DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 26, 2009

Ms. Katherine Puana Kealoha, Director
State of Hawai'i
Department of Health
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, HI 96813

FINAL ENVIRONMENTAL ASSESSMENT (FEA) FOR KAPULENA WELL AND RESERVOIR
TAX MAP KEY 4-7-002:029 AND 4-7-002:035
HĀMĀKUA DISTRICT, COUNTY OF HAWAI'I

The Department of Water Supply has reviewed the comments received during the 30-day public comment period which began on May 23, 2009. The agency has determined that this project will not have significant environmental effects and has issued a Finding of No Significant Impact. Please publish this notice in the next available OEQC Environmental Notice.

We have enclosed a completed OEQC Publication Form along with two hardcopies of the Final EA/FONSI and a PDF file on a CD.

Please call Mr. Terrance Nago from our Engineering Division at 808-961-8070, extension 250, should you have any questions.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

TIN:dfg

Encs.

Final Environmental Assessment & Finding of No Significant Impact

KAPULENA WELL & RESERVOIR

PREPARED FOR:
Department of Water Supply
County of Hawai‘i

PREPARED BY:
PLANNING SOLUTIONS

AUGUST 2009

PROJECT SUMMARY

Project:	**KAPULENA WELL & RESERVOIR**
Applicant/Approving Agency:	Department of Water Supply County of Hawai‘i 345 Kekūanaō‘a Street., Suite 20, Hilo, HI 96720 Contact: Terrance I. Nago, P.E. (808) 961-8070 ext. 250
Location:	Hāmākua District; Island of Hawai‘i
Tax Map Keys:	4-7-02:29 and 4-7-02:35
Parcel Area	0.104 acres and 41.303 acres
Project Site Area	Approximately 0.63 acres
State Land Use District:	Agriculture
County Zoning	Ag-40a
Proposed Action:	The Department proposes to drill, test, and, if successful, convert the well to a production well with a 0.3 MG storage tank. Electrical power and telephone service will be extended to the site from existing lines on Honoka‘a-Waipi‘o Road. A single-story control building will be constructed on the site to house a chlorination system and control center. An on-site drainage system will also be constructed, and the existing access driveway extended and upgraded. Water from the well will replace the surface water source of the abandoned Kukuihaele (Wai‘ulili) Spring.
Associated Actions Requiring Environmental Assessment:	Proposed use of County land & funds, and federal funds.
Consultation	The State Historic Preservation Division and State Department of Health (Safe Drinking Water Branch) and parties listed in Table 7.1 were consulted during the preparation of this EA.
Required Approvals	• Hawai‘i County Building Permit • Hawai‘i County Plan Approval • Well Construction Permit • Pump Installation Permit, State Water Commission • Certification of Well for Drinking Water Use, State Department of Health (DOH) • Grading Permit, Hawai‘i County • Construction Permit, DOT State Highways Division • Construction Noise Variance (possible)
Determination	Finding of No Significant Impact
Consultant:	Planning Solutions, Inc. 210 Ward Avenue, Suite 330 Honolulu, HI 96814 Contact: Perry White (808) 550-4483

THIS PAGE INTENTIONALLY LEFT BLANK

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF TABLES

1.0 PURPOSE OF & NEED FOR THE PROJECT

1.1 INTRODUCTION

The Hawai‘i County Department of Water Supply (DWS) is responsible for the development, operation, and maintenance of the municipal water systems throughout the Island of Hawai‘i. Historically, DWS supplied the needs of its customers in the Kukuihaele area using water from Kukuihaele (Wai‘ulili) Spring. The State Safe Drinking Water Branch (SDWB) conducted a sanitary survey of the spring in June 2005 and found that a concrete intake box receiving the source water was not completely sealed to the outside environment. Instead, the box was only partially enclosed with boulders stacked to form the back wall of the structure so that daylight was visible through the boulders. Based on this, SDWB determined that the spring is a groundwater source under the direct influence of surface water (GWUDI, ref. Hawai‘i Administrative Rules Chapter 11-20). That designation means that DWS must either install enhanced treatment systems before using water from the spring source or switch to an alternate water source.

Furthermore, in the aftermath of the October 2006 offshore earthquake near the Island of Hawai‘i, the Kukuihaele (Wai‘ulili) Spring was under producing at a rate of 6,000 GPD, a drastic decline from the 70,000 GPD demand it was able to supply to the Kukuihaele Water System. As a result, the spring became inefficient for DWS to operate and maintain. In 2007, while still developing plans to address the quality issue raised by the GWUDI designation, DWS ceased use of the Kukuihaele (Wai‘ulili) Spring. Because of the aforementioned issues, all water is currently being trucked in.

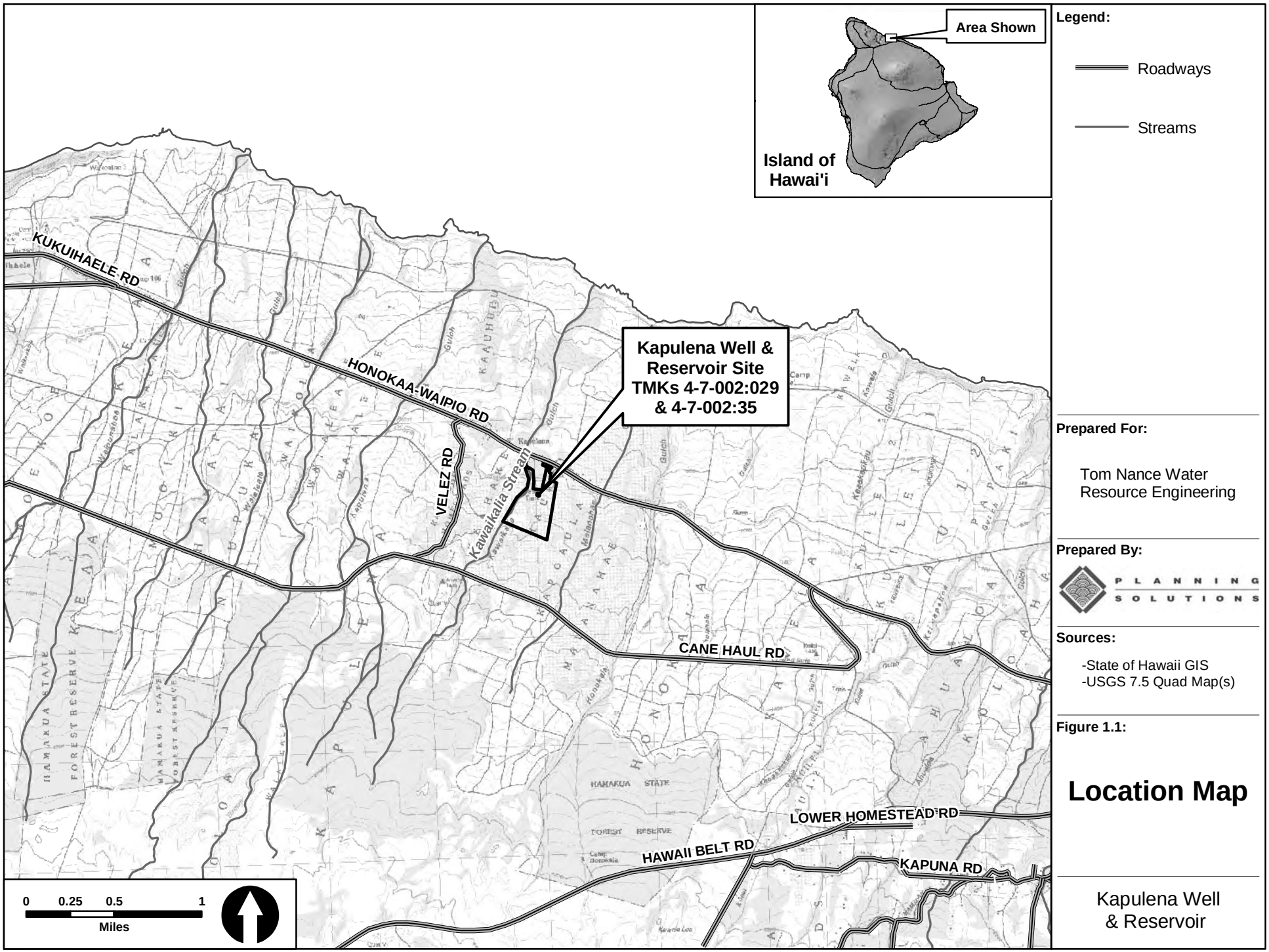
In order to eliminate the excessive costs associated with trucking in water and to avoid constructing and operating facilities for enhanced water treatment that are required for GWUDI drinking water sources, DWS proposes to replace the spring and trucked-in sources with a new well. The proposed well would provide a cost-effective means of meeting current and anticipated Federal requirements. For these reasons, the replacement of this water source is ranked number one on Hawai‘i’s Drinking Water State Revolving Fund Priority List of Projects for State Fiscal Year 2009.

1.2 PURPOSE OF & NEED FOR THE PROJECT

1.2.1 LOCATION AND EXISTING USE OF THE PROPOSED SITE

The proposed well and 0.30 million gallon (MG) reservoir would be constructed adjacent to the DWS’s existing 0.05 million gallon (MG) 0.104 acre Kapulena Homestead Reservoir site (TMK: 4-7-02:29). The two tanks would be interconnected to provide redundancy for the Kukuihaele Water System. The new well and reservoir would be located on a portion of TMK 4-7-02:35, a 41.303-acre parcel, a privately owned parcel that surrounds the existing tank site. Currently, this area is a producing macadamia nut orchard. The large parcel from which the well site would be subdivided is located adjacent to the Honoka‘a-Waipi‘o Road to the north and the Kawaikalia Stream to the west (see Figure 1.1 and Figure 1.2). The County of Hawai‘i has an agreement in place with the landowner for the site’s fee-simple purchase should the present project be approved.

An existing overhead electrical line on the property provides power for the existing DWS facility and is connected to the HELCO electrical distribution line across Honoka‘a-Waipi‘o Road. The DWS will upgrade this existing single-phase electrical line to a three-phase circuit for the new facilities.


Area Shown
Island of Hawai'i
Legend:
Roadways
Streams
KUKUIHAELE RD
HONOKAA-WAIPIO RD
VELEZ RD
Kawaikalia Stream
Kapulena Well & Reservoir Site TMKs 4-7-002:029 & 4-7-002:35
CANE HAUL RD
LOWER HOMESTEAD RD
HAWAII BELT RD
KAPUNA RD
HAMAKUA STATE FOREST RESERVE
HAMAKUA STATE FOREST RESERVE
0 0.25 0.5 1
Miles
Prepared For:
Tom Nance Water Resource Engineering
Prepared By:
PLANNING SOLUTIONS
Sources:
-State of Hawaii GIS
-USGS 7.5 Quad Map(s)
Figure 1.1:
Location Map
Kapulena Well & Reservoir
Figure 1-1 Project Location 2009-04-10.mxd

Existing DWS 0.05 MG Kapulena Homestead Reservoir.

Existing overhead electrical line on the property.

Prepared For:
Dept. of Water Supply,
County of Hawai`i

Prepared By:
PLANNING SOLUTIONS

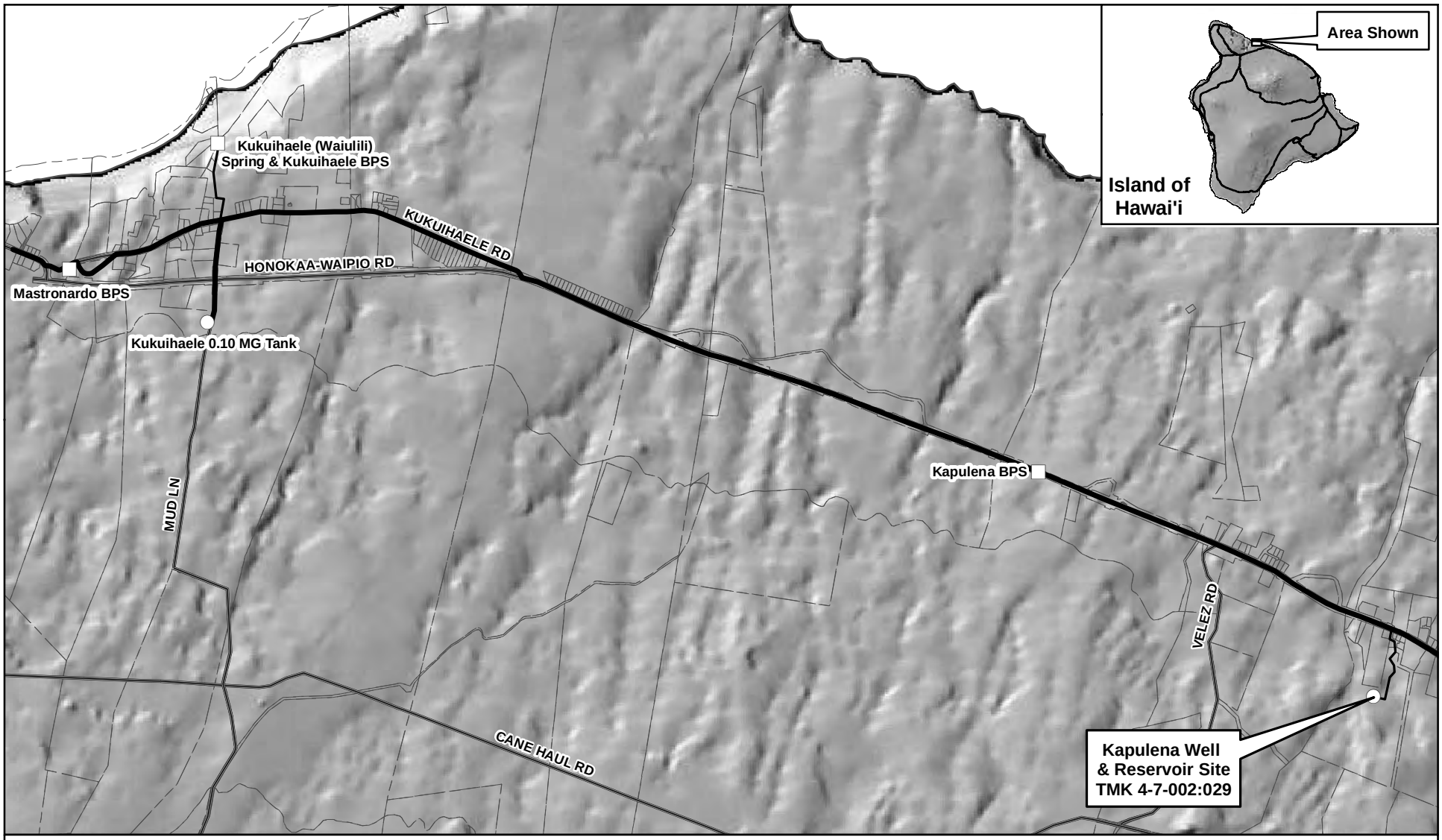
Source:
-Planning Solutions, Inc.
(*Photo taken January 19, 2009)*
-TNWRE

Figure 1.2:

Existing Facilities

Kapulena Well & Reservoir

Figure 2-1 Existing Facilities 2009-03-20.cdr



Prepared For:

TNWRE

Prepared By:

PLANNING SOLUTIONS

Source:

State of Hawaii GIS

R.W. Beck

Appendix B-22: Existing System Kukuihaele

Legend:

- Pump Station
- Reservoir
- TMK Parcel Boundaries
- Existing 4" Water Line
- Existing 6" Water Line

0 0.375 0.75 1.5

Miles

Figure 1.3:

Existing Kukuihaele Water System

Kapulena Well & Reservoir

Figure 1-3 Existing Kukuihaele Water System 2009-04-10.mxd

1.2.2 NEED FOR ADDITIONAL WATER STORAGE

According to the DWS *Water Master Plan*, the Kukuihaele Water System requires an additional 0.15 million gallons of water storage to maintain adequate potable water and firewater reserves up to the year 2025 (DWS 2006). DWS expects the well to be capable of providing significantly more water than required by the Kukuihaele System. The proposed design includes a new, 0.30 MG reservoir, which will be able to provide the needed capacity for the Kukuihaele System as well as flexibility for future service for adjacent water systems if necessary. As noted above, if the present proposal for additional storage at the site is approved, the existing 0.05 MG reservoir will connect to the proposed 0.30 MG reservoir, thus enhancing the water storage and reliability to the system.

1.3 OBJECTIVES OF THE PROPOSED ACTION

DWS' objectives for the proposed project include the following:

- Replace surface water source and costly trucked in water due to abandoned Kukuihaele (Wai'ulili) Spring;
- Enhance the water storage capacity for its Kukuihaele Water System;
- Provide a high-quality water source for the Kukuihaele Water System; and
- Continue to provide DWS customers in the Kukuihaele area with an adequate supply of affordable and high-quality potable water.

1.4 ORGANIZATION OF THE ENVIRONMENTAL ASSESSMENT

The remainder of this EA is organized as follows:

- Chapter 2 describes the proposed action in detail and outlines the alternatives analyzed in this EA, as well as other alternatives that were considered and rejected during earlier planning phases.
- Chapter 3 describes the existing environment and analyzes the potential for impacts on environmental, cultural, and socioeconomic resources. It also outlines strategies for minimizing and mitigating unavoidable adverse effects.
- Chapter 4 discusses the consistency of the proposed well and reservoir with relevant plans, policies, and controls at local, regional, state, and federal levels.
- Chapter 5 provides justification for the determination of a Finding of No Significant Impact (FONSI) by considering each individual significance criterion with respect to the proposed project.
- Chapters 6 and 7, respectively, list the references cited and parties consulted during preparation of this EA.

THIS PAGE INTENTIONALLY LEFT BLANK

2.0 PROPOSED ACTION & ALTERNATIVES CONSIDERED

2.1 DESCRIPTION OF THE PROPOSED ACTION

DWS proposes to construct a new exploratory well on private property in the Hāmākua District of the Island of Hawai‘i. Photographs of property are presented in Figure 2.1. If pump tests confirm that the well's yield is adequate and suitable for use as drinking water, DWS will convert the well into a production facility, install a new 0.30 MG reservoir, and connect the reservoir to an existing DWS 0.05 MG tank that is already in service at the site (see Figure 2.2). Included in the project are the following installations:

- A 200 gallon per minute (GPM), 100 horsepower submersible well pump and motor;
- A 26' X 45'4" control building;
- A 8 foot diameter and 7 feet 11 inches deep seepage pit (installed with the exploratory well);
- Chlorination equipment (to be housed in the control building);
- A 0.30 MG reinforced concrete water storage tank;
- A Supervisory Control and Data Acquisition (SCADA) system; and
- Upgrading of an existing access way to the new facilities from Honoka‘a-Waipi‘o Road.

Figure 2.3 contains a detailed site plan. Details concerning the well drilling, pump installation, testing, outfitting, and operation are provided below, along with a description of the proposed reservoir and associated site improvements.

2.1.1 DESIGN OF THE PROPOSED FACILITIES: EXPLORATORY WELL

Preliminary plans call for the well to extend from the planned finished grade of the well pad at 1,033 feet above mean sea level (MSL) to a depth of about -87' MSL. The borehole will have a diameter of 25 inches. As shown in Section A of Figure 2.4, solid steel casing (18" inner diameter) will be installed in the upper 1,020 feet of the hole. Below that will lie 90 feet of perforated casing. The upper 833 feet of the annulus space between the outside of the boring and the solid casing will be filled with cement grout. The exploratory well will be drilled and tested using diesel-powered equipment. Hence, the site will not require electrical power during the exploratory phase of development.

Pump-testing will be at rates up to 700 gallons per minute and may extend up to 5 consecutive days. Present plans call for the water from these tests to be disposed of in a seepage pit constructed on site. The contractor may seek approval for the disposal of pumped water off site if necessary, subject to NPDES requirements of the State Department of Health (Hawai‘i Administrative Rules 11-55, Appendix I).

2.1.2 DESIGN OF THE PROPOSED FACILITIES: PRODUCTION WELL & RESERVOIR

2.1.2.1 Well Pump & Equipment

If the results of the pump-test confirm that the well is suitable for production, the Kapulena Well will be outfitted with a 100-horsepower, 200 GPM submersible well pump (see Section B in Figure 2.4 and Figure 2.5). A new water-level transmitter will be installed with the new 0.30 MG reservoir and connected to the proposed new SCADA system that will control both it and a transmitter connected to the existing 0.05 MG reservoir. In concert, these transmitters will enable automatic start/stop operation of either the well pump or the existing pump at the 0.05 MG reservoir, and remote control from the Waimea base yard, as needed.

A. Current entry to parcel and neighboring properties to be used as a facility entry.

B. Honoka'a-Waipi'o Road from entry looking north.

C. Existing driveway to be upgraded to access to the project site..

D. Proposed well and reservoir site.

Prepared For:

Dept. of Water Supply, County of Hawai`i

Prepared By:

PLANNING SOLUTIONS

Sources:

Planning Solutions, Inc.
January 16, 2009

Figure 2.1:

Photographs of Well & Reservoir Site

Kapulena Well & Reservoir

Figure 2-1 Photographs of Well & Reservoir Site 2009-03-20.cdr

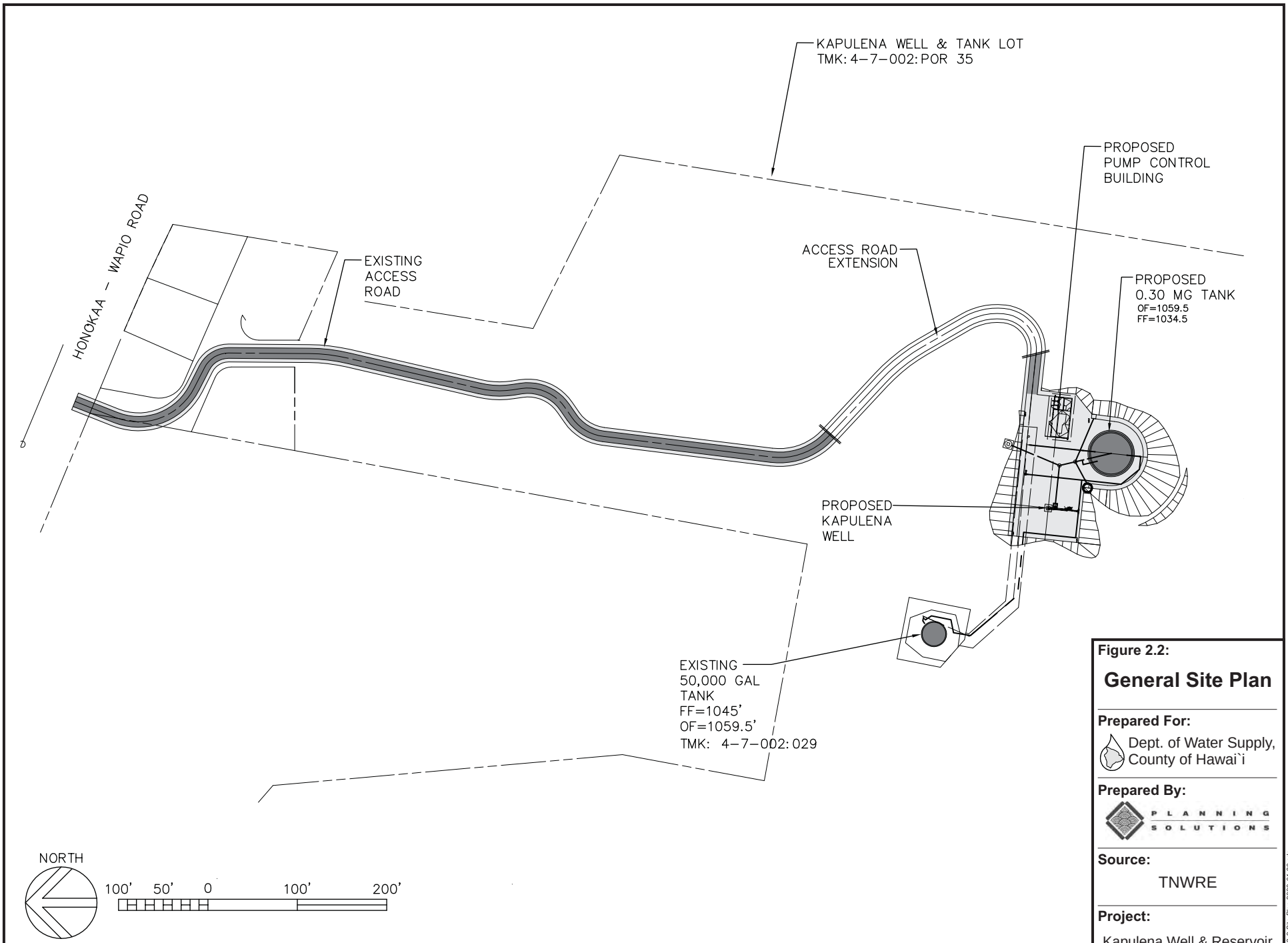


Figure 2.2:

General Site Plan

Prepared For:

Dept. of Water Supply, County of Hawai`i

Prepared By:

PLANNING SOLUTIONS

Source:

TNWRE

Project:

Kapulena Well & Reservoir

Figure 2-2 Site Plan 2009-04-20.cdr

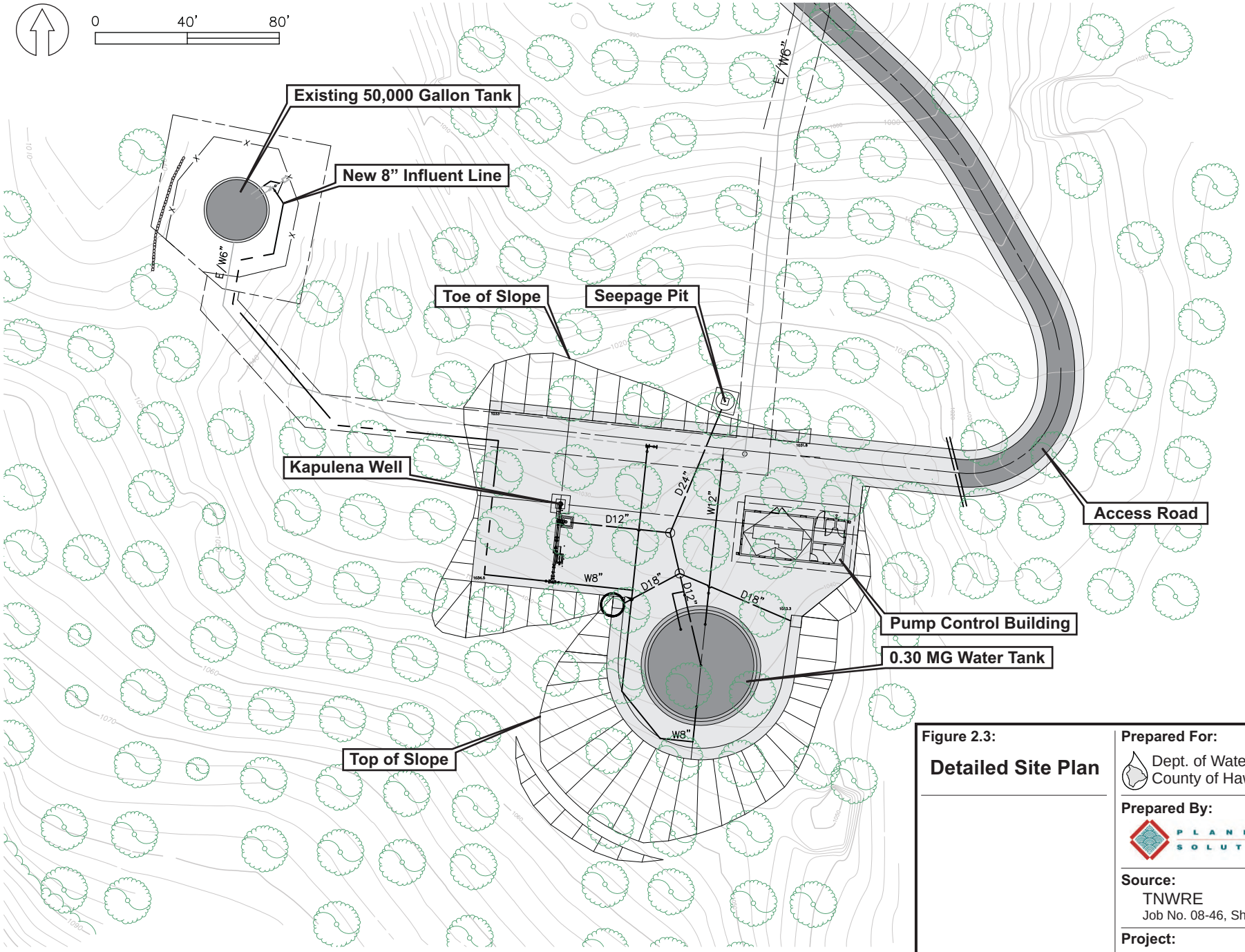


Figure 2.3:

Detailed Site Plan

Prepared For:

Dept. of Water Supply, County of Hawai`i

Prepared By:

PLANNING SOLUTIONS

Source:

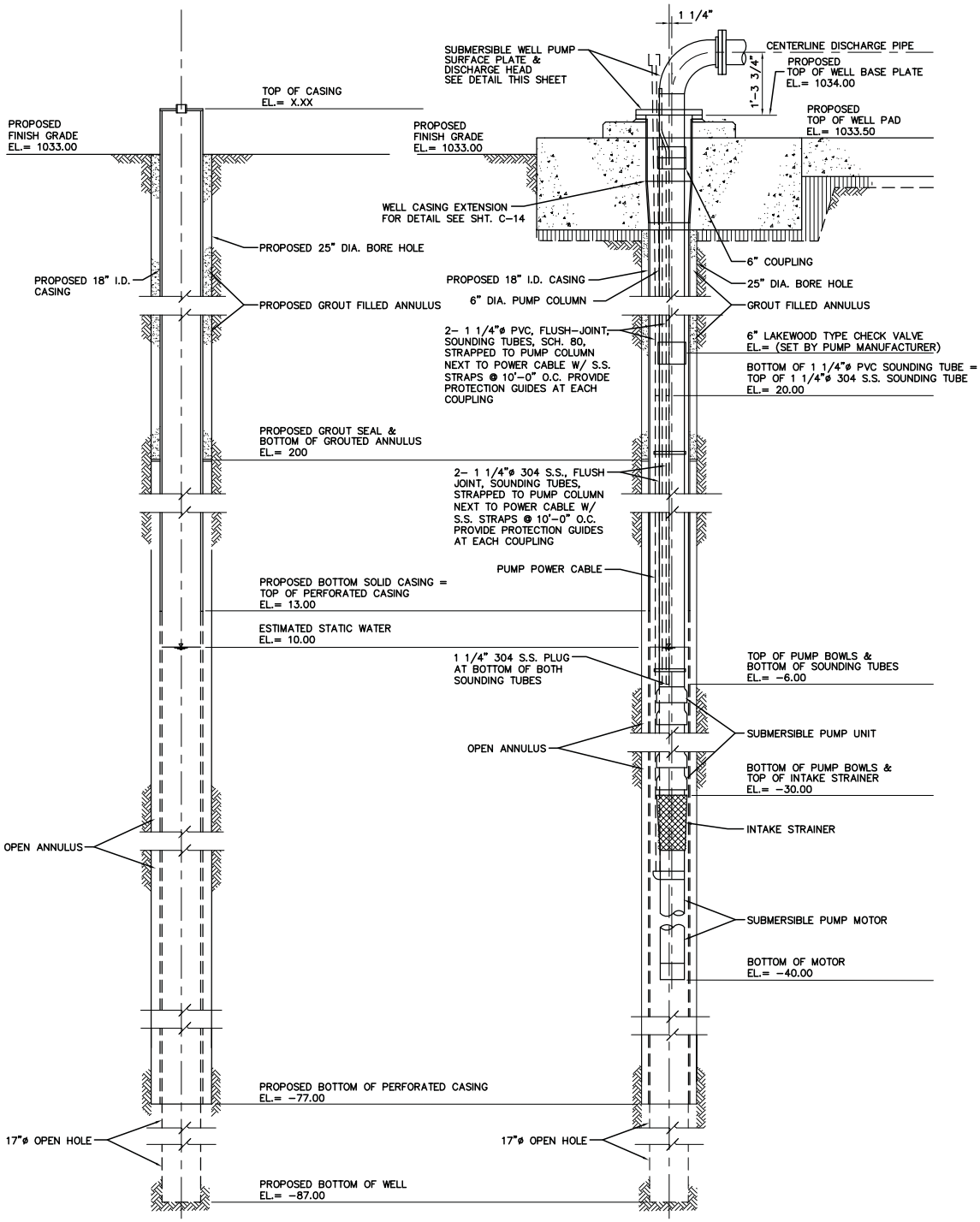
TNWRE

Job No. 08-46, Sheet 4/7

Project:

Kapulena Well & Reservoir

Figure 2-3 Well Site Detail 2009-03-20.cdr



PROPOSED WELL SECTION "A"
NOT TO SCALE

NEW PUMP INSTALLATION SECTION "B"
NOT TO SCALE

Figure 2.4:

Exploratory & Production Well Sections

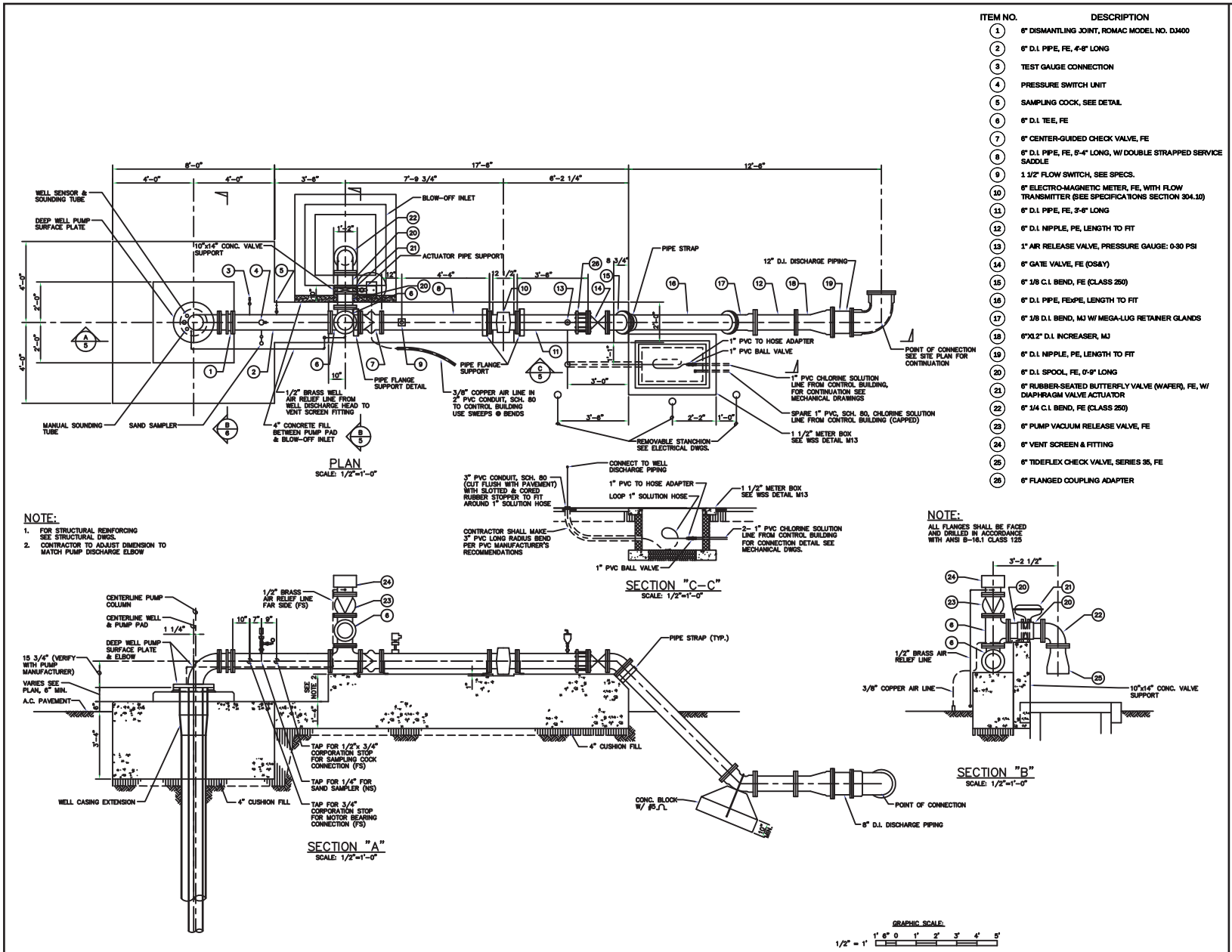
Prepared For:
Dept. of Water Supply, County of Hawai`i

Prepared By:
PLANNING SOLUTIONS

Source:
TNWRE
Job No. 08-46, Sheet 5/7

Project:
Kapulena Well & Reservoir

Figure 2-4 Well Shaft Sections 2009-03-02.cdr



Prepared For:

Dept. of Water Supply, County of Hawai`i

Prepared By:

PLANNING SOLUTIONS

Source:

TNWRE
Job. No. 08-46, Sheet 5/7
Rev. 03-09-09

Figure 2.5:

Well Pump Outfitting Plan & Sections

Kapulena Well & Reservoir

Figure 2-5 Well Pump Outfitting & Sections 2009-03-20.cdr

2.1.2.2 Site Preparation and Access Road

The currently undeveloped eastern portion of the well site will be graded to accommodate the production well facilities and access road extension. As shown on Figure 2.2, access to the site will be from an extension of the existing private road that serves the adjacent properties. DWS will obtain an easement over this road to permit access for maintaining the facility. Construction will require grading of 0.63 acres. The grading will also require excavation of approximately 885 cubic yards of material and an embankment of approximately 720 cubic yards

2.1.2.3 0.3 MG Reservoir

The proposed design calls for a standard DWS reinforced concrete tank with a capacity of 0.3 MG. The tank will have an approximately 46-foot diameter and 25-foot operating height. Tank piping will be a minimum of 8- and 12-inch diameter. It will be designed to Seismic Zone 4 design load standards (see Section 3.1.2 for discussion).

2.1.2.4 Control Building

The single-story concrete-block control building will house the chlorination equipment, motor control center, electrical control panel, SCADA system, and alarm system (see Figure 2.6). The outside dimensions of the structure will be approximately 26 feet by 45.25 feet, for a total footprint of approximately 1,176 square feet.

2.1.2.5 SCADA System

DWS plans to install a Supervisory Control and Data Acquisition (SCADA) system to monitor and control system operation. The SCADA facilities will be housed in the control building. The SCADA telemetry communication will be via phone service provided by Hawaiian Telcom. This will require telephone service to be extended to the site from the existing service line along Honokaʻa-Waipiʻo Road. Once constructed, the line will be dedicated to Hawaiian Telcom. This phone line will provide the telecommunication link with DWS's master SCADA unit located at their Waimea Baseyard.

2.1.2.6 Seepage Pit

A seepage pit will be constructed to the east of the proposed reservoir (see Figure 2.3). It is approximately 8 feet in internal diameter and 7 feet 11 inches deep (see Figure 2.8). During the exploration phase for the Kapulena Well and Reservoir, the seepage pit will receive water from the pump testing; once the well is operational, it will accommodate water from the pump startup. It will also collect water from the proposed reservoir in the unlikely event that it needs to be emptied for repair. Finally, the seepage pit will collect storm water runoff from most impermeable areas of the site.

2.1.2.7 Electricity & Communications

The proposed facility additions will require electrical power for lighting, pump control equipment in the control building, and for the well pump. The existing Hawaiʻi Electric Light Company (HELCO) three-phase power line along Honokaʻa-Waipiʻo Road has sufficient capacity to accommodate the additional electrical load. However, the existing single-phase electrical service connection from that power line to the property will need to be upgraded to three-phase power and extended overhead across the road and into the well and tank lot as part of this project. Underground service ducts will be installed from the new onsite service pole to a pad-mounted HELCO transformer for the proposed well pump station. The existing chlorination system at the 0.05 MG tank site will continue to utilize its existing HELCO connection. The service request for this pump station has been submitted to HELCO for processing. Utility metering will conform to HELCO's requirements.

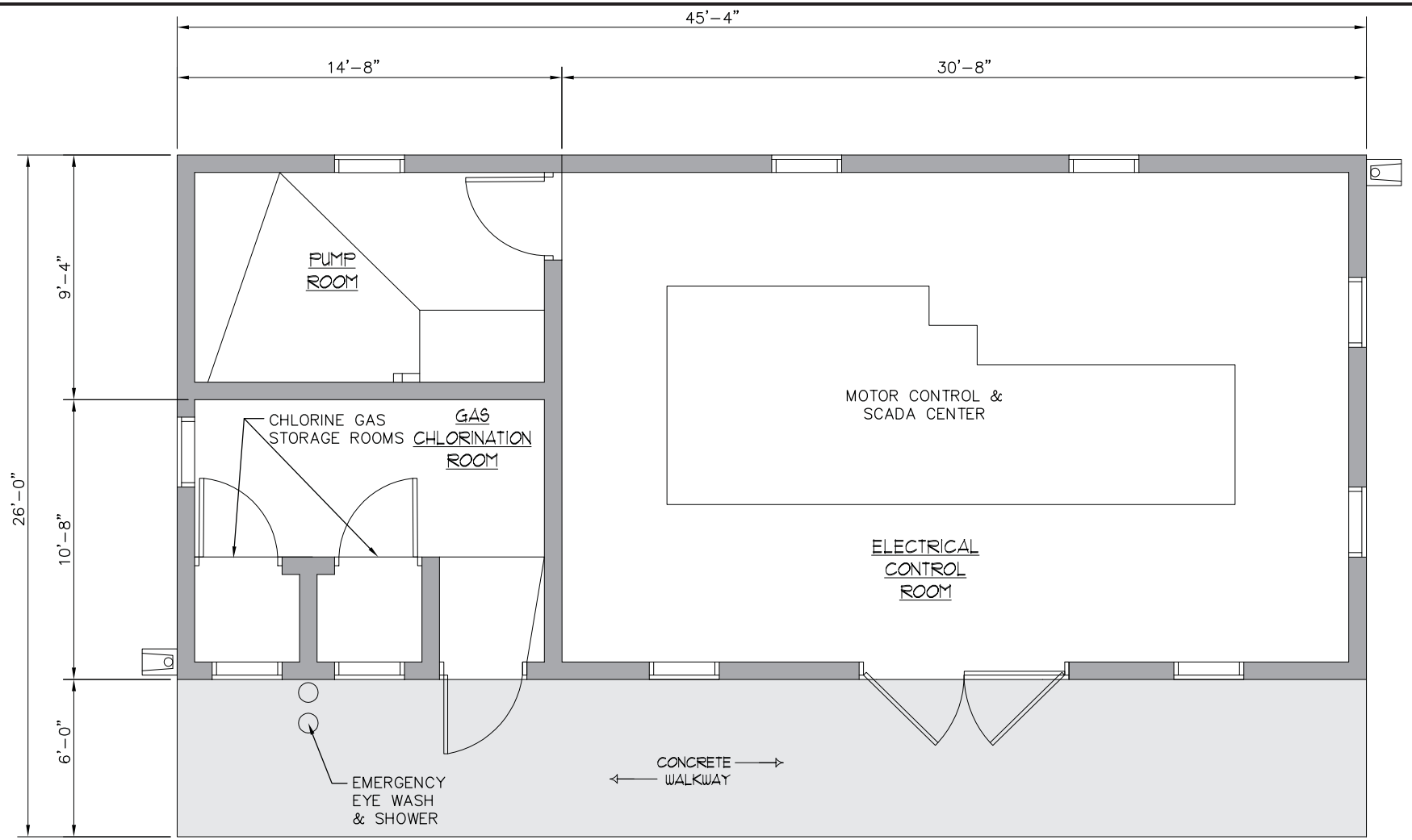


Figure 2.6:
Control Building Plan View

Prepared For:
Dept. of Water Supply, County of Hawai`i

Prepared By:
PLANNING SOLUTIONS

Source:
TNWRE
Job No. 08-46, Sheet 7/7

Project:
Kapulena Well & Reservoir

Figure 2-6 Control Building Plan View 2009-03-02.cdr

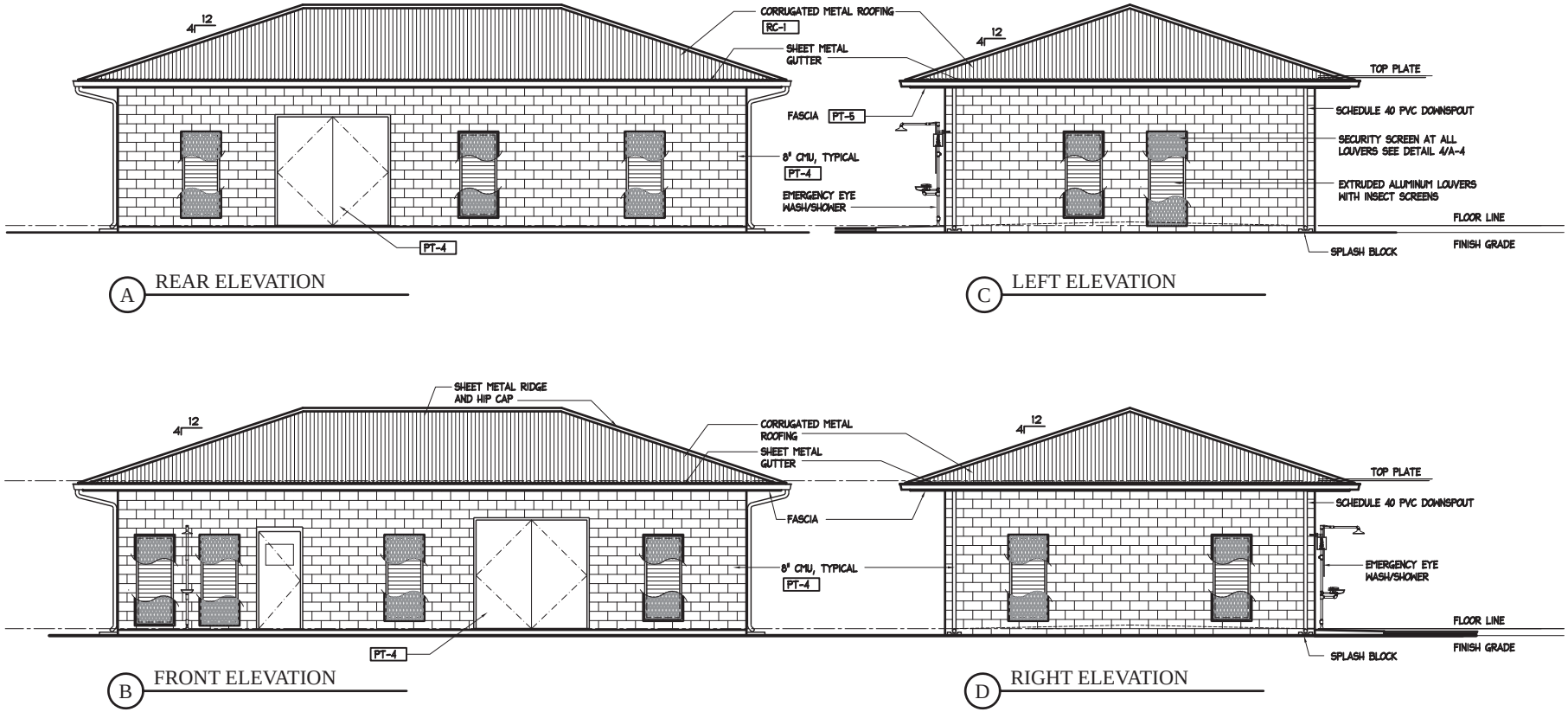


Figure 2.7:
Conceptual Control Building Elevation View

Note: This design should be considered conceptual in nature and is subject to change.

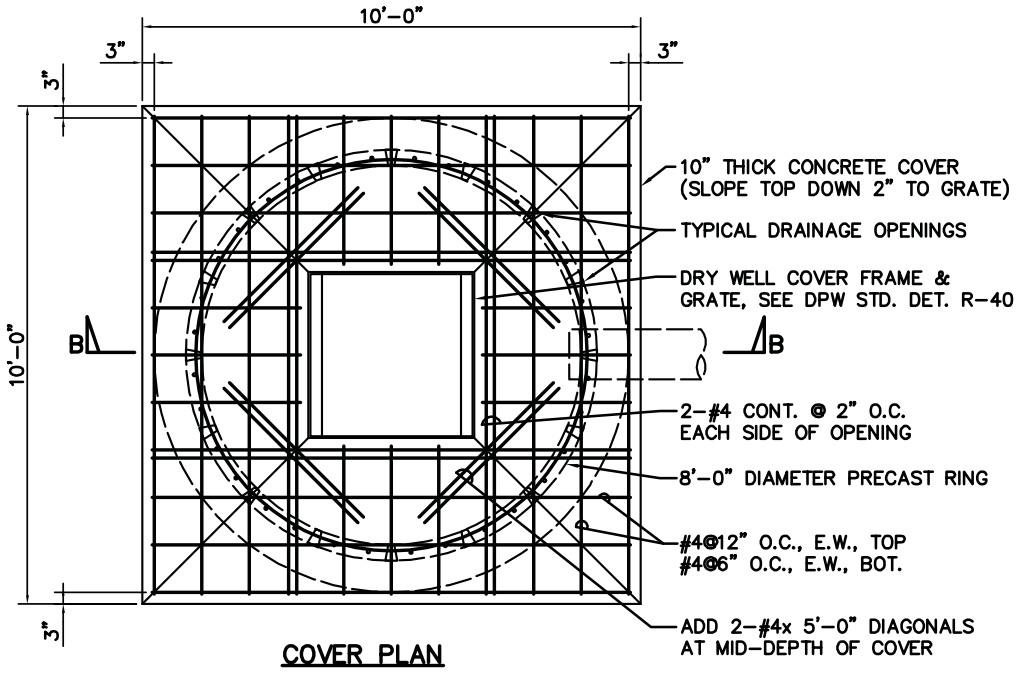
Prepared For:
Dept. of Water Supply, County of Hawai`i

Prepared By:
PLANNING SOLUTIONS

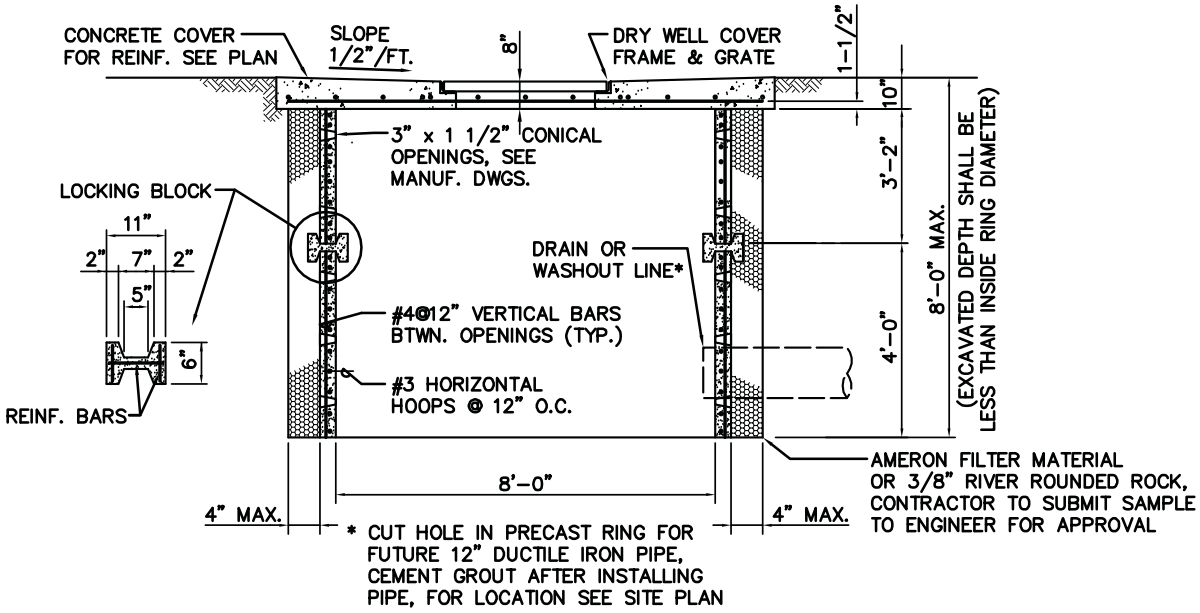
Source:
TNWRE
Job No. 2006-899, Sheet A-2

Project:
Kapulena Well & Reservoir

Figure 2-7 Control Building Elevations 2009-03-04.ctr



COVER PLAN



SECTION "B-B" CYLINDER REINFORCING & DRAINAGE DETAILS

NOTE: 28 DAY COMPRESSIVE CONCRETE STRENGTH = 4000 PSI

Prepared For:
Dept. of Water Supply,
County of Hawai`i

Prepared By:
PLANNING SOLUTIONS

Sources:
TNWRE
Job No. 08-46, Sheet 6/7

Note: Drawing is not to scale.

Figure 2.8:

Seepage Pit Detail

Kapulena Well & Reservoir

Figure 2-8 Seepage Pit Detail 2009-03-04.cdr

2.1.3 CONSTRUCTION SCHEDULE

Construction of the project will occur in phases. The initial phase consists of well drilling, casing, and pump testing. The second phase consists of the pump outfitting, and construction of the 0.30 MG reservoir and related support faculties. Phase 2 will be undertaken based on availability of funds.

Table 2.1 Preliminary Project Schedule

Task	*Approximate Duration*	*Estimated Completion Date*
PHASE I: Exploration Well		
Final Design	1 month	April 1, 2009
Design Review	2 months	June 1, 2009
Bid Solicitation	2 months	August 1, 2009
Bid Evaluation, Contracting, Notice-to-Proceed	1 month	September 1, 2009
Well Construction and Testing	9 months	June 1, 2010
PHASE II: Production Well & Reservoir		
Final Well Outfitting and Reservoir Design	12 months	June 1, 2011
Design Review and Approval	3 months	September 1, 2011
Bid Solicitation	2 months	November 1, 2011
Bid Evaluation, Contracting, Notice-to-Proceed	1 month	December 1, 2011
Construction Period	12 months	December 1, 2012
Source: Tom Nance Water Resource Engineering		

2.1.4 PROJECT COST

Table 2.2 presents preliminary estimates of the complete project costs. The project will be funded by the Department of Water Supply, County of Hawai‘i. The first phase, consisting of the well’s development and pump testing, has been authorized and identified as DWS Job No. 2007-071, Kapulena Well Development, Phase 1. It may also be funded by Federal funds through the State of Hawai‘i’s Drinking Water State Revolving Fund (DWSRF) program, which would constitute a Federal action and would require the project to meet all of the Hawai‘i DWSRF program requirements (see Section 4.1.4 for further information).

2.2 FRAMEWORK FOR CONSIDERATION OF ALTERNATIVES

Title 11, Chapter 200 of the Hawai‘i Administrative Rules (HAR §11-200) contains the Department of Health’s Environmental Impact Statement Rules. HAR §11-200-5 deals with “agency actions” such as the one that DWS is proposing. It requires that, for all agency actions that are not exempt as defined in HAR §11-200-8, the agency must consider environmental factors and available alternatives and disclose these in an environmental assessment or environmental impact statement. HAR §11-200-9 requires the proposing agency to analyze alternatives, in addition to the proposed action in the environmental assessment. HAR §11-200-10 establishes the required contents of environmental assessments. Among the requirements listed, HAR §11-200-10 (6) calls for an identification and summary of impacts and alternatives considered (emphasis added).

Table 2.2 Preliminary Project Cost Estimate

Item	*Estimated Cost*
Well Drilling, Casing, and Pump Testing	$1,226,500
Pump Outfitting, Control Building, and HELCO Charges	$1,320,000
0.3 MG Reservoir and Well Site Work	$2,008,000
Offsite SCADA Improvements	$30,000
Total Cost	**$4,584,500**
Source: Tom Nance Water Resource Engineering	

In accordance with these requirements, DWS considered a number of alternatives before determining that the proposed project is the best course of action. These included "No Action", enhanced water conservation, reduced scale action, alternate locations, and delayed action. DWS concluded that only two of these alternatives, merit consideration in the impact analysis portion of this EA. They are "No Action" (as required by Chapter 343), and the proposed action of constructing the Kapulena Well and Reservoir as currently designed. The following two subsections describe the alternatives considered in preparation of this EA and the criteria DWS used to decide whether to include them in the impact analysis presented in Chapter 4.

2.3 ALTERNATIVES ADDRESSED IN DETAIL IN EA

2.3.1 PROPOSED ACTION: CONSTRUCTING WELL & 0.30 MG RESERVOIR AT KAPULENA

This alternative consists of the proposed action as described in detail in Section 2.1 above. DWS believes constructing the facility at the proposed site would best enable it to continue to provide adequate, reliable, and affordable drinking water to its Kukuihaele Water System, and thus it represents their preferred course of action.

2.3.2 NO ACTION ALTERNATIVE

The "No Action" Alternative consists of not constructing an additional, 0.3 MG reservoir and well at the Kapulena site. This would be inconsistent with the approved DWS' *Water Master Plan*. Further, it would leave the Kukuihaele Water System without a primary source of high-quality groundwater, forcing the system to continue to depend on water that is hauled in by trucks from another well. Hence, "No Action" is not a viable alternative. It is evaluated in the EA solely to fulfill the requirements of HRS Chapter 343, HAR 11-200, and NEPA.

2.4 ALTERNATIVES ELIMINATED FROM DETAILED ANALYSIS

2.4.1 REDUCED SCALE ALTERNATIVES

2.4.1.1 Omit 0.3 MG Reservoir

This alternative would involve construction and operation of the proposed new well and related facilities without adding the new proposed 0.30 MG reservoir. As discussed above, this would not alleviate the projected water storage shortfall in the Kukuihaele Water System, leaving the system without adequate water supply. This alternative would not meet the objectives of the proposed action and thus was not considered in detail.

2.4.1.2 Omit Well

This alternative involves constructing the 0.3 MG reservoir as proposed while foregoing the installation of a well. This would leave the system dependent on water that is trucked in from another well. Unless the water that the proposed well is replaced with water from a new well or other source constructed elsewhere, it would also leave the system with a supply capacity shortfall unless treatment facilities were installed that permitted use of the spring.

Since the Kukuihaele (Wai‘ulili) Spring is considered groundwater under the influence of surface water, using this source would require enhanced treatment to qualify as a potable water supply. The capital and operating costs of such enhanced treatment would be prohibitively high for a small system such as that serving Kukuihaele.

2.4.2 ENHANCED WATER CONSERVATION ALTERNATIVE

Enhanced water conservation within the system would not meet all of the project’s objectives. It would not, for example, eliminate the need to truck water to the existing reservoir site to replace water that can no longer be supplied to the existing tank from pipelines from the abandoned Kukuihaele (Wai‘ulili) Spring. Secondly, unless water use in the system was reduced by more than is typically accomplished through enhanced water conservation needs, it would not eliminate the need for additional water storage capacity within the system. Consequently, conservation alone would not allow the DWS to provide its customers in the Kukuihaele area with an adequate supply of affordable and high-quality potable water.

2.4.3 ALTERNATE LOCATIONS

Because of the high groundwater flux through the area, it is likely that wells drilled in other locations would also be productive. While DWS could probably develop a production well elsewhere in the service area, the proposed site has several characteristics that make it unlikely that a different location would be superior from an economic, environmental, or operational viewpoint. These include:

- Constructing the well and reservoir adjacent to the existing 0.05 MG reservoir avoids costly and unnecessary duplication of facilities. The connection between the reservoirs will allow for redundancy and reliability especially in the event one reservoir becomes temporarily disabled.
- The proposed well site’s proximity to the existing water transmission and distribution system avoids the need for substantial new water line construction.

A detailed analysis of potential environmental impacts from development of alternative water sources was beyond the scope of this assessment. However, in view of the absence of adverse effects documented above and in Chapter 3, it seems unlikely that other well locations might be better from an environmental standpoint.

2.4.4 DELAYED ACTION

For reasons documented above and in the Department’s *20-Year Water Master Plan*, it is undesirable to delay development of the proposed project. There are no existing activities or conditions at the site or in the project area that would make delaying the project desirable or that would reduce the impacts associated with it appreciably if delayed. DWS wants to act quickly to ensure that it maintains adequate storage and a safe drinking water supply for its customers in Kukuihaele. Therefore, it does not consider delayed action a viable alternative.

THIS PAGE INTENTIONALLY LEFT BLANK

3.0 EXISTING ENVIRONMENT & PROBABLE IMPACTS

3.1 TOPOGRAPHY, GEOLOGY, AND SOILS

3.1.1 EXISTING CONDITIONS

The Kukuihaele area is on the lower slope of the northeastern flank of Mauna Kea. Most of the surface area is composed of Pāhala ash, which is a commonly occurring geological formation in many parts of the island. The Pāhala ash consists of finely divided vitric (glassy) lava believed to have been formed as a byproduct of wind blowing on aerial lava fountains from volcanic eruptions of Mauna Kea. Along the Hāmākua coast, the ash is much altered to a mixture of clay minerals and aluminum and iron oxides. It is also characterized by young stream valleys that have cut narrow V-shaped notches into the land surface (Macdonald, Abbott, and Peterson 1983).

The soil at the site is the erosional byproduct of the original Pāhala ash. The U.S. Soil Conservation Service classifies it as Kūkaʻiau silty clay loam, 12 to 20 percent slopes. The surface layer is of very dark grayish-brown silty clay loam and in most areas approximately 10 inches thick. The subsoil is dark-brown silty clay loam generally about 40 inches thick. It is underlain by basalt. The surface layer is extremely acidic and the subsoil is medium to slightly acidic. This soil dehydrates irreversibly into aggregates the size of fine sand (USDA-NRCS 2008). Kūkaʻiau silty clay loam is well-suited to agricultural use, and the Agricultural Lands of Importance to the State of Hawaiʻi has classified the general area as prime agricultural soil (State of Hawaiʻi 2002b). However, the steep slopes and high concentrations of rocks at the project site make it less than ideal for many crops. No commercially useful minerals are present.

The Kapulena site contains a macadamia nut orchard and a single-family residence. The parcel slopes consistently down to the north from an elevation of about 1,240 feet to about 900 feet at the intersection of the access driveway and Honokaʻa-Waipiʻo Road. The average slope across the entire parcel is 15 percent. The average slope across the project site, located in the bottom half of the parcel, is between 18 to 20 percent.

3.1.2 PROBABLE IMPACTS

The grading for the 0.3 MG reservoir, well, control building, and access road extension will disturb 0.63 acres. The grading will also require excavation of approximately 885 cubic yards of material and an embankment of approximately 720 cubic yards. In addition, the contractor will place gravel over the portion of the parcel not used for structures or pavement. These localized modifications will affect the ground contours on the site itself but will not substantially change the overall topography of the surrounding area.

As noted above, Kūkaʻiau silty clay loam is classified as prime agricultural soil even though the land is steep and rocky. The project will remove a few macadamia nut trees to accommodate the construction of the well and reservoir. It will not substantially affect continued agricultural use of the remainder of the parcel.

3.2 HYDROLOGY

3.2.1 EXISTING CONDITIONS

3.2.1.1 Surface Water

In absolute distance, the closest surface water to the project site is the Kawaikalia Stream, which is about 370 feet to the east of the closest point on the project site. However, because of the topography, storm water runoff from the project site will flow away from this stream. A portion of the site runoff will discharge via sheet flow into the Lower Hāmākua Ditch, which flows under the

existing access driveway and is about 500 feet from the area to be graded (see Figure 3.1).[1] The remainder will intersect the Honokaʻa-Waipiʻo Road and flow to the north along the adjacent swale.

3.2.1.2 Groundwater

The proposed Kapulena well would draw water from the Honokaʻa Aquifer System as defined by the State Commission on Water Resource Management (CWRM 1995), which extends from Kukuihaele on the northwest to Pāʻauhau on the southeast, a distance of about 9 miles (see Figure 3.2). CWRM estimates that the sustainable yield of the Honokaʻa Aquifer System is 31 million gallons per day (MGD). Table 3.1 provides information on the two wells in the System. As shown in the table, the total pump capacity of the wells for which there are available data is about 1.3 MGD.

3.2.2 PROBABLE IMPACTS

3.2.2.1 Construction Phase

As noted above, the Kawaikalia Stream is about 370 feet away from the site, but does not receive any runoff from the site. Some runoff from the site into the Lower Hāmākua Ditch is possible, though it is more than 300 feet from the area that will be graded. The contractor will use best management practices (BMPs) necessary during construction to prevent contaminants such as sediment, petroleum products, and debris from leaving the site via storm water runoff. It will attempt to schedule work for periods of minimal rainfall, and will place permanent erosion control measures on lands denuded of vegetation as quickly as possible. Since the disturbed area is expected to be less than an acre, NPDES Construction Storm Water General Permit coverage is not required.[2]

During the testing phase and well construction of the project, a temporary diesel engine-powered pump will be used to develop the proposed well (i.e., to remove sediment and well cuttings that are a by-product of the drilling) and to determine its hydraulic capacity. The contractor will direct the discharges from pump testing into the new seepage pit. The distance of the disturbed site from the Lower Hāmākua Ditch and the BMPs employed will ensure that the ditch is not substantially affected by the construction.

3.2.2.2 Operational Phase

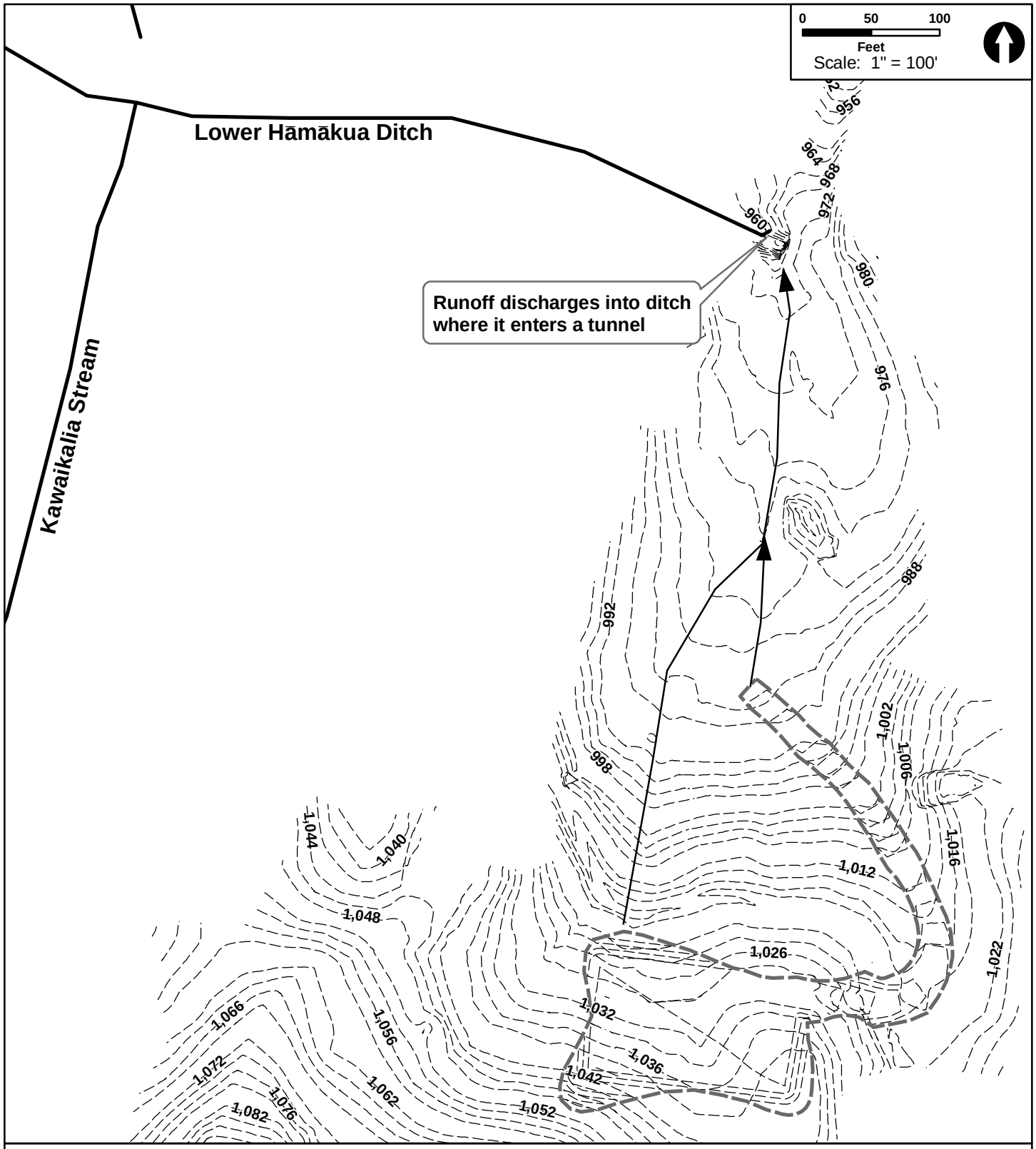
3.2.2.2.1 Surface Water

The proposed well, reservoir, and associated structures would add approximately 6,000 square feet of impermeable surface to the site. A concrete swale and drainage system would be installed to collect runoff from paved areas and divert it through underground drain lines into the seepage pit. Similarly, the 5-minute pump start-up flows of well water (approximately 500 to 1,000 gallons of water into the seepage pit each time it is started) would be directed to the seepage pit. The design engineers for the project have opened discussions with the State Department of Agriculture to determine whether or not these start-up flows could be discharged into the Lower Hāmākua Ditch, since the only contaminants in this water will be a small amount of suspended sediments and these flows could make a small augmentation of the ditch flow. Should the Department of Agriculture decide that this would be a benefit to the ditch, then the start-up flows may be piped directly to the ditch.

Because of the permeable nature of the area that will remain and the fact that the on-site drainage system is designed to accommodate runoff from a 10-year storm, this will only increase the volume of surface runoff leaving the site under extremely heavy rainfall conditions. As mentioned above, no runoff would directly enter the Kawaikalia or Malanahae Stream. Much of the runoff that is not

[1] The Lower Hāmākua Ditch is an important source of irrigation water in the Hāmākua District, currently providing, at its source above Waipiʻo Valley, a flow of 8.9 million gallons per day (Yoshimori 2009).

[2] National Pollutant Discharge Elimination System administered through the Clean Water Branch of the State Department of Health (Hawaiʻi Administrative Rules, 11-55, Appendix C)



Prepared For:
Tom Nance Water Resource Engineering (TNWRE)

Prepared By:
PLANNING SOLUTIONS

Sources:
-State of Hawaii GIS
-TNWRE

Legend:

Limits of Grading

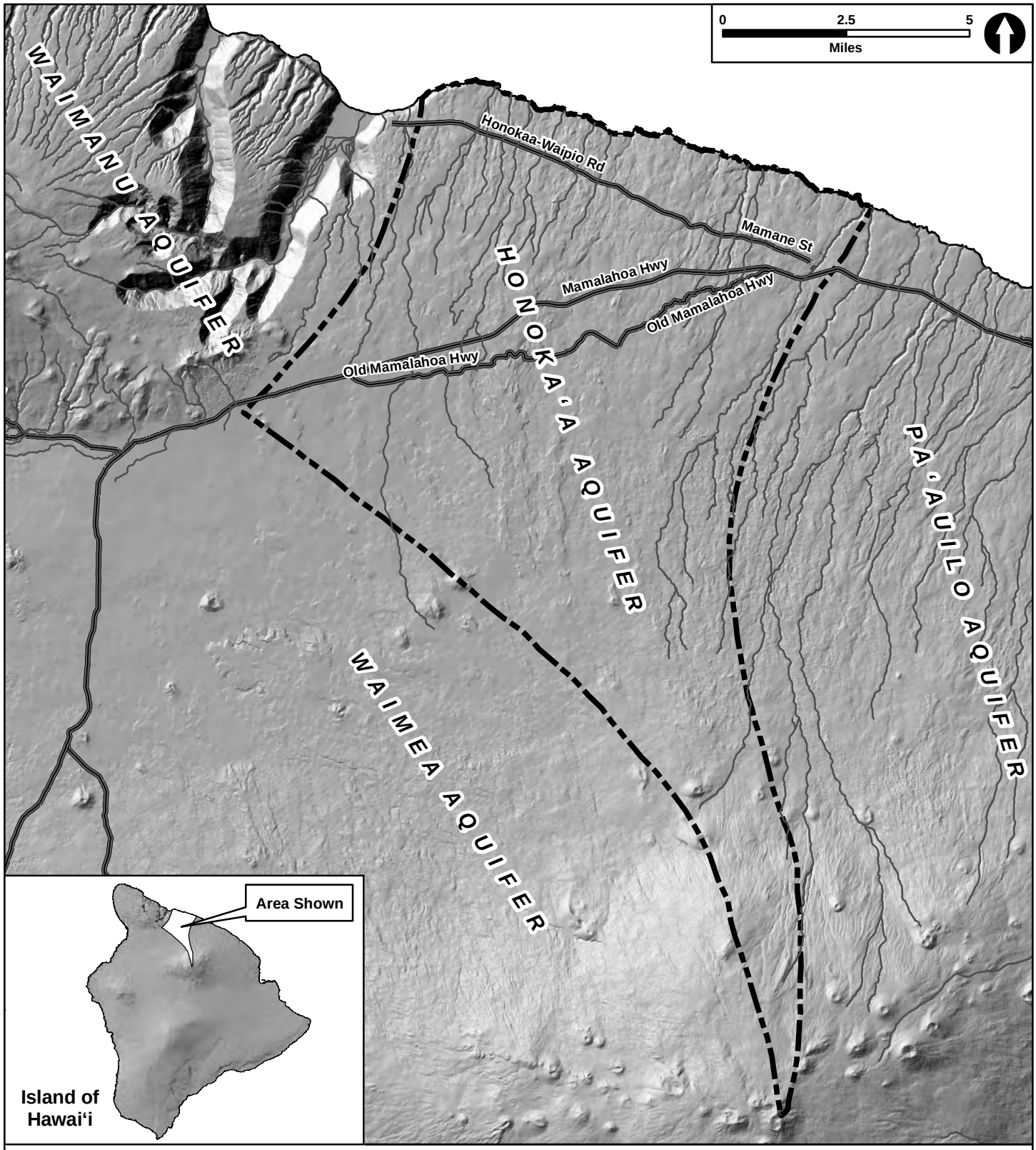
Contour Interval: 2'

Figure 3.1:

Storm Water Runoff From Project Site

Kapulena Well & Reservoir

Figure 3-1 Stormwater Runoff From Project Site 2009-04-10.mxd



Prepared For:

TNWRE

Prepared By:

PLANNING SOLUTIONS

Source:

-State of Hawaii GIS
-Dept. of Land & Natural Resources GIS

Legend:

- Perennial Streams
- Highways
- Honokaa Aquifer Boundaries

Figure 3.2:

Honoka'a Aquifer

Kapulena Well & Reservoir

Figure 3-2 Honokaa Aquifer 2009-03-20.mxd

immediately absorbed into the ground would be from paved or graveled surfaces that would contribute little or no suspended sediment. There will be very low levels of traffic or other activity that could add oil, grease, or other common roadway pollutants to the site. Hence, while the quantity of runoff from the proposed additions will be slightly greater than at present, the quality will not significantly change.

3.2.2.2.2 Groundwater

As noted above, CWRM estimates that the sustainable yield of the Honokaʻa Aquifer System is 31 million gallons per day (MGD), while the total pump capacity of the wells for which there are available data is only 1.3 MGD. This project will result in maximum addition of 0.3 MGD, which will leave total withdrawals over 29 MGD below the Aquifer System's sustainable yield.

Table 3.1 Drilled Wells in the Honokaʻa Aquifer System.

State Well No.	*Year Developed*	*Approx. Distance From Site (miles)*[2]	*Current Use*	*Pump Capacity (MGD)*[1]	*Ground Elevation (ft MSL)*[2]	*Well Depth (ft)*
6235-01	1991	6.0	Irrigation	0.72	2,814	1,415
6528-01	1979	3.7	Municipal	0.612	855	909

Notes:
[1] Data from State GIS (State of Hawaii 2002)
[2] Elevations in feet above mean sea level

Source: CWRM Groundwater Index, compiled by Planning Solutions

3.3 POTENTIAL FOR WELL CONTAMINATION

For reasons outlined below, there is a low probability that the groundwater that the proposed well would tap is, or would become, contaminated:

- No chemical contaminants have been detected in active wells of the Honokaʻa Aquifer System within the last four years. Prior to that time, several contaminants (mostly associated with sugarcane production) had been detected (see Table 3.2). However, the concentrations present were a fraction of the State and federally defined allowable levels for potable water sources (DOH 2005).
- According to the County of Hawaiʻi Department of Environmental Management, Solid Waste Division, the nearest landfill to the project site is on the opposite side of the island in Puʻuanahulu, about 27 miles away. The nearest transfer station is in Honokaʻa, about 4 miles away and far down-gradient from the proposed well site.
- The area surrounding the well site is entirely surrounded by agricultural land. The nearest wastewater source is a cesspool at a single-family home about 400 feet down-gradient from the well site at an elevation of about 820 feet msl.
- As described above in Section 2.1.1, in the upper 833 feet of the well, the space outside of the solid casing will be filled with grout, further isolating it from surface water inputs. This, together with the absence of up-gradient sources of pollution and the distance to the nearest down-gradient source (a single cesspool) make it very unlikely that the well could be contaminated by existing sources.
- Based on State Department of Health Office of Hazard Evaluation and Emergency Response records (DOH 2008), no identified site of concern to the State Department of Health is located

within the proposed well site area. The nearest listed site is the State of Hawai'i Department of Health facility in Honoka'a, approximately 4 miles from the site. This site, a small medical facility, has been archived by the EPA (Reference No. HID066259938). It does not present any health risks to the surrounding environment. Thus, given its distance from the well site and its designation by the EPA, it poses no potential for contamination of the well.

- The proposed well site does not contain any hazardous materials, and none, except for the petroleum products used by the construction equipment, will be used or generated during construction.

Table 3.2 Measured Contamination in Active Wells of the Honoka'a Aquifer System

State Well No.	*Contaminant*	*Detected Level (ppb)*	*Maximum Contaminant Level (MCL) (ppb)*[4]	*Detected Level as % of MCL*	*Date Sampled*
6528-01	Atrazine[1,2]	0.21	3	7%	11/15/05
6528-01	Desethyl Atrazine	0.60	3	20%	12/8/03
6528-01	Hexazinone[3]	0.15	2,000	.0075%	12/8/03

Notes:

[1]Atrazine is an herbicide used on row crops.

[2] The value given here is the sum of separate determinations for the herbicide atrazine and for desethyl atrazine (a metabolite of atrazine) which have similar toxic effects (EPA 2002).

[3]Hexazinone is a pesticide.

[4]There are no State of Hawai'i Standards in place; the levels shown are from the U.S. EPA Drinking Water Standards (EPA 2008).

Source: State Department of Health (DOH 2005)

3.4 CLIMATE AND AIR QUALITY

3.4.1 EXISTING CONDITIONS

The rain gauging station at Kukuihaele, located an elevation of 980 feet above sea level about 3.9 miles west-northwest of the project site, provides the best indication of conditions at the Kapulena Well and Reservoir site. The median annual precipitation between 1971 and 2000 was 88.6 inches (NOAA 2002). January was the wettest month of the year during this period, with an average rainfall of 10.5 inches; September was the driest month, averaging 3.8 inches. Rainfall varies significantly according to time of day as well as time of year, with the mid-day being generally much drier than the nighttime.

Temperatures at the project site are moderate. Between 1971 and 2000, the median annual temperature, measured at O'ōkala (which is located at an elevation of 430 ft. and is about 17.5 miles from the site) the most comparable location from which temperature data are available) was 72.9˚ F. February had the lowest monthly average low temperature at that location (64.0˚), while September had the highest monthly average high temperature (81.6˚).

No site-specific wind data are available. However, information from other investigations strongly suggests that the wind pattern at the site reflects the influence that the island's large land mass has on the prevailing trade winds. Long-term wind records from Hilo International Airport (the closest

regular wind monitoring station) and spot measurements made at selected locations along the Hāmākua Coast indicate a strong diurnal pattern to the winds at Kapulena. During the daytime, the winds normally blow out of the east with speeds averaging between 10 to 12 miles per hour. During the nighttime, the downslope movement of cool air opposes the trade winds and the wind direction is from the southwest.

There are no substantial sources of anthropogenic air emissions and very little chance for the development of air inversions on the mountain slope. Emissions from the currently active volcanic eruptions from Kilauea Volcano are usually carried to the southwest around the island and are not likely to affect the project site. Consequently, air quality is generally excellent.

3.4.2 PROBABLE IMPACTS

3.4.2.1 Construction Phase

As mentioned, grading and excavation of the proposed well site will disturb less than one acre of land. No more than a few pieces of construction equipment would operate on the site at any one time. Moreover, work would be limited to period of a several months. The site's relatively high rainfall, generally moderate wind speeds, and distance from sensitive receptors means that fugitive dust is unlikely to be a problem during construction. The contractor will ensure that the work conforms with the State Department of Health's guidelines for controlling fugitive dust as outlined in Hawai'i Administrative Rules §11-60.1. Consequently, pollutant emissions from construction equipment do not have the potential to affect the local or regional air quality substantially.

3.4.2.2 Operational Phase

Normal operation of the proposed facilities will not produce on-site air emissions, will not alter airflow in the vicinity, and will have no other measurable effect on the area's microclimate. In any event, forecast electrical power use by the proposed facilities represents such a small portion of total electrical power use on the island that its operation would have no discernible effect on power plant emissions.

3.5 TERRESTRIAL FLORA AND FAUNA

3.5.1 EXISTING CONDITIONS

The project site has been a macadamia nut (*Macadamia integrifolia, M. tetraphylla*, and other *Macadamia sp.)* orchard for several decades (see photos in Figure 2.1). The understory vegetation includes California grass (*Brachiaria mutica*), albizia (*Albizia chinensis*), *Mimosa pudica*, and other weeds. On July 27, 2009, Rana Biological Consulting, Inc. conducted a biological survey of the site (see Appendix C). The survey report concludes that the project is not expected to result in significant impacts to botanical, avian or mammalian threatened or endangered species or proposed for listing under either the Federal, or State of Hawai'i endangered species programs. It also finds that development of the site is not expected to have a significant deleterious impact on native faunal resources found within the Hāmākua District.

The survey report notes that the trees that are located in the project site are potentially suitable roosting habitat for the Hawaiian hoary bat (*Lasiurus cinereus semotus*), which is listed as an endangered species under both federal and state of Hawaii endangered species statutes. It concluded that while no bats were observed during the course of the survey, the possibility exists that bats may occasionally be present in the general project area. If bats roost in the dense vegetation in the project site, the removal of the trees could affect individual bats by eliminating potential roosting sites. At the same time, the report noted that as bats use multiple roosts within their home territories, the significance of such displacement is likely to be minimal because in most instances the bats will simply relocate to one of the other trees in the neighborhood.

The one situation when some potential for adverse impacts exists is during the pupping season. There are two reasons for this. First, Hawaiian hoary bats are thought to be less able to vacate a roost tree rapidly during the pupping season when adult females are caring for their pups; in such instances it is conceivable that the bat would not leave the tree quickly enough to avoid harm if tree removal began while the parent was present. Second, if tree removal were to begin during the brief periods when parents may leave their pups alone, it is possible that the young could be inadvertently harmed. All chance of harming bats can be avoided by clearing the vegetation after August 15 and before April 15 as this time frame falls outside of the period when very young bats are likely to occur.

3.5.2 PROBABLE IMPACTS

Construction of the proposed facilities will affect less than an acre of land. The land is a cultivated orchard that is managed for commercial production and currently supports introduced and invasive species. DWS will take appropriate preventative measures as recommended in the report to avoid affecting the Hawaiian hoary bat by prohibiting tree clearing between April 15 and August 15. As a result, the proposed action is not expected to have any substantial direct impacts on flora or fauna.

3.6 NOISE

3.6.1 EXISTING CONDITIONS

Passing trucks, motorcycles, and cars on the Honoka‘a-Waipi‘o Road are the most significant existing noise sources at the project site. Considering the distance from this road (~ 1,000 feet), the peak noise levels in the area, which are caused by wind in trees, by bird calls, and by distant vehicular traffic, are likely to be near 55 dBA. Average noise levels during periods of calm winds and no traffic are probably less than 45 dBA.

3.6.2 PROBABLE IMPACTS

3.6.2.1 Construction Phase

Noise from construction activities is likely to be audible above the 35-to-50 dB background levels at the homes closest to the project site. Construction of the well and reservoir on the site will involve the operation of diesel-powered drilling equipment for a period of up to 9 months (see Table 2.1 Construction Schedule).

Construction of the project will occur in phases. The initial phase consists of well drilling, casing, and pump testing. The second phase consists of the pump outfitting, and construction of the 0.30 MG reservoir and related support faculties. Phase 2 will be undertaken based on availability of funds.

Noise source levels from unmuffled equipment of this sort are as high as 80 to 85 dBA measured at a distance of 50 feet. This could result in sound levels of about 53 - 58 dBA at the property line of the nearest residence (which is about 400 feet northeast of the proposed well and reservoir). Noise levels on other, more distant properties would be even lower. With the exception of the well testing, construction activities will be limited to daytime hours. Well testing utilizes diesel-powered pumps and requires continuous (i.e., 24-hour-per-day) pumping for a period of at least five days. Consequently, noise from this activity necessarily extends through the night.

Hawaii Administrative Rules §11-46 (Community Noise Control) establishes noise limits for construction, agricultural, and industrial activities. The noise limit for “Class C Districts” [which §11-46-3(3) defines as *“...all areas equivalent to lands zoned agriculture, country, industrial, or similar type.”*] is 70 dBA at any time. The noise limit for “Class A Districts” [which §11-46-3(3) defines as *“...all areas equivalent to lands zoned residential, conservation, preservation, public space, open space, or similar type.*] is 55 dBA during the day and 45 dBA at night (see Table 3.3). The limits are applicable at the property line. Based on the 400-foot distance to the dwelling closest to the well site, any of these activities that are conducted at night (which would occur during pump testing) are likely to exceed the 45 dBA limit. Because of this, a construction noise permit will likely be needed from the State Department of Health.

Table 3.3 Maximum Permissible Sounds Levels in dBA (HAR §11-46).

Zoning Districts	***Daytime (7 a.m. to 10 p.m.)***	***Nighttime (10 p.m. to 7a.m.)***
Class A	55	45
Class B	60	50
Class C	70	70

Notes:

(a) The maximum permissible sound levels apply to any excessive noise source emanating within the specified zoning district, and at any point at or beyond (past) the property line.

(b) Noise levels may not exceed the maximum permissible sound levels for more than ten per cent of the time within any twenty minute period, except by permit or variance issued under sections 11-46-7 and 11-46-8.

(c) For mixed zoning districts, the primary land use designation shall be used to determine the applicable zoning district class and the maximum permissible sound level.

(d) Measurements values are for “A” weighting network and "slow" meter response unless otherwise stated. Sound level meters and calibrators must conform to American National Standard, ANSI S1.4-1983, specifications. The maximum permissible sound level for impulsive noise is ten dBA above the maximum permissible sound levels shown and is measured using the “Fast” meter response.

(e) The limits do not apply to the operation of emergency generators, provided the best available control technology is implemented.

(f) For the purpose of the regulations, the following definitions apply:

"*Construction activities*" means any or all activities, including but not limited to those activities necessary or incidental to the erection, demolition, assembling, renovating, installing, or equipping of buildings, public or private highways, roadways, premises, and parks.

"*Construction equipment*" means any device designed and intended for use in construction, including but not limited to any air compressor, pile driver, bulldozer, pneumatic hammer, steam shovel, derrick, crane, tractor, grader, loader, power saw, pump, pneumatic drill, compactor, on-site vehicle, and power hand tool.

"*Construction site*" means any or all areas, necessary or incidental for the purpose of conducting construction activities.

(g) Class A zoning districts include all areas equivalent to lands zoned residential, conservation, preservation, public space, open space, or similar type.

Class B zoning districts include all areas equivalent to lands zoned for multi-family dwellings, apartment, business, commercial, hotel, resort, or similar type.

Class C zoning districts include all areas equivalent to lands zoned agriculture, country, industrial, or similar type.

Source: Hawaii Administrative Rules, Title 11, Chapter 46, Community Noise Control

3.6.2.2 Operational Phase

The permanent submersible pump and motor will operate quietly, limiting aboveground noise to the hum of the transformer. The project would not result in a cumulative increase in noise levels at the site. Regardless, the operation of the well pump would only produce noise levels of about 35 to 42 dBA at the property line and noise would not be detectable from the nearest dwelling. The proposed reservoir likewise will not constitute a noise source.

3.7 AQUATIC RESOURCES

3.7.1 EXISTING CONDITIONS

As shown on Figure 1.1, the site is between two perennial streams. Kawaikalia Stream, to the west, is the closer of the two and is 370 feet away while, to the east, Malanahae Stream is 1,724 feet away. The Hamakua Ditch to the north is about 470 feet from the site. Neither stream is listed by the U.S. National Park Service (NPS 2009) in the Nationwide Rivers Inventory as a candidate for designation as Scenic Rivers. No wetlands are located near the project site.

3.7.2 PROBABLE IMPACTS

Groundwater tapped by the well will stand at approximately 10 feet above sea level. The two stream channels in question, Kawaikalia to the west and Malanahae to the east, are at far higher elevations than this all the way to their discharges as waterfalls at the shoreline. Therefore, it is physically impossible for water from the aquifer tapped by the well to discharge into the far higher elevation streams Consequently, the proposed action will not have substantial direct or indirect effects on the aquatic communities in streams or nearshore waters.

3.8 ARCHAEOLOGICAL, HISTORIC AND CULTURAL FEATURES

3.8.1 EXISTING CONDITIONS

Historically, the first sugar mill was established in the Hāmākua District in 1878. Because of its rich soil and plentiful water supply, the district soon became the premiere location for growing sugar on the Island of Hawai'i (Hazlett et al. 2007). The current project area was part of the Hāmākua Sugar Plantation. According to the current landowner, the project area was never planted with sugarcane due to the ground being too rocky. Instead, the area was used as an experimental plot for growing macadamia nuts, which are still present today.

Information on the historic and archaeological features in the project area were obtained from a report of a field inspection of the project area that was carried out on January 16, 2009, by Rechtman Consulting, LLC (see Appendix A). The report confirmed that the entire surface of the project site has been previously grubbed and graded and that no archaeological resources are visible. The report also noted that the extensive ground disturbance and the nature of the substrate make it very unlikely that subsurface remains are present. As a result, there were no archaeological resources identified within the project area and it was concluded that no historic properties would be affected by the development of the Kapulena Well; DLNR-SHPD concurred with that conclusion.

In August 2009, Rechtman Consulting, LLC determined there were no traditionally valued botanical, natural, or cultural resources identified during the field studies or during its consultation (see Appendix B). Consultation did reveal that a few community members have the landowner's permission to access the macadamia nut orchards on TMK: 3-4-7-02:035 for pig hunting activities. As Burrows et al. (2007) points out, the modern (Asiatic) pig is not a direct descendant of the Polynesian *pua'a*; and while pua'a were an important economic resource and cultural symbol in Hawaiian history, they were not traditionally hunted. However, as a result of their more recent role in recreational and subsistence hunting, pigs have become a part of local contemporary culture. The proposed development of the Kapulena Well will not affect the prior arrangements that the landowner has with the few community members that have been granted permission to hunt pigs on the

privately-owned land. It is therefore concluded that the proposed project will not adversely affect any valued natural or cultural resources or any traditional and customary practices.

3.8.2 PROBABLE IMPACTS

The DWS construction contract for work on the parcel will stipulate that, should any new artifact or burial site be encountered during construction, all activities would halt and SHPD would be notified. It will provide that work may be resumed only after consultation with the SHPD is completed and a monitoring program is in place.

Based on the results of the CIA and the lack of any evidence that the proposed project sites are used for traditional cultural purposes, along with the absence of unique archaeological resources at the sites, the project is not anticipated to have adverse effects on historic resources or cultural uses. Neither will it impair or limit the ability of native Hawaiian practitioners to access cultural resources in adjacent areas.

3.9 NATURAL HAZARD DESIGNATIONS

3.9.1 EXISTING CONDITIONS

The proposed well site is in the region of the Big Island that the U.S. Geological Survey (1997b) has designated as Volcanic Lava Flow Hazard level 8 (as measured on a scale of 1 to 9, with 9 being the least hazardous). This rating means that none of the area has been covered by lava within the last 750 years and that only a few percent of the area has been covered by lava within the last 10,000 years.

Defining hazard zones for the effects of earthquakes is more difficult than for eruptions and has not been attempted in any great detail for the Island of Hawai‘i. For the most part, earthquakes on Hawai‘i are concentrated beneath Kīlauea and Mauna Loa, and particularly beneath the south flanks of both volcanoes and in the Ka‘ōiki region between them. The likelihood of a damaging earthquake on Kīlauea or Mauna Loa probably increases with long-lived activity of the rift zones, but its precise time and magnitude are impossible to predict.

Large earthquakes unrelated to volcanic activity also occur at irregular intervals on the Island. In 1973, a magnitude 6.2 earthquake located 25 miles beneath Honomū Village injured 11 people and caused $5.6 million worth of damage. Such earthquakes have no known recurrence interval and are difficult to predict (USGS 1997a).

For the purposes of structural design, the entire Island of Hawai‘i is classified as Zone 4 by the Uniform Building Code adopted by the County of Hawai‘i in 1999 (USGS 1994, 1997a). The proposed well site is not located within a designated Flood Hazard Safety Area nor within a Tsunami Evacuation area (State of Hawai‘i 2002a).

3.9.2 PROBABLE IMPACTS

As discussed above, the proposed facilities are not subject to significant hazards from volcanic flows, flooding, or tsunami. To accommodate the relatively high susceptibility to earthquake hazards present on the Island of Hawai‘i, all structures will be built to comply with the Uniform Building Codes for Earthquake Zone 4.

3.10 SCENIC AND AESTHETIC RESOURCES

3.10.1 EXISTING CONDITIONS

Honoka‘a-Waipi‘o Road, which fronts the proposed well and reservoir site, is occasionally used by tourists to access Waipi‘o Valley, a popular tourist destination. The site is not visible from the road. The new reservoir may be partially visible to the land owner whose residence is about 400 feet northeast of the proposed site.

3.10.2 PROBABLE IMPACTS

As noted above, the project site is alongside the Honokaʻa-Waipiʻo Road, which is occasionally used by visitors to Waipiʻo Valley. On the road between Honokaʻa and Waipiʻo Valley, the existing scenic views consist generally of roadside views of dense tropical forests with occasional distant views of the ocean.

The addition of the proposed well, 0.3 MG reservoir, and control building would not substantially change the visual character of the area or interfere with significant views across the site. As shown in the photos in Figure 2.1, the proposed well and reservoir site will not be seen from the main road or by residences possibly with the exception of the landowner.

3.11 TRAFFIC

3.11.1 EXISTING CONDITIONS

Access to the proposed well site will be via the Honokaʻa-Waipiʻo Road. The road is approximately 8 miles long, extending from Lehua Street in Honokaʻa on the east to Kukuihaele Road at the west. The bulk of the traffic along the road consists of passenger vehicles driven by residents and cars driven by occasional tourists visiting Waipiʻo Valley.

3.11.2 PROBABLE IMPACTS

Adequate space exists on the existing access driveway to allow construction vehicles to park without interfering with the active traffic lanes. The only possible exceptions to this are brief intervals when large construction equipment and material for the reservoir and other structures are moved onto and off the site and during paving of the access driveway entrance. The latter would require temporary closure of a single road lane over a period of one week or less. The contractor will provide appropriate signage and flaggers to direct traffic around the work area. Due to the low volume of traffic along the road, no major traffic delays or disruptions are expected to result from the project. The facility will not require manned operation, but only occasional monitoring and maintenance. Service vehicles will park in designated on-site areas and will not interfere with traffic. For these reasons, the construction and operation of the proposed site additions will not lead to substantial impacts on area roadways.

3.12 LAND USE, SOCIOECONOMIC AND CULTURAL ENVIRONMENT

3.12.1 EXISTING CONDITIONS

The parcel on which the proposed well and reservoir would be constructed is owned by Mr. Alan Suzuki (47-4633 Honokaʻa Waipiʻo Road, Honokaʻa, HI 96727). Presently, the site is used as a macadamia nut orchard and contains a single-family residence. The County of Hawaiʻi owns the parcel in which the existing 0.05 MG Kapulena Homestead Reservoir is located. Prior to that, it was an agricultural field that had formerly been under macadamia nut cultivation. The site is in the State Agriculture District. The County zoning is also Agriculture (Ag-40a). The proposed facilities are permitted uses in both these land use districts.

There are no existing commercial, industrial, or economic activities, other than agricultural and residential, in the vicinity. The proposed site is less than a mile *mauka* of the community of Kukuihaele. The nearest home is located on the property, about 400 feet northeast from the proposed well site.

The project site is located within year 2000 Census Tract 219, which includes the communities of Honokaʻa and Kukuihaele. The year 2000 population of this large census tract was less than 4,000 people, or about 2.6 percent of the island's population. Median household income was slightly higher than the county average, at $40,086 compared to $39,805. Unemployment within the civilian labor force was 6.6 percent, somewhat higher than the countywide average of 4.9 percent. According to the

County of Hawaii General Plan (2005), it is estimated that the resident population in the Hāmākua Judicial District has been growing at an average rate of 1.1 percent since 2005 and is projected to do so every five years up through 2020 (see Table 3.4).

Table 3.4 Projected Resident Population of the Hāmākua District

2000 Census	*2005*	*2010*	*2015*	*2020*	*% Annual Change*				
					2000-2005	**2005-2010**	**2010-2015**	**2015-2020**	**2005-2020**
6,108	6,196	6,561	6,933	7,328	0.3%	1.2%	1.1%	1.1%	1.1%
Source: General Plan (County of Hawaii 2005)									

3.12.2 PROBABLE IMPACTS

The proposed well site additions are compatible with the existing use of this parcel and will complement the use of the existing reservoir. The addition of the well, reservoir, and control facilities to the site will not interfere with the use or affect the value of adjacent properties.

The proposed well and reservoir will increase DWS' total source and storage capacity in the Kukuihaele Water System. This will allow the Department to alleviate a projected storage deficit and will provide a high-quality source for the customers in the service area. Aside from the temporary construction employment and expenditures that it would create, the project will not in and of itself stimulate or otherwise promote population growth or economic activity.

THIS PAGE WAS INTENTIONALLY LEFT BLANK

4.0 RELATIONSHIPS TO RELEVANT PLANS, POLICIES & CONTROLS

4.1 STATE AND COUNTY REGULATIONS

4.1.1 COUNTY OF HAWAI'I GENERAL PLAN

4.1.1.1 Description of Plan

The Department of Water Supply operates and maintains over twenty separate systems in the County of Hawai'i, including the Kukuihaele Water System. The 2005 *Hawai'i County General Plan* contains goals and policies concerning the development and operation of essential water supply facilities. The *General Plan* recognizes that water supply facilities are needed to support the patterns of development which the *General Plan* seeks to achieve. It makes planning for the location of utility facilities such as wells, reservoirs, and pumping stations an integral part of the land planning process.

The *2005 General Plan* identifies the following County policies with regards to public water systems that are relevant to the proposed project:

(a) Water system improvements shall correlate with the County's desired land use development pattern.

(b) All water systems shall be designed and built to Department of Water Supply standards.

(c) Improve and replace inadequate systems.

(d) Water sources shall be adequately protected to prevent depletion and contamination from natural and man-made occurrences or events.

(e) Water system improvements should be first installed in areas that have established needs and characteristics, such as occupied dwellings, agricultural operations and other uses, or in areas adjacent to them if there is need for urban expansion.

(f) A coordinated effort by County, State and private interests shall be developed to identify sources of additional water supply and be implemented to ensure the development of sufficient quantities of water for existing and future needs of high growth areas and agricultural production.

(g) The fire prevention systems shall be coordinated with water distribution systems in order to ensure water supplies for fire protection purposes.

(j) Cooperate with appropriate State and Federal agencies and the private sector to develop, improve and expand agricultural water systems in appropriate areas on the island.

(k) Promote the use of ground water sources to meet State Department of Health water quality standards.

(m) Seek State and Federal funds to assist in financing projects to bring the County into compliance with the Safe Drinking Water Act.

(n) Develop and adopt a water master plan that will consider water yield, present and future demand, alternative sources of water, guidelines and policies for the issuing of water commitments.

(o) Expand programs to provide for agricultural irrigation water.

The *2005 Hawai'i County General Plan* identifies a number of actions to implement these policies in the Hāmākua District. Specifically, it directs DWS to:

(a) Continue to coordinate programs with State and Federal agencies to develop a well at Kukuihaele and Honoka'a Hospital to the standards of the Department of Water Supply.

(b) Replace old, sub-standard, or deteriorating lines and storage facilities.

(c) Investigate groundwater sources in the Honoka'a and Kukuihaele areas.

4.1.1.2 Conformance with the 2005 *Hawai'i County General Plan*

The proposed well and reservoir is being constructed by DWS in response to the *General Plan* policy for Hāmākua that encourages groundwater source investigation for this area of the island. By eliminating the system's dependency on the Kukuihaele (Wai'ulili) Spring, the proposed action is also responding to the *General Plan*'s policy of replacing existing surface sources with groundwater sources.

The proposed project meets all applicable design standards. It will allow DWS to continue to meet the needs of the people of Kukuihaele in a cost-effective manner while complying with the State Department of Health requirements for reliability and quality of potable water sources. The proposed well and ancillary facilities are located on a site that is already part of the DWS system. They are compatible with existing uses in the surrounding area and they are allowable under existing State and County zoning and development regulations. Operation of the well and reservoir would not produce substantial air or noise emissions that would disturb existing uses on adjacent properties.

4.1.2 COUNTY OF HAWAI'I ZONING ORDINANCE

The County zoning in the project area is Agriculture (Ag-40a). The Hawai'i County Code (2000 Edition), Section 25-4-11(b) states:

> *Any substation used by a public utility for the purpose of furnishing telephone, gas, electricity, water, radio, or television shall be a permitted use in any district provided that the use is not hazardous or dangerous to the surrounding area and the director has issued plan approval for such use.*

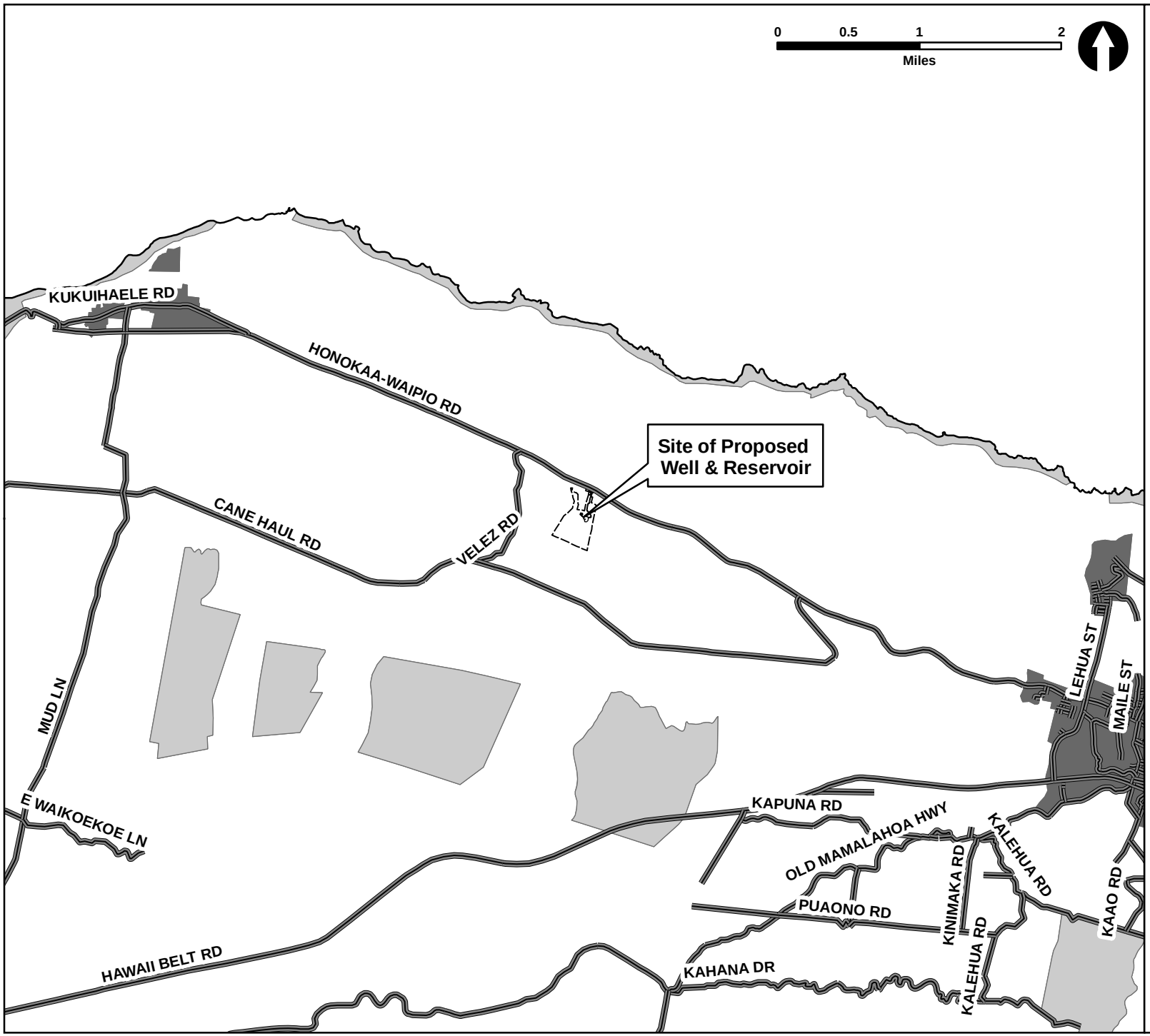
The proposed well and reservoir would be a public utility that would provide additional storage and a surface water source of potable water to the Kukuihaele community. Consequently, the project qualifies as a permitted use under this regulation. DWS will submit an *Application for Plan Approval* to the Hawai'i County Department of Planning to obtain the necessary director's approval for the project once the Chapter 343 process is completed.

4.1.3 STATE OF HAWAI'I LAND USE LAW

The site is in the State Agriculture District. HRS Chapter 205 §205-4.5 (7) lists public utility facilities such as those that are proposed as permissible uses within the State Agricultural District.

4.1.4 COMPLIANCE WITH THE STATE OF HAWAI'I'S DRINKING WATER STATE REVOLVING FUND (DWSRF) PROGRAM REQUIREMENTS

This project might be funded by Federal funds through the State of Hawai'i's Drinking Water State Revolving Fund (DWSRF) program. The DWSRF program was established to offer below-market interest rate loans to public water systems to finance the cost of constructing or improving their drinking water infrastructure projects to achieve or maintain compliance, with the Safe Drinking Water Act (SDWA). The U.S. Congress established the DWSRF program as a new section 1452 of the SDWA, 33 U.S.C. 300j-12, by the SDWA Amendments of 1996, Public Law 104-182. The SDWA was established to help prevent contamination through source water protection and enhanced water system management. It also emphasizes the needs of small water systems, such as Kukuihaele. The proposed project is consistent with the overall program intent to prevent potential contamination and the program emphasis on small water systems. This document includes all of the environmental information required for compliance with the DWSRF program.



Legend:

- Major Roadways
- Kapulena Well Site TMK Boundaries

State Land Use Districts:

- Agriculture
- Conservation
- Urban

Prepared For:

Dept. of Water Supply, County of Hawai`i

Prepared By:

PLANNING SOLUTIONS

Sources:

-TNWRE
-State of Hawaii GIS

Figure 4.1:

State Land Use Districts

Kapulena Well & Reservoir

Figure 4-1 State Land Use Districts.mxd

4.2 CROSS-CUTTING FEDERAL AUTHORITIES

The following sub-sections address the proposed project's relationship to other Federal "cross-cutting" environmental, economic, social, and miscellaneous federal authorities as required by the State of Hawai'i's Drinking Water State Revolving Fund (DWSRF) program.

4.2.1 ENVIRONMENTAL POLICY AUTHORITIES

4.2.1.1 Archeological and Historic Preservation Act (16 U.S.C. § 469a-1) and National Historic Preservation Act (16 U.S.C. § 470)

As discussed in Section 3.6.2.2, the project site is located in an area that has been used extensively for agriculture for many years and no known archaeological or historic features exist at the site. The State of Hawai'i Historic Preservation Division (SHPD) of the Department of Land and Natural Resources has determined that the project will have no effect on historic properties, and the impact assessment conducted for the project detected no evidence that the site is used or valued for cultural purposes. Consequently, the proposed action is in compliance with these regulations.

4.2.1.2 Clean Air Act (42 U.S.C. § 7401)

As discussed in Section 3.4, air quality at the site of the proposed project is good. The site is in an air quality attainment area as defined by the State of Hawai'i Department of Health in its EPA-approved Air Quality program. Only minor amounts of grading and excavation will be required for the project. This, along with the wet climate, means that fugitive dust will not be a problem during construction.

It is anticipated that diesel-powered construction equipment will be used to construct the proposed well and reservoir. Emissions from the diesel will slightly degrade air quality for the short period of time they are in operation. However, all applicable emission and ambient air quality standards will continue to be met. Normal operation of the proposed facilities will not produce on-site air emissions, will not alter air flow in the vicinity, and will have no other measurable effect on the area's micro-climate. Consequently, the proposed project complies with the provision of the Clean Air Act.

4.2.1.3 Coastal Barrier Resources Act (16 U.S.C. § 3501)

Coastal Barrier Resources Act (CBRA), Public Law 97-348 (96 Stat. 1653; 16 U.S.C. 3501 et seq.), enacted October 18, 1982, designated various undeveloped coastal barrier islands, depicted by specific maps, for inclusion in the Coastal Barrier Resources System (System). Areas so designated were made ineligible for direct or indirect Federal financial assistance that might support development, including flood insurance, except for emergency life-saving activities. This Act does not apply to the State of Hawai'i at this time, therefore the proposed project will not affect any areas protected by this Act.

4.2.1.4 Coastal Zone Management Act (16 U.S.C. § 1451)

Enacted as Chapter 205A, HRS, the Hawaii Coastal Zone Management (CZM) Program was promulgated in 1977 in response to the Federal Coastal Zone Management Act of 1972. The CZM area encompasses the entire state, including all marine waters seaward to the extent of the state's police power and management authority, including the 12-mile U.S. territorial sea and all archipelagic waters.

The Hawai'i Coastal Zone Management Program focuses on ten policy objectives:

- Recreational Resources. To provide coastal recreational opportunities accessible to the public and protect coastal resources uniquely suited for recreational activities that cannot be provided elsewhere.
- Historic Resources. To protect, preserve, and where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

- Scenic and Open Space Resources. To protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources.
- Coastal Ecosystems. To protect valuable coastal ecosystems, including reefs, from disruption and to minimize adverse impacts on all coastal ecosystems.
- Economic Uses. To provide public or private facilities and improvements important to the state's economy in suitable locations; and ensure that coastal dependent development such as harbors and ports, energy facilities, and visitor facilities, are located, designed, and constructed to minimize adverse impacts in the coastal zone area.
- Coastal Hazards. To reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.
- Managing Development. To improve the development review process, communication, and public participation in the management of coastal resources and hazards.
- Public Participation. To stimulate public awareness, education, and participation in coastal management; and maintain a public advisory body to identify coastal management problems and provide policy advice and assistance to the CZM program.
- Beach Protection. To protect beaches for public use and recreation; locate new structures inland from the shoreline setback to conserve open space and to minimize loss of improvements due to erosion.
- Marine Resources. To implement the state's ocean resources management plan.

Other key areas of the CZM program include: a permit system to control development within a Special Management Area (SMA) managed by the Counties and the Office of Planning; a Shoreline Setback Area which serves as a buffer against coastal hazards and erosion, and protects view-planes; and the Marine and Coastal Affairs. Finally, a Federal Consistency provision requires that federal activities, permits and financial assistance be consistent with the Hawai‘i CZM program.

The proposed Kapulena Well and Reservoir project is located about a mile from the coastline. It does not involve the placement, erection, or removal of materials near the coastline. The type and scale of the activities that it involves typically do not have the potential to affect coastal resources. Finally, it is consistent with the CZM objectives that are relevant to a project of this sort.

4.2.1.5 Endangered Species Act (16 U.S.C. 1531)

The Endangered Species Act (16 U.S.C. §§ 1531-1544, December 28, 1973, as amended 1976-1982, 1984 and 1988) provides broad protection for species of fish, wildlife, and plants that are listed as threatened or endangered in the U.S. or elsewhere. The Act mandates that federal agencies seek to conserve endangered and threatened species and use their authorities in furtherance of the Act's purposes. Provisions are made for listing species, as well as for recovery plans and the designation of critical habitat for listed species. The Act outlines procedures for federal agencies to follow when taking actions that may jeopardize listed species, and contains exceptions and exemptions.

Existing biota on and near the project site are discussed in Sections 3.5 and 3.6.2.2 of this EA. The discussion documents the fact that there are no known rare or endangered species on or immediately around the site of the Kapulena Well and Reservoir project. Similarly, the site does not contain unique or valuable wildlife habitat. Copies of the Draft EA were provided to the U.S. Fish and Wildlife Service and to the State Department of Land and Natural Resources for review and comment.

4.2.1.6 Environmental Justice (Executive Order 12898)

The Environmental Justice Executive Order was issued in 1994 for the purpose of protecting low-income and minority residents of the United States from disproportionate exposure to environmental and health hazards. Section 1-101 of the Executive Order States:

> *To the greatest extent practicable and permitted by law, and consistent with the principles set forth in the report on the National Performance Review, each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico, and the Commonwealth of the Mariana Islands.*

As discussed in Section 3.12.1, the Census Tract in which the proposed well is located exhibits a median household income that is slightly higher than the countywide average. The unemployment rate is somewhat higher than the countywide average. The project area is not considered a low-income area. The purpose of the proposed well is to provide residents of Kukuihaele with a surface water source and additional water storage that conforms to State and Federal standards. The project will not have adverse secondary environmental, economic, or social impacts, as discussed in detail in Chapter 3. Moreover, the State and Federal regulations regarding safe drinking water are applicable to all water systems in Hawai‘i, irrespective of the economic or demographic characteristics of their residents. Thus, the proposed project complies with this Executive Order.

4.2.1.7 Farmland Protection Policy Act (7 U.S.C. § 4201)

The U.S. Congress adopted the Farmland Protection Policy Act (FPPA) (Public Law 97-98) on December 22, 1981). The U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) has national leadership for administering the FPPA. The effective date of the FPPA rule (part 658 of Title 7 of the Code of Federal Regulations) is August 6, 1984.

The stated purposes of the FPPA are to:

- Minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses.
- Assure that Federal programs are administered in a manner that, to the extent practicable, will be compatible with State, unit of local government, and private programs and policies to protect farmland.

“Farmland”, as used in the FPPA, includes prime farmland, unique farmland, and land of statewide or local importance. “Farmland” subject to FPPA requirements does not have to be currently used for cropland. Because the Kapulena Well and Reservoir project will result in the use of 0.63 acres of prime agricultural land for the proposed well and related support facilities and might use Federal with funding assistance from a Federal agency, the proposed action is subject to the FPPA.

The area that would be affected is a small fraction of the agricultural land in the area. The project will remove a few macadamia nut trees to accommodate the construction of the well and reservoir. It will not impact continued agricultural use of the whole site. The proposed project is intended to serve residents of the small community of Kukuihaele by providing a surface water source as a result of the abandoned Kukuihaele (Wai‘ulili) Spring and replacing the costly water that is currently trucked in. Consequently, the project is in compliance with the FPPA.

4.2.1.8 Fish and Wildlife Coordination Act (16 U.S.C. § 661)

The Fish and Wildlife Coordination Act , as amended, authorizes the Secretaries of Agriculture and Commerce to require consultation with the Fish and Wildlife Service and the fish and wildlife agencies of States where the *“waters of any stream or other body of water are proposed or*

authorized, permitted or licensed to be impounded, diverted . . . or otherwise controlled or modified" by any agency under a Federal permit or license. Consultation is to be undertaken for the purpose of *"preventing loss of and damage to wildlife resources."*

As documented in this report, the proposed Kapulena Well and Reservoir project will not result in the diversion of any water body and will not result in impacts on fish or wildlife resources. The U.S. Fish and Wildlife Service and the State Department of Land and Natural Resources were asked to comment on the Draft EA and to confirm that the project is in compliance with this statute.

4.2.1.9 Floodplain Management (Executive Order 11988 (1977), as Amended by Executive Order 12148 (1979))

Based on the latest available (December, 2001) Flood Insurance Rate Map for the area, the project site lies outside a defined floodplain. The project does not involve property acquisition, management, or construction within a 100-year flood plain (Zones A or V), and it does not involve a "critical action" within a 500-year flood plain. Consequently, it is consistent with applicable regulations and guidance relating to floodplain management.

4.2.1.10 Protection of Wetlands (Executive Order 11990 (1977), as Amended by Executive Order 12608 (1997))

There are no wetlands on or near the site. Neither are there food resources on the site that are important to wildlife that use wetlands elsewhere on the island. Copies of the *Draft EA* were sent to the administrator of the Pacific Island Eco-Region, U.S. Fish & Wildlife Service, and to the State Department of Land and Natural Resources Department of Aquatic Resources to ensure adequate consideration of this topic in the environmental review for this project.

4.2.1.11 Safe Drinking Water Act (42 U.S.C. § 300(f))

The Safe Drinking Water Act (SDWA) is the principal federal law that ensures the quality of Americans' drinking water. Under SDWA, EPA sets standards for drinking water quality and oversees the states, localities, and water suppliers who implement those standards. The Safe Drinking Water Act requires that all public water systems meet stringent water quality standards. These standards cover a long list of potential chemical, radiological and biological contaminants. The standards distinguish between surface water and groundwater sources, with the testing and monitoring requirements for surface water and GWUDI sources being far greater than those for groundwater sources.

As discussed in this report, the proposed Kapulena Well and Reservoir will permit continued compliance of the Kukuihaele Water System with the standards mandated pursuant to the SDWA. Extensive testing of the water withdrawn from the well will be carried out by the County of Hawai'i before it is developed into a production well to ensure that the water is consistent with all State and Federal standards for potable water.

The Safe Drinking Water Act also provides the impetus behind the development of regulatory protection of principal or sole source aquifers. Part C of this Law pertains specifically to the protection of underground sources of drinking water, including the establishment of regulations on the injection of materials into subsurface aquifers in those areas of the United States where only one aquifer (principal or sole source aquifer) exists. Section 1424(e) of PL 93-523 states:

> *(e) If the Administrator determines, on his own initiative or upon petition, that an area has an aquifer which is the sole or principal drinking water source for the area and which, if contaminated, would create a significant hazard to public health, he shall publish notice of the determination in the Federal Register. After the publication of any such notice, no commitment for Federal financial assistance (through a grant, contract, loan guarantee, or otherwise) may be entered into for any project which the Administrator determines may contaminate such aquifer through a recharge zone so as to create a significant hazard to*

public health, but a commitment for Federal financial assistance may, if authorized under another Provision of law, be entered into to plan or design the project to assure that it will not so contaminate the aquifer.

As identified by the U.S. Environmental Protection Agency, Region IX groundwater Office (http://www.epa.gov/OGWDW/swp/ssa/reg9.html), there are only two Sole Source Aquifers in Hawai‘i. They are the Southern O‘ahu Basal Aquifer on the Island of O‘ahu and the Moloka‘i Aquifer on the island of Moloka‘i. There are no sole source aquifers on the Island of Hawai‘i where the proposed project is located.

4.2.1.12 Wild and Scenic Rivers Act (16 U.S.C. §1271)

The purpose of this act, as stated in Section (b) of its preamble is as follows:

It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations. The Congress declares that the established national policy of dam and other construction at appropriate sections of the rivers of the United States needs to be complemented by a policy that would preserve other selected rivers or sections thereof in their free-flowing condition to protect the water quality of such rivers and to fulfill other vital national conservation purposes.

There are no designated Wild and Scenic Rivers in the State of Hawai‘i at this time. Consequently, the proposed project is consistent with the provisions of the Wild and Scenic Rivers Act.

4.2.1.13 Essential Fish Habitat Consultation Process Under the Magnuson-Stevens Fishery Conservation and Management Act (16 USC §1801)

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), which was reauthorized and amended by the Sustainable Fisheries Act (1996), requires the eight regional fishery management councils to describe and identify essential fish habitat (EFH) in their respective regions, to specify actions to conserve and enhance that EFH, and to minimize the adverse effects of fishing on EFH. Congress defined EFH as “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity” (16 U.S.C. 1802(10)). The EFH guidelines under 50 CFR 600.10 further interpret the EFH definition as follows:

Waters include aquatic areas and their associated physical, chemical, and biological properties that are used by fish and may include aquatic areas historically used by fish where appropriate; substrate includes sediment, hard bottom, structures underlying the waters, and associated biological communities; necessary means the habitat required to support a sustainable fishery and the managed species' contribution to a healthy ecosystem; and "spawning, breeding, feeding, or growth to maturity" covers a species' full life cycle.

The Essential Fish Habitat (EFH) provisions of the Magnuson-Stevens Act support one of the Nation’s overall marine resource management goals - maintaining sustainable fisheries. Federal action agencies which fund, permit, or carry out activities that may adversely impact EFH are required to consult with NMFS regarding the potential effects of their actions on EFH. The Western Pacific Regional Fishery Management Council Website lists EFH areas in Hawai‘i and the Pacific Islands (http://www.wpcouncil.org/maps.htm). All of the identified areas are offshore marine environments. The proposed Kapulena Well & Reservoir site is over a mile from the ocean and has no potential to impact any of the identified EFH areas (see Section 3.7.2).

4.2.2 ECONOMIC POLICY AUTHORITIES

4.2.2.1 Administration of the Clean Air Act and the Water Pollution Control Act with respect to Federal Contracts or Loans (Executive Order 11738)

This Executive Order prohibits the provision of Federal assistance to facilities that are not in compliance with either the Clean Water Act or the Clean Air Act unless the purpose of the assistance is to remedy the cause of the violation. As discussed in Sections 4.2.1.2 and 3.2.2, the proposed well and reservoir will comply with applicable provisions of the Clean Air Act and Clean Water Act. Consequently, it is consistent with the intent of this Executive Order.

4.2.2.2 Demonstration Cities and Metropolitan Development Act of 1966, Pub.L. 89-754, as Amended (42 USC § 3331)

To demonstrate compliance with this Act, the Hawai‘i State Department of Health requires DWSRF assistance recipients to describe the proposed project’s effect on local development plans. Section 4.1.1 addresses this requirement by discussing the proposed well and reservoir’s consistency with the County of Hawai‘i General Plan.

4.2.2.3 Procurement Prohibitions (Executive Order 11738, Section 306 of the Clean Air Act)

This Executive Order requires recipients of Federal assistance to certify that they will not procure goods, services or materials from suppliers who are on the EPA’s list of Clean Air Act violators. DWS will comply with this requirement in selecting contractors, construction materials, and other services for the Kapulena Well and Reservoir project.

4.2.2.4 Procurement Prohibitions (Section 508 of the Clean Water Act)

This Executive Order requires recipients of Federal assistance to certify that they will not procure goods, services or materials from suppliers who are on the EPA’s list of Clean Water Act violators. DWS will comply with this requirement in selecting contractors, construction materials, and other services for the Kapulena Well and Reservoir project.

4.2.3 SOCIAL POLICY AUTHORITIES

4.2.3.1 Age Discrimination Act of 1975 (42 USC § 6102)

This Act stipulates that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. DWS will comply with this requirement in hiring contractors and other staff for its Kapulena Well and Reservoir project.

4.2.3.2 Civil Rights Act of 1964, Title VI (42 USC §2000(d))

This Act stipulates that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. DWS will comply with this requirement in hiring contractors and other staff for its Kapulena Well and Reservoir project.

4.2.3.3 Equal Employment Opportunity (Executive Order 11246, as amended)

This Executive Order requires all recipients of Federal contracts to include certain non-discrimination and “affirmative action” provisions in all contracts. The provisions commit the contractor or subcontractor to maintain a policy of non-discrimination in the treatment of employees, to make this policy known to employees, and to recruit, hire and train employees without regard to race, color, sex, religion and national origin. DWS will include these provisions in all contracts for the Kapulena Well and Reservoir project.

4.2.3.4 Minority Business Enterprise Development (Executive Order 12432)

This Executive Order sets forth in more detail the responsibilities of Federal agencies for the monitoring, maintaining of data and reporting of the use of minority enterprises. DWS will comply with all applicable requirements pertaining to this Executive Order.

4.2.3.5 National Program for Minority Business Enterprise (Executive Order 11625)

This Executive Order directs Federal agencies to promote and encourage the use of minority business enterprises in projects utilizing federal funds. DWS will comply with this Executive Order in selecting contractors, goods, and services for its Kapulena Well and Reservoir project.

4.2.3.6 National Women's Business Enterprise Policy and National Program for Women's Business Enterprise (Executive Order 12138)

This Executive Order directs each department or agency empowered to extend Federal financial assistance to any program or activity to issue regulations requiring the recipient of such assistance to take appropriate affirmative action in support of women's business enterprises and to prohibit actions or policies which discriminate against women's business enterprises on the grounds of sex. DWS will comply with this Executive Order in selecting contractors, goods, and services for its Kapulena Well and Reservoir project.

4.2.3.7 Rehabilitation Act of 1973 (29 USC § 794)

This Act stipulates that no otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. DWS will comply with this requirement for its Kapulena Well and Reservoir project.

4.2.3.8 Small Business Administration Reauthorization and Amendment Act of 1998 (Pub. L. 100-590, Section 129)

This Amendment directs Federal agencies to promote and encourage the use of small business enterprises in projects utilizing federal funds. DWS will comply with this Act in selecting contractors, goods, and services for its Kapulena Well and Reservoir project.

4.2.3.9 Department of Veterans Affairs and Housing and Urban Development, and Agencies Appropriations Act (1993, Pub. L. 102-389)

This Act requires the Administrator of the Environmental Protection Agency to ensure that at least 8 per centum of Federal funding for prime and subcontracts awarded in support of authorized programs, including grants, loans and contracts for wastewater treatment and for leaking under ground storage tanks, be made available to businesses or other organizations owned or controlled by socially and economically disadvantaged individuals (within the meaning of Section 8(a)(5) and (6) of the Small Business Act (15 USC 637(a)(5) and (6)), including historically black colleges and universities. DWS will comply with applicable provisions of this Act in selecting contractors, goods, and services for its Kapulena Well and Reservoir project and will include this provision in the specifications of all contracts funded for this project.

4.2.3.10 Disadvantaged Business Enterprise Rule (2008, 40 CFR Part 33)

This Rule sets forth the responsibilities of entities receiving an identified loan under a financial assistance agreement capitalizing a revolving loan fund, for the monitoring, maintaining of data and reporting of the use of disadvantaged business enterprises (DBEs). It requires the Applicant to fully comply with 40 CFR Part 33, entitled "Participation by Disadvantaged Business Enterprises in Procurement Under Environmental Protection Agency (EPA) Financial Assistance Agreements" and ensure that all contracts funded by a DWSRF loan include a term or condition requiring compliance with 40 CFR Part 33. The Rule further stipulates that the applicant shall not discriminate on the basis of race, color, national origin, or sex in the performance of its contract and that the applicant carry out

applicable requirements of 40 CFR Part 33 in the award and administration of contracts awarded under EPA financial assistance agreements. DWS will comply with all applicable provisions of this rule for its Kapulena Well and Reservoir project, including timely completion and submission of the DBE Subcontractor Performance and Utilization Forms (respectively, EPA Forms 6100-3 and 6100-4), as appropriate.

4.2.4 MISCELLANEOUS AUTHORITIES

4.2.4.1 Debarment and Suspension (Executive Order 12549)

Prior to the award of a consultant or construction contract, the Applicant (County) shall fully comply with Subpart C of 40 CFR Part 32, entitled "Responsibilities of Participants Regarding Transactions" and ensure that any lower tier covered transaction and subsequent lower tier transaction, includes a term or condition requiring compliance with Subpart C. The Applicant shall certify that the General Contractor, Consultant, sub-consultants, subcontractors and suppliers are not on the Excluded Parties List. The Applicant acknowledges that failing to disclose the information required under 40 CFR 32.335 may result in the delay or negation of payment, or pursuance of legal remedies, including suspension and debarment. The Applicant may access the Excluded Parties List System at http://epls.arnet.gov. DWS will include a condition in all contracts funded for this project that will terminate the contract should the contractor be determined to be an Excluded Party under this Executive Order.

4.2.4.2 Uniform Relocation and Real Property Acquisition Policies Act (Pub. L. 91-646 (1971), as Amended, 42 USC 4601-4655)

The Act establishes a policy for fair and equitable treatment of persons who are displaced from their homes, farms or businesses to make way for a federally assisted project. No such displacements are anticipated for the Kapulena Well and Reservoir project. However, should any such displacements occur as a result of the project, DWS will ensure that the affected parties will receive fair and equitable treatment consistent with this law.

4.2.4.3 Preservation of Open Competition and Government Neutrality towards Contractor's Labor Relations on Federal and Federally Funded Construction Projects (Executive Order 13202 (2001), as amended by Executive Order 13208 (2001))

DWSRF assistance recipients must ensure that bid specifications, project agreements, and other controlling documents for construction contracts awarded after February 17, 2001 do not require or prohibit agreements with labor organizations. Further, DWSRF assistance recipients and any construction manager acting upon their behalf must not otherwise discriminate against bidders, offerors, contractors, or subcontractors for entering into, or refusing to enter into, agreements with labor organizations. DWS will comply with applicable provisions of this Act in selecting contractors, goods, and services for its Kapulena Well and Reservoir project and will include this provision in the specifications of all contracts funded for this project.

THIS PAGE WAS INTENTIONALLY LEFT BLANK

5.0 DETERMINATION

5.1 SIGNIFICANCE CRITERIA

Hawaii Administrative Rule §11-200-11.2 establishes procedures for determining if an environmental impact statement (EIS) should be prepared or if a finding of no significant impact is warranted. §11-200-11.2 (1) provides that proposing agencies should issue an environmental impact statement preparation notice (EISPN) for actions that it determines may have a significant effect on the environment. Hawaii Administrative Rules §11-200-12 lists the following criteria to be used in making that determination:

In m*ost instances, an action shall be determined to have a significant effect on the environment if it:*

1. *Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;*
2. *Curtails the range of beneficial uses of the environment;*
3. *Conflicts with the State's long-term environmental policies or goals as expressed in Chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders;*
4. *Substantially affects the economic or social welfare of the community or State;*
5. *Substantially affects public health;*
6. *Involves substantial secondary impacts, such as population changes or effects on public facilities;*
7. *Involves a substantial degradation of environmental quality;*
8. *Is individually limited but cumulatively has considerable effect on the environment or involves a commitment for larger actions;*
9. *Substantially affects a rare, threatened, or endangered species, or its habitat;*
10. *Detrimentally affects air or water quality or ambient noise levels;*
11. *Affects or is likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters;*
12. *Substantially affects scenic vistas and viewplanes identified in county or state plans or studies; or,*
13. *Requires substantial energy consumption.*

5.2 FINDINGS

The potential effects of constructing and operating the proposed Kapulena Well and Reservoir described earlier in this document were evaluated using these significance criteria. The findings with respect to these criteria are summarized in subsections 5.2.1 through 5.2.13.

5.2.1 IRREVOCABLE LOSS OR DESTRUCTION OF VALUABLE RESOURCE

The proposed project would be constructed on a macadamia nut orchard adjacent to an existing Department of Water Supply facility. It does not involve the loss of any significant cultural or natural resources.

5.2.2 CURTAILS BENEFICIAL USES

Construction and operation of the proposed well and reservoir will not curtail beneficial uses of the site. The development affects less than an acre of land and will not preclude or disrupt future use of the surrounding agricultural land.

5.2.3 CONFLICTS WITH LONG-TERM ENVIRONMENTAL POLICIES OR GOALS

The proposed project is consistent with the County of Hawai'i's General Plan (see Section 4.1) and with the State's long-term environmental policies and goals as expressed in Chapter 344, Hawaii Revised statutes and elsewhere in State law.

5.2.4 SUBSTANTIALLY AFFECTS ECONOMIC OR SOCIAL WELFARE

The proposed well is intended to provide a surface water source and additional water storage to existing residents of Kukuihaele. It will not have a substantial adverse effect on economic or social welfare. Rather, it allows the DWS to assure its customers that they have access to an adequate supply of high-quality potable water, consistent with the maintenance of environmental quality.

5.2.5 PUBLIC HEALTH EFFECTS

The proposed project will not adversely affect air or water quality. Neither will it generate solid waste or produce other emissions that will have a significant adverse effect on public health. Construction noise has the potential to exceed noise standards at the property line, but the potential adverse effects of this can be mitigated by the noise abatement and attenuation measures that the County will require of the construction contractor.

5.2.6 PRODUCE SUBSTANTIAL SECONDARY IMPACTS

The proposed project will not produce significant secondary impacts. It is not designed to foster population growth or to promote economic development.

5.2.7 SUBSTANTIALLY DEGRADE ENVIRONMENTAL QUALITY

The proposed project will not have substantial long-term environmental effects. Noise from construction and pump testing is the only impact of note, and it will be of limited duration. So long as adequate measures are taken to control the intensity of the construction noise and the time of day during which it will occur, its effects on nearby properties can be managed.

5.2.8 CUMULATIVE EFFECTS OR COMMITMENT TO A LARGER ACTION

Construction and operation of the proposed well and reservoir do not constitute a commitment to a larger action and are not intended to facilitate substantial population growth. Instead, the project is intended to primarily provide a surface water source and additional storage to support the existing water system.

5.2.9 AFFECTS ON RARE, THREATENED, OR ENDANGERED SPECIES

The proposed project will be constructed on a privately owned portion of a macadamia nut orchard that has been heavily disturbed for agricultural use, which is adjacent to a DWS-owned site. It will not utilize a resource needed for the protection of rare, threatened, or endangered species.

5.2.10 AFFECTS AIR OR WATER QUALITY OR AMBIENT NOISE LEVELS

Construction and operation of the proposed well and reservoir will not have a measurable effect on air or water quality. Neither will they have a long-term effect on noise levels. The project does have the potential to increase noise levels during the construction phase. Adequate mitigation measures will be taken to limit these to reasonable levels.

5.2.11 ENVIRONMENTALLY SENSITIVE AREAS

There are no environmentally sensitive areas or resources in the immediate vicinity of the proposed project. While the Island of Hawai'i as a whole is subject to certain geologic hazards, such as earthquakes, tsunami, and lava flows, the project site is in an area that has a relatively low frequency

of lava flows and is above the tsunami evacuation zone. All structures will be constructed consistent with the Hawai‘i Uniform Building Code for Earthquake Zone 4.

5.2.12 AFFECTS SCENIC VISTAS AND VIEWPLANES

The appearance of the proposed well, reservoir and equipment building will be similar in nature to the facilities already existing at the site. They will not significantly alter the visual character of the site or change views across it.

5.2.13 REQUIRES SUBSTANTIAL ENERGY CONSUMPTION

Energy required for operation of the proposed well will be more than offset by the energy currently used to deliver water to the service area using trucks. This will result in a substantial decrease in energy consumption for the delivery of water to the service area customers.

5.3 DETERMINATION

In view of the foregoing, the DWS concludes that the proposed project will not have a significant adverse impact on the environment. Consequently, it is issuing a Finding of No Significant Impact for the proposed action.

THIS PAGE INTENTIONALLY LEFT BLANK

6.0 BIBLIOGRAPHY

Armstrong, R.W. (ed.), (1983). *Atlas of Hawaii.* Honolulu: University of Hawaii Press. (Second edition).

County of Hawaii (2005) *Hawaii County General Plan.* URL: http://www.hawaii-county.com/la/gp/2005/main.html

CWRM (State of Hawai‘i Commission on Water Resource Management). (1995) *Ground Water Hydrologic Units.* In Water Data Section of CWRM web site. URL: http://www.state.hi.us/dlnr/cwrm/data/maps.htm

DOH (State of Hawaii Department of Health) (2009). *Drinking Water Treatment Revolving Loan Fund – Intended Use Plan For the State of Hawaii Fiscal Year (SFY) 2009, the Federal Fiscal Year (FFY) 2008 Appropriation and the American Recovery and Reinvestment Act of 2009 Appropriation.* Appendix B.

––– (2008) *Facilities, Sites, or Areas in which HEER has an Interest.* URL: http://www.state.hi.us/health/eh/heer/records.html

––– (2005) *Groundwater Contamination Maps for the State of Hawai`i, 2005.* Environmental Health Division, Safe Drinking Water Branch. URL: http://www.state.hi.us/health/environmental/water/sdwb/conmaps/conmaps.html

–––(2000) *Classification of Hawaii State Waters.* URL: http://www.state.hi.us/health/eh/cwb/wqmaps/wqstand.htm

DWS (County of Hawai‘i Department of Water Supply) (2007) *Kukuihaele Water System Annual Water Quality Report*.

–––(2006) *20-Year Water Master Plan*, June 2006.

EPA (U.S. Environmental Protection Agency) (2008) *List of Contaminants & Their Maximum Contaminant Level (MCLs).* URL: http://www.epa.gov/safewater/contaminants/index.html#mcls

––– (2002) *Pesticides Tolerance Reassessment and Reregistration: Atrazine Summary*. URL: http://www.epa.gov/pesticides/reregistration/atrazine/

––– (2000) *Drinking Water Standards and Health Advisories.* Office of Water. EPA 822-B-00-001, 18 p.

Hazlett, A., Shideler, D., and Hammatt, H. (2007) *Supplemental Archaeological Surveying, Recordation, Monitoring, Discovery, and Data Recovery Plan for the Hamakua Ditch System, Lalakea, Kukuihaele, Kanahonua, Waio‘eko‘e, Kea‘a, Pu‘u‘6paha, Kalakala‘ula, Mo‘oiki 1, Hanapai, Niupuka, Kana, Pa‘ak6, Puanui, Papalapuka, Waik6loa, Wai‘ale‘ale, Kapulena, Ka‘auhuhu, Ke‘ahakea, Hauko‘I, Mo‘oiki 2, Manae, Kapoa‘ula, Malanahae and Honokai‘a Ahupua‘a, Hamakua District, Hawai‘i Island, Portions of TMK: [3] 4-06, 4-07, and 4-08. Cultural Surveys Hawai‘I Job Code: LALAKEA 1*. Prepared for Belt Collins Hawaii, Ltd.

Macdonald, G.A., A.T. Abbott, and F.L. Peterson. (1983). *Volcanoes in the Sea: The Geology of Hawai‘i.* 2nd Edition. Honolulu: University Press, 517 p.

NPS (National Park Service, U.S. Department of the Interior) (2009) Nationwide Rivers Inventory, Hawai‘i Segments. URL: http://www.nps.gov/ncrc/programs/rtca/nri/states/hi.html

NOAA (National Oceanic and Atmospheric Administration) (2002) *CLIMATOGRAPHY OF THE UNITED STATES NO. 81: Monthly Station Normals of Temperature, Precipitation, and Heating and Cooling, Degree Days1971 - 2000* . 51 Hawai‘i. 21 p.

OEQC (Office of Environmental Quality Control, State of Hawai‘i). (1997). *Guidelines for Assessing Cultural Impacts*. Adopted by the Environmental Council; November 19, 1997.

State of Hawaii (2002a) *Hawaii Statewide GIS Program.* Office of Planning, Department of Business, Economic Development and Tourism. URL: http://www.hawaii.gov/dbedt/gis/

−−− (2002b) *(ALISH) Maps.* URL: http://www.state.hi.us/dbedt/gis/misc**maps**.htm

Stearns, H.T., and G.A. MacDonald. (1946). *Geology and Ground-Water Resources of the Island of Hawaii*. Hawaii Division Hydrography Bulletin 9.

USDA (United States Department of Agriculture) (2008) *Web Soil Survey*. Natural Resources Conservation Service. URL: http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm

USGS (United States Geological Survey) (1997a). *Hazards in Hawaii.* URL: http://hvo.wr.usgs.gov/earthquakes/hazards/

−−−(1997b) *Lava Flow Hazard Zone Maps.* Compiled by USGS Staff Donal Mullineaux and Donald Peterson. URL: http://pubs.usgs.gov/gip/hazards/maps.html.

−−−(1994). *Seismic Hazards on the Island of Hawai‘i.* URL: http://wwwhvo.wr.usgs.gov/volcanowatch/1994/94_08_05.html

WMO (World Meteorological Organization) (1989) *Calculation of Monthly and Annual 30-Year Standard Normals*. WCDP-No. 10, WMO-TD/No. 341, Geneva: World Meteorological Organization.

Yamamoto, M.N. and A.W. Tagawa (2000) *Hawai‘i’s Native and Exotic Freshwater Animals.* Mutual Publishing, Honolulu, HI 200 p.

Yoshimori, B.E. (2009) *Personal Communication with Greg Fukimitsu,* TNWRE, March 11, 2009.

7.0 CONSULTATION & DISTRIBUTION

7.1 CONSULTATION

In the development of the *Draft EA*, DWS consulted with the State Safe Drinking Water Branch, the State Historic Preservation Division, and parties listed in Table 7.1.

7.2 DRAFT EA DISTRIBUTION

The DEA was distributed to the individuals and organizations listed in Table 7.1. The written comments received and DWS's responses to them are reproduced at the end of this Section.

Table 7.1 Preliminary Draft EA Distribution List

Federal Agencies	
Environmental Protection Agency, Pacific Islands Contact Office	District Engineer, U.S. Army Engineer District, Honolulu
U.S. Department of Agriculture, Natural Resources Conservation Service	U.S. Fish & Wildlife Service, Pacific Island Eco-Region
District Chief, Geological Survey, Department of the Interior	
State Agencies	
Office of Environmental Quality Control (4 copies)	Department of Business and Economic Development & Tourism, Planning Office
Department of Hawaiian Home Lands	Department of Health, Clean Water Branch
Office of Hawaiian Affairs	Department of Health, Environmental Planning Office (3 copies)
Department of Accounting and General Services	Department of Health, Safe Drinking Water Branch
Department of Agriculture	Department of Land and Natural Resources (5 copies)
Commission on Water Resource Management	DLNR Historic Preservation Division
DOT Highways Division	Environmental Center, University of Hawai'i
	Water Resources Center, University of Hawai'i
County of Hawai'i	
Planning Department	Fire Department
Department of Public Works	Police Department
Department of Parks and Recreation	Department of Environmental Management, Solid Waste Division
Utilities	
Hawaiian Electric Light Company	Hawaiian Telcom
Libraries and Depositories	
Hawai'i State Library Hawai'i Documents Center	Hilo Public Library
University of Hawai'i, Hilo Campus Library	Honoka'a Public Library
DBEDT Library	

Copies of the DEA were sent to the landowners that abut the project sites and the existing access road nearest to the proposed electrical extension. Table 7.2 lists the owners and Tax Map Key numbers of these neighbors.

Table 7.2 Neighboring Landowners Sent Copies of the Draft Environmental Assessment

Landowner Name	*Property Tax Map Key(s)*
Marcel & Connie Hernandez	4-7-001:013
Noel & Yoshiharu Hamasaki	4-7-001:014
Mikie Taguchi	4-7-001:015
B P Bishop Estate	4-7-001:016
Jon M. & Faye T. Higashi	4-7-002:019
Iris K.H. Dochin	4-7-002:020
Oran Murakane	4-7-002:026
Edith Margaret Bickle	4-7-002:027
Kawaikalia Akua Farms LLC	4-7-002:031
Angela Lorraine Ho	4-7-002:033
Kapulena Orchards Ranch LLC	4-7-002:034
Alan Suzuki	4-7-002:035
Rick T. Martin	4-7-008:015
Hawaii Land Partners	4-7-008:019
Apolinario & Corazon Collado	4-7-008:021
Source: Hawai‘i County Real Property Tax Office	

7.3 COMMENTS & RESPONSES ON THE DRAFT EA

The comment period for the Draft EA ended on May 23, 2009. Table 7.3 below lists the parties that submitted written comments on the project. Their comments and DWS's responses to them are reproduced at the end of this section. DWS is providing a copy of the Final EA to each of the organizations listed, to the Office of Coastal Zone Management and to other parties listed as mandatory by the Office of Environmental Quality Control.

Table 7.3 Written Comments Received on the Draft EA

No.	*Name & Title of Commenter*	*Organization*
1	George P. Young, P.E., Chief	U.S. Army Corps of Engineers, Honolulu District
2	Darryl Oliveira, Chief	Fire Department, County of Hawai‘i
3	Ernest Y.W. Lau, Administrator	Dept. of Accounting and General Services
4	Alec Wong, P.E., Chief	Clean Water Branch, State Department of Health
5	Derek D. Pacheco, Assistant Chief	Police Department, County of Hawai‘i
6	BJ Leithead Todd, Director	Planning Department, County of Hawai‘i
7	Nancy McMahon, Deputy	State Historic Preservation Division
8	Morris M. Atta, Administrator	Department of Land and Natural Resources, Land Division
9	Stuart Yamada, P.E., Chief	Department of Health, State of Hawai‘i
10	Clyde W. Nāmu‘o, Administrator	Office of Hawaiian Affairs, State of Hawai‘i
11	Stuart Yamada, P.E., Chief	Department of Health, State of Hawai‘i
Source: Compiled by Planning Solutions, Inc. (2009).		

COMMENT NO. 01

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, HONOLULU DISTRICT
FORT SHAFTER, HAWAII 96858-5440

REPLY TO ATTENTION OF:

April 27, 2009

Regulatory Branch

File No. POH-2009-151

Perry J. White
Planning Solutions
210 Ward Avenue, Ward Plaza Suite 330
Honolulu, HI 96814-4012

Dear Mr. White:

This letter is in response to your request, dated April 21, 2009, for our review of the Draft Environmental Assessment (DEA) for the proposed **Kapulena Well and Reservoir**. The site is located within TMKs (3) 4-7-002:029 and (3) 4-7-002:035, Hamakua District, Island of Hawai'i, Hawai'i.

Section 10 of the Rivers and Harbors Act (RHA) of 1899 requires that a Department of Army (DA) permit be obtained for structures or work in or affecting navigable waters (e.g., the Pacific Ocean) of the United States (U.S.) (33 U.S.C. 403). Section 10 waters are those subject to the ebb and flow of the tide extending shoreward to the mean high water mark. Section 404 of the Clean Water Act (CWA) requires that a DA permit be obtained for the discharge of dredge and/ or fill material into waters of the U.S., including jurisdictional wetlands. The Corps defines wetlands as those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions.

The County of Hawai'i Department of Water Supply (DWS) proposes to drill and test the existing Kapulena well. Based on the test results DWS will convert the well into a production well and construct a 3,000,000 gallon capacity water storage tank. Based on the information furnished to our office, the nearest surface water source is the Kawaikalia Stream, which is 370 feet to the east of the closest point on the project site. Therefore, it appears that the subject parcels consist entirely of uplands, and the proposed project will not involve any activities occurring within navigable waters of the U.S. or the discharge (placement) of dredged and/ or fill material into jurisdictional waters of the U.S.; therefore, a **Department of Army permit will not be required.** This determination does not relieve you of any responsibility to obtain any other permits, licenses, or approvals that may be required under County, State, or Federal law for your proposed work.

Thank you for the opportunity to comment. If you have any questions, please contact Ms. Meris Bantilan-Smith, of my Regulatory staff at 808-438-7701 (FAX: 808-438-4060) or by electronic mail at Meris.Bantilan-Smith@usace.army.mil. Please include File No. POH-2009-151 in any future correspondence regarding this project. Please be advised you can provide comments on your experience with the Corps' Honolulu District Regulatory Branch by accessing our web-based customer survey form at http://per2.nwp.usace.army.mil/survey.html.

Sincerely,

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

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 10, 2009

Mr. George P. Young, P.E., Chief
Regulatory Branch
U.S. Army Corps of Engineers, Honolulu District
Department of the Army
Fort Shafter, HI 96858-5440

DRAFT ENVIRONMENTAL ASSESSMENT: KAPULENA WELL AND RESERVOIR HĀMĀKUA DISTRICT, ISLAND OF HAWAI'I

Thank you for your April 27, 2009 letter [your reference File No. POH-2009-151] concerning the proposed Kapulena Well and Reservoir Project. We appreciate the time you and your staff spent reviewing the *Draft Environmental Assessment* (*DEA*) and preparing your letter.

Thank you for confirming that the proposed project will not involve any activities occurring within navigable waters of the United States (U.S.) or the discharge of dredged and/or fill material into jurisdictional waters of the U.S. We appreciate your determination that, on the basis of the information provided, a Department of Army (DA) permit will not be required.

The *Final Environmental Assessment/Finding of No Significant Impact* is enclosed for your records. Should you have any questions, please call Mr. Terrance I. Nago at the Department of Water Supply, (808) 961-8070, extension 250.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

TIN:dfg

Enc.

copy: (w/o enc.) Mr. Greg Fukumitsu, Tom Nance Water Resource Engineering
(w/o enc.) Mr. Perry J. White, Planning Solutions, Inc.

... Water brings progress...

COMMENT NO. 02

William P. Kenoi
Mayor

Darryl J. Oliveira
Fire Chief

Glen P. I. Honda
Deputy Fire Chief

County of Hawai'i
FIRE DEPARTMENT
25 Aupuni Street • Suite 103 • Hilo, Hawai'i 96720
(808) 981-8394 • Fax (808) 981-2037

April 30, 2009

Mr. Perry J. White
Planning Solutions
Ward Plaza, Suite 330
210 Ward Avenue
Honolulu, HI 96814-4012

Dear Mr. White,

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT
KAPULENA WELL AND RESERVOIR

The Hawaii Fire Department does not have any comments to offer at this time regarding the above-referenced draft Environmental Assessment.

Thank you for the opportunity to comment.

Sincerely,

DARRYL OLIVEIRA
Fire Chief

RP:lk

Hawai'i County is an Equal Opportunity Provider and Employer.

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 10, 2009

TO: Mr. Darryl J. Oliveira, Fire Chief
County of Hawai'i, Fire Department

FROM: Milton D. Pavao, Manager

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT: KAPULENA WELL AND RESERVOIR
HĀMĀKUA DISTRICT, ISLAND OF HAWAI'I

Thank you for your April 30, 2009 letter concerning the proposed Kapulena Well & Reservoir Project. We appreciate the time you and your staff spent reviewing the *Draft Environmental Assessment* (*DEA*) and preparing your letter. We understand that your Department has no comments to offer on the project at this time.

The *Final Environmental Assessment/Finding of No Significant Impact* is enclosed for your records. Should you have any questions, please call Mr. Terrance I. Nago at the Department of Water Supply, (808) 961-8070, extension 250.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

TIN:dfg

Enc.

copy - (w/o enc.) Mr. Greg Fukumitsu, Tom Nance Water Resource Engineering
(w/o enc.) Mr. Perry J. White, Planning Solutions, Inc.

... Water brings progress...

COMMENT NO. 03

LINDA LINGLE
GOVERNOR

RUSS K. SAITO
COMPTROLLER

BARBARA A. ANNIS
DEPUTY COMPTROLLER

(P)1136.9

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810

MAY - 4 2009

Mr. Perry White
Planning Solutions
Ward Plaza, Suite 330
210 Ward Avenue
Honolulu, HI 96814-4012

Dear Mr. White:

Subject: Draft Environmental Assessment
Kapulena Well and Reservoir

Thank you for the opportunity to provide comments for the subject project. The proposed project does not impact any of the Department of Accounting and General Services' projects or existing facilities, and we have no comments to offer at this time.

If you have any questions regarding the above, please have your staff call Mr. David DePonte of the Planning Branch at 586-0492.

Sincerely,

ERNEST Y. W. LAU
Public Works Administrator

DD:mo
c: Ms. Katherine Kealoha, DOH OEQC
Mr. Glenn Okada, DAGS-Hawaii

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 10, 2009

Mr. Ernest Y.W. Lau
Public Works Administrator
State of Hawai'i
Department of Accounting and General Services
P.O. Box 119
Honolulu, HI 96810

DRAFT ENVIRONMENTAL ASSESSMENT: KAPULENA WELL AND RESERVOIR HĀMĀKUA DISTRICT, ISLAND OF HAWAI'I

Thank you for your May 4, 2009 letter [your reference (P)1136.9] concerning the proposed Kapulena Well & Reservoir Project. We appreciate the time you and your staff spent reviewing the *Draft Environmental Assessment* (*DEA*) and preparing your letter.

Thank you for confirming that the proposed project will not impact any of the Department of Accounting and General Services' projects or existing facilities, and have no comments to offer at this time.

The *Final Environmental Assessment/Finding of No Significant Impact* is enclosed for your records. Should you have any questions, please call Mr. Terrance I. Nago at the Department of Water Supply, (808) 961-8070, extension 250.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

TIN:dfg

Enc.

copy - (w/o enc.) Mr. Greg Fukumitsu, Tom Nance Water Resource Engineering
(w/o enc.) Mr. Perry J. White, Planning Solutions, Inc.

... Water brings progress...

COMMENT NO. 04

LINDA LINGLE
GOVERNOR OF HAWAII

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

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

In reply, please refer to:
EMD / CWB

05024PJF.09

May 6, 2009

Mr. Perry J. White
President
Planning Solutions, Inc.
210 Ward Avenue, Ward Plaza, Suite 330
Honolulu, Hawaii 96814-4012

Dear Mr. White:

SUBJECT: Draft Environmental Assessment for the Kapulena Well and Reservoir Hamakua, Island of Hawaii, Hawaii

The Department of Health, Clean Water Branch (CWB), has reviewed the subject document and offers these comments on your project. Please note that our review is based solely on the information provided in the subject document and its compliance with Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at http://www.hawaii.gov/health/environmental/env-planning/landuse/CWB-standardcomment.pdf.

1. Any project and its potential impacts to State waters must meet the following criteria:

   a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.

   b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.

   c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).

2. You are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55). For the following types of discharges into Class A or Class 2 State waters, you may apply for NPDES general permit coverage by submitting a Notice of Intent (NOI) form:

   a. Storm water associated with 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 start of the construction activities.

   b. Hydrotesting water.

   c. Construction dewatering effluent.

   You must submit a separate NOI form for each type of discharge at least 30 calendar days prior to the start of the discharge activity, except when applying for coverage for discharges of storm water associated with construction activity. For this type of discharge, the NOI must be submitted 30 calendar days before to the start of construction 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/forms/genl-index.html.

3. For types of wastewater not listed in Item No. 2 above or wastewater discharging into Class 1 or Class AA waters, you may need an NPDES individual permit. An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. The NPDES application forms may be picked up at our office or downloaded from our website at http://www.hawaii.gov/health/environmental/water/cleanwater/forms/indiv-index.html.

4. You must also submit a copy of the 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 CWB that SHPD has or is in the process of evaluating your project. Please submit a copy of your request for review by SHPD or SHPD's determination letter for the project along with your NOI or NPDES permit application, as applicable.

5. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 Water Quality Certification are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of $25,000 per day per violation.

If you have any questions, please visit our website at http://www.hawaii.gov/health/environmental/water/cleanwater/index.html, or contact the Engineering Section, CWB, at 586-4309.

Sincerely,

ALEC WONG, P.E., CHIEF
Clean Water Branch

JF:np

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 10, 2009

Mr. Alec Wong, P.E., Chief
Department of Health, Clean Water Branch
P.O. Box 3378
Honolulu, HI 96801-3378

DRAFT ENVIRONMENTAL ASSESSMENT: KAPULENA WELL AND RESERVOIR HĀMĀKUA DISTRICT, ISLAND OF HAWAI'I

Thank you for your May 6, 2009 letter [your reference File No. EMD/CWB 05024PJF.09] concerning the proposed Kapulena Well & Reservoir Project. We appreciate the time you and your staff spent reviewing the *Draft Environmental Assessment* (*DEA*) and preparing your letter.

We have reviewed your Department's standard comments and will comply with all those that are applicable to the proposed project. Construction of the proposed well and reservoir would disturb less than an acre of land and, as a result, no NPDES permit coverage will be required, as indicated in Section 3.2.2.1 of the DEA. Best Management Practices will be followed to minimize and eliminate introduction of any pollutants into storm water runoff.

The project will not require a Department of the Army permit. Consequently, DWS is not applying for a Section 401 Water Quality Certification.

The contractor will be held responsible for ensuring that State Water Quality Standards are met at all times during construction.

The *Final Environmental Assessment/Finding of No Significant Impact* is enclosed for your records. Should you have any questions, please call Mr. Terrance I. Nago at the Department of Water Supply, (808) 961-8070, extension 250.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

TIN:dfg

Enc.

copy - (w/o enc.) Mr. Greg Fukumitsu, Tom Nance Water Resource Engineering
(w/o enc.) Mr. Perry J. White, Planning Solutions, Inc.

... Water brings progress...

COMMENT NO. 05

William P. Kenoi
Mayor

Harry S. Kubojiri
Police Chief

Paul K. Ferreira
Deputy Police Chief

County of Hawaii
POLICE DEPARTMENT
349 Kapiolani Street • Hilo, Hawaii 96720-3998
(808) 935-3311 • Fax (808) 961-8865

May 6, 2009

Mr. Perry J. White
Planning Solutions
Ward Plaza, Suite 330
210 Ward Avenue
Honolulu, HI 96814-4012

Dear Mr. White:

Subject: Kapulena Well and Reservoir

Staff, upon reviewing the provided documents and visiting the proposed site, does not anticipate any significant impact to traffic and/or public safety concerns.

Thank you for allowing us the opportunity to comment.

If you have any questions, please contact Captain Randy Apele, Commander of the Hamakua District, at (808) 775-7533.

Sincerely,

DEREK D. PACHECO
ASSISTANT POLICE CHIEF
AREA I OPERATIONS BUREAU

RA/lli

"Hawai'i County is an Equal Opportunity Provider and Employer"

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 10, 2009

TO: Mr. Harry Kubojiri, Police Chief
Attention: Mr. Derek D. Pacheco, Assistant Police Chief
County of Hawai'i, Police Department

FROM: Milton D. Pavao, Manager

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT: KAPULENA WELL AND RESERVOIR HĀMĀKUA DISTRICT, ISLAND OF HAWAI'I

Thank you for your May 6, 2009 letter concerning the proposed Kapulena Well & Reservoir Project. We appreciate the time you and your staff spent reviewing the *Draft Environmental Assessment* (*DEA*) and preparing your letter.

Thank you for confirming that the proposed project will not involve any significant law enforcement and/or public safety concerns at this time.

The *Final Environmental Assessment/Finding of No Significant Impact* is enclosed for your records. Should you have any questions, please call Mr. Terrance I. Nago at the Department of Water Supply, (808) 961-8070, extension 250.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

TIN:dfg

Enc.

copy: (w/o enc.) Mr. Greg Fukumitsu, Tom Nance Water Resource Engineering
(w/o enc.) Mr. Perry J. White, Planning Solutions, Inc.

...Water brings progress...

COMMENT NO. 06

William P. Kenoi
Mayor

BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

County of Hawai'i
PLANNING DEPARTMENT
Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720
Phone (808) 961-8288 • Fax (808) 961-8742

May 8, 2009

Mr. Perry J. White
Planning Solutions, Inc.
210 Ward Avenue, Suite 330
Honolulu, HI 96814

Dear Mr. White:

SUBJECT: Draft Environmental Assessment
Applicant: County of Hawai'i Department of Water Supply
Project: Kapulena Well and Reservoir
TMK: 4-7-02:29 and 4-7-02:35, Hāmākua District; Island of Hawai'i

Thank you for the opportunity to review a comment on this Draft Environmental Assessment, after careful review we have no further comments at this time.

Should you have questions, please feel welcome to contact Christian Kay of my staff at 961-8288, extension 259.

Sincerely,

BJ Leithead Todd

BJ LEITHEAD TODD
Planning Director

CRK:cs
\\Coh31\planning\public\wpwin60\CKay\Letters\EA Response Letters\WhiteKapulenaWell.doc

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 10, 2009

TO: Ms. BJ Leithead Todd, Planning Director
Planning Department

FROM: Milton D. Pavao, Manager

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT: KAPULENA WELL AND RESERVOIR HAMKUA DISTRICT, ISLAND OF HAWAI'I

Thank you for your May 8, 2009 letter concerning the proposed Kapulena Well & Reservoir Project. We appreciate the time you and your staff spent reviewing the *Draft Environmental Assessment* (*DEA*) and preparing your letter. We understand that your Department has no comments to offer on the project at this time.

The *Final Environmental Assessment/Finding of No Significant Impact* is enclosed for your records. Should you have any questions, please call Mr. Terrance I. Nago at the Department of Water Supply, (808) 961-8070, extension 250.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

TIN:dfg

Enc.

copy - (w/o enc.) Mr. Greg Fukumitsu, Tom Nance Water Resource Engineering
(w/o enc.) Mr. Perry J. White, Planning Solutions, Inc.

... Water brings progress...

COMMENT NO. 07

LINDA LINGLE
GOVERNOR OF HAWAII

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 13, 2009

Perry J. White, Planning Solutions
Ward Plaza, Suite 330
210 Ward Avenue
Honolulu, Hawaii 96814-4012

LOG NO: 2009.1477
DOC NO: 0905MD20
Archaeology

Dear Mr. White:

SUBJECT: **National Historic Preservation Review (NHPA) Section 106 Review – Section 106 Historic Preservation Review Request for the DPW Kapulena Well and Reservoir Project Hauko`i Ahupua`a, Hamakua District, Island of Hawaii TMK: (3) 4-7-002:029 (por.) & 035 (por.)**

Thank you for the opportunity to comment on the aforementioned undertaking, which we received on April 23, 2009. If the well test proves successful a water storage tank system will be developed to replace the current water source which is trucked-in water, following the forced abandonment (due to lack of water) of the Kukuihaele (Wai`ulili) spring in 2007.

We concur that **no historic properties will be affected** by this undertaking because:

- ☒ Intensive cultivation has altered the land
- ☐ Residential development/urbanization has altered the land
- ☒ Previous grubbing/grading has altered the land
- ☐ An accepted archaeological inventory survey (AIS) found no historic properties
- ☐ SHPD previously reviewed this project and mitigation has been completed
- ☒ Other: *SHPD previously reviewed a letter (Rechtman and Clark January 16, 2009) finding no historic properties on these parcels, and SHPD concurred (Log No. 2009.0046, Doc No. 0901MD37).*

In the event that historic resources, including human skeletal remains, cultural materials, lava tubes, and lava blisters/bubbles are identified during the construction activities, all work needs to cease in the immediate vicinity of the find, the find needs to be protected from additional disturbance, and the State Historic Preservation Division, Hawaii Island Section, needs to be contacted immediately at (808) 933-7653.

Please contact Morgan Davis at (808) 933-7650 if you have any questions or concerns regarding this letter.

Aloha,

Nancy McMahon, Deputy SHPO/State Archaeologist
and Historic Preservation Manager
State Historic Preservation Division

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 10, 2009

Ms. Nancy McMahon
Deputy SHPO/State Archaeologist and Historic
Preservation Manager
State of Hawai'i
Department of Land and Natural Resources
State Historic Preservation Division
P.O. Box 621
Honolulu, HI 96809

DRAFT ENVIRONMENTAL ASSESSMENT: KAPULENA WELL AND RESERVOIR
HĀMĀKUA DISTRICT, ISLAND OF HAWAI'I

Thank you for your May 13, 2009 letter [your reference Log No. 2009.1477, Doc No. 0905MD20 Archaeology] concerning the proposed Kapulena Well & Reservoir Project. We appreciate the time you and your staff spent reviewing the *Draft Environmental Assessment* (*DEA*) and preparing your letter.

Thank you for confirming that the proposed project will not affect any historic properties. In the unlikely event that undocumented archaeological and/or cultural remains are encountered, the contractor will cease work immediately, protect the inadvertent discovery from additional disturbance and notify SHPD immediately.

The *Final Environmental Assessment/Finding of No Significant Impact* is enclosed for your records. Should you have any questions, please call Mr. Terrance I. Nago at the Department of Water Supply, (808) 961-8070, extension 250.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

TIN:dfg

Enc.

copy - (w/o enc.) Mr. Greg Fukumitsu, Tom Nance Water Resource Engineering
(w/o enc.) Mr. Perry J. White, Planning Solutions, Inc.

... Water brings progress...

COMMENT NO. 08

LINDA LINGLE
GOVERNOR OF HAWAII

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

May 18, 2009

Planning Solutions
Ward Plaza Suite 330
210 Ward Avenue
Honolulu, Hawaii 96814-4012

Attention: Mr. Perry J. White

Ladies and Gentlemen:

Subject: Draft Environmental Assessment for Kapulena Well and Reservoir

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR), Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comment.

Other than the comments from Division of Aquatic Resources, Land Division-Hawaii District, Engineering Division, Division of Forestry & Wildlife, the Department of Land and Natural Resources has no other comments to offer on the subject matter. Should you have any questions, please feel free to call our office at 587-0433. Thank you.

Sincerely,

Morris M. Atta
Administrator

Cc: OEQC
Hawaii County DWS

LINDA LINGLE
GOVERNOR OF HAWAII

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 23, 2009

RECEIVED
LAND DIVISION
2009 MAY 15 P 3:20
DEPT OF LAND & NATURAL RESOURCES
STATE OF HAWAII

MEMORANDUM

TO: **DLNR Agencies:**
x Div. of Aquatic Resources
__Div. of Boating & Ocean Recreation
x Engineering Division
x Div. of Forestry & Wildlife
__Div. of State Parks
x Commission on Water Resource Management
__Office of Conservation & Coastal Lands
x Land Division – Hawaii District

FROM: Morris M. Atta
SUBJECT: Draft Environmental Assessment for Kapulena Well and Reservoir
LOCATION: Hamakua, Hawaii
APPLICANT: Planning Solutions, Inc. on behalf of Department of Water Supply

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by May 15, 2009.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0433. Thank you.

Attachments

( ) We have no objections.
( ) We have no comments.
(X) Comments are attached.

Signed:
Date: 5/15/09

DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

LM/MorrisAtta
REF.:DEAKapulenaWell&Reservoir
Hawaii:432

COMMENTS

(X) **We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Zone X. The National Flood Insurance Program does not have any regulations for developments within Zone X.**

( ) Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Zone.

( ) Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is ___.

( ) Please note that the project must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

( ) Mr. Robert Sumitomo at (808) 768-8097 or Mr. Mario Siu Li at (808) 768-8098 of the City and County of Honolulu, Department of Planning and Permitting.

( ) Mr. Kelly Gomes at (808) 961-8327 (Hilo) or Mr. Kiran Emler at (808) 327-3530 (Kona) of the County of Hawaii, Department of Public Works.

( ) Mr. Francis Cerizo at (808) 270-7771 of the County of Maui, Department of Planning.

( ) Mr. Mario Antonio at (808) 241-6620 of the County of Kauai, Department of Public Works.

( ) The applicant should include water demands and infrastructure required to meet project needs. Please note that projects within State lands requiring water service from the Honolulu Board of Water Supply system will be required to pay a resource development charge, in addition to Water Facilities Charges for transmission and daily storage.

( ) The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.

( ) Additional Comments:_____

_____

( ) Other: _____

_____

Should you have any questions, please call Ms. Suzie S. Agraan of the Planning Branch at 587-0258.

Signed: _____
ERIC T. HIRANO, CHIEF ENGINEER

Date: 5/15/09

LINDA LINGLE
GOVERNOR OF HAWAII

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

75 Aupuni Street, Room 204
Hilo, Hawaii 96720

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
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

May 5, 2009

TO: Morris M. Atta
FROM: Robert T. Nishimoto, Program Manager - Aquatic Resources and Environmental Protection Branch
RE: Draft EA, Kapulena Well and Reservoir

BRIEF DESCRIPTION:

The applicant, DWS, proposes to construct a new exploratory well in the Hamakua District of Hawaii Island. The exploratory well will be converted into a production facility if the test results are suitable for drinking water.

COMMENTS:

The Division of Aquatic Resources (DAR) has objections to this request since the proposed project may have impacts on aquatic resource values in the area. DAR would like to understand how withdrawals from this lens not alter stream flow in adjacent Kawaikalia and Malanahae streams. (See section 3.7.1). Please explain.

RECEIVED
LAND DIVISION
2009 MAY 11 A 10:09
DEPT OF LAND & NATURAL RESOURCES
STATE OF HAWAII

LINDA LINGLE
GOVERNOR OF HAWAII

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 23, 2009

AQUATIC RESOURCES: 2270

DIRECTOR	
COMM. FISH.	
AQ RES/ENV	
AQ REC	
PLANNER	
STAFF SVCS	
RCUH/UH	
STATISTICS	
AFRC/FED AID	
EDUCATION	
SECRETARY	
OFFICE SVCS	
TECH ASST	
Return to:	
No. Copies	
Copies to:	
Due Date:	

RN

RECEIVED
APR 24 2009
AQUATIC RESOURCES

MEMORANDUM

TO: **DLNR Agencies:**
x Div. of Aquatic Resources
__Div. of Boating & Ocean Recreation
x Engineering Division
x Div. of Forestry & Wildlife
__Div. of State Parks
x Commission on Water Resource Management
__Office of Conservation & Coastal Lands
x Land Division – Hawaii District

FROM: Morris M. Atta
SUBJECT: Draft Environmental Assessment for Kapulena Well and Reservoir
LOCATION: Hamakua, Hawaii
APPLICANT: Planning Solutions, Inc. on behalf of Department of Water Supply

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by May 15, 2009.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0433. Thank you.

Attachments

( ) We have no objections.
( ) We have no comments.
(X) Comments are attached.

Signed:
Date: 5 May 2009

LINDA LINGLE
GOVERNOR OF HAWAII

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 23, 2009

RECEIVED
2009 MAY 11 A 10:09
DEPT OF LAND & NATURAL RESOURCES
STATE OF HAWAII
HILO, HAWAII

RECEIVED
2009 APR 27 P 12:40
LAND DIVISION

MEMORANDUM

TO: **DLNR Agencies:**
x Div. of Aquatic Resources
__Div. of Boating & Ocean Recreation
x Engineering Division
x Div. of Forestry & Wildlife
__Div. of State Parks
x Commission on Water Resource Management
__Office of Conservation & Coastal Lands
x Land Division – Hawaii District

FROM: Morris M. Atta
SUBJECT: Draft Environmental Assessment for Kapulena Well and Reservoir
LOCATION: Hamakua, Hawaii
APPLICANT: Planning Solutions, Inc. on behalf of Department of Water Supply

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by May 15, 2009.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0433. Thank you.

Attachments

( ) We have no objections.
(✓) We have no comments.
( ) Comments are attached.

Signed:
Date: 5/8/09

3B8/4-7-02:29+35

LINDA LINGLE
GOVERNOR OF HAWAII

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

April 23, 2009

MEMORANDUM

TO: **DLNR Agencies:**
x Div. of Aquatic Resources
~~Div. of Boating & Ocean Recreation~~
x Engineering Division
x Div. of Forestry & Wildlife
~~Div. of State Parks~~
x Commission on Water Resource Management
Office of Conservation & Coastal Lands
x Land Division – Hawaii District

RECEIVED
LAND DIVISION
2009 APR 29 A 10:07
DEPT OF LAND & NATURAL RESOURCES STATE OF HAWAII

FROM: for Morris M. Atta
SUBJECT: Draft Environmental Assessment for Kapulena Well and Reservoir
LOCATION: Hamakua, Hawaii
APPLICANT: Planning Solutions, Inc. on behalf of Department of Water Supply

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by May 15, 2009.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0433. Thank you.

Attachments

(X) We have no objections.
( ) We have no comments.
( ) Comments are attached.

Signed: _____
Date:

PAUL J. CONRY, ADMINISTRATOR
DIVISION OF FORESTRY AND WILDLIFE
APR 27 2009

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 10, 2009

Mr. Morris M. Atta, Administrator
Land Division
Department of Land and Natural Resources
State of Hawai'i
P.O. Box 621
Honolulu, HI 96809

DRAFT ENVIRONMENTAL ASSESSMENT: KAPULENA WELL AND RESERVOIR HĀMĀKUA DISTRICT, ISLAND OF HAWAI'I

Thank you for your May 18, 2009 letter concerning the proposed Kapulena Well & Reservoir Project. We appreciate the time you and your staff spent reviewing the *Draft Environmental Assessment* (*DEA*) and preparing your letter. The Department of Land and Natural Resources comments consisted of attached memoranda from the Land Division-Hawai'i District, the Division of Forestry & Wildlife (DOFAW), the Engineering Division, and the Division of Aquatic Resources.

We understand that the Department of Land and Natural Resources and the Land Division – Hawai'i District do not have any comments to offer on the project at this time. In addition, the Division of Forestry & Wildlife indicates they have "no objections" to the proposed project. We would like to thank the Engineering Division for confirming that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Zone X and that the National Flood Insurance Program does not have any regulations for developments within Zone X.

The remainder of this letter focuses on the comment from the Division of Aquatic Resources. To simplify your examination, we have reproduced the comment in *italics* below.

Comment:

The Division of Aquatic Resources (DAR) has objections to this request since the proposed project may have impacts on aquatic resource values in the area. DAR would like to understand how withdrawals from this lens not alter stream flow in adjacent Kawaikalia and Malanahae streams. (See section 3.7.1). Please explain.

Response: The following statement has been inserted into Section 3.7.2 of the Final Environmental Assessment: "Groundwater tapped by the well will stand at approximately 10 feet above sea level. The two stream channels in question, Kawaikalia to the west and Malanahae to the east, are at far higher elevations than this all the way to their discharges as waterfalls at the shoreline. Therefore, it is physically impossible for water from the aquifer tapped by the well to discharge into the far higher elevation streams."

... Water brings progress...

The *Final Environmental Assessment/Finding of No Significant Impact* is enclosed for your records. Should you have any questions, please call Mr. Terrance I. Nago at the Department of Water Supply, (808) 961-8070, extension 250.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

TIN:dfg

Enc.

copy - (w/o enc.) Mr. Greg Fukumitsu, Tom Nance Water copy -Resource Engineering
(w/o enc.) Mr. Perry J. White, Planning Solutions, Inc.

COMMENT NO. 09

LINDA LINGLE
GOVERNOR OF HAWAII

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

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

In reply, please refer to:
EMD/SDWB

May 19, 2009

Mr. Perry White
Planning Solutions
210 Ward Avenue, Suite 330
Honolulu, HI 96814-4012

Dear Mr. White:

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT, KAPULENA WELL & RESERVOIR (DWSRF PROJECT DW133-0002)

We would like to acknowledge receipt of the Draft Environmental Assessment for Kapulena Well & Reservoir (document dated: April 2009). The Safe Drinking Water Branch (SDWB) has completed its preliminary review and has the following comments:

1. Page 1-1, Section 1.1: Please revise the last sentence, "…the State Department of Health Safe Drinking Water Branch has rated replacement of this water source as its number one priority for water system developments in the state (SDWB 2009)." to "…the replacement of this water source is ranked number one on Hawaii's Drinking Water State Revolving Fund Priority List of Projects for State Fiscal Year 2009."

2. Page 4-2, Section 4.14:

   a. Please add to this section that the Drinking Water State Revolving Fund (DWSRF) program was established to offer below-market interest rate loans to public water systems to finance the cost of constructing or improving their drinking water infrastructure projects to achieve or maintain compliance with the Safe Drinking Water Act (SDWA).

   b. Please revise the sentence, "The DWSRF was established to help prevent contamination…" to "The Safe Drinking Water Act was established to help prevent contamination…"

3. Please provide population projections within the project area.

If there are any questions, please call Alain Carey at 586-4258.

Sincerely,

STUART YAMADA, P.E., CHIEF
Safe Drinking Water Branch
Environmental Management Division

AC:cb

c: Kawika Uyehara, Hawaii DWS (via e-mail)

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 10, 2009

Mr. Stuart Yamada, P.E., Chief
State of Hawai'i
Department of Health
Safe Drinking Water Branch
Environmental Management Division
P.O. Box 3378
Honolulu, HI 96801-3378

DRAFT ENVIRONMENTAL ASSESSMENT: KAPULENA WELL AND RESERVOIR HĀMĀKUA DISTRICT, ISLAND OF HAWAII

Thank you for your May 19, 2009 letter concerning the proposed Kapulena Well & Reservoir Project. We appreciate the time you and your staff spent reviewing the Draft Environmental Assessment (DEA) and providing written comments. Our responses to your comments (which are reproduced for clarity) are provided below.

Comment 1:

Page 1-1, Section 1.1: Please revise the last sentence, "...the State Department of Health Safe Drinking Water Branch has rated replacement of this water source as its number one priority for water system developments in the state (SDWB 2009)." to "...the replacement of this water source is ranked number one on Hawaii's Drinking Water State Revolving Fund Priority List of Projects for State Fiscal Year 2009."

Response: We have revised Section 1.1 of the Final Environmental Assessment (FEA) in accordance with your request.

Comment 2:

Page 4-2, Section 4.14:

a. *Please add to this section that the Drinking Water State Revolving Fund (DWSRF) program was established to offer below-market interest rate loans to public water systems to finance the cost of constructing or improving their drinking water infrastructure projects to achieve or maintain compliance, with the Safe Drinking Water Act (SDWA).*

b. *Please revise the sentence, "The DWSRF was established to help prevent contamination..." to "The Safe Drinking Water Act was established to help prevent contamination..."*

Response: We have revised the paragraph in Section 4.1.4 dealing with this in accordance with your request. The discussion in the FEA reads as follows:

This project might be funded by Federal funds through the State of Hawai'i's Drinking Water State Revolving Fund (DWSRF) program. The DWSRF program was established to offer below-market interest rate loans to public water systems to finance the cost of constructing or improving their drinking water infrastructure projects to achieve or maintain compliance, with the Safe Drinking Water Act (SDWA). The U.S. Congress established the DWSRF program as a new section 1452 of the SDWA, 33 U.S.C. 300j-12, by the SDWA Amendments of 1996, Public Law 104-182. The SWDA was established to help prevent contamination through source water protection and enhanced water system management. It also emphasizes the needs of small water systems, such as Kukuihaele. The proposed project is consistent with the overall program intent to prevent potential contamination and the program emphasis on small water systems. This document includes all of the environmental information required for compliance with the DWSRF program.

Comment 2:

Please provide population projections within the project area.

Response: The following addition has been made to the FEA in Section 3.12.1:

According to the County of Hawaii General Plan (2005), it is estimated that the resident population in the Hāmākua Judicial District has been growing at an average rate of 1.1 percent since 2005 and is projected to do so every five years up through 2020 (see Table 1).

Table 1 Projected Resident Population of the Hāmākua District

2000 Census	*2005*	*2010*	*2015*	*2020*	*% Annual Change*				
					2000-2005	2005-2010	2010-2015	2015-2020	2005-2020
6,108	6,196	6,561	6,933	7,328	0.3%	1.2%	1.1%	1.1%	1.1%
Source: General Plan (County of Hawaii 2005)									

The *Final Environmental Assessment/Finding of No Significant Impact* is enclosed for your records. Should you have any questions, please call Mr. Terrance I. Nago at the Department of Water Supply, (808) 961-8070, extension 250.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

TIN:dfg

Enc.

copy - (w/o enc.) Mr. Greg Fukumitsu, Tom Nance Water Resource Engineering
(w/o enc.) Mr. Perry J. White, Planning Solutions, Inc.

COMMENT NO. 10

PHONE (808) 594-1888

FAX (808) 594-1865

STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS
711 KAPI'OLANI BOULEVARD, SUITE 500
HONOLULU, HAWAI'I 96813

HRD09/4293

May 26, 2009

Perry White
Planning Solutions, Inc.
210 Ward Avenue, Suite 330
Honolulu, HI 96814

RE: Request for comments on proposed Kapulena Well and Reservoir, Draft Environmental Assessment (DEA), Hāmākua District, Hawai'i TMKs: 4-7-02:29 and 4-7-02:35

Aloha e Perry White,

The Office of Hawaiian Affairs (OHA) is in receipt of the above-mentioned letter dated April 21, 2009. OHA has reviewed the project and offers the following comments.

OHA notes that this area is in need of water service and that currently all water is being trucked in. Further, the disturbed area is expected to be less than an acre. We do see that the withdrawal of water from the island's basal lens will not substantially alter the stream flow in the adjacent streams; however, we do ask if this proposed withdrawal will have an effect on recharging the aquifer.

While we do acknowledge the possibility of minimal adverse impacts being generated from this proposal, OHA is not comfortable guessing at probable impacts and also departing from the requirements of law. OHA points out that the DEA frankly states that no faunal survey was done and yet concludes that, "No rare or endangered species are known or expected to be present."

Without such basic things as biological surveys, reviewers are unable to assess this proposal for potential impacts and offer meaningful mitigating comments. A sophisticated applicant such as the Department of Water Supply surely understands that the public scoping process cannot be made to depend on the applicant's word for it. This is especially true when the applicant and the approving agency are one and the same, as is the case here. OHA points out that such omissions have been reason to declare environmental reviews deficient, causing needless delays and expense. It is not our intention to visit such ailments upon applicants and we urge that this be corrected in the next draft.

Further, on April 26, 2000, the Governor approved House Bill No. 2895 H.D.1 as Act 50 which amended Chapter 343 Hawaii Revised Statutes to require a cultural impact assessment to be included in the preparation of an environmental assessment. OHA sees that the applicant did consult with OHA on the

pre consultation for this DEA; however, we wonder what other Native Hawaiians or groups were consulted with. Further, we note that a field inspection was conducted in early 2009; however, we ask if this inspection was focused on archeological resources or others such as subsistence. (See the Guidelines for Assessing Cultural Impacts established by the Hawai'i State Office of Environmental Quality Control) We read on page 3-10 of the DEA that, "there is no indication of any kind that the project area has resources necessary to or currently being used by either Native Hawaiian cultural practitioners exercising traditional and customary access and use rights for any purposes or by individuals of any other cultural affiliation for any traditional cultural purposes." We ask what this conclusion is based on.

OHA is the "principal public agency in this State responsible for the performance, development, and coordination of programs and activities relating to native Hawaiians and Hawaiians." (Hawaii Revised Statutes (HRS) § 10-3(3)) It is our duty to "[a]ssess[] the policies and practices of other agencies impacting on native Hawaiians and Hawaiians, and conduct[] advocacy efforts for native Hawaiians and Hawaiians." (HRS § 10-3(4)) Without biological or cultural assessments or surveys, one of the tools that this agency uses to perform our constitutional and statutory obligations is taken from us. While it may be that your conclusions are correct, we urge that such data and information must presented in an environmental review so that we can at least have the chance to agree.

OHA also asks that if the project does go forward, that the project area be planted with the same type of vegetation that was removed to restore the site as closely as possible to the original condition. OHA would like to suggest that the project area be landscaped with drought tolerant native or indigenous species that are common to the area. Any invasive species should also be removed. Doing so would serve to further the traditional Hawaiian concept of mālama 'āina and create a more Hawaiian sense of place.

OHA also asks that, in accordance with Section 6E-46.6, Hawaii Revised Statutes and Chapter 13-300, Hawaii Administrative Rules, if the project moves forward, and if any significant cultural deposits or human skeletal remains are encountered, work shall stop in the immediate vicinity and the State Historic Preservation Division shall be contacted.

Thank you for the opportunity to comment. If you have further questions, please contact Grant Arnold by phone at (808) 594-0263 or e-mail him at granta@oha.org.

'O wau iho nō me ka 'oia'i'o,

Clyde W. Nāmu'o
Administrator

C: OHA CRC Hilo

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 14, 2009

Mr. Clyde W. Nāmu'o, Administrator
State of Hawai'i
Office of Hawaiian Affairs
711 Kapi'olani Boulevard, Suite 500
Honolulu, HI 96813

DRAFT ENVIRONMENTAL ASSESSMENT: KAPULENA WELL AND RESERVOIR HĀMĀKUA DISTRICT, ISLAND OF HAWAI'I

Thank you for your May 26, 2009 letter concerning the proposed Kapulena Well & Reservoir Project. We appreciate the time you and your staff spent reviewing the Draft Environmental Assessment (DEA) and providing written comments. Our responses to your comments (which are reproduced for clarity) are provided below.

Comment 1:
OHA notes that this area is in need of water service and that currently all water is being trucked in. Further, the disturbed area is expected to be less than an acre. We do see that the withdrawal of water from the island's basal lens will not substantially alter the stream flow in the adjacent streams; however, we do ask if this proposed withdrawal will have an effect on recharging the aquifer.

Response: Recharge of the aquifer occurs at the ground surface of the upgradient watershed. Recharge is that portion of rainfall (a fog drip at high elevations) that percolates downward rather than becoming surface runoff or evaporative loss back to the atmosphere. Development and use of the well will have no impact on this process. Section 3.2.2.1 of the Draft EA discusses the effect that the addition of approximately 6,000 square feet of impermeable surface would have on runoff. It concludes that because of the design of the project's storm drainage system (which includes a seepage pit) and the permeable nature of the area's soil and underlying rock, runoff from the site would increase/recharge decrease only when rainfall is very intense. Thus, when all factors are considered, the proposed action would not decrease long-term recharge.

Comment 2:
While we do acknowledge the possibility of minimal adverse impacts being generated from this proposal, OHA is not comfortable guessing at probable impacts and also departing from the requirements of law. OHA points out that the DEA frankly states that no faunal survey was done and yet concludes that, "No rare or endangered species are known or expected to be present."

Without such basic things as biological surveys, reviewers are unable to assess this proposal for potential impacts and offer meaningful mitigating comments. A sophisticated applicant such as the Department of Water Supply surely understands that the public scoping process cannot be made to depend on the applicant's word for it. This is especially true when the applicant and the approving agency are one and the same, as is the case here. OHA points out that such omissions have been reason to declare environmental reviews deficient, causing needless delays and expense. It is not our intention to visit such ailments upon applicants and we urge that this be corrected in the next draft.

... Water brings progress...

Response: Rana Biological Consulting, Inc., has conducted a biological survey of the project site. The survey report, which is included as Appendix C in the Final EA, concludes that modification of the current habitat on the Kapulena site is not expected to result in significant impacts to any botanical, avian or mammalian species currently listed or proposed for listing under either the Federal, or State of Hawai'i endangered species laws. It also finds that the development of the site would not have a significant deleterious impact on native faunal resources found within the Hāmākua District. DWS will take appropriate preventative measures to avoid the potential disturbance of nesting Hawaiian hoary bats by initiating the recommendation made in the biological survey report.

Comment 3:
Further, on April 26, 2000, the Governor approved House Bill No. 2895 H.D.1 as Act 50 which amended Chapter 343 Hawaii Revised Statutes to require a cultural impact assessment to be included in the preparation of an environmental assessment. OHA sees that the applicant did consult with OHA on the pre consultation for this DEA; however, we wonder what other Native Hawaiians or groups were consulted with. Further, we note that a field inspection was conducted in early 2009; however, we ask if this inspection was focused on archeological resources or others such as subsistence. (See the Guidelines for Assessing Cultural Impacts established by the Hawaii State Office of Environmental Quality Control) We read on page 3-10 of the DEA that, "there is no indication of any kind that the project area has resources necessary to or currently being used by either Native Hawaiian cultural practitioners exercising traditional and customary access and use rights for any purposes or by individuals of any other cultural affiliation for any traditional cultural purposes." We ask what this conclusion is based on.

OHA is the "principal public agency in this State responsible for the performance, development, and coordination of programs and activities relating to native Hawaiians and Hawaiians." (Hawaii Revised Statutes (HRS) § 10-3(3)) It is our duty to "[a]ssess [] the policies and practices of other agencies impacting on native Hawaiians and Hawaiians, and conduct [] advocacy efforts for native Hawaiians and Hawaiians." (HRS § 10-3(4)) Without biological or cultural assessments or surveys, one of the tools that this agency uses to perform our constitutional and statutory obligations is taken from us. While it may be that your conclusions are correct, we urge that such data and information must presented in an environmental review so that we can at least have the chance to agree.

Response: Appendix B of the Final Environmental Assessment includes a copy of the cultural impact assessment report that Rechtman Consulting, LLC prepared for the project. Based on the results of the report and the lack of any evidence that the proposed project site is used for traditional cultural purposes, along with the absence of unique archaeological resources at the sites, the project is not anticipated to have adverse effects on historic resources or cultural uses. Neither will it impair or limit the ability of native Hawaiian practitioners to access cultural resources in adjacent areas.

Comment 4:
OHA also asks that if the project does go forward, that the project area be planted with the same type of vegetation that was removed to restore the site as closely as possible to the original condition. OHA would like to suggest that the project area be landscaped with drought tolerant native or indigenous species that are common to the area. Any invasive species should also be removed. Doing so would serve to further the traditional Hawaiian concept of malaina 'airia and create a more Hawaiian sense of place.

Response: If the exploratory well produces favorable results, and DWS moves ahead with the project, virtually all of the existing (non-native) vegetation will be removed from the project site during the first phase of construction. Most of the cleared area would then be maintained periodically to prevent vegetation re-growth. While this will not remove all invasive species that are now present, it will minimize the potential for the

proposed action to promote the further spread of invasive species. The DWS will consider your recommendation concerning the use of drought tolerant native or indigenous species in any landscaping it undertakes for the project.

Should the results of tests of the proposed exploratory well prove unfavorable, the Department of Water will revegetate the site. Consideration would be given to the use of native or indigenous species for this purpose, but the fact that the site is surrounded by invasive non-native vegetation may make this impractical.

Comment 4:
OHA also asks that, in accordance with Section 6E-46.6, Hawaii Revised Statutes and Chapter 13-300, Hawaii Administrative Rules, if the project moves forward, and if any significant cultural deposits or human skeletal remains are encountered, work shall stop in the immediate vicinity and the State Historic Preservation Division shall be contacted.

Response: The DWS will require the contractor to cease work immediately, to protect the inadvertent discovery from additional disturbance, and to notify SHPD immediately in the event that undocumented archaeological and/or cultural remains are encountered.

The *Final Environmental Assessment/Finding of No Significant Impact* is enclosed for your records. Should you have any questions, please call Mr. Terrance I. Nago at the Department of Water Supply, (808) 961-8070, extension 250.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

TIN:dfg

Enc.

copy: (w/o enc.) Mr. Greg Fukumitsu, Tom Nance Water Resource Engineering
(w/o enc.) Mr. Perry J. White, Planning Solutions, Inc.

COMMENT NO. 11

LINDA LINGLE
GOVERNOR OF HAWAII

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

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

In reply, please refer to:
EMD/SDWB

June 3, 2009

Mr. Perry J. White
Planning Solutions
Ward Plaza, 210 Ward Avenue, Suite 330
Honolulu, Hawaii 96814-4012

Dear Mr. White:

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT
KAPULENA WELL AND RESERVOIR

We are in receipt of the above referenced draft environmental assessment received under transmittal letter dated April 21, 2009, and offer the following comments:

1. 1.1 INTRODUCTION

SDWB Comment 3rd paragraph): Qualify that "the Safe Drinking Water Branch has rated replacement of this water source as its number one priority for water system developments in the State (SDWB)."

Should you have any questions, please contact Craig Watanabe of the Safe Drinking Water Branch, Engineering Section, at 586-4258.

Sincerely,

Ann T. Zane

for STUART YAMADA, P.E., CHIEF
Safe Drinking Water Branch
Environmental Management Division

CW:cb

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

August 10, 2009

Mr. Stuart Yamada, P.E., Chief
State of Hawai'i
Department of Health
Safe Drinking Water Branch
Environmental Management Division
P.O. Box 3378
Honolulu, HI 96801-3378

DRAFT ENVIRONMENTAL ASSESSMENT: KAPULENA WELL AND RESERVOIR HĀMĀKUA DISTRICT, ISLAND OF HAWAI'I

Thank you for your June 3, 2009 letter concerning the proposed Kapulena Well & Reservoir Project. We appreciate the time you and your staff spent reviewing the Draft Environmental Assessment (DEA) and providing written comments. Our responses to your comments (which are reproduced for clarity) are provided below.

Comment 1:

1.1 INTRODUCTION

SDWB Comment 3rd paragraph: Qualify that "the Safe Drinking Water Branch has rated replacement of this water source as its number one priority for water system developments in the State (SDWB)."

Response: The above statement is derived from the "Drinking Water Treatment Revolving Loan Fund – Intended Use Plan for the State of Hawaii Fiscal Year (SFY) 2009, the Federal Fiscal Year (FFY) 2008 Appropriation and the American Recovery and Reinvestment Act of 2009 Appropriation." The Safe Drinking Water Branch of the State of Hawai'i Department of Health submitted this report to the U.S. Environmental Protection Agency, Region IX on May 6, 2009. The Final Environmental Assessment (FEA) now contains this reference in the bibliography.

The *Final Environmental Assessment/Finding of No Significant Impact* is enclosed for your records. Should you have any questions, please call Mr. Terrance I. Nago at the Department of Water Supply, (808) 961-8070, extension 250.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

TIN:dfg

Enc.

copy: (w/o enc.) Mr. Greg Fukumitsu, Tom Nance Water Resource Engineering
(w/o enc.) Mr. Perry J. White, Planning Solutions, Inc.

... Water brings progress...

APPENDIX A STATE HISTORIC PRESERVATION DIVISION LETTER AND ARCHAEOLOGICAL RECONNAISSANCE SURVEY REPORT

LINDA LINGLE
GOVERNOR OF HAWAII

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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

January 23, 2009

Robert B. Rechtman, Ph.D.
Rechtman Consulting LLC
507-A E. Lanikaula Street
Hilo, Hawaii 96720

LOG NO: 2009.0046
DOC NO: 0901MD37
Archaeology

Dear Dr. Rechtman:

SUBJECT: **Chapter 6E-8 Historic Preservation Review –**
Request for "No Effect" for the Kaupulena Well
Hauko'i Ahupua'a, Hamakua District, Island of Hawai'i
TMK: (3) 4-7-002:029 & 035 (por.) and 4-7-008:019 (por.)

This letter is a reply to your letter/report (RC-0487) request for a no effect determination for the aforementioned project, which we received on January 22, 2009. This project will cross, but not affect, a portion of the Lower Hamakua Ditch. We determine that **no historic properties will be affected** by this project because:

- ☐ Intensive cultivation has altered the land
- ☒ Residential development/urbanization has altered the land
- ☒ Previous grubbing/grading has altered the land
- ☐ An accepted archaeological inventory survey (AIS) found no historic properties
- ☐ SHPD previously reviewed this project and mitigation has been completed
- ☒ Other: *On January 16, 2009, qualified archaeologists from you firm (Rechtman and Clark) performed a field inspection of the project area and determined no historic properties were present; we concur with that assessment.*

In the event that historic resources, including human skeletal remains, cultural materials, lava tubes, and lava blisters/bubbles are identified during the construction activities, all work needs to cease in the immediate vicinity of the find, the find needs to be protected from additional disturbance, and the State Historic Preservation Division, Hawaii Island Section, needs to be contacted immediately at (808) 933-7653. If you have questions about this letter please contact Morgan Davis at (808) 933-7650.

Aloha,

Nancy A. McMahon

Nancy McMahon, Deputy SHPO/State Archaeologist
and Historic Preservation Manager
State Historic Preservation Division

RECHTMAN CONSULTING, LLC
507-A E. Lanikaula St. Hilo, Hawaii 96720
phone: (808) 969-6066 fax: (808) 443-0065
e-mail: bob@rechtmanconsulting.com
ARCHAEOLOGICAL, CULTURAL, AND HISTORICAL STUDIES

January 22, 2009 RC-0487

Morgan Davis
Assistant Hawai‘i Island Archaeologist
DLNR-SHPD
40 Po‘okela Street
Hilo, HI 96720

Dear Morgan:

At the request of Tom Nance Water Resources Engineering, Inc., on behalf of their client the County of Hawai‘i Department of Water Supply, Rechtman Consulting, LLC has prepared this request for determination of “no historic properties affected” associated with the development of a well (referred to as the Kapulena Well), a 0.3 million gallon (MG) water tank, and an associated 20-foot wide access/utility corridor within TMKs: 3-4-7-02:29, 35, and 3-4-7-08:19 in Hauko‘i Ahupua‘a, Hāmākua District, Island of Hawai‘i (Figures 1, 2, and 3). TMK: 3-4-7-08:19 is a 7,726 square foot utility easement and 30-foot road reserve that provides access to several parcels *mauka* of Highway 240 (the Honoka‘a-Waipi‘o Government Road; Figure 4). TMK: 3-4-7-02:29 is 0.104 acre parcel owned by County of Hawai‘i that is the location of an existing 50,000 gallon water tank (Figure 5). TMK: 3-4-7-02:35 is a privately owned, 41.303 acre parcel that has a 15-foot wide road and pipeline easement running across it between the two other parcels. A dirt road that follows the easement across Parcel 35 provides access to the existing water tank from Highway 240 (Figure 6). The Kapulena Well development plans call for the preparation of a 250 x 200 foot area for the proposed well pad and tank location (on Parcel 35), the use of a roughly 100 x 50 foot area for the storage of construction materials (on Parcel 35), and the realignment and improvement of the existing access road (on Parcels 19 and 35). The water tank on Parcel 29 will be updated and tied into the new infrastructure, but no additional land disturbance will occur on that parcel. The County of Hawai‘i has an agreement in place for the fee-simple purchase of the proposed development areas on Parcel 35.

The subject parcels have all been previously grubbed and graded. In addition to the existing road and water infrastructure described above, the privately-owned Parcel 35 contains a macadamia nut orchard (Figure 7) and a single family residence. Terrain within the proposed development area slopes consistently to the north. Elevations range from approximately 900 feet above sea level at Highway 240 to 1,060 feet above sea level at the proposed location of the well pad. The soil within the project area is classified as Kukaiau silty clay loam on 12 to 20 percent slopes (KuD). This soil is dissected by many, deep, narrow gulches. The surface layer consists of very dark grayish-brown silty clay loam about 10 inches thick, and the subsoil is dark-brown silty clay loam about 40 inches thick. It is underlain by basalt. The surface layer is extremely acidic, and the subsoil is medium to slightly acidic. This soil dehydrates irreversibly into aggregates the size of fine sand (USDA-NRCS web site). The underlying lava flow originated from Mauna Kea more than 10,000 years ago (Wolfe and Morris 1996).

Cordy (1994), in his regional synthesis of the Hāmākua District, summarizes the general land use patterns for the subregion of East Hāmākua based on a review *Māhele* records and a detailed examination of archival historical information. Cordy (1994) defines four general envirionmental zones within the subregion: (1) the Sea-shore, (2) The Seaward Upland Slopes, (3) the ‘Ōhi‘a-Koa Forest Zone, and (4) The Gulches. The current project area falls within The Seaward Upland Slopes, which was the farming and housing zone of East Hāmākua. House sites in this zone were common between the sea cliffs and the cross-island trail (present day Māmalahoa Highway). Garden plots (*mala*, *kihapai*, and *kula*), which were

generally non-irrigated, tended to be located in proximity to the houselots, with some scattered fields in the *mauka* regions. Dryland taro was the dominant crop, but sweet potatoes and bananas were also commonly grown in this zone.

Cordy (1994) follows his discussion of general land use patterns in East Hāmākua with a review of *Māhele* documents from ten specific *ahupua'a*, including Hauko'i Ahupua'a. Hauko'i is a narrow *ahupua'a* that extends only 2.5 miles inland from the shore. Four Land Commision Awards (LCAw.) were issued in Hauko'i, all of which were for houselots and farm plots located within 1.25 miles of the sea. The names of two *'ili* are mentioned in the testimony for these awards; Haleolona and Papuaa. Taro, bananas, breadruit, coffee, *'awa*, and *wauke* were named as crops that were grown, and a pig sty is also mentioned. Cordy relates that, "Puhalahua was the konohiki of Hauko'i, and his luna seems to have cared for his land, "hog sty", and his houselot" (1994:70).

TMK: 3-4-7-08:19 of the current study area is a portion of LCAw. 8381 to Kaaeae. Kaaeae's claim was for two houses and six agricultural sections. The claim mentions fifteen *mala* or *kihapai*, fourteen of which were planted in unspecified food crops, and one of which was planted in *'awa*. TMKs: 3-4-7-02:29 and 35 are portions of Grant No. 2449, which was purchased by Pili et al. in 1857. The grant parcel is located along the *mauka* edge of the *kuleana* parcel. No information was obtained relative to the use of this grant parcel.

In 1878 the first sugar mill was established in the Hāmākua District. Due to it's rich soil and plentiful water supply the district soon became the premiere location for growing sugar on the Island of Hawai'i (Hazlett et al. 2007). In 1909 the Hawaiian Irrigation Company began work on the Lower Hāmākua Ditch. The ditch carried water twenty-four miles from the Waipio Stream to Paahau Plantation, irrigating the fields of the Kukuihaele and Honokaa Plantations along the way. By 1979, these plantations had merged with others in the area to create the Hamakua Sugar Company, a plantation that stretched along the Hāmākua coast for thirty-five miles and inland to a distance of four miles. The sugar company initially prospered, but then went bankrupt, and closed its doors in 1993 (Hazlett et al. 2007).

The current project area was a part of the Hamakua Sugar Plantation. The Lower Hāmākua Ditch crosses through a tunnel beneath the existing road easement on TMK: 3-4-7-02:35 (Figure 8). According to the land owner, Parcel 35 was never planted in sugarcane because the ground was too rocky, but it was used as an experimental plot for growing macadamia nuts. As a result of this experiment, several different varieties of macadamia nut trees are still present on the parcel.

On January 16, 2009, Robert B. Rechtman, Ph.D. and Matthew R. Clark, B.A. performed a field inspection of the project area, the limits of which were clearly identifiable in the field. The entire surface of the proposed development area, which appears to have been 100% mechanically altered in the past, was visually inspected. No archaeological resources were observed within the project area and given the extensive ground disturbance and the nature of the substrate the likelihood of encountering subsurface resources is extremely remote. Based on these negative findings, on behalf of our client, we are requesting that DLNR-SHPD issue a written determination of "no historic properties affected" in accordance with HAR 13§13-284-5(b)1.

In the unlikely event that archaeological resources are encountered during future development activities within the current study area, work in the immediate area of the discovery will be halted and DLNR-SHPD contacted as outlined in Hawai'i Administrative Rules 13§13-275-12.

Should you require further information, or wish to visit the project area, please contact me directly.

Respectfully,

Bob Rechtman, Ph.D.
Principal Archaeologist

References Cited

Cordy, R.
1994 A Regional Synthesis of Hāmākua District, Island of Hawai‘i. Historic Preservation Division, Department of Land and Natural Resources, State of Hawai‘i.

Hazlett, A., Shideler, D., and Hammatt, H.
2007 Supplemental Archaeological Surveying, Recordation, Monitoring, Discovery, and Data Recovery Plan for the Hamakua Ditch System, Lālākea, Kukuihaele, Kanahonua, Waioʻekoʻe, Keaʻā, Puʻuʻōpaha, Kalakalaʻula, Moʻoiki 1, Hanapai, Niupuka, Kana, Paʻakō, Puanui, Papalapuka, Waikōloa, Waiʻaleʻale, Kapulena, Kaʻauhuhu, Keʻahakea, HaukoʻI, Moʻoiki 2, Manae, Kapoaʻula, Malanahae and Honokaiʻa Ahupuaʻa, Hāmākua District, Hawai‘i Island, Portions of TMK: [3] 4-06, 4-07, and 4-08. Cultural Surveys Hawai‘I Job Code: LALAKEA 1. Prepared for Belt Collins Hawaii, Ltd.

Wolfe, E., and J. Morris
1996 Geologic Map of the Island of Hawai‘i. Geologic Investigations Series Map 1-2524-A. U.S. Department of the Interior, U.S. Geological Survey.

Figure 1. Project area location.

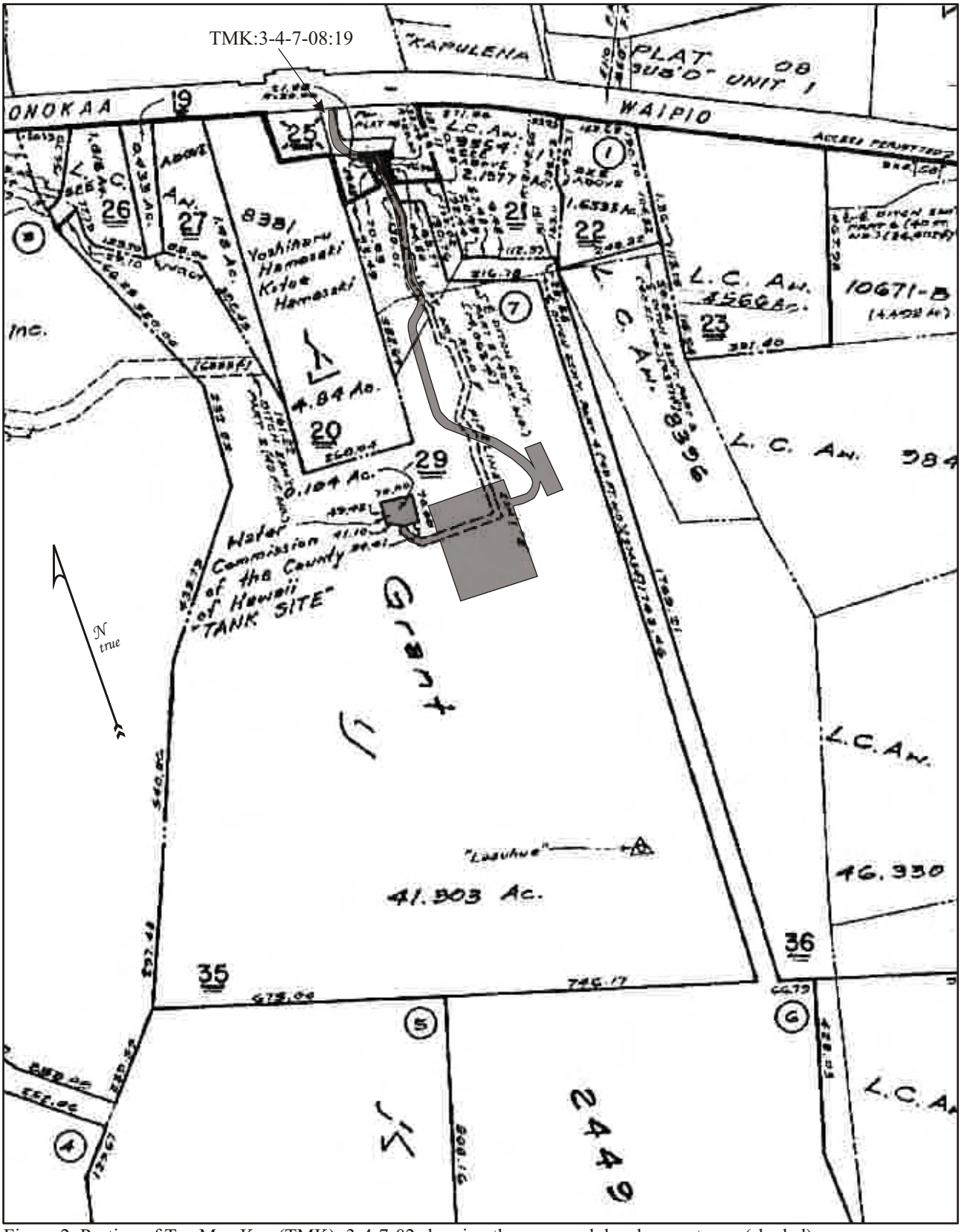


Figure 2. Portion of Tax Map Key (TMK): 3-4-7-02 showing the proposed development area (shaded).

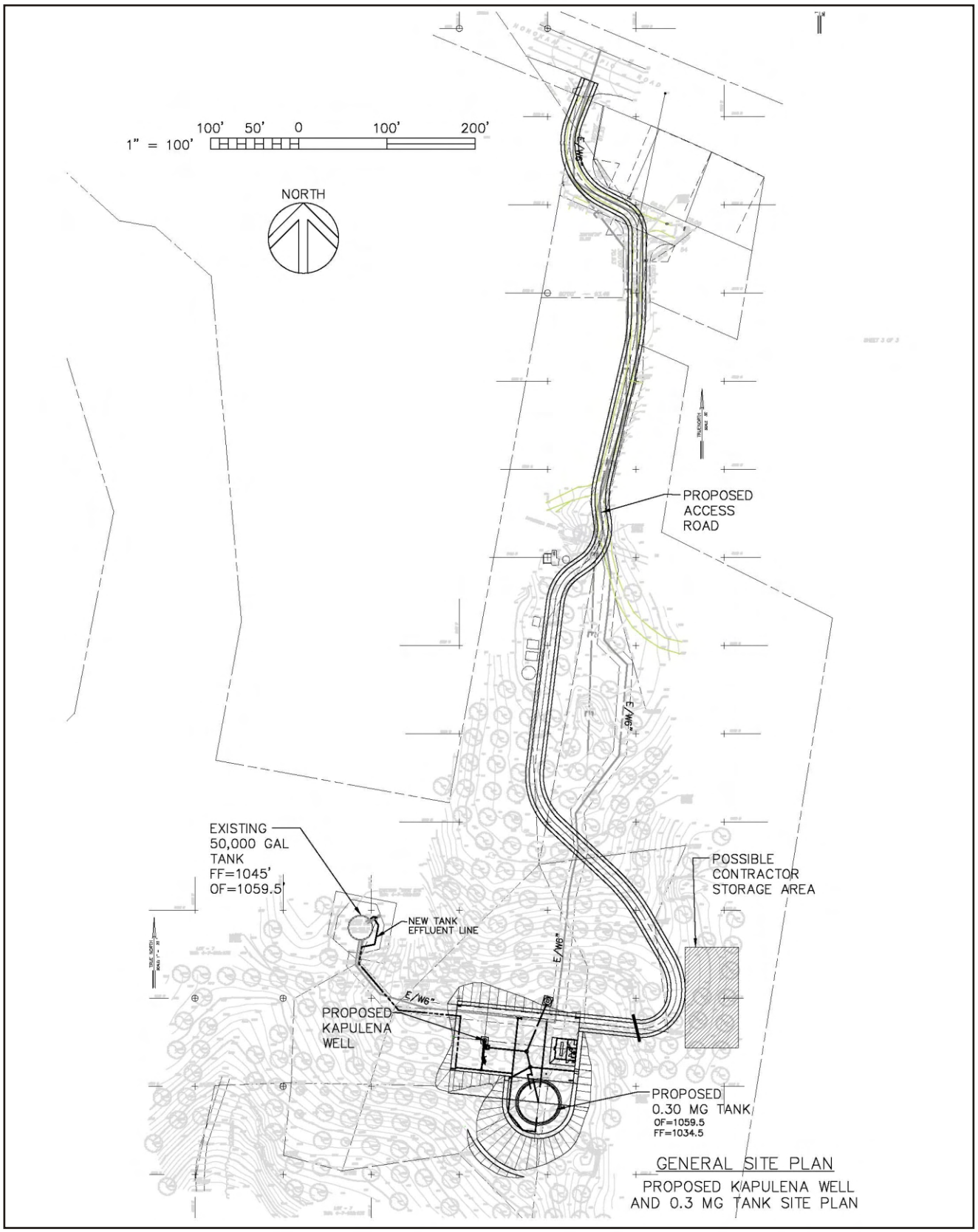


Figure 3. General site plan of the proposed development area.

Figure 4. View to northwest of the existing access road on TMK: 3-4-7-08:19.

Figure 5. View to north of the existing 50,000 gallon water tank on TMK: 3-4-702:29.

Figure 6. View to south of the existing access road on TMK: 3-4-7-02:35

Figure 7. View to east of the macadamia nut orchard at the proposed well pad location.

Figure 8. View to east of the Lower Hāmākua Ditch passing beneath the existing road.

APPENDIX B CULTURAL IMPACT ASSESSMENT

RC-0487

Cultural Assessment Study Associated with the Development of the County of Hawai‘i Kapulena Well

(TMKs: 3-4-5-02:029, 035 and 3-4-7-08:019)

Hauko‘i Ahupua‘a
Hāmākua District
Island of Hawai‘i

PREPARED BY:

Robert B. Rechtman, Ph.D.

PREPARED FOR:

Planning Solutions, Inc.
210 Ward Avenue, Suite 330
Honolulu, HI 96814

August 2009

RECHTMAN CONSULTING, LLC
507-A E. Lanikaula St. Hilo, Hawaii 96720
phone: (808) 969-6066 fax: (808) 443-0065
e-mail: bob@rechtmanconsulting.com
ARCHAEOLOGICAL, CULTURAL, AND HISTORICAL STUDIES

Cultural Assessment Study Associated with the Development of the County of Hawai‘i Kapulena Well

(TMKs: 3-4-5-02:029, 035 and 3-4-7-08:019)

Hauko‘i Ahupua‘a
Hāmākua District
Island of Hawai‘i

RECHTMAN CONSULTING

CONTENTS

FIGURES

INTRODUCTION

At the request of Planning Solutions, Inc., on behalf of their client the County of Hawai‘i Department of Water Supply, Rechtman Consulting, LLC has prepared this cultural assessment study to accompany an Environmental Assessment associated with the development of a well (referred to as the Kapulena Well), a 0.3 million gallon (MG) water tank, and an associated 20-foot wide access/utility corridor within TMKs: 3-4-7-02:29, 35, and 3-4-7-08:19 in Hauko‘i Ahupua‘a, Hāmākua District, Island of Hawai‘i (Figures 1, 2, and 3). TMK: 3-4-7-08:19 is a 7,726 square foot utility easement and 30-foot road reserve that provides access to several parcels *mauka* of Highway 240 (the Honoka‘a-Waipi‘o Government Road; Figure 4). TMK: 3-4-7-02:29 is 0.104 acre parcel owned by County of Hawai‘i that is the location of an existing 50,000 gallon water tank (Figure 5). TMK: 3-4-7-02:35 is a privately-owned, 41.303 acre parcel that has a 15-foot wide road and pipeline easement running across it between the two other parcels. A dirt road that follows the easement across Parcel 35 provides access to the existing water tank from Highway 240 (Figure 6). The Kapulena Well development plans call for the preparation of a 250 x 200 foot area for the proposed well pad and tank location (on Parcel 35), the use of a roughly 100 x 50 foot area for the storage of construction materials (on Parcel 35), and the realignment and improvement of the existing access road (on Parcels 19 and 35). The water tank on Parcel 29 will be updated and tied into the new infrastructure, but no additional land disturbance will occur on that parcel. The County of Hawai‘i has an agreement in place for the fee-simple purchase of the proposed development areas on Parcel 35.

The study area has been previously grubbed and graded. In addition to the existing road and water infrastructure described above, the privately-owned Parcel 35 contains a macadamia nut orchard (Figure 7) and a single family residence. Terrain within the proposed development area slopes consistently to the north. Elevations range from approximately 900 feet above sea level at Highway 240 to 1,060 feet above sea level at the proposed location of the well pad. The soil within the project area is classified as Kukaiau silty clay loam on 12 to 20 percent slopes (KuD). This soil is dissected by many, deep, narrow gulches. The surface layer consists of very dark grayish-brown silty clay loam about 10 inches thick, and the subsoil is dark-brown silty clay loam about 40 inches thick. It is underlain by basalt. The surface layer is extremely acidic, and the subsoil is medium to slightly acidic. This soil dehydrates irreversibly into aggregates the size of fine sand (USDA-NRCS web site). The underlying lava flow originated from Mauna Kea more than 10,000 years ago (Wolfe and Morris 1996).

CULTURE-HISTORICAL BACKGROUND

Archaeologists and historians describe the inhabiting of Hawai‘i in the context of settlement that resulted from voyages taken across the open ocean. For many years, researchers have proposed that early Polynesian settlement voyages between Kahiki (the ancestral homelands of the Hawaiian gods and people) and Hawai‘i were underway by A.D. 300, with long distance voyages occurring fairly regularly through at least the thirteenth century. It has been generally reported that the sources of the early Hawaiian population—the Hawaiian Kahiki—were the Marquesas and Society Islands (Cordy 2000; Emory in Tatar 1982:16-18).

For generations following initial settlement, communities were clustered along the watered, windward (*ko‘olau*) shores of the Hawaiian Islands. Along the *ko‘olau* shores, streams flowed and rainfall was abundant, and agricultural production became established. The *ko‘olau* region also offered sheltered bays from which deep sea fisheries could be easily accessed, and near shore fisheries, enriched by nutrients carried in the fresh water, could be maintained in fishponds and coastal waters. It was around these bays that clusters of houses where families lived could be found (McEldowney 1979:15). In these early times, Hawai‘i’s inhabitants were primarily engaged in subsistence level agriculture and fishing (Handy et al. 1972:287). Over a period of several centuries, areas with the richest natural resources became populated and perhaps crowded, and by about A.D. 900 to 1100, the population began expanding to the *kona* (leeward side) and more remote regions of the island (Cordy 2000:130).

Figure 1. Project area location.

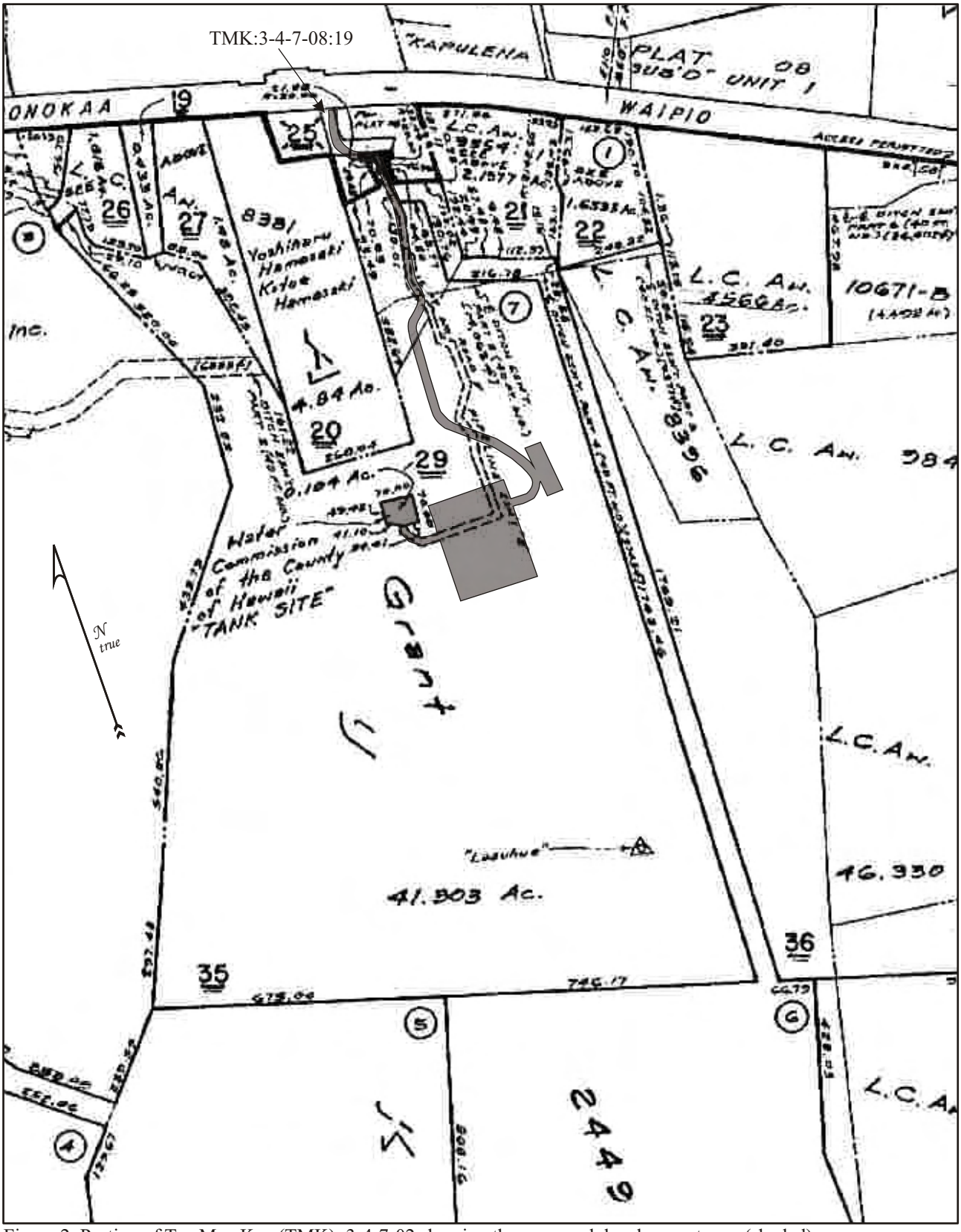


Figure 2. Portion of Tax Map Key (TMK): 3-4-7-02 showing the proposed development area (shaded).

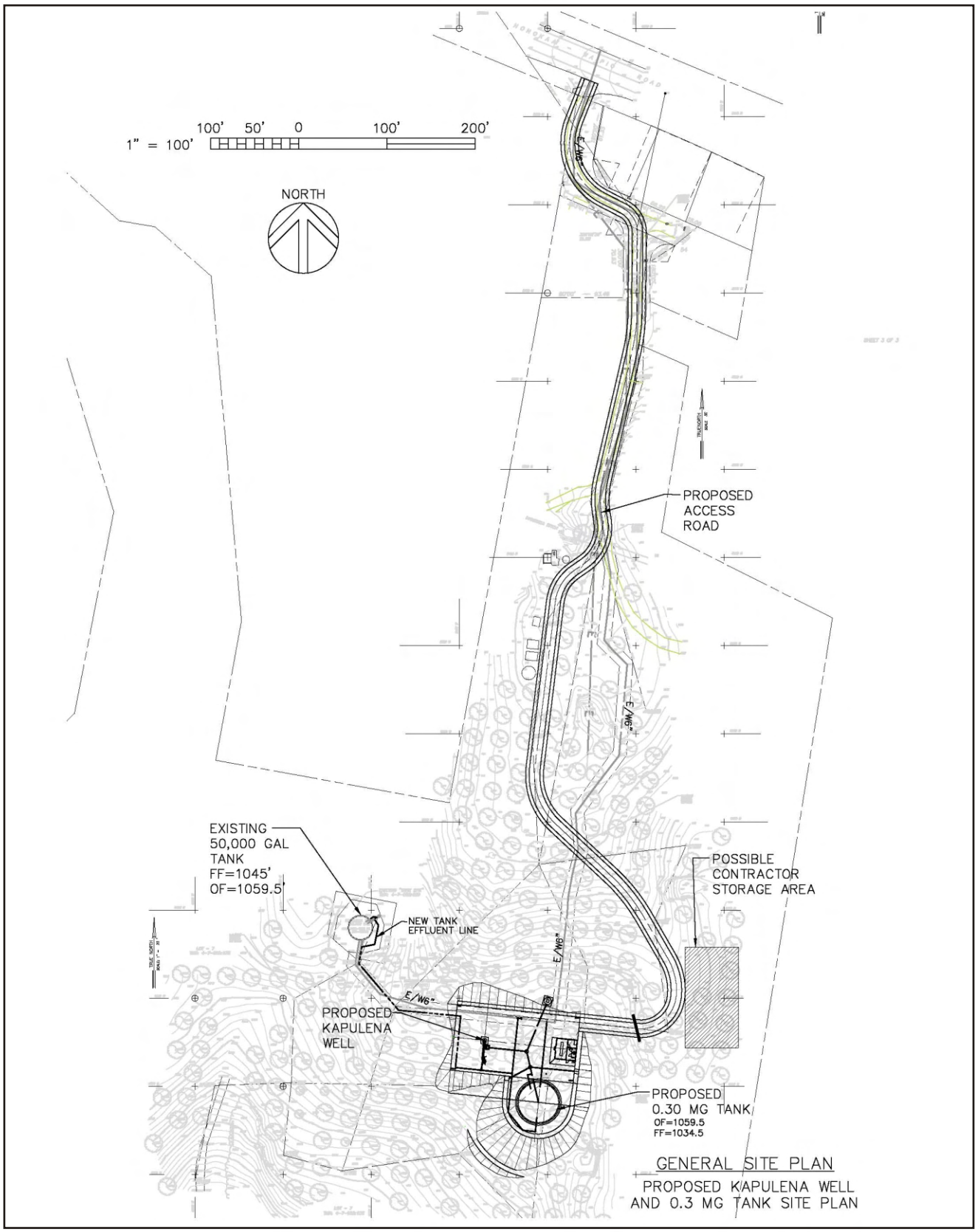


Figure 3. General site plan of the proposed development area.

Figure 4. View to northwest of the existing access road on TMK: 3-4-7-08:019.

Figure 5. View to north of the existing 50,000 gallon water tank on TMK: 3-4-7-02:029.

Figure 6. View to south of the existing access road on TMK: 3-4-7-02:035.

Figure 7. View to east of the macadamia nut orchard at the proposed well pad location.

Populations continued to expand in the wetter windward portions of the island and over the generations, the ancient Hawaiians developed a sophisticated system of land and resources management. By the time ʻUmi-a-Līloa rose to rule the island of Hawaiʻi in ca. 1525, the island (*moku-puni*) was divided into six districts or *moku-o-loko* (cf. Fornander 1973–Vol. II:100-102). On Hawaiʻi, the district of Hāmākua is one of the six major *moku-o-loko*. The district of Hāmākua extends for roughly 30 miles along the shore between Hilo District to the east and Kohala District to south and west. Hāmākua extends inland across Mauna Kea to the summit of Mauna Loa, bordering both the Kona and Kaʻū Districts. Cordy (1994) presented a regional synthesis of Hāmākua in which he identifies and distinguishes west and east Hāmākua: the former consisting of the northern slopes of Kohala Mountain with its large valleys (Waipiʻo, Waimanu, etc.); and the latter consisting of three subregions, the lower windward slopes of Mauna Kea, the upper slopes of Mauna Kea, and the interior plateau of Pōhakuloa and the slope of Mauna Loa. The current study area (within Haukoʻi Ahupuaʻa) falls with East Hāmākua on the lower windward slopes of Mauna Kea (Figure 8).

In his regional synthesis, Cordy (1994) summarized the general land use patterns for the subregion of East Hāmākua based on a detailed examination of archival historical information. Cordy (1994) defines four general envirionmental zones within the subregion: (1) the Sea-shore, (2) The Seaward Upland Slopes, (3) the ʻŌhiʻa-Koa Forest Zone, and (4) The Gulches. The current project area falls within The Seaward Upland Slopes, which was the farming and housing zone of East Hāmākua. House sites in this zone were common between the sea cliffs and the cross-island trail (present day Māmalahoa Highway). Garden plots (*mala*, *kihapai*, and *kula*), which were generally non-irrigated, tended to be located in proximity to the houselots, with some scattered fields in the *mauka* regions. Dryland taro was the dominant crop, but sweet potatoes and bananas were also commonly grown in this zone.

Hāmākua, like other large districts on Hawaiʻi, was subdivided into *ʻokana* or *kalana* (regions of land smaller than the *moku-o-loko*, yet comprising a number of smaller units of land). The *moku-o-loko* and *ʻokana* or *kalana* were further divided into manageable units of land, and were tended to by the *makaʻāinana* (people of the land) (cf. Malo 1951:63-67). Of all the land divisions, perhaps the most significant management unit was the *ahupuaʻa*. *Ahupuaʻa* are subdivisions of land that were usually marked by an altar with an image or representation of a pig placed upon it (thus the name *ahu-puaʻa* or pig altar). In their configuration, the *ahupuaʻa* may be compared to wedge-shaped pieces of land that radiate out from the center of the island, extending to the ocean fisheries fronting the land unit. Their boundaries are generally defined by topography and geological features such as *puʻu* (hills), ridges, gullies, valleys, craters, or areas of a particular vegetation growth.

The *ahupuaʻa* were also divided into smaller individual parcels of land (such as the *ʻili*, *kōʻele*, *māla*, and *kīhāpai*, etc.), generally oriented in a *mauka-makai* direction, and often marked by stone alignments (*kuaiwi*). In these smaller land parcels the native tenants tended fields and cultivated crops necessary to sustain their families, and the chiefly communities with which they were associated. As long as sufficient tribute was offered and *kapu* (restrictions) were observed, the common people, who lived in a given *ahupuaʻa* had access to most of the resources from mountain slopes to the ocean. These access rights were almost uniformly tied to residency on a particular land, and earned as a result of taking responsibility for stewardship of the natural environment, and supplying the needs of the *aliʻi* (see Kamakau 1961:372-377 and Malo 1951:63-67).

Entire *ahupuaʻa*, or portions of the land were generally under the jurisdiction of appointed *konohiki* or lesser chief-landlords, who answered to an *aliʻi-ʻai-ahupuaʻa* (chief who controlled the *ahupuaʻa* resources). The *aliʻi-ʻai-ahupuaʻa* in turn answered to an *aliʻi ʻai moku* (chief who claimed the abundance of the entire district). Thus, *ahupuaʻa* resources supported not only the *makaʻāinana* and *ʻohana* who lived on the land, but also contributed to the support of the royal community of regional and/or island kingdoms. This form of district subdividing was integral to Hawaiian life and was the product of strictly adhered to resources management planning. In this system, the land provided fruits and vegetables and some meat in the diet, and the ocean provided a wealth of protein resources. Also, in communities with long-term royal residents (like Waipiʻo), divisions of labor (with specialists in various occupations on land and in procurement of marine resources) came to be strictly adhered to. It is in the general cultural setting outlined above that we find Haukoʻi Ahupuaʻa at the time of European contact.

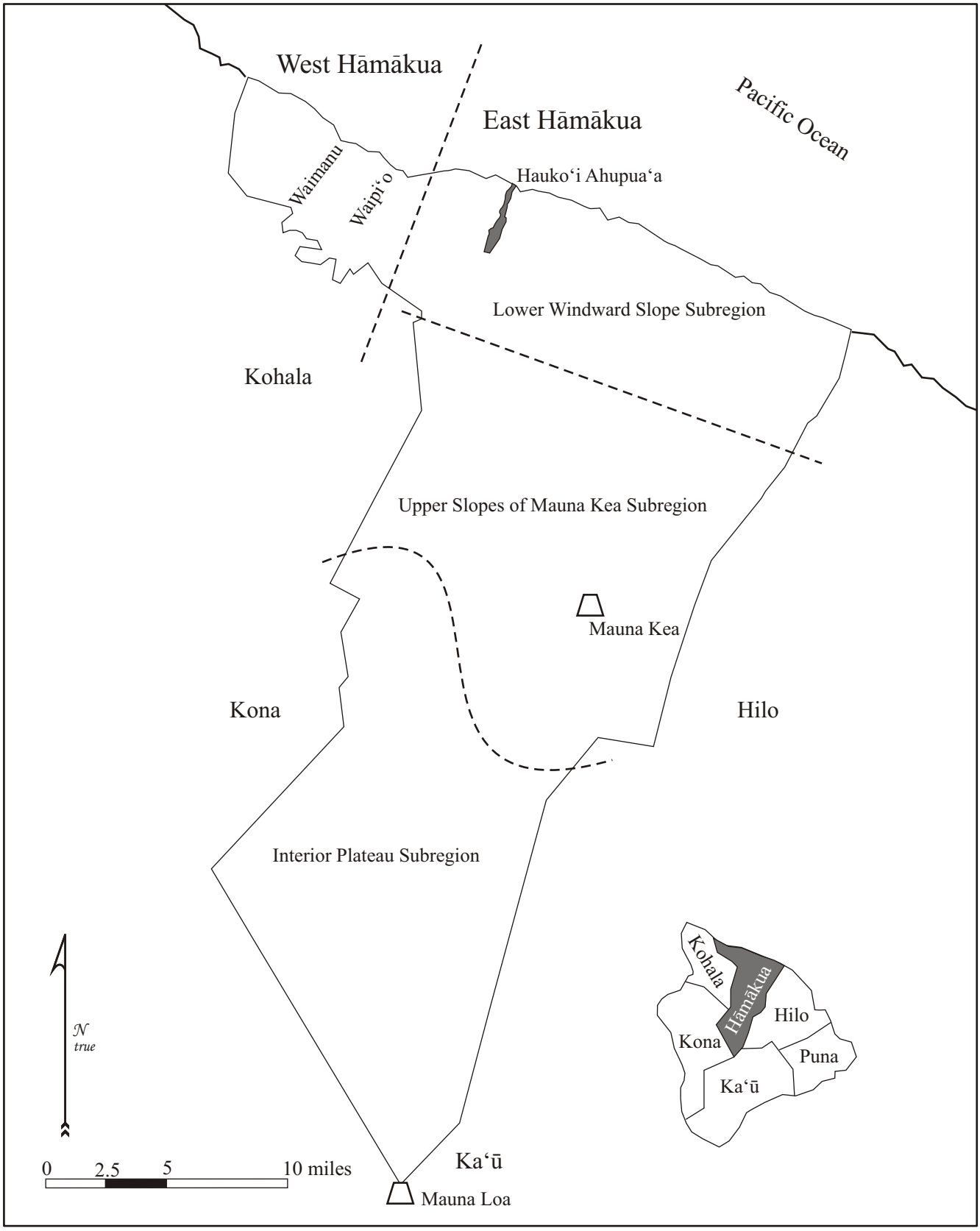


Figure 8. The regions of Hāmākua (after Cordy 1994:3).

The best source of documentation pertaining to native Hawaiian residency and land use practices—identifying specific residents, types of land use, crops cultivated, and features on the landscape—is found in the records of the *Māhele ʻĀina* (Land Division) which the King entered into with the chiefs and people in 1848. The "Land Division" gave native tenants an opportunity to acquire land (in fee-simple) that they lived on and actively cultivated.

In Precontact Hawaiʻi, all land and natural resources were held in trust by the high chiefs (*aliʻi ʻai ahupuaʻa* or *aliʻi ʻai moku*). The use of lands and resources were given to the *hoaʻāina* (native tenants), at the prerogative of the *aliʻi* and their representatives or land agents (*konohiki*), who were generally lesser chiefs as well. In 1848, the Hawaiian system of land tenure was radically altered by the *Māhele ʻĀina*. This change in land tenure was promoted by the missionaries and the growing Western population and business interests in the island kingdom. Generally these individuals were hesitant to enter business deals on leasehold land.

The *Māhele* (division) defined the land interests of Kamehameha III (the King), the high-ranking chiefs, and the *konohiki*. As a result of the *Māhele*, all land in the Kingdom of Hawaiʻi came to be placed in one of three categories: (1) Crown Lands (for the occupant of the throne); (2) Government Lands; and (3) Konohiki Lands (Chinen 1958:vii, Chinen 1961:13).

The "Enabling" or "*Kuleana* Act" (December 21,1849) laid out the frame work by which native tenants could apply for, and be granted fee-simple interest in "*kuleana*" lands, and their rights to access and collection of resources necessary to their life upon the land in their given *ahupuaʻa*. The lands awarded to the *hoaʻāina* (native tenants) became known as "*Kuleana* Lands." All of the claims and awards (the Land Commission Awards or LCA) were numbered, and the LCA numbers remain in use today to identify the original owners of lands in Hawaiʻi. Haukoʻi Ahupuaʻa was retained as government land as a result of the *Māhele*, and became a part of the post-*Māhele* land granting program that the Kingdom established to help provide *hoaʻāina* further opportunity to obtain fee-simple land of which they may not have been a recipient of during the earlier division.

Cordy (1994) followed his discussion of general land use patterns in East Hāmākua with a review of *Māhele* documents from ten specific *ahupuaʻa*, including Haukoʻi Ahupuaʻa. Haukoʻi is a narrow *ahupuaʻa* that extends only 2.5 miles inland from the shore. Four *kuleana* Land Commision Awards (LCAw.) were issued in Haukoʻi, all of which were for houselots and farm plots located within 1.25 miles of the sea. The names of three *ʼili* are mentioned in the testimony for these awards; Haleolono, Kaumakani, and Papuaa. *Kalo*, bananas, breadruit, coffee, *ʻawa*, and *wauke* were named as crops that were grown, and a pig sty is also mentioned. Cordy relates that, "Puhalahua was the konohiki of Haukoʻi, and his *luna* seems to have cared for his land, "hog sty", and his houselot" (1994:70).

TMK: 3-4-7-08:019 of the current study area is a portion of LCAw. 8381 to Kaaeae. Kaaeae's claim was for two houses and six agricultural sections. The claim mentions fifteen *mala* or *kihapai*, fourteen of which were planted in unspecified food crops, and one of which was planted in*ʻawa*. TMKs: 3-4-7-02:29 and 35 are portions of Grant No. 2449, which was purchased by Pili et al. in 1857. The grant parcel is located along the *mauka* edge of the *kuleana* parcel. No land use information was obtained relative to this grant parcel.

In 1878 the first sugar mill was established in the Hāmākua District. Due to it's rich soil and plentiful water supply the district soon became the premiere location for growing sugar on the Island of Hawaiʻi (Hazlett et al. 2007). In 1909 the Hawaiian Irrigation Company began work on the Lower Hāmākua Ditch. The ditch carried water twenty-four miles from the Waipio Stream to Paahau Plantation, irrigating the fields of the Kukuihaele and Honokaa Plantations along the way. By 1979, these plantations had merged with others in the area to create the Hamakua Sugar Company, a plantation that stretched along the Hāmākua coast for thirty-five miles and inland to a distance of four miles. The sugar company initially prospered, but then went bankrupt, and closed its doors in 1993 (Hazlett et al. 2007).

The current project area was a part of the Hamakua Sugar Plantation. The Lower Hāmākua Ditch crosses through a tunnel beneath the existing road easement on TMK: 3-4-7-02:035. According to the land owner, Parcel 35 was never planted in sugarcane because the ground was too rocky, but it was used as an experimental plot for growing macadamia nuts. As a result of this experiment, several different varieties of macadamia nut trees are still present on the parcel.

CONSULTATION

The bulk of the undeveloped portions of the project area, have already been altered through at least 80 years of intensive agricultural activity. This, coupled with the fact that the study area has been privately-owned land for at least that same amount of time, results in limited potential for traditional cultural use. Adding to this the lack of identified resources of a traditional cultural nature, consultation for this project involved a discussion with the current landowner of TMK: 3-4-7-02-35. Alan Suzuki has owned this property for 10 years and explained that aside from his agricultural pursuits, pig hunting is the only activity that occurs (albeit infrequently) on the property. With prior consent, he allows a few local hunters to access the macadamia orchard. He has never observed or seen evidence of any traditional cultural activity on his property, nor has anyone ever sought his permission to conduct such activities on the property.

POTENTIAL CULTURAL IMPACTS

The Office of Environmental Quality Control (OEQC) guidelines identify several possible types of cultural practices and beliefs that are subject to assessment. These include subsistence, commercial, residential, agricultural, access-related, recreational, and religious and spiritual customs. The guidelines also identify the types of potential cultural resources, associated with cultural practices and beliefs that are subject to assessment. Essentially these are natural features of the landscape and historic sites, including traditional cultural properties. A working definition of traditional cultural property is:

> "Traditional cultural property" means any historic property associated with the traditional practices and beliefs of an ethnic community or members of that community for more than fifty years. These traditions shall be founded in an ethnic community's history and contribute to maintaining the ethnic community's cultural identity. Traditional associations are those demonstrating a continuity of practice or belief until present or those documented in historical source materials, or both.

The origin of the concept of traditional cultural property is found in National Register Bulletin 38 published by the U.S. Department of Interior-National Park Service. "Traditional" as it is used, implies a time depth of at least 50 years, and a generalized mode of transmission of information from one generation to the next, either orally or by act. "Cultural" refers to the beliefs, practices, lifeways, and social institutions of a given community. The use of the term "Property" defines this category of resource as an identifiable place. Traditional cultural properties are not intangible, they must have some kind of boundary; and are subject to the same kind of evaluation as any other historic resource, with one very important exception. By definition, the significance of traditional cultural properties should be determined by the community that values them.

It is however with the definition of "Property" wherein there lies an inherent contradiction, and corresponding difficulty in the process of identification and evaluation of potential Hawaiian traditional cultural properties, because it is precisely the concept of boundaries that runs counter to the traditional Hawaiian belief system. The sacredness of a particular landscape feature is often times cosmologically tied to the rest of the landscape as well as to other features on it. To limit a property to a specifically defined area may actually partition it from what makes it significant in the first place. A further analytical framework for addressing the preservation and protection of customary and traditional native practices specific to Hawaiian communities resulted from the *Ka Paʻakai O Kaʻāina* v Land Use Commission court case. The court decision established a three-part process relative to evaluating such potential impacts: first, to identify whether any valued cultural, historical, or natural resources are present; and identify the extent to which any traditional and customary native Hawaiian rights are exercised; second, to identify the extent to which those resources and rights will be affected or impaired; and third, specify any mitigation actions to be taken to reasonably protect native Hawaiian rights if they are found to exist.

As a result of the archaeological study (Rechtman 2009) conducted for this project there were no archaeological resources identified within the project area and it was concluded that no historic properties would be affected by the development of the Kapulena Well; DLNR-SHPD concurred with that conclusion. Likewise, there were no traditionally valued botanical, natural, or cultural resources identified during field studies or during consultation with the landowner. Consultation did reveal that a few community members have the landowner's permission to access the macadamia orchards on TMK: 3-4-7-02:035 for pig hunting activities. As Burrows et al. (2007) point out, the modern (Asiatic) pig is not a direct descendant of the Polynesian *pua'a*; and while *pua'a* were an important economic resource and cultural symbol in Hawaiian history, they were not traditionally hunted. However, as a result of their more recent role in recreational and subsistence hunting, pigs have become a part of local contemporary culture. The proposed development of the Kapulena Well will not effect the prior arrangements that the landowner has with the few community members that have been granted permission to hunt pigs on the privately-owned TMK: 3-4-7-02:035. Given all of the above, it is concluded that the proposed project will not adversely affect any valued natural or cultural resources or any traditional and customary practices.

REFERENCES CITED

Burrows, C., Isaacs, C., and K. Maly
2007 Pua'a (pigs) in Hawai'i, from Traditional to Modern. Typed manuscript.

Chinen, J.
l958 *The Great Mahele: Hawaii's Land Division of 1848*. Honolulu: University of Hawaii Press.

1961 *Original Land Titles in Hawaii*. Privately published.

Cordy, R
2000 *Exalted Sits the Chief*. The Ancient History of Hawai'i Island. Mutual Publishing: Honolulu, Hawai'i.

1994 A Regional Synthesis of Hāmākua District, Island of Hawai'i. Historic Preservation Division, Department of Land and Natural Resources, State of Hawai'i.

Fornander, A.
l973 *An Account of the Polynesian Race: Its Origin and Migrations*. Tokyo: Charles E. Tuttle Co., Inc.

Handy, E.S.C., E.G. Handy, with M. Pukui
1972 *Native Planters in Old Hawaii, Their Life, Lore, and Environmen*t. B.P. Bishop Museum Bulletin 233. B.P. Bishop Museum Press.

Hazlett, A., Shideler, D., and Hammatt, H.
2007 Supplemental Archaeological Surveying, Recordation, Monitoring, Discovery, and Data Recovery Plan for the Hamakua Ditch System, Lālākea, Kukuihaele, Kanahonua, Waio'eko'e, Kea'ā, Pu'u'ōpaha, Kalakala'ula, Mo'oiki 1, Hanapai, Niupuka, Kana, Pa'akō, Puanui, Papalapuka, Waikōloa, Wai'ale'ale, Kapulena, Ka'auhuhu, Ke'ahakea, Hauko'i, Mo'oiki 2, Manae, Kapoa'ula, Malanahae and Honokai'a Ahupua'a, Hāmākua District, Hawai'i Island, Portions of TMK: [3] 4-06, 4-07, and 4-08. Cultural Surveys Hawai'i Job Code: LALAKEA 1. Prepared for Belt Collins Hawaii, Ltd.

Kamakau, S.
1961 *Ruling Chiefs of Hawaii*. Honolulu: Kamehameha Schools Press.

Malo, D.
1951 *Hawaiian Antiquities*. Honolulu, B.P. Bishop Museum.

McEldowney, H.
1979 Archaeological Reconnaissance Survey of B. P. Bishop Estate Land at Ke'ei Beach, South Kona, Hawai'i Island. Bernice P. Bishop Museum Department of Anthropology, Honolulu.

Rechtman, R.
2009 SHPD request for determination of "no historic properties affected" associated with the development of the Kapulena Well. Rechtman Consulting, LLC letter report RC-0487. Prepared for Tom Nance Water Resources Engineering Inc.

Tatar, E.
1982 Nineteenth Century Hawaiian Chant. *Pacific Anthropological Records* No. 33. Department of Anthropology, B.P. Bishop Museum, Honolulu.

Wolfe, E., and J. Morris
1996 Geologic Map of the Island of Hawai'i. Geologic Investigations Series Map 1-2524-A. U.S. Department of the Interior, U.S. Geological Survey.

APPENDIX C BIOLOGICAL SURVEY REPORT

Biological Surveys Conducted on the Kapulena Production Well and Reservoir Site, Hāmākua District, Island of Hawai‘i.

Prepared by:

Reginald E. David
Rana Biological Consulting, Inc.
P.O. Box 1371
Kailua-Kona, Hawai‘i 96745

Prepared for:

Planning Solutions, Inc.
210 Ward Street
Suite 330, Ward Plaza
Honolulu, Hawaii 96814-4012

July 31, 2009

Table of Contents

Figures & Tables

Introduction

The County of Hawai‘i Department of Water Supply (DWS) proposes to drill an exploratory well and, if successful, convert the well to a potable water production well with a 0.3 million gallon storage tank on an approximately 0.63 acres of land that is identified as TMK: (4-7-02:29 and 4-7-02:35 (Figure 1). The project site in located in Kapulena, Hāmākua District, Island of Hawai‘i.

This report summarizes the findings of the botanical, avian and mammalian surveys that were conducted on the project site on July 27, 2009 as part of the environmental disclosure process. The primary purpose of the surveys was to determine if there were any botanical, avian or mammalian species currently listed as endangered, threatened, or proposed for listing under either the federal or the State of Hawai‘i’s endangered species programs on, or within the immediate vicinity of the well and reservoir site. Federal and State of Hawai‘i listed species status follows species identified in the following referenced documents (Division of Land and Natural Resources (DLNR) 1998, Federal Register 2005, U. S. Fish & Wildlife Service (USFWS) 2005, 2009).

Avian phylogenetic order and nomenclature follows *The American Ornithologists’ Union Check-list of North American Birds 7th Edition* (American Ornithologists’ Union 1998), and the 42nd through the 50th supplements to *Check-list of North American Birds* (American Ornithologists’ Union 2000; Banks et al. 2002, 2003, 2004, 2005, 2006, 2007, 2008, Chesser et al., 2009). Mammal scientific names follow *Mammals in Hawaii* (Tomich 1986). Plant names follow *Manual of the Flowering Plants of Hawai‘i* (Wagner et al., 1990, 1999) for native and naturalized flowering plants, and *A Tropical Garden Flora* (Staples and Herbst, 2005) for crop and ornamental plants. Place names follow *Place Names of Hawaii* (Pukui et al., 1974).

Hawaiian and scientific names are italicized in the text. A glossary of technical terms and acronyms used in the document, which may be unfamiliar to the reader, are included at the end of the narrative text.

General Project and Site Description

The roughly 0.63-acre site is located *mauka* of the Honoka‘a – Waipi‘o Road, State Route (240) at Kapulena, at an approximate elevation of 315 meters (1,033-feet) above sea level (Figure 1). DWS is proposing to drill an exploratory well and, if successful, convert the well to a potable water production well with a 0.3 million-gallon storage tank. Additionally, it is proposing to pave an approximately 90-meter (300-foot) access road. Electrical power and telephone service will be extended to the site from existing lines on Honoka‘a-Waipi‘o Road. A control building will be constructed on the site to house a chlorination system and control center. Water from the well will replace the surface water source of the abandoned Kukuihaele Spring.

The site is located on an active commercial macadamia nut (*Macadamia integrifolia*) orchard. As such the site has been highly modified by agricultural activities and almost no native vegetation remains on the property.

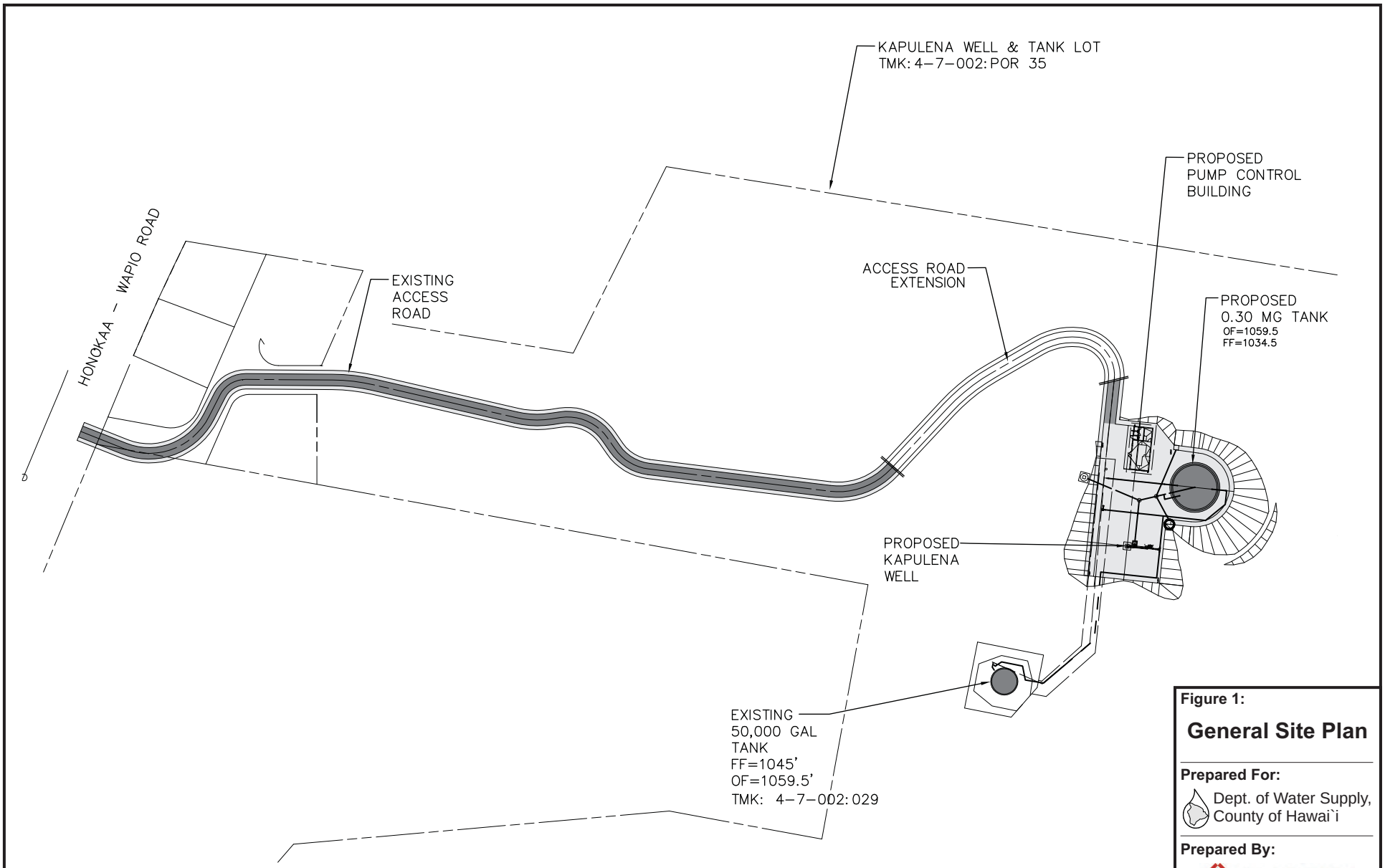


Figure 1:

General Site Plan

Prepared For:

Dept. of Water Supply, County of Hawai`i

Prepared By:

PLANNING SOLUTIONS

Source:

TNWRE

Project:

Kapulena Well & Reservoir

Figure 1 Site Plan 2009-07-31.cdr

Figure 2 – Kapulena well site, showing macadamia nut trees and sparse understory

Botanical Survey Methods

A reconnaissance level botanical survey was conducted within the site, primarily to characterize the vegetation present and to determine whether any botanical species currently listed or proposed for listing under either federal or State of Hawai‘i endangered species statutes were present on the site. A species list was kept of all species recorded; these data are presented in Table 1.

Botanical Survey Results

I recorded 59 species of plants on the site (Table 1). One species, *hāpu‘u* (*Cibotium chamissoi*) is endemic to the Hawaiian Islands and three others, *‘uhaloa* (*Waltheria indica*), *hala* (*Pandanus tectorius*) and manyspike flatsedge (*Cyperus polystachyos*) are indigenous to the islands. The remaining 56 species recorded are all considered to be alien, naturalized species. Three of these naturalized species *kukui* (*Aleurites moluccana*), *ki* (*Cordyline fruticosa*) and banana (*Mus x paradisiaca*), were introduced to the Hawaiian Islands prior to western contact. No species currently listed, or proposed for listing under either the federal or State of Hawai‘i endangered species statutes was recorded on the site.

Table 1 - Plants Recorded on the Kapulena Well Site

Scientific Name	*Common Name*	*ST*
FERNS & FERN ALLIES		
DICKSONIACEAE		
Cibotium chamissoi Kaulf.	*hāpu`u*	**E**
NEPHROLEPIDACEAE		
Nephrolepis multiflora (Roxburgh) Jarrett ex Morton	common sword fern	N
FLOWERING PLANTS		
DICOTYLEDONES		
ACANTHACEAE		
Thunbergia fragrans Roxb.	sweet clock vine	N
AMARANTHACEAE		
Altenanthera pungens Kunth	khaki weed	N
Amaranthus spinosa (L.) DC	spiny amaranth	N
ANACARDIACEAE		
Mangifera indica L.	mango	N
Schinus terebinthefolius Raddi	Christmas berry	N
APIACEAE		
Centella asiatica (L.) Urb	Asiatic pennywort	N
APOCYNACEAE		
Allamanda cathartica L.	golden trumpet	N
Plumeria rubra Willd. Ex Roem. &Schult.	Mexican plumeria	N
ARALIACEAE		
Schefflera actinophylla (Endl.) Harms	octopus tree	
ASPHODELACEAE		
Aloe vera (L.) Burn.	aloe	N
ASTERACEAE (COMPOSITAE)		
Bidens pilosa L.	beggar's-tick	N
Hypochoeris radicata L.	hairy cat's ear	N
Conyza bonariensis (L.) Cronq.	hairy horseweed	N
Emilia fosbergii Nicolson	Flora's paintbrush	N
Sonchus oleraceus L.	sow thistle	N
Sphagneticola trilobata (L.) Pruski	wedelia	N
Taraxacum officinale W.W. Weber ex Wigg.	common dandelion	N
Youngia japonica (L.) DC	oriental hawksbeard	N
BRASSICACEAE		
Lobularia maritime (L.) Desv.	sweet alyssum	N
CASUARINACEAE		
Casuarina equisetifoilia L.	ironwood	N

Table 1 Continued

Scientific Name	***Common Name***	***ST***
CECROPIACEAE		
Cecropia obtusifolia Bertol.	guarumo	N
EUPHORBIACEAE		
Aleurites moluccana (L.) Willd.	*kukui*	Pol
Chamaesyce hirta (L.)	garden spurge	N
Chamaesyce hypericifolia (L.) Millsp.	graceful spurge	N
Euphorbia heterophylla L.	*kaliko*	N
Ricinus communis L.	castor bean	N
FABACEAE		
Desmodium cf. *incanum* DC	Spanish clover	N
Melilotus alba Medik.	white sweet clover	N
Mimosa pudica L.	sensitive plant	N
LAURACEAE		
Persia Americana Mill	avocado	N
MALVACEAE		
Hibiscus rosa-sinensis L.	red hibiscus	N
Malvastrum coromandelianum (L.) Garcke	false mallow	N
MYRTACEAE		
Psidium cattleianum Sabine	strawberry guava	N
Psidium guajava L.	common guava	N
Syzygium cumini (L.) Skeels	Java plum	N
PRIMULACEAE		
Anagalis arvensis L.	scarlet pimpernel	N
PROTEACEAE		
Macadamia integrifolia Muell.	macadamia nut	
ROSACEAE		
Rubus rosifolius Sm.	Mauritius raspberry	N
STERCULIACEAE		
Waltheria indica L.	*‘uhaloa*	Ind
URTICACEAE		
Pilea microphylla L.	artillery plant	N
VERBENACEAE		
Stachytarpheta urticifolia (Salisb.) Sims	------	N
	MONOCOTYLEDONES	
AGAVACEAE		
Cordyline fruticosa (L.) A. Chev.	*ki*, ti	Pol
Dracaena goldieana Masters & Moore	queen dracaena	N
PANDANACEAE		
Pandanus tectorius S. Parkinson ex Z	*hala*	Ind
CYPERACCEAE		
Cyperus polystachyos	manyspike flatsedge	Ind

Table 1 Continued

Scientific Name	***Common Name***	***ST***
MUSACEAE		
Musa x paradisiaca L.	banana	Pol
POACEAE (GRAMINEAE)		
Axonopus fisifolius (Raddi) Kuhlm.	carpet grass	N
Bambusa vulgaris Schrad. Ex Wendl.	common bamboo	N
Chloris radiata (L.) Sw.	radiate fingergrass	N
Heliconia bihai (L.) L	lobster claw heliconia	N
Melinus minutiflora P. Beauv.	molasses grass	N
Melinus rupens (Willd.) Zizka	Natal redtop	N
Saccaratum officinarum L.	Sugar cane	N
Sacciolepis indica (L.) Chase	Glenwood grass	N
Paspalum conjugatum Bergius	Hilo grass	N
Urochloa maxima (Jacq.) Webster	Guinea grass	N
ZINGIBERACEAE		
Alpinia purpurata (Vieill.) K. Schum	red ginger	N
Hedychium cornorarium Koenig	white ginger	N
Hedychium flavescens N. Carey ex Roscoe	yellow ginger	N

Key to table 1

ST	Status
E	Endemic – native and unique to the Hawaiian Islands
Ind	Indigenous – native to the Hawaiian Islands, but also found elsewhere naturally
N	Naturalized – an alien species now naturalized in the Hawaiian Islands
Pol	Polynesian introduction – a plant that was brought to the islands by the Polynesian settlers

Avian Survey Methods

A record was kept of all avian species detected while within the project site. Additionally, two eight-minute point counts were made at opposite ends of the property. Field observations were made using Leitz 10 X 42 binoculars, and by listening for vocalizations. Counts took place between 08:30 a.m. and 10:00 a.m., the peak of daily bird activity. Time not spent counting was used to search the study site for species and habitats that were not detected during count sessions.

Avian Survey Results

During the course of the avian survey I recorded 47 individual birds of nine separate species representing eight families (Table 2). One of the species recorded, Hawaiian Hawk (*Buteo solitarius*) is listed as an endangered species under both federal and state of Hawai‘i endangered species statutes. The remaining eight species recorded are considered to be alien to the Hawaiian Islands

Avian diversity and densities were relatively low, though in line with what one would expect in an active macadamia nut orchard. Two of the species recorded Hwamei (*Garrulax canorus*), and Northern Cardinal (*Cardinalis cardinalis*) accounted for 40.43 percent of the total number of birds recorded. Hwamei was the most frequently detected avian species.

Table 2 - Avian Species Detected at the Kapulena Well Site

Common Name	***Scientific Name***	***ST***	***RA***
	GALLIFORMES		
	PHASIANIDAE - Pheasants & Partridges		
	Meleagridinae - Turkeys		
Wild Turkey	*Meleagris gallopavo*	A	2.00
	FALCONIFORMES		
	ACCIPITRIDAE - Hawks, Kites, Eagles & Allies		
	Accipitrinae - Kites, Eagles & Hawks		
Hawaiian Hawk	*Buteo solitarius*	**EE**	1.00
	COLUMBIFORMES		
	COLUMBIDAE - Pigeons & Doves		
Zebra Dove	*Geopelia striata*	A	1.50
	PASSERIFORMES		
	TIMALIIDAE - Babblers		
Hwamei	*Garrulax canorus*	A	5.00
Red-billed Leiothrix	*Leiothrix lutea*	A	2.00
	ZOSTEROPIDAE - White-eyes		
Japanese White-eye	*Zosterops japonicus*	A	3.50
	STURNIDAE - Starlings		
Common Myna	*Acridotheres tristis*	A	1.50
	CARDINALIDAE - Cardinals & Allies		
Northern Cardinal	*Cardinalis cardinalis*	A	4.50
	FRINGILLIDAE - Fringilline and Carduleline Finches & Allies		
	Carduelinae - Carduline Finches		
House Finch	*Carpodacus mexicanus*	A	2.50

Key to table 2

ST Status

A Alien – Introduced to the Hawaiian Islands by humans

EE Endangered Endemic – Native and unique to the Island of Hawaii, also listed as endangered

RA Relative Abundance –Number of birds detected divided by the number of count stations (2)

Mammalian Survey Methods

All observations of mammalian species were of an incidental nature. With the exception of the endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*), or *ʻōpeʻapeʻa* as it is known locally, all terrestrial mammals currently found on the Island of Hawaiʻi are alien species, and most are ubiquitous. The survey of mammals was limited to visual and auditory detection, coupled with visual observation of scat, tracks, and other animal sign. A running tally was kept of all vertebrate species observed and heard within the study area.

Mammalian Survey Results

Evidence of two mammalian species was detected during the course of this survey. A lone small Indian mongoose (*Herpestes a. auropunctatus*) was seen within the site. Track, sign and scat of pigs (*Sus s. scrofa*), was encountered in numerous locations within the study site.

Discussion

Botanical Resources

A total of 61 species of plants was recorded on the site, four of which are native. All four of the native species recorded, *hāpuʻu, ʻuhaloa, hala* and manyspike flatsedge are relatively common species. The remaining species recorded are all considered to be alien to the Hawaiian Islands.

The site is located within an active macadamia nut orchard. The vegetation on the well and reservoir site is typical of that found in macadamia orchards, namely macadamia nut trees, with weedy ruderal species growing in the path and roadways. The vegetation is controlled by the regular application of herbicides, in this case Roundup © below the drip line of the trees, and by regular mowing elsewhere. This habitat is illustrated in Figure 2. The existing access road is maintained by mowing, and is bordered on both sides by an eclectic mix of ornamental plants, and fruit trees. The modification of the vegetation on the site will not affect any listed species, neither will it result in significant impacts to native vegetation within the greater Honokaʻa/Waipiō area.

Avian Resources

Avian diversity and densities were low, as is to be expected given the current habitat present on the site. All but one of the nine avian species detected during the course of this survey are considered to be alien to the Hawaiian Islands. The lone native species recorded, Hawaiian Hawk is listed as an endangered species under both federal and state of Hawaiʻi endangered species statutes.

<u>*Hawaiian Hawk.*</u> A single adult female dark phase Hawaiian Hawk flew into a macadamia nut tree adjacent to one of my count stations. On viewing the bird through binoculars it was found that the bird was banded. Inquiries to John Klavitter elicited the information that he and Mark Vekasy had banded the bird as an adult hatch year bird on “March 19, 1998, just outside Honokaʻa.”

Hawaiian Hawks are currently found in nearly all habitats on the island that still have some large tree components. They are regularly seen foraging in the general project area. Hawk densities are highest in mature, native species dominated forests, with grassy under-stories. This habitat, with high amounts of forest edge, supports large populations of game birds and the four species of introduced rodents known from the island, all of which are prey items for the hawk. Additionally, this type of habitat also provides numerous perches and nesting sites suitable for this species (Klavitter 2000).

The Hawaiian Hawk, or *ʻio*, is the only extant *falconiforme* in Hawaiʻi. It is currently endemic to the Island of Hawaiʻi. Sub-fossil remains indicate that it was also formerly found on Molokaʻi and Kauaʻi (Olson & James 1997). Several incidental unconfirmed sightings of this species exist from Kauaʻi (Dole 1879, Beaglehole, 1967) and Maui (Banko 1980c). This species was first mentioned in the western literature by Cook and King in 1784 and was scientifically described by Peale in 1848 from a specimen collected in "Kealakekua" (Medway 1981, Peale 1848).

Current population estimates based on John Klavitter's research extrapolates that there are currently 1,450 Hawaiian Hawks living in the wild. That number is, in his estimation, equal to or higher than the number present in pre-contact times (Klavitter 2000). The Hawaiian Hawk breeding season starts in late March, chicks hatch in May, and begin to fledge in July (Griffin et al. 1998). Although hawks use resources in most forest habitats they usually nest in *ʻōhiʻa* trees (*Metrosideros polymorpha*). Of 112 nests found during the 1998 and 1999 nesting seasons, 82 percent of the nests were located in *ʻōhiʻa trees* (Klavitter 2000). There are no appropriate nesting trees present on the project site for this species. The USFWS published a proposed rule to delist the Hawaiian Hawk in the *Federal Register* on August 6, 2008. The proposal is still open (*Federal Register* 2008).

Hawaiian Petrel and Newell's Shearwaters. It is also possible that small numbers of the endangered endemic Hawaiian Petrel (*Pterodroma sandwichensis*), or *uaʻu*, and the threatened Newell's Shearwater (*Puffinus auricularis newelli*), or *ʻaʻo*, over-fly the project area between the months of May and November (Banko 1980a, 1980b, Day et al. 2003a, Harrison 1990). There is no suitable nesting habitat within or close to the proposed project site for either of these pelagic seabird species.

Hawaiian Petrels were once common on the Island of Hawaiʻi (Wilson and Evans 1890–1899). This pelagic seabird reportedly nested in large numbers on the slopes of Mauna Loa and in the saddle area between Mauna Loa and Mauna Kea (Henshaw 1902), as well as at the mid to high elevations of Mount Hualālai. It has, within recent historic times, been reduced to relict breeding colonies located at high elevations on Mauna Loa and, possibly, Mount Hualālai (Banko 1980a, Banko et al. 2001, Cooper and David 1995, Cooper et al. 1995, Day et al. 2003, Harrison 1990, Hue et al. 2001, Simons and Hodges 1998).

Newell's Shearwaters, another pelagic seabird species were formerly common on the Island of Hawaiʻi (Wilson and Evans 1890–1899). This species breeds on Kauaʻi, Hawaiʻi and Molokaʻi in extremely small numbers. Newell's Shearwater populations have dropped precipitously since the

1880s (Banko 1980b, Day et al., 2003b). This species nests high in the mountains in burrows excavated under thick vegetation, especially *uluhe* (*Dicranopteris linearis*) fern.

Mammalian Resources

The findings of the mammalian survey are in keeping with the habitat present on the site, and the current management of the property.

Hawaiian hoary bat. Although, no Hawaiian hoary bats were detected during the course of this survey, it is probable that bats do occasionally use resources within the general project area. Hawaiian hoary bats are regularly seen in the general project area on a seasonal basis (David 2009). Unlike nocturnally flying seabirds, which sometimes collide with man-made structures, bats are uniquely adapted to avoid collision with most obstacles, man-made or natural. They navigate and locate their prey primarily by using ultrasonic echolocation, which is sensitive enough to allow them to locate and capture small volant insects at night.

Recent research on this species has shown that the species is present on the Island of Hawai‘i on a seasonal basis in almost all areas on the Island where dense vegetation and tree cover is present. The research also indicates that the bat is a human commensal species often associated with tree farms and other agricultural efforts. They are also attracted to outdoor lights which attract volant insects on which this species forages (Bonaccorso et al. 2004, 2007).

Although none of the four established alien rodents known from the Island of Hawai‘i were detected during the course of this survey it is probable that roof rat (*Rattus r. rattus*), Norway rat (*Rattus norvegicus*), Polynesian rat (*Rattus exulans hawaiiensis*), and European house mice (*Mus musculus domesticus*), use resources on the project site as rodents are particularly fond of nuts.

Potential Impacts to Protected Species

Hawaiian Hawk

The principal potential impact that the development of the proposed well and reservoir poses to Hawaiian Hawks would be during the clearing and grubbing phase of the project that an active Hawaiian Hawk nest tree could potentially be removed. It is not expected that the development of the proposed well and reservoir will result in deleterious impacts to Hawaiian Hawks. This opinion reflects the fact that the trees that will need to be cleared to build this project are predominantly relatively short macadamia nut trees, a substrate that is not usually associated with Hawaiian Hawk nesting activity. Individual foraging hawks may be temporarily disturbed by construction activity. Such potential disturbance to foraging Hawaiian Hawks is not likely to be significant, as there are miles of suitable foraging habitat surrounding the very small project site.

Hawaiian Petrel and Newell's Shearwater

Development of this site as proposed could have the potential to adversely affect Hawaiian Petrels and Newell's Shearwaters only if it involved an increase in outdoor lighting. As no such lighting is planned, there appears to be no risk to these species.

Hawaiian Hoary Bat

The principal potential impact that the development of the proposed well and reservoir poses to bats is during the clearing and grubbing phases of construction as vegetation is removed. The removal of vegetation within the project site may temporarily displace individual bats, which may use the vegetation as a roosting location. As bats use multiple roosts within their home territories the potential disturbance resulting from the removal of the vegetation is likely to be minimal. During the pupping season female carrying their pups may be less able to rapidly vacate a roost site as the vegetation is cleared. Additionally adult female bats sometimes leave their pups in the roost tree while they themselves forage. Very small pups may be unable to flee a tree that is being felled. Potential adverse effects from such disturbance can be avoided or minimized by not clearing during the pupping season, between April 15 and August 15, the period in which bats are potentially at risk from vegetation clearing.

Conclusions

The modification of the current habitat on the Kapulena site is not expected to result in significant impacts to any botanical, avian or mammalian species currently listed as threatened, endangered or proposed for listing under either the Federal, or State of Hawai‘i endangered species programs. Furthermore, the development of the site is not expected to have a significant deleterious impact on native faunal resources found within the Hāmākua District.

Recommendations

While the risk that project-related activities could adversely affect Hawaiian bats is small, it is present if vegetation clearing is conducted during the pupping season. The risk to this protected species can be completely eliminated by avoiding such work between April 15 and August 15.

Glossary

Alien - Introduced to Hawai‘i by humans.
Commensal – Animals that share humans’ food and lodgings, such as rats and mice.
Diurnal – Daytime.
Endangered – Listed and protected under the ESA as an endangered species.
Endemic – Native and unique to the Hawaiian Islands.
Falconiforme – Diurnal birds of prey – 271 species worldwide.
Indigenous - Native to the Hawaiian Islands, but also found elsewhere naturally.
Mauka – Upslope, towards the mountains.
Naturalized – A plant or animal that has become established in an area that it is not indigenous to
Nocturnal – Nighttime, after dark.
Ruderal – Disturbed, rocky, rubbishy areas, such as old agricultural fields and rock piles
Sign – Biological term referring tracks, scat, rubbing, odor, marks, nests, and other signs created by animals by which their presence may be detected
Threatened - Listed and protected under the ESA as a threatened species.
Volant – Flying, capable of flight - as in flying insect.

ASL – Above mean sea level.
DWS – Hawai‘i County Department of Water Supply.
ESA – Endangered Species Act of 1973, as amended.
USFWS – U.S. Fish & Wildlife Service

Literature Cited

American Ornithologist's Union. 1998. *Check-list of North American Birds*. 7th edition. AOU. Washington D.C. 829pp.

_____. 2000. Forty-second supplement to the American Ornithologist's Union *Check-list of North American Birds*. Auk 117:847-858.

Banks, R. C., C. Cicero, J. L. Dunn, A. W. Kratter, P. C. Rasmussen, J. V. Remsen, Jr., J. D. Rising, and D. F. Stotz. 2002. Forty-third supplement to the American Ornithologist's Union *Check-list of North American Birds*. Auk 119:897-906.

_____. 2003 Forty-fourth supplement to the American Ornithologist's Union *Check-list of North American Birds*. Auk 120:923-931.

_____. 2004 Forty-fifth supplement to the American Ornithologist's Union *Check-list of North American Birds*. Auk 121:985-995.

_____. 2005 Forty-sixth supplement to the American Ornithologist's Union *Check-list of North American Birds*. Auk 122:1031-1031.

_____. 2006 Forty-seventh supplement to the American Ornithologist's Union *Check-list of North American Birds*. Auk 123:926-936.

Banks, R. C., C. R. Terry Chesser, C. Cicero, J. L. Dunn, A. W. Kratter, I. J. Lovette, P. C. Rasmussen, J. V. Remsen, Jr., J. D. Rising, and D. F. Stotz. 2007 Forty-eighth supplement to the American Ornithologist Union *Check-list of North American Birds*. Auk 124:1109-1115.

Banks, R. C., C. R. Terry Chesser, C. Cicero, J. L. Dunn, A. W. Kratter, I. J. Lovette, P. C. Rasmussen, J. V. Remsen, Jr., J. D. Rising, D. F. Stotz, and K. Winker. 2008 Forty-ninth supplement to the American Ornithologist Union *Check-list of North American Birds*. Auk 125:758-768.

Chesser, R. T., R. C. Banks, F. K. Barker, C. Cicero, J. L. Dunn, A. W. Kratter, I. J. Lovette, P. C. Rasmussen, J. V. Remsen, Jr., J. D. Rising, and D. F. Stotz, and K. Winker. 2009. Fiftieth supplement to the American Ornithologist Union *Check-list of North American Birds*. Auk 126:1-10.

Banko, W. E. 1980a. Population Histories- Species Accounts Seabirds: Hawaiian Dark-rumped Petrel (‘Ua‘u). Cooperative National Park Resources Studies Unit, University of Hawaii at Manoa, Department of Botany, Technical Report #5B.

_____. 1980b. Population Histories- Species Accounts Seabirds: Newell’s Shearwater (‘A‘o). Cooperative National Park Resources Studies Unit, University of Hawaii at Manoa, Department of Botany, Technical Report #5A.

Banko, W. E. 1980 c. Population Histories- Species Accounts Forest Birds: Hawaiian Hawk ('Io). Cooperative National Park Resources Studies Unit, University of Hawaii at Manoa, Department of Botany, Technical Report #6A.

Banko, P. C., R. E. David, J. D. Jacobi, and W. E. Banko. 2001. Conservation Status and Recovery Strategies for Endemic Hawaiian Birds, *In:* : Scott, J. M, S. Conant, and C. Van Riper III (editors) *Evolution, Ecology, Conservation, and Management of Hawaiian Birds: A Vanishing Avifauna*. Studies in Avian Biology No. 22. Cooper's Ornithological Society, Allen Press, Lawrence, Kansas (Pg. 359-376).

Beaglehole, J. C., ed.1967. The journals of Captain James Cook on his voyages of discovery. Vol. 3, The voyage of the Resolution and Discovery 1776-1780. 2 pts. Hakluyt Society Extra Series, no. 36 Cambridge University Press.

Bonaccorso, F. J., C. M. Todd and, A. C. Miles. 2005. Interim Report on Research to Hawaiian Bat Research Consortium for The Hawaiian Hoary Bat, Ope'ape'a, *Lasiurus cinsereus semotus*. 1 September 2004 to 31 August 2005.

_____. 2007. Interim Report on Research to Hawaiian Bat Research Consortium for The Hawaiian Hoary Bat, Ope'ape'a, *Lasiurus cinsereus semotus*. April 1, 2007.

Cook, J. and J. King. 1784. *A Voyage to the Pacific Ocean. Undertaken, by the Command of his Majesty, for making Discoveries in the Northern Hemisphere. To determine The Position and Extent of the West Side of North America; its Distance from Asia; and the Practicability of a Northern Passage to Europe. Performed under the direction of Captains Cook, Clerke, and Gore, In His Majesty's Ships the Resolution and Discovery. In the Years 1776, 1777, 1778, 1779, and 1780.* 3 vols. London.

Cooper, B. A. and R. E. David. 1995. Radar and Visual Surveys of Seabirds in the HELCO SSP Unit 71, Puna, Hawaii, During July 1995. Prepared for R. M. Towill Corporation & Hawaii Electric Light Co.

Cooper, B.A., R.E. David, and R.J. Blaha. 1995. Radar and Visual Surveys of Endangered Seabirds and Bats in the Pohakuloa Training Area, Hawai'i, During Summer 1995. Prepared for R.M. Towill Corporation and the U.S. Army Corps of Engineers, Pacific Division (POD).

David, R. E. 2009. Unpublished Field Notes – Island of Hawai'i: 1985-2009.

Day, R. H., B. Cooper, and R. J. Blaha. 2003a. Movement Patterns of Hawaiian Petrels and Newell's Shearwaters on the Island of Hawai'i. Pacific Science, 57, 2:147-159.

Day, R. H., B. Cooper, and T. C. Telfer. 2003b. Decline of Townsend's (Newell's Shearwaters (*Puffinus auricularis newelli*) on Kauai, Hawaii. The Auk 120: 669-679.

Department of Land and Natural Resources. (DLNR). 1998. Indigenous Wildlife, Endangered and Threatened Wildlife and Plants, and Introduced Wild Birds. Department of Land and Natural Resources. State of Hawaii. Administrative Rule §13-134-1 through §13-134-10, dated March 02, 1998.

Dole, S. B. 1879. List of birds of the Hawaiian Islands. P.p. 41-58 *in* T. G. Thrum (comp.). Hawaiian almanac and annual for 1879. Honolulu.

Federal Register. 2005. Department of the Interior, Fish and Wildlife Service, 50 CFR 17. Endangered and Threatened Wildlife and Plants. Review of Species That Are Candidates or Proposed for Listing as Endangered or Threatened; Annual Notice of Findings on Resubmitted Petition; Annual Description of Progress on Listing Actions. Federal Register, 70 No. 90 (Wednesday, May 11, 2005): 24870-24934.

Federal Register. 2008. Endangered and Threatened Wildlife and Plants; Withdrawal of Proposed Reclassification of the Hawaiian Hawk or Io (*Buteo solitarius*) From Endangered to Threatened; Proposed Rule To Remove the Hawaiian Hawk From the Federal List of Endangered and Threatened Wildlife. Federal Register, 73, No. 152 (August 6, 2008): 45680-45689.

Griffin, C. R., P. W. C. Paton, and T. S. Baskett. 1998. Breeding Ecology and Behavior of the Hawaiian Hawk. Condor, 100:654-662.

Harrison, C. S. 1990. *Seabirds of Hawaii: Natural History and Conservation*. Cornell University Press, Ithica, N.Y. 249 pp.

Henshaw, H.W. 1902. *Complete list of birds of the Hawaiian Possessions with notes on their habits*. Thrum, Honolulu. 146 pp.

Hue, D., C. Glidden, J. Lippert, L. Schnell, J. MacIvor and J. Meisler. 2001. Habitat Use and Limiting Factors in a Population of Hawaiian Dark-rumped Petrels on Mauna Loa, Hawai‘i. , *in:* : Scott, J. M, S. Conant, and C. Van Riper III (editors) *Evolution, Ecology, Conservation, and Management of Hawaiian Birds: A Vanishing Avifauna*. Studies in Avian Biology No. 22. Cooper’s Ornithological Society, Allen Press, Lawrence, Kansas (Pg. 234-242).

Klavitter, J. L. 2000. Survey methodology, abundance, and demography of the endangered Hawaiian Hawk: Is de-listing Warranted? Unpublished Master of Science Thesis. University of Washington.

Medway, D.G. 1981. The contribution of Cook's third voyage to the ornithology of the Hawaiian Islands. Pac. Sci. 35: 105-175.

Olson, S.L., and H.F. James. 1997. Prehistoric status and distribution of the Hawaiian Hawk (*Buteo solitarius*), with the first fossil record from Kauai. Bishop Museum Occasional Papers 49:65-69.

Peale, T. R. 1848. *United Exploring Expedition. Vol. 8, Mammalia and Ornithology.* Philadelphia, Lea and Blanchard. 338 pp.

Pukui , M. K., S. H. Elbert, and E. T. Mookini. 1976. *Place Names of Hawaii*. University of Hawaii Press. Honolulu, Hawai‘i. 289 pp.

Simons, T. R., and C. N. Hodges. 1998. Dark-rumped Petrel (*Pterodroma phaeopygia*). *In* A. Poole and F. Gill (editors). The Birds of North America, No. 345. The Academy of Natural Sciences, Philadelphia, PA. and the American Ornithologists Union, Washington, D.C.

Staples, G. W. and D. R. Herbst. 2005. *A Tropical Garden Flora. Plants Cultivated in the Hawaiian Islands and other Tropical Places.* Bishop Museum, Honolulu. 908 pp.

Tomich, P.Q. 1986. *Mammals in Hawaii*. Bishop Museum Press. Honolulu, Hawaii. 37 pp.

U.S. Fish & Wildlife Service (USFWS) 2005. Endangered and Threatened Wildlife and Plants. 50CFR 17:11 and 17:12 (Tuesday, November 1, 2005).

_____. 2009. USFWS Threatened and Endangered Species System (TESS), online at http://ecos.fws.gov/tess_public/StartTESS.do

Wagner, W.L., D.R Herbst, and S.H. Sohmer. 1990. *Manual of the Flowering Plants of Hawai'i*. University of Hawaii Press, Honolulu, Hawaii 1854 pp.

Wagner, W.L. and D.R. Herbst. 1999. *Supplement to the Manual of the flowering plants of Hawai'i*, pp. 1855-1918. *In:* Wagner, W.L., D.R. Herbst, and S.H. Sohmer, Manual of the flowering plants of Hawai'i. Revised edition. 2 vols. University of Hawaii Press and Bishop Museum Press, Honolulu.

Wilson, S. B., and A. H. Evans. 1890-1899. *Aves Hawaiiensis: The birds of the Sandwich Islands*. R. H. Porter, London.