

1 INTRODUCTION

1.1 PROPOSING AGENCY AND ACTION

The County of Kaua‘i, Department of Public Works (DPW) proposes to construct a shared use path for pedestrians, bicyclists, and other users from Lydgate Park to Waika‘ea Canal in Kapa‘a, a distance of approximately two miles. This project, referred to as the “Lydgate Park-Kapa‘a Bike/Pedestrian Path,” is one part of a longer, continuous pathway that will ultimately travel along the east side of Kaua‘i from Nāwiliwili in the south to Anahola in the north. The scope of this project also includes two feeder routes:

- (1) A shared use path connecting the Lydgate-Kapa‘a bike-pedestrian path to the Wailua House Lots Park, and
- (2) A shared use path connecting the Kawaihau Road bike-pedestrian path to the Kapa‘a-Keālia bike-pedestrian path.

Figure 1 shows the locations of the three project areas. The bike/pedestrian path will be 10 to 12 feet wide and allow movement in both directions. It is intended to accommodate a wide variety of users; however, motorized vehicles will not be allowed with the exception of motorized wheelchairs, emergency vehicles, and maintenance vehicles. The path will be constructed from concrete with graded shoulders. Under some environmental conditions, the path may be designed with other materials appropriate to the specific site. In other instances, existing development may preclude a full, 10-foot wide path, thereby requiring consideration of options, such as an improved, widened sidewalk or sidepath.

Specific design elements will be established in the design phase of the project. For this document, the proposed action is assumed to be a facility built in conformance with guidelines for bicycle facilities published by the American Association of State Highway Transportation Officials (AASHTO), unless otherwise stated, and standards established in the Americans with Disabilities Act (ADA) Accessibility Guidelines or ADAAG.

The Lydgate Park to Kapa‘a bike/pedestrian path will not include comfort stations, pavilions, picnic areas, or separate parking areas. However, the project includes design elements related to known site conditions, such as grading, retaining walls, railings, fencing, and/or changes to traffic patterns, that are described and discussed in this document. Other elements that may be included in the proposed action are landscaping, signage, and amenities, such as trash receptacles and benches.

The County of Kaua‘i will construct, own, and operate the facility. The project will be funded, in part, by the U.S. Department of Transportation, Federal Highway Administration.

1.2 DEFINING THE PROJECT AREA

The project area satisfies three general principles contained in FHWA regulations (23 CFR 771.111(f) (GPO 2004)) on framing a transportation project.

- (1) Connect logical termini and be of sufficient length to address environmental matters on a broad scope

The proposed action has logical termini. The project begins at the north end of the Lydgate Park shared use path, and terminates at the south end of the Kapa‘a-Keālia shared use path. Therefore, this project connects a path that has already been completed (at Lydgate Park) and another path that is under construction (Kapa‘a-Keālia).

- (2) Have independent utility or independent significance, i.e., be usable and be a responsible expenditure even if no additional transportation improvements in the area are made

Between the two project termini, the bike/pedestrian path is an independent and usable facility that will serve the local circulation and recreation needs of the Wailua-Waipouli-Kapa‘a community. The proposed action traverses one of the island’s most urbanized areas. Development densities and the mix of land uses are particularly amenable to non-motorized forms of access and travel. Connections are provided to residential areas, commercial destinations, resort areas, parks, schools, and other community facilities.

Because of the project’s size and cost, the project sponsors have acknowledged the likelihood that it may be implemented in sections over time. Therefore, the project has been divided into phases that include:

- Main (north-south) alignment
- Wailua House Lots phase
- Kawaihau phase

- (3) Not restrict consideration of alternatives for other foreseeable transportation improvements

The project area was sufficiently broad to consider a wide range of alternatives. Although the proposed action was conceived initially as a coastal trail, two inland alternatives were developed during the planning process and evaluated in the DEA. The preferred alternative includes a combination of inland and coastal sections. Planning for the Lydgate Park-Kapa‘a shared use path was conducted in coordination with planning for other proposed transportation improvements, such as HDOT’s short-term transportation improvements in Wailua and the Kapa‘a Relief Route project.

Figure 1: Location Map (11 x 17)

Figure 1: Location Map (11 x 17) (back)

1.3 PURPOSE OF THE FINAL ENVIRONMENTAL ASSESSMENT

The Final Environmental Assessment (FEA) discloses the environmental and socio-cultural impacts that may result from the project's implementation, and commits to specific mitigation measures. It has been prepared to satisfy the requirements of Chapter 343, Hawai'i Revised Statutes (HRS) and Title 11, Chapter 200, Environmental Impact Statement Rules of the Hawai'i Administrative Rules (HAR), as well as the National Environmental Policy Act (NEPA) and other environmental compliance requirements.

The proposed action triggered the rules and regulations for environmental review for the following reasons:

- use of public funds and public lands
- use of the shoreline area
- use of historic site

The environmental review process allows for three courses of action depending on a project's anticipated level of environmental impact. The first course would be "exemption" from environmental review according to the HAR Chapter 200 (Environmental Impact Statement Rules), and qualification as a "categorical exclusion" according to 23 Code of Federal Regulations (CFR) 771 and 40 CFR 1508. These procedures are applicable to projects that typically do not impact the environment (for example, road resurfacing, or routine maintenance).

The second course of action applies to projects whose environmental impact would not be "significant." The term "significant" has a technical definition under HAR Chapter 200. For projects lacking a "significant" environmental impact, an Environmental Assessment (EA) is prepared and is the appropriate environmental review document. Based on impact analyses presented in this document, and the commitment to implement the mitigation measures described in this document, the proposed project will not cause a "significant" impact to the environment. The bases for concluding that the project's impacts will not be significant under HRS 343 are provided in Chapter 8.

Early consultations and scoping meetings led to an assessment that the project would not cause a significant impact, as presented in the project's DEA. As described in Chapter 10, the DEA was reviewed by the public and government agencies. The comments received yielded no new information to change the preliminary Finding of No Significant Impact.

The third course of action applies to projects expected to have a "significant" impact on the environment. For such projects, an Environmental Impact Statement (EIS) is prepared, and is the appropriate environmental review document. Since the impacts of the proposed project will not be "significant," an EIS was not prepared.

1.4 STEPS IN THE ENVIRONMENTAL REVIEW AND IMPLEMENTATION PROCESS

The DEA was submitted to the State Office of Environmental Quality Control (OEQC) for processing. The OEQC notified the public that the DEA was available for review in its bimonthly bulletin, the OEQC *Environmental Notice*, published on June 8, 2004. Official announcement by the OEQC initiated a 30-day comment period which ended on July 7, 2004. At the same time, project planners distributed copies of the DEA with a cover letter requesting comments (see distribution list in Chapter 10).

Following agency and public review of the DEA, the County and its planning team responded to comments received. Based on the comments and Significance Criteria specified in HAR Chapter 200, the County Department of Public Works and State Department of Transportation rendered a Finding of No Significant Impact (FONSI) under HRS Chapter 343. Availability of the FEA/FONSI will be announced publicly in the OEQC *Environmental Notice*. A record of comments and consultation activities that were conducted as part of project planning is included in this FEA.

The Federal Highway Administration will make a determination on issuance of a Finding of No Significant Impact after the availability period.

Additional channels for public input will be available after the environmental review process is completed. The project requires permits (see Section 1.5), including some that have separate procedural requirements for public involvement. For example, the Special Management Area (SMA) permit requires a public hearing and approval by the County Council. To implement the project, a private contractor will be selected to design the shared use path. Although the exact nature of the public participation program is unknown at this time, there will be provisions for public input and feedback.

1.5 PERMITS AND APPROVALS REQUIRED OR POTENTIALLY REQUIRED

The following government permits are required or potentially required to implement the proposed action:

- Department of Army Permit, Section 10, Rivers and Harbors Act
- National Pollutant Discharge Elimination System (NPDES) Permit, State Department of Health
- Consistency Review, Coastal Zone Management Act, State Office of Planning
- Special Management Area Permit, County of Kaua'i
- Shoreline Setback Variance, County of Kaua'i
- Flood Zone Permit, County of Kaua'i
- Roadway Operation Changes, County Council of Kaua'i

1.6 PROJECT SUMMARY

Table 1 contains a description of the project and applicable land-use designations.

Table 1: Project Summary

Project Name	Lydgate Park-Kapa‘a Bike/Pedestrian Path
Proposing Agency	Department of Public Works, County of Kaua‘i
Approving Agencies	Department of Public Works, County of Kaua‘i State of Hawaii, Department of Transportation Federal Highway Administration
Determination	Finding of No Significant Impact (FONSI) under HRS, Chapter 343
Tax Map Keys	Island of Kaua‘i: 3-9-6; 4-1-4, 5, 8, and 16; 4-3-2, 5 to 9; 4-5-1 and 2 (various parcels)
Existing Uses of the Site	Lydgate Park to Waika‘ea Canal (main alignment): beach park, highway shoulders, sidewalks, residential streets, maintenance easements along canals, cane haul roads, “back-of-house” areas Wailua House Lots Phase: former cane haul road bordered by residences on south side and fallow sugarcane fields on north side Kawaihau Phase: residential with nearby institutional uses (hospital, schools)
Proposed Project	Development of a shared use path, 10-12 feet wide, connecting Lydgate Park and Waika‘ea Canal with coastal and canal components (the main, north-south alignment). Connector paths, 10-12 feet wide, adjacent to the Wailua House Lots subdivision and lower portion of Kawaihau.
State Land Use	Urban District: majority of proposed path alignments Agricultural District: about 1.6 miles of proposed pathways, adjacent to Waipouli Drainage Canal. In addition, the Wailua House Lots Phase (northern perimeter of the Wailua House Lots subdivision) is in the Agricultural District. Conservation District: Wailua River

Kaua‘i General Plan	Resort: Coco Palms to Waipouli Beach Resort Urban/Town Center: Waipouli Town Center to Waika‘ea Canal Residential Community: Wailua House Lots, Kawaihau Agriculture: Fernandes Road to Wailua House Lots, mauka of Kūhiō Hwy Open: Between Kapa‘a Shopping Center and Waika‘ea Canal Park: Lydgate Park, Lihi Park
Zoning	Areas makai of Kūhiō Hwy are zoned for resort and residential uses. Areas mauka of Kūhiō Hwy are a mix of residential, resort, commercial, industrial, agriculture, and open zones. The Wailua House Lots Phase is located in the open zone. The Kawaihau Phase is located in a residential zone with a “special treatment-public” overlay zone.
SMA Designation	Portions of the main, north-south alignment are located in the SMA, including the southern section from Lydgate Park to Hale‘ilio Road, and the northern section from Ala Road to Waika‘ea Canal. The Wailua House Lots Phase is not in the SMA. The makai portion of the Kawaihau Phase (along Kawaihau Road, below Hundley Heights) is in the SMA.
