'-0"

AGOR ARCHITECTURE
4374 KUKUI GROVE DR., # 204
LIHUE, KAUAI, HAWAII 96766
(808) 245-4920 FAX: (808) 246-1091

KEO Homeless and Transitional Housing Center
TMK: (4) 3-6-5:1
2804 Wehe Road
Lihue, Kauai, Hawaii

Clayton
GROUP SERVICES

EXHIBIT 2

Phase I Environmental Site Assessment

Proposed Kauai Homeless Shelter
2804 Wehe Road
TMK No.: (4) 3-8-005: Parcel 1
Lihue, Kauai, Hawaii

Prepared for:

AGOR ARCHITECTURE

4374 Kukui Grove Drive
Suite 204
Lihue, Kauai, Hawaii 96766

Clayton Project No. 85-05262.00
May 11, 2005

Prepared by:

Clayton Group Services, Inc.
970 N. Kalaheo Avenue
Suite C-316
Kailua, Hawaii 96734
808.531.6708

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Executive Summary

Agor Architecture retained Clayton Group Services, Inc. (Clayton) to conduct a Phase I Environmental Site Assessment of the Proposed Kauai Homeless Shelter property located at 2804 Wehe Road in Lihue, Kauai, Hawaii, the "subject property," also described as Tax Map Key (TMK) Numbers: (4) 3-8-005: Parcel 1. The objective of the assessment was to provide an independent, professional opinion regarding recognized environmental conditions, as defined by ASTM, associated with the subject property. The objective of the assessment was in association with a real estate financial transaction.

This assessment was performed under the conditions of, and in accordance with Clayton's Proposal Number PR-85ES05.554 dated March 17, 2005, using ASTM E1527-00, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* as a guideline. Any exceptions to, additions to, or deletions from the ASTM practice are described in the report. Details of the work performed, sources of information, and findings are presented in the report. Limitations of the assessment are described in Sections 1.2 and 1.3.

The subject property is located northeast of the intersection at Pua Loke Street and Wehe Road in Lihue and is zoned *"RI, Residential"* and *"STP, Special Treatment Public Facilities."* The State land use zoning designation for the subject property is *"U, Urban District."*

The subject property currently contains a total of 1.928 acres of land area and has been partially improved on the northern side of the site with three school buildings (currently vacant), which is known as the former Lihue Grammar School. A fourth commercial office building is located on the southern end of the subject property and is currently occupied by Kauai Economic Opportunity, Inc. (KEO). The vacant school buildings were reportedly built in 1939, while the KEO building was constructed in 1993. The school area is mostly unpaved and consists of exposed gravel or top layer soil. The area around the KEO building consists of an asphalt- and concrete-paved parking lot and walkways. Wastewater from the KEO building flows into an onsite aerobic wastewater system, which currently discharges directly into an onsite cesspool formerly utilized by the Lihue Grammar School.

A baseyard area, formerly utilized by the Lihue Department of Accounting and General Services (DAGS), occupies approximately 2,500 square feet of land area along the northeastern section of the subject property. Abandoned heavy machinery and vehicles were parked on this portion of the subject property, and evidence of minor refuse dumping and *de minimis* petroleum hydrocarbon staining was observed on exposed gravel or dilapidated asphalt-paved surfaces of this area.

The historical research presented in this report has established the use of the subject property since 1910. Based upon Clayton's review of topographical maps (1910 through 1996) and aerial photographs (1950-1992), the subject property was depicted as agricultural land in 1910. Subsequent topographic maps and aerial photographs showed

the subject property occupied by structures that appeared as the currently vacant school buildings.

Based on available tax assessment records, the subject parcel was reportedly owned by the State of Hawaii since 1958. The subject property was leased to various State agencies including DAGS (1962) and Lihue Grammar School (prior to 1958).

This assessment has revealed no evidence of *recognized environmental conditions* (RECs), as defined by ASTM, in connection with the subject property, except for the following:

- Evidence of fugitive dumping, including heavy machinery, vehicles, and *de minimis* staining, was observed in the area of the subject property's former baseyard.

  The former baseyard and the abandoned machinery and vehicles are considered a recognized environmental condition because of the site activities (i.e., oil changes, fueling) normally associated with these types of operations. Clayton recommends that the discarded items should be removed and properly disposed of prior to development of the property.

  After removal of the refuse, the underlying ground surface should be inspected for stains or releases of suspect hazardous materials. If staining is observed, the impacted soil and/or rocks should be sampled prior to being removed and sent to a proper disposal facility. *De minimis* stains in the former baseyard area should be removed from the area.

  Clayton also recommends that the baseyard portion be surveyed with ground penetrating radar to confirm the presence or absence of underground storage tanks at the subject property.

- Based on Clayton's review of the Environmental Data Resources, Inc. (EDR) report and State of Hawaii-Department of Health database records, the Lihue Department of Water Baseyard, 2820 Wehe Road, is listed as an underground storage tank (UST) and leaking underground storage tank (LUST) site. This site is located on the adjacent property to the northeast in an upgradient position relative to the subject property. This site reportedly maintained three, 5,000-gallon USTs used to store gasoline (two USTs) and diesel (one UST) fuels. The USTs were installed in 1977 and were closed and removed from the property in 1998. The USTs were each listed with the status of "Permanently Out of Use." Details of the closure were not provided; however this site's LUST listing (facility identification no. 9-701076) is listed with the status of "Site Cleanup Completed."

  Although the status of this operation indicates a "closed" status, given the lack of specific information on this closure, Clayton recommends conducting a file review to confirm the site's UST and LUST history.

The following environmental issues were identified in connection with the subject property, although not deemed to be *recognized environmental conditions* as defined by ASTM:

- The subject property maintains an aerobic wastewater system, which is located directly behind the KEO building and is utilized to handle wastewater generated from the KEO building's sinks and toilets. Due to defective issues related to the system's associated irrigation field, it is currently linked to an onsite abandoned cesspool, which was utilized by the former Lihue Grammar School. According to the State of Hawaii Department of Health-Wastewater Division, the onsite system in its current operational state has not been approved for use.

  The subject property's wastewater system is not considered a recognized environmental condition because there is no evidence of hazardous materials releases into the system. However, according to the federal regulations published in Federal Register 68546, dated December 7, 1999, existing large capacity commercial cesspools are required to be closed by April 5, 2005.

- Clayton observed up to 10 discarded vehicle batteries in the area of the subject *property's former baseyard.*

  The batteries are not considered a recognized environmental condition because material staining or release, were not noted in these areas. Clayton recommends that the batteries be collected and sent to a proper disposal or recycling facility.

- An asbestos assessment survey was conducted as part of this Phase I assessment. The results of polar light microscopy (PLM) analysis identified four materials which tested positive for asbestos content. These materials included:

  -- Approximately 10 square feet of roofing sealant

  -- Approximately 16 linear feet of roofing sealant

  -- Approximately 900 square feet of floor tile

  -- Approximately one sink with sink undercoating

  These materials were observed to be non-friable (not easily crumbled under hand pressure) and in good condition. Although considered non-friable in their present conditions, these materials may become friable if disturbed during renovation or demolition activities. Clayton recommends the proper removal of all ACM prior to demolition activities by a licensed asbestos abatement contractor, under the supervision of a qualified industrial hygienist, in order to comply with regulatory requirements.

According to the USEPA regulations, removal of some non-friable ACM is not mandatory prior to demolition of a structure unless there is a potential for these materials to become friable (and thereby release fibers) during these activities. However, the ACM may need to be segregated from the other building materials prior to acceptance by the landfill.

- A lead paint assessment survey was conducted as part of this Phase I assessment. Clayton's survey resulted in the collection of 19 paint-chip samples for lead analysis. Of the paint samples collected, nine samples reported lead concentrations above the regulatory level of 0.5 % lead by weight. These paints included:
  - Lime green paint located on the walls and window frames of Building #1
  - Brown paint located on the interior doors of Building #1
  - Brown paint located on the interior window frames of Building #1
  - Beige paint located on the exterior walls and support columns of Building #1
  - Blue paint located on the lower foundation beam
  - Brown paint located on the north exterior door, door frame and stairs of Building #1
  - Brown paint located on the exterior window frames, doors and door frames of Building #2
  - White paint located on the exterior walls of Building #2

These paints were observed to be in poor to good condition. If the subject building or portions of the building with LBP are demolished, a licensed lead abatement contractor should properly remove the loose and flaking LBP prior to demolition.

The intact paint may remain in place during demolition activities; however, landfills require toxicity characteristic leaching procedure (TCLP) lead analysis of the demolition debris for landfill acceptance. Lead demolition debris with a TCLP lead concentration above 5.0 milligrams per liter (mg/l) may require disposal at an approved landfill on the mainland U.S.A.

In addition to the confirmed LBP, five other paint samples collected contained lead concentrations at or above the laboratory detection limit. The Hawaii Occupational Safety and Health (HIOSH) regulations must be followed whenever paint that contains lead, regardless of the concentration, will be disturbed (e.g., during renovation or demolition). Clayton recommends conducting air monitoring during renovation/demolition activities to ensure that airborne lead dust levels are below the HIOSH permissible exposure limit (PEL).

Clayton inspected the subject building for suspect arsenic-containing materials such as canec (particle board). Based on our assessment, the canec ceiling board in Building #2 contains arsenic at concentrations of 530 parts per million (ppm).

When detectable concentrations of arsenic are identified, there are Hawaii Occupational Safety and Health (HIOSH) requirements to protect workers during the disturbance of arsenic-containing materials. These requirements include air monitoring during disturbance activities such as demolition. In addition, the arsenic-containing materials must undergo TCLP-Arsenic analysis prior to disposal.

- The historical research indicates that the subject property was formerly used as agricultural land. Past use of agricultural chemicals on lands previously used for commercial agricultural purposes has the potential to impact the subject property. However, there was no evidence of storage, mixing or excessive use of agricultural chemicals at the subject property. Moreover, according to Hawaii Administrative Rules (HIAR) Chapter 128D Environmental Response Law, the presence of agricultural chemicals does not constitute a release of a hazardous substance. Section 128D-1 of the HIAR, excludes "any release resulting from the legal application of a pesticide product registered under the Federal Insecticide, Fungicide, and Rodenticide Act."

  This finding is not considered a recognized environmental condition because there was no evidence of storage, mixing, or excessive use of pesticides and/or herbicides on the property. In addition, according to HIAR Chapter 128D, the presence of agricultural chemicals does not constitute a release. The subject property is zoned "*A-5, Agriculture*" and Clayton understands that the subject property is to be developed as residential properties; therefore, testing for agricultural chemicals may be required.

1.0 INTRODUCTION

Agor Architecture retained Clayton Group Services, Inc. (Clayton) to conduct a Phase I Environmental Site Assessment of the Proposed Kauai Homeless Shelter property at 2804 Wehe Road located in Lihue, Kauai, Hawaii, the "subject property," also described as Tax Map Key (TMK) Numbers: (4) 3-8-005: Parcel 1. The objective of the assessment was in association with a real estate financial transaction.

1.1 PURPOSE

The objective of this environmental site assessment is to provide an independent, professional opinion regarding *recognized environmental conditions*, as defined by ASTM, associated with the subject property. The term *recognized environmental conditions* (RECs) is defined as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be *de minimis* are not RECs.

1.2 METHODOLOGY AND EXCEPTIONS

This assessment was performed under the conditions of, and in accordance with Clayton's Proposal Number PR-85ES05.554 dated March 17, 2005, using ASTM E1527-00, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* as a guideline.

The assessment included the following components:

- A site walkthrough inspection of the property for visual evidence of potential environmental concerns including existing or potential soil and groundwater contamination, as evidenced by soil or pavement staining or discoloration, stressed vegetation; indications of waste dumping or burial, pits, ponds, or lagoons; containers of hazardous substances or petroleum products; electrical and hydraulic equipment that may contain polychlorinated biphenyls (PCBs), such as electrical transformers and hydraulic hoists; and underground and aboveground storage tanks.

- An investigation of historical use of the site by examining locally available aerial photographs (one source) and other readily available historical information such as fire insurance maps for evidence of prior land use that could have led to recognized environmental conditions.

- A review of information available on general geology and topography of the subject property, local groundwater conditions, sources of water, power, and sewer, and proximity to ecologically sensitive receptors, such as streams, that might be impacted by recognized environmental conditions and environmental issues.

- A review of environmental records available from the property owner or site contact including regulatory agency reports, permits, registrations, and consultants' reports for evidence of recognized environmental conditions.

- A site property line visual assessment of adjacent properties for evidence of potential offsite environmental conditions that may affect the subject property.

- A review of a commercial database summary of federal and state regulatory agency records pertinent to the subject property and offsite facilities located within ASTM-specified search distances from the subject property.

- Evaluation of information gathered and development of this report.

- Interviews with key site personnel, as available, regarding current and previous uses of the property, particularly activities involving hazardous substances and petroleum products.

This assessment also included the following non-ASTM items:

- Visual inspection of building materials to identify suspect asbestos-containing materials (ACM).

- Visual inspection of predominant painted surfaces to identify suspect lead-based paint (LBP).

This assessment did not include sampling or analysis of soil, groundwater or other materials except:

- Sampling and analysis of suspect asbestos containing building materials

- Sampling and analysis of peeling paint

Mr. Steven Cho, Environmental Scientist, and Mr. John Willard, Staff Industrial Hygienist, from Clayton's Honolulu Regional Office, conducted the site walkthrough portion of the assessment on March 22, 2005, and was accompanied by Mr. James Nishida, Housing Coordinator with Kauai Economic Opportunity, Incorporated.

Resumes for environmental professionals involved in this assessment are included in Appendix A. Photographs taken at the time of the assessment are included behind the *Photographs* tab.

1.3 LIMITING CONDITIONS OF ASSESSMENT

Information for the assessment was obtained from sources listed in Appendix B. This information, to the extent it was relied on to form our opinion, is assumed to be correct and complete. Clayton is not responsible for the quality or content of information from these sources. Rear portions of the subject property included densely vegetated land, which could not be accessed for the purpose of this site investigation.

The information and opinions rendered in this report are exclusively for use by Agor Architecture will not distribute or publish this report without consent except as required by law or court order. The information and opinions expressed in this report are given in response to a limited assignment and should be considered and implemented only in light of that assignment. The services provided by Clayton in completing this project were consistent with normal standards of the profession. No other warranty, expressed or implied, is made.

2.0 SUBJECT PROPERTY DESCRIPTION

2.1 LOCATION AND LEGAL DESCRIPTION

The subject property is located at 2804 Wehe Road, northeast of the intersection at Pua Loke Street and Wehe Road in Lihue, Kauai and is further described as the irregular-shaped parcel of land lying in the designated TMK Number: (4) 3-8-005: Parcel 1 in the County of Kauai, Real Property Tax Assessment records (Figures 1 and 2, *Figures* tab). The subject property is located northeast of the intersection at Pua Loke Street and Wehe Road in Lihue and is zoned *"R1, Residential"* and *"STP, Special Treatment Public Facilities."* The State land use zoning designation for the subject property is *"U, Urban District."*

No record of environmental liens was found in the property records reviewed (EDR, March 30, 2005).

2.2 CURRENT USE OF SUBJECT PROPERTY

The subject property currently contains a total of 1.928 acres of land area and has been partially improved on the northern side of the site with three school buildings (currently vacant), which is known as the former Lihue Grammar School. A fourth commercial office building is located on the southern end of the subject property and is currently occupied by Kauai Economic Opportunity, Inc. (KEO). The vacant school buildings were reportedly built in 1939, while the KEO building was constructed in 1993. The school area is mostly unpaved and consists of exposed gravel or top layer soil. The area around the KEO building consists of an asphalt- and concrete-paved parking lot and walkways. Wastewater from the KEO building flows into an onsite aerobic wastewater system, which currently discharges directly into an onsite cesspool formerly utilized by the Lihue Grammar School.

A baseyard area, formerly utilized by the Lihue Department of Accounting and General Services (DAGS), occupies approximately 2,500 square feet of land area along the northeastern section of the subject property. Abandoned heavy machinery and vehicles were parked on this portion of the subject property, and evidence of minor refuse dumping and *de minimis* petroleum hydrocarbon staining was observed on exposed gravel or dilapidated asphalt-paved surfaces of this area.

The subject property is accessed via driveways, located along the northwestern perimeters facing Wehe Road. The subject property is relatively flat but slopes down slightly (an approximate 1 percent slope) from the north/northwest to the south/southeast, in line with the summit of Mt. Waialaele to the north, to the ocean shoreline by Nawiliwili Bay to the southeast. Nawiliwili Stream is located approximately 1,200 feet to the northeast of the subject property.

Based on interviews with Mr. James Nishida, Housing Coordinator with KEO, as well as observations made during the site visit, the following information was obtained:

- The Kauai Island Utility Cooperative (KIUC) provides electricity.
- Sewage is directed to an underground septic system located to the rear of the KEO building.
- The subject property's school buildings have been abandoned for several decades. The onsite abandoned school buildings no longer generate wastewater. Instead, wastewater is generated solely from the KEO building's sinks and toilets. Raw sewage is handled by the subject property aerobic wastewater system, which currently discharges into the onsite abandoned cesspool, which formerly serviced the Lihue Grammar School.
- Storm drains were not observed at the subject property. Stormwater runoff infiltrates directly into the soil subsurface, or, in the case of oversupply, exits the site via the adjoining roads (Wehe Road and Pua Loke Street), and natural contours.
- The planned short-term use for the subject property is demolition of the school buildings and baseyard and subsequent development into a homeless shelter.

2.3 CURRENT USES OF ADJOINING PROPERTIES

The area surrounding the subject property consists of light industrial operations and residential dwellings. Adjoining properties were observed (from the subject property or from public access areas) for signs of recognized environmental conditions and their potential to pose an environmental concern to the subject property (Figure 2). The uses and features of adjoining properties are described below.

- **Northwest:** Wehe Road, beyond which is a State Park.
- **Northeast:** Department of Public Works Baseyard

shield volcano forms the majority of the island and consists mainly of tholeiitic basalt flows many hundreds of feet thick. After a period of repose when no new lava erupted and large valleys were eroded into the volcanic shield, the Kauai volcano resumed eruptions, which were designated as the Koloa Volcanic Series.

The subject property is located in the southeast quadrant of the island of Kauai. The southeast portion of the island is comprised of a lower volcanic basement (Waimea Canyon series), separated from upper later eruptive deposits (Koloa volcanic series) by an erosional unconformity.

The shallow subsurface conditions in this region generally consist of silty clay alluvial soils that form a thin mantle over basalts of the Koloa Volcanic Series. The base of the stratigraphic section is the Napali Basalts of the Waimea Canyon Volcanic Series, which are overlain by lavas of the Koloa Volcanic Series. The Koloa Volcanic Series was often interrupted by long periods of weathering and erosion, resulting in local unconformities within the layers of lava.

Clayton reviewed the U.S. Department of Agriculture (USDA) Soil Conservation Service Survey (dated August 1972) for information regarding the soil at the subject property.

According to the USDA, the soil beneath the subject property is identified as Lihue silty clay, with 0 to 8 percent slopes (mapping unit *LhB*).

The Lihue series consists of well-drained soils on uplands that developed in material weathered from basic igneous rock. Lihue silty clay typically occurs atop broad interfluves, in areas are gently sloping to steep.

In a representative profile the surface layer is dusky-red silty clay about 12 inches thick. The subsoil, more than 48 inches thick, is dark-red and dark reddish-brown, compact silty clay that has subangular blocky structure. The substratum is soft, weathered rock. The surface layer is strongly acid. The subsoil is slightly acid to neutral. Permeability is moderately rapid, runoff is slow, and the erosion hazard is no more than slight.

2.4.2 Groundwater Conditions

Although the depth to groundwater was not directly measured at the site, based on the regional topography, it is anticipated to be approximately 250 feet below ground surface (bgs). Also, the regional groundwater flow direction is anticipated to follow surface topography and flow in a southeasterly direction towards the Pacific Ocean coastline by Nawiliwili Bay. However, topography is not always a reliable basis for predicting groundwater flow direction. The local gradient under the subject parcels may be influenced naturally by zones of higher or lower permeability, or artificially by nearby pumping or recharge, and may deviate from the regional trend.

Clayton reviewed Aquifer Identification and Classification Technical Report No. 186, published by the Water Resources Center at the University of Hawaii for the island of Kauai, for information on groundwater conditions below the subject property. The report

describes the aquifer below the subject property as part of the Hanamaulu aquifer system of the Lihue sector.

The upper aquifer in this area is described as an unconfined basal aquifer (fresh water in contact with seawater) of the sedimentary type, with nonvolcanic lithology. Its status is described as an ecologically important, irreplaceable water supply with a potential for use that has low salinity (250-1,000 mg/L Chlorides) and a high vulnerability to contamination.

The lower aquifer in this area is described as an unconfined basal aquifer of the flank type, occurring in horizontally extensive lavas. Its status is described as an ecologically important, irreplaceable drinking water supply with a potential for use that has low salinity (250-1,000 mg/L Chlorides) and a moderate vulnerability to contamination.

3.0 HISTORICAL AND AGENCY REVIEW

3.1 AERIAL PHOTOGRAPHS

Clayton reviewed aerial photographs at the State Archives building in Honolulu and Clayton's collection of aerial photographs, to assess past land use at and adjacent to the subject property. Photographs reviewed are summarized as follows:

Date: 1950 Aerial Photograph No. GSMF K-2-26

In the 1950 aerial photograph, the subject property appeared developed with the three onsite buildings (former school buildings), as well as an additional building located in the area of the current KEO office building. The roadways, which currently include Wehe Road, Pua Loke Street, and Haleko Road, appeared developed. Other structural development in the area was sparse and included residential houses. Areas not occupied with structures in the immediate area were undeveloped and heavily vegetated.

Areas to the west and south of the subject property included large tracts of agricultural lands cultivated with sugarcane crops. Major thoroughfares in the area included Kaumualii Highway, located to the northwest, and a paved road (Nawiliwili Road) located to the southwest. Numerous single-family dwellings were also observed along Nawiliwili Road to the west and southwest, and several shipping containers were observed further south along this major thoroughfare. Agricultural lands and undeveloped raw land containing dense groves of trees and low-lying vegetation characterized land across Kaumualii Highway to the north.

Date: 10-15-60 Aerial Photograph No. 1-30 GS VXJ

The 1960 aerial photograph appeared similar to the 1950 aerial photograph for the subject property and vicinity, except the residential area across Nawiliwili Road to the west appeared increasingly developed.

Date: 1978 Aerial Photograph No. Lihue, Hawaii USGS Ortho Photo Quad

In the 1978 aerial photograph, the subject property and adjacent properties appeared similar to the 1960 aerial photograph, except an additional building, currently occupied by the Department of Water Baseyard, was observed on the northeast adjacent property. Other commercial buildings were visible further west-northwest, and residential neighborhoods across Nawiliwili Road to the east appeared more densely developed.

Date: 9-29-92 Aerial Photograph No. NASA 92-166 A-B

In the 1992 aerial photograph, the subject property and adjacent properties appeared similar to the 1978 aerial photograph, except the general vicinity was marked by increased numbers of residential housing to the south and further east.

No readily apparent evidence of recognized environmental conditions at the subject or adjoining properties was noted in the aerial photographs reviewed.

3.2 USGS TOPOGRAPHIC MAPS

Historic topographic maps for the subject property and vicinity were observed at the State Archives building in Honolulu and Clayton's collection of topographical maps, to assess past land use at and adjacent to the subject property. Topographic maps were available for the period 1910 to 1996. The maps depicted the following:

Date: 1910 U.S. Army Engineers, Lihue, Kauai Quadrangle

The subject and surrounding properties were depicted as agricultural or undeveloped land. The road currently known as Nawiliwili Highway (Highway 50) was depicted to the west of the subject property. No apparent road development was observed in the immediate vicinity of the subject property.

Date: 1963 U.S. Geological Survey, Lihue, Kauai Quadrangle

In the 1963 topographic map, property delineations were difficult to estimate; however, up to three structures were located on the subject property, and one may have been located on the northwest adjacent property. Streets currently identified in the area (Pua Loke Street and Wehe Road) were depicted during this year. Other structures in the area included single-family residential homes on the western and southern properties.

Date: 1983 U.S. Army Corps of Engineers, Lihue, Kauai Quadrangle

The subject and surrounding properties were essentially unchanged from the 1963 topographic map, with the exception of two large commercial buildings located to the northwest of the subject property approximately 800 feet away.

Dates: 1996 U.S. Geological Survey, Lihue Quadrangle

The subject and surrounding properties were shaded to depict development; however, no buildings or structures were indicated.

No readily apparent evidence of environmental concerns at the subject parcel or adjoining properties was noted in the topographic maps reviewed, except that portions of the subject property was historically used for agricultural purposes. Agricultural chemicals used on crops have the potential to impact the subject property. However, Clayton found no evidence of excessive use, storage, or mixing of agricultural chemicals on the subject property. Therefore, the former use of agricultural chemicals has a low potential to impact the subject property.

3.3 FIRE INSURANCE MAPS

Fire insurance maps that include the subject and adjoining properties were requested from the State Archives in Honolulu. Fire insurance maps were not available for the area of the subject property.

3.4 PRIOR OWNERSHIP

Readily available tax records at the City and County of Honolulu were reviewed to assess past ownership and leasing activities at the subject property. Tax assessment records indicate that the subject property, which is currently owned by the State of Hawaii, was designated as Tax Map Key (TMK) Numbers: (4) 3-8-005: Parcel 1, in 1962. Prior to this, the subject property was a portion of TMK (4) 3-8-005: Parcel 2, which was recorded as a 10.836 acre parcel of land. This parcel was owned by the State of Hawaii and leased to Accounting and General Services (City of Lihue) in 1962. Records further indicated that this parcel was owned by the State of Hawaii (leased to Lihue Grammer School) since prior to 1958. Property ownership records prior to 1958 were not on record.

No readily apparent evidence of recognized environmental conditions at the subject property was noted in the ownership records reviewed.

3.5 AGENCY CONTACTS

3.5.1 Planning and Permitting Department

The Hawaii County Department of Planning database was reviewed on March 23, 2005, to obtain historical use information of the subject property.

No permits were indicated for the subject property.

3.5.2 Department of Health, Solid and Hazardous Waste Branch

The State of Hawaii, Department of Health (DOH), Solid and Hazardous Waste Branch, Underground Storage Tank (UST) and Leaking Underground Storage Tank (LUST) databases (2004) were reviewed to obtain information regarding environmental concerns or violations at the subject property.

The subject property was not listed in either the UST or the LUST databases reviewed. However, the Department of Public Works Baseyard, located on the adjoining property to the northeast, was identified as a UST and LUST facility. The site reportedly maintained three USTs which were used to store gasoline and diesel. Each tank was indicated with the status of "Permanently Out of Use" and the LUST status for this facility is currently "Site Cleanup Completed." Therefore, the identification of this site within these databases is not expected to represent an environmental condition for the subject property.

Department of Health, Hazard Evaluation and Emergency Response Office

The State of Hawaii, Department of Health, Hazard Evaluation and Emergency Response (HEER) Office databases (2002) were reviewed to obtain information regarding environmental concerns or violations at the subject property.

The subject and adjoining properties were not listed in the reviewed HEER database.

3.5.3 Department of Land and Natural Resources

The Department of Land and Natural Resources (DLNR) *Groundwater Well Index Summary* (February 1991) was reviewed to obtain information regarding registered wells on the subject property.

No registered wells were identified at or within a reasonable distance from the subject property.

3.6 PREVIOUS ENVIRONMENTAL REPORTS

No previous reports were available for review during this assessment.

3.7 SUMMARY OF HISTORICAL REVIEW

The historical research presented in this section has established the use of the subject property since 1910. Based upon Clayton's review of topographical maps (1910 through 1996) and aerial photographs (1950-1992), the subject property was depicted as agricultural land in 1910. Subsequent topographic maps and aerial photographs showed the subject property occupied by structures that appeared as the currently vacant school buildings.

Based on available tax assessment records, the subject parcel was reportedly owned by the State of Hawaii since 1958. The subject property was leased to various State agencies including Accounting and General Services (1962) and Lihue Grammar School (prior to 1958). Clayton's review of tax records did not indicate readily apparent evidence of recognized environmental conditions at the subject property.

4.0 STANDARD ENVIRONMENTAL RECORD SOURCES, FEDERAL, STATE, AND LOCAL

Available government database information prepared by Environmental Data Resources, Inc. (EDR) on March 28, 2005 was reviewed to evaluate both the subject property and any listed sites within ASTM-recommended search distances. Federal, state, and local databases reviewed are included in Appendix B.

The subject property was not listed in the State Department of Health (DOH) or EDR databases reviewed.

The database review identified a total 17 sites within the specified search distances from the subject property. A complete listing of these sites is included in Appendix B. Most of the sites present no environmental concern to the subject property because they only hold an operating permit (which does not imply a release), require no further action, or based upon Clayton's review, are too distant and/or topographically downgradient or crossgradient relative to the subject property to reasonably affect it.

The following sites that may pose an environmental concern to the subject property were evaluated in more detail:

- Lihue Department of Water Baseyard, 2820 Wehe Road, is located on the adjacent property to the northeast in a relative upgradient position with regard to the subject property. According to the database, this site is listed as a UST and LUST site. Based on the information provided in the EDR report, this site previously maintained three, 5,000-gallon USTs used to store gasoline (two USTs) and diesel (one UST) fuels. The USTs were installed in 1977 and were closed and removed from the property in 1998. The USTs were each listed with the status of "Permanently Out of Use." This site's LUST listing (facility identification no. 9-701076) is listed with the status of "site cleanup completed." Therefore, this facility is not expected to represent an environmental condition to the subject property.

- State of Hawaii Division of Forestry and Wildlife, 4398-D Pua Loke Street, is located relatively upgradient and less than 100 feet to the south-southwest of the subject property. According to the database, this site is listed as a Resource Conservation Recovery Information System-Small Quantity Generator (RCRIS-SQG) site. The RCRIS-SQG listing indicates no violations or notices of infractions being served against this facility. Therefore, this facility is not expected to represent an environmental condition to the subject property.

- Lihue Department of Water, 4398 Pua Loke Street, is located relatively upgradient and less than 100 feet to the south-southwest of the subject property. According to the database, this site is listed as an UST and LUST site. The database indicated that this facility previously maintained one, 1,000-gallon UST (diesel) and one, 2,000-gallon UST (gasoline) which were installed at the facility in 1971. Both tanks are listed as "permanently out of use" as of 1994. With regard to this site's LUST listing (facility identification no. 9-700446), the site is listed with the status of "site cleanup completed." Therefore, this facility is not expected to represent an environmental condition to the subject property.

- Lihue Department of Water, 4398 Pua Loke Street, is located relatively upgradient and less than 100 feet to the south-southwest of the subject property. According to the database, this site is listed as an UST and LUST site. The database indicated that this facility previously maintained one, 1,000-gallon UST (diesel) and one, 2,000-gallon UST (gasoline) which were installed at the facility in 1971. Both tanks are listed as "permanently out of use" as of 1994. With regard to this site's LUST listing (facility identification no. 9-700446), the site is listed with the status of "site cleanup completed." Therefore, this facility is not expected to represent an environmental condition to the subject property.

A total of 28 unmapped sites were also identified in the EDR database report. Unmapped sites cannot be plotted with confidence, but can be located by zip code or city name. In general, a site cannot be geocoded due to inaccurate or missing information in the environmental database record provided by its applicable agency. Cross-referencing addresses and site names, as well as a visual reconnaissance of surrounding properties, has been completed for the unmappable facility sites. The subject and adjacent properties were not identified on the unmapped sites listing in the environmental database report. No unmapped sites were identified with the potential to impact the subject property.

5.0 SITE RECONNAISSANCE AND INTERVIEWS

5.1 METHODOLOGY AND LIMITATIONS

Mr. Steven Cho, Environmental Scientist, and Mr. John Willard, Staff Industrial Hygienist, from Clayton's Honolulu Regional Office, conducted the site walkthrough portion of the assessment on March 22, 2005, accompanied by Mr. James Nishida, Housing Coordinator with Kauai Economic Opportunity, Incorporated. All areas of the

property were accessed and inspected. Rear portions of the subject property included densely vegetated land, which could not be fully accessed during this site investigation.

5.2 GENERAL OBSERVATIONS

At the time of the walkthrough, the subject property was improved with the three school buildings, which are currently vacant, and one new office building currently occupied by Kauai Economic Opportunity, Inc. (KEO). The abandoned school buildings, which were reportedly constructed on the subject property in 1939, consisted mostly of wood materials and were in weathered and dilapidated condition. With the exception of the onsite buildings, most surface portion of the subject property were observed to be unpaved or consisted of topsoil or gravel. The southeast rear portion of the subject property consisted of vegetated land where a wastewater septic tank system and cesspool is reportedly located.

A baseyard formerly managed by City of Lihue DAGS was observed on the northeastern side of the subject property and consisted of an area of approximately 2,500 square feet. Weathered concrete- or asphalt-paved surfaced portions of the area were occupied by several pieces of abandoned heavy machinery and vehicles. Up to ten vehicle batteries and general refuse were also observed discarded on the baseyard grounds. Clayton observed several locations of *de minimis* (less than five gallons) staining on the surface of the baseyard, including one 5- by 4-foot stain, along the school classroom perimeter.

No evidence of USTs (i.e., fill ports or vents) and/or unusual surface anomalies was observed on the subject property. Clayton did not observe evidence of significant surface staining onsite.

One pad-mounted transformer was observed at the front (northern perimeter) of the subject property. The transformer was labeled "No PCBS," and therefore, does not represent an environmental condition.

Summarized below is the site inspection and findings overview. All items that are, or are known to have been present at the subject property are noted in the table. The table also notes items that may present concerns to the subject property. Additional information about items noted can be found in the referenced section of this report.

[illegible]	[illegible]	[illegible]	[illegible]
Hazardous Substances or Petroleum Products	Y	N	5.3, 5.4
Underground Storage Tanks	N	N	
Aboveground Storage Tanks	N	N	
Odors	N	N	
Air Emissions (stacks, hoods, other point sources)	N	N	

Pools of Liquid	N	N	
Drums	N	N	
Unidentified Substance Containers	N	N	
Electrical Equipment/Possible PCBs	Y	N	5.2, 5.7
Hydraulic Equipment/Possible PCBs	N	N	
Stains or Corrosion	Y	N	5.2, 5.4
Drains	N	N	
Sumps	N	N	
Pits, Ponds, or Lagoons	N	N	
Stained Soil or Pavement	Y	N	5.2. 5.4
Stressed Vegetation	N	N	
Evidence of Spills or Releases	N	N	
Artificially Filled Areas (Solid Waste Disposal)	N	N	
Waste Water	Y	N	5.2, 5.3
Wells	Y	N	5.8
Septic Systems	Y	N	5.2, 5.3
Dry Cleaning Operations	N	N	
Agricultural Use (Pesticides/herbicides)	Y	N	3.2
Oil/Gas Production or Exploration	N	N	
Railroad Spur	N	N	
Remedial Activities	N	N	

5.3 INTERVIEWS

On March 21, 2005, Clayton interviewed Mr. James Nishida, Housing Coordinator with Kauai Economic Opportunity, Incorporated. According to Mr. Nishida, the subject property was initially improved sometime prior to 1940 as the site of an elementary school (Lihue Grammer School). The onsite commercial office building currently occupied by KEO, Inc. was constructed in 1993.

Mr. Nishida was unaware of the former uses of the subject property but indicated that the site was most likely undeveloped. According to Mr. Nishida, associated light maintenance activities reportedly occurred onsite and may have included oil changes and battery changes. Fueling activities were not known to have occurred onsite.

A septic tank system formerly serviced the school buildings, and the system is located to the rear of the school on the southeastern side of the subject property. The area was overgrown with dense vegetation during Clayton's site visit. Mr. Nishida stated that a newer aerobic wastewater septic system was installed for the KEO building in 1993; however, due to operational issues, the associated irrigation system was not functioning properly, and the effluent hose was subsequently rerouted into the abandoned cesspool for the Lihue Grammar School. Mr. Nishida indicated that no environmental issues associated with the wastewater system and cesspool have been reported.

Mr. Nishida stated that to the best of his knowledge, no underground storage tanks have historically existed at the subject property, and he was unaware of any recognized environmental conditions existing at the subject property. He also indicated that no prior asbestos or lead-based paint surveys were conducted for the subject property's school buildings.

Clayton contacted Mr. Joe Tatihada, Engineer with the State of Hawaii Department of Health concerning the wasterwater system at the subject property. According to Mr. Tatihada, the current septic tank system for the onsite KEO building was approved but has not yet been permitted for use. Mr. Tatihada also stated the subject property's current system effluent connection to the former septic tank's cesspool is in violation of Federal and State regulations.

On March 21, 2005, Clayton also interviewed Mr. Jason Alfiler, Site Manager of the adjacent Department of Public Works Baseyard for the last three and half years. Mr. Alfiler was familiar with the subject property's history. According to Mr. Alfiler, the subject property was developed into the school site several decades ago, and the baseyard, which was utilized by the Department of Accounting and General Services, has been on the site since approximately the 1960s or 1970s. He was unaware of USTs being maintained at the subject property.

According to Mr. Alfiler, the Department of Public Works Baseyard no longer maintains USTs onsite. Three USTs were reportedly removed from his operation in the 1990s. According to Mr. Alfiler, the USTs, which were reportedly installed in the 1970s, were removed without incident.

The baseyard is currently utilized for the maintenance of State of Hawaii heavy machinery and local police vehicles.

5.4 HAZARDOUS MATERIAL AND WASTE

The subject property was assessed for signs of storage, use, or disposal of hazardous materials. The assessment consisted of noting evidence (e.g., drums, unusual vegetation patterns, staining) indicating that hazardous materials are currently or were previously located on the subject property.

The subject property consists of a vacant school (Lihue Grammar School) and an office building currently occupied by KEO, Inc. Potentially hazardous materials are currently not used or stored at the subject property. However, Clayton observed indications of *de minimis* (less than five gallons) petroleum staining on the surface of the former baseyard area.

Up to ten vehicle batteries were also observed discarded on the baseyard grounds. The batteries appeared to be in tact with no evidence of staining observed. These batteries should be disposed of properly at an approved disposal or recycling facility.

5.5 STORAGE TANKS

5.5.1 Underground Storage Tanks

The subject property was inspected for evidence of underground storage tanks (USTs) (e.g., vent piping, dispensing equipment, pavement variations).

Evidence of USTs was not observed at the subject property during the assessment. In addition, there are no USTs registered with the State of Hawaii Department of Health Underground Storage Tank (UST) Branch for the subject property. Mr. Nishida stated that to the best of his knowledge, USTs have not been maintained at subject property.

However, the lack of visible evidence and owner/operator knowledge that USTs could be present at the subject property does not preclude the possibility that USTs could be present at the subject property. Visible evidence of USTs may have been removed or obscured from view and USTs could have been present at the subject property without the knowledge of the current owner/operator.

5.5.2 Aboveground Storage Tanks

The subject property was inspected for indications of aboveground storage tanks (ASTs) (*e.g.*, concrete bolts, containers, reservoirs, generators). No evidence of ASTs was observed at the subject property.

5.6 INDICATIONS OF SOLID WASTE DISPOSAL

Currently, the subject property includes a vacant elementary school and an office building, which is occupied by KEO, Inc. Refuse mostly in the form of administrative (i.e., waste paper) trash is generated and collected within an onsite dumpster. According to Mr. Nishida, a waste hauler is contracted to collect and discard the trash at an offsite landfill on a weekly or bi-weekly basis.

5.7 INDICATIONS OF POLYCHLORINATED BIPHENYLS (PCBS)

The subject property was inspected for the presence of liquid-cooled electrical units (transformers, light ballasts, and capacitors), and major sources of hydraulic fluid (elevators and lifts). Such units are notable because they may be potential PCB sources.

One pad-mounted transformer (No. 95053) is located at the front (northern perimeter) of the subject property. The transformer was labeled "No PCBS," and therefore, does not represent an environmental condition for the subject property.

5.8 WELLS

According to the State of Hawaii Department of Land and Natural Resources (DLNR) records, there are no records of active, inactive, destroyed wells, or dry wells at the subject property.

However, one former drinking water well is located on the southwest adjacent property. According to the DLNR, the well, identified as the Lihue Grammar School Well (No. 2-5822-01), is the property of the State of Hawaii and was drilled in 1961. The well status is currently listed as "Unused," and records indicate that the well was closed in 1972. The presence of this well is not expected to represent an environmental condition for the subject property.

6.0 NON-ASTM ISSUES

6.1 SUSPECT ASBESTOS-CONTAINING MATERIALS

During this Phase I assessment, a limited asbestos assessment survey, consisting of the collection of 34 samples, was conducted that included sampling and analysis of suspect asbestos-containing (ACM), as summarized below. Based upon the years of construction, asbestos sampling was limited to the three school related structures onsite. The samples were sent to NVL Laboratories, Inc., a National Voluntary Laboratory Accreditation Program (NVLAP)-accredited laboratory located in Seattle, Washington. The asbestos samples were analyzed for asbestos content using the Environmental Protection Agency (EPA) recommended standard method of polarized light microscopy (PLM) for determining asbestos fibers in bulk materials. The laboratory analytical report is included as Appendix D.

The results of our asbestos assessment, including material locations, suspect ACM sampled, friability, laboratory results, and sample identification numbers are included in the following table:

Asbestos Assessment Results

Location	Suspect ACM	Friable/Non-Friable	Asbestos Content % and Type	Sample ID Number
Classroom #1	Green chalk board	Non-friable	ND	B1-B3
Classroom #1	Window glazing	Non-friable	ND	B4-B6
Classroom #1	Exterior scratch coat	Non-friable	ND	B7-B9

Location	Suspect ACM	Friable/Non-Friable	Asbestos Content % and Type	Sample ID Number
Classroom #1	90 pound roll roofing material, green stone	Non-friable	ND	B10-B12
Classroom #1	Black, weathered gray roofing sealant	Non-friable	3% Chrysotile	B13-B15
Classroom #1	Black roofing sealant	Non-friable	3% Chrysotile	B16-B18
Classroom #2	12- by12-inch floor tile and associated mastic	Non-friable	ND	B19-B21
Classroom #2	9- by 9-inch floor tile and associated mastic	Non-friable	2% Chrysotile (tile) 3% Chrysotile (mastic)	B22-B24
Classroom #2	Window glazing	Non-friable	ND	B25-B27
Classroom #2	Sink undercoating	Non-friable	15% Chrysotile	B28
Classroom #2	Roofing material	Non-friable	ND	B29-B31
Carport	Gypsum wall board and joint compound	Non-friable	ND	B32-B34

ND: None Detected

The results of PLM analysis identified four materials which tested positive for asbestos. These materials included:

- Approximately 10 square feet of roofing sealant located on the attached storage shed roof for Building #1
- Approximately 16 linear feet of roofing sealant located on old roof flashing laying on the south end of the fenced in yard of Building #1
- Approximately 900 square feet of floor tile in Building #2
- Approximately one sink with sink undercoating located in Building #2

These materials was observed to be non-friable (not is easily crumbled under hand pressure) and in good condition. Although they are considered non-friable in their present conditions, these materials may become friable if disturbed during renovation or demolition activities.

According to the USEPA regulations, removal of some non-friable ACM is not mandatory prior to demolition of a structure unless there is a potential for these materials to become friable (and thereby release fibers) during these activities. However, the ACM may need to be segregated from the other demolition materials prior to acceptance by the landfill.

All of the remaining suspect ACM sampled from the planned renovation areas tested negative for asbestos content.

6.2 RADON

Radon is a naturally occurring radioactive gas formed by the decay of uranium in bedrock and soil. The potential adverse health effects associated with radon gas depend on various factors, such as the concentration of the gas and duration of exposure. The concentration of radon gas in a building depends on subsurface soil conditions, the integrity of the building's foundation, and the building's ventilation system.

Due to the relatively young geological age of the Hawaiian Islands (approximately two million years old), radon gas does not occur at elevated levels in Hawaii. Therefore, no further investigation of radon is recommended for the subject property.

6.3 LEAD-BASED PAINT

Because the school buildings on the subject property were built prior to 1978, lead-based paint could be an issue at the school site. Sampling was conducted to determine the presence or absence of lead-based paint in the former school buildings.

Clayton collected paint chips from predominant painted surfaces thought most likely to be disturbed during the planned demolition/renovation activities. Paint samples were collected from approximately 1- to 2- square-inch areas by scraping paint from the substrate. The samples were placed in appropriate containers that were closed, labeled, and transported to NVL Laboratories, Inc., located in Seattle, Washington, which is an AIHA IHLAP/ELLAP-accredited laboratory. The paint samples were analyzed for lead content utilizing EPA Method 6010B. Descriptions of the paint samples and analytical results are summarized in the table below.

SUSPECT LBP

Sample ID	Paint Description	Location	Condition	Lead Concentration (%)
5262-P1	Lime green	Classroom #1, interior walls and window frames,	Poor	5.0000
5262-P2	Brown	Classroom #1, interior doors	Fair	2.1000
5262-P3	White	Building #1, ceiling	Fair	0.4700

Sample ID	Paint Description	Location	Condition	Lead Concentration (%)
5262-P4	Brown	Classroom #1, Interior window frames	Fair	2.3000
5262-P5	Beige	Classroom #1, exterior walls and support columns	Poor	15.0000
5262-P6	Green	Classroom #1, exterior doors and window frames	Poor	5.9000
5262-P7	White	Classroom #1, storage room, exterior walls	Good	0.0550
5262-P8	Blue	Classroom #1, lower foundation beam	Poor	4.9000
5262-P9	Brown	Classroom #1, exterior door, door frame and stairs, north side entrance	Good	0.9100
5262-P10	White	Classroom #2, interior ceiling	Good	0.0180
5262-P11	Lime green	Classroom #2, interior walls	Fair	0.1500
5262-P12	Dark brown	Classroom #2, interior baseboard trim	Good	0.1600
5262-P13	Beige over lime green	Classroom #2, S/W side of building, interior walls	Good	<0.0075
5262-P14	Brown	Classroom #2, exterior window frames, doors and door frames	Poor	0.5300
5262-P15	White	Classroom #2, exterior walls	Poor	1.5000
5262-P16	White	Carport, interior walls	Good	<0.0095
5262-P17	White	Carport, exterior walls	Good	<0.0051
5262-P18	Brown	Carport, door, door frame and roof support beams	Good	<0.0063
5262-P19	Green	Wood post for fenced in area, rear of carport	Good	<0.0220

The laboratory analytical report of the paint sampling is included as Appendix F.

If paint contains lead at a concentration equal to or greater than 0.5% by weight, it is considered to be lead-based paint under the Lead-Based Paint Poisoning Prevention Act. The paints containing at least 0.01% lead by weight are considered lead containing paint, but are not regulated under the Lead-Based Paint Poisoning Prevention Act.

The lead-based paint sampling was inherently limited in nature. The results of the analysis should not be interpreted to presume the presence or absence of lead-based paint in specific building materials. Also note that the Occupational Safety and Health Administration (OSHA) regulations must be followed whenever paint that contains lead, regardless of the concentration, will be disturbed (e.g., during renovation or demolition).

6.4 ARSENIC-CONTAINING MATERIALS

Clayton inspected the subject building for suspect arsenic-containing materials such as canec (particle board). Based on our assessment, the canec ceiling board in building #2 contains arsenic at concentrations of 530 parts per million (ppm).

When detectable concentrations of arsenic are identified, there are Hawaii Occupational Safety and Health (HIOSH) requirements to protect workers during the disturbance of arsenic-containing materials. These requirements include air monitoring during disturbance activities such as demolition. In addition, the arsenic-containing materials must undergo TCLP-Arsenic analysis prior to disposal.

The laboratory results of the arsenic analysis from NVL Laboratories, Inc. are included in Appendix E.

6.5 SENSITIVE ECOLOGICAL AREAS

The subject property was inspected for the presence of sensitive ecological areas by noting environmental indicators (e.g., wetlands vegetation, floodplains) located on or *immediately adjoining the subject property.*

No sensitive ecological areas were observed on the subject property. The 1996 USGS 7.5-Minute Lihue, Kauai, Hawaii Topographic Map, which includes the subject and adjoining properties, was reviewed. No bodies of water or delineated wetlands were shown adjacent to or adjoining the subject property on the USGS map. A United States Fish and Wildlife Service (USFWS) National Wetland Map was not available for review.

The Federal Emergency Management Agency Flood Insurance Rate Maps (FEMA/FIRM Panel Nos. 150002-0201C and 150002-0202C, Revised March 4, 1987) were reviewed to determine if the subject property was located in a flood hazard area. The maps indicated that the subject property lies within Flood Zone X, an area determined to be outside both the 500-year and 100-year flood plains.

7.0 FINDINGS, OPINIONS, CONCLUSIONS, AND RECOMMENDATIONS

We have performed a Phase I Environmental Site Assessment in conformance with the guidelines of ASTM Practice E-1527-00 of the Proposed Kauai Homeless Shelter property at 2804 Wehe Road located in Lihue, Kauai, Hawaii, the "subject property," also described as Tax Map Key (TMK) Numbers: (4) 3-8-005: Parcel 1. Any exceptions to or deletions from this practice are described in Sections 1.2 and 1.3.

This assessment has revealed no evidence of *recognized environmental conditions* (RECs), as defined by ASTM, in connection with the subject property, except for the following:

- Evidence of fugitive dumping, including heavy machinery, vehicles, and *de minimis* staining, was observed in the area of the subject property's former baseyard.

  The former baseyard and the abandoned machinery and vehicles are considered a recognized environmental condition because of the site activities (i.e., oil changes, fueling) normally associated with these types of operations. Clayton recommends that the discarded items should be removed and properly disposed of prior to development of the property.

  After removal of the refuse, the underlying ground surface should be inspected for stains or releases of suspect hazardous materials. If staining is observed, the impacted soil and/or rocks should be sampled prior to being removed and sent to a proper disposal facility. *De minimis* stains in the former baseyard area should be removed from the area.

  Clayton also recommends that the baseyard portion be surveyed with ground penetrating radar to confirm the presence or absence of underground storage tanks at the subject property.

- Based on Clayton's review of the Environmental Data Resources, Inc. (EDR) report and State of Hawaii-Department of Health database records, the Lihue Department of Water Baseyard, 2820 Wehe Road, is listed as an underground storage tank (UST) and leaking underground storage tank (LUST) site. This site is located on the adjacent property to the northeast in an upgradient position relative to the subject property. This site reportedly maintained three, 5,000-gallon USTs used to store gasoline (two USTs) and diesel (one UST) fuels. The USTs were installed in 1977 and were closed and removed from the property in 1998. The USTs were each listed with the status of "Permanently Out of Use." Details of the closure were not provided; however this site's LUST listing (facility identification no. 9-701076) is listed with the status of "Site Cleanup Completed."

  Although the status of this operation indicates a "closed" status, given the lack of specific information on this closure, Clayton recommends conducting a file review to confirm the site's UST and LUST history.

The following environmental issues were identified in connection with the subject property, although not deemed to be *recognized environmental conditions* as defined by ASTM:

- The subject property maintains an aerobic wastewater system, which is located directly behind the KEO building and is utilized to handle wastewater generated from the KEO building's sinks and toilets. Due to defective issues related to the

system's associated irrigation field, it is currently linked to an onsite abandoned cesspool, which was utilized by the former Lihue Grammar School. According to the State of Hawaii Department of Health-Wastewater Division, the onsite system in its current operational state has not been approved for use.

The subject property's wastewater system is not considered a recognized environmental condition because there is no evidence of hazardous materials releases into the systme. However, according to the federal regulations published in Federal Register 68546, dated December 7, 1999, existing large capacity commercial cesspools are required to be closed by April 5, 2005.

- Clayton observed up to 10 discarded vehicle batteries in the area of the subject property's former baseyard.

  The batteries are not considered a recognized environmental condition because material staining or release were not noted in these areas. Clayton recommends that the batteries be collected and sent to a proper disposal or recycling facility.

- An asbestos assessment survey was conducted as part of this Phase I assessment. The results of polar light microscopy (PLM) analysis identified four materials which tested positive for asbestos content. These materials included:

  -- Approximately 10 square feet of roofing sealant

  -- Approximately 16 linear feet of roofing sealant

  -- Approximately 900 square feet of floor tile

  -- Approximately one sink with sink undercoating

  These materials were observed to be non-friable (not easily crumbled under hand pressure) and in good condition. Although considered non-friable in their present conditions, these materials may become friable if disturbed during renovation or demolition activities. Clayton recommends the proper removal of all ACM prior to demolition activities by a licensed asbestos abatement contractor, under the supervision of a qualified industrial hygienist, in order to comply with regulatory requirements.

  According to the USEPA regulations, removal of some non-friable ACM is not mandatory prior to demolition of a structure unless there is a potential for these materials to become friable (and thereby release fibers) during these activities. However, the ACM may need to be segregated from the other building materials prior to acceptance by the landfill.

- A lead paint assessment survey was conducted as part of this Phase I assessment. Clayton's survey resulted in the collection of 19 paint-chip samples for lead analysis. Of the paint samples collected, nine samples reported lead concentrations above the regulatory level of 0.5 % lead by weight. These paints included:

  -- Lime green paint located on the walls and window frames of Building #1

  -- Brown paint located on the interior doors of Building #1

  -- Brown paint located on the interior window frames of Building #1

  -- Beige paint located on the exterior walls and support columns of Building #1

  -- Blue paint located on the lower foundation beam

  -- Brown paint located on the north exterior door, door frame and stairs of Building #1

  -- Brown paint located on the exterior window frames, doors and door frames of Building #2

  -- White paint located on the exterior walls of Building #2

  These paints were observed to be in poor to good condition. If the subject building or portions of the building with LBP are demolished, a licensed lead abatement contractor should properly remove the loose and flaking LBP prior to demolition. The intact paint may remain in place during demolition activities; however, landfills require toxicity characteristic leaching procedure (TCLP) lead analysis of the demolition debris for landfill acceptance. Lead demolition debris with a TCLP lead concentration above 5.0 milligrams per liter (mg/l) may require disposal at an approved landfill on the mainland U.S.A.

  In addition to the confirmed LBP, five other paint samples collected contained lead concentrations at or above the laboratory detection limit. The Hawaii Occupational Safety and Health (HIOSH) regulations must be followed whenever paint that contains lead, regardless of the concentration, will be disturbed (e.g., during renovation or demolition). Clayton recommends conducting air monitoring during renovation/demolition activities to ensure that airborne lead dust levels are below the HIOSH permissible exposure limit (PEL).

  Clayton inspected the subject building for suspect arsenic-containing materials such as canec (particle board). Based on our assessment, the canec ceiling board in Building #2 contains arsenic at concentrations of 530 parts per million (ppm).

When detectable concentrations of arsenic are identified, there are Hawaii Occupational Safety and Health (HIOSH) requirements to protect workers during the disturbance of arsenic-containing materials. These requirements include air monitoring during disturbance activities such as demolition. In addition, the arsenic-containing materials must undergo TCLP-Arsenic analysis prior to disposal.

- The historical research indicates that the subject property was formerly used as agricultural land. Past use of agricultural chemicals on lands previously used for commercial agricultural purposes has the potential to impact the subject property. However, there was no evidence of storage, mixing or excessive use of agricultural chemicals at the subject property. Moreover, according to Hawaii Administrative Rules (HIAR) Chapter 128D Environmental Response Law, the presence of agricultural chemicals does not constitute a release of a hazardous substance. Section 128D-1 of the HIAR, excludes "any release resulting from the legal application of a pesticide product registered under the Federal Insecticide, Fungicide, and Rodenticide Act."

This finding is not considered a recognized environmental condition because there was no evidence of storage, mixing, or excessive use of pesticides and/or herbicides on the property. In addition, according to HIAR Chapter 128D, the presence of agricultural chemicals does not constitute a release. The subject property is zoned "*A-5, Agriculture*" and Clayton understands that the subject property is to be developed as residential properties; therefore, testing for agricultural chemicals may be required.

This report prepared by:

Steven Cho
Environmental Scientist
Honolulu Regional Office

This report reviewed by:

Daniel P. Ford, R.G.
Vice President
Honolulu Regional Office

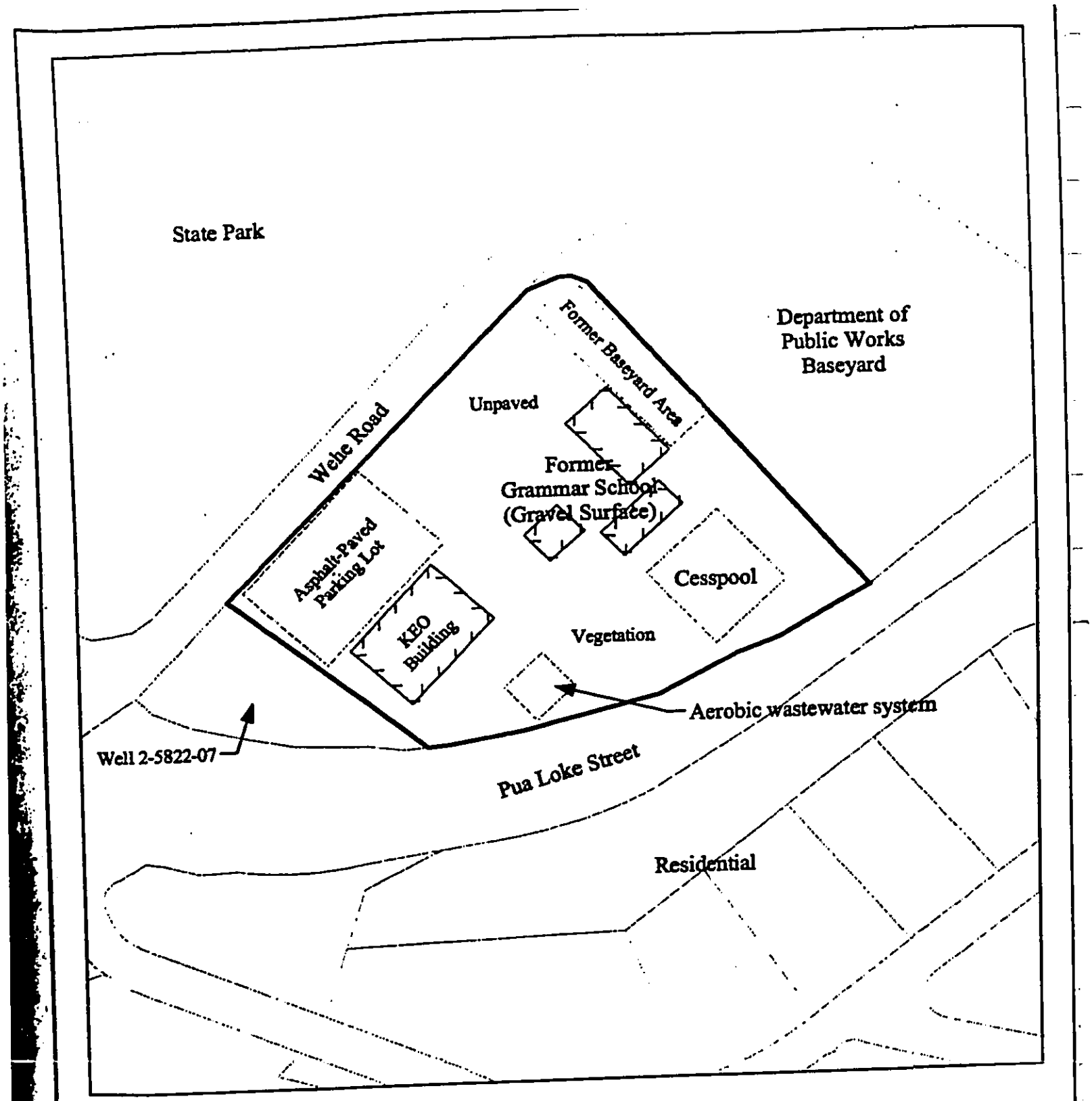
May 11, 2005

FIGURES

N

Portion of 7.5-minute Series (Topographic) Maps
United States Department of Interior
United States Geological Survey
Lihue Quadrangle, Kauai County, Hawaii
1996

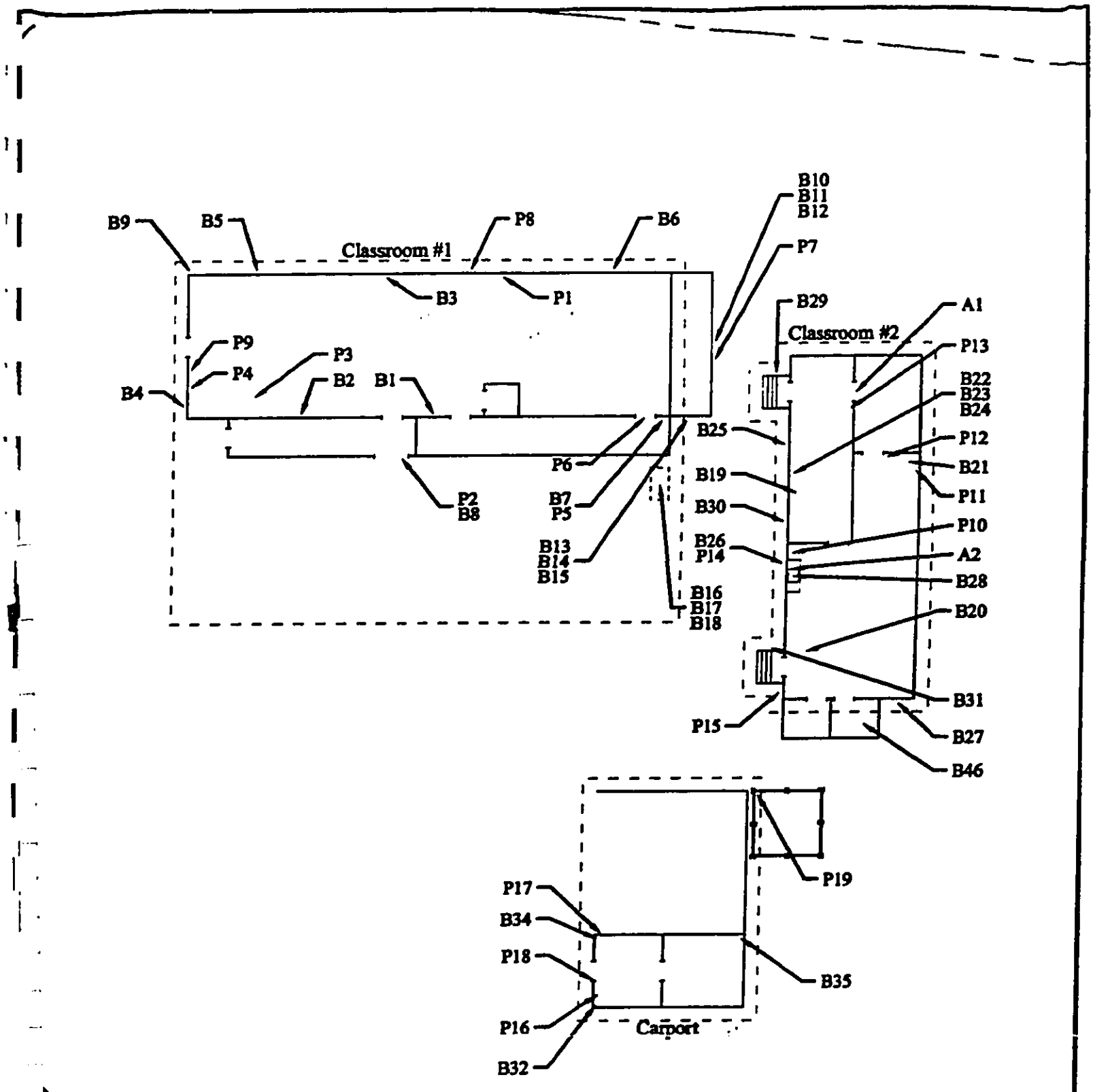
Clayton GROUP SERVICES	Project No.: 85-05262.00	Title: Site Location Map	FIGURE 1
	Date: 04/05/2005	Location: TMK [4] 3-8-005:001 Lihue, Kauai, Hawaii	
	Revised By: JT		
	Checked By: SC	Client: Agor Architecture	



Clayton GROUP SERVICES

Project No.:	85-05262.00
Date:	04/05/2005
Revised By:	JT
Checked By:	SC
Title:	Site Vicinity Map
Location:	TMK [4] 3-8-005:001 Lihue, Kauai, Hawaii
Client:	Agor Architectural

FIGURE 2

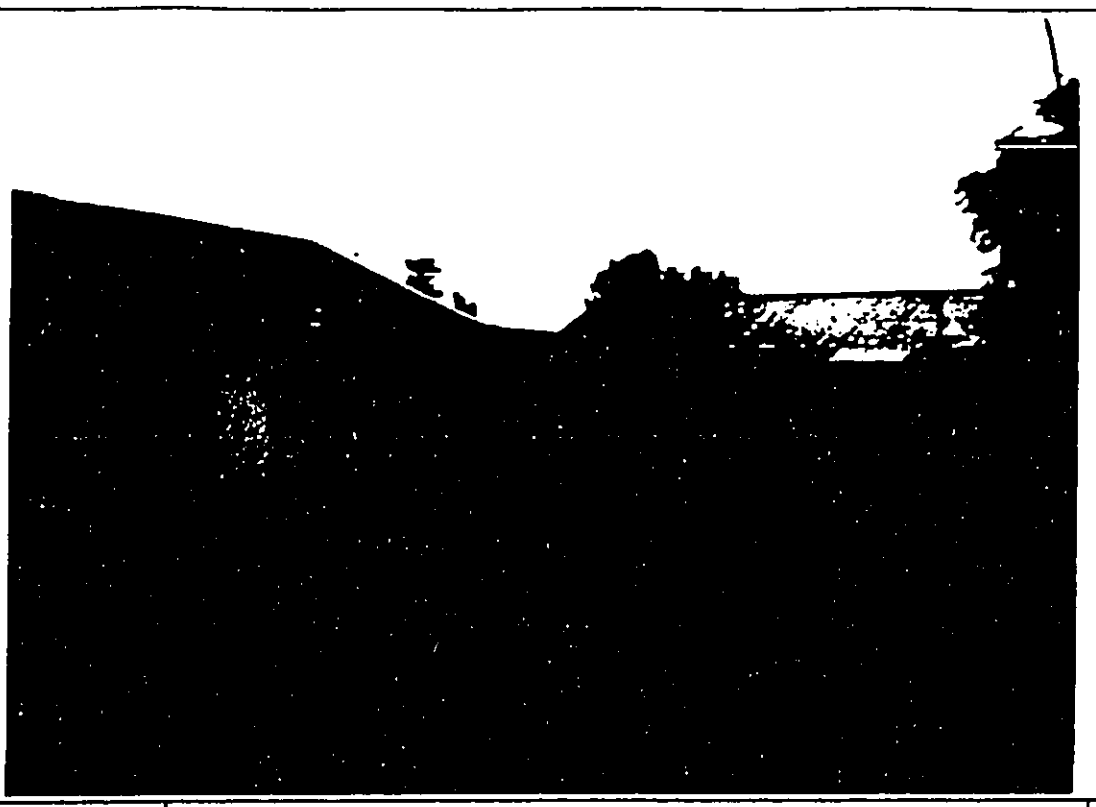


Approximate Scale 1" = 20'

Clayton Group Services	85-05262.00	Lead and Asbestos Sampling Locations	FIGURE 3
	04/05/2005	TMK [4] 3-8-005:001 Lihue, Kauai, Hawaii	
	JT		
	JW	Agor Architecture	

Clayton

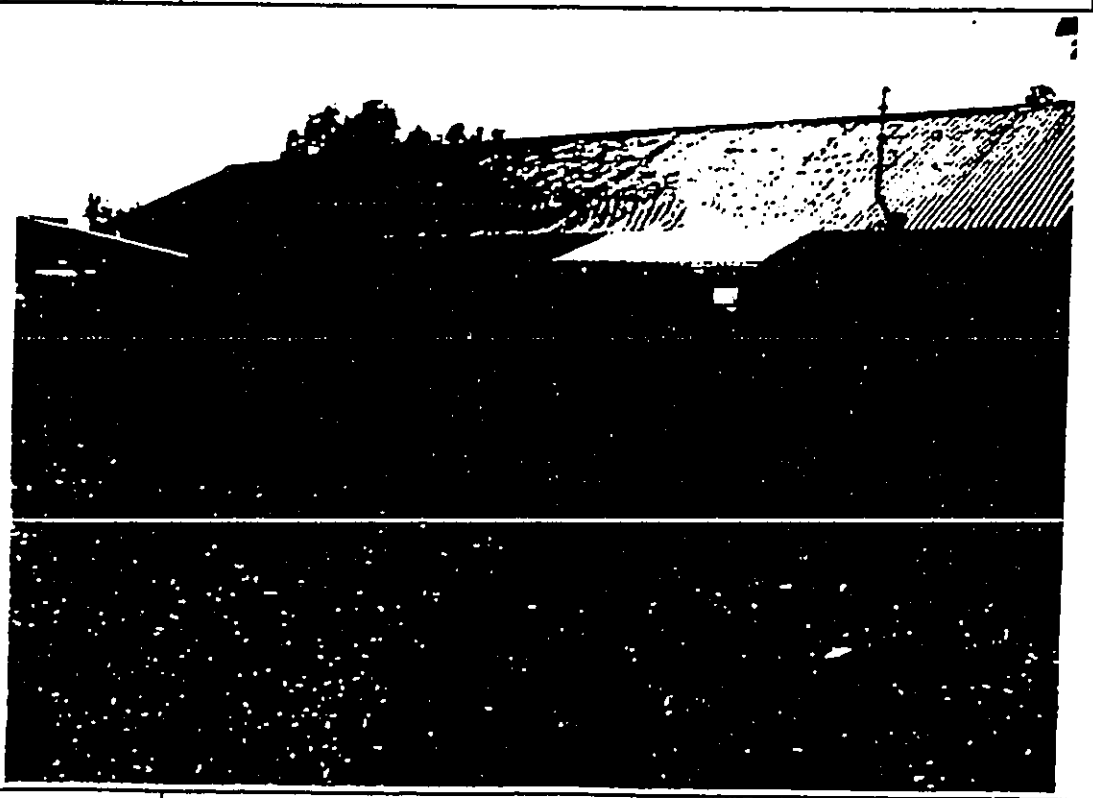
PHOTOGRAPHS



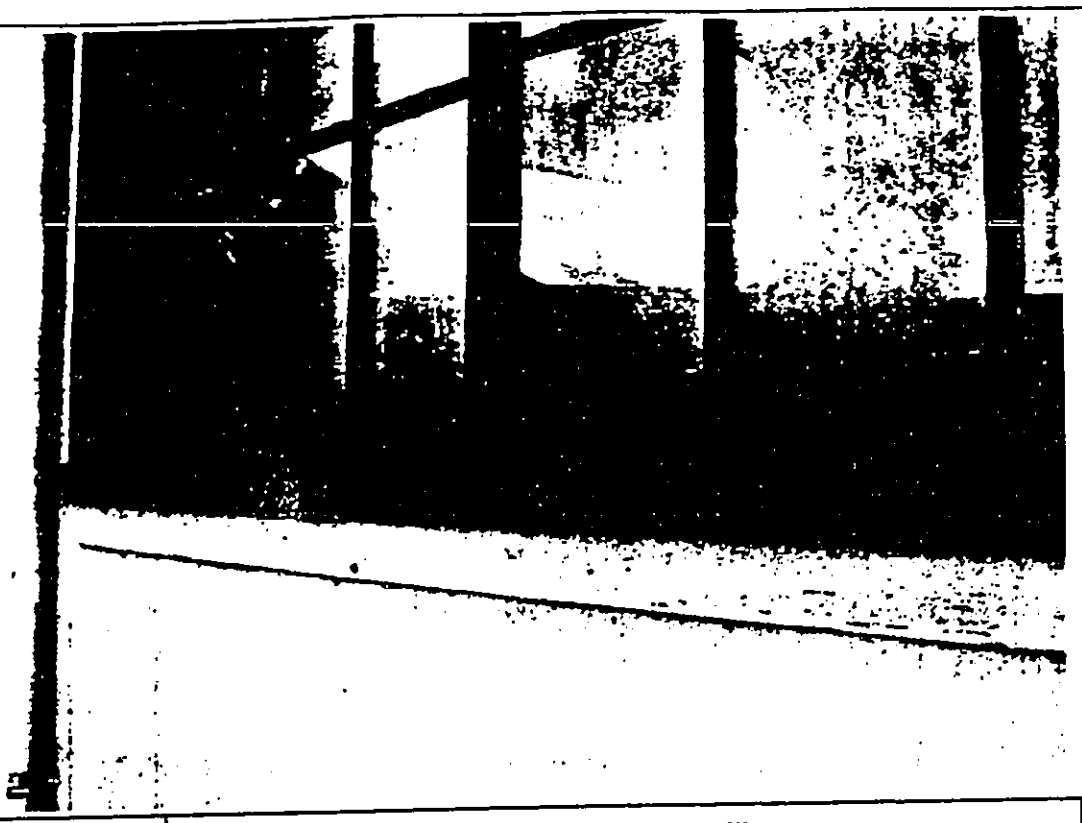
Clayton Project Number	Description	View of the subject property's vacant school buildings and unsurfaced areas	Photo 1
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005

Clayton Project Number	Description	View of discarded equipment located in the former baseyard area	Photo 2
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005

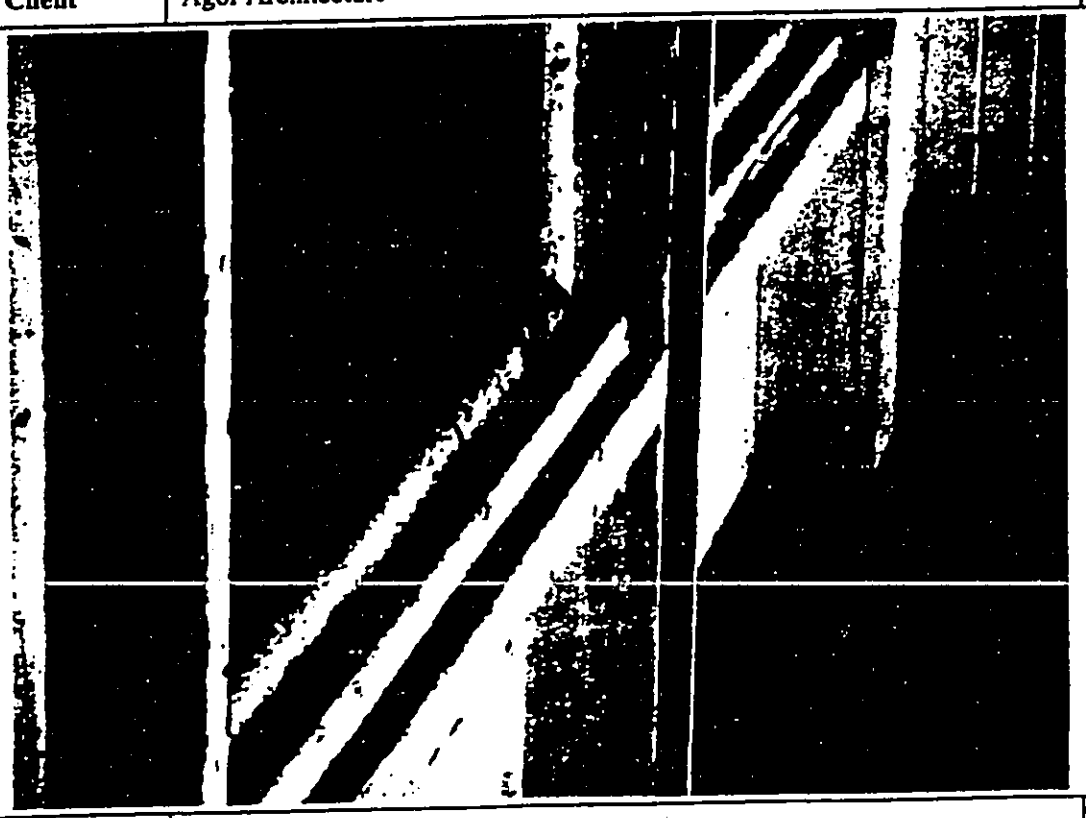
Clayton Project Number	Description	View of the Kauai Economic Opportunity, Inc. (KEO) building on the subject property	Photo 3
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005



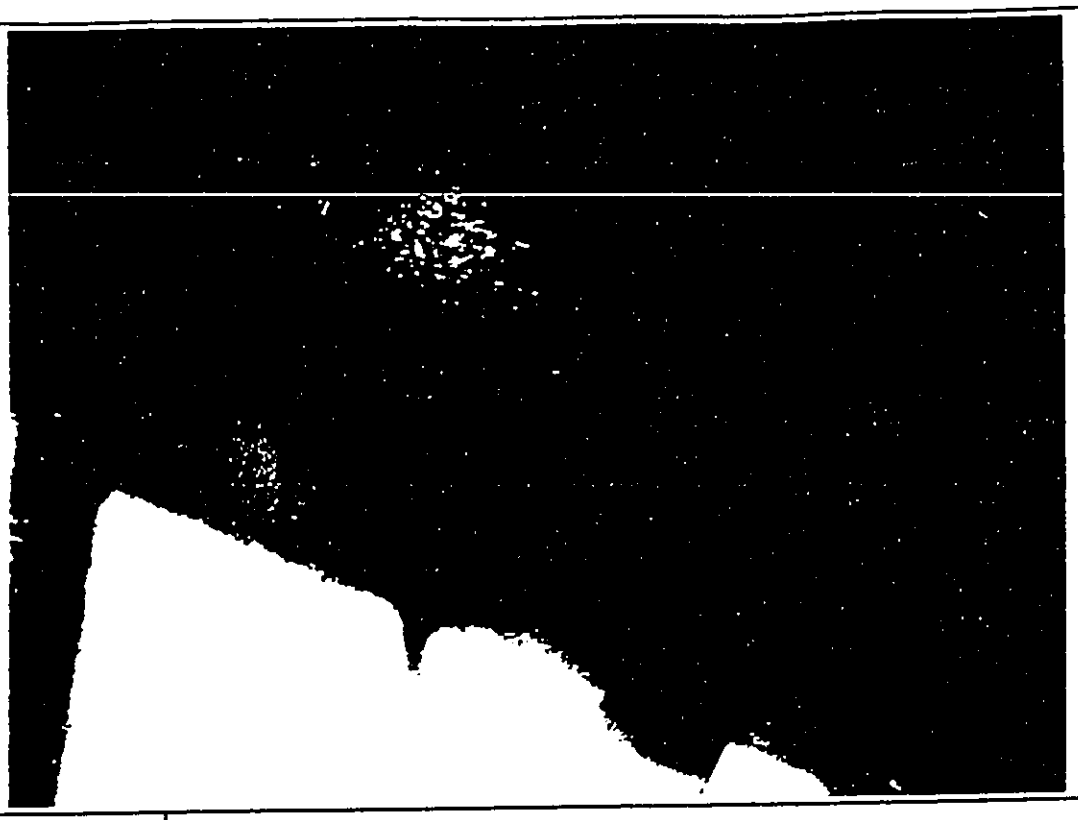
Clayton Project Number	Description	View of the smaller school classroom building	Photo 4
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005



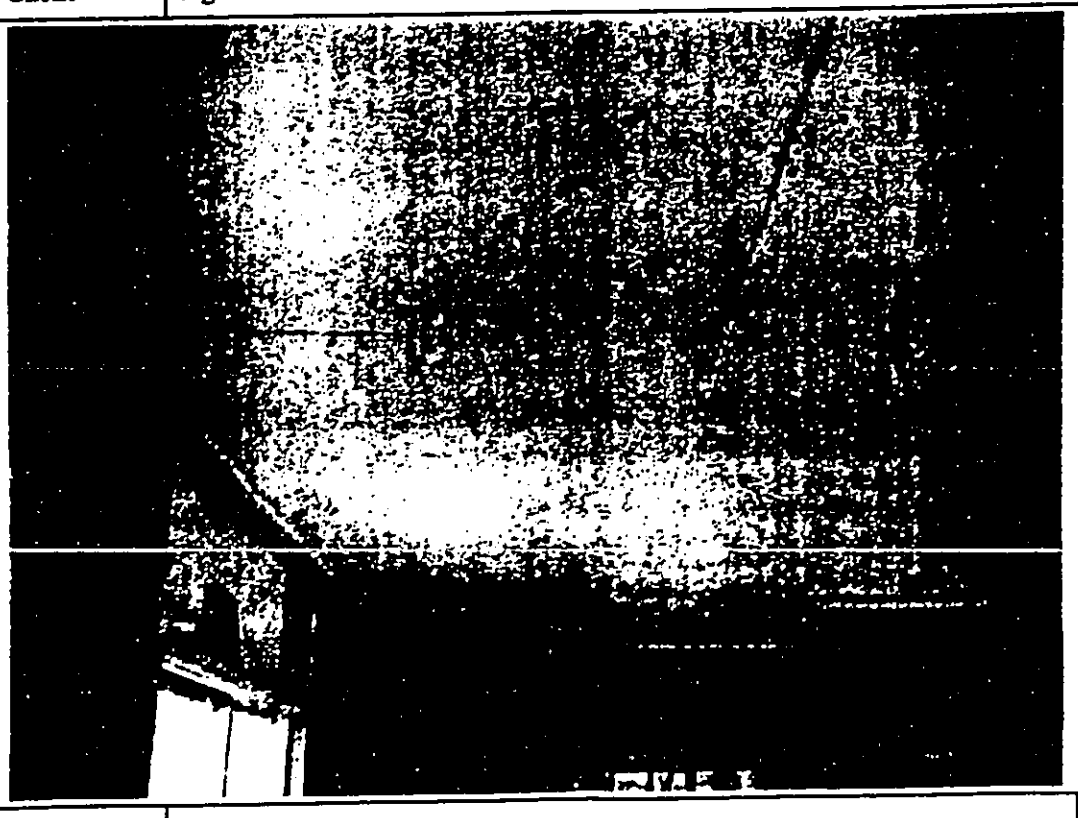
Clayton Project Number	Description	View of building materials and painted window sill	Photo 5
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005



Clayton Project Number	Description	View of the chalkboard area within the main classroom building	Photo 6
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005

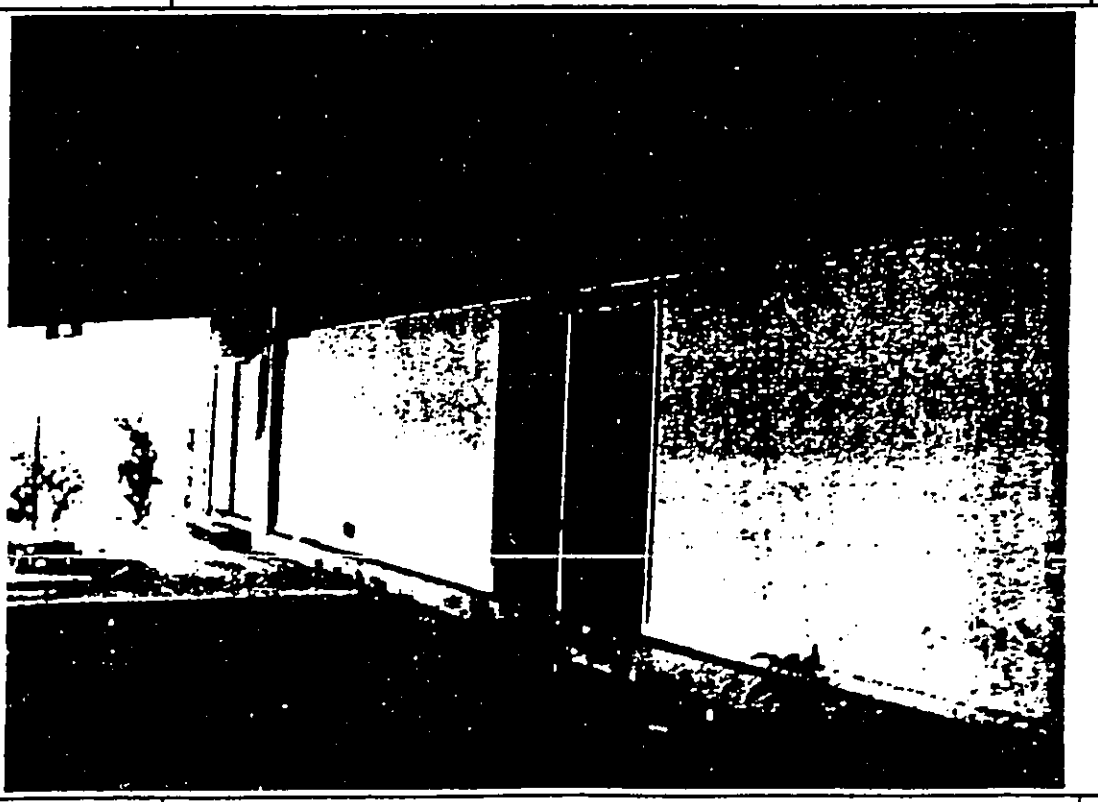


Clayton Project Number	Description	View of flooring materials within the main classroom building	Photo 7
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005



Clayton Project Number	Description	View of the canec ceiling structure	Photo 8
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005

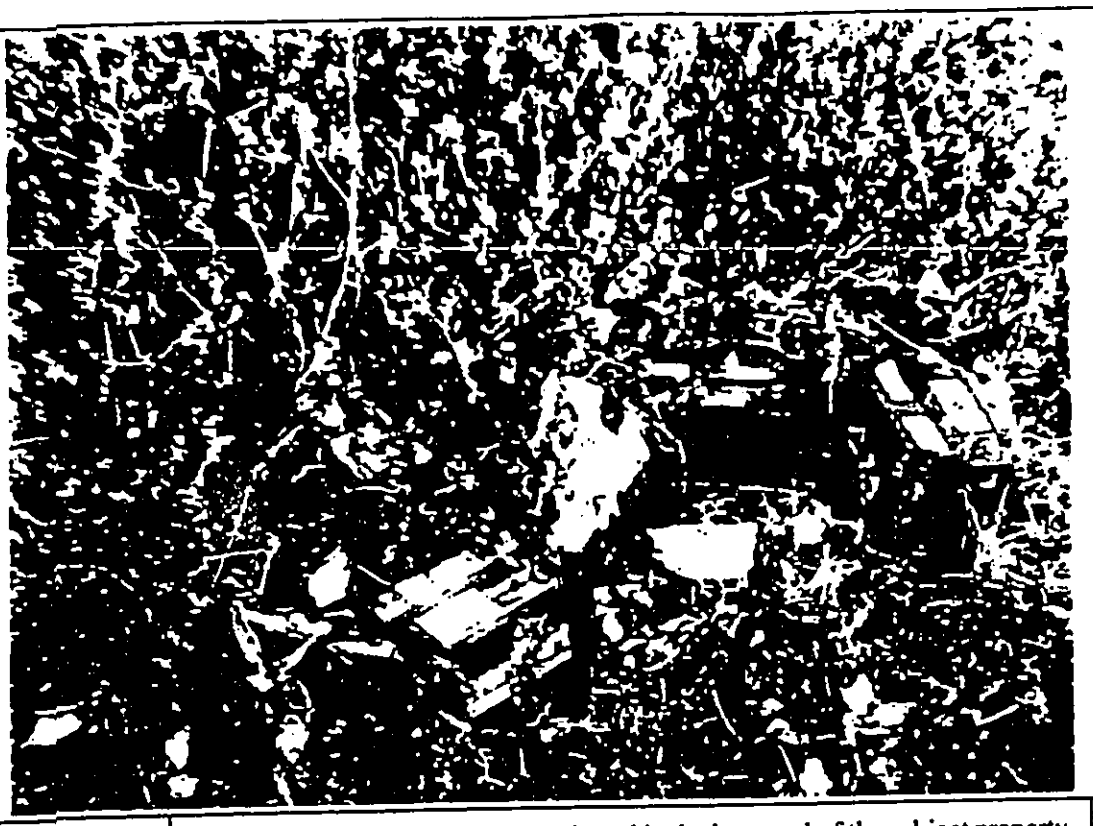
Clayton Project Number	Description	Interior view of the window sill area within the smaller classroom building	Photo 9
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005



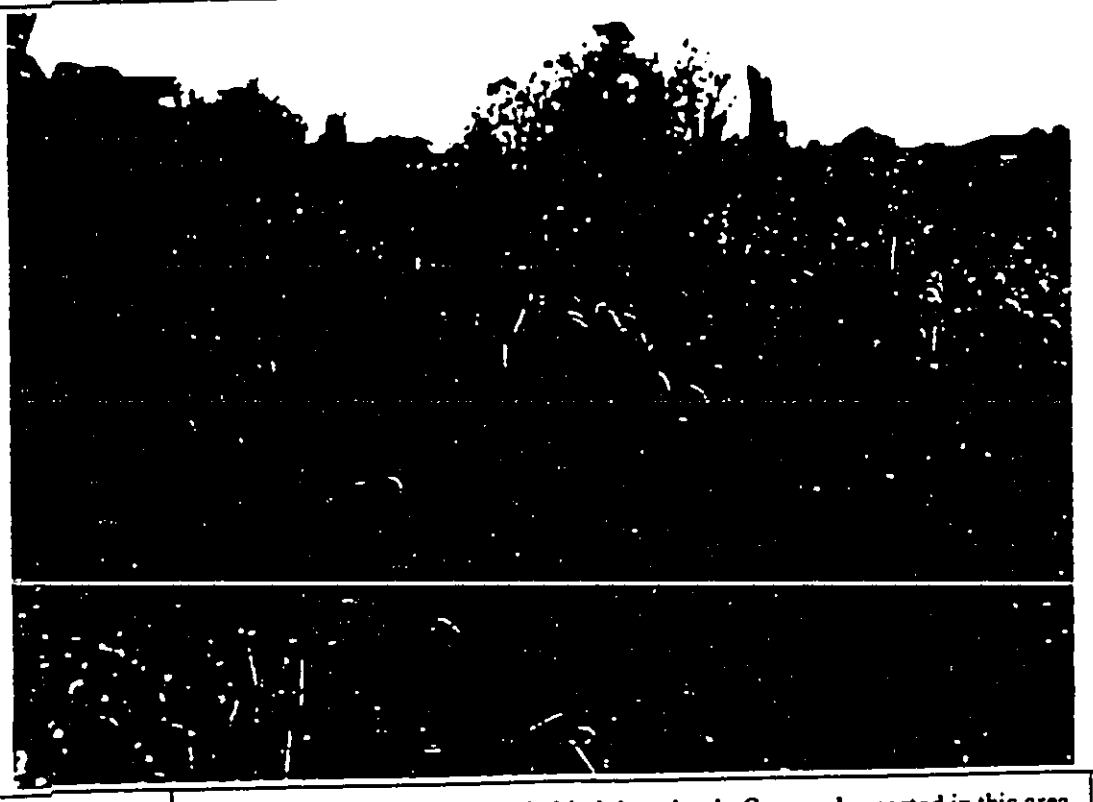
Clayton Project Number	Description	View of the subject property's open area of the main classroom building	Photo 10
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005

Clayton Project Number	Description	View of the subject property's former baseyard area	Photo 11
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005

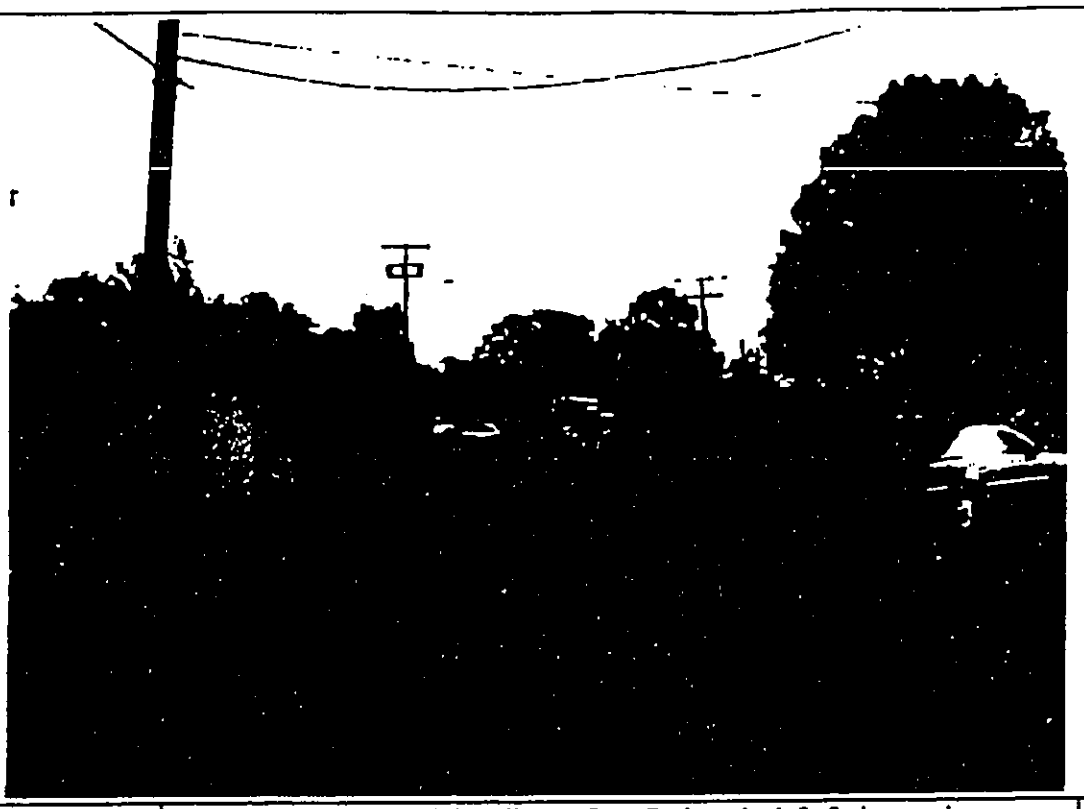
Clayton Project Number	Description	View of the subject property's aerobic wastewater system located to the rear of the KEO building	Photo 12
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005



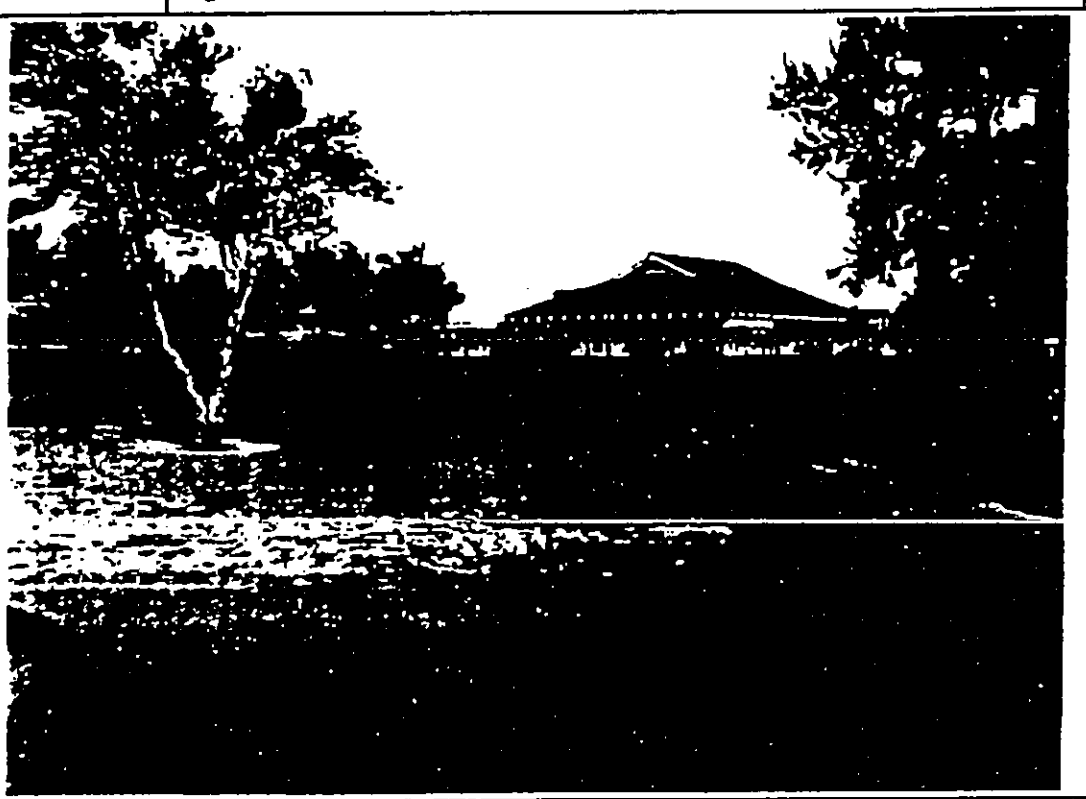
Clayton Project Number	Description	View of discarded used batteries viewed in the baseyard of the subject property	Photo 13
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005



Clayton Project Number	Description	View of the undeveloped area behind the school. Cesspool reported in this area	Photo 14
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005



Clayton Project Number	Description	View along Wehe Road the adjacent State Park to the left, facing north-northeast	Photo 15
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005



Clayton Project Number	Description	View of the State Park located across from the subject property, of north-northeast along Wehe Road	Photo 16
	Site Name	Kauai Homeless Shelter, 2804 Wehe Road, Lihue, Kauai, Hawaii	Photo Date
85-05262.00	Client	Agor Architecture	3-22-2005

LINDA LINGLE
GOVERNOR OF HAWAII

COUNTY OF KAUAI
HOUSING AGENCY

'04 OCT 18 P12:05

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING, ROOM 555
601 KAMOKILA BOULEVARD
KAPOLEI, HAWAII 96707

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DAN DAVIDSON
DEPUTY DIRECTOR - LAND

YVONNE Y. IZU
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

HAWAI'I HISTORIC PRESERVATION DIVISION REVIEW

Log #: 2004.3053
Doc #: 0410NM10.doc

Applicant/Agency: Kenneth Rainforth, Executive on Housing/KEO

Address: Office of Community Assistance, Kauai County Housing Agency
4444 Rice St., Suite 330, Lihue, HI 96766

SUBJECT: National Historic Preservation Act – Section 106 Review – Kauai Economic Opportunity Emergency Shelter and Transitional Housing Program on Wehe Road, Lihue, Kauai

Ahupua`a: Lihue
District, Island: Lihue, Kauai
TMK: (4) 3-8-5: 1

1. We believe there are no historic properties present, because:
___a) intensive cultivation has altered the land
✓ b) residential development/urbanization has altered the land
___ c) previous grubbing/grading has altered the land
___d) an acceptable archaeological assessment or inventory survey found no historic properties
___e) other

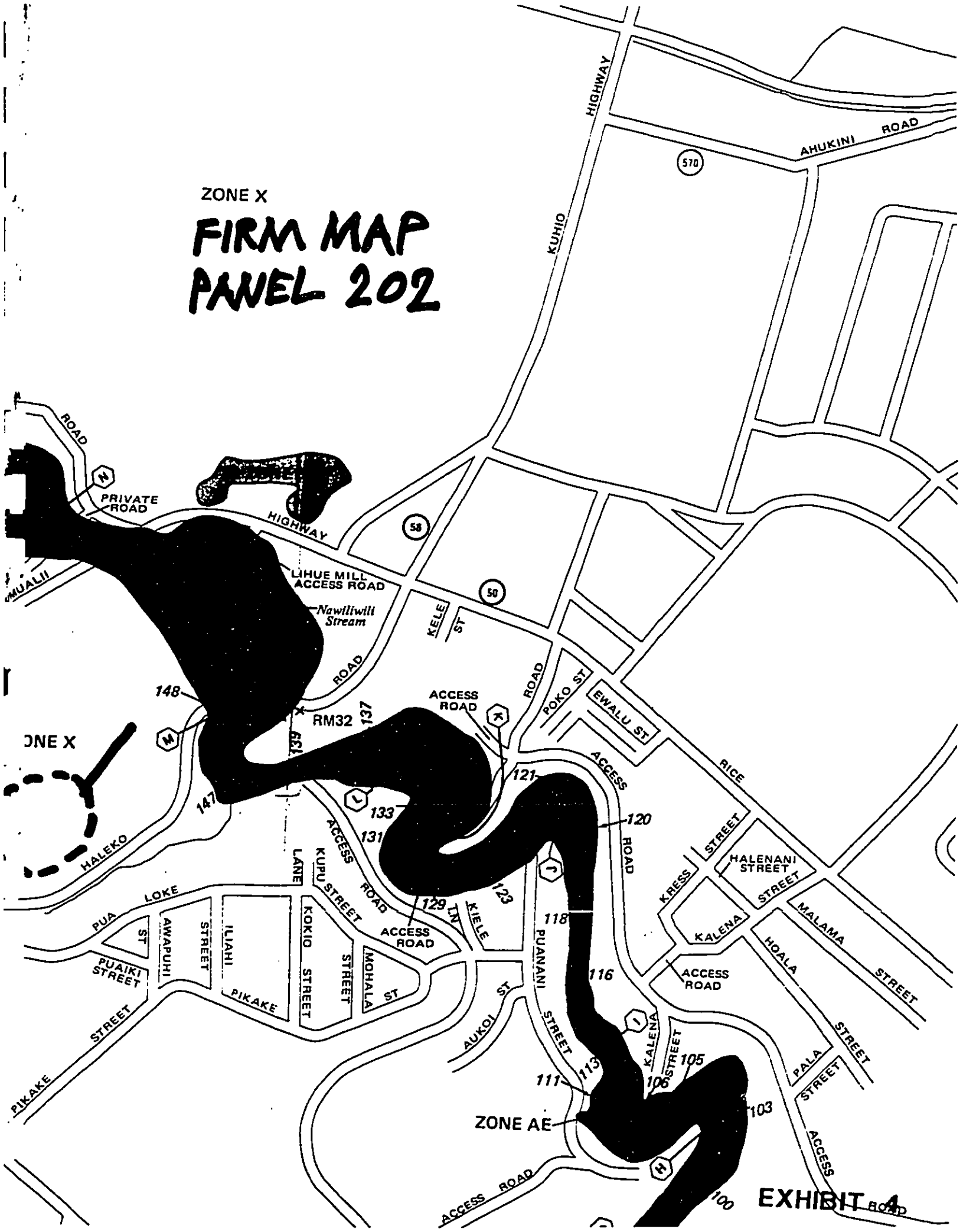
2. This project has already gone through the historic preservation review process, and mitigation has been completed ___.

✓ Thus, we believe that "no historic properties will be affected" by this undertaking

Staff: Peter Young Date: 10/12/04

Title: State Historic Preservation Officer

EXHIBIT 3



Service Wetlands Definition

The Service's wetlands definition is adopted from the Service publication *"Classification of Wetl Deepwater Habitats of the United States."* "In general terms, wetlands are lands where saturation is the dominant factor determining the nature of soil development and the types of plant and a communities living in the soil and on its surface. The single feature that most wetlands share i substrate that is at least periodically saturated with or covered by water. The water creates se physiological problems for all plants and animals except those that are adapted for life in wate saturated soil. "

DEFINITION:

"WETLANDS are lands transitional between terrestrial and aquatic systems where the water t usually at or near the surface or the land is covered by shallow water. For purposes of this classification wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes; (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and is saturated with water or covered b shallow water at some time during the growing season of the year."

Classification of Wetlands and Deepwater Habitats of the United States

by

Lewis M. Cowardin, U.S. Fish and Wildlife Service, Northern Prairie Wildlife Research Center, Jamestov
Virginia Carter, U.S. Geological Survey, Reston, Virginia
Francis C. Golet, Department of Natural Resources Science, University of Rhode Island, Kingston, RI,
Edward T. LaRoe, U.S. National Oceanographic and Atmospheric Administration, Office of Coastal Zone Ma
Washington, DC

Performed for

U.S. Department of the Interior, U.S. Fish and Wildlife Service, Office of Biological Services, Washingto
FWS/OBS-79/31 December 1979

EXHIBIT 5

4/18/05

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

LINDA LINGLE
GOVERNOR
THEODORE E. LIU
DIRECTOR
STEVE BRETSCHNEIDER
DEPUTY DIRECTOR
MARY LOU KOBAYASHI
ADMINISTRATOR
OFFICE OF PLANNING

OFFICE OF PLANNING
235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824

Ref. No. P-10520

June 24, 2004

Mr. Gordan Y. Furutani, Field Office Director
U.S. Department of Housing and Urban Development
Hawaii State Field Office
500 Ala Moana Boulevard, Suite 3A
Honolulu, Hawaii 96813

Dear Mr. Furutani:

Subject: Hawaii Coastal Zone Management (CZM) Program Federal Consistency Requirements for U.S. Department of Housing and Urban Development (HUD) Grant Programs

We have recently revised the Hawaii CZM Program list of federal assistance programs that require CZM federal consistency review by our office. We no longer review any HUD assistance programs, including Community Development Block Grants, and housing programs such as the Public Housing Capital Fund. Applicants for HUD assistance are no longer required to obtain CZM federal consistency approval for HUD assisted activities. Other CZM regulations such as the Special Management Area and Shoreline Setback provisions which are administered by the Counties, are still valid and may apply to HUD assisted projects. Each County Planning Department should be consulted for the applicability of Special Management Area and Shoreline Setback Area requirements. We suggest that the environmental checklist that applicants for HUD assistance must complete be modified to reflect the change in CZM requirements.

Thank you for your cooperation in ensuring compliance with Hawaii's CZM Program. If you have any questions, please contact John Nakagawa at 587-2878 or Debra Tom at 587-2840, of our CZM Program.

Sincerely,

Mary Lou Kobayashi

Mary Lou Kobayashi
Administrator

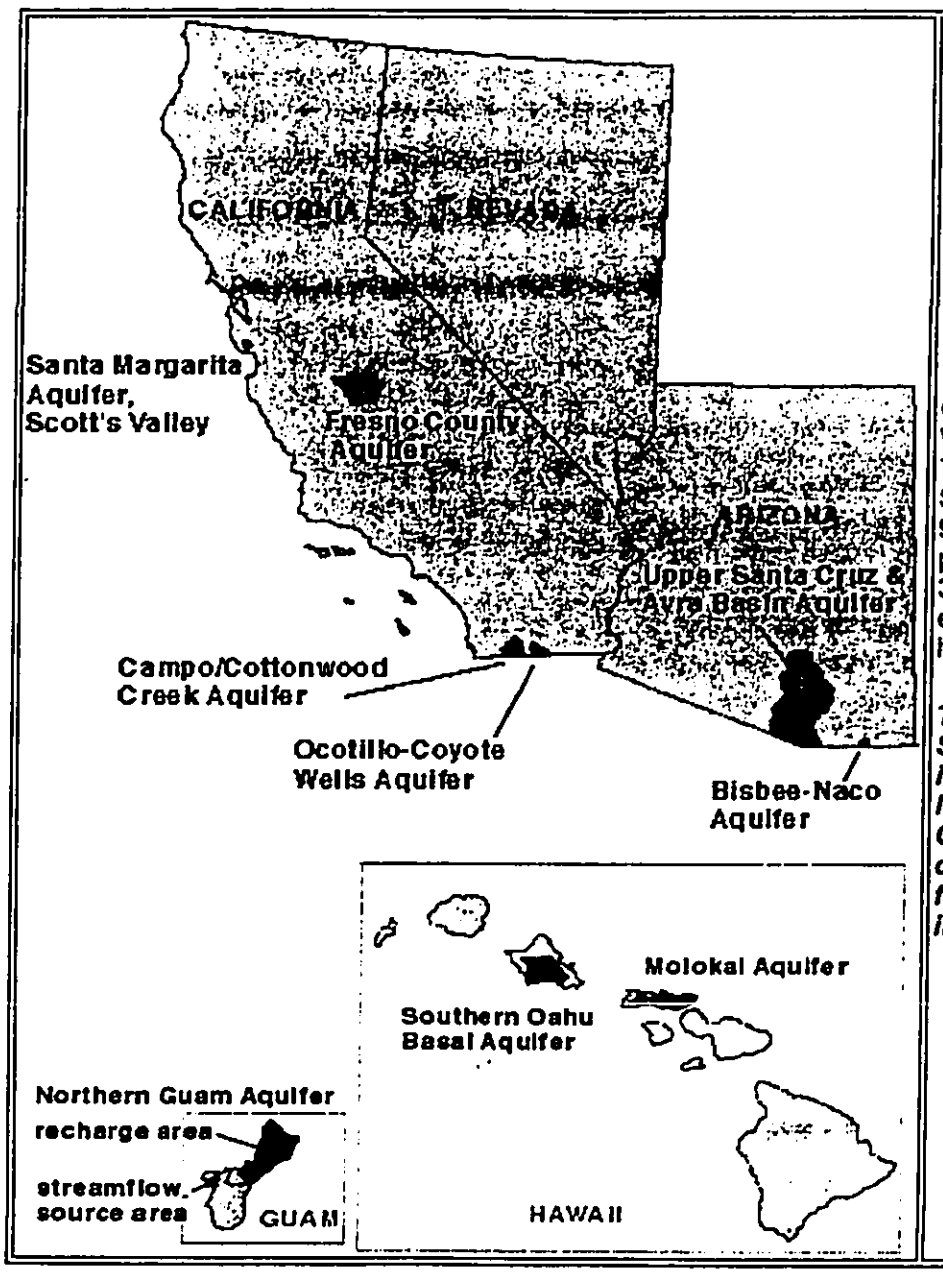
EXHIBIT 6

U.S. Environmental Protection Agency

Source Water Protection

Designated Sole Source Aquifers in EPA Regi

Arizona, California, Hawaii, Nevada, Guam, and American S



Hillary Hecht
EPA Region
Ground Wate
WTR-9
75 Hawthorn
San Francisc
94105
phone: (415)
3530
e-mail:
hecht.hillary@

The 9 desig Sole source in Region IX listed below Contact the coordinator for more information.

DESIGNATED SOLE SOURCE AQUIFERS IN REGION IX:

State	Sole Source Aquifer Name	Federal Reg. Cit.	Publ. Date
AZ	Upper Santa Cruz & Avra Basin Aquifer	49 FR 2948	01/24/84

AZ	Bisbee-Naco Aquifer	53 FR 38337	09/30/88
CA	Fresno County Aquifer	44 FR 52751	09/10/79
CA	Santa Margarita Aquifer, Scotts Valley	50 FR 2023	01/14/85
CA	Campo/Cottonwood Creek	58 FR 31024	05/28/93
CA	Ocotillo-Coyote Wells Aquifer	61 FR 47752	09/10/96
GU	Northern Guam Aquifer System	43 FR 17867	04/26/78
HI	Southern Oahu Basal Aquifer	52 FR 45496	11/30/87
HI	Molokai Aquifer	59 FR 23063	04/20/93

Return to: Sole Source Aquifer program home page

You will need Adobe Acrobat Reader to view the Adobe PDF files on this page. S
EPA's PDF page for more information about getting and using the free Acrobat Rea

Last updated on Monday, February 14th, 2005
URL: http://www.epa.gov/safewater/swp/ssa/reg9.html

Wild & Scenic Rivers By State

"... the time has also come to identify and preserve free-flowing stretches of our g
before growth and development make the beauty of the unspoiled waterway a mem
- President Lyndon Johnson

Designated WSRs
River Information
Rivers & Trails
WSR Council
Publications
Study Rivers
About WSRs
Guidelines
Site Index
Agencies
WSR Act
NRI

Questions?

- Alabama
- Alaska
- Arizona
- Arkansas
- California
- Colorado
- Connecticut
- Delaware / Pennsylvania
- Florida
- Georgia / Carolinas
- Idaho
- Idaho / Oregon
- Illinois
- Kentucky
- Louisiana
- Maine
- Massachusetts
- Michigan
- Minnesota / Wisconsin
- Mississippi
- Missouri
- Montana
- Nebraska
- Nebraska / S Dakota
- New Hampshire
- New Jersey
- New Jersey / Pennsylvania
- New Mexico
- New York / Pennsylvania
- North Carolin
- Ohio
- Oregon
- Pennsylvania
- Puerto Rico
- Tennessee
- Texas
- Washington
- West Virginia
- Wisconsin
- Wyoming

- Printable table of the National Wild & Scenic Rivers System.
- Instructions for National Atlas Wild & Scenic Rivers Site (PDF)
- GIS shape files (270 KB Self-Extracting Zipped File).

Managing Agencies

- ACOE = Army Corps of Engineers
- BLM = Bureau of Land Management -- BLM Rivers
- NPS = National Park Service
- USFS = U.S. Forest Service
- USFWS = U.S. Fish & Wildlife Service
- Various states

Multiple listings of some rivers indicate more than one segment of the river is de
Some rivers also have tributaries designated.

Alabama

- Sipsey Fork of the Black Warrior, USFS

rec'd 7/22/04
to docket 7/22/04

02:1216440

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

March 18, 3003

03-474M&A CAB

Mr. Wayne Nastri
Regional Administrator
U.S. EPA - Region IX
75 Hawthorne Street
San Francisco, California 94105

Dear Mr. Nastri:

Pursuant to Section 107(d) of the Clean Air Act, I am recommending that the State of Hawaii be designated as an attainment area for the new 8-hour ozone, National Ambient Air Quality Standards. This recommendation is based on the results of the ozone monitoring from the past three years.

The Department of Health, which manages the air monitoring stations, has determined that the quality-assured, ozone data for the calendar years 2000 through 2002 is well in compliance with the new federal 8-hour ozone standard. As required, this monitoring data has already been inputted to the U.S. Environmental Protection Agency (EPA) air database, Aerometric Information Retrieval System. The ozone monitoring data has been summarized in a table format and is enclosed for your information.

We look forward to working with EPA Region IX in the coming year on this important public health and environmental issue. If you have any questions, please contact Mr. Wilfred Nagamine at the Clean Air Branch, Department of Health, at (808) 586-4200.

Sincerely,

LINDA LINGLE

Enclosure

bc: Dr. Chiyome L. Fukino

EXHIBIT 9

STATE OF HAWAII 8-HOUR OZONE AVERAGES: 2000, 2001 and 2002

Site: Sand Island, Honolulu
AIRS #: 150031004

Year	Percent Valid Days	1st Highest Daily Max 8-Hr. Conc. (ppm)	(Date)	2nd Highest Daily Max 8-Hr. Conc. (ppm)	(Date)	3rd Highest Daily Max 8-Hr. Conc. (ppm)	(Date)	4th Highest Daily Max 8-Hr. Conc. (ppm)	(Date)	5th Highest Daily Max 8-Hr. Conc. (ppm)	(Date)
2000	96%	0.048	4/9/00	0.047	4/10/00	0.045	4/5/00	0.045	4/8/00	0.044	3/19/00
2001	94%	0.047	3/21/01	0.044	3/20/01	0.043	3/22/01	0.042	4/10/01	0.042	4/12/01
2002	97%	0.045	4/1/02	0.045	12/8/02	0.044	3/19/02	0.043	12/9/02	0.043	3/20/02
Average		0.047		0.045		0.044		0.043		0.043	

The 8-hour running averages and the daily maximum 8-hour average concentrations were computed according to 40 CFR 50 Appendix I.

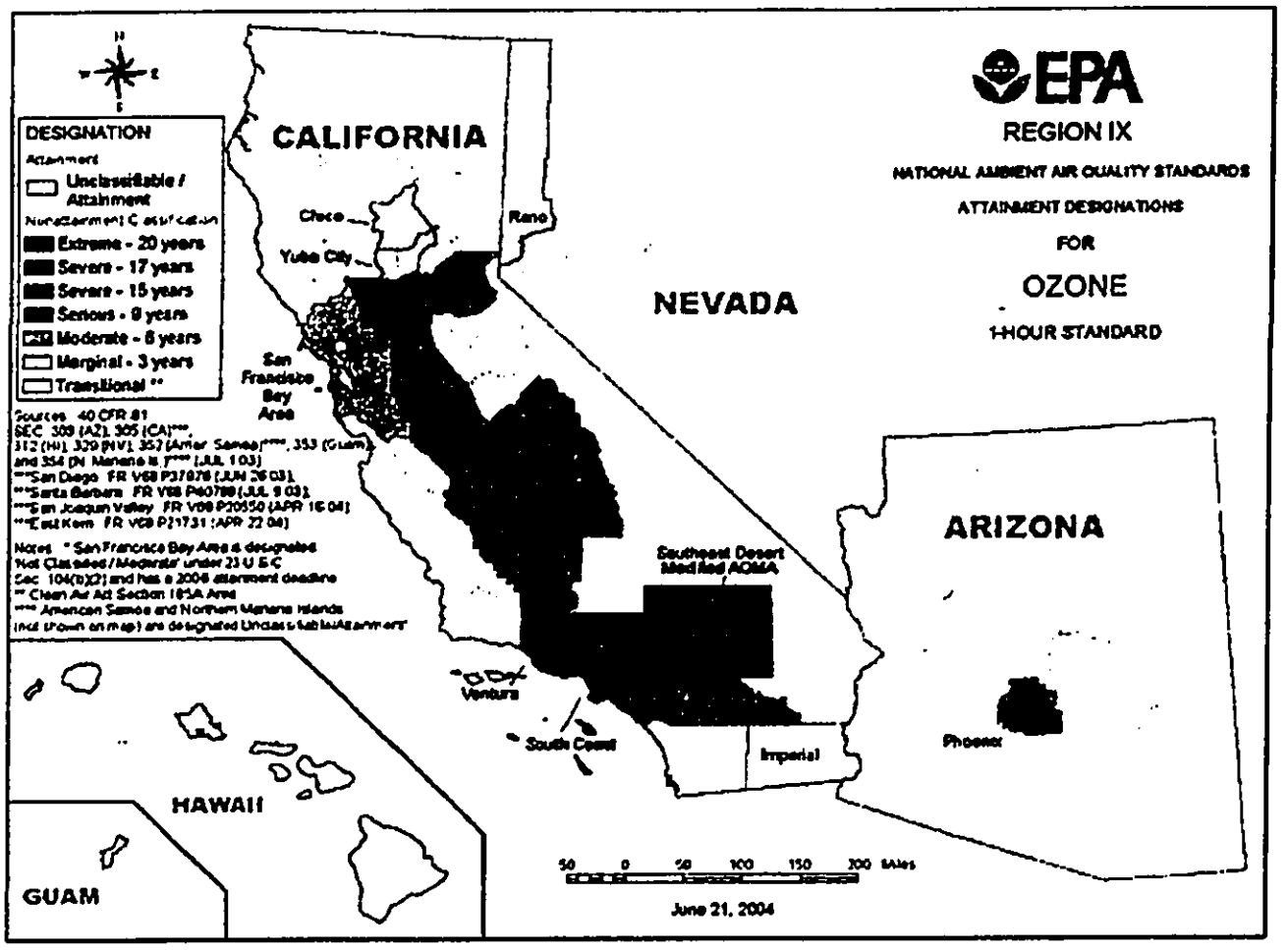
Attainment is determined by comparing the 3-year average of the fourth-highest daily maximum 8-hour average concentration to the Federal primary and secondary ozone ambient air standards of 0.08 ppm. The State of Hawaii's 3-year average of the fourth-highest daily maximum 8-hour concentration was 0.043, which is 54% of the Federal primary and secondary standards.

U.S. Environmental Protection Agency

Region 9: Air Programs

Serving Arizona, California, Hawaii, Nevada, the Pacific Islands, and over 140 Tribal Nations

Ozone (O_3) Attainment Designations in Region 9 (1-hour Standard)



- View a larger version of this map (JPG, 224 K)
- View a high-resolution PDF of this map (PDF, 1 pp. map, 256 K About PDF)
- View the Ozone Designation Map for the 8-hour standard
- Back to Air Quality Maps page

E-mail guiliano.dave@epa.gov with questions.

4109 Zeering Rd., Denair, CA 95316
http://www.convault.com, dave@convault.com
800-222-7099, 209-632-7571
FAX 209-632-4711

April 29, 2005

Mr. James Nishida
Kauai Economic Opportunity Inc.
2804 Wehe Rd.
Lihue, HI 96766
(808) 245-4077

Re: ConVault Aboveground Storage Tanks

Dear Mr. Nishida:

This letter is to confirm our conversation that the 2000-gallon tanks with serial numbers 515668, 515676, and 515685 located at the Lihue Repair Shop in Hawaii were manufactured according to the requirements of UL 142. These tanks were also tested according to UL 142 and ConVault requirements and passed the required tests of the primary tank. The tanks were shipped August 1991. At that time ConVault tanks were listed under UL 142 Standard for Aboveground Tanks for Flammable and Combustible Liquids, as the UL 2085 Standard was not yet adopted.

ConVault tanks have been listed under UL 2085 since 1996. However, the ConVault manufacturing procedures for UL 2085 are basically the same as when the ConVault tanks were listed under UL 142. The tanks in question have secondary containment and monitoring ports for leak detection devices. The secondary containment is over 100% of total capacity, has been approved by EPA as meeting the intent of the code, and is protected from impact and ballistics damage. The "concrete vaults" have the same capability of two-hour fire resistance, vehicle impact resistance and ballistic impact resistance as UL 2085 listed tanks. However the units do not have the UL 2085 listing mark and the secondary was not tested according to the UL 2085 standard.

If you have any questions, please do not hesitate to contact me.

Very Truly Yours,

David P. Harris
VP MARKETING

EXHIBIT 10

End User	LIHUE REPAIR SHOP	LIHUE REPAIR SHOP	LIHUE REPAIR SHOP
ULNumber	515668	515671	515685
Model	R 20003PF	R 20003PF	R 20003PF
Size	2000	2000	2000
DateSold	7/17/1991	7/25/1991	7/25/1991
Address	2820 WEHE RD	2820 WEHE RD	2820 WEHE RD
City	KAUAI	KAUAI	KAUAI
St/Prov	HI	HI	HI
Zip	96766	96766	96766
Phone			
SICCode	5541	5541	5541

Gary Mackler

From: richard_l._knight@hud.gov
Sent: Wednesday, May 04, 2005 1:57 PM
To: mark_a._chandler@hud.gov; Gary Mackler
Cc: richard_l._knight@hud.gov
Subject: Re: Acceptable Separation Distance

See below -- Kauai project
---- Forwarded by Richard L. Knight/CPD/HON/HUD on 05/04/2005 01:56 PM ----


pic30947.gif

Ernest Molins

05/04/2005 12:30 PM

To: "keo" <keo@keoinc.org>
cc: JOEL SEGAL/CPD/HHQ/HUD@HUD, Richard L. Knight/CPD/HON/HUD@HUD
Subject: Re: Acceptable Separation Distance

Dear Mr. Nishida,
The technical advisor in Washington and I agree that these steel reinforced cement tanks meet the HUD requirements for safety without additional mitigation. I'm enclosing the correspondence for your documentation. See below. Please include this documentation in the environmental record for the project. I hope this helps.
Sincerely,
Ernest Molins
Regional Environmental Officer
HUD San Francisco Regional Office - Region IX
600 Harrison Street
San Francisco, CA 94107
Tel. (415) 489-6731
Fax (415) 489-6732
-- Forwarded by Ernest Molins/CPD/SFC/HUD on 05/04/2005 03:24 PM ----

JOEL SEGAL

05/04/2005 10:49 AM

LINDA LINGLE
GOVERNOR OF HAWAII

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

In reply, please refer to:
File: EHANEER Office
2005-218MGC

April 27, 2005

Mr. James Nishida
Housing Coordinator
Kauai Economic Opportunity, Inc.
P.O. Box 1027
Lihue, HI 96766

Subject: Wehe Road, Lihue, Kauai, Hawaii: TMK (4)-3-8-5:1

Dear Mr. Nishida:

The State of Hawaii, Department of Health, Hazard Evaluation and Emergency Response reviewed the parcel, with TMK No. (4) – 3-8-5:1 and found no reported notification of releases in our data base.

The PA/SI Section under the Cooperative Agreement with EPA is presently conducting a Site Inspection on Lihue Sugar Mill, which is approximately 0.2 mile from the Site. The parcel is not part of this investigation.

If you have any further questions, please give me a call at (808) 586-7577.

Sincerely yours,

Melody G. Calisay
HEER Office
Department of Health

EXHIBIT 11

LINDA LINGLE
GOVERNOR

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
AIRPORTS DIVISION • KAUAI DISTRICT
Lihue Airport
3901 Mokulele Loop, Unit 6
Lihue, Hawaii 96766-9706

RODNEY K. HARAGA
DIRECTOR

Deputy Directors
BRUCE Y. MATSUI
BARRY FUKUNAGA
[illegible]NON T. MORIOKA
[illegible]d H. SEKIGUCHI

REFER TO:
AIR-K1
05.132

April 16, 2005

Mr. James Nishida
Housing Coordinator
Kauai Economic Opportunity, Inc.
2804 Wehe Road
Lihue, Hawaii 96766

Dear Mr. Nishida:

Subject: Review of KEO Emergency Shelter and Transitional Housing Program

Thank you for providing Lihue Airport the opportunity to review the impacts, if any, that airport operations might impose on the planned Homeless Housing Project.

From a preliminary review of the project's location in relationship to the airport, we see no impact from an airspace issue. The planned location is located at the boundary of the Horizontal Surface and the Conical Surface. As long as the planned height of the development does not exceed 303' above ground level (AGL), and does not exceed the 20:1 ratio for the Conical Surface, there appears to be no impact.

Further, development is well outside of the 55LDN contour, identified as having no impact to occupants at the planned site. The studies used to make this determination were our approved Federal Aviation Regulation (FAR) Part 150 Noise Study, dated 1989, and updated contours used to assess the impact of our heliport in 1999.

We are forwarding these findings to our planning department for confirmation and final approval. As soon as we receive their concurrence, we will provide you final approval by your April 25, 2005 suspense date.

If you have any questions, please call me at 246-1456.

Sincerely,

Timothy A. Skinner, A.A.E., MBA, MS
Assistant Airport Superintendent V

cc: DEP-A, AIR-L, AIR-EP

EXHIBIT 12

LINDA LINGLE
GOVERNOR OF HAWAII

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801-3378

CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

In reply, please refer to:
EMO / CWB

10033PKP.04

October 11, 2004

Mr. Kenneth N. Rainforth
Executive on Housing
Kauai County Housing Agency
Offices of Community Assistance
County of Kauai
4444 Rice Street, Suite 330
Lihue, Hawaii 96766

Dear Mr. Rainforth:

Subject: Kauai Economic Opportunity Emergency Shelter and Transitional Housing Program Wehe Road, Lihue, Kauai, Hawaii

The Department of Health (DOH), Clean Water Branch (CWB), has reviewed the subject application and offers the following comments:

1. The Army Corps of Engineers should be contacted at 438-9258 to identify whether a Federal license or permit (including a Department of Army permit) is required for this project. Pursuant to Section 401(a)(1) of the Federal Water Pollution Control Act (commonly known as the "Clean Water Act"), a Section 401 Water Quality Certification is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters..."

2. A National Pollutant Discharge Elimination System (NPDES) general permit coverage is required for the following activities:

   a. Storm water associated with industrial activities, as defined in Title 40, Code of Federal Regulations, Sections 122.26(b)(14)(i) through 122.26(b)(14)(ix) and 122.26(b)(14)(xi).

   b. Construction activities, including clearing, grading, and excavation, that result in the disturbance of equal to or greater than one (1) acre of total land area. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. **An NPDES permit is required before the commencement of the construction activities.**

   c. Discharges of treated effluent from leaking underground storage tank remedial activities.

   d. Discharges of once through cooling water less than one (1) million gallons per day.

   e. Discharges of hydrotesting water.

EXHIBIT 13

f. Discharges of construction dewatering effluent.

g. Discharges of treated effluent from petroleum bulk stations and terminals.

h. Discharges of treated effluent from well drilling activities.

i. Discharges of treated effluent from recycled water distribution systems.

j. Discharges of storm water from a small municipal separate storm sewer system.

k. Discharges of circulation water from decorative ponds or tanks.

The CWB requires that a Notice of Intent (NOI) to be covered by an NPDES general permit for any of the above activities be submitted at least 30 days before the commencement of the respective activities. The NOI forms may be picked up at our office or downloaded from our website at:
http://www.hawaii.gov/health/environmental/water/cleanwater/index.html

3. The applicant may be required to apply for an individual NPDES permit if there is any type of activity in which wastewater is discharged from the project into State waters and/or coverage of the discharge(s) under the NPDES general permit(s) is not permissible (i.e. NPDES general permits do not cover discharges into Class 1 or Class AA State waters). An application for the NPDES permit is to be submitted at least 180 days before the commencement of the respective activities. The NPDES application forms may also be picked up at our office or downloaded from our website at:
http://www.hawaii.gov/health/environmental/water/cleanwater/index.html

4. Hawaii Administrative Rules (HAR), Section 11-55-38, also requires the applicant to either submit a copy of the new NOI or NPDES permit application to the State Department of Land and Natural Resources, State Historic Preservation Division (SHPD), or demonstrate to the satisfaction of the DOH that the project, activity, or site covered by the NOI or application has been or is being reviewed by SHPD.

5. The DOH is in the process of readopting HAR, Chapters 11-54 and 11-55 to regulate the application of pesticides to surface waters of the State. This may include overspray of pesticide applied adjacent to surface waters. Therefore, the applicant may be required to apply for NPDES permit coverage should the revised regulations be in effect during the length of the project.

If you have any questions, please contact Ms. Kris Poentis of the Engineering Section, CWB, at (808) 586-4309.

Sincerely,

for DENIS R. LAU, P.E., CHIEF
Clean Water Branch

KP:np

Department of Water
County of Kaua'i

Wake ... sho sub... ...Conserve it

RECEIVED
'05 MAR -7 A11 :20

March 3, 2005

UID #4520

KAUAI ECONOMIC OPPORTUNITY INCORP.

Mr. James Nishida
Kauai Economic Opportunity, Inc.
P.O. Box 1027
Lihue, HI 96766

Dear Mr. Nishida:

Subject: Water Service Inquiry: Emergency and Transitional Homeless Shelter,
TMK: 3-8-05:001, Wehe Road, Lihu'e, Kaua'i

This is in regard to your letter dated February 3, 2005. Any actual development of this area will be dependent on the adequacy of the source, storage and transmission facilities existing at that time. At the present time, the existing storage and transmission facilities are adequate. The existing source facilities for the Lihu'e area are operating at capacity; however, the Department of Water (DOW) is allowing water meter service for up to three 5/8-inch water meters (or equivalent ¾-inch water meter) or three single family dwellings per existing lot of record.

Prior to the DOW recommending water meter service or building permit approval, the applicant must:

1. Submit detailed water demand calculations along with the proposed water meter size. Water demand calculations submitted by your engineer or architect should include fixture count and water meter sizing worksheets. The Department's comments may change depending on the approved water demand calculations.

2. Prepare and receive DOW's approval of construction drawings for necessary water system facilities and construct said facilities. These facilities shall include but not be limited to:

   a. The domestic service connection, if applicable.

   b. The fire service connection, if applicable.

   c. The interior plumbing plans with the appropriate backflow prevention device.

   d. Additional source facilities for this area, if applicable. The applicant may wait until others (including the DOW) construct additional source facilities for this area. Grove Farm is presently in the process of constructing a surface water treatment plant which will provide additional source capacity to the Lihu'e area. Upon completion of this source facility the DOW will re-evaluate our current water policy for the Lihu'e area.

EXHIBIT 14

4398 Pua Loke St., P.O. Box 1706, Lihue, HI 96766 Phone: 808-245-5400
Engineering and Fiscal Fax: 808-245-5813, Operations Fax: 808-245-5402, Administration Fax: 808-246-8628

3. Pay the applicable charges in effect at the time payment is made to the Department. At the present time, these charges shall include but are not limited to the Facilities Reserve Charge which will be dependent on the approved water meter size.

4. If applicable, a "Certification of Completion" notice must be issued by the DOW for the construction of the necessary water system improvements required for the proposed development.

5. Be made aware that the proposed development is located within a 1,000 foot radius of our existing well. The applicant will be required to satisfy the Department of Health's concerns regarding waste water disposal for the proposed project, as applicable.

If you have any questions, please call Edward Doi at 245-5417.

Sincerely,

Gregg Fujikawa
Chief of Water Resources and Planning

ED:mll
25-053 Lihu'e, Nishida

4398 Pua Loke St., P.O. Box 1706, Lihue, HI 96766 Phone: 808-245-5400
Engineering and Fiscal Fax: 808-245-5813, Operations Fax: 808-245-5402, Administration Fax: 808-246-8628

DEPARTMENT OF THE ARMY
U. S. ARMY ENGINEER DISTRICT, HONOLULU
FT. SHAFTER, HAWAII 96858-5440

REPLY TO
ATTENTION OF

May 3, 2005

Regulatory Branch

Mr. James Nishida
Housing Coordinator for Kauai Economic Opportunity, Inc.
Agor Architecture
4374 Kukui Grove Drive, Suite 204
Lihue, HI 96766

Dear Mr. Nishida:

This responds to your request for written comments for a draft federal Environmental Assessment (dEA) which will address activities and impacts of the proposed Kauai Economic Opportunity Emergency Shelter and Transitional Housing Program Project at 2804 Wehe Road, Lihue, Kauai Island (unstated acreage at TMK (4) 3-8-05: por. 1).

The dEA should indicate whether waters of the United States, as represented by perennial or intermittent streams, and wetlands are in, or adjacent to, or absent from, the proposed project area. The dEA should state in appropriate sections that there is, or no potential for waters of the U.S. to be impacted by construction of project structures and associated ground disturbing activities within the proposed improvement area. Upon our receipt of the dEA, it may be determined whether a Department of Army (DA) permit for Section 404 activities of the Clean Water Act may, or may not be, required for the proposed Emergency Shelter and Transitional Housing Program Project.

Thank you for your consideration of potential impacts to the aquatic environment of the Lihue watershed. We look forward to receiving a copy of the dEA for review and comment. Please contact Mr. Farley Watanabe of my staff at 808-438-7701, or facsimile 808-438-4060, if you have any questions or need additional information. Please refer to **File Number POH-2005-262** in any future correspondence regarding this project.

Sincerely,

George P. Young, P.E.
Chief, Regulatory Branch

EXHIBIT 15

CULTURAL IMPACT ASSESSMENT

A Cultural Impact Assessment, consisting of information provided by knowledgeable informants of the site, including traditional cultural practitioners, has been compiled to analyze the impact of the proposed action on cultural practices and features associated with the project area. Based on the consultations and information collected, no impact on cultural practices or cultural features is anticipated by the proposed action.

Reference:

Wilcox Elementary School Centennial Memory Book – Old Lihue School moved to Wehe Road site in spring 1923. Old Lihue School closed in 1958 when it was moved to present Wilcox Elementary School site.

Interviews:

Interviews with knowledgeable Lihue residents and Old Lihue School students suggest that no traditional or customary rights of Native Hawaiians have been practiced on the site since the site was designated for a school site. The following is a summary of comments received:

"Site heavily impacted because it is an old school site for many years. I attended Lihue School. I can remember walking with cousin to school. Mrs. Kuraoka was a teacher there, as well as Eva Fountain and Gabriel Nishida. I can remember going down a sidewalk to mill site on Haleko Road."

"In general, need to look at the site in relation to the Ahupua'a. Also, the site needs to be seen as to its impact on any neighboring streams and you need to look for burials on site. In relation to the Wehe Road site, the area is heavily impacted due to history of sugar cultivation and being on old school site. Most of the cultural and historical impact will be as a school site. Any below ground level artifacts and remains need to be dealt with as required by law."

"The site had the Principal's house as well as teacher's cottage. Galdys Brandt had an office on site when she was superintendent of schools. Old Lihue School was closed when they opened Wilcox Elementary School."

"Around 1968, one of the old school classrooms was moved to the DOE office building."

"I taught school as well as attended. The office building looks like it was one of the old teacher's cottages that were duplexes. However, location isn't familiar. It may be that both buildings were moved. When I attended Lihue School, her classroom has six classes. Lihue School had a lot of students. Each building has three classrooms. Big building still there looks like the classroom building."

EXHIBIT 16

"I played in area. Went to bunkers at one time. There were boxes of C Rations in bunker. Cannot remember exactly where bunkers were."

Tony Rita used to play in area. Talked of bunkers with old papers in it in the area."

"Save the avocado tree."

Eryan J. Baptiste
Mayor

Gary K. Heu
Administrative Assistant

Bernard P. Carvalho Jr.
Director

Kenneth N. Rainforth
Executive on Housing

OFFICES OF COMMUNITY ASSISTANCE
KAUAI COUNTY HOUSING AGENCY

July 11, 2005

Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

Subject: Draft Environmental Assessment for KEO Emergency Shelter and Transitional Housing Program, TMK (4) 3-8-5:1, Lihue, Kauai, Hawaii.

Dear Ms. Salmonson:

Reference is made to the comments offered in your letter dated June 23, 2005, regarding the above-referenced Draft Environmental Assessment. The following response corresponds to the order of comments received:

1. Two-sided pages: Final document will be printed on both sides of the pages.

2. Table of Contents: A table of contents (enclosed) will be included in the final EA.

3. Cultural Impacts Assessment: A cultural impacts assessment (enclosed) has been conducted and will be included in the final EA.

4. Timeframe: Based on project milestones and related timeframes, remaining predevelopment tasks (e.g. environmental clearance; use permit; construction bid solicitation) should be complete by mid-October 2005. Construction should start November 2005 and end April/May 2006.

5. Funding: Kauai Economic Opportunity, Inc. KEO has secured the following federal grant funds for this project:

   Community Development Block Grant ($664,257)
   HOME Investment Partnerships Program ($727,000)
   Economic Development Initiative – Special Project Grant ($250,000).
   State CIP (2005 Legislative Session) – Pending Approval by Governor

Development Section (808) 241 4444 FAX (808) 241 4495
TDD (808) 241 4411

Pi'ikoi Building 4444 Rice Street Suite 33
Lihue Hawaii 96766

Section 8 (HUD) (808) 241 4440 FAX (808) 241 4496
cok_hsg@aloha.net

EXHIBIT 17

6. Alternatives: As discussed in Section 3.2 of draft EA, other alternative sites were given preliminary site feasibility review and, for various reasons, determined economically infeasible due to lack of infrastructure, or incompatible with surrounding use.

   With regard to alternative design configurations, site design has gone through several iterations. KEO and County staff has held at least three meetings with the project design consultant, Agor Architecture, to refine site design for function, safety, and other related site issues.

7. Figures: As requested, site plans with the location of existing facilities and proposed location of new facilities (enclosed) will be included in the final EA. Figure 2 (enclosed), missing in the draft EA, will be included in the final EA

8. Permits and Approvals: As noted in Section 8.0 of draft EA, two permits are required for the project. Agor Architecture will submit a Use Permit Application to the County Planning Department on or about July 15, 2005. The Use Permit Application will be put before the Planning Commission. This process involves at least one public hearing and should take an estimated 45 days to resolve. Also, a building permit is required for the construction. Agor Architecture will submit the building permit application shortly after the Use Permit process.

Thank you for sending comments to the draft EA. Please contact me at 241-4429 if you have any further comments or questions.

Sincerely,

Gary A. Mackler
Development Coordinator

Enclosures (4)

cc: MaBel Fujiuchi, KEO
Ron Agor, Agor Architecture

LINDA LINGLE
GOVERNOR OF HAWAII

GENEVIEVE SALMONSON
DIRECTOR

STATE OF HAWAII
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E-mail: oeqc@health.state.hi.us

June 23, 2005

Gary Mackler
Office of Community Assistance
Kauai Housing Agency
4444 Rice Street #330
Lihue, HI 96766

Dear Mr. Mackler:

Subject: Draft Environmental Assessment (EA)
Lihue Emergency Shelter and Transitional Housing Program

We have the following comments to offer:

Two-sided pages: In order to reduce bulk and save on paper, please print on both sides of the pages in the final document.

Table of contents: A table of contents would be very helpful for the reviewer. Please include one in the final EA.

Cultural impacts assessment:

Act 50 was passed by the legislature in April 2000. This mandates an assessment of impacts to current cultural practices by the proposed project. In the final EA include such an assessment.

If the subject area is in a developed urban setting, cultural impacts must still be assessed. Many incorrectly assume that the presence of urban infrastructure effectively precludes consideration of current cultural factors. For example, persons are known to gather kauna'oa, 'ilima, 'uhaloa, noni or ki on the grassy slopes and ramps of the H-1 freeway and some state highways on the neighbor islands. Certain landmarks and physical features are used by Hawaiian navigators for sailing, and the lines of sight from landmarks to the coast by fisherman to locate certain fishing spots. Blocking these features by the construction of buildings or tanks may constitute an adverse cultural impact.

For assistance in the preparation refer to our *Guidelines for Assessing Cultural Impacts.* Contact our office for a paper copy or go to our homepage at *http://www.state.hi.us/health/oeqc/guidance/index.html.* You will also find the text of Act 50 linked to this section of our homepage.

Timeframe: What are the anticipated start and end dates of construction?

Funding: The total project cost is not given. Please disclose all state or county funds involved, including any federal funds flowing through the state or county.

Alternatives: In the final EA discuss any alternatives considered for this project, such as alternative sites or alternative design configurations.

Figures:

> *Site plan*: In the final EA include a site plan showing the location of existing facilities and the proposed locations of new facilities. Also indicate any proposed landscaping.
>
> *Figure 2*: This figure is missing. Please include it in the final EA.

Permits and approvals: List all required permits and approvals for this project and the status of each.

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

Sincerely,

Genevieve Salmonson

GENEVIEVE SALMONSON
Director

c: Ron Agor

CERTIFICATION

I HEREBY CERTIFY THAT THE MICROPHOTOGRAPH APPEARING IN THIS REEL OF FILM ARE TRUE COPIES OF THE ORIGINAL DOCUMENTS.

2007

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J. Kaai

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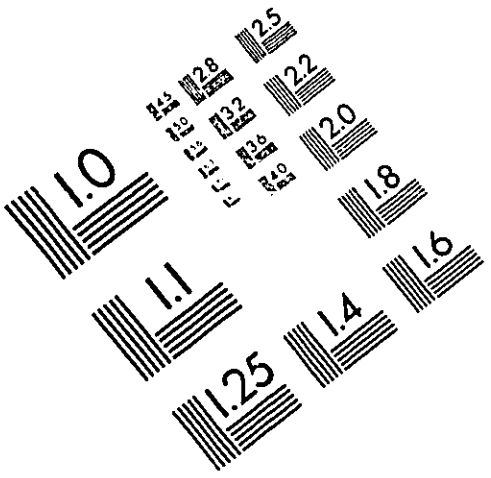

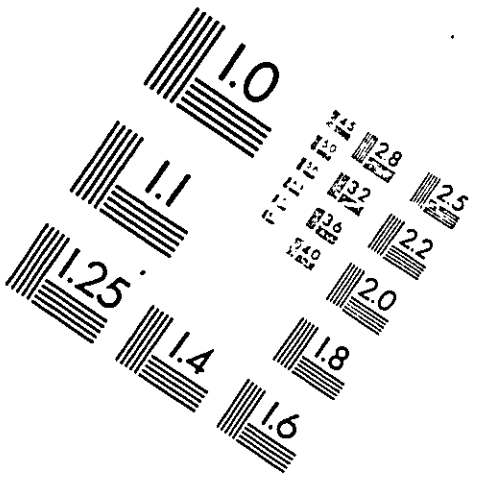

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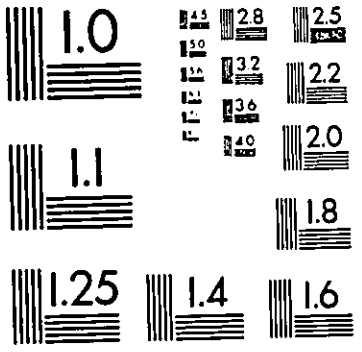

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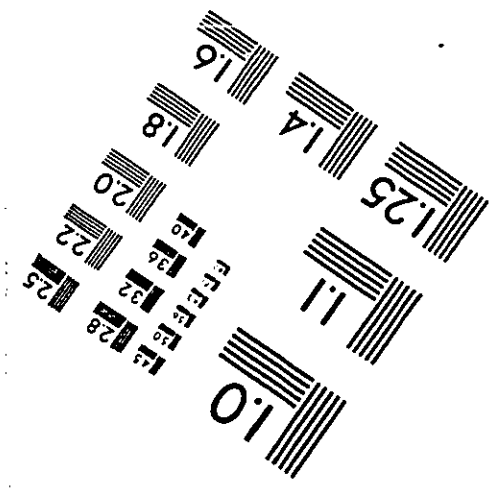

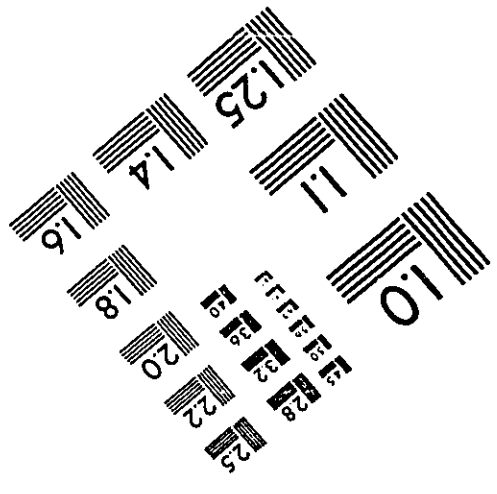

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