

2.0 PRE-ASSESSMENT CONSULTATIONS

This is a summary of all meetings.

2.1 PROPERTY OWNERSHIP ISSUES

2.1.1 Wailua Golf Course

Met with Ed Okamoto, golf course superintendent and Frank Sullivan, golf course advisor, then conducted a golf course public meeting with all interested stakeholders.

The issues expressed by the stakeholders was to preserve the integrity of the signature hole number 17 with the path accessing the golf course in that area. Also at the beach in this area, and at holes number 1 and 2 are locations that according to the beach studies, are subject to serious erosion and need to be re-nourished with additional sand to maintain the integrity of the coast and keep the greens and fairways from eroding away in the future.

The fence at the driving range might need to be moved mauka to accommodate the path in the area there. And decisions need to be made relevant to bringing the path between the clubhouse parking lot and tee number 1 to Kapule/Kuhio Highway. This alignment would have the path parallel the existing fiber optic cable alignment.

2.1.2 Marine Camp, County of Kauai

The portion of land belonging to the County is south of the golf course, and is directly makai of the motocross course. The land here is red dirt, rather than sand. If the path is aligned here, this park area will be formalized into a better park facility and possibly have a comfort station located here. Existing fishing uses here will remain unchanged.

2.1.3 Kauai Beach Villas

We had an on-site meeting with Judy Dalton, the longest full-time resident of the complex. She told us that there are only eight full time home owners there, that the remaining condominiums are leased properties. At first she was comfortable with the path running makai of the units, but called back later to say that the north corner unit would be too close to the path, and still have the path remain mauka of the 40' setback.

2.1.4 Ocean Bay Plantation

Spoke with Jerry Corush, owners' representative for the developer about issues relating to earlier development concepts and problems associated.

It appears the main problem the developer had with commencement of this project was with the desire of the owners to have the zoning changed to Urban to allow for high end housing to be built on the property. This was the source of contention with some of the native Hawaiians who did not support a use of the land that would barr them from beach access. It is zoned Conservation along the coast, and mauka of that is either zoned, Rural/Urban. There is, however, one section with special zoning along the ocean frontage of a portion of this property zoned O-ST-R, which is Scenic Ecological Resources.

2.1.6 Hanama'ulu Beach Park, County of Kauai

The other portion of land belonging to the County is the Hanama'ulu Beach Park. The path is scheduled to be aligned above the bluffs of the park and connect into the Hanama'ulu Railroad Bridge above the park.

2.1.7 Hanama'ulu Railroad Bridge, Grove Farm Plantation

Lihue Land Company of Grove Farm owns the Hanama'ulu Railroad Bridge and the land adjacent to the airport and Ahukini Landing. We met with Mike Furukawa, representative of Lihue Land Company and Doug Haigh, with County Public Works Department. Mike indicated an interest in dedicating the bridge and the lands mauka of the beach park to the county.

2.1.8 Lihue Airport Authority

Met with the Assistant Director of the Airport, Tim Skinner. He is in favor of the path project, and says that the Airport Authority is prepared to give an easement to the County for the path construction. Further, that the Airport Authority will construct the fence separating the path from airport property proper.

2.1.9 Ahukini Point, State Parks

Ahukini Point is a state parks recreation facility and Wayne Sousa of state parks issue was to make certain that the path project would not impede in any way the existing fishing use of the piers.

2.2 ARCHAEOLOGY RELATED ISSUES

2.2.1 County Archaeology

Spoke with Nancy McMahon and the issues she would like to see addressed in the design of the path are that all attempts be made not to disturb archaeological and cultural locations.

2.2.2 Office of Hawaiian Affairs

LaFrance Kapaka Arboleda's issues are to take into account the "nokulii" at the base of the Hanama'ulu Railroad Bridge which is a site of potential burials and to make sure that a monitoring plan is written to determine the way in which artifacts or bodies are to be addressed during construction.

Further, she met with us again on site at the Wailua Golf Course to discuss the idea of the path running down the south side of the driving range and between the tee of hole number 1 and the existing parking lot. She said that the fiber optic cable runs in this area, and that construction would have to consider this, as well as the mass burial site near the tee box at number 1. The path may incorporate a tunnel in this area to minimize the impact of the path users to the golfers, and LaFrance indicated that her office would work with the designers to keep the tunnel excavation minimal.

2.2.3 State Archaeology

Martha Yent, of the Department of Land and Natural Resources feels that consulting with and following the advice of Nancy McMahon and LaFrance Kapaka Arboleda is the best way to approach the cultural issues along the path corridor, and stay in touch with her about any issues. She confirmed that Dan Quinn is the director of State Parks.

In another meeting with Martha, she indicated that Hanama'ulu Beach Park received Conservation Lands Funds in the 1970's which would normally require 6(F) evaluation, however as the path would not constitute a "taking" of park lands, only acknowledgement of the issue is required with a letter to her office.

2.3 HISTORICAL ISSUES

2.3.1 Kauai Historical Society

Spoke with John Lydgate who had no issues relating to historical interests as relates to the path alignment at this time.

2.3.2 Kauai Historic Preservation

We met with Mary Requilman, Director of the Kauai Historic Preservation Office in Kauai, who reviewed the proposed alignments and indicated that our team already had all of the maps and/or information that her office has regarding the old railroad lines, housing for the plantation workers, and old road alignments in the Hanama'ulu beach park area.

2.4 SURVEYING AND CERTIFIED SHORELINE SURVEY ISSUES

2.4.1 Office of Accounting & General Services

Spoke with Nick Zaccaro, the State Surveyor in the Office of Accounting and General Services, who recommended we call and speak with Dolan Eversol of the Office of Conservation and Coastal Lands regarding coastal issues and beach re-nourishment.

Also to get back in touch with Nick when the Certified Shoreline Survey is completed and ready for his review.

2.5 HAWAIIAN AFFAIRS ISSUES

2.5.1 Office of Hawai'ian Affairs

Spoke with Lance Foster, the Deputy Administrator of the Hawaiian Rights Division, who said that LaFrance Kapaka Arboleda is the person who is best in touch with the relevant Hawaiian Rights issues, and to copy him any correspondence relating to Hawaiian rights issues.

2.5.2 Office of Hawai'ian Affairs

Lance Foster, Director of the Native Rights of the Land and Culture Division of OHA and Dr. Jonathan Likeke Scheur, a policy analyst IV gave advice to respect the native ahu loa's (native ancient path routes) in the path alignment where possible. He also suggested that we request help from the local Hawaiians for assistance in identifying where ancient paths were located and to possibly consider them in the alignment where possible.

2.5.3 Native Hawaiians

Met with Butch Durant and six other members speaking for other native Hawaiians to discuss the issues relating to Native Hawai'ian rights and land ownership. The group took time to explain the historical and ancient paths used to traverse, and the use of the lands, dry for living, wet for growing taro. No land belonged to any one person, and as such, the group does not recognize the rights to do so now. The lands of the corridor for this project are held by the native Hawaiians, and any use of the land would and should be determined by them. Any monies used for the path are used with knowing that the group can and/or could use the land for other purposes, and is therefore spent knowing that it may be temporary in nature, depending on the decisions of the native Hawaiians. They did feel, however, that a path would be a good use of the land, but would have preferred to align a path themselves based on the ancient paths, and determine themselves how the TE funds should be spent.

2.5.4 Hawaiian Homelands Organization

Spoke with Roland Licona, the District Supervisor of Homestead Services Division of the Department of Hawaiian Homelands at the Public Meeting Number Two regarding issues relating to Hawaiian Homelands about several issues pertinent to rights of Native Hawaiians. Will schedule a follow up meeting with him, and Mr. Lloyd Yonenaka, the associate in Honolulu for Hawaiian Homelands issues.

2.6 DISABILITY AND COMMUNICATION RELATED ISSUES

2.6.1 State Disability and Communication Access and the Department of Health

Spoke with Curtis Motoyama who described that his office will review all ADA issues and to follow the ADA Guidelines and the State Interpretive Guidelines. He will be reviewing the drawings for compliance with accessible routes from the parking lots to the path and the Comfort Stations. He offered to review the preliminary drafts for review.

2.6.2 Office Of the Mayor, ADA Office

Spoke with Christina Pilkington the ADA Coordinator for the Mayors Office who expressed concern that the path and all amenities associated with the path to be totally accessible for all path and park users.

2.7 FISHING ACCESS ISSUES

2.7.1 State Aquatic Resources Division

Spoke with Wade Ishikara of that department who says that fishing at Ahukini Bay and Ninini Point. and surf casting as well as thrownetting is done at the County Park north of the Radisson.

2.8 WETLANDS and DRAINAGE ISSUES

2.8.1 Environmental Protection Agency

Spoke with Wendy Wiltse in the Honolulu office who said she is willing to review past details we have used to cross wetlands using pilings with boardwalks floating over the wetland, or bridging to cross the wetland without creating “fill” in the wetlands, thereby, avoiding the need for a 404. She asked for a copy of the details we have used, the names and phone numbers of the Army Corps of Engineers officials we have worked with, photo’s of the wetlands, and a map of the areas in question. She said she would defer to Lolly Silva’s judgment on these issues. A wetland delineation was completed on the Ocean Bay Plantation (north east corner of the Ocean Bay Plantation property). The wetland delineation is pending confirmation by the Army Corps of Engineers. If accepted as delineated, the wetland can be avoided and left undisturbed from the proposed path.

2.8.2 Army Corps of Engineers

Spoke with Lolly Silva who is willing to review past details we have used to cross wetlands using pilings with boardwalks floating over the wetland, or bridging to cross the wetland without creating “fill” in the wetlands, thereby, avoiding the need for a 404. She asked for a copy of the details we have used, the names and phone numbers of the Army Corps of Engineers officials we have worked with, photo’s of the wetlands, and a map of the areas in question

2.8.3 Army Corps of Engineers

Met with the following regulatory agency officials:

- Connie Ramsey, Ecologist 404 issues
- Ed Chen, with the 401 issues
- Shane Sumeda with Non Point Source Pollution Stormwater Drainage Division
- Watson Okubo, section Supervisor of the Monitoring and Analysis Section of the Clean Water Branch of the Hawaii State Department of Health
- Gary Uenunten, the official in Kauai working with Watson

Met with all the regulatory agency officials listed above in Honolulu, with the exception of Gary, with whom I met on site in Kauai to discuss issues related to water, water quality, stormwater drainage, effects of construction on the landscape, streams and the ocean. It was decided that Gary could help determine which streams needed to be tested for water quality, and how far from the tidal drainage area north of the Kauai Beach Villas the bridge abutments would need to be located. Further, that a NPDES permit would be required, and if any 404’s were required, that would necessitate a 401 as well.

Also to ensure that the path does not interfere with the wetland functions occurring at the pond south of the Radisson, that a wetland delineation would need to be performed in that area.

2.9 ENDANGERED MARINE SPECIES

2.9.1 State of Hawaii Division of Aquatic Resources

A meeting was conducted in Honolulu with Dr. Jeffrey Walters, Co Manager of the National Marine Sanctuary; DLNR to discuss the endangered species of marine animals might occur and/or be affected by this project. Dr. Walters felt that the path project might be a mechanism for education for visitors and residents of Kauai. He offered to provide the words and graphics for educational signage. He said that his associate on Kauai, Dr. Mimi Ulry would best be the person to help locate the sites for the signs as she is most familiar with the beaching and sightings of whales, sea turtles and monk seals.

2.9.2 State of Hawaii, DLNR

Met with Mr. Donald E. Heacock, State of Hawaii Aquatic Biologist, who works in Lihue. Mimi Ulry, a marine conservation coordinator with the Division of Aquatic Resources and is a Kauai veterinarian who works with the office in Honolulu to protect and document monk seal activity on the coast of Kauai. Both Don and Mimi expressed concern over bringing the path inside the 40' setback especially in the areas that would be used by the monk seals to beach themselves and deliver babies.

2.10 ENDANGERED PLANT SPECIES

2.10.1 National Tropical Botanical Garden, Dr. David Lorence

Met with Dr. Lorence, Director of Science, E. Evans, Chair of Botany to discuss the potential for endangered plants on the proposed path corridors. Dr. Lorence reviewed the alignment, and indicated to us that there are no endangered species ever documented on our alignment. He said that there is an endangered grass in the dripping moist cliffs near Princeville, but nothing in or near our corridor.

2.11 COASTAL EROSION ISSUES

2.11.1 Office of Coastal and Conservation Lands

Met at the Office of Coastal and Conservation Lands (OCCL) of the Department of Lands and Natural Resources with Charles Fletcher, Dolan Eversole, and Sam Lemmo and discussed conceptual planning aspects of the bike path project.

Sam Lemmo, administrator for OCCL, accepted in concept a design along the coastline that included dune restoration (approximately 10 cubic yards per foot of shoreline), a modular and removable pathway, small sections of retaining wall on the mauka/golf course side of dune restoration to hold dune sand, and vegetation and watering to stabilize the dune.

He indicated that submission of a full EA describing this concept was consistent with departmental goals.

2.12 COUNTY POLICE AND SECURITIES ISSUES

Ron Venneman, Deputy Chief indicated that his primary issue was in access to the path for emergency vehicles and making sure that the police force would have access at reasonable intervals along the path corridor. Ron said that if he could have access at reasonable locations along the corridor this would be sufficient for his needs.

Also, that if vehicles could have access at either end of the Hanama'ulu railroad bridge this would give the officers close enough access on foot to assist in an emergency, and that it would be important for emergency call boxes to be installed in the more remote locations along the path corridor.

2.13 COUNTY FIRE AND EMERGENCY SERVICE ISSUES

David Bukoski, Prevention Chief, indicated that his primary issue was in access to the path for emergency vehicles. David said that if he could have access at approximately 1/4 mile locations along the corridor this would be sufficient for his needs. Also, that if vehicles could have access at either end of the Hanama'ulu railroad bridge this would give the officers close enough access on foot to assist in an emergency.

2.14 CONSULTATION MEETING MINUTES

See Appendix A