

8.0 EXPECTED DETERMINATION

8.1 Finding of No Significant Impact (FONSI)

Based on the findings and investigations as evidenced in this report, the proposed path is not expected to result in negative significant social, economic, cultural, or environmental impacts. As a result, it is anticipated that, as per the provisions of Subchapter 6 of Chapter 200, Title 11, Hawai'i Administrative Rules of the Department of Health, that a Finding of No Significant Impact (FONSI) will be determined for this project.

8.2 Findings / Significance Criteria and Reasons

According to the Department of Health Rules (11-200-12), an applicant or agency must determine whether an action may have a significant impact on the environment, including all phases of the project, its expected consequences, both primary and secondary, its cumulative impact with other projects, and its short and long term effects. In making the determination, the Rules establish "Significance Criteria" to be used as a basis for identifying whether significant impact environmental impact will occur. According to the Rules, an action shall be determined to have a significant impact on the environment if it meets any one of the following criteria:

1. Involves an irrevocable commitment to loss or destruction of any natural or cultural resources;

The proposed project will not cause any irrevocable loss of natural or cultural resources. The park features on the corridor have been historically used socially for park use, recreation and fishing. View corridors from inside the path to the ocean will not be impacted with the construction of the trail, and the comfort station will be located on the mauka side of the path.

As previously noted, no significant archaeological or historical sites are visible on the corridor. Should any archaeologically significant artifacts, bones, or other indicators of previous on-site activity be uncovered during the construction phase, their treatment will be conducted in strict compliance with the requirements of the Department of Land and Natural Resources.

2. Curtails the range of beneficial uses of the environment;

The alignment occurs within parks and park corridors that are dedicated to active and passive recreation. Currently, there is no restriction or direction given to people who walk, run or jog within the parks or through the various habitats. With the construction of the trail, the users will restrict movement to the trail and thereby protect the environment from encroachment.

3. Conflicts with the State's long term environmental policies and guidelines as expressed in Chapter 344 HRS; and any revisions thereof and amendments thereto, court decisions, or executive orders;

The proposed trail project is consistent with the Environmental Policies established in Chapter 344, HRS, and the National Environmental Policy Act (NEPA).

4. Substantially affects the economic or social welfare of the community or state;

The proposed project will provide a significant and positive impact on the Kauai community in the short term with employment opportunities, and in the long term with enhanced and improved recreational opportunities.

5. Substantially affects public health;

During construction, there will be minor impacts to air quality and noise levels. After completion of the construction work, these will be insignificant or undetectable. The positive aspects of the proposed project in the areas of economic and social benefits of the community are greater than the "No Action" alternative.

6. *Involves substantial secondary impacts, such as population changes or effects on public facilities;*

Impacts on public facilities will not be an issue. It is expected that the trail project will bring more people to Kauai, but it is not expected that the trail project will bring an increase in population to live in Kauai.

7. *Involves a substantial degradation of environmental quality;*

The trail project will not degrade the environment either by its construction or by its use.

8. *Is individually limited by cumulatively has considerable effect on the environment, or involves a commitment for larger action;*

The Ahukini Point to Lydgate Park Bike Trail will make the parks usable and will be sited away from environmentally sensitive areas, and does not commit resources or energy for a larger action.

9. *Substantially affects are rare, threatened or endangered species or it's habitat;*

No endangered plant or animal species will be affected by the project.

10. *Detrimentially affects air or water quality or ambient noise levels;*

There are no air quality or noise issues surrounding this project. All measures will be taken during construction to protect from runoff.

11. *Affects or is likely to suffer damage by being located in an environmentally sensitive area, such as a flood plain, tsunami zone, beach, erosion prone areas, geologically hazardous land, estuary, freshwater or coastal areas;*

Even though much of the corridor is located on the oceanfront, the path will be built off the dunes or coastal zones and will not affect erosion or bank stabilization.

12. *Substantially affects scenic vistas and view planes identified in county or state plans or studies;*

The views into or out of the corridor will not be affected by the path.

13. *Requires substantial energy consumption;*

The construction of the path, the bridges and/or comfort station will not require substantial consumption of energy or resources, neither will the use of same.