

SP68-55

GROVE FARM CO., INC.

August 20, 1968

Planning & Traffic Commission  
County of Kauai  
P. O. Box 111  
Lihue, Kauai

Gentlemen:

At its meeting on August 16, 1968, the Land Use Commission voted to approve the grant of a Special Permit (SP68-55) to Grove Farm Co., Inc. for the construction of a commercial laundry plant within the State's Agricultural District situated at Nawiliwili, Kauai, identifiable by Tax Map Key 3-3-03 portion of parcel 1 and comprising approximately 40,000 square feet.

Approval of the Special Permit is conditioned upon the following:

1. A 10-foot building line setback from Niumalu Road.
2. That the waste water containing chemicals, detergents, and bleaches will not adversely affect adjacent streams or Nawiliwili Harbor and will conform to the regulations and standards prescribed by the State Department of Health.
3. That the boilers running on oil which may at times cause a certain amount of air pollution will conform to the air pollution regulations of the State Department of Health.
4. That off-street parking will conform to the proposed Comprehensive Zoning Ordinance for such use.
5. That construction on the proposed 18,000 square foot building will commence within

Planning & Traffic Commission, County of Kauai  
Page 2  
August 20, 1968

one year from the approval of the Land  
Use Commission.

Very truly yours,

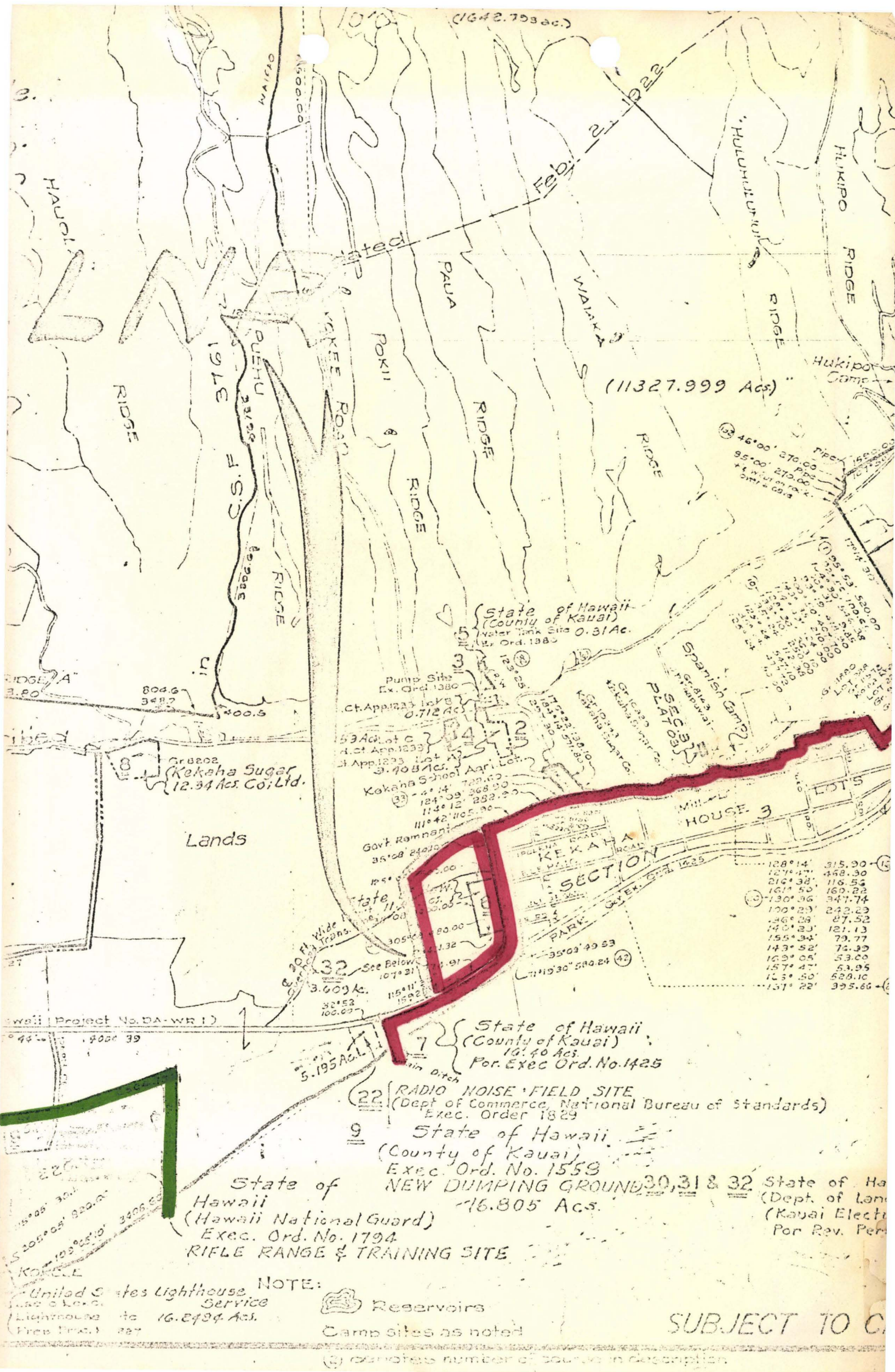
RAMON DURAN  
Executive Officer

js

Enclosure

cc Department of Taxation  
Department of Land & Natural Resources  
Grove Farm Co., Inc.  
Chairman Burns

Eagle-A  
Type-Erase  
25% COTTON FIBER



(1642.793 ac.)

Feb. 2, 1922

(11327.999 Acs)

(State of Hawaii  
(County of Kauai)  
Water Tank Site 0.31 Ac.  
Ex. Ord. 1385

Pump Site  
Ex. Ord. 1380  
Ch. App. 1223 10/8  
0.712 Acs.

Gr 8202  
Kekaha Sugar  
12.34 Acs. Co. Ltd.

Kakaha School  
12.41 Acs. 122.00  
124.00 368.00  
114.12 282.00  
111.42 105.00

Govt. Remnant  
35.28 240.00

SECTION 7  
Kekaha  
PARK

HOUSE 3

128° 14'	315.90
127° 17'	458.30
216° 38'	116.56
161° 50'	160.22
130° 36'	347.74
120° 23'	242.23
146° 28'	87.52
140° 23'	121.13
155° 34'	79.77
143° 52'	74.39
163° 05'	53.00
157° 47'	51.95
123° 50'	528.10
131° 22'	395.66

State of Hawaii  
(County of Kauai)  
10.40 Acs.  
Por. Exec. Ord. No. 1425

(22) RADIO NOISE FIELD SITE  
(Dept. of Commerce, National Bureau of Standards)  
Exec. Order 1829

9 State of Hawaii  
(County of Kauai)  
Exec. Ord. No. 1559

NEW DUMPING GROUND 30, 31 & 32  
16.805 Acs.

State of Hawaii  
(Dept. of Land)  
(Kauai Electric)  
Por. Rev. Per.

State of Hawaii  
(Hawaii National Guard)  
Exec. Ord. No. 1794  
RIFLE RANGE & TRAINING SITE

NOTE:



Reservoirs

Camp sites as noted

(\*) denotes number of courses in description

SUBJECT TO C.

United States Lighthouse  
Service  
Lighthouse No. 16, 2494 Acs.  
(Pres. Procl.) 227

C 7

CONTRACTOR'S  
YARD

INCREMENT 1

VACANT

R M - 10  
DUPLEX USE

R M - 10  
DUPLEX USE

CE  
Cemetery

C  
COMM

STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

Lihue District Court Room  
Lihue, Kauai

August 16, 1968 - 2:00 p.m.

Commissioners Present: C. E. S. Burns, Jr., Chairman  
Wilbert Choi  
Shelley Mark  
Sunao Kido  
Goro Inaba  
Alexander Napier  
Leslie Wung  
Shiro Nishimura  
Keigo Murakami

Staff Present: Ramon Duran, Executive Officer  
Ah Sung Leong, Planner IV  
George Pai, Legal Counsel  
Jean Soma, Stenographer

The meeting was called to order by Chairman Burns, followed by the swearing in of persons testifying before the Land Use Commission today.

DEFERRAL REQUEST BY LOUIS PHILLIPS

Mr. Duran announced that the staff was in receipt of notification from Mr. Phillips, petitioner, that he would like to have the action on his petition deferred until the August 30th meeting in Honolulu because the engineering firm of Shoma, Hotta and Associates are presently drawing a preliminary Subdivision Map which would give the Commission a better idea of the layout of the subdivision and also because his wife has been ill and could not attend the meeting. There was no objection of having this petition deferred.

RAYMOND SUEFUJI'S LETTER RE: SP(T) 62-7 - GILBERT HAY

Mr. Duran acknowledged receipt of a copy of Raymond Suefuji's, Planning Director of the County of Hawaii, letter addressed to Mr. George Pai.

Chairman Burns stated that the best way to resolve a definite date of expiration of Mr. Hay's Special Permit would be to ask Mr. Hay to come in and report to the Commission why the permit should be continued if he does not have any plans to develop his property. Mr. Duran stated that Mr. Hay was authorized resort development and accessory uses and that no time limitation was stipulated on this petition.

It was agreed that the applicant, Mr. Hay, be called in to appear before the Commission. Chairman Burns asked Mr. Duran to circulate a resume regarding Mr. Hay's case to all of the Commissioners.

August 16, 1968

✓ APPLICATION OF GROVE FARM CO., INC. (SP68-55) FOR A COMMERCIAL LAUNDRY AT  
NAWILIWILI, KAUAI

Field Officer, Mr. Leong, presented the staff report (see report on file) that this request be approved in view of the fact that the subject parcel is situated in an Agricultural District but unsuited for agricultural purposes and that the request will not adversely affect surrounding industrial and agricultural properties.

Commissioner Kido queried Mr. Moragne, Manager of Grove Farm, as to who is going to develop the site--Grove Farm or Young Laundry. In reply, Mr. Moragne stated that Grove Farm will have to clear the area; but Young Laundry will have to erect their own building.

In answer to Commissioner Kido's question as to there being any possibility of Kauai County taking the extra 20 feet widening of Niumalu Road, Mr. Leong replied that the setback area does take into consideration the future widening of Niumalu Road.

Commissioner Wung moved that the Commission accept the staff's recommendation to approve this request. The motion was seconded by Commissioner Napier and was unanimously carried by the following votes:

Ayes: Commissioners Choi, Napier, Mark, Kido, Inaba, Wung, Nishimura,  
Murakami, Chairman Burns

Nays: None

TENTATIVE SCHEDULE

August 30, 1968, on Oahu was decided on as the next meeting date.

ADJOURNMENT

The meeting was adjourned at 4:30 p.m.

STATE OF HAWAII  
LAND USE COMMISSION

VOTE RECORD

ITEM SP68-55 - Grove Farm Co., Inc.

DATE August 16, 1968

PLACE Lihue District Court Room  
Lihue, Kauai

TIME 2 p.m.

NAME	YES	NO	ABSTAIN	ABSENT
CHOI, WILBERT	✓			
S NAPIER, ALEXANDER	✓			
MARK, SHELLEY	✓			
SUNAO, KIDO	✓			
INABA, GORO	✓			
M WUNG, LESLIE	✓			
NISHIMURA, SHIRO	✓			
MURAKAMI, KEIGO	✓			
BURNS, C. E. S.	✓			

COMMENTS:

*Approval*

① This is <sup>the</sup> Lihue - Nānīkūli Urban District shown in pink on our District Map and the 40,000 sq ft. parcel is located about a thousand feet inland from Nānīkūli Harbor.

② Here again is the Harbor. The red line is our Urban boundary which closely follows Niinuala Rd until it joins Nānīkūli Rd. The property under discussion is located just to the South of the juncture.

- This is the cane haul road bordering the property which leads past the waste area and into the canefields.
- The Kanai High + Technical Schools are shaded blue and below that are the industrial uses mentioned in our report.
- Kanai Surf Hotel is located about  $\frac{1}{2}$  mile away at this point.

STATE OF HAWAII  
LAND USE COMMISSION

Lihue District Court Room  
Lihue, Kauai

August 16, 1968  
2:00 p.m.

STAFF REPORT

SP68-55 - GROVE FARM CO., INC.

A special permit has been requested for a laundry on 40,000 square feet of property owned by Grove Farm Co., Inc. identified as TMK 3-3-03: portion of 1, Nawiliwili, Lihue, Kauai, Hawaii.

The property in question is situated along the west boundary of Niumalu Road approximately 250 feet south from its intersection with Nawiliwili Road. The frontage of the property is approximately 100 feet. The property is presently located within the State Agricultural District as the Urban-Agricultural District follows along Niumalu Road.

The applicant desires to lease the property in question to Young Laundry and Dry Cleaning Company to permit the construction of a commercial laundry plant with approximately 18,000 square feet of floor area. The applicant states that the proposed site is located in a waste area, thus productive agricultural land will not be taken away from agricultural purposes and wasteland will be put to a productive use thus not adversely affecting the objectives of the Land Use Commission.

The County General Plan designates the area under study in the agricultural use and is also zoned for such purposes in conformity with the State Land Use District Boundaries. The property opposite the area in question in the Urban District is General-Planned for industrial purposes and is zoned for heavy industrial use. The property is also occupied by a bulk sugar plant.

The soil of the property in question is classified as "fair" for overall agricultural suitability. The selected crop productivity rating for sugar is "poor". There is a mound approximately 30 feet high at the rear of the

property in question. The adjacent land to the south of the subject property is used for growing sugar cane, and the Land Study Bureau has classified this property as "good" for overall agricultural suitability.

The site is presently serviced by a four-inch water main along Niumalu Road which is supposed to be adequate to serve the proposed use. The applicant has stated that the Board of Water Supply has just ordered a \$90,000 contract to construct a twelve-inch main to serve Kauai High School approximately 400 feet beyond the site in question and the Kauai Surf Hotel area. There is no sanitary sewage disposal in the area, and the petitioners state they are concerned about possible pollution of Nawiliwili Harbor and that they plan to meet all the requirements and standards of the State Department of Health.

Niumalu Road at the present time is 30 feet wide; and according to the County Subdivision Ordinance, this road should have a minimum width of 50 feet. The County's Department of Public Works recommends a 10-foot setback on both sides of Niumalu Road.

The staff recommends the Special Permit request be approved on the following basis:

1. Subject land is within the Agricultural District but unsuited for agricultural purposes.
2. The proposed urban-industrial use of this property is adjacent to an Urban District which is zoned and used for industrial purposes.
3. The request will not adversely affect surrounding property.
4. The land is unsuited for uses permitted within the Agricultural District.
5. Most of the land within the industrial area in the abutting Urban District is occupied and additional industrial land may

be needed in this abutting Agricultural District where the soils are unsuited for agricultural purposes. A review of this need can be evaluated when our district boundaries are reviewed next year with the possibility of including the property in question as well as adjacent lands not suited for agricultural purposes.

It is further recommended that approval be conditioned upon:

1. A 10-foot building line setback from Niumalu Road.
2. That the waste water containing chemicals, detergents, and bleaches will not adversely affect adjacent streams or Nawiliwili Harbor and will conform to the regulations and standards prescribed by the State Department of Health.
3. That the boilers running on oil which may at times cause a certain amount of air pollution will conform to the air pollution regulations of the State Department of Health.
4. That off-street parking will conform to the proposed Comprehensive Zoning Ordinance for such use.
5. That construction on the proposed 18,000 square foot building will commence within one year from the approval of the Land Use Commission.

August 6, 1968

Mr. Morris S. Shinsato  
Yamada & Shinsato  
Attorneys At Law  
Kauai Office  
P. O. Box 1205  
Lihue, Kauai, Hawaii 96766

Dear Mr. Shinsato:

The Land Use Commission next meets at 2 p.m.  
at the Lihue District Court Room, 3060 Umi Street,  
Lihue, Kauai, on August 16, 1968.

At that time Grove Farm Company Inc.'s  
application for a special permit (SP68-55) will be  
reviewed.

Although there is no requirement for you to  
be present, should you wish to attend, please feel  
free to do so.

Very truly yours,

RAMON DURAN  
Executive Officer

js

Eagle-St.  
Type-Erase  
25% COTTON FIBER

SPC8-55 Grove Farm Co Ltd (Mauritius)

① Soil classification -

C41 - "Fair" overall suitability

Selected Crop Productivity rating = "b" for  
pineapple, forage, grazing and orchard

Well suited for machine tillage; nonstony;  
deep; 0-10% slope; well drained;  
40-60" rainfall; existing uses  
include sugarcane (irrigated), pineapple  
and grazing

Sugar = d

Soil  
characteristics

adjacent sugarcane fields  
are good

② Rainfall = Key 1020.4 (Fld 29 Libue)  
elev 125' = 50.0" median annual

③ Elevation = Approx. 100' above sea level

P. O. BOX 111



TELEPHONE 23-661

LIHUE, KAUAI, HAWAII 96766

DPED

AUG 6 1968

August 2, 1968

State of Hawaii  
Land Use Commission  
426 Queen Street  
Honolulu, Hawaii 96813

Subject: Application for Special Permit  
Our File No. SP-68-2 - Grove Farm Company, Inc.

Gentlemen:

At the regular meeting of the Planning and Traffic Commission held on August 1, 1968, the Commission approved the subject application for special permit.

In accordance with provisions under Section 98H-6 of RLH 1955, as amended, we herewith transmit for your consideration the foregoing application, transcript of proceedings attached.

Very truly yours,

PLANNING AND TRAFFIC COMMISSION

*Brian Nishimoto*

Brian Nishimoto  
Planning Director

Attach.

cc: Morris Shinsato

RECEIVED

AUG 6 1968

State of Hawaii  
LAND USE COMMISSION

COUNTY OF KAUAI  
PLANNING AND TRAFFIC COMMISSION  
Lihue, Kauai, Hawaii

This space for official use  
Date Application and Fee  
received by KP&TC \_\_\_\_\_

APPLICATION FOR SPECIAL PERMIT

(I) (We) hereby request approval of a special permit to use certain property located in the County of Kauai, Island of Kauai, Land Use Commission District Boundary map number and/or name Map K-4, Lihue, Nawiliwili, Hanamaulu, Puhi, for the following-described purpose:

Description of property: Tax Key: 3-3-03-Por 1; now designated agricultural, but the specific limited area desired is not suitable for cane.

Petitioner's interest in subject property: Fee title owner

Petitioner's reason(s) for requesting special permit: Permit the construction of a commercial laundry plant

Signature(s)

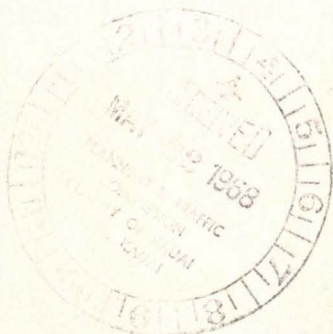
*Mano R. Muriwai*  
Attorney for Grove Farm Company,  
Ltd., petitioner

Address: P. O. Box 1205, Lihue, Hawaii 96766

Telephone: 22691

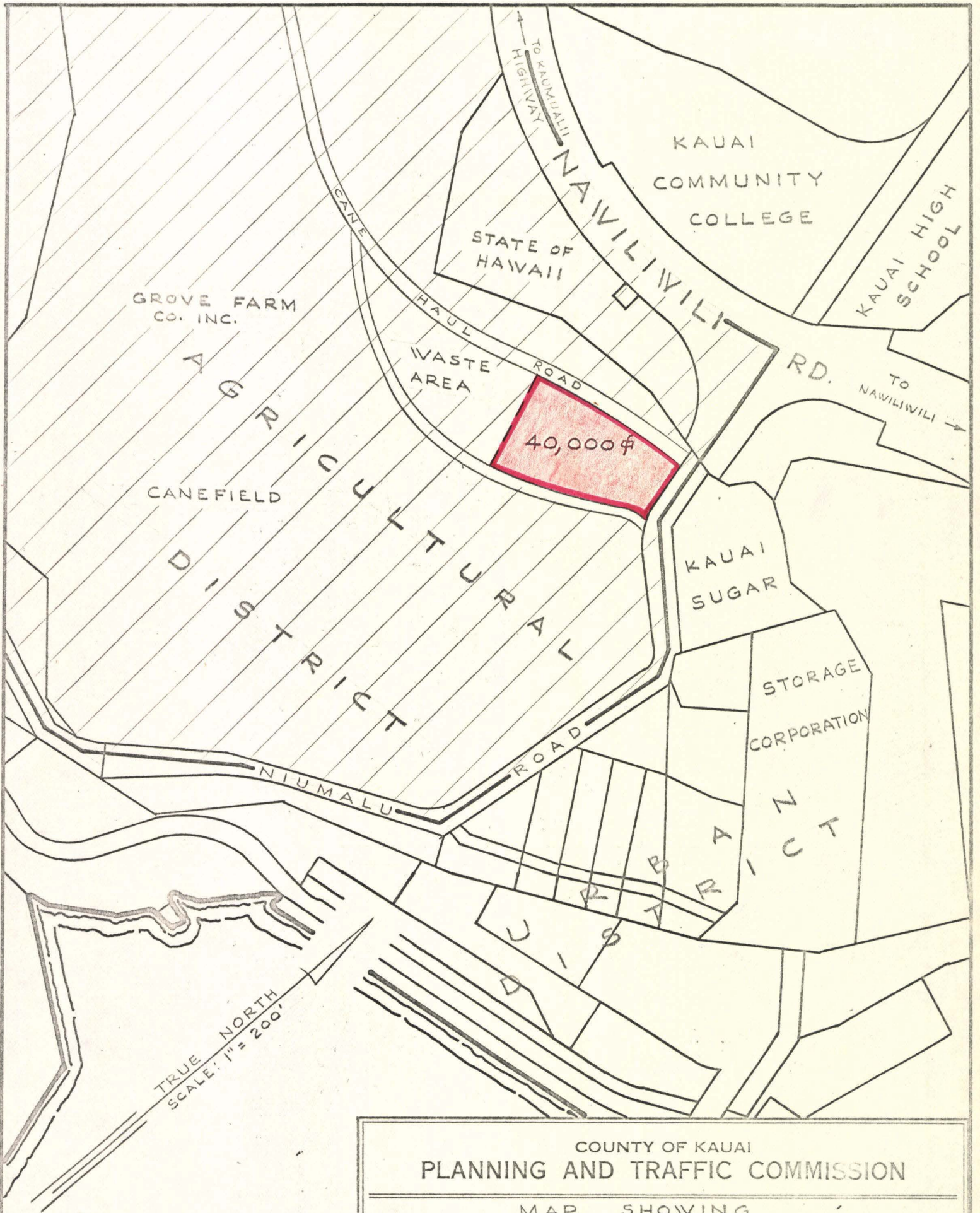
This space for official use

The property is situated in a(n) \_\_\_\_\_ district, whose regulations adopted by the Land Use Commission prohibit the desired use.






Signature(s) \_\_\_\_\_

For (agency) \_\_\_\_\_



### LEGEND

-  AGRICULTURAL DISTRICT
-  URBAN DISTRICT
-  SPECIAL PERMIT

### COUNTY OF KAUAI PLANNING AND TRAFFIC COMMISSION

#### MAP SHOWING LAND USE COMMISSION SPECIAL PERMIT

FOR  
GROVE FARM COMPANY INC.  
NAWILIWILI, LIHUE, KAUAI

DRAWN BY: T. H.

TRACED BY:

CHECKED BY:

SCALE: 1 in. = 200 ft.

DATE: 6-19-68

TAX KEY: 3-3-03

APPROVED: \_\_\_\_\_  
PLANNING DIRECTOR

REF. NO. SP-68-2

KAUAI PLANNING AND TRAFFIC COMMISSION  
PUBLIC HEARING  
SPECIAL PERMIT, LAND USE - COUNTY OF KAUAI

APPLICATION NO. SP-68-2

USE OF PROPERTY FOR A COMMERCIAL LAUNDRY

A public hearing on the above application was opened by Chairman Masashi Kageyama at 1:55 p.m. on Tuesday, July 2, 1968, in the County Board Room at Lihue. Following Commissioners were present:

Mr. Masashi Kageyama, Chairman  
Mr. Welcome Albao  
Mr. Norman Hashisaka  
Mr. Takato Sokei  
Mr. Gisao Tateishi  
Mr. Leonard Zalopany

Planning Director Nishimoto presented his analysis and report on same (see Director's report on file).

There were no letters of protest as of this date.

The hearing was then opened to the public.

Mr. Morris Shinsato, counsel for the petitioner, stated in effect as follows: "The special permit which was stated is for the purpose of establishing a commercial laundry by Young Laundry; the lot is a 40,000 sq. ft. lot on which it is proposed to build an 18,000 sq. ft. building. The lot is diagonally across from the bulk sugar plant; the appearance of this lot is that of what you would call a "Butte Montana"--the lot is a slight hill with steep sides and a flat top--that is why it is not in productive use. This is a waste land and to put it to productive use, Mr. Carswell, engineer for Grove Farm, will have to do a considerable amount of earth-moving; that a special permit would permit an economically useful service and provide additional income for the owner of the land. We feel that this is an ideal location for a laundry; that in a laundry there is a certain amount of noise developing from the boilers. The boilers, running on oil, may at times cause a certain amount of air pollution. From the operation, there is a considerable amount of waste water containing chemicals, detergents and bleaches. This will be away from any other kind of inconsistent use, in this isolated area. It won't even harm the bulk sugar plant; that the laundry operation today is all conducted indoors. The request for special permit meets all the requirements set forth by the Land Use Commission and not contrary to the objectives of the land use regulations in that it specifically attempts to make the best and highest economic use of a piece of land that is not now productive; that it will not adversely affect the surrounding areas; that as stated, this is an ideal location for a laundry; that it certainly would not unduly burden the other public agencies such as the Fire Department and Police. The Director's report stated that Niumalu Road is slightly under size but the main thoroughfare, wider road going to Niumalu, is just a few feet away from this lot; in fact, this lot is surrounded by roads all over--from all four sides. The water is adequate as stated by the Director but I understand that a contract of \$90,000 has been made and the contractor instructed to proceed immediately with construction of a 12-inch main to serve Kauai High School and the Kauai Surf area; that water would be more than ample for the laundry and fire protection would be no problem--no chance of spreading fire to any neighboring structures. This land is well within reach of the Lihue Fire Station.

Since the Land Use Commission had promulgated the district maps, there is an indication that a considerable amount has happened in this area. After a slow start, the Lihue Light Industrial Park no longer has vacant lots. You will also note that the pier has been expanded

to provide for container shipping. If the ferry system comes about, you can see where there will be a tremendous demand for light industrial lots within this area. I feel that the next area for resort development will be in the Kanoa Corporation land and Niumalu. There is indication of a considerable amount of activity in this area, so much that I believe the next increment in sewer development will occur around this area.

The site in question is about half a mile from the pier and convenient to all shipping. The proposed use will not in any way alter the surrounding area--the cane land will remain in cane land. The proposed use is an attempt by Grove Farm Company to make the best and highest use of a non-productive land which deserves your support."

During the period of questioning, the following statements, in effect, were made:

Commissioner Sokei: Will the 12-inch water main go toward Laa Road or Nawiliwili?

Mr. Shinsato: It will go toward the High School. There is an existing line toward the bulk sugar plant which would no longer supply all the areas. State lines would serve a portion of what is now a 4-inch line.

Director: What does Grove Farm plan to do with the remaining land in the present vacant industrial area?

Mr. Carswell: The lot below was cleared last year. We are currently negotiating with several companies to lease these lands. Our proposal is to divide the land into four lots with a 30 ft. road serving the area.

Director: Any idea what is the schedule of occupancy of these existing lots?

Mr. Carswell: I would say it's imminent. We have at least three people: Standard Oil, Hale Kauai and Kauai Commercial; possibly, Gaspro.

Director: At the present time, do you know how the proposed structure will look like--in three dimensions? The lot is visible from the Kauai Surf area.

Mr. Carswell: We've received no plans other than the description of a 120 ft. x 150 ft. building; one-story, low profile type of commercial building.

Director: By the term "commercial laundry plant", would it be in the industrial category or strictly a commercial category? Would there be retail space?

Mr. Carswell: The operation would strictly service the hotels and apartments in that area.

Director: In terms of traffic flow, how do they plan to have the ingress and egress of the lot and how would it tie-in with the bulk sugar operation.

Mr. Carswell: Traffic flow would be from Niumalu Road. There would be a cross of traffic in that they will have to cross where the bulk sugar trucks come down to the can haul road and they would also be intercepting traffic on the Niumalu Road where the commercial trucks come in.

Director: How frequent is the bulk sugar traffic during the day?

Mr. Carswell: It could be four or five trucks coming in at once or one every two hours, depending on how fast or slow they come in.

Director: For the interim, should Young Laundry construct the laundry plant, what are the plans for sewerage disposal?

Mr. Carswell: There would either be a series of cesspools or a series of small treatment plants until such time that we can hook-up to the main line in Lihue.

Director: Does Grove Farm have some control as to how the site is developed? Would you require Young Laundry to landscape the area if necessary?

Mr. Carswell: We would retain the control as far as landscaping and architectural control of the building.

Commissioner Sokei: Is there any water shed or dam above this area you are trying to develop?

Mr. Carswell: There is a valley between Nawiliwili Road and the proposed area and a stream runs between the State's and our boundary; however, the area we are proposing for a special permit is not below this natural stream.

Commissioner Sokei: Do you have any other plans for the area other than what is being proposed today?

Mr. Carswell: We have hopes to take 14 acres of that field and put it into a light industrial area. The reason for this special permit request is time, so we can enable Young Laundry to get started. A request for a light industrial area for the 14 acres will come later.

Commissioner Tateishi: Would you have any waste water going into the harbor?

Mr. Carswell: We are concerned about pollution of the harbor also. We will meet the standards of the Health Department.

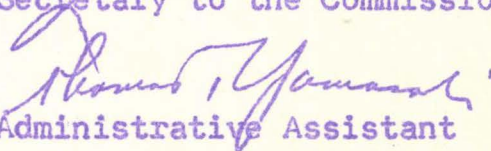
The hearing was closed at 2:22 p.m.

DECISION OF COMMISSION: At the regular meeting of the Commission held on August 1, 1968, the foregoing application for special permit was approved by the following vote:

AYES: Albao, Hashisaka, Johnston, Sokei, Tateishi	
Zalopany, Kageyama	- 7
NOES: None	- 0
ABSENT, NOT VOTING: None	- 0

Respectfully submitted,

BRIAN K. NISHIMOTO  
Secretary to the Commission

  
Administrative Assistant

my

KAUAI PLANNING AND TRAFFIC COMMISSION  
LIHUE, KAUAI, HAWAII

TO: Planning and Traffic Commission  
RE: Application for Special Permit SP-68-2  
APPLICANT: Grove Farm Company, Inc.

COMMENTS & RECOMMENDATIONS:

The area of land desired for a laundry and dry cleaning plant abuts an existing Urban District which is designated in the proposed CZO for heavy industrial use. The desired use will not take away actively used sugar cane land.

The staff considers the use reasonable and approval is therefore recommended.

Aug. 1, 1968



---

Brian Nishimoto  
Planning Director

HAROLD T. YAMADA  
MORRIS S. SHINSATO

*Yamada & Shinsato*  
ATTORNEYS AT LAW  
KAUAI OFFICE  
P. O. BOX 1205  
LIHUE, KAUAI, HAWAII - 96766

TEL. 22-691

May 22, 1968

Mr. Masashi Kageyama, Chairman  
Members, Planning & Traffic  
Commission, County of Kauai  
Lihue, Kauai, Hawaii 96766

Gentlemen:

We hereby submit our application for a special permit on behalf of our client, Grove Farm Company, Inc.

The attached map and insert show the location of the parcel and the location of the improvements on the parcel, the intended use being a commercial laundry.

The specific area is located in a waste area between the area now in cane and the road. We believe that the special permit merits your approval and meets the requirement set by your rules for the approval of special permits. There is no loss of productive agricultural land and the permit will not adversely affect surrounding property nor be contrary to the objectives of the Land Use Commission. The permit will put to productive use land that is now wasted. To make the use possible, the applicant will need to do considerable amount of earth moving.

We request your favorable consideration. Thank you.

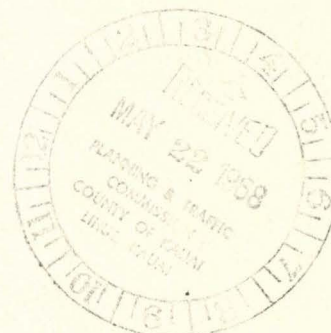
Very truly yours,

*Morris S. Shinsato*

Morris S. Shinsato

MSS:my

Enclosures



C

KAUAI PLANNING AND TRAFFIC COMMISSION  
LIHUE, KAUAI, HAWAII

STAFF REPORT

TO: Planning and Traffic Commission

RE: Application for Special Permit SP-68-2

APPLICANT: Grove Farm Company, Inc.

Location: Portion of Land Court Application 1087, Ahupuaa of  
Nawiliwili, Lihue, Kauai.

Tax Key: 3-3-03:Por. 1 (Portion Lot 20-A)

Lot Area: 40,000 sq. ft. (Proposed)

Background:

This subject property, owned by Grove Farm Company, Incorporated, is situated along the west boundary of Niumalu Road, approximately 250 ft. south from its intersection with Nawiliwili Road, being a portion of Lot 20-A, Land Court Application 1087, Ahupuaa of Nawiliwili, Tax Key 3-3-03:Portion 1, Nawiliwili, Lihue, Kauai, Hawaii.

Both State Land Use Commission interim boundaries established on April 21, 1962, and the final amended boundaries established on August 23, 1964, classified this area as being within the agricultural classification.

The existing urban boundary in relation to the subject property is located directly adjacent and on the east side of Niumalu Road (see map prepared by staff).

Petitioners Reasons for Requesting Special Permit:

Based on the letter and map submitted with the application, Grove Farm Company, Inc. desires to lease a proposed industrial lot (40,000 sq. ft. +) to Young Laundry & Dry Cleaning Company which plans to construct a commercial laundry plant approximately 18,000 sq.ft. in floor area.

The applicant explains that the proposed site is located in a waste area where productive agricultural land will not be taken away; will put a waste land into productive use and that the desired use will not adversely affect surrounding property nor be contrary to the objectives of the Land Use Commission.

ANALYSIS:

Master Plan Designation: The County General Plan designates the area under study in the agricultural use. The proposed Comprehensive Zoning map indicates agricultural designation as established on August 23, 1964, by the State Land Use Commission.

C

Public Facilities:

Water Supply: The Board of Water Supply advises that a 4-inch main fronts this subject property (along Niumalu Road) which could adequately serve the proposed use. However, fire protection is not provided from this 4-inch main. Contemplated 6-year capital improvement projects of the Board of Water Supply will include plans for a 12-inch water main installation along Niumalu Road.

Sanitary Sewerage Disposal: In the absence of a sewer collection system in this area, all waste disposal method will be subject to the State's Department of Health review and requirements.

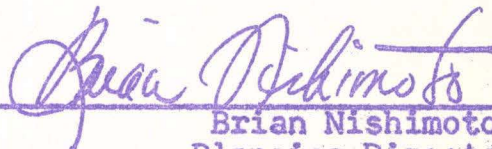
Public Roadway and Drainage: The County Department of Public Works advises that Niumalu Road is 30 feet wide and according to the Subdivision Ordinance, this road should have a minimum width of 50 feet.

The Department of Public Works recommends 10 feet setback lines be set on both sides of Niumalu Road.

Land Type: The subject area has soil classification productivity rating of C-41 based on the University of Hawaii's "Detailed Land Classification Report, 1967."

Land type C-41 is non-irrigated land; well suited for machine tillability, non-stony; deep soil (over 30"); with slopes of 0% to 10%; moderately fine textured soil; well drained; median annual rainfall of about 40 to 60 inches; generally at elevations of approximately 0-800 feet; with dusky red to dark reddish brown soil color, and in the "Lihue" and "Kamilo" soil series.

June 26, 1968

  
\_\_\_\_\_  
Brian Nishimoto  
Planning Director

KAUAI PLANNING AND TRAFFIC COMMISSION  
PUBLIC HEARING  
SPECIAL PERMIT, LAND USE - COUNTY OF KAUAI

APPLICATION NO. SP-68-2

USE OF PROPERTY FOR A COMMERCIAL LAUNDRY

A public hearing on the above application was opened by Chairman Masashi Kageyama at 1:55 p.m. on Tuesday, July 2, 1968, in the County Board Room at Lihue. Following Commissioners were present:

Mr. Masashi Kageyama, Chairman  
Mr. Welcome Albao  
Mr. Norman Hashisaka  
Mr. Takato Sokei  
Mr. Gisao Tateishi  
Mr. Leonard Zalopany

Planning Director Nishimoto presented his analysis and report on same (see Director's report on file).

There were no letters of protest as of this date.

The hearing was then opened to the public.

Mr. Morris Shinsato, counsel for the petitioner, stated in effect as follows: "The special permit which was stated is for the purpose of establishing a commercial laundry by Young Laundry; the lot is a 40,000 sq. ft. lot on which it is proposed to build an 18,000 sq. ft. building. The lot is diagonally across from the bulk sugar plant; the appearance of this lot is that of what you would call a "Butte Montana"--the lot is a slight hill with steep sides and a flat top--that is why it is not in productive use. This is a waste land and to put it to productive use, Mr. Carswell, engineer for Grove Farm, will have to do a considerable amount of earth-moving; that a special permit would permit an economically useful service and provide additional income for the owner of the land. We feel that this is an ideal location for a laundry; that in a laundry there is a certain amount of noise developing from the boilers. The boilers, running on oil, may at times cause a certain amount of air pollution. From the operation, there is a considerable amount of waste water containing chemicals, detergents and bleaches. This will be away from any other kind of inconsistent use, in this isolated area. It won't even harm the bulk sugar plant; that the laundry operation today is all conducted indoors. The request for special permit meets all the requirements set forth by the Land Use Commission and not contrary to the objectives of the land use regulations in that it specifically attempts to make the best and highest economic use of a piece of land that is not now productive; that it will not adversely affect the surrounding areas; that as stated, this is an ideal location for a laundry; that it certainly would not unduly burden the other public agencies such as the Fire Department and Police. The Director's report stated that Niumalu Road is slightly under size but the main thoroughfare, wider road going to Niumalu, is just a few feet away from this lot; in fact, this lot is surrounded by roads all over--from all four sides. The water is adequate as stated by the Director but I understand that a contract of \$90,000 has been made and the contractor instructed to proceed immediately with construction of a 12-inch main to serve Kauai High School and the Kauai Surf area; that water would be more than ample for the laundry and fire protection would be no problem--no chance of spreading fire to any neighboring structures. This land is well within reach of the Lihue Fire Station.

Since the Land Use Commission had promulgated the district maps, there is an indication that a considerable amount has happened in this area. After a slow start, the Lihue Light Industrial Park no longer has vacant lots. You will also note that the pier has been expanded

to provide for container shipping. If the ferry system comes about, you can see where there will be a tremendous demand for light industrial lots within this area. I feel that the next area for resort development will be in the Kanoa Corporation land and Niumalu. There is indication of a considerable amount of activity in this area, so much that I believe the next increment in sewer development will occur around this area.

The site in question is about half a mile from the pier and convenient to all shipping. The proposed use will not in any way alter the surrounding area--the cane land will remain in cane land. The proposed use is an attempt by Grove Farm Company to make the best and highest use of a non-productive land which deserves your support."

During the period of questioning, the following statements, in effect, were made:

Commissioner Sokei: Will the 12-inch water main go toward Laa Road or Nawiliwili?

Mr. Shinsato: It will go toward the High School. There is an existing line toward the bulk sugar plant which would no longer supply all the areas. State lines would serve a portion of what is now a 4-inch line.

Director: What does Grove Farm plan to do with the remaining land in the present vacant industrial area?

Mr. Carswell: The lot below was cleared last year. We are currently negotiating with several companies to lease these lands. Our proposal is to divide the land into four lots with a 30 ft. road serving the area.

Director: Any idea what is the schedule of occupancy of these existing lots?

Mr. Carswell: I would say it's imminent. We have at least three people: Standard Oil, Hale Kauai and Kauai Commercial; possibly, Gaspro.

Director: At the present time, do you know how the proposed structure will look like--in three dimensions? The lot is visible from the Kauai Surf area.

Mr. Carswell: We've received no plans other than the description of a 120 ft. x 150 ft. building; one-story, low profile type of commercial building.

Director: By the term "commercial laundry plant", would it be in the industrial category or strictly a commercial category? Would there be retail space?

Mr. Carswell: The operation would strictly service the hotels and apartments in that area.

Director: In terms of traffic flow, how do they plan to have the ingress and egress of the lot and how would it tie-in with the bulk sugar operation.

Mr. Carswell: Traffic flow would be from Niumalu Road. There would be a cross of traffic in that they will have to cross where the bulk sugar trucks come down to the can haul road and they would also be intercepting traffic on the Niumalu Road where the commercial trucks come in.

Director: How frequent is the bulk sugar traffic during the day?

Mr. Carswell: It could be four or five trucks coming in at once or one every two hours, depending on how fast or slow they come in.

Director: For the interim, should Young Laundry construct the laundry plant, what are the plans for sewerage disposal?

Mr. Carswell: There would either be a series of cesspools or a series of small treatment plants until such time that we can hook-up to the main line in Lihue.

Director: Does Grove Farm have some control as to how the site is developed? Would you require Young Laundry to landscape the area if necessary?

Mr. Carswell: We would retain the control as far as landscaping and architectural control of the building.

Commissioner Sokei: Is there any water shed or dam above this area you are trying to develop?

Mr. Carswell: There is a valley between Nawiliwili Road and the proposed area and a stream runs between the State's and our boundary; however, the area we are proposing for a special permit is not below this natural stream.

Commissioner Sokei: Do you have any other plans for the area other than what is being proposed today?

Mr. Carswell: We have hopes to take 14 acres of that field and put it into a light industrial area. The reason for this special permit request is time, so we can enable Young Laundry to get started. A request for a light industrial area for the 14 acres will come later.

Commissioner Tateishi: Would you have any waste water going into the harbor?

Mr. Carswell: We are concerned about pollution of the harbor also. We will meet the standards of the Health Department.

The hearing was closed at 2:22 p.m.

DECISION OF COMMISSION: At the regular meeting of the Commission held on August 1, 1968, the foregoing application for special permit was approved by the following vote:

AYES: Albao, Hashisaka, Johnston, Sokei, Tateishi	
Zalopany, Kageyama	- 7
NOES: None	- 0
ABSENT, NOT VOTING: None	- 0

Respectfully submitted,

BRIAN K. NISHIMOTO  
Secretary to the Commission

  
Administrative Assistant

my

KAUAI PLANNING AND TRAFFIC COMMISSION  
LIHUE, KAUAI, HAWAII

TO: Planning and Traffic Commission  
RE: Application for Special Permit SP-68-2  
APPLICANT: Grove Farm Company, Inc.

COMMENTS & RECOMMENDATIONS:

The area of land desired for a laundry and dry cleaning plant abuts an existing Urban District which is designated in the proposed CZO for heavy industrial use. The desired use will not take away actively used sugar cane land.

The staff considers the use reasonable and approval is therefore recommended.

Aug. 1, 1968



Brian Nishimoto  
Planning Director

HAROLD T. YAMADA  
MORRIS S. SHINSATO

*Yamada & Shinsato*  
ATTORNEYS AT LAW  
KAUAI OFFICE  
P. O. BOX 1205  
LIHUE, KAUAI, HAWAII - 96766

TEL. 22-691

May 22, 1968 :

Mr. Masashi Kageyama, Chairman  
Members, Planning & Traffic  
Commission, County of Kauai  
Lihue, Kauai, Hawaii 96766

Gentlemen:

We hereby submit our application for a special permit on behalf of our client, Grove Farm Company, Inc.

The attached map and insert show the location of the parcel and the location of the improvements on the parcel, the intended use being a commercial laundry.

The specific area is located in a waste area between the area now in cane and the road. We believe that the special permit merits your approval and meets the requirement set by your rules for the approval of special permits. There is no loss of productive agricultural land and the permit will not adversely affect surrounding property nor be contrary to the objectives of the Land Use Commission. The permit will put to productive use land that is now wasted. To make the use possible, the applicant will need to do considerable amount of earth moving.

We request your favorable consideration. Thank you.

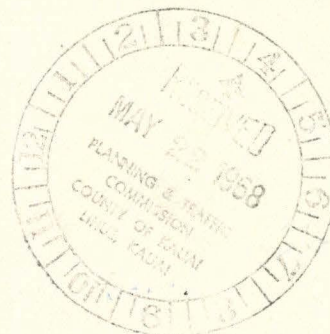
Very truly yours,

*Morris S. Shinsato*

Morris S. Shinsato

MSS:my

Enclosures



COUNTY OF KAUAI  
PLANNING AND TRAFFIC COMMISSION  
Lihue, Kauai, Hawaii

This space for official use  
Date Application and Fee  
received by KP&TC \_\_\_\_\_

APPLICATION FOR SPECIAL PERMIT

(I) (We) hereby request approval of a special permit to use certain property located in the County of Kauai, Island of Kauai, Land Use Commission District Boundary map number and/or name Map K-4, Lihue, Nawiliwili, Hanamaulu, Puhi, for the following-described purpose:

Description of property: Tax Key: 3-3-03-Por 1; now designated agricultural, but the specific limited area desired is not suitable for cane.

Petitioner's interest in subject property: Fee title owner

Petitioner's reason(s) for requesting special permit: Permit the construction of a commercial laundry plant

Signature(s)

*Mano R. Munro*  
Attorney for Grove Farm Company,  
Ltd., petitioner

Address: P. O. Box 1205, Lihue, Hawaii 96766

Telephone: 22691

This space for official use

The property is situated in a(n) \_\_\_\_\_ district, whose regulations adopted by the Land Use Commission prohibit the desired use.



Signature(s) \_\_\_\_\_

For (agency) \_\_\_\_\_

C

KAUAI PLANNING AND TRAFFIC COMMISSION  
LIHUE, KAUAI, HAWAII

STAFF REPORT

TO: Planning and Traffic Commission

RE: Application for Special Permit SP-68-2

APPLICANT: Grove Farm Company, Inc.

Location: Portion of Land Court Application 1087, Ahupuaa of  
Nawiliwili, Lihue, Kauai.

Tax Key: 3-3-03:Por. 1 (Portion Lot 20-A)

Lot Area: 40,000 sq. ft. (Proposed)

Background:

This subject property, owned by Grove Farm Company, Incorporated, is situated along the west boundary of Niumalu Road, approximately 250 ft. south from its intersection with Nawiliwili Road, being a portion of Lot 20-A, Land Court Application 1087, Ahupuaa of Nawiliwili, Tax Key 3-3-03:Portion 1, Nawiliwili, Lihue, Kauai, Hawaii.

Both State Land Use Commission interim boundaries established on April 21, 1962, and the final amended boundaries established on August 23, 1964, classified this area as being within the agricultural classification.

The existing urban boundary in relation to the subject property is located directly adjacent and on the east side of Niumalu Road (see map prepared by staff).

Petitioners Reasons for Requesting Special Permit:

Based on the letter and map submitted with the application, Grove Farm Company, Inc. desires to lease a proposed industrial lot (40,000 sq. ft. +) to Young Laundry & Dry Cleaning Company which plans to construct a commercial laundry plant approximately 18,000 sq. ft. in floor area.

The applicant explains that the proposed site is located in a waste area where productive agricultural land will not be taken away; will put a waste land into productive use and that the desired use will not adversely affect surrounding property nor be contrary to the objectives of the Land Use Commission.

ANALYSIS:

Master Plan Designation: The County General Plan designates the area under study in the agricultural use. The proposed Comprehensive Zoning map indicates agricultural designation as established on August 23, 1964, by the State Land Use Commission.

C

Public Facilities:

Water Supply: The Board of Water Supply advises that a 4-inch main fronts this subject property (along Niumalu Road) which could adequately serve the proposed use. However, fire protection is not provided from this 4-inch main. Contemplated 6-year capital improvement projects of the Board of Water Supply will include plans for a 12-inch water main installation along Niumalu Road.

Sanitary Sewerage Disposal: In the absence of a sewer collection system in this area, all waste disposal method will be subject to the State's Department of Health review and requirements.

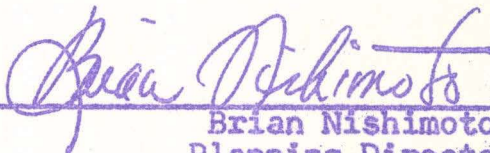
Public Roadway and Drainage: The County Department of Public Works advises that Niumalu Road is 30 feet wide and according to the Subdivision Ordinance, this road should have a minimum width of 50 feet.

The Department of Public Works recommends 10 feet setback lines be set on both sides of Niumalu Road.

Land Type: The subject area has soil classification productivity rating of C-41 based on the University of Hawaii's "Detailed Land Classification Report, 1967."

Land type C-41 is non-irrigated land; well suited for machine tillability, non-stony; deep soil (over 30"); with slopes of 0% to 10%; moderately fine textured soil; well drained; median annual rainfall of about 40 to 60 inches; generally at elevations of approximately 0-800 feet; with dusky red to dark reddish brown soil color, and in the "Lihue" and "Kamilo" soil series.

June 26, 1968

  
\_\_\_\_\_  
Brian Nishimoto  
Planning Director

for file

Rem -

Re/SP68-55 Grove Farm

I called Peter Sakai <sup>supervisor</sup> of the Dept. of Health Sanitary Engr. Sec. about the regulations governing the discharge of chemical wastes from a commercial laundry operation and he notified me that there is presently a new set of regulations covering water pollution.  
(See attached)

He also said that the absence of a sewer system at Nanihiki would make a commercial laundry operation there difficult and undesirable. He said that the operators will have to apply for a permit from the Health Dept. (See regulations attached) which will then be reviewed & acted on.

# **PUBLIC HEALTH REGULATIONS**

Department of Health, State of Hawaii

## **Chapter 37**

### **WATER POLLUTION CONTROL**

Under and by virtue of the provisions of Sections 46-13 and 46-16, Revised Laws of Hawaii 1955, and all other applicable laws, Chapter 37 of the Public Health Regulations, Department of Health, State of Hawaii, relating to Water Pollution Control, is hereby amended to read as follows:

#### **Section 1. DEFINITIONS**

The following definitions shall apply in the interpretation and enforcement of this Chapter:

- (a) "Water pollution" means
  - (1) Such contamination, or other alteration of the physical, chemical or biological properties, of any waters of the State, including change in temperature, taste, color, turbidity, or odor of the waters, or
  - (2) Such discharge of any liquid, gaseous, solid, radioactive, or other substance into any waters of the State,  
as will or is likely to create a nuisance or render such waters unreasonably harmful, detrimental or injurious to public health, safety or welfare, including harm, detriment or injury to public water supplies, fish and aquatic life and wildlife, recreational purposes, and agricultural, industrial, research and scientific uses of such waters.
- (b) "Wastes" means waste materials of any kind, whether treated or not, and whether animal, mineral or vegetable, and whether liquid, gaseous, radioactive or solid, including sewage and agricultural and industrial wastes, which cause any waters of the State to be reduced in quality below the standards applicable to the area as set out in Chapter 37-A of the Public Health Regulations, Department of Health, State of Hawaii.
- (c) "Treatment works" means the various devices used in the treatment of wastes including the necessary intercepting sewers, outfall sewers, or outlets, pumping, power and other equipment and their appurtenances.
- (d) "Waters of the State" means all
  - (1) rivers, streams, canals,
  - (2) ponds, lakes, reservoirs,
  - (3) bays, harbors, channels,

- (4) lagoons, and
- (5) coastal and shore waters,  
whether natural or artificial, which are situated within or bordering upon the State.
- (e) "Person" means any individual, firm, association, organization, partnership, business trust, corporation, company, foundation or other institution or entity, or governmental agency.
- (f) "Director" means the Director of Health or his duly authorized agent.
- (g) "Master" means any person or persons appointed by the Director of Health to conduct investigations, to hold hearings, to report or make recommendations to the Director on matters of water pollution, the disposal of wastes and standards of water quality.

## **Section 2. STANDARDS OF WATER QUALITY**

The Director may appoint a Master who shall divide the waters of the State into areas and who, after investigations and hearings conducted in accordance with the Rules of Practice and Procedure of the Department of Health, State of Hawaii, shall recommend standards of water quality applicable to such water areas. The standards of quality recommended by the Master shall be such as to protect the present and prospective best use of each water area. Consideration shall be given by the Master to the standards and requirements of other government agencies having legal responsibilities for water quality control.

Standards of water quality, or any modification thereof, shall become effective upon their adoption by the Director in accordance with the requirements of the Hawaii Administrative Procedure Act. Such standards shall remain in effect until amended or repealed by the Director.

## **Section 3. PERMITS REQUIRED**

It shall be unlawful for any person to do any one of the following without a permit issued in accordance with the provisions of this Chapter:

- (a) To discharge any wastes into any waters of the State so as to reduce the quality of the water below the standards of water quality adopted for such waters by Chapter 37-A;
- (b) To construct, install, modify, alter, or operate any treatment works or part thereof or any extension or addition thereto;
- (c) To construct or use any new outlet for the discharge of any wastes into the waters of the State.

## **Section 4. APPLICATION FOR PERMIT**

Every application for a permit shall be made on forms furnished by the Director and shall be accompanied by a statement of the proposed activity, or by a

complete and detailed plan, description and history of the proposed or existing treatment works or outlet for the discharge of any wastes into the waters of the State and of any proposed additions, modifications or alterations thereto. An application for the renewal of a permit need contain only such information as is necessary to reflect changes in the permitted activity or in the treatment works or outlet which have occurred since the original filing.

All persons responsible for existing treatment works or outlets which discharge wastes into any water areas for which standards of water quality have been adopted by the Director shall file, within sixty days after the date on which a notice of adoption of the standards of water quality for such area has been published, an application for a permit to continue to discharge such wastes.

## **Section 5. ISSUANCE OF PERMIT**

Application for permits will be reviewed together with plans, descriptions and histories submitted by the person making such application and together with such additional information as may be requested by the Director to ascertain the effect or probable effect upon the standards of water quality established for the water area involved. No permit shall be issued by the Director unless the application and the supporting information clearly show that the issuance thereof is in the public interest and unless the application contains a schedule of implementing actions the applicant will follow in order to comply with such standards of water quality. No permit shall be denied unless the applicant has had an opportunity for a hearing by the Director.

The Director may issue a permit for any period not exceeding five years, or may renew a permit for any additional period not exceeding five years. Upon expiration of the period stated therein, the permit shall automatically terminate and no rights shall become vested in the permittee.

Each permit shall set forth the conditions under which it is issued and shall require the permittee to conform to a schedule of implementing actions designed to obtain compliance with the standards of water quality established for the water area involved. The conditions shall include, but shall not be limited to, a requirement that the permittee shall do effluent sampling and shall report the results of such sampling to the Director. Any permittee may apply for a change in the conditions of the permit. A statement of the reasons for requesting such change shall accompany the application.

## **Section 6. REVOCATION OF PERMIT**

Each permit shall be subject to revocation, to modification or change by the Director if he shall determine that such action is in the public interest. In taking such action the Director shall consider operation records, investigations or other information regarding the treatment works, outlets or quality of the receiving waters. Such action shall be effected by giving written notice to the permittee.

The notice shall contain the reasons for the action.

No permit shall be revoked, modified, or changed unless the permittee has had an opportunity for a hearing by the Director.

#### **Section 7. PENALTY**

Any person who violates any provisions of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars (\$500.00), or by imprisonment for not more than one (1) year, or by both such fine and imprisonment.

#### **Section 8. SEVERABILITY**

If any provision of this Chapter, or its application to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Chapter, shall not be affected thereby.

I, Walter B. Quisenberry, M.D., Director of Health, hereby certify that the foregoing regulations were adopted by the Department of Health on the 26th day of December, 1967.

WALTER B. QUISENBERRY, M.D.  
*Director of Health*

The foregoing regulations are hereby approved as to form this 9th day of January, 1968.

NOBUKI KAMIDA  
*Deputy Attorney General*

BERT T. KOBAYASHI  
*Attorney General*

The foregoing regulations are hereby approved this 26th day of January, 1968.

JOHN A. BURNS  
*Governor of Hawaii*

# PUBLIC HEALTH REGULATIONS

Department of Health, State of Hawaii

## Chapter 37-A

### WATER QUALITY STANDARDS

Under and by virtue of the provisions of Sections 46-13 and 46-16, Revised Laws of Hawaii 1955, and all other applicable laws, Chapter 37-A of the Public Health Regulations, Department of Health, State of Hawaii, is hereby amended to read as follows:

#### Section 1. PURPOSE AND SCOPE

Pursuant to the authority granted by Section 46-16, Revised Laws of Hawaii 1955, the Director of Health of the State of Hawaii appointed a Master to divide the waters of the State into areas and to recommend to the Director standards of water quality for such water areas. Except as modified in this Chapter, the standards recommended by the Master are hereby adopted. The standards adopted, hereinafter set forth, shall be the standards of water quality for the purposes of Chapter 37, Public Health Regulations, Department of Health, State of Hawaii, and shall be enforced and administered as provided therein.

#### Section 2. DEFINITIONS

- A. "Near shore waters" means all coastal waters lying within a defined reef area, all waters of a depth less than ten fathoms, or waters up to a distance of 1000 feet off-shore if there is no defined reef area and if the depth is greater than ten fathoms.
- B. "Off-shore waters" means all coastal waters beyond the limits defined for "near shore waters."
- C. "Coastal waters" includes "near shore waters," "off-shore waters" and those brackish waters, fresh waters and salt waters that are subject to the ebb and flow of the tide.

#### Section 3. CLASSIFICATION OF WATER USES

##### A. Classification of Coastal Water Uses

Coastal waters are classified in accordance with the uses to be protected in each class as follows:

##### 1. *Class AA waters*

The uses to be protected in this class of waters are oceanographic research, propagation of shellfish and marine life, conservation of coral reefs and wilderness areas and aesthetic enjoyment.

It is the objective of this class of waters that they remain in as nearly their natural, pristine state as possible with an absolute minimum of pollution from any source. To the extent possible, the wilderness character of such areas shall be protected. No zones of mixing will be permitted in these waters.

The classification of any water area as Class AA shall not preclude

other uses of such waters compatible with these objectives and in conformance with the standards applicable to them.

## 2. *Class A waters*

The uses to be protected in this class of waters are recreational, including fishing, swimming, bathing and other water-contact sports and aesthetic enjoyment.

It is the objective for this class of waters that their use for recreational purposes and aesthetic enjoyment not be limited in any way. Such waters shall be kept clean of any trash, solid materials or oils and shall not act as receiving waters for any effluent which has not received the best practicable treatment or control compatible with the standards established for this class.

## 3. *Class B waters*

The uses to be protected in this class of waters are small boat harbors, commercial, shipping and industrial, bait fishing and aesthetic enjoyment.

It is the objective for this class of waters that discharges of any pollutant be controlled to the maximum degree possible and that sewage and industrial effluents receive the best practicable treatment or control compatible for the standards established for this class.

The Class B designation shall apply only to a limited area next to boat docking facilities in bays and harbors. The rest of the water area in such bay or harbor shall be Class A unless given some other specific designation in Section 5.

# B. Classification of Fresh Water Uses

Fresh waters are classified in accordance with the uses to be protected as follows:

## 1. *Class 1 waters*

The uses to be protected in this class of waters are drinking water supply and food processing.

It is the objective of this class of waters that they remain as nearly the natural state as possible with an absolute minimum of pollution from any source.

## 2. *Class 2 waters*

The uses to be protected in this class of waters are bathing, swimming, recreation, growth and propagation of fish and other aquatic life and agricultural and industrial water supply.

It is the objective for this class of waters that their use for recreational purposes, propagation of fish and other aquatic life and agricultural and industrial water supply not be limited in any way. Such waters shall be kept clean of trash, solid materials or oils and shall not act as receiving waters for any effluent which has not received the best practicable treatment compatible with the standards established for this class.

# Section 4. ZONES OF MIXING

Zones of mixing for the assimilation of municipal, agricultural and industrial discharges which have received the best practicable treatment or control or such lesser degree of treatment or control as will provide for a water quality commensurate with the classified use of the waters outside the zone of mixing are recognized as necessary.

It is the objective of this limited zone to provide for a current realistic means of control over such discharges and at the same time achieve the highest attainable level of water quality.

## Section 5. CLASSIFICATION AND ESTABLISHMENT OF WATER AREAS

The following classification of water uses shall apply to the following areas.

### A. Coastal Water Areas

#### 1. *Oahu*

##### (a) *Class AA waters*

Waimānalo Bay from Makapuu Point to the southerly boundary of Kaiona Beach Park and including the waters surrounding Manana and Kaohikaipu Islands.

That portion of Kaneohe Bay designated in blue on chart dated April 7, 1967, prepared by the Hawaii Institute of Marine Biology of the University of Hawaii and on file in the Department of Health, State of Hawaii.

Kahana Bay.

Waialua Bay, from Puaena Point to Kaiaka Point.

The near shore waters along Kaena Point for a distance of  $3\frac{1}{2}$  miles towards Mokuleia and  $3\frac{1}{2}$  miles towards Makua.

That portion of West Loch, Pearl Harbor, lying north of a tangent drawn from Nichols Point to Loch Point.

Hanauma Bay.

##### (b) *Class A Waters*

That portion of Waimanalo Bay not designated Class AA.

Kailua Bay, from Wailea Point to Mokapu Point.

The near shore waters between Mokapu Point and Pyramid Rock.

That portion of Kaneohe Bay, not designated Class AA or Class B.

The near shore waters between Makalii Point and Laie Point. Laie Bay.

All coastal waters not included in any other class.

##### (c) *Class B waters*

Kaneohe Bay small boat harbor adjacent to Kaneohe Yacht Club.

Kaneohe Marine Corps Air Station small boat harbor and pier area.

Kewalo Basin.

Ala Wai Boat Harbor.

Pokai Bay small boat harbor.

Haleiwa small boat harbor.

Keehi Lagoon marina areas.

Heeia-Kea small boat harbor.

Campbell Estate Industrial Harbor.

Pearl Harbor — Middle Loch and East Loch and that portion of West Loch not classed as AA waters.

Honolulu Harbor.

## 2. *Kauai*

### (a) *Class AA waters*

The near shore waters between Hikinoe Valley and Puu Poa Point, including Wainiha Bay and Hanalei Bay.

### (b) *Class A waters*

All coastal waters of the island of Niihau.

All coastal waters of the island of Kauai not included in any other class.

### (c) *Class B waters*

Wailua River small boat harbor.

Kukuiula Bay.

Hanapepe Bay small boat harbor.

Kikiaola Harbor.

Nawiliwili Bay.

Port Allen, Hanapepe Bay.

## 3. *Molokai*

### (a) *Class AA waters*

The near shore waters between the westerly boundary of Haleolono Harbor and Laau Point.

The near shore waters between Laau Point and Ilio Point and from Ilio Point to Lamaola Head.

The near shore waters from Cape Halawa to the easterly boundary of Kaunakakai Harbor.

### (b) *Class A waters*

Halawa Bay.

The near shore waters from the westerly boundary of Kaunakakai Harbor to the easterly boundary of Haleolono Harbor.

All coastal waters not included in any other class.

### (c) *Class B waters*

Kaunakakai Harbor.

Haleolono Harbor.

## 4. *Lanai*

### (a) *Class AA waters*

The near shore waters from the westerly boundary of Hulopoe Bay to the southerly boundary of Kaumalapau Harbor and from the northerly boundary of Kaumalapau Harbor to Kaiolohia Bay.

The near shore waters from Kamaika Point to the easterly boundary of Manele Bay.

### (b) *Class A waters*

All coastal waters not included in any other class.

### (c) *Class B waters*

Manele Bay.

Kaumalapau Harbor.

## 5. *Maui*

### (a) *Class AA waters*

The near shore waters between Nakalele Point and Waihee Point.

The near shore waters between Huelo Point and Nanualele Point.

### (b) *Class A waters*

All coastal waters not included in any other class.

(c) *Class B waters*

Maalaea small boat harbor.  
Lahaina small boat harbor.  
Kahului Bay.

6. *Hawaii*

(a) *Class AA waters*

The near shore waters from Ka Lae to Waiulaula Point excepting Kealakekua Bay, Honokahau Bay, Keauhou Bay and Kailua Bay.

(b) *Class A waters*

The near shore waters from the northern boundary of Kawaihae Harbor to the southern boundary of Mahukona Harbor.

The near shore waters from Kauilii Point to the westerly boundary of Hilo Harbor.

The near shore waters from the easterly boundary of Hilo Harbor to Ka Lae, excepting Honuapo Bay.

All coastal waters not included in any other class.

(c) *Class B waters*

Honuapo Bay.  
Kealakekua Bay.  
Keauhou Bay.  
Kailua Bay.  
Honokahau Bay.  
Mahukona Harbor.  
Hilo Harbor.  
Kawaihae Harbor.

B. *Fresh Water Areas*

1. *Class 1 waters*

All sources of fresh surface water on all islands whether publicly or privately owned, used for domestic, culinary or food processing purposes.

2. *Class 2 waters*

All fresh water streams and rivers on all islands not included in Class 1.

## Section 6. WATER QUALITY STANDARDS

A. *Basic Standards Applicable to All Water Areas*

All waters shall be free of substances attributable to discharges or wastes as follows:

1. Materials that will settle to form objectionable deposits;
2. Floating debris, oil, scum and other matter;
3. Substances producing objectionable color, odor, taste or turbidity;
4. Materials, including radionuclides, in concentrations or combinations which are toxic or which produce undesirable physiological responses in human, fish and other animal life and plants; and
5. Substances and conditions or combinations thereof in concentrations which produce undesirable aquatic life.

All waters shall also be free from soil particles resulting from erosion on land involved in earthwork, such as the construction of public works, highway, subdivisions, recreational, commercial, or industrial developments, or the cultivation and management of agricultural lands.

This standard shall be deemed met if it can be shown that the land on which the erosion occurred or is occurring is being managed in accordance with soil conservation practices acceptable to the Director, and that a comprehensive conservation program is being actively pursued, or that the discharge has received the best practicable treatment or control.

## B. Specific Standards Applicable to Particular Water Areas

1. *Microbiological Requirements*

The median coliform bacteria shall not exceed 70 per 100 ml, nor shall samples exceed 230 per 100 ml at any time. Applicable to:  
Class AA

The median coliform bacteria shall not exceed 1,000 per 100 ml, nor shall more than 10% of the samples exceed 2,400 per 100 ml. Fecal coliform content shall not exceed an arithmetic average of 200/100 ml during any 30-day period nor shall more than 10% of the samples exceed 400/100 ml in the same time period. For such portion of Class 1 waters from which water is withdrawn for distribution for drinking water supply or food processing following simple chlorination, the fecal coliform content shall not exceed an arithmetic average of 20/100 ml during any calendar month. Classes A, 1  
and 2

Fecal coliform content shall not exceed an arithmetic average of 400/100 ml during any 30-day period nor shall more than 10% of the samples exceed 1000/100 ml in the same time period. Class B
2. *pH — Units*

Not more than  $\frac{1}{2}$  unit difference from natural conditions but not lower than 8.0 nor higher than 8.5 from other than natural causes. (Not lower than 7.0 for fresh tidal waters.) Applicable to:  
Class AA

Not more than  $\frac{1}{2}$  unit difference from natural conditions but not lower than 7.0 nor higher than 8.5 from other than natural causes. Classes A, B

Not less than 6.5 nor higher than 8.5. Class 2
3. *Nutrient Materials*

Total phosphorus, not greater than 0.020 mg/l. Applicable to:  
Class AA

Total phosphorus, not greater than 0.025 mg/l. Class A

Total phosphorus, not greater than 0.030 mg/l. Class B

Total nitrogen, not greater than 0.10 mg/l. Class AA

Total nitrogen, not greater than 0.15 mg/l. Class A

Total nitrogen, not greater than 0.20 mg/l. Class B
4. *Dissolved Oxygen (except from natural causes)*

Not less than 6.0 mg/l. Applicable to:  
Class AA

Not less than 5.0 mg/l. Classes A, 2

Not less than 4.5 mg/l. Class B

5. *Total Dissolved Solids, Salinity and Currents*  
No changes in channels, in basin geometry of the area, or in freshwater influx shall be made which would cause permanent changes in isohaline patterns of more than  $\pm 10\%$  of naturally occurring variation or which would otherwise affect biological and sedimentological situation. Total dissolved solids shall not be below 28,000 mg/l from other than natural causes.  
Applicable to:  
Class AA
6. *Temperature*  
Temperature of receiving waters shall not change more than 1.5°F from natural conditions.  
Applicable to:  
Classes AA, A, B
7. *Turbidity*  
Secchi disc or secchi disc equivalent as "extinction coefficient" determinations shall not be altered from natural conditions more than 5% for Class AA waters, 10% for Class A waters or 20% for Class B waters.  
Applicable to:  
Classes AA, A, B
8. *Radionuclides*  
The concentration of radioactivity in water shall not exceed 1/30th of the MPC<sub>w</sub> values given for continuous occupational exposure in National Bureau of Standards Handbook No. 69. No radionuclide or mixture of radionuclides shall be present at concentrations greater than those specified by the U. S. Public Health Service, Publication No. 956, as revised in 1962, as acceptable for drinking water.  
Applicable to:  
Classes AA, A, B, 1 and 2  
  
The concentration of radioactive materials present in fresh, estuarine, and marine waters shall be less than those that would require restrictions on the use of organisms harvested from the area in order to meet the Radiation Protection Guides recommended by the Federal Radiation Council.  
Classes AA, A, B and 2

These water quality criteria are based upon the best currently available data. It is possible that studies planned to be made in connection with the implementation program may prove them to be either inadequate or unattainable. For this reason, they will be subject to periodic review and, where necessary, to change. Any change will be made only after public hearing, held in compliance with the Hawaii Administrative Procedure Act and the Rules of Practice and Procedure of the Department of Health.

## Section 7. ESTABLISHMENT OF ZONES OF MIXING

Upon the application of any person requesting that a portion of the water areas meeting the basic standards applicable to all waters be zoned for the assimilation of agricultural, municipal and industrial discharges, if the Director shall determine that such use will not unreasonably interfere with any actual use of the water areas for which it is classified, he shall then designate such portion as a zone of mixing.

The boundaries of each zone of mixing shall be fixed by the Director, taking into account protected uses of the body of water, existing natural conditions of the

receiving water (i.e., depth, currents, location, etc.), character of the effluent, and the adequacy of the design of the outfall and diffuser system to achieve a maximum dispersion and assimilation of the treated or controlled waste with a minimum of undesirable or noticeable effect on the receiving water.

The application shall be made on forms furnished by the Director and shall contain the information required therein.

The establishment of a zone of mixing and the boundaries thereof shall be made only after hearing held by the Director on the island where the area is situated in accordance with the Hawaii Administrative Procedure Act and the Rules of Practice and Procedure of the Department of Health.

### **Section 8. TERMINATION OF ZONES OF MIXING**

The Director, on his own motion, or on the application of any person, shall terminate the designation of a water area as a zone of mixing, if after a hearing, he shall determine that such water area meeting the basic standards applicable to all coastal waters will unreasonably interfere with any actual use of the water area. Such termination shall be made only after a hearing held by the Director on the island where the area is situated in accordance with the Hawaii Administrative Procedure Act and the Rules of Practice and Procedure of the Department of Health. Upon such termination, the standards of water quality applicable thereto shall be those established for the water as otherwise classified.

### **Section 9. EFFECTIVE DATE**

This Chapter shall become effective thirty days after filing with the Lieutenant Governor.

### **Section 10. SEVERABILITY**

If any provision of this Chapter, or its application to any person or circumstance, is held invalid, the application of such provision to other persons or circumstances, and the remainder of this Chapter, shall not be affected thereby.

I, Walter B. Quisenberry, M.D., Director of Health, hereby certify that the foregoing regulations were adopted by the Department of Health on the 26th day of December, 1967.

WALTER B. QUISENBERRY, M.D.  
*Director of Health*

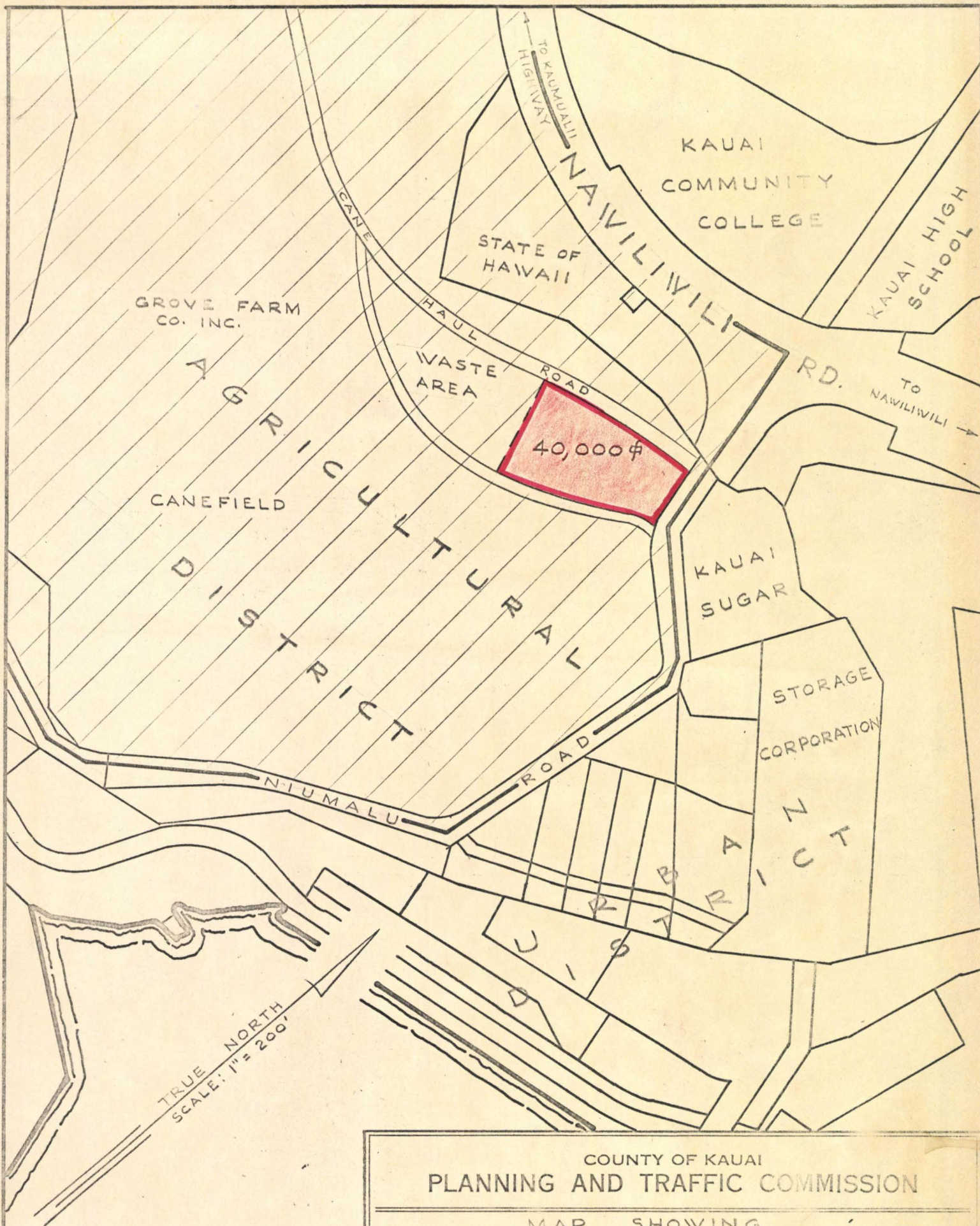
The foregoing regulations are hereby approved as to form this 9th day of January, 1968.

NOBUKI KAMIDA  
*Deputy Attorney General*

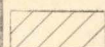
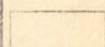

BERT T. KOBAYASHI  
*Attorney General*

The foregoing regulations are hereby approved this 26th day of January, 1968.

JOHN A. BURNS  
*Governor of Hawaii*



## LEGEND

-  AGRICULTURAL DISTRICT
-  URBAN DISTRICT
-  SPECIAL PERMIT

## COUNTY OF KAUAI PLANNING AND TRAFFIC COMMISSION

### MAP SHOWING LAND USE COMMISSION SPECIAL PERMIT

FOR  
GROVE FARM COMPANY INC.  
NAWILIWILI, LIHUE, KAUAI

DRAWN BY: T. H.

TRACED BY:

CHECKED BY:

SCALE: 1 in. = 200 ft.

DATE: 6-15-63

TAX KEY: 3-3-C

APPROVED:

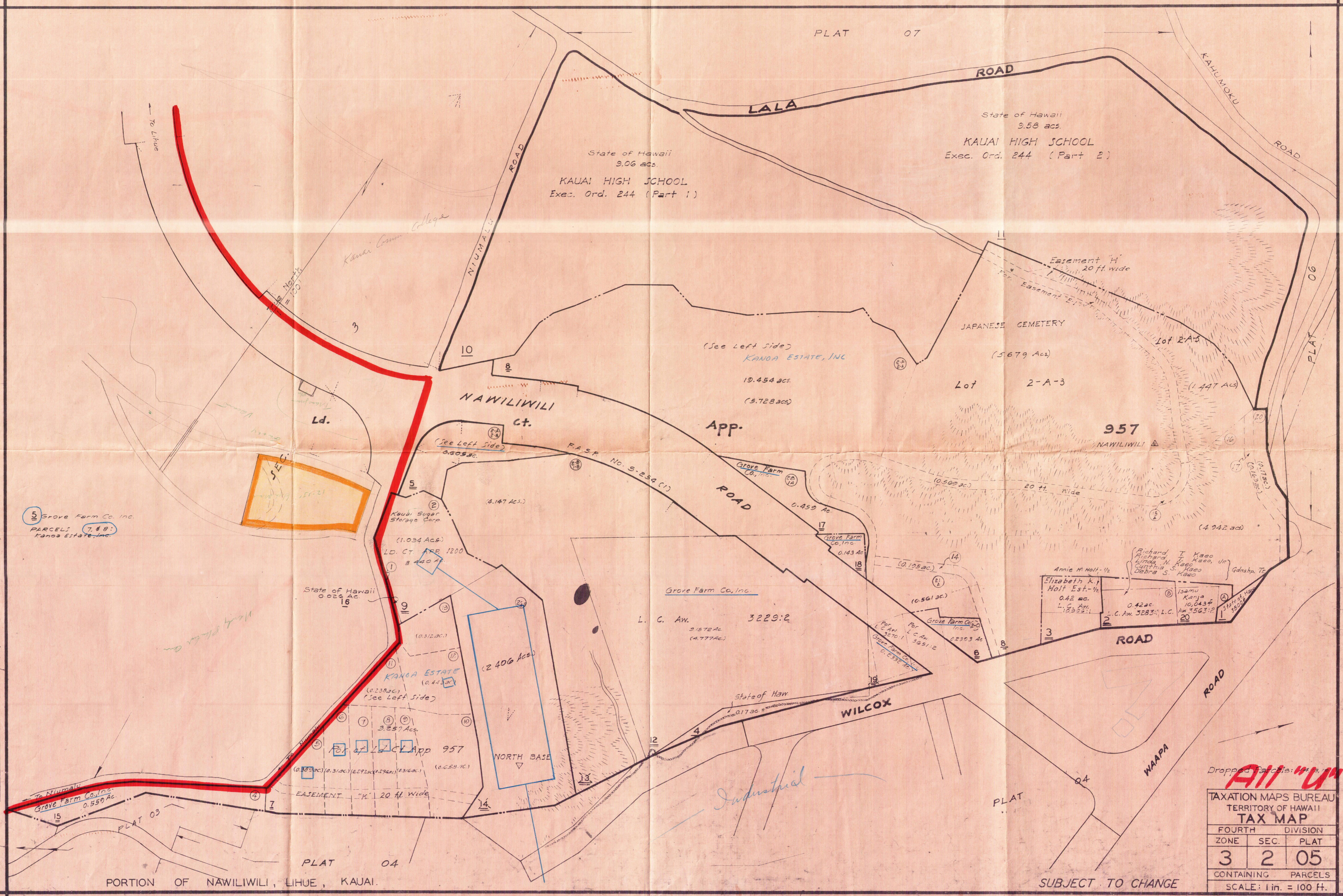
PLANNING DIRECTOR

REF. NO. SP-68-2



DEC 2 1967  
MAY 1 1968

Dwg. No. 2898  
Tax Maps Bureau  
Source H.N. & J.L.C. August, 1936.  
BY



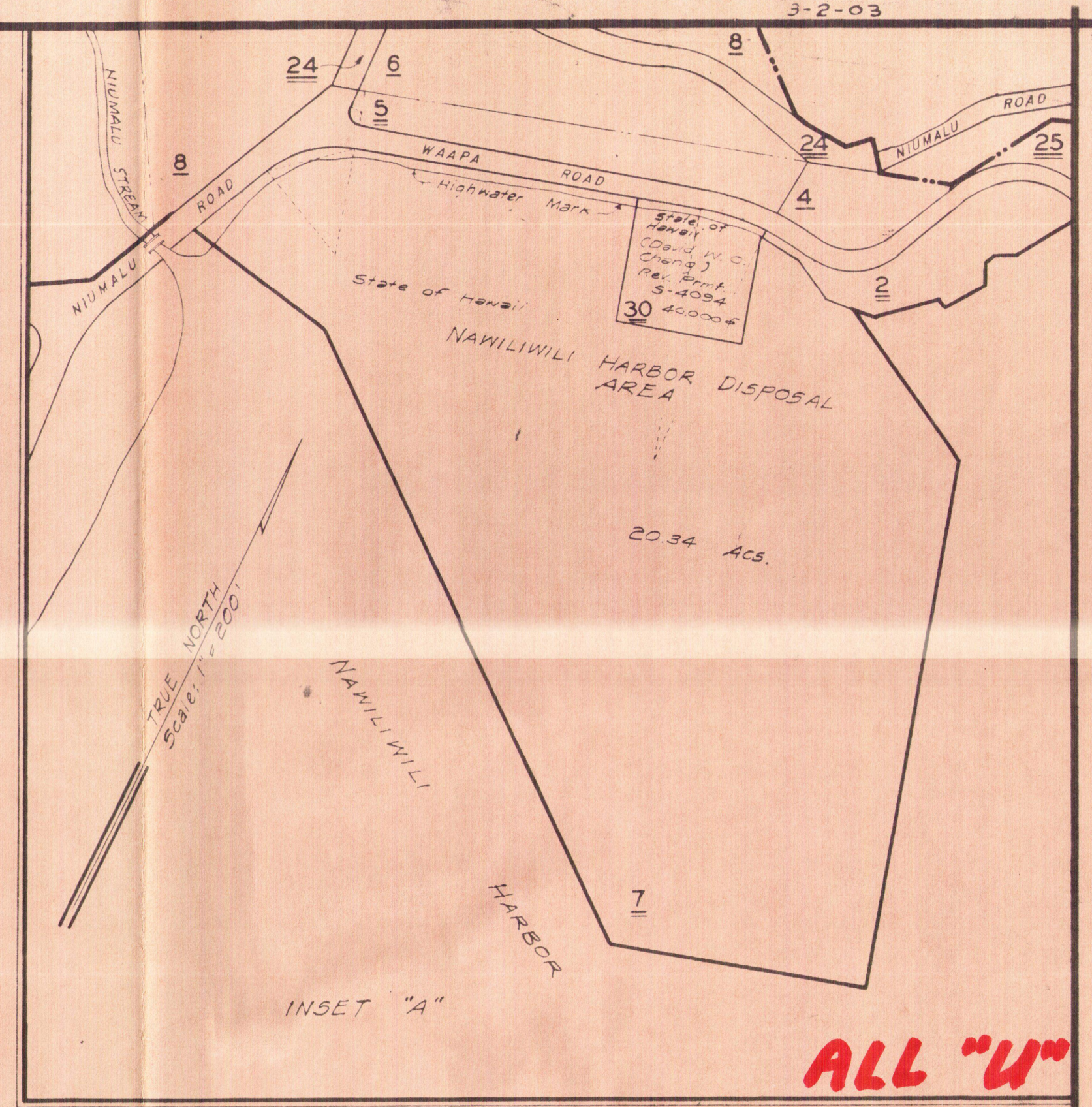
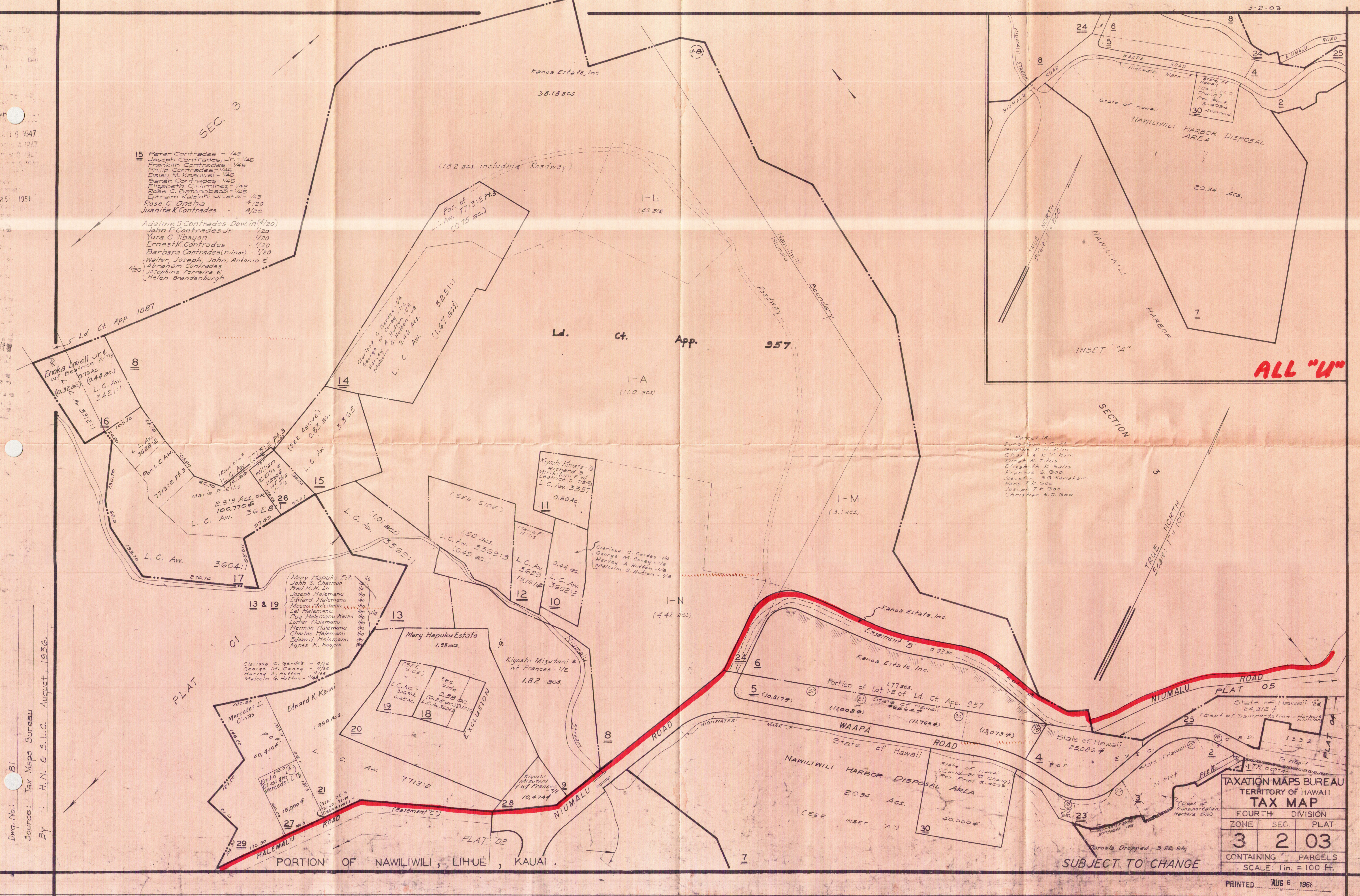
**ALL "U"**

TAXATION MAPS BUREAU  
TERRITORY OF HAWAII  
**TAX MAP**  
FOURTH DIVISION  
ZONE SEC. PLAT  
**3 2 05**  
CONTAINING PARCELS  
SCALE: 1 in. = 100 ft.  
PRINTED AUG 6 1968

JAN 16 1947  
APR 24 1947  
MAY 23 1947  
MAY 25 1951

Div. No. 181  
Source: Tax Maps Bureau  
By: H.N. & S.L.C. August, 1936.

- 15 Peter Contrades - 1/45  
Joseph Contrades, Jr. - 1/45  
Franklin Contrades - 1/45  
Philip Contrades - 1/45  
Daisy M. Kasuwai - 1/45  
Sarah Contrades - 1/45  
Elizabeth G. Jimenez - 1/45  
Rose C. Batongbaco - 1/45  
Ephraim Kaloohi, Jr. et al - 1/45  
Rose C. Oneha - 4/20  
Juanita K. Contrades - 4/20
- Adeline S. Contrades-Dow in (4/20)  
John F. Contrades Jr. - 1/20  
Yura C. Tibayan - 1/20  
Ernest K. Contrades - 1/20  
Barbara Contrades (minor) - 1/20  
Walter Joseph, John, Antonio &  
Abraham Contrades  
Josephine Ferreira &  
Helen Brandenburgh



TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FOURTH	DIVISION	
ZONE	SEC.	PLAT
3	2	03
CONTAINING		PARCELS
SCALE: 1 in. = 100 ft.		
PRINTED AUG 6 1966		

8 Theo H. Davies & Co. Ltd  
82 ac.

10 Grove Farm Co. Inc.  
16,847 #

11 Seal Corporation  
55,855 #

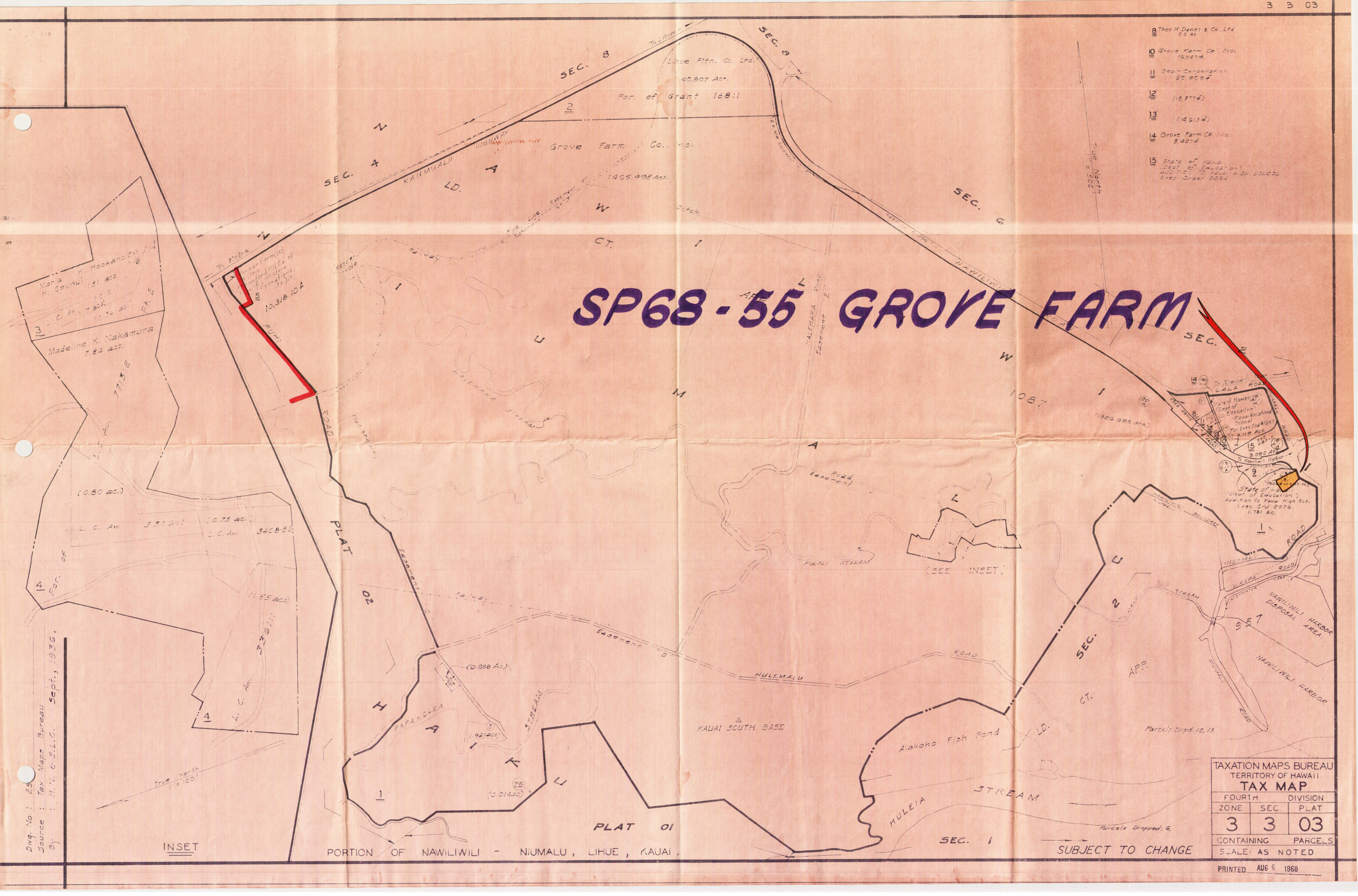
12  
(15,877 #)

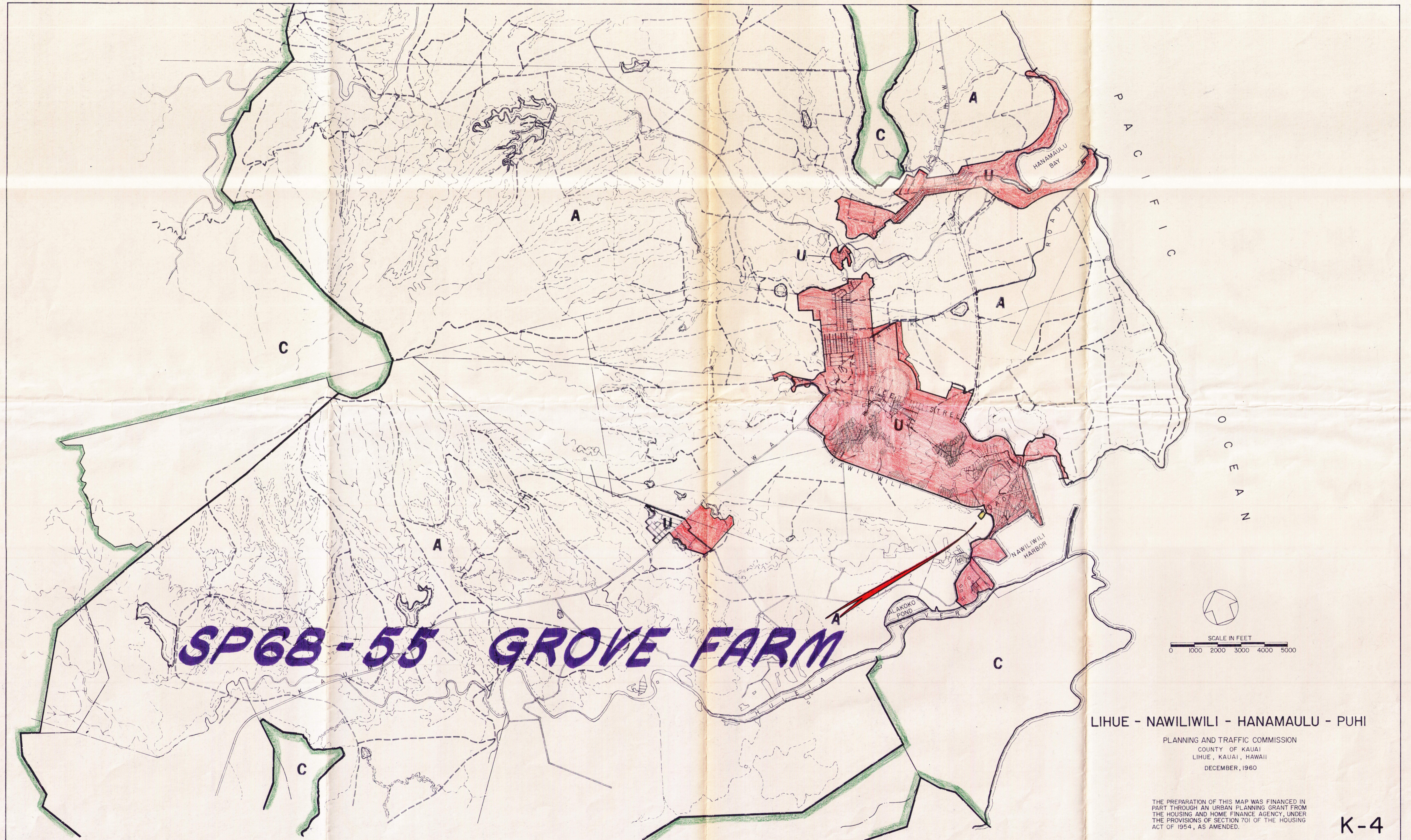
13  
(14,613 #)

14 Grove Farm Co. Inc.  
8,447 #

15 State of Kansas  
(copy of Executive Order)  
20070910 to Kawa, HGH 554032  
Exec Order 2254

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
FOURTH		DIVISION
ZONE	SEC.	PLAT
3	3	03
CONTAINING		PARCELS
SCALE: AS NOTED		







Mapped by Pacific Area, Geological Survey

This is an unedited copy of an original manuscript including field additions made in 1963

TRUE NORTH  
MAGNETIC NORTH  
APPROXIMATE MEAN  
DECLINATION, 1963

SCALE 1:24000  
1 0 1000 2000 3000 4000 5000 6000 7000 FEET  
1 MILE

CONTOUR INTERVAL 40 FEET  
DASHED LINES REPRESENT 20-FOOT CONTOURS  
DATUM IS MEAN SEA LEVEL

LIHUE, HAWAII  
KAUAI CO.

Kauai Project

