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EXECUTIVE CHAMBERS
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NEIL ABERCROMBIE
GOVERNOR

February 22, 2012

TO: James K. Kurata, Public Works Administrator
Department of Accounting and General Services

FROM: The Honorable  Abercrombie
Governor of Hawaii

**SUBJECT: Acceptance of the Kona Judiciary Complex Site Selection Final
Environmental Impact Statement**

I hereby accept the Final Environmental Impact Statement for the Kona Judiciary Complex Site Selection Project, as satisfactory fulfillment of the requirements of Chapter 343, Hawai'i Revised Statutes. The economic, social, and environmental impacts which will likely occur should this project be built, are adequately described in the statement. The analysis, together with the comments made by reviewers, provides useful information to policy makers and the public.

My acceptance of the statement is an affirmation of the adequacy of that statement under the applicable laws. I find that the mitigation measures proposed in the environmental impact statement will minimize the negative impacts of the project.

In implementing this project, I direct the Hawai'i State Department of Accounting and General Services and/or its agent to perform these or comparable mitigation measures at the discretion of the permitting agencies. The mitigation measures identified in the environmental impact statement are listed in the attached document.

Attachment

c: Ms. Gloria Yoshimoto, Judiciary
Mr. Jeffrey Overton, Group 70
Office of Environmental Quality Control

MITIGATION MEASURES
KONA JUDICIARY COMPLEX SITE SELECTION
FINAL ENVIRONMENTAL IMPACT STATEMENT
Attachment to the Governor's Acceptance Letter

The permitting agencies are advised to pay attention to mitigation measures identified in the FEIS. While there are few potential long-term adverse impacts anticipated to result from the Kona Judiciary Complex, with application of the various mitigation measures described in this Final EIS, these impacts can reduce/rectify adverse effects. The Kona Judiciary Complex Site Selection Final Environmental Impact Statement identified the following mitigation for disclosure purposes.

CONSTRUCTION

- Temporary but unavoidable noise impacts may occur during the demolition and construction activities within the area. Construction activities will adhere to State DOH noise regulations. The use of properly muffled construction equipment will help ameliorate noise impacts. Once construction is completed, there will be minor additional noise impacts resulting from facility operations.
- Special consideration will be given during project design to ensure public view planes from the mountains to the sea will not be significantly affected. The new Judiciary complex will be visible from public view points and some private locations. Facility and site design measures will be implemented to blend and integrate the built environment with the surrounding area.
- The impact of construction activity on air quality will be mitigated by conforming to strict dust control measures, particularly those specified in the State Department of Health's (DOH) Ambient Air Quality Standards, Chapter 11-59, HAR.
- Project construction will contribute significant traffic to the area which will result in long-term effects on local traffic patterns. Mitigation measures such as access improvements, signalization and turning lane improvements are recommended in accordance with traffic impacts anticipated at each Candidate Site.

METEOROLOGICAL

As the only region in Hawai'i in which summer rainfall exceeds that of winter, the climate of the Kona coasts climate is considered unique among the typical Hawaiian Islands leeward coasts.

- The construction of the project may lead to some localized temperature increases resulting from paved surfaces and roofs that can be mitigated through landscaping the site with shade trees, using grass-paved material, and using light-colored roof or incorporating a roof garden will help mitigate localized temperature increases from

roadways and buildings. Impacts on regional climate are not anticipated to occur as a result of the proposed Kona Judiciary Complex.

GEOLOGY / TOPOGRAPHY / HYDROLOGY

- The existing topography of the project site will be altered to the extent necessary for construction of the proposed project. Cut and fill quantities are anticipated to generally balance as construction progresses. A grading permit must be approved by County Planning Department and Department of Public Works (DPW) before construction can begin. The DLNR State Historic Preservation Division (SHPD) may also be consulted for historic sites, as applicable. During all phases of construction, erosion control practices will comply with federal, State, and County regulations. Best management practices (BMPs) will be implemented pursuant to the required Grading Permit to mitigate any potential impacts of soil erosion and fugitive dust during any grading or excavation. A State DOH NPDES permit will be obtained for the project.
- During grading activities, portions of the site would be disturbed and the potential for site erosion would increase. The contractor will comply with Erosion and Sedimentation Control, Storm Drainage Standards, and NPDES permit requirements. Best management practices (BMPs) will be used to contain site erosion and prevent sediment discharge from occurring in the site. Short-term environmental impacts from grading activities will be conducted in compliance with State and County requirements. Standard site construction mitigation such as dust screens, site watering, and stockpile management will reduce construction phase dust and soil loss.
- The project will comply with the County's Storm Drainage Standard to ensure runoff flow rates and volume from the site will ultimately not increase.
- Long-term impacts on geology and topography are anticipated to be minor. The increase of impermeable surfaces from site development will likely increase storm water runoff quantities on the site. On-site precipitation will discharge into the ground as it does under pre-development conditions. To the extent feasible, drainage systems may include storm drain filtration such as vegetated swales, inlet filtration insets and hydrodynamic devices, to minimize sediment laden runoff and mitigate potential impacts from pollutants.
- Because the project area is sites are located well away from the coastal area and flood drainage pathways, the project area is secure from coastal inundation as well as stream flooding. To prevent ponding or localized flooding resulting from storm run-off, existing drainage structures surrounding the selected project site will be maintained and upsized, as required. New drainage infrastructure within the selected project site will be designed and constructed to meet County standards.

- All construction of structures within the selected project site will meet the UBC standards for Seismic Zone 4 to mitigate the risk of seismic damage. The new facility will be designed to meet wind load requirements per County and UBC requirements. The sites are all within lava flow hazard Zone 4, indicating moderate hazard.
- As all candidate sites are undeveloped with on-site precipitation currently percolating into the underlying groundwater, the selected site will take measures to avoid the potential for pollutant contributions to groundwater, which is of particular concern in areas upgradient of the Kaloko-Konokohau National Park lands and anchialine pond system.

BIOLOGICAL RESOURCES

- Only the relatively recent lava flow at Candidate Site A: Kaloko Makai and the flow crossing at Candidate Site G: Kealakehe (2) show a considerable presence of former native vegetation. Native alaha'e and maiapilo shrubs are relatively common at most of the sites, except for Candidate Site C: Civic Center and Candidate Site D: Lanihau/DHHL. Maiapilo or Hawaiian caper, once a US Fish and Wildlife Service (USFWS) candidate species, is listed as "Vulnerable" by the International Union for Conservation of Nature and Natural Resources. The percentage of native plants in relation to the total number of species present on each Candidate Site is considered high for Hawai'i's lowlands. The percentage varies from 12 to 36% among the seven (7) sites. A greater priority for botanical habitat conservation is applicable to Candidate Site A: Kaloko Makai and Candidate Site G: Kealakehe (2) which exhibit the highest percentage of native plants (36% and 29% respectively). One plant species of concern according to the USFWS, ko'oko'olau, was also observed at Candidate Site A: Kaloko Makai. Native and endemic plant species on the selected site will be preserved as part of the landscaping area or undisturbed area. Sustainable design measures for botanical habitat will be integrated, as practical. New landscaping plants will also include native and endemic species commonly found in the area. A palette of native and tropical trees, ferns, hedge, and grass cover will be selected during the detailed design phase that will complement existing species represented at the selected site.
- Avian diversity and densities were in keeping with the habitat present on the candidate Sites. No avian species currently protected or proposed for protection under either the federal or State of Hawai'i endangered species programs were detected during the survey. Although no seabirds were detected during the survey, the endangered Hawaiian Petrel and the threatened endemic sub-specie of the Newell's Shearwater have been recorded flying to and from their nesting colonies over the greater Kona area. These pelagic seabirds nest high in the mountains in burrows excavated under thick vegetation, especially the uluhe fern. There is no

suitable nesting habitat for either of these seabirds on or close to any of the seven (7) Candidate Sites. The primary cause of mortality in the two (2) aforementioned seabird species is thought to be predation by alien mammalian species. Collision with man-made structures is considered to be the second cause of mortality of these birds in Hawai'i. Especially in summer and fall, when these nocturnal flying seabirds tend to fledge their way to the sea they can become disoriented by exterior lighting which could cause them to collide with manmade structures. Migratory shorebird species were also not recorded during the survey as they are normally present in Hawai'i between late July and the end of April each year. However, it is likely that one of the shorebird species, the Pacific-Golden Plover, will use resources within the sites on a seasonal basis. Following clearing and build-out of the selected site, the plover will likely stake winter territories within vegetated areas of the site. The potential primary impact from the construction of the Kona Judiciary Complex on the protected seabirds is the increased threat of seabird fallouts from exterior lighting during nesting season. All associated lights with nighttime construction activity and equipment maintenance during the construction phase of the project will be shielded. Large flood lights will be placed on poles that are only high enough to allow the lights to be pointed directly at the ground. Following build-out, street lights or exterior facility security lighting will be shielded to reduce the potential seabird fallouts and to comply with the Hawai'i County Code § 14-50 which requires exterior lights to be shielded to minimize ambient glare for the astronomical observatories located on Mauna Kea.

- The potential impact on the protected Hawaiian hoary bats is during the clearing and grubbing phases of construction. The removal of mature trees within the project site may pose the potential to temporarily displace individual bats that could use the vegetation for roosting. As the bats use multiple roosts within their territory, the potential disturbance is likely to be minimal. During the pupping season, female carrying their pups may be less able to rapidly vacate a roost site. They sometimes leave their pups in the roost site while they forage and young pups may not be able to flee during vegetation clearing. If Candidate Site F: Makalapua Center is selected, clearing of woody vegetation taller than 15 feet should be avoided during the roosting and pupping period between June 15 and September 15 to minimize potential impacts to roosting Hawaiian hoary bats.

HISTORICAL / ARCHAEOLOGICAL

- The current field inspection served to develop an understanding of the landscape/terrain, areas of prior impact, potential archaeologically sensitive areas and/or features, and the locations of previously-recorded sites in relation to the seven (7) Candidate Sites. About half of the historic properties expected to be

present could not be relocated. Revisiting these sites for the purpose of documentation using modern locational technology would benefit the archaeological record and future studies in and around the area. Furthermore, some of the sites documented in and around the seven candidate sites have been recommended for data recovery or preservation. The observation of additional potential historic properties within the seven candidate sites emphasizes the limitations of survey work in this region. Uneven terrain often covered in grasses and invasive plants makes identification of features difficult, even with the close pedestrian transects typically employed during inventory surveys. Despite the coverage of the seven candidate sites lands under previous studies, there remains a significant potential for the presence of additional archaeologically significant features, including subsurface features in lava tubes. Recommendations specific to each Candidate Site are detailed below.

Candidate Site A: Kaloko Makai

- While the Kaloko Makai Candidate Site has been recently surveyed, one (1) newly-identified feature (cairn) was observed adjacent to the northwestern boundary. The discovery of this modest feature underscores the potential for additional historic properties to be located within the Kaloko Makai Candidate Site. While previous surveys comprised nearly hundreds of acres, a focused inventory survey of this Candidate Site would likely yield a more thorough accounting of the historic properties located within. Site 26307 has also been previously recommended for preservation, which may be problematic for the development of this site. If Kaloko Makai is chosen as the site to construct the Kona Judiciary Complex, archaeological monitoring is highly recommended during construction-related ground disturbance. A program of archaeological monitoring would help to mitigate the potential for disturbing subsurface historic properties within this site.

Candidate Site B: Kealakehe 1

- The problematic nature of the past inventory survey was made clear during the current inspection. The case of site 13194 and the trail sections observed during the current inspection highlights the need for further study of these features (it was the past inventory survey also recommended that further study be performed at Site 13194). There is a strong potential for the presence of additional historic properties within the northeast quadrant of this Candidate Site where the vegetation is dense, and within the southern portion where the a'a lava has not been impacted, although the discovery of the Bulldozed Concentration and Trail 3 emphasizes that additional properties could be found anywhere within this

project site. A focused inventory survey of this project site would likely yield a more thorough accounting of the historic properties located within. If Candidate Site B: Kealakehe (1) is chosen for the Kona Judiciary Complex, archaeological monitoring is recommended during any construction-related ground disturbance to mitigate the potential for subsurface historic properties within this site.

Candidate Site C: Civic Center

- Candidate Site C site was part of a large study area that comprised nearly 1,000 acres. While this survey did not identify any sites within the bounds of Candidate Site C: Civic Center, the documentation of the newly-identified Modified Outcrop 1 underscores the potential for further historic properties to be located here. A focused inventory survey of this Candidate Site would yield a more thorough accounting of the historic properties located within the site. This Candidate Site is one of the most impacted, as the entire southeastern quadrant had been bulldozed. Furthermore, the Candidate Site is bounded on three (3) sides by developments including a quarry, the new West Hawai'i Civic Center, and Kealakehe Parkway. When considering these facts in addition to the relative lack of known historic properties, Candidate Site C: Civic Center stands out as the best choice for the Kona Judiciary Complex from an archeological perspective. If selected, further inventory survey work and archaeological monitoring are highly recommended during any construction-related ground disturbance to mitigate the potential for affecting subsurface historic properties within this site.

Candidate Site D: Lanihau/DHHL

- The identification of Modified Outcrop 2 and the dense vegetation within this site underscores the potential for further historic properties to be located here. Inaccuracies in the site distribution maps from previous surveys may account for the lack of success in relocating Sites 13023, 13178 and 18148. Candidate Site D: Lanihau/DHHL was originally surveyed under sizeable study areas. A focused inventory survey could result in improved locational data for the historic properties that could not be relocated during the present study, better our understanding of Site 13179, and document new potential sites like Modified Outcrop 2. Furthermore, if Lanihau is chosen for the Kona Judiciary Complex, archaeological monitoring is highly recommended during any construction-related ground disturbance to mitigate the potential for affecting subsurface historic properties within this site.

Candidate Site E: Lai Opua

- While the Candidate Site E: Lai Opua was initially surveyed as part of a larger study area that comprised nearly 1000 acres, it has also been very recently covered in a significantly smaller, more focused inventory survey. During this study, a new historic property was identified (Site 27855), but this modest site was recommended for no further work, as was the more substantial wall site 5011. No new potential historic properties were identified during the current inspection. Therefore, despite the dense vegetation throughout most of this site, further inventory survey is not necessary. The terrace (Site 13489) recorded as part of the larger survey area was not identified during the subsequent smaller survey. The wall (Site 13215) was relocated during the subsequent study over 100 m east of its initial location. The exclusion of these known historic properties from this site essentially halves the total of historic properties anticipated here. From an archeological perspective, this general lack of sites coupled with the prior recommendation of no further work for Sites 5011 and 27855 makes this site a good location for the Kona Judiciary Complex. If this site is chosen for the Kona Judiciary Complex, archaeological monitoring is highly recommended during any construction-related ground disturbance to mitigate the potential for affecting subsurface historic properties within the project site.

Candidate Site F: Makalapua Center

- Candidate Site F will require additional inventory survey work if chosen for the Kona Judiciary Complex. Three of the sites anticipated here could not be relocated (Site 13322 may have been impacted by bulldozing). Furthermore, the two (2) sites that were relocated were discovered a substantial distance away from the locations shown on the previous survey site distribution map. A new potential historic property (Pahoehoe Excavation 1) was also identified during the current inspection; this finding and the presence of dense vegetation on the pahoehoe flows here underline the possibility of further potential sites. A focused inventory survey could result in improved locational data for the historic properties that could not be relocated during the present study; better our understanding of Sites 13306, 13308, 13322, and 13323 (all previously recommended for data recovery); and document new potential sites like Pahoehoe Excavation 1. If Candidate Site F: Makalapua Center is chosen as the project site, archaeological monitoring is highly recommended during any construction-related ground disturbance to mitigate the potential for affecting subsurface historic properties within this site.

Candidate Site G: Kealakehe 2

- The Kealakehe 2 project site further exemplifies the limitations of the data gathered under a previous inventory survey. The current discovery of the ‘a‘a Excavation Complex and the potential trails in this project site exhibit the potential for the presence of further historic properties here. A wire fence was identified that had not previously been recorded, since 20 years ago this feature would not have met the 50-year age requirement to be considered eligible as a historic property. A focused inventory survey of this project site would yield a more thorough accounting of the historic properties. In addition to further inventory survey work, if Candidate Site G: Kealakehe (2) is chosen for the Kona Judiciary Complex, archaeological monitoring is highly recommended during construction-related ground disturbance to mitigate the potential for affecting subsurface historic properties within this site.

CULTURAL RESOURCES AND PRACTICES

Discovery of Cultural Artifacts and Iwi

- Based on information gathered from the community consultation efforts, as well as archaeological and archival research, the possibility of encountering iwi kupuna (human skeletal remains) is a genuine concern. A full archaeological inventory survey (AIS) will be conducted on the selected Candidate Site for the future Kona Judiciary Complex. This is a proactive mitigation step to assess the concern during early phases of project planning and design. Based upon the findings of the AIS, additional measures to address and mitigate any substantive cultural finds will be developed in consultation with State Historic Preservation Division (SHPD), the O‘ahu Hawai‘i Island Burial Council (OHIBC), Native Hawaiian organizations, and ‘ohana with lineal and cultural ties to the area. Archaeological monitoring will be conducted during land-disturbing activities. If cultural resources or human remains are found during construction, appropriate procedures and BMPs will be implemented that comply with historic preservation requirements.

Public Access to Trails

- Community participants identified trails as a concern regarding the proposed Kona Judiciary Complex project and that it should not limit access to public use of trails. This is a particular issue with Candidate Site A (Kaloko Makai), on which a trail traverses, and Candidate Site C (Civic Center) and B (Kealakehe 1), due to its proximity to the Ala Loa Trail. Should trails be encroached upon, it is recommended that recognized descendents of that ahupua‘a be consulted and

that the trails should not be “broken.” It is recommended that buffers should be placed around the trails to protect them.

Native Plants

- Respondents are concerned about the impact of the proposed development on native plants. Native plants are important cultural and natural resources in Hawai'i due to their endemic nature. Diminishing vulnerable plant populations can negatively affect Native Hawaiian cultural practices. It was recommended that the project protect native plants where possible and replant native plants within the site landscaping or designated open areas nearby to foster the growth of native plants.
- The State will continue to work with the community members through the planning and design processes to ensure protection of valuable cultural resources within the chosen Candidate Site. Whenever possible, proper protocols will be adopted to care for the land and avoid adverse cultural impacts.

HAZARDOUS MATERIALS

- The search of public database records pertaining to hazardous materials for the Candidate Sites and their vicinity yielded several sites located within one-quarter (0.25) mile. Some of the sites were mapped incorrectly, and actual physical addresses were outside of the one-quarter (0.25) mile radius of the Candidate Sites. Other database listings were not indicative of hazardous materials on or in the vicinity of the Candidate Site. In summary, database search results did not indicate the presence of contamination on any of the Candidate Sites. Search results within one-quarter (0.25) mile of Candidate Sites were either incorrectly mapped or not indicative of contamination, and therefore not expected to adversely affect the use of a Candidate Site. No impacts due to hazardous materials are anticipated and no mitigation measures are required.

TRAFFIC

- The trip generation characteristics for the proposed Kona Judiciary Complex were based upon the Institute of Transportation Engineers' (ITE) trip rates for a government office complex. The field investigation at the existing West Hawai'i Civic Center indicated that the ITE rates for a government office complex are conservative. The proposed Kona Judiciary Complex is expected to generate a total of 313 vehicle trips per hour (vph) during the AM peak hour of traffic, and 404 vph during the PM peak hour of traffic. Table 5-7 summarizes the project site trip generation characteristics applied to the AM and PM peak periods of traffic for years 2017 and 2030. While trip generation characteristics for the full build-out and occupancy of the Kona Judiciary Complex were based upon the 141,800

SF gross floor area, the 2017 trip generation characteristics were prorated, based upon the number of employees at opening (150). The mitigation measures specified in the Traffic Impact Analysis in the Final Environmental Impact Statement are required for implementation of this project.

SHORT-TERM CONSTRUCTION ACTIVITIES AND AIR QUALITY IMPACTS

- There will be two (2) types of short-term air quality impacts that will result from the proposed construction project: 1) fugitive dust generation from vehicle movement and soil excavation and 2) on-site/off-site emissions from moving construction equipment and commuting construction workers. Air quality monitoring will be implemented to ensure compliance with State AAQS.
- State of Hawai'i Air Pollution Control regulations prohibit visible emissions of fugitive dust from construction activities at the property line. A dust control program will be implemented to control dust from construction activities. Fugitive dust emission will be controlled through mitigation measures such as watering active work areas, using wind screens, keeping adjacent paved roads clean, and covering open-bodied trucks. Other measures include limiting the area to be disturbed at any given time, mulching or chemically stabilizing inactive areas, or paving and landscaping areas early in the construction schedule.

ROADWAY TRAFFIC AND AIR QUALITY IMPACTS

- Once construction is completed, motor vehicle traffic would result in a long-term increase in vehicular emissions. However, due to a combination of Hawai'i's weather patterns, trade winds, and the national standards imposed on lowering vehicles emissions, concentrations are expected to remain well within Federal and State AAQS. No mitigation is required.

ELECTRICAL DEMAND AND AIR QUALITY IMPACTS

- The project may also result in long-term air quality impacts due to electrical generation required to support the proposed project. However, the Keahole Power Plant is required to obtain State DOH permits and meet Federal and State air quality standards. Therefore, no significant long-term impacts to air quality due to electrical generation are anticipated and no mitigation is required.

NOISE FROM SHORT-TERM CONSTRUCTION ACTIVITIES

- Significant amounts of noise will be generated during the short-term construction period, however, it not expected to impact neighboring areas which are primarily undeveloped, except for the West Hawai'i Civic Center and Makalapua Center. Construction activities will be monitored by the State to comply with the

provisions of the regulation for community noise control. The dominant noise sources during construction will be earth moving equipment such as bulldozers and trucks.

- Construction activities will involve grubbing and grading of the site and construction of infrastructure and buildings. Noise levels associated with construction equipment typically range from 80 to 95 dBA at 50 feet from the source. Depending on which Candidate Site is chosen for development, some adjacent existing facilities may be temporarily impacted by construction noise depending on their proximity to the project site. However, mitigation measures such as limiting work to daytime hours, reducing truck/equipment idling when not in use, using manually adjustable or self-adjusting backup alarms, and fitting generators and equipment with manufacturer-approved exhaust mufflers, will be implemented to minimize noise impacts.

SOLID WASTE

- The County of Hawai'i requires all solid waste to be removed from all buildings and premises and disposed of at a county approved solid waste disposal facility. The Kailua-Kona urban area non-recyclable solid waste disposal is currently served by the West Hawai'i Sanitary Landfill (WHSL) in Pu'uana'hulu. The WHSL is managed by the County of Hawai'i and is located southwest of Waikoloa in the North Kona District. According to the Integrated Solid Waste Management Plan for the County of Hawai'i (2009), approximately 140,000 tons of solid waste is deposited at the WHSL every year.
- This amount is projected to increase at an average rate of 2% per year with the current diversion rate of 29%. The County plans to increase the diversion rate (recycle) from 29% to 44% by FY 2015. As of 2002, the WHSL is estimated to have 12,000,000 cubic yards of air space (approximately 6 million tons based on a maximum, compacted, mixed municipal solid waste weight of 1,000 lbs per cubic yard). The landfill is expected to reach its capacity in 2049. The County of Hawai'i is also looking into waste reduction facilities for the island, using either a waste-to-energy incinerator or a thermal gasification plant (produces heat from waste) that will extend the life of the landfill beyond 2049.
- The proposed Kona Judiciary Complex project will generate solid waste during construction and occupancy. The occupancy phase of development refers to the time at which construction of the proposed Kona Judiciary Complex project is complete and the facility open for use. All solid waste generated from the proposed project (during both construction and occupancy) will be taken to the WHSL, a County of Hawai'i transfer station, or recycled at a recycling facility. The management of solid wastes generated by the proposed project would

emphasize waste diversion and recycling. Additionally, in order to achieve Leadership in Energy and Environmental Design (LEED) certification status, one of the requirements of the project will be to divert a certain percentage of construction waste from landfills. According to the County of Hawai'i Department of Environmental Management, the average amounts of solid waste projected to be generated by construction activities is 4 pounds per SF during construction. Therefore, the 141,800 SF facility is anticipated to generate approximately a total of 567,200 pounds or 284 tons during the construction period (2014-2016). One potential LEED credit that the Kona Judiciary Complex may be able to achieve is diverting 50% of the construction waste, which could potentially reduce the total amount of solid waste generated during construction to 142 tons. The Kona Judiciary Complex, as a Public Administration business type, is estimated to generate 0.4 tons of occupancy waste per employee per year. Therefore, the facility is estimated to generate 40 tons of occupancy waste per year when it is in operation in 2017 with 100 employees. At its full occupancy, anticipated between the years 2030 and 2050, the 220 employees at the facility are anticipated to generate approximately 88 tons of occupancy waste per year.

POWER

- The proposed Kona Judiciary Complex will be serviced by the HELCO. According to HELCO, there is an existing electrical line along the southern portion of Hina Lani Street and stubouts are available within the vicinity of Candidate Site A: Kaloko Makai. Electrical power is available within Kealakehe Parkway and existing stubouts are available to Candidate Sites B: Kealakehe (1), C: Civic Center, D: Lanihau/DHHL, and directly in front of Candidate Site G: Kealakehe (2). An existing utility pole line is located on the mauka side of Queen Ka'ahumanu Highway and an existing duct line is currently coming off of Kealakehe Parkway. Existing electrical stubouts are available at the T-intersection of Keanalehu Drive at the northeast corner of TMK: 3-7-4-021:003. Candidate Site E: Lai Opua would require a modest extension of existing power lines. Electrical power infrastructure will also be constructed along the concrete walkway on the mauka side during the Ane Keohokalole Highway Phase 1 improvements, which would also serve Candidate Site E: Lai Opua. Electrical power is available along the mauka bound shoulder along Makala Boulevard which provides existing stubouts to Candidate Site F: Makalapua Center.
- The electrical power is readily available for Candidate Sites B: Kealakehe (1), C: Civic Center, D: Lanihau/DHHL, F: Makalapua Center, and G: Kealakehe (2). The amount of improvements within Kealakehe Parkway and Ane Keohokalole Highway will be minimal for Candidate Site G: Kealakehe (2) because the

stubouts are located directly in front of the property and will likely involve improvements along the shoulder only. Connecting HELCO's power from the future Ane Keohokalole Highway to Candidate Site E: Lai Opua will be the most cost effective solution. Candidate Site A: Kaloko Makai will require the most improvements as stubouts will need to be provided across Hina Lani to the property. The power infrastructure for Candidate Site A: Kaloko Makai will be the responsibility of Stanford Carr Development which will not be anticipated to be constructed within five (5) years from the projected opening date of the proposed Kona Judiciary Complex.

TELECOMMUNICATIONS

- The proposed Kona Judiciary Complex will be serviced by Hawaiian Telcom. According to Hawaiian Telcom, there is no cable communication line along Hina Lani Street. Communication infrastructure is available along the makai bound shoulder of Kealakehe Parkway via duct line and stubouts for Candidate Sites B: Kealakehe (1), C: Civic Center, D: Lanihau/DHHL, and directly in front of Candidate Site G: Kealakehe (2). There are existing duct lines coming off of Palani Road and through the future Ane Keohokalole Highway – Phase 1 which terminate near the proposed Keahuolu Affordable Housing subdivision, that could serve Candidate Site E: Lai Opua. Communication infrastructure is available along the mauka bound shoulder along Makala Boulevard, which provides existing stubouts to Candidate Site F: Makalapua Center.
- The communication infrastructure is readily available for Candidate Sites B: Kealakehe (1), C: Civic Center, D: Lanihau/DHHL, F: Makalapua Center, and G: Kealakehe (2). The amount of improvements within Kealakehe Parkway and Ane Keohokalole Highway will be minimal for Candidate Site G: Kealakehe (2) because the stubouts are located directly in front of the property and will likely involve improvements along the shoulder only. Connecting HELCO's power from the future Ane Keohokalole Highway to Candidate Site E: Lai Opua will require a 600-foot extension, which will incur an additional off-site cost. The communication infrastructure for Candidate Site A: Kaloko Makai will be the responsibility of Stanford Carr Development which will not be anticipated to be constructed within five (5) years from the projected opening date of the proposed Kona Judiciary Complex.
- The Kona Judiciary project is likely to involve use of previously undeveloped land. The Judiciary is, however, committed to incorporating sustainable design practices into the construction and operations of the new Kona Judiciary Complex. The Judiciary plans to incorporate sustainable features to make this facility a truly significant example of sustainable design for the State of Hawai'i.

The proposed sustainability features associated with the project are expected to have a positive impact towards sustainable practices such as reduction of energy and water usage at the Kona Judiciary Complex. The following sustainable features will be targeted for the Kona Judiciary Complex:

- › The project will seek certification under the LEED NC rating system.
- › Separation and recycling of recyclable materials including beverage containers, plastic, aluminum, glass, cardboard, and paper.
- › Use of drought tolerant plants in landscaping to reduce irrigation requirements.
- › Low flow plumbing fixtures to reduce water usage.
- › Motion sensors on public restroom fixtures.
- › A central air-conditioning chilled water loop providing higher energy efficiency with back-up redundancy.
- › Priority parking for those driving fuel-efficient vehicles.
- › Bicycle storage for those who choose bicycling as their mode of transportation.
- › Seek a location to meet the TOD objectives such as ample public transportation, pedestrian and
- › Bicycle connection between job centers, schools, and civic amenities.
- › Use of low-emitting window glazing, air-conditioning controls, and use of compact fluorescent lamps and light-emitting diodes light fixtures to help with energy efficiency.
- › Use of low-emitting materials for applications of adhesives, sealants, paints, carpets and flooring systems to promote a healthy indoor environment.
- › Design to include the use of natural daylight where possible.
- › Utilize LEED accredited design professionals.

VISUAL IMPACTS

The potential impacts on the scenic resources of each Candidate Site are discussed below.

Candidate Site A: Kaloko Makai

There is no existing development in the vicinity of the Kaloko Makai site. If this site is selected, the Kona Judiciary Complex would be the first structure as part of the proposed mixed-use development of the Kaloko Makai Project. Construction of the project will not block existing scenic vistas or detract aesthetically from the community. Impacts to mauka-makai view corridors from Queen Ka'ahumanu

Highway are not anticipated as the site is located inland and will be blocked by existing development along the highway.

Candidate Site B: Kealakehe (1)

The site is located near the West Hawai'i Business Park along Queen Ka'ahumanu Highway which is comprised of one-story and two-story structures. If this site is selected, the construction of the project will appear as an extension of the existing urban development. The Kona Judiciary Complex will be visible from Queen Ka'ahumanu Highway and Kealakehe Parkway but will not significantly block mauka views from Queen Ka'ahumanu highway. The proposed project is not anticipated to have a visual impact on the proposed public park within the same TMK.

Candidate Site C: Civic Center

The Civic Center Candidate Site is located adjacent to the newly constructed West Hawai'i Civic Center to the east. The proposed project will be visible from Kealakehe Parkway, Ane Keohokalole Highway, and Queen Ka'ahumanu Highway. If this site is selected, the construction of the project will appear as an extension of the existing urban development. There is an approximate 50-foot grade separation between the two (2) sites. Construction of a three-story Kona Judiciary Complex has the potential to partially obstruct the makai views from the West Hawai'i Civic Center's ground floor structure. A two-story complex is not anticipated to significantly impact views from the West Hawai'i Civic Center. Significant impacts to mauka views from Queen Ka'ahumanu highway are not anticipated.

Candidate Site D: Lanihau/DHHL

The Lanihau/DHHL site is located mauka of the West Hawai'i Civic Center, and if selected, it has the potential to impact both mauka views from the West Hawai'i Civic Center, and some makai views of a few residential units from the Kaniohale residential subdivision (See Figure 5-7D). The proposed project will also have a visual impact on future residential development on this parcel. The construction of the project will appear as an extension of the existing urban development. Significant impacts to mauka views from Queen Ka'ahumanu highway are not anticipated

Candidate Site E: Lai Opua

The Lai Opua site is located south of Kealakehe High School on Ane Keohokalole Highway. The proposed project will be part of the future Lai Opua 2020 retail-commercial development project if this site is selected. A mixed-use residential project, Kamakana Villages at Keahuolu, is also planned within the vicinity. The construction of the project will appear as an extension of the existing and planned

urban development. Impact to mauka views from Queen Ka'ahumanu highway is not anticipated.

Candidate Site F: Makalapua Center

The Makalapua Center site is located across Makala Boulevard from the Makalapua Center and about one-half (0.5) mile northeast of the North Kona Shopping Center. Makalapua Center comprises mostly of one to two-story retail buildings. If this site is selected, the proposed project will be visible from Queen Ka'ahumanu Highway. Significant impacts to mauka views from Queen Ka'ahumanu highway are not anticipated. The construction of the project will appear as an extension of the existing urban development.

Candidate Site G: Kealakehe (2)

The Kealakehe (2) site is located across Ane Keohokalole Highway from the West Hawai'i Civic Center. The proposed project will be visible from Kealakehe Parkway, Ane Keohokalole Highway, and Queen Ka'ahumanu Highway. If this site is selected, the construction of the project will appear as an extension of the existing urban development. Construction of the Kona Judiciary Complex is not anticipated to impact views from the West Hawai'i Civic Center nor makai views from the Kaniohale residential subdivision located at an elevation approximately 200 feet higher. Significant impacts to mauka views from Queen Ka'ahumanu highway are not anticipated.

The proposed project is not anticipated to introduce new residents into the Kailua-Kona urban area or any West Hawai'i districts once completed. It is possible, however, that a small percentage of development and/or construction workers may relocate into the urban area during the project development phase. The amount number of these potential new residents is expected to be minimal and have little to no effect on the community as a whole.