



PLANNING COMMISSION

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23 DEC -6 P2:47

- The Planning Commission Meeting will be at:

Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Līhu'e, Kaua'i, Hawai'i

- Oral testimony will be taken on specific agenda items, at the public meeting location indicated on the meeting agenda.
- Written testimony indicating your 1) name or pseudonym, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, may be submitted on any agenda item in writing to planningdepartment@kauai.gov or mailed to the County of Kaua'i Planning Department, 4444 Rice Street, Suite 473, Līhu'e, Hawai'i 96766. Written testimony received by the Planning Department at least **24 hours prior** to the meeting will be posted as testimony to the Planning Commission's website prior to the meeting (<https://www.kauai.gov/Government/Boards-and-Commissions/Planning-Commission>). Any testimony received after this time will be retained as part of the record, but we cannot assure the Commission will receive it with sufficient time for review prior to the meeting.

IF YOU NEED AN AUXILIARY AID/SERVICE, OTHER ACCOMMODATION DUE TO A DISABILITY, OR AN INTERPRETER FOR NON-ENGLISH SPEAKING PERSONS, PLEASE CONTACT THE OFFICE OF BOARDS & COMMISSIONS AT (808) 241-4917 OR ADAVIS@KAUAI.GOV AS SOON AS POSSIBLE. REQUESTS MADE AS EARLY AS POSSIBLE WILL ALLOW ADEQUATE TIME TO FULFILL YOUR REQUEST. UPON REQUEST, THIS NOTICE IS AVAILABLE IN ALTERNATE FORMATS SUCH AS LARGE PRINT, BRAILLE, OR ELECTRONIC COPY.

PLANNING COMMISSION MEETING NOTICE AND AGENDA

Tuesday, December 12, 2023

9:00 a.m. or shortly thereafter

Līhu'e Civic Center, Moikeha Building

Meeting Room 2A-2B

4444 Rice Street, Līhu'e, Kaua'i, Hawai'i

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Planning Commission

1. None for this Meeting.

E. RECEIPT OF ITEMS FOR THE RECORD

F. HEARINGS AND PUBLIC COMMENT

1. **Continued Agency Hearing**

- a. None for this Meeting.

2. **New Agency Hearing**

- a. CLASS IV ZONING PERMIT (Z-IV-2024-2), USE PERMIT (U-2024-2), and SPECIAL PERMIT (SP-2024-1) to allow operation of a charter school facility on a parcel located on the makai side of Kuhio Highway in Kilauea Town, immediately east of the 'Ahuimanu Shopping Center, situated approximately 800 feet north of the Kilauea Road/Ala Namahana Parkway intersection, further identified as 8563 Elepaio Road, Tax Map Key: (4) 5-2-005:053, and containing a total area of 11.327 acres = **Namahana Education Foundation**. [Director's Report Received 11/28/2023].

1. Transmittal of Agency Comments to Planning Commission.
 2. Transmittal of Public Testimony to Planning Commission.
 3. Director's Report pertaining to this matter.

3. **Continued Public Hearing**

- a. None for this Meeting.

4. **New Public Hearing**

- a. None for this Meeting.

G. CONSENT CALENDAR

1. Status Reports

- a. None for this meeting.

2. Director's Report for Project(s) Scheduled for Agency Hearing

- a. None for this meeting.

3. Class III Zoning Permits

- a. None for this meeting.

H. GENERAL BUSINESS MATTERS

- 1. Consideration of Master Drainage Plan for lands mauka of Poipu Road that was rezoned through the Moana Corporation Ordinance No. PM-31-79, relative to Condition No. 26 of Class IV Zoning Permit (Z-IV-2006-27), Use Permit (U-2006-26), and Project Development Use Permit (PDU-2006-25), affecting a parcel identified as Tax Map Key: 2-8-014:032, Poipu, Kauai, and containing a total area of 27.886 acres = **Meridian Pacific (formerly Kiahuna Poipu Golf Resort, LLC.)**

- a. Transmittal of Agency Comments to Planning Commission.
- b. Director's Report Pertaining to this matter.

I. COMMUNICATION

- 1. None for this meeting.

J. COMMITTEE REPORTS

1. Subdivision Committee Report

- a. None for this meeting.

K. UNFINISHED BUSINESS (For Action)

- 1. None for this Meeting.

L. NEW BUSINESS (For Action)

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- a. Transmittal of Agency Comments to Planning Commission.
- b. Transmittal of Public Testimony to Planning Commission.
- c. Director's Report pertaining to this matter.

M. EXECUTIVE SESSION

1. CLASS IV ZONING PERMIT (Z-IV-2024-2), USE PERMIT (U-2024-2), and SPECIAL PERMIT (SP-2024-1) to allow operation of a charter school facility on a parcel located on the makai side of Kuhio Highway in Kilauea Town, immediately east of the 'Ahuimanu Shopping Center, situated approximately 800 feet north of the Kilauea Road/Ala Namahana Parkway intersection, further identified as 8563 Elepaio Road, Tax Map Key: (4) 5-2-005:053, and containing a total area of 11.327 acres = **Namahana Education Foundation**. [Director's Report Received 11/28/2023].
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N. ANNOUNCEMENTS

1. Topics for Future Meetings.

The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter, on January 9, 2024. The Planning Commission anticipates this meeting to be held in-person at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawaii. The Commission will announce its intended meeting method via an agenda electronically posted at least six days prior to the meeting date.

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[illegible]

USE PERMIT AND CLASS IV ZONING PERMIT
(NAMAHAHA SCHOOL)

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APPLICATION

Comes now, NAMAHAHA EDUCATION FOUNDATION, a Hawaii nonprofit corporation, Applicant in the above-captioned proceedings, by and through its undersigned attorneys, and hereby submits the following Application for the construction of a tuition free public charter school, identified as the Namahana School

SECTION 1. APPLICANT/SUBJECT PROPERTY/OWNER.

1.1 Applicant. The Applicant is NAMAHAHA EDUCATION FOUNDATION, a Hawaii non-profit corporation. The Applicant has authorized Ian K. Jung of Belles Graham LLP to file this Application pursuant to the Applicant's Authorization *[Exhibit "A"]*.

1.2 Subject Property. The property which is the subject matter of this Application ("Subject Property") is described as Lot 11-A-2-B-3 of the Kilauea Ohana Plateau Subdivision, located in Kilauea, Kauai, Hawaii, identified by Kauai Tax Map Key No. (4) 5-2-005:053. The Subject Property contains approximately 11.327 acres.

1.3 Ownership. Kilauea Ohana Plateau LLC, a Hawaii limited liability company, is the owner of the Subject Property, with Applicant under contract to purchase the Subject Property. The Owner has authorized the Applicant to submit this Application *[Exhibit "B"]*.

SECTION 2. LOCATION AND LAND USE DESIGNATIONS OF PROPERTY.

2.1 Location. The Subject Property is located in the Namahana Ahupua'a, in the town of Kilauea, Kauai, Hawaii, and is shown on the Location Map *[Exhibit "C-1"]* and on Tax Map 5-2-05 *[Exhibit "C-2"]*.

2.2 Land Use Designations. The respective State Land Use Commission ("SLUC"), Kaua'i General Plan, County of Kauai Comprehensive Zoning Ordinance ("CZO"), and other relevant land use designations for the Subject Property are as follows:

a. SLUC. As shown on the Land Use District Boundary Map [*Exhibit "C-3"*], the Subject Property is located in the SLUC Agricultural District. The Subject Property has been located in the SLUC Agricultural District since the inception of the SLUC Districts.

b. Kaua'i General Plan. As shown on the General Plan Map [*Exhibit "C-4"*], the Subject Property is located in the Kaua'i General Plan Neighborhood General and Neighborhood Center Land Use Designations. The Subject Property has been identified in the long-range planning policy for neighborhood improvements.

c. CZO. As shown on the Zoning Map [*Exhibit "C-5"*], the Subject Property is located in the CZO Agriculture District. The Subject Property has been located in the CZO Agriculture District since the adoption of the CZO.

d. Development Plan Area. The Subject Property is located within the North Shore Development Plan Area. The Subject Property has been located within the North Shore Development Plan Area since the original adoption of the North Shore Development Plan (Ord. No. 239, December 27, 1974 and as updated by Ord. No. 476, June 27, 1985). Additionally, the Subject Property is located in the Kilauea Town Plan (September 2006).

e. Special Management Area. As shown in the attached *Exhibit "C-6"*, the Subject Property is not located within the Special Management Area ("SMA") of the County of Kauai.

f. Violations. There are no existing violations of any land use laws or regulations on the Subject Property as it currently sits vacant.

g. Land Use Conditions. The Subject Property is subject to Final Subdivision Map No. S-2018-15, as attached as *Exhibit "C-7"*. The conditions of approval for Subdivision Application No. S-2018-15 are as attached in *Exhibit "E"*.

SECTION 3. PAST, EXISTING AND PROPOSED USES OF SUBJECT PROPERTY.

3.1 Past and Existing Uses. The Subject Property has been used for agricultural purposes in the past, including sugarcane and pineapple cultivation. Prior to the Kilauea Ohana Plateau subdivision, a portion of the Subject Property was used for turmeric (ginger) cultivation. Currently, the Subject Property is in a state of fallow rotation as part of the larger turmeric (ginger) agricultural operation on adjacent lands.

3.2 Proposed Uses. The Applicant wishes to construct the Namahana School, and school-related improvements and engage in the activities on the Subject Property described in Sections 3.3 for a tuition free public charter school (collectively referred to as the "Project"). The Project is proposed phases as depicted on the attached Site Plans [*Exhibits "D-1" and "D-2"*]. These improvements are proposed to help facilitate educational opportunities for North Shore children and families.

3.3 School Site Phases. The Project will include two (2) phases as depicted in *Exhibits "D-1"* for Phase 1, and *Exhibit "D-2"* for Phases 2, 3, and 4.

a. Phase 1. The Applicant's Phase 1 approach is to target a required opening in 2025 as required Hawaii State Public Charter School Commission. Phase I consists of the following:

i. Two (2) administration yurts connected by a deck platform.

ii. Two (2) clusters of eight (8) yurts (totaling sixteen (16) yurts) connected by deck platforms of two (2) yurts per deck platform with each cluster of yurts broken up into Advisory 1 and Advisory 2.

iii. Parking for forty-one (41) stalls

iv. Driveway entry and exit.

v. Associated infrastructure improvements for water, wastewater and communications.

b. Phases 2, 3, and 4. The Applicant's Phase II approach is contingent on funding and is currently planned as follows:

i. An administration building.

ii. A resource center.

iii. A learning commons area.

iv. Eight (8) classroom buildings associated with the Middle School along with a maker space building.

v. Sixteen (16) classroom buildings associated with the High School along with a maker space building.

vi. A gymnasium building and locker/weight room building.

vii. An agricultural warehouse and agricultural areas.

viii. An open space area and playfield area.

ix. Designated parking areas with a total stall count of 111 parking spaces.

x. Associated landscaping.

xi. Driveway entry and exit.

xii. Associated infrastructure improvements for water, wastewater and communications.

3.4 Site Grading. The Project site is relatively level and will require minimal grading. Some grading may be required for interior service roads, parking area, and for the creation of pads for Phases 1 through 4 of the Project. The Applicant will obtain all necessary grading permits should this Application be approved.

3.5 Land Coverage. The Project will contain Land Coverage described as follows:

Phase 1:

1. Gravel parking lots = 15,760sf
2. Asphalt = 13,350sf
3. Site pathways (gravel and concrete) = 7,100sf
4. Buildings (Yurts) = 16,200sf
5. Total buildings = 16,500sf

Total Lot Coverage = 52,710sf
Project Land Coverage = 11%

The Phases 2, 3, and 4 site coverage will be subject to final design review by the Planning Department based on the allowance of land coverage calculations for the CZO Agriculture District. The Applicant does not plan to exceed the allowable land coverage allotment. Nonetheless, the Applicant is preliminarily proposing the following for Phases 2, 3, and 4:

Phase 2:

1. Asphalt (road and parking) = 52,000sf
2. Site concrete pathways = 10,800sf
3. Site wood pathways = 5,500sf
4. Gravel roadways = 27,200sf
5. Buildings = 19,100sf

Total Lot Coverage = 114,600sf
Project Land Coverage = 24%

Phase 3:

1. Site concrete pathways = 3,800sf
2. Site wood pathways = 13,200sf
3. Buildings = 37,600sf

Total Lot Coverage = 54,600sf
Project Land Coverage = 11%

Phase 4:

1. Site concrete pathways = 4,100sf
2. Buildings = 11,000sf

Total Lot Coverage = 15,100sf
Project Land Coverage = 3%

SECTION 4. DESCRIPTION OF SUBJECT PROPERTY AND IDENTIFICATION OF SURROUNDING LANDS.

4.1 Adjacent Property. The Subject Property is located adjacent to, or within 300 feet of, the properties shown on the Tax Map attached as *Exhibit "C-2"*.

4.2 Natural Environment.

a. General Description. The Subject Property is composed of relatively flat lands with a surface elevation of approximately 300 feet above mean sea level. The Subject Property is relatively flat, yet slightly slopes naturally to the south-east corner of the property. To the north of the Subject Property is the remainder of the Kilauea Plateau Subdivision, to the east is the Ahuimanu Shopping Center and residential areas of Kilauea Town, to the west is the agricultural associated with the Kilauea Ohana Plateau Subdivision,

b. Soils. Most of the Subject Property contains two soil types identify ed within the study area, as Puhi silty clay loam and Makapili silty clay. Soils present

in the study area are the 1) PnB as Puhi silty clay loam, 3 to 8 percent slopes; and, 2) MeB Makapili silty clay, 0 to 8 percent slopes.

Based on the Detailed Land Classification Map (Island of Kauai) (Land Study Bureau, University of Hawaii), the Overall Productivity Rating for lands within the Subject Property is primarily Class B.

c. Climate. The climate in Kilauea is categorized as semi-tropical and is influenced by Hawaii's geographic location, southwest of the Pacific High or anticyclone region. The outstanding features of the climate are the equable temperatures from day to day and season to season, the persistent northeasterly trade winds and the marked variation of rainfall from the wet to the dry season, and from place to place. The average temperature is 74.2 degrees Fahrenheit.

d. Rainfall. The Subject Property receives approximately 60 inches of annual rainfall.

e. Botanical Resources. The vegetation within the Subject Property is all non-natives. There are extensive areas of pasture grasses. Part of the past history of the Subject Property entailed removal of the original vegetation for agricultural activities, such as mono-cropping (sugar cane and pineapple). The cessation of agricultural activities has led to the introduction of non-native species; however, the current owner rotates turmeric (ginger) crops on the Subject Property.

f. Flood Hazard. According to the Federal Insurance Rate Map (Map No. 1500020314E), the Subject Property is located in: Flood Zone X (areas outside of the 0.2% annual chance flood).

4.3 Present Uses And Built Environment. The Subject Property is currently vacant.

4.4 Potential Future Uses. The Applicant has no present plans to develop the Subject Property, except as described herein as proposed in Phases I and II of the Project.

SECTION 5. PERMITS REQUESTED AND REQUIRED.

5.1 Special Permit. A SLUC Special Permit, as provided in Hawaii Revised Statutes Section 205-6 and Hawaii Administrative Rules Title 15, Subtitle 3, Chapter 15, Subchapter 12, is required for the proposed commercial indoor recreational use within the SLUC Agricultural District.

5.2 Use Permit. The Project will require a Use Permit for the use of all phases of the Project. The Applicant recognizes that the Subject Property is near other farm dwelling units and residential areas and will work with the Kilauea community to integrate the school schedule to meet needs of the students and traffic in Kilauea Town during school hours. The Applicant is requesting that the Planning Commission issue a Use Permit pursuant to CZO Articles 3 and 8 for the school facilities as described herein (the "Development"). The Applicant further intends to utilize its gymnasium facilities for community-based events. Lastly, the Applicant intends to make the school facilities open to lease for community-based commercial events that will assist with income to the school's operating costs.

5.3 Class IV Zoning Permit. The Development will require a Class IV Zoning Permit as a condition of the Use Permit approval. See, CZO Sections 8-3.1 and 8-3.2.

SECTION 6. IMPACTS OF DEVELOPMENT.

6.1 Botanical Resources and Wildlife. The existing state of botanical resources and wildlife have been heavily compromised by past and present agricultural uses on

the Subject Property. As a result, there does not appear to be any significant effect on mammalian or avian species or botanical resources that will be endangered by the Project.

6.2 Historical Resources. The Subject Property has been heavily disturbed by past and present agricultural activities. As a result, there do not appear to be any archaeological, cultural or historical resources on the surface of the Subject Property in which the Project will take place which will be affected by the Project. As provided for in the Ka Pa'akai Assessment, as attached in *Exhibit "F"*, no Native Hawaiian resources were identified in the Project area. In the event of inadvertent historic site or burial discovery in the future, the Applicant will immediately contact the Historic Preservation Division of the Department of Land and Natural Resources.

6.3 Air Quality/Noise. The Development will have little or no impact on the air quality and ambient noise levels in the area. Air quality and ambient noise levels may be affected at a very minimal level during the Development activities. All vehicles or equipment used by the Applicant during construction will be properly muffled, housed and maintained to reduce any noise impacts or emission impacts. The Environmental Protection Agency (EPA) and State of Hawaii air quality standards will not be exceeded.

6.4 Flooding and Drainage. The Subject Property is situated within Flood Zone X (areas outside of the 0.2% annual chance flood). The Development will be located within Flood Zone X [*Exhibit "C-8"*]. The Development will meet all requirements of the Flood Plain Management Ordinance of the County of Kauai, as contained in Chapter 15, Article 1, of the Kauai County Code, 1987. The Development will have no impact on flooding on or around the Subject Property. All drainage resulting from construction activities, from agricultural

activities, and from the increase in land coverage will be retained on site and subject to best management practices.

6.5 Utilities.

a. Potable Water. Potable water for the Subject Property will be obtained from either a private source or the Department of Water, County of Kauai. The Applicant is currently meeting and dialoguing with the DOW to resolve potable water needs. Water for agricultural use will be provided from private sources.

b. Electric/Communications. The Subject Property will obtain electric service from Kauai Island Utility Cooperative ("KIUC") and communication services from either Hawaiian Telcom, Inc or Spectrum. Existing electric and communications facilities are presently adequate to provide the demand for such services that will be generated by the proposed Development.

6.6 Wastewater Treatment and Disposal. The Development will utilize portable toilets for Phase I and enhanced Individual Wastewater Systems ("IWS") for Phase II as will be required by the State Department of Health.

6.7 Solid Waste Disposal. Solid waste collection will be provided by private means. Solid waste will be taken to the County's Transfer Stations for disposal in the County Landfill.

6.8 Governmental Services. The Development will have the following impacts on governmental services:

a. Fire and Police Services. Fire and police services in the vicinity are located in Hanalei, approximately eight (8) miles from the Subject Property. The

Development of the Subject Property will not significantly increase the need for existing fire and police services.

b. Schools. The closest current public schools are Kilauea Elementary School located in Kilauea, Kapaa Middle School located in Kapaa, and Kapaa High School located in Kapaa. The Development will generate alternatives to standard enrollment in public schools.

6.9 Economics. The Development will have the following economic impacts:

a. Jobs. The construction activities associated with the Project will result in ten (10) jobs. Thereafter, approximately twenty (20) employees will be hired by the Applicant for the educational facilities associated with Phase I of the Project. Phase II of the Project will increase the employees needed based on school attendance.

b. Housing. The Development will not result in the need for additional worker housing. Once construction is complete, the Project will be operated both by the Applicant's present employees and other new employees, all of whom will be Kauai residents who are already living on Kauai.

c. Property Values. The Development will not impact real property values given the Applicant will likely apply for the County's non-profit real property tax exemption program. As such, the Development, in and of itself, will not have a material impact on the value of, or real property taxes assessed against, surrounding properties.

6.10 Population. The Development will not result in a significant increase in population.

6.11 Traffic Circulation. The major road which services the Subject Property is Kilauea Road and Ala Namahan Parkway, both County roads. The Development, in and of

itself, will not significantly increase traffic on Kilauea Road in the long term given the adjacent Roadway Lot A is slated to become the new Kilauea Town New Entry Road and will provide a direct connection from Kuhio Highway once constructed.

SECTION 7. SLUC CONSIDERATIONS.

7.1 SLUC Agricultural District. The proposed Development is located in the SLUC Agricultural District. Permitted uses in the SLUC Agricultural District are set forth in Section 205-4.5, HRS, and include: cultivation of crops (Section 205-4.5(a)(1)); farm buildings (Section 205-4.5(4)); buildings that are necessary for agricultural practices (Section 205-4.5(5)); mills, storage and processing facilities (Section 4.5(a)(10)); agricultural tourism conducted on a working farm for the enjoyment, education or involvement of visitors (HRS Section 205-4.5(a)(13)) ("Agricultural Tourism"); and other uses allowed by Special Permit pursuant to HRS Section 205-6 (HRS Section 205-4.5(b)).

7.2 Development's Compliance With SLUC Agricultural District Standards. The existing structure and use on the Subject Property is proposed for commercial indoor recreational use, thereby necessitating the State Special Permit pursuant to HRS Section 205-6 as discussed below.

SECTION 8. GENERAL PLAN CONSIDERATIONS.

8.1 Kauai General Plan Residential Community Land Use Designation. The Development is located in the Kauai General Neighborhood General and Neighborhood Center Land Use Designations. The Project is consistent with the long-ranging planning policy to create associated uses with residential neighborhoods in Kilauea town by offering school facilities for its residents.

8.2 Goals. The overall Goals contained in Section 1.3 of the Kauai General Plan, and the Applicants' compliance therewith, are as follows:

a. Goal 1 – A Sustainable Island. The educational use associated with the Project will help offer the youth of Kauai opportunities to be educated, stay fit and develop team building skills, which will help the development of the youth of Kauai.

b. Goal 2 – A Unique and Beautiful Place. The rural character of the proposed site and surrounding neighborhood in the outskirts of Kilauea Town will be settled into the Subject Property with modest buildings associated with both the Phase I and Phase II buildings. The Applicant is not requested any variance or deviation from the twenty-five (25) foot height limitation for the North Shore.

c. Goal 3 – A Healthy and Resilient People. The Project is an educational facility that will promote healthy and resilient students with curriculum focused Native Hawaiian practices and will integrate agricultural activities.

d. Goal 4 – An Equitable Place, with Opportunity for All. The Project supports youth education, activities, and team building opportunities for all youth of Kauai.

8.3 Policies. The Policies contained in Section 1.4 of the Kauai General Plan, and the Applicants' compliance therewith, are as follows:

a. Manage Growth to Preserve Rural Character. The Applicant's operation does not detract from the rural characteristics of Kauai. It supports youth education and activities in and near residential uses in Kilauea Town, while providing adequate space for educational facilities without taking up much needed residentially zoned areas.

b. Provide Local Housing. The Applicants' operations have no impact on local housing.

c. Recognize the Identity of Kauai's Individual Towns and Districts.

The Kilauea Town Plan (2006) recognized the need for infill development and infrastructure on the Subject Property and recognized the need for resident-orientated uses and services, which include a school.

d. Design Healthy and Complete Neighborhoods. The Project will not

negatively impact the Kilauea town and provides a necessary and desired service to support of youth education and activities.

e. Make Strategic Infrastructure Investments. The Project will

contribute to growth areas identified in the Kilauea Town Plan (2006) calls for increased residential properties which necessitates the need for additional schooling needs.

f. Reduce the Cost of Living. The Project will reduce the cost of living

should it be approved by offering tuition-free public middle school and high school alternatives to the North Shore area, rather than driving to Kapaa.

g. Build a Balanced Transportation System. The Project is likely not to

increase traffic or congestion problems given its New Town Entry Road will enhance the flow of traffic through the Kilauea Town area.

h. Protect Kauai's Scenic Beauty. The Project structures are minimal, if

any, and will not have negative visual impacts.

i. Uphold Kauai as a Unique Visitor Destination. The Project will not

result in increased visitor numbers.

j. Help Business Thrive. The education that the Applicant will provide

is integral to establishing an educated workforce. The Project will connect students through internships to local businesses who will benefit from a young perspective in their daily operations.

k. Help Agricultural Lands Be Productive. The Applicant is committed to intensifying agricultural activities on the Subject Property, as described below, that will be sold to support the school and to promote agricultural educational endeavors.

l. Protect Our Watersheds. The Project will have no negative impacts on the watershed areas given its location on the Kilauea plateau area.

m. Complete Kauai's Shift to Clean Energy. The Project will neither support nor detract from Kauai's shift to clean energy production.

n. Prepare for Climate Change. The Project is not located on or along any shoreline and does not increase climate change impacts.

o. Respect Native Hawaiian Rights and Wahi Pana. The Project will have no substantial impacts on any historic sites, Hawaiian traditional and cultural practices, or access to streams, shorelines, or areas associated with Hawaiian religious, traditional or cultural practices. As provided below, students will be immersed in Native Hawaiian cultural practices and will learn how to honor and respect the island's cultural heritage.

p. Protect Access to Kauai's Treasured Places. The Project will have no impact on the public's access to streams, the shoreline, trails, recreational areas, or places associated with Hawaiian religious, cultural, or traditional practices.

q. Nurture Our Keiki. The Project will nurture the keiki of Kauai by providing youth education and activities on the island.

r. Honor Our Kūpuna. The Project will provide opportunities for kupuna to engage with youth to share their wisdom and knowledge with the next generation.

s. Communicate with Aloha. The scheduling of this Application before the Planning Commission will allow the public to participate in the planning and decision-making process for the Project.

8.4 Objectives & Actions by Sectors. The ten (10) Sectors contained in Section 3.0 of Kauai General Plan (which represent the areas that must be considered in policy implementation), and the Applicant's compliance therewith, are as follows:

a. The Watershed. The Project will not negatively or detrimentally impact the environmental qualities of the Watershed areas, and will have no negative impacts on the natural, historic, cultural, or environmental qualities of, or resources within, the Watershed areas, or access thereto.

b. Housing. The Project does not create any demand for housing opportunities, nor provide any housing.

c. Transportation. The Project is not anticipated to result in increased traffic and will have no negative impact on Kauai's transportation infrastructure. The Project is not likely to increase traffic or congestion problems given its New Town Entry Road will enhance the flow of traffic through the Kilauea Town area.

d. Infrastructure & Services. The Project provides a service for the educational development of the North Shore youth of Kauai with no anticipated impact to existing infrastructure.

e. Shared Spaces. The school services the Project will render are, in large part, essential to support educational and recreational activities for Kauai's youth.

f. Economy. The Project will not impact the Kilauea economy given the tuition free policy of a public charter school. The Project will strengthen the local economy

by graduating, capable, problem-solving students that understand careers through internships, and will become valued members of the workforce.

g. Heritage Resources. The Project will have no substantial visual impacts on surrounding lands, and no substantial impacts on historic sites, Hawaiian cultural or traditional practices, or access to streams, shorelines, areas associated with Hawaiian cultural or traditional practices, recreational areas or other special places. The Subject Property does not contain and will not negatively impact any special features or resources that are shown on the Kauai Heritage Resource Map (Kauai General Plan Figure 5-13).

h. Energy Sustainability. The Applicant intends to enact and promote energy sustainability in the Project infrastructure.

i. Public Safety & Hazards Resiliency. The Subject Property is not located near the shoreline and will not be subject to sea level rise.

j. Opportunity & Health For All. The Project is an educational facility that will promote healthy and resilient students with curriculum focused Native Hawaii practices and will integrate agricultural activities.

SECTION 9. COMPLIANCE WITH REQUIREMENTS FOR SLUC SPECIAL PERMIT.

9.1 Special Permit Requirements. The Applicants' proposal for use of the Subject Property will meet with the requirements for an SLUC Special Permit, as contained in Section 205-6, HRS and in Section 15-15-95 of the Land Use Commission Rules (Hawaii Administrative Rules) as set forth herein.

The Applicant recognizes the agricultural requirements of the Subject Property. In an effort to promote agricultural activities the Applicant has identified Aloha 'Āina as a core value of Namahana School, therefore, in addition to the physical structures that will be utilized

as classrooms and learning spaces for students, Namahana School will utilize its agricultural lands surrounding the campus to teach students about how to grow food and care for the land that sustains and feeds the community.

The Project site plan has allocated space for agricultural purposes, which will be integrated as a part of the school's 'āina-based curriculum. The Project's outdoor learning spaces will eventually include a school farm, fruit orchard, and small nursery where students can access the full range of knowledge (biological, geological, historical, social, cultural, nutritional, etc.) implicit in the food production cycle. Students will gain hands-on experience growing, harvesting and processing food crops for use in the school's Farm to School lunch program, and through both core subject classes and electives, such as, agricultural business or garden and culinary arts-based classes. Crops will include annuals, edible perennials, and fruit trees. The school farm will also provide internship opportunities for high school students who wish to focus on agricultural production.

The Applicant has created an Agriculture Advisory Committee to guide the development of an agricultural plan to compliment the facilities. The Agriculture Advisory Committee has extensive experience and knowledge in the areas of farm to school, food production, Community Supported Agriculture (CSAs), agroforestry, livestock, business, non-profits, commercial and non-commercial production, and education. The Agriculture Advisory Committee will support the Applicant in developing an agriculture plan that aligns with the values of the school, supports the curriculum, field study, and internship components of the academic model, and provides Namahana students and 'ohana opportunities to practice Aloha 'Āina.

|

Over the long term, the Applicant will explore the feasibility of a Farm to School lunch program that offers scratch cooked meals. A Farm to School lunch initiative would include the following key components: partnering with local farmers and farmer hubs to purchase produce for the lunches; having students grow produce on the school farm to be included in the lunch program; developing culinary education classes where students help make the school lunch; working with other North Shore and island wide schools and institutions to consolidate purchasing to increase buying power; assessing regional facilities/infrastructure needs for both partners and the Applicant; integrating the lunch program into the curriculum through courses such as applied agricultural and culinary arts; and raising public and private sources of funding to support a Farm to School lunch program initiative.

9.2 The use will not be contrary to the objectives sought to be accomplished by Chapter 205, HRS, the SLUC Rules and Rule 13-6 of the Planning Commission Rules of Practice and Procedure. Although the proposed school use is not directly tied to agricultural activities, as noted above, the Applicant will enhance agricultural activities surrounding the proposed buildings and engage the students into cultivating agricultural plantings. The proposed agricultural program associated with the Project will promote the objective of the Chapter 205.

9.3 The desired use will not adversely affect surrounding property. As discussed herein, the proposed uses are appropriate in the SLUC Agricultural District and County zoned Agriculture district and will be compatible with the surrounding neighborhood and uses, and will not generate any significant adverse impacts given the surrounding properties are primarily in existing agricultural use and residential use. The Project will support surrounding properties by offering educational opportunities tuition free to the North Shore's youth.

|

9.4 The use will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection. As discussed herein, no burden will be placed on public agencies to provide additional facilities, services, and utilities as a result of this proposal. The Project costs will be borne by the Applicant yet provide a tuition free schooling opportunity to support the North Shore's educational needs.

9.5 Unusual conditions, trends and needs have arisen since the district boundaries and regulations were established. As the island's population has grown, the inventory of lands available for industrial, commercial and residential uses have dwindled. The Applicant has been searching for suitable land while being cognizant not to use needed residentially zoned lands for housing. Therefore, establishing a school site on an eleven (11) acres CZO Agriculture zoned lot provides a unique opportunity given its adjacency to residential areas of Kilauea Town.

9.6 The land on which the proposed use is sought is unsuited for the uses permitted with the District. The Subject Property only contains approximately 11.00 acres. It is suitable for agriculture on a limited scale. Nonetheless, the Applicant will incorporate agricultural education and sustainability on the land surrounding the proposed structures as noted above, which is a use that is appropriate in the SLUC Agricultural District.

SECTION 10. CZO AGRICULTURE DISTRICT CONSIDERATIONS.

10.1 CZO Agriculture District. A portion of the area of the Subject Property in which the Development will occur is located within the CZO Agriculture District. The purposes of the CZO Agriculture District are set forth in CZO Article 8, which provides in relevant part as follows:

"Sec. 8-8.1 Purpose.

The Agriculture District establishes means by which land needs for existing and potential agriculture can be both protected and accommodated, while providing the opportunity for a wider range of the population to become involved in agriculture by allowing the creation of a reasonable supply of various sized parcels.

(a) To protect the agriculture potential of lands within the County of Kaua'i to insure a resource base adequate to meet the needs and activities of the present and future.

(b) To assure a reasonable relationship between the availability of agriculture lands for various agriculture uses and the feasibility of those uses.

(c) To limit and control the dispersal of residential and urban use within agriculture lands."

10.2 Generally Permitted Uses And Structures. CZO Section 8-2.4(q) contains the Permitted Uses in the CZO Agriculture District, which include the following:

- "(1) Accessory structures and uses
 . . .
- (5) Diversified agriculture
 . . .
- (9) Minor food processing related to agricultural products
 . . .
- (13) Outdoor recreation
 . . .

10.3 Uses And Structures That Require A Use Permit. CZO Section 8-2.4(r) contains the Uses in the CZO Agriculture District which require a Use Permit and include the following:

- "(18) Schools and day care centers
 . . .

- (20) Any other use or structure which the Planning Director finds to be similar in nature to those listed in this section and appropriate to the District."

10.4 Development's Compliance with CZO Agriculture District Standards. The following proposed Project uses are Uses Permitted with a Use Permit within the CZO Agriculture District. The Project will require a Use Permit pursuant to CZO Section 8-2.4(r). The Development itself will have no significant impact on the surrounding environment. The Development will include uses that are compatible with other uses in the area, as well as with the surrounding environment given the adjacency of the proposed school site near residential and commercial areas. As such, the Development complies with CZO Section 8-1.1 in that it: will help to preserve, maintain and improve the natural characteristics of the area; will allow the area to remain predominantly free of development; and will be incidental to the agricultural uses and the agricultural character of the surrounding lands.

SECTION 11. USE PERMIT AND ZONING PERMIT CONSIDERATIONS.

11.1 Uses. Pursuant to CZO Section 3.2, the Applicant has applied for a Use Permit for the proposed Project. A Use Permit will be required for the school operation and the leasing of the gymnasium and other school facilities for community-based events.

11.2 Compatibility With Surrounding Uses. To the north, south and west of the Subject Property are properties located within the SLUC Agricultural District, the CZO Agriculture District. Uses on the surrounding lands include farm dwelling uses and agricultural uses. To the east of the Subject Property are lands located within the SLUC Urban District, including the commercial and residential uses located within the Kilauea Town urban area. The

Subject Property is similar in topography, character and nature with adjacent and surrounding properties, and the Project activities supplement such surrounding uses.

11.3 Development's Compliance with CZO Use Permit Standards. The Development activities on the Subject Property are in compliance with the standards for Use Permits as contained in CZO Section 8-3.2 in that the Development will be:

- a. a compatible use;
- b. not detrimental to health of persons residing or working in the neighborhood;
- c. not detrimental to safety of persons residing or working in the neighborhood;
- d. not detrimental to peace of persons residing or working in the neighborhood;
- e. not detrimental to morals of persons residing or working in the neighborhood;
- f. not detrimental to comfort and general welfare of persons residing or working in the neighborhood;
- g. not detrimental or injurious to property or improvements in the neighborhood;
- h. not detrimental to the general welfare of the community;
- i. not a cause of substantial harmful environmental consequences to the Subject Property, or to other lands or waters;
- j. not inconsistent with the intent of Chapter 8, KCC; and
- k. not inconsistent with the General Plan.

11.4 Development's Compliance with CZO Class IV Zoning Permit Standards.

The Applicant has complied with the procedural provisions for a Class IV Zoning Permit by its filing and processing of this Application.

SECTION 12. NORTH SHORE PLAN CONSIDERATIONS.

12.1 Development Plan Goals and Objectives. The goals and objectives of the North Shore Development Plan, as adopted by the North Shore Development Plan Ordinance, include the following:

12.2 Development's Compliance with Development Plan Standards. The proposed use of the Subject Property will not conflict with any of the Goals contained in the North Shore Development Plan. The design, layout and outside appearance of the Development is and will be compatible with the natural beauty of the area and all structures will not exceed the twenty-five (25) foot height limitation. As such, the proposed use will not conflict any of the Goals. The proposed use will provide economic opportunity for Kauai residents and as such will promote agricultural activities. The proposed use will have no negative impact on the public safety or welfare, on any endangered species of plants or animals, on archaeological or historic sites, or on recreational opportunities on or around the Subject Property.

SECTION 13. HRS CHAPTER 343 (ENVIRONMENTAL IMPACT STATEMENTS) CONSIDERATIONS.

13.1 HRS Chapter 343. The Development is not subject to the provisions of Hawaii Revised Statutes Chapter 343 given the private funds that will be used to construct the school facilities.

SECTION 14. NATIVE HAWAIIAN ISSUES.

14.1 Development's Impacts on Traditional or Cultural Practices. A Ka Pa'akai Assessment was undertaken by Kapua L. Chandler, Ph.D and Dominique Leu Cordy, M.A.. A total of five (5) community members were contacted for their manao.

In sum, no Native Hawaiian traditional cultural properties, practices, or resources within the study area will be negatively impacted by this proposed Project. This Ka Pa'akai Assessment looked outward as well as inward and concludes that no Native Hawaiian traditional cultural properties, practices, or resources in the larger Namahana Ahupua'a will be negatively impacted as a result of the proposed project.

Namahana School has provided below a list of considerations as to how Native Hawaiian traditional cultural properties, practices, resources, and values will be fostered, supported, and incorporated into their proposed programming, landscaping, and school culture:

1. Students will haku (compose) a school oli for the place that students will utilize regularly.
2. The geographic integrity of the Project area will be enhanced with the proposed planting of native plants, specifically those important for the Hawaiian practices of wili lei (lei making) and la'au lapa'au (Hawaiian medicine). These plants will be utilized in courses and curriculum.
3. Middle School curriculum will aim to ground students in the moku served by Namahana School, and its unique place at the juncture of these Moku: Halele'a and Ko'olau. Curriculum includes place-based history, mo'olelo, significance, and cultural practices within these areas.

4. Potential field study sites to important places such as the Niu Stream and Kauape'a will support student learning about the history, significance, and ways to care for these cultural resources.

5. The process and practice of mālama 'āina built into the 'āina-based learning model of Namahana School will further enhance the cultural resources whereby supporting the cultural practices associated with them.

Based on this study and the materials developed by Namahana School as part of the proposed Project, the Applicant offer for your consideration that the proposed Namahana School would, uniquely, have a positive impact on Native Hawaiian traditional and customary practices in the study area and across Namahana Ahupua'a.

Therefore, and as provided for in the Ka Pa'akai Assessment, the Development will have no impact on any known traditional or customary practices of native Hawaiians. There are no known traditional or customary practices of native Hawaiians that are presently occurring within the Subject Property that will be affected by the Development. There are no special gathering practices taking place within the portion of the Subject Property where the Development will occur that will be affected. The Development will not detrimentally affect: access to any streams; access to the shoreline or other adjacent shoreline areas; or gathering along any streams, the shoreline or in the ocean. There are no known religious practices taking place within the portion of the Subject Property where the Development will occur. The Development will have no negative impact on any cultural or historic sites or resources located within the Subject Property.

SECTION 15. COMMUNITY CONTACTS.

15.1 Contact with Kilauea Neighborhood Association. The Applicant has briefed the Kilauea Neighborhood Association on November 7, 2023 regarding the Project and has submitted this Application for their review. The Applicant expects a letter from the Kilauea Neighborhood Association in response to its request for support prior to the hearing on this Application.

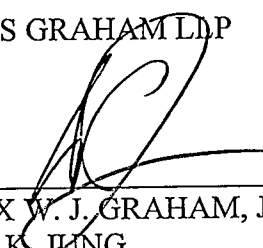
SECTION 16. CONCLUSION.

The Applicant respectfully requests that the Planning Commission of the County of Kauai grant the Applicant a Special Permit, Use Permit, and a Class IV Zoning Permit for the Project.

DATED: Lihue, Kauai, Hawaii, 11/7/2023.

BELLES GRAHAM LLP

By


MAX W. J. GRAHAM, JR.
IAN K. JUNG

Attorneys for Applicant,
NAMAHAHANA EDUCATION FOUNDATION,
a Hawaii nonprofit corporation

EXHIBIT LIST
(NAMAHAHANA SCHOOL)

EXHIBIT

A. **AUTHORIZATION**

Applicant's AuthorizationA

B. **OWNER**

Owner AuthorizationB

C. **MAPS**

Location MapC-1

Tax MapC-2

Land Use District Boundary MapC-3

General Plan MapC-4

Zoning MapC-5

SMA MapC-6

Subdivision Map (S-2018-15).....C-7

Flood Zone Map.....C-8

D. **PROPOSAL**

Phase 1 Site Plan.....D-1

Phases 2, 3, and 4 Site Plan.....D-2

E. **PERMITS**

Subdivision S-2018-15.....E

F. **ASSESSMENTS**

Ka Pa'akai AssessmentF

AUTHORIZATION

I. APPLICANT.

Name: NAMAHA EDUCATION FOUNDATION, a Hawaii nonprofit
Attention: Jessica Fu, Board Chairperson
kauai@namahanafoundation.org

Address: P.O. Box 1353
Kilauea, Hawaii 96754

II. AUTHORIZED AGENT.

Name: Ian K. Jung, Esq.

Address: Belles Graham LLP
3135 Akahi Street, Suite A
Lihue, Kauai, Hawaii 96766

Telephone: (808) 245-2163
Facsimile: (808) 245-3277
Email: iki@kauai-law.com

III. PROPERTY.

Lot 11-A-2-B-3
Kilauea, Kauai, Hawaii
Kauai Tax Map Key No. (4) 5-2-005:053

IV. AUTHORIZATION.

The Applicant hereby authorizes the Authorized Agent to act on the Applicant's behalf and to file and process on the Applicant's behalf any and all applications necessary to obtain governmental permits relating to the Subject Property, including, but not limited to, the following:

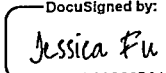
1. Permits and approvals, including but not limited to, building permits, grading permits, use permits, variance permits, zoning permits, and Special Management Area permits, issued by the County Council, or any department, agency, board or commission, of the County of Kauai.
2. Permits and approvals issued by any legislative body or any department, agency, board, or commission of the State of Hawaii, including but not limited to, the Department of Health.

3. Permits and approvals issued by the Board of Land and Natural Resources of the State of Hawaii and/or the Department of Land and Natural Resources of the State of Hawaii.
4. Permits and approvals issued by any legislative body, department, agency, board or commission of the United States of America, including but not limited to, the Army Corps of Engineers.

DATED: _____

APPLICANT:

NAMAHANA EDUCATION FOUNDATION,
a Hawaii nonprofit

By  _____
JESSICA FU
Its Board Chairperson

AUTHORIZATION

I. OWNER.

Name: KILAUEA OHANA PLATEAU, LLC, a Hawaii limited liability company
Attention: Bill Hay

Address: P.O. Box 14450
Palm Desert, California 92255

II. AUTHORIZED AGENT.

Name: Ian K. Jung, Esq.

Address: Belles Graham LLP
3135 Akahi Street, Suite A
Lihue, Kauai, Hawaii 96766

Telephone: (808) 245-2163
Facsimile: (808) 245-3277
Email: iki@kauai-law.com

III. PROPERTY.

Lot 11-A-2-B-3
Kilauea, Kauai, Hawaii
Kauai Tax Map Key No. (4) 5-2-005:53

IV. AUTHORIZATION.

The Applicant hereby authorizes the Authorized Agent to act on the Applicant's behalf and to file and process on the Applicant's behalf any and all applications necessary to obtain governmental permits relating to the Subject Property, including, but not limited to, the following:

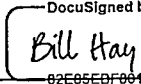
1. Permits and approvals, including but not limited to, building permits, grading permits, use permits, variance permits, zoning permits, and Special Management Area permits, issued by the County Council, or any department, agency, board or commission, of the County of Kauai.
2. Permits and approvals issued by any legislative body or any department, agency, board, or commission of the State of Hawaii, including but not limited to, the Department of Health.

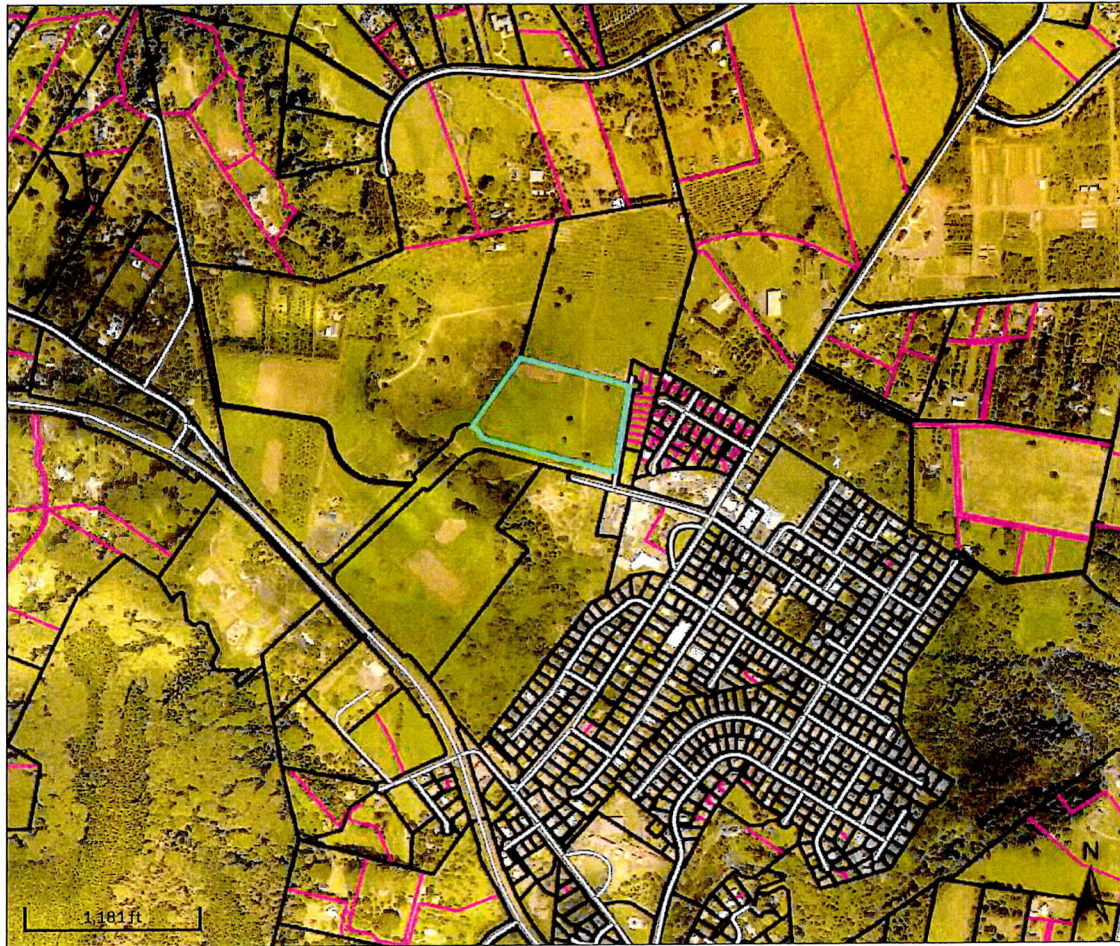
3. Permits and approvals issued by the Board of Land and Natural Resources of the State of Hawaii and/or the Department of Land and Natural Resources of the State of Hawaii.
4. Permits and approvals issued by any legislative body, department, agency, board or commission of the United States of America, including but not limited to, the Army Corps of Engineers.

DATED: _____

OWNER:

KILAUEA OHANA PLATEAU, LLC,
a Hawaii limited liability company

By  _____
Bill Hay
Its Manager



Overview



Legend

-  Parcels
-  CPR Units
-  Roads

Parcel ID	520050530000	Situs/Physical Address	ALANAMAHANA PKWY	Total Market Value	\$929,900	Last 2 Sales		
Acreage	11.327	Mailing Address	KILAUOA OHANA PLATEAU LLC	Total Assessed Value	\$929,900	Date	Price	Reason
Class	AG		C/O WILLIAM HAY	Total Exemptions	\$0	n/a	0	n/a
			PO BOX 14450	Total Net Taxable Value	\$929,900	n/a	0	n/a
			PALM DESERT CA 92255					

Brief Tax Description LOT 11-A-2-B-3 11.327 AC DES ESMT D-1(3,408 SF) ESMT W-1(0.794 AC)
(Note: Not to be used on legal documents)

The Geographic Information Systems (GIS) maps and data are made available solely for informational purposes. The GIS data is not the official representation of any of the information included, and do not replace a site survey or legal document descriptions. The County of Kauai (County) makes or extends no claims, representations or warranties of any kind, either express or implied, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose, as to the quality, content, accuracy, currency, or completeness of the information, text, maps, graphics, links and other items contained in any of the GIS data. In no event shall the County become liable for any errors or omissions in the GIS, and will not under any circumstances be liable for any direct, indirect, special, incidental, consequential, or other loss, injury or damage caused by its use or otherwise arising in connection with its use, even if specifically advised of the possibility of such loss, injury or damage. The data and or functionality on this site may change periodically and without notice. In using the GIS data, users agree to indemnify, defend, and hold harmless the County for any and all liability of any nature arising out of or resulting from the lack of accuracy or correctness of the data, or the use of the data.

Date created: 10/4/2023
Last Data Uploaded: 10/4/2023 3:33:22 AM

Developed by  **Schneider**
GEOSPATIAL

EXHIBIT "C-1"

DWG. NO. 5928 (Revised) REVISED: SEP. 27, 1972 BY: R. T. Gillett
DATE: NOV. 18, 1936 BY: R. D. SOURCE: Reg. Map 1271 & Tax Map Branch

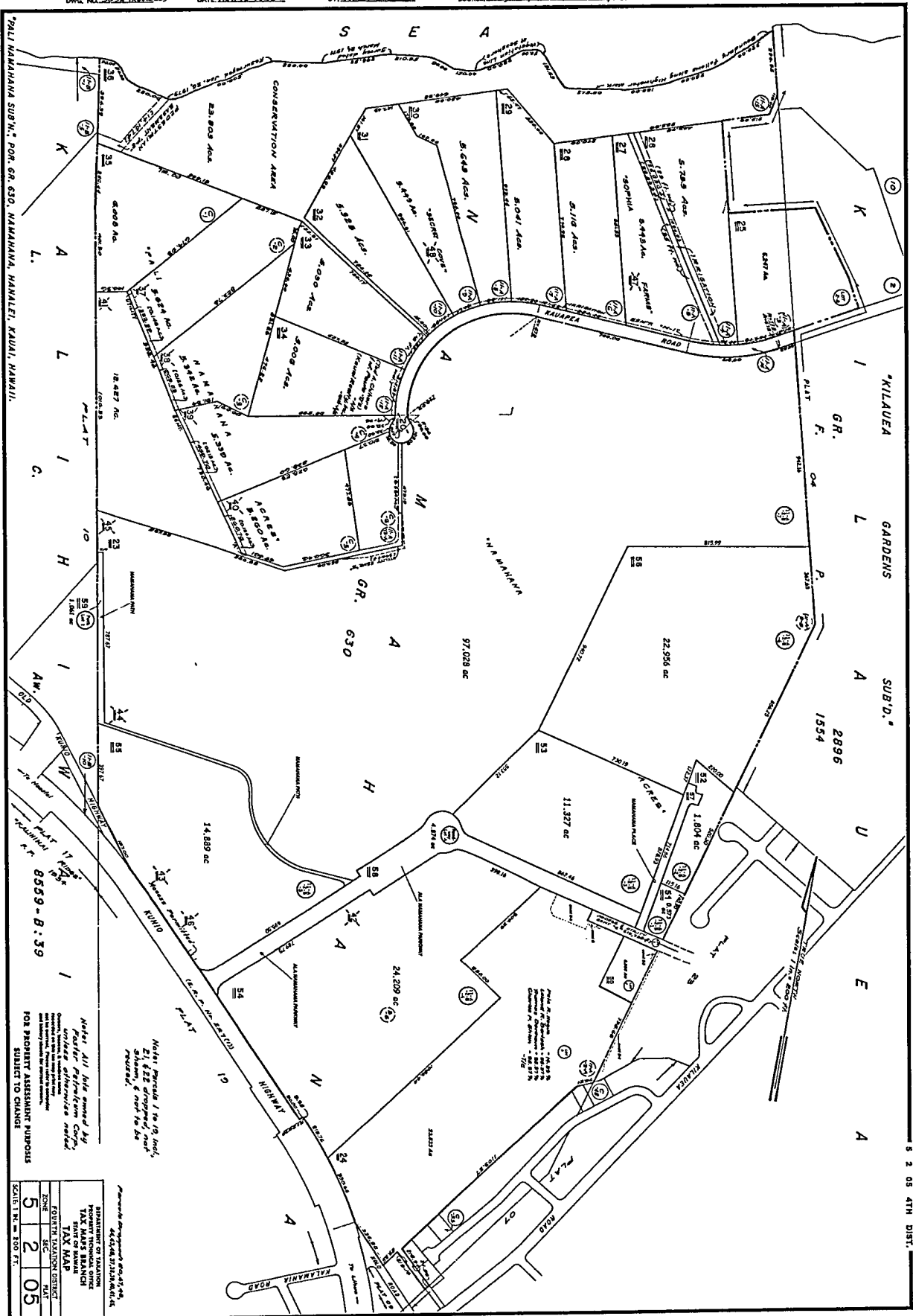


EXHIBIT "C-2"

2801 KAUAPEA ROAD LLC
3267 E 3300 SOUTH, UNIT 204
SALT LAKE CITY UT 84109

B & D PROPERTIES LLC
401 3RD ST
RIVERDALE ND 58565

BILCAR LIMITED PARTNERSHIP
1701 VILLAGE CENTER CIR
LAS VEGAS NV 89134

BLUE OCEAN LIFE LLC
C/O LAZO,HOLLY
PO BOX 555
HANALEI HI 96714

CADIENTE,CECIL G
4204 KANIKELE ST
KILAUEA HI 96754

FREDRICKS,HENRY A SEP PROPERTY
C/O WHITE,JAMES D TTEE
135 S CHAPARRAL CT STE 200
ANAHEIM CA 92808

GAMARRA,JAIME
PO BOX 145
KILAUEA HI 96754

GATHER FEDERAL CREDIT UNION
4493 PAHE E ST
LIHUE HI 96766

GILLESPIE,ELENA M J
PO BOX 621
KILAUEA HI 96754

GRIJALVA,RALPH H EST
4222 KANIKELE ST
KILAUEA HI 96754

GRIJALVA,SHANICE T
4222 KANIKELE ST
KILAUEA HI 96754

GUERRERO,ISSAC R
PO BOX 844
KILAUEA HI 96754

HILL,NICHOLAS R
4236 KANIKELE ST
KILAUEA HI 96754

HISTORIC PLANTATION CENTER, LLC
PO BOX 814
KILAUEA HI 96754

JOHNSON,JOHN & PAULA FAMILY TRUS
4233 KANIKELE ST
KILAUEA HI 96754

KAUAI CHRISTIAN ACADEMY
PO BOX 1121
KILAUEA HI 96754

KAUAPEA PAPAYA,LLC
C/O GIOVALE,MARK
2943 KAUAPEA RD
KILAUEA HI 96754

KAUHALE O NAMAHANA
C/O NEIGHBORHOOD HOUSING COMM
PO BOX 2197
KAPAA HI 96746

KILAUEA OHANA PLATEAU LLC
C/O WILLIAM HAY
PO BOX 14450
PALM DESERT CA 92255

KILAUEA SHOPS LLC
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HONOLULU HI 96813

MCALISTER,SEAM J
2561 TITCOMB ST
KILAUEA HI 96754

MURATA,RANDALL H
4 KUHIO HWY
KAPAA HI 96746

SALSED0,CONNIE L
PO BOX 1116
KILAUEA HI 96754

SEAH,JIM L
4 SILVER RIDGE DR UNIT 24
YORK ME 03909

SECOND ADAM CORPORATION
PO BOX 223452
PRINCEVILLE HI 96722

SECRET BEACH PLANTATION LLC
PO BOX 14450
PALM DESERT CA 92255

TAMPUS,LEOPOLDO JR
4237 KANIKELE ST
KILAUEA HI 96754

THOMPSON,JOANNE M REVOCABLE TF
2574 TITCOMB ST
KILAUEA HI 96754

THRUENSEN,ERIC & VALERIE TRUST
2370 HELEN RD
FALLBROOK CA 92028

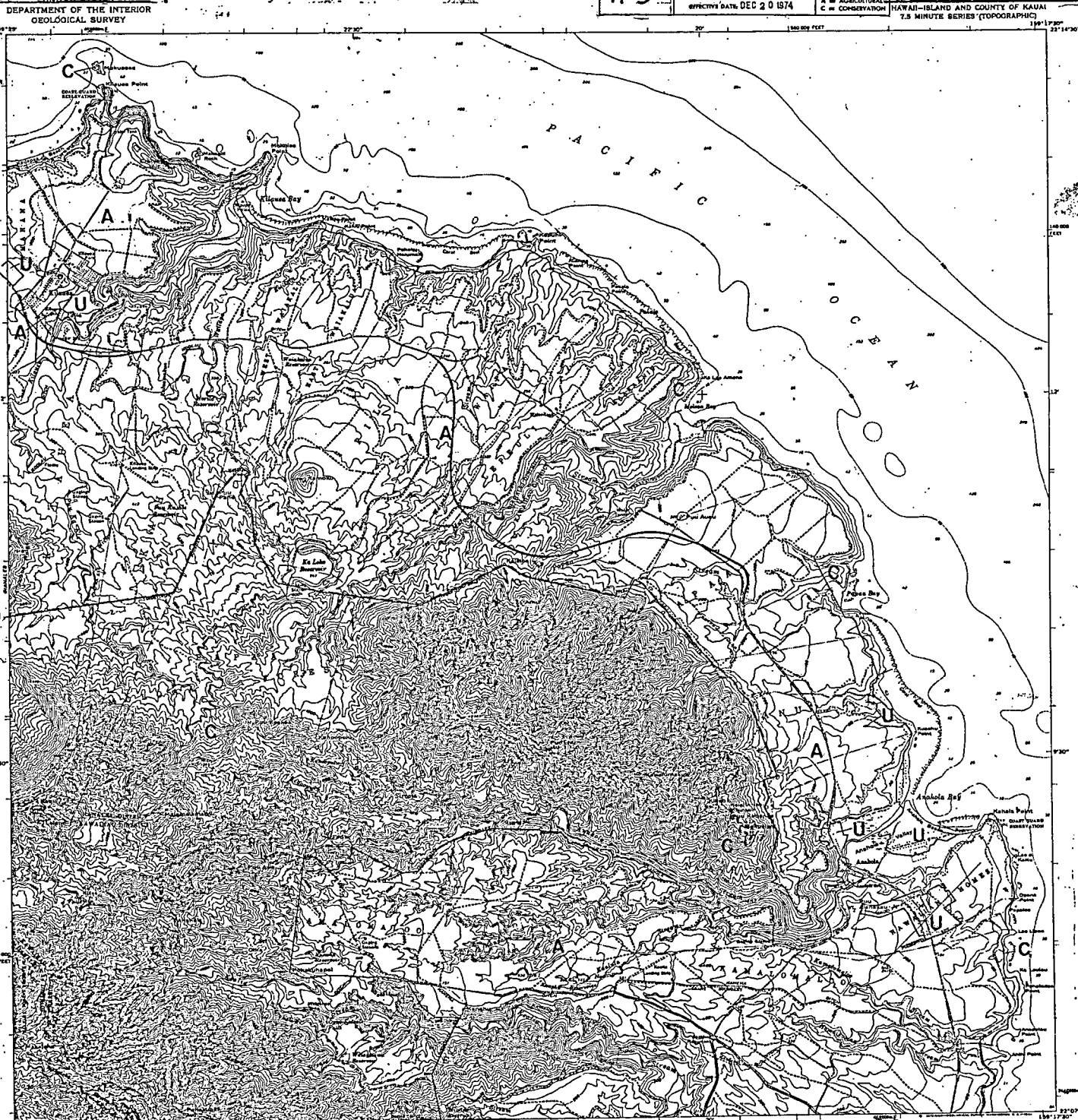
UBAY,ELIZABETH A
PO BOX 523
LIHUE HI 96766

WOLLMAN, EVAN
1017 COACHMAN LN
FORT COLLINS CO 80524

WOOD, MATTHEW W
PO BOX 52
KILAUEA HI 96754

LAND USE DISTRICT BOUNDARIES		
DISTRICT MAP	STATE OF HAWAII LAND USE COMMISSION DEPT. OF PLANNING & ECONOMIC DEVELOPMENT EFFECTIVE DATE, DEC 20 1974	DISTRICTS U = URBAN R = RURAL A = AGRICULTURAL C = CONSERVATION

HAWAII-ISLAND AND COUNTY OF KAUAI
7.5 MINUTE SERIES (TOPOGRAPHIC)



Maped, edited, and published by the Geological Survey
Controlled by USGS and USCGS
Topography by photogrammetric methods from aerial photographs
taken 1955 and 1960 and by Stereo Super Plane Table Co. 1955
Road shown 1963
Selected hydrographic data compiled from USCGS Charts
1102 (1955) and 1118 (1955)
This information is not intended for navigational purposes
Polynesian population. On Hawaiian Island
10,000-year grid based on Hawaiian meridian system, zone 6
1000-meter Universal Transverse Mercator grid 1955,
zone 4, shown in blue

APPROXIMATE MEAN
SEA LEVEL
1929

SCALE 1:24,000
CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
DASHES IN MEAN SEA LEVEL
DEPTH CURVES AND SOUNDINGS IN FEET TO DEPTH OF MEAN LOWER LOW WATER
SOUNDING NUMBER APPROXIMATELY AND APPROXIMATELY OF MEAN SEA LEVEL
MEAN SEA LEVEL OF MEAN SEA LEVEL
THIS MAP CONFORMS WITH NATIONAL MAP ACTUARY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER 25, COLORADO OR WASHINGTON 25, D. C.
A PUBLISHER DESCRIBING TOPOGRAPHIC MAPS AND STATISTICS IS AVAILABLE BY REQUEST

BOUNDARY AMENDMENTS	
DOCKET NO.	DATE
A76-417 A to U	FEB 16, 1977, Can. Corp.
A76-425 A to U	NOV 4, 1979, H. H. H.
A77-425 A to U	DEC 2, 1979, Dyer
A79-453 A to U	FEB 19, 1980, LUC
A84-578 A to U	DEC 8, 1988, H. H. H.
A88-4 A to U	MAY 18, 1988, H. H. H.
A88-7 A to U	FEB 09, 1990, H. H. H.
A91-11 PETER MELLE	A. R. 9/17/91, H. H. H.
A92-5 KAMAKU PLANNING	U. S. A. 9/23/92, H. H. H.
8984-716 C.E.P. 8/22/91	A to C 7/20/91 H. H. H.

ROAD CLASSIFICATION
Medium-duty Light-duty
Unimproved dirt
State Route
Map of the Island of Hawaii, scale 1:63,000, is available
ANAHOLA, HAWAII
19207-115617.5/7.8
1963
9 K-9

EXHIBIT "C-3"



State of Hawaii Land Use District Boundaries Map - January 2018

Figure 5-7 North Shore Land Use Map



EXHIBIT "C-4"

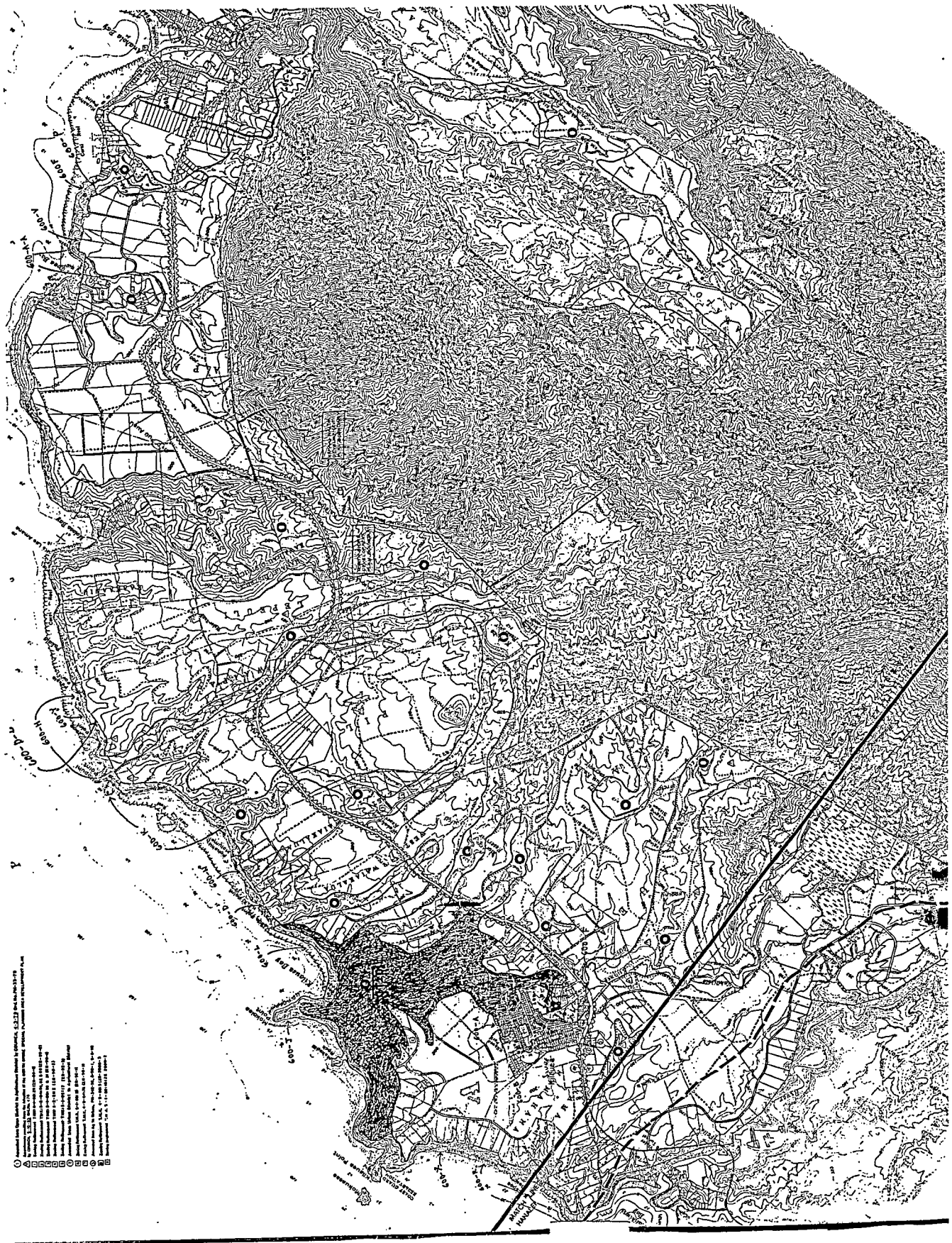
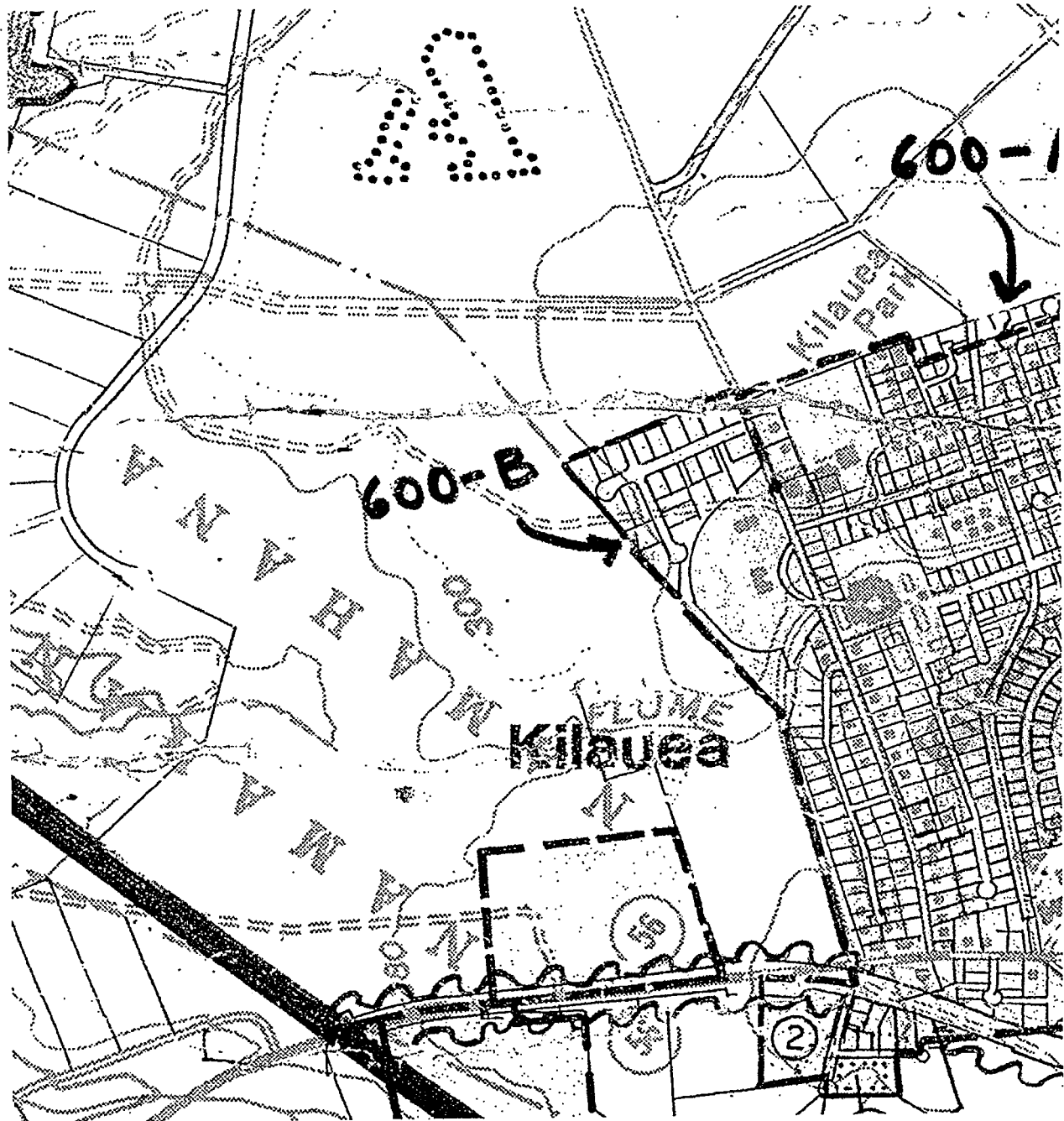


EXHIBIT "C-5"



KILAUEA

USA COUNTY

STATE LAND USE DISTRICTS
 CONSERVATION DISTRICT
 AGRICULTURE DISTRICT
 URBAN DISTRICT
 RURAL DISTRICT
 SPECIAL MANAGEMENT AREA

ADOPTED BY COUNTY OF KAUAI

12.15.12 LAND USE COMMISSION

APPROVED 12.15.12

AMENDMENTS

1. The Commission has adopted the following amendments to the County of Kauai Land Use Ordinance, Chapter 11.05, as amended, to read:

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EXHIBIT "C-6"



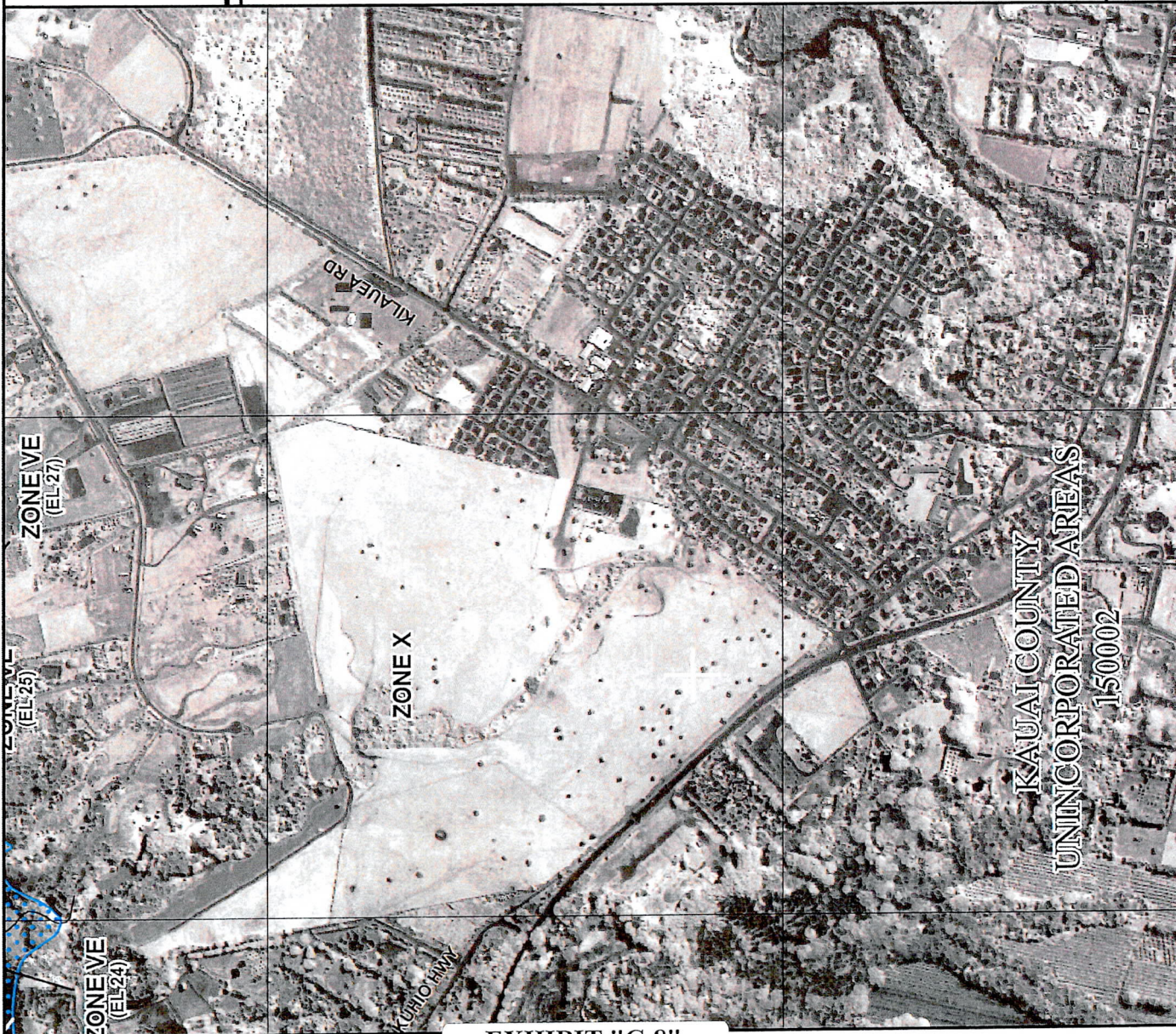
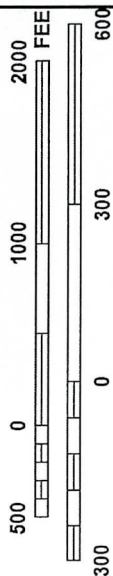


EXHIBIT "C-8"



MAP SCALE 1" = 1000'



NFIP

PANEL 0060E

FIRM

FLOOD INSURANCE RATE MAP

KAUAI COUNTY,
HAWAII

PANEL 60 OF 356

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
KAUAI COUNTY	150002	0060	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



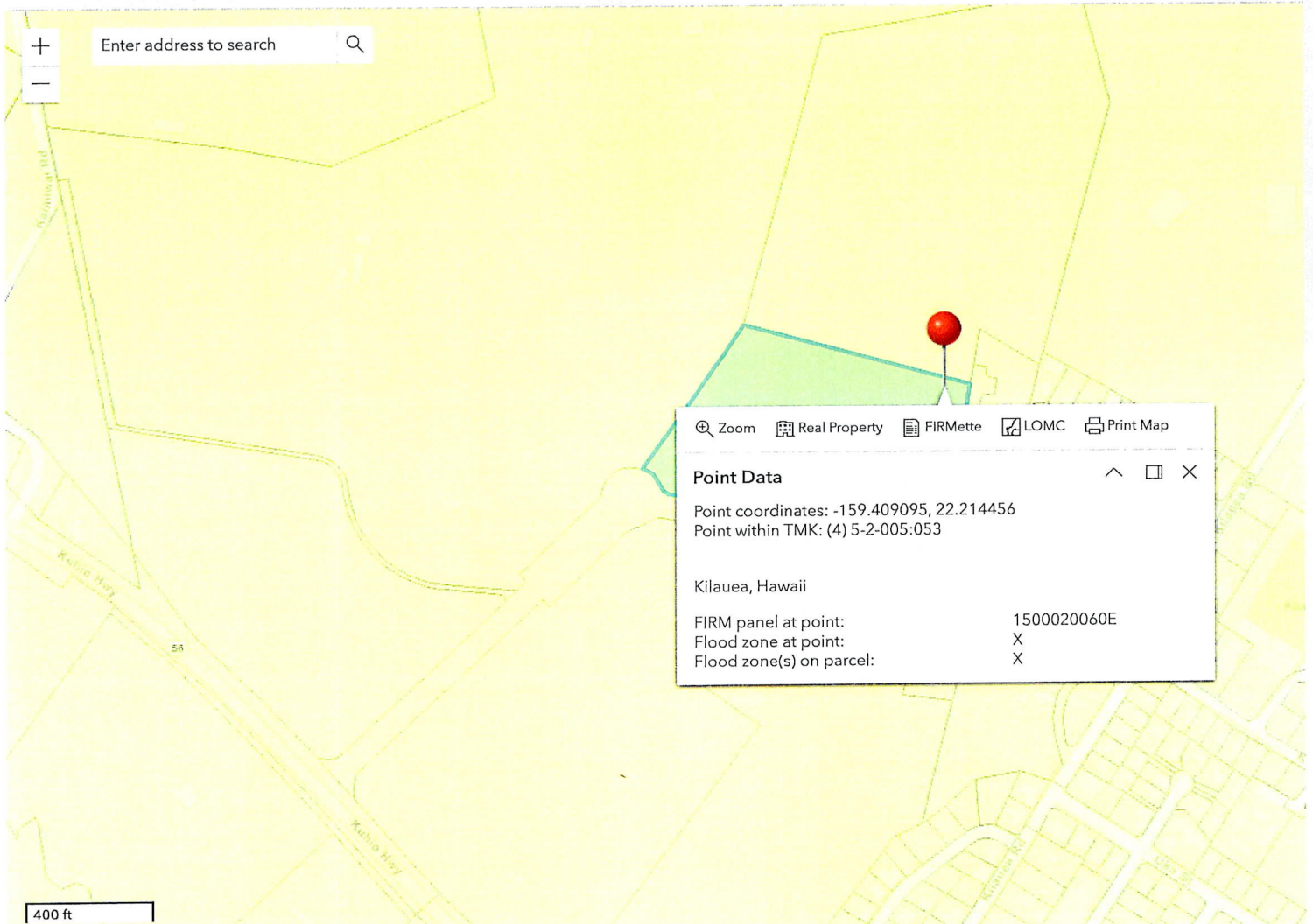
MAP NUMBER
1500020060E

MAP REVISED
September 16, 2005

Federal Emergency Management Agency

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.

State of Hawaii, Department of Land and Natural Resources

Flood Hazard Assessment Tool

Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, EPA, US Census Bureau, USDA | DISCLAIMER: Information contained in these files is d

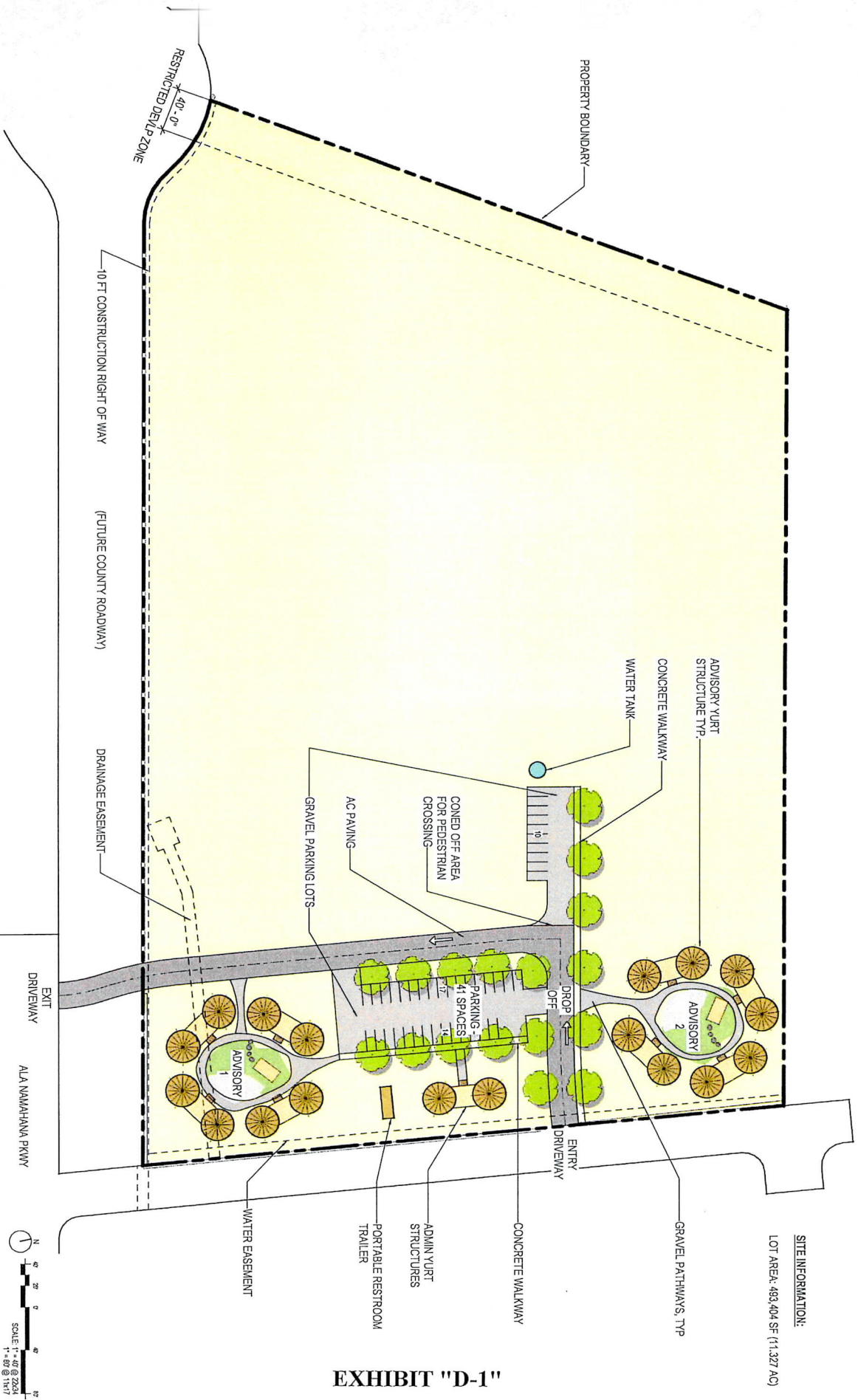


EXHIBIT "D-1"

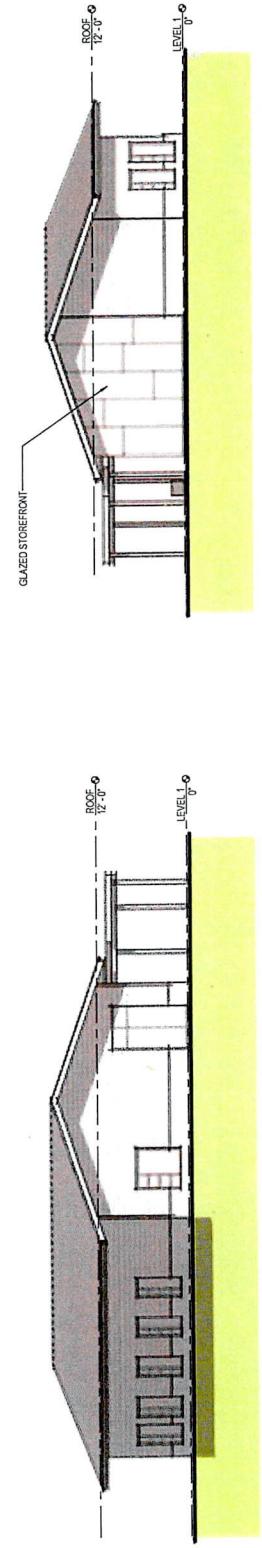
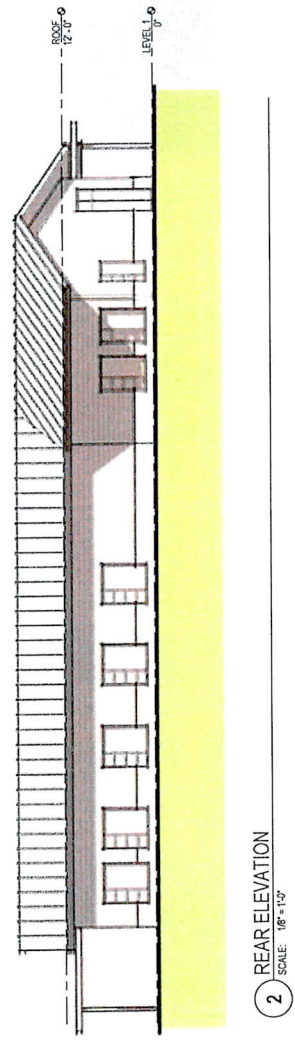
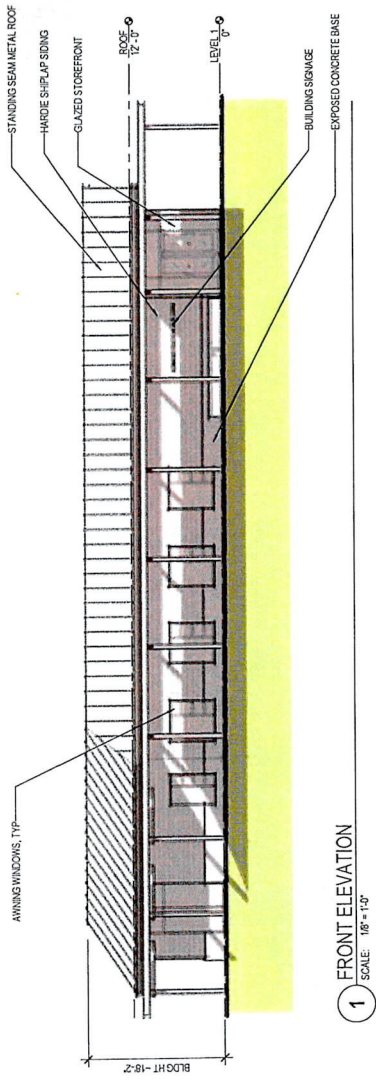


EXHIBIT "D-2"

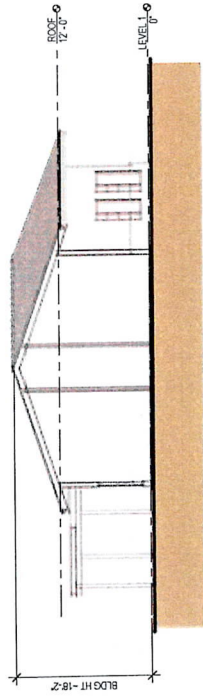
Building Plans

These diagrams support the master plan configuration and reflect the space program requirements. Future design initiatives can use these plans as a basis for development.

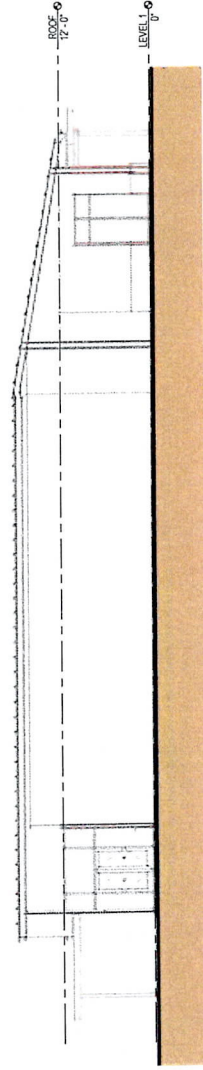




Administration Building | Elevations



1 SECTION 1
SCALE: 1/8" = 1'-0"



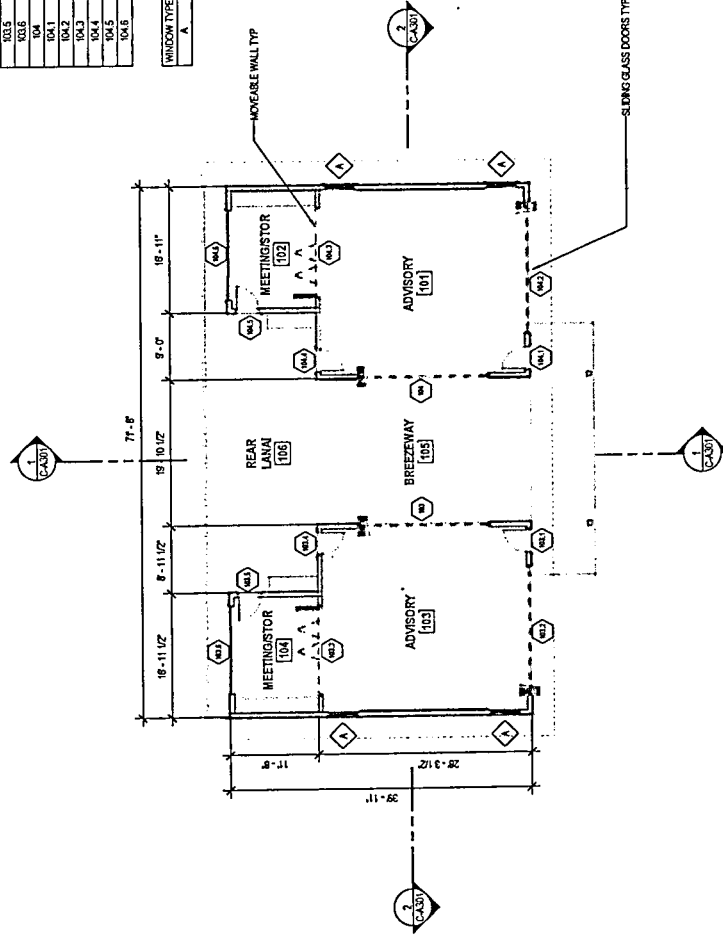
2 SECTION 2
SCALE: 1/8" = 1'-0"



ROOM	FLOOR FINISH	WALL FINISH	CEILING FINISH
ADVISORY/MEETING	LVT	PAINTED GYP BO	PAINTED GYP BO
BREZENWAY/LANAI	CONCRETE		

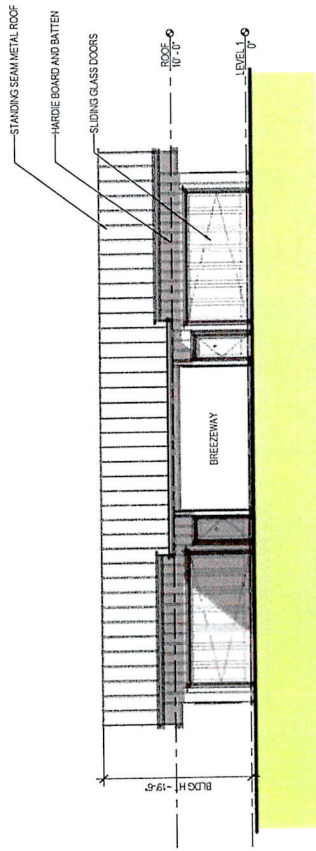
DOOR MARK	CONSTRUCTION (2)	FINISH	GLASS (4)	FRAME MATERIAL	REMARKS
103.1	AL	AP	-	AP	
103.2	AL	AP	-	AP	
103.3	SC	WP	-	WP	
103.4	AL	AP	-	AP	
103.5	AL	AP	-	AP	
103.6	AL	AP	-	AP	
104.1	AL	AP	-	AP	
104.2	AL	AP	-	AP	
104.3	SC	WP	-	WP	
104.4	AL	AP	-	AP	
104.5	AL	AP	-	AP	
104.6	AL	AP	-	AP	

WINDOW TYPE	CONSTRUCTION (2)	FINISH	GLASS (4)	FRAME MATERIAL	REMARKS
A	AL	AP	-	AP	LOWE DUAL PANE

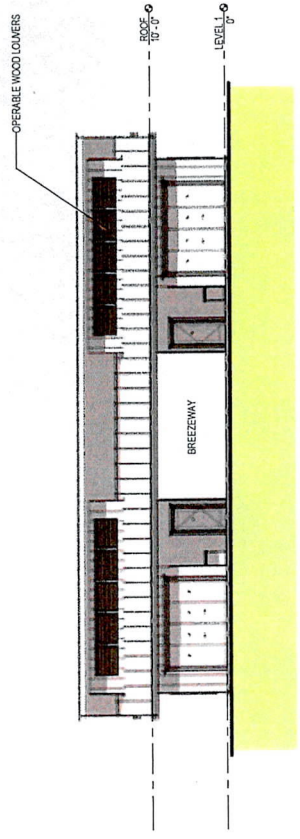


1 LEVEL 1
SCALE: 1/8" = 1'-0"
BUILDING AREA = 2,880 SF

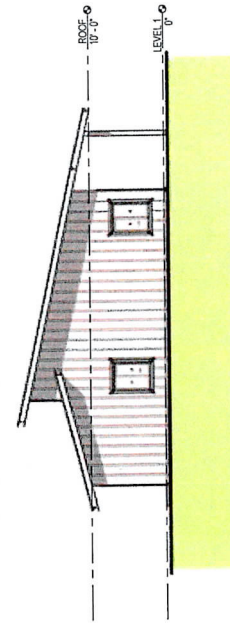
Advisory Building | Plan



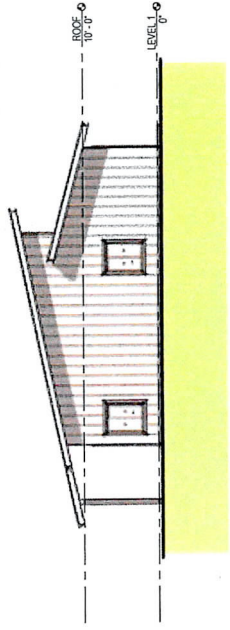
1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



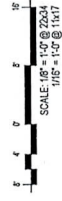
2 REAR ELEVATION
SCALE: 1/8" = 1'-0"

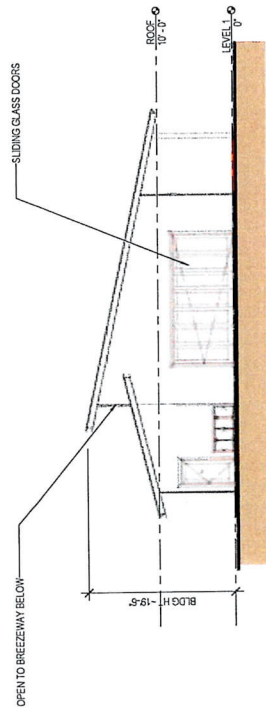


3 LEFT ELEVATION
SCALE: 1/8" = 1'-0"

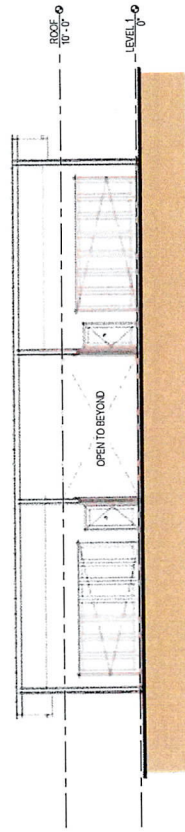


4 RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

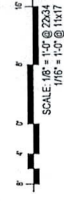




1 SECTION 1
SCALE: 1/8" = 1'-0"



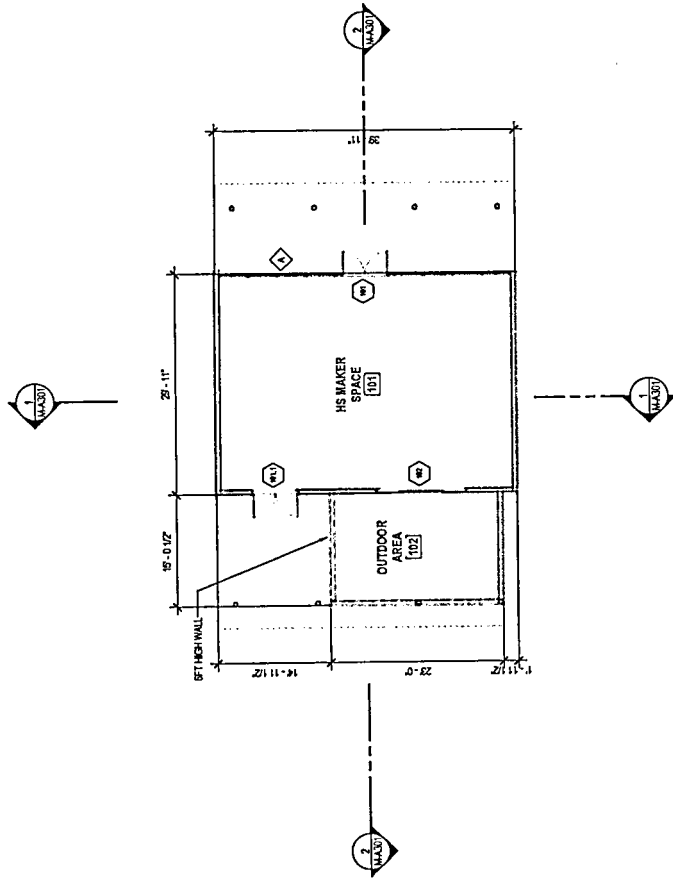
2 SECTION 2
SCALE: 1/8" = 1'-0"



ROOM	FLOOR FINISH	WALL FINISH	CEILING FINISH
MAKER SPACE	SEALED CONCRETE	PAINTED GT FBO	PAINTED ROOF DECK W/ GUTTERS
OUTDOOR SPACE	CONCRETE	PAINTED CMU	

DOOR MARK	CONSTRUCTION (2)	FINISH	GLASS (4)	FRAME MATERIAL	REMARKS
101	AL	AP	-	AP	
101.1	HM	MP	-	MP	
102	AL	AP	-	AP	

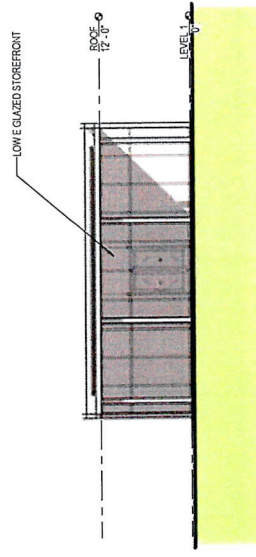
WINDOW TYPE	CONSTRUCTION (2)	FINISH	GLASS (4)	FRAME MATERIAL	REMARKS
A	AL	AP	-	AP	LOW E DOUBLE PANE



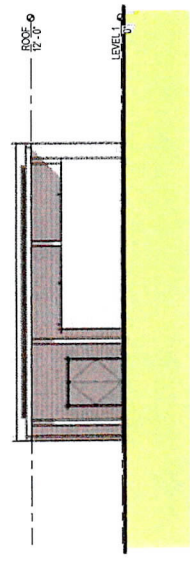
1 LEVEL 1
 SCALE: 1/8" = 1'-0"
 BUILDING AREA = 1,200 SF



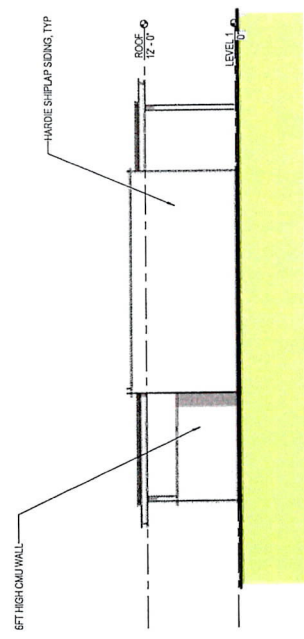
Maker Space Building | Plan



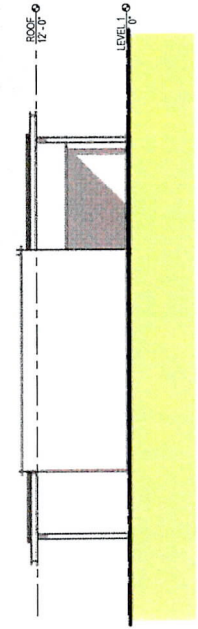
1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



2 REAR ELEVATION
SCALE: 1/8" = 1'-0"

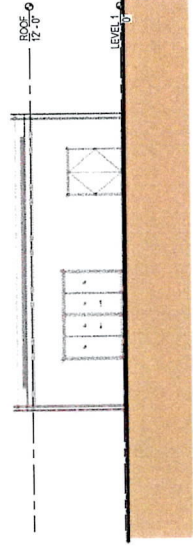


3 LEFT ELEVATION
SCALE: 1/8" = 1'-0"

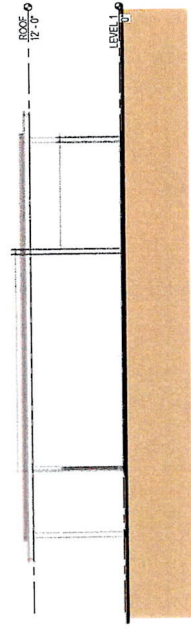


4 RIGHT ELEVATION
SCALE: 1/8" = 1'-0"





1 SECTION 1
SCALE 1/8" = 1'-0"



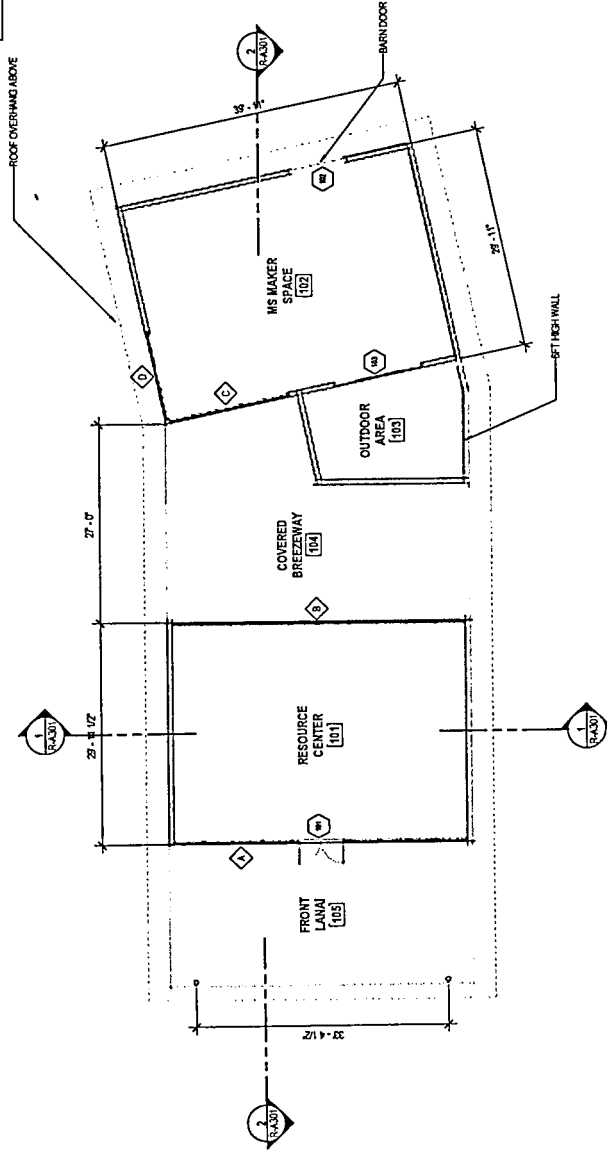
2 SECTION 2
SCALE 1/8" = 1'-0"



ROOM	FLOOR FINISH	WALL FINISH	CEILING FINISH
MAKER SPACE	SEALED CONCRETE	PAINTED GYP BD	PAINTED ROOF DECK W/ CLOUDS
OUTDOOR SPACE	CONCRETE	PAINTED CHU	
RESOURCE CENTER	LVT	PAINTED GYP BD	PAINTED ROOF DECK W/ CLOUDS

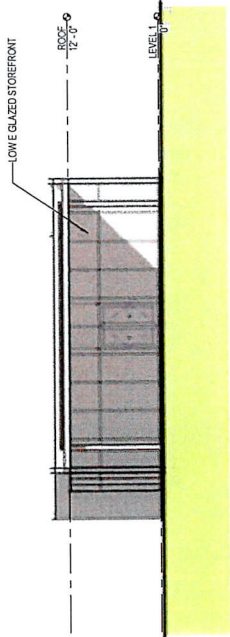
DOOR MARK	CONSTRUCTION (2)	FINISH	GLASS (4)	FRAME MATERIAL	REMARKS
101	AP	AP	-	AP	
102	AP	AP	-	AP	
103	AP	AP	-	AP	

WINDOW TYPE	CONSTRUCTION (2)	FINISH	GLASS (4)	FRAME MATERIAL	REMARKS
A	AP	AP	-	AP	LOW E DUAL PANE
B	AP	AP	-	AP	LOW E DUAL PANE
C	AP	AP	-	AP	LOW E DUAL PANE
D	AP	AP	-	AP	LOW E DUAL PANE

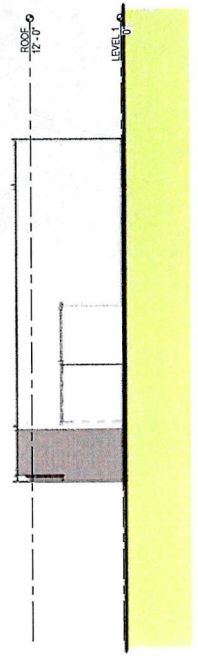


1 LEVEL 1
SCALE: 1/8" = 1'-0"
BUILDING AREA = 2,400 SF

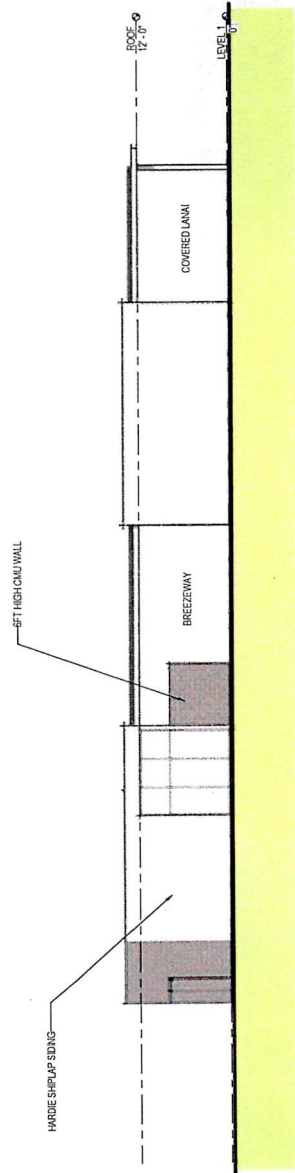
Resource Center Building | Plan



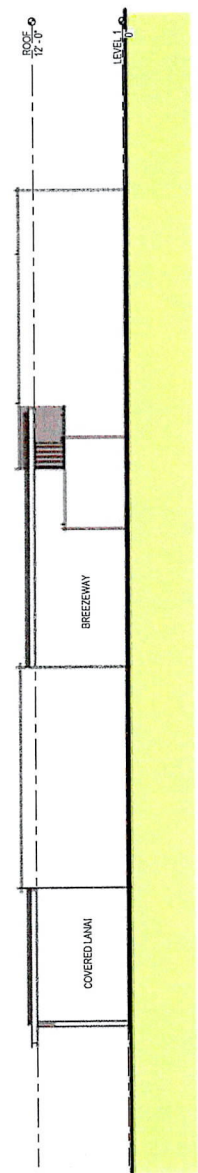
1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



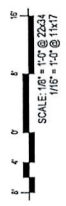
2 REAR ELEVATION
SCALE: 1/8" = 1'-0"

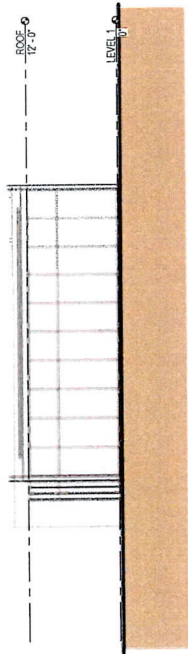


3 LEFT ELEVATION
SCALE: 1/8" = 1'-0"

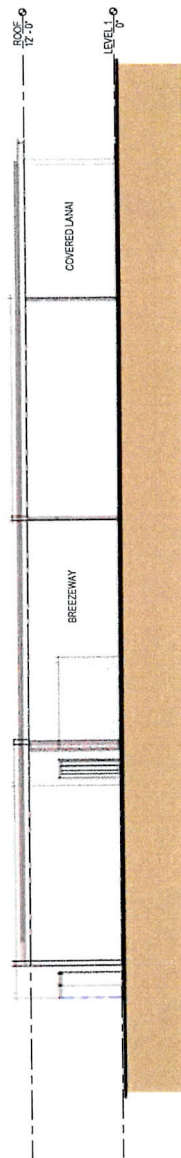


4 RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



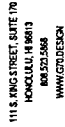


1 SECTION 1
SCALE: 1/8" = 1'-0"



2 SECTION 2
SCALE: 1/8" = 1'-0"





Description

USE PERMIT
7/1/2022

12

NAMAHA PUBLIC
CHARTER SCHOOL

DRAWING TITLE
LEARNING COMMONS FLOOR
PLAN

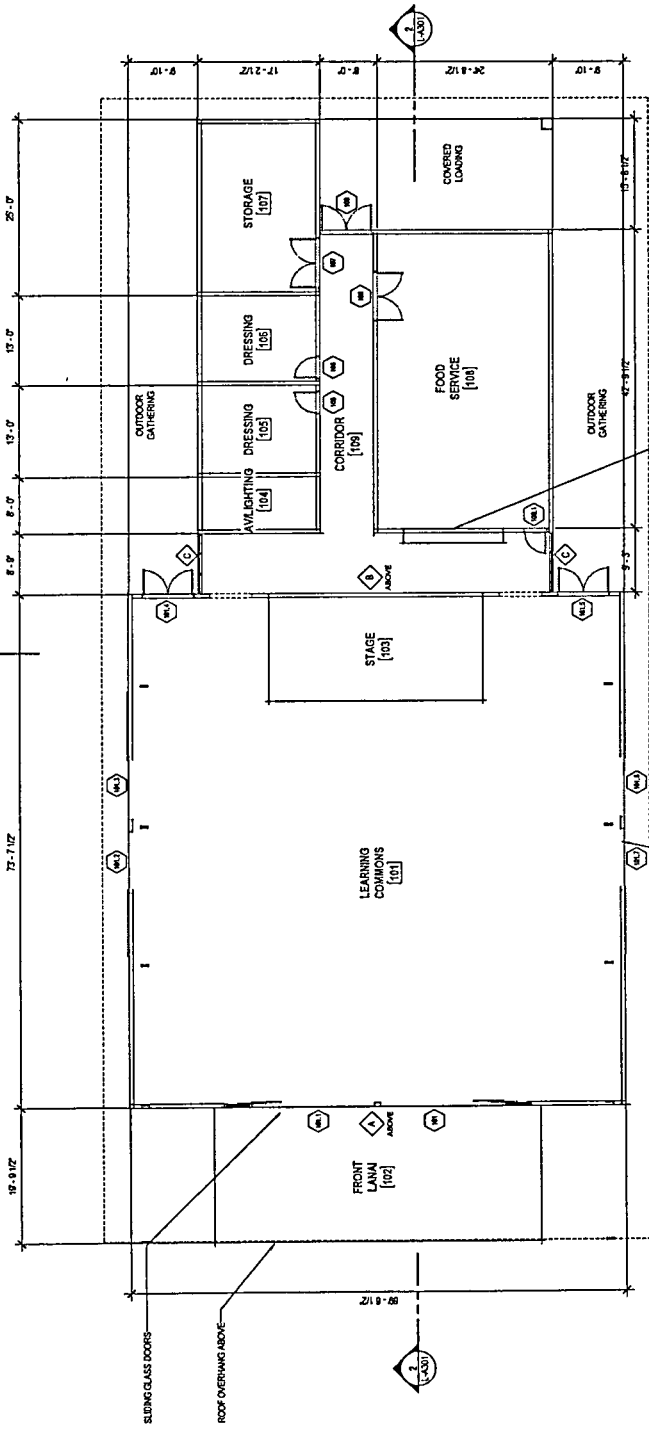
RECEIVED BY

07

L-A101

SHEET ISSUE DATE
7/1/2021

	ROOM	FLOOR FINISH	WALL FINISH	CEILING FINISH
MAIN SPACE		SEALED CONCRETE	PAINTED GYP BD	EXPOSED WOOD
FOOD SERVICE		CERAMIC TILE	CERAMIC TILE	PAINTED GYP BD
DRESSING		LVT	PAINTED GYP BD	PAINTED GYP BD
STORAGE		SEALED CONCRETE	PAINTED GYP BD	PAINTED GYP BD
CORRIDOR		SEALED CONCRETE	PAINTED GYP BD	PAINTED GYP BD

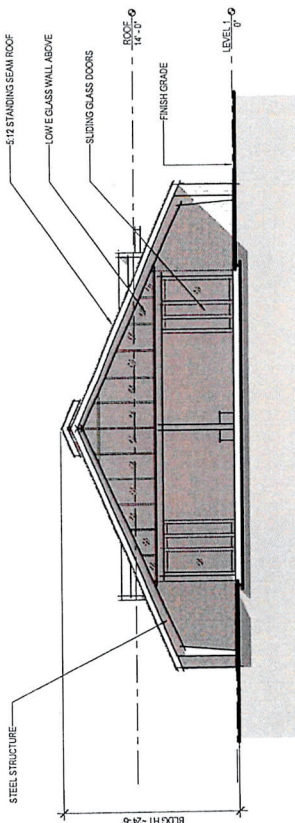


DOOR MARK	CONSTRUCTION (2)	FISH	GAZE (1)	FRAME INTERVAL	REMARKS
001	AL	AP	+	AP	
002	AL	AP	+	AP	
003	AL	AP	+	AP	
004	AL	AP	+	AP	
005	AL	AP	+	AP	
006	AL	AP	+	AP	
007	AL	AP	+	AP	
008	AL	AP	+	AP	
009	AL	AP	+	AP	
010	AL	AP	+	AP	
011	AL	AP	+	AP	
012	AL	AP	+	AP	
013	AL	AP	+	AP	
014	AL	AP	+	AP	
015	AL	AP	+	AP	
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099	AL	AP	+	AP	

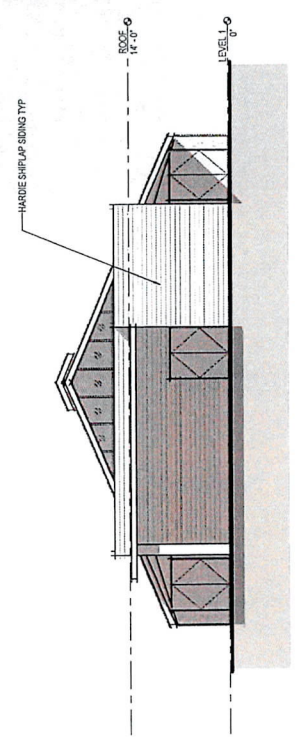
WINDOW TYPE	CONSTRUCTION (2)	FINISH	GLASS (4)	FRAME MATERIAL	REMARKS
A	AL	AP	-	AP	LOW E DUAL PANE
B	AL	AP	-	AP	LOW E DUAL PANE
C	AL	AP	-	AP	LOW E DUAL PANE

1 LEVEL 1
SCALE: 1/8" = 1'-0"

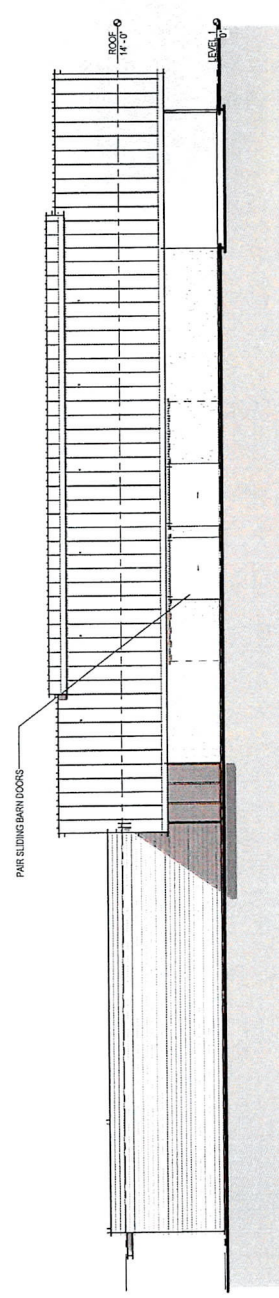
BUILDING AREA = 8.010 SF



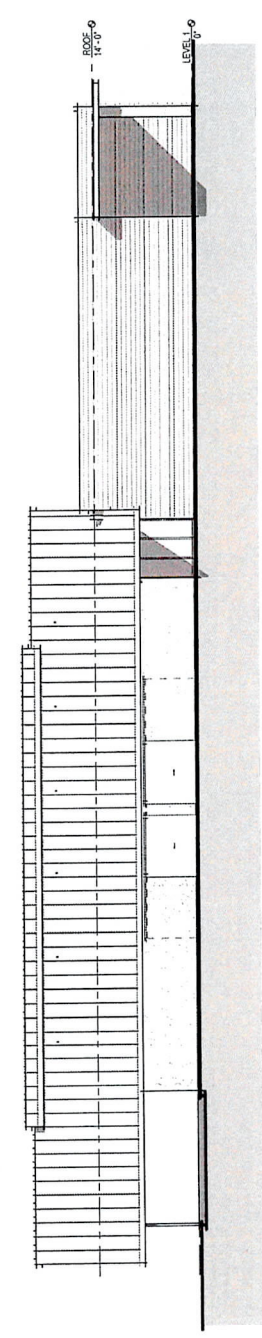
1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"



2 REAR ELEVATION
SCALE: 1/8" = 1'-0"



3 LEFT ELEVATION
SCALE: 1/8" = 1'-0"



4 RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



G7O

111 S. KING STREET, SUITE 170
HONOLULU, HI 96813
808.532.5966
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REVISIONS
Date Description

USE PERMIT
7/1/2022

This work was prepared by
me or under my direct supervision and
I am a duly licensed professional engineer
with the state of Hawaii.
I am not providing any services
outside the scope of my license.

Separation and
Identification
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I am a duly licensed professional engineer
with the state of Hawaii.
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PROJECT TITLE
NAMAHA PUBLIC
CHARTER SCHOOL

PROJECT NO.
DRAWING NO.
SHEET NO.

LEARNING COMMONS EXTERIOR
ELEVATIONS

SCALE: 1/8" = 1'-0"

CHECKED BY:
Author
Checker
PROJECT NO.
DRAWING NO.
SHEET NO.

L-A201
SHEET ISSUE DATE
07/1/22



111 S. KING STREET, SUITE 170
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engineer in the State of Hawaii.

Supervision and
control of the project
has been exercised by me or
a duly licensed professional
engineer in the State of Hawaii.
I, Charles H. Hsu, State
Professional Engineer No. 15500,
Architect, and Engineer,
and I declare.

PROJECT TITLE

NAMAHANA PUBLIC
CHARTER SCHOOL

Architect: G70 Design LLC
Engineer: G70 Design LLC
Builder: JAD Construction

DRAWING TITLE

LEARNING COMMONS SECTIONS

SCALE: 1/8" = 1'-0"

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Author

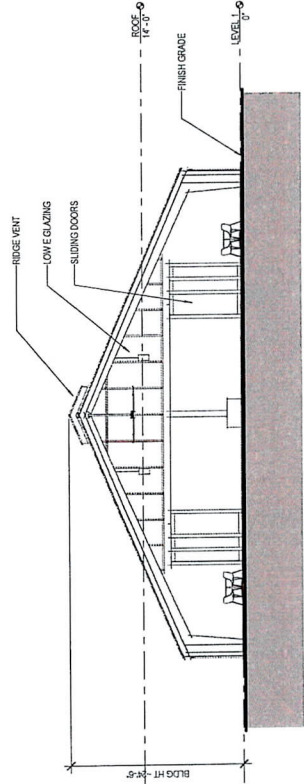
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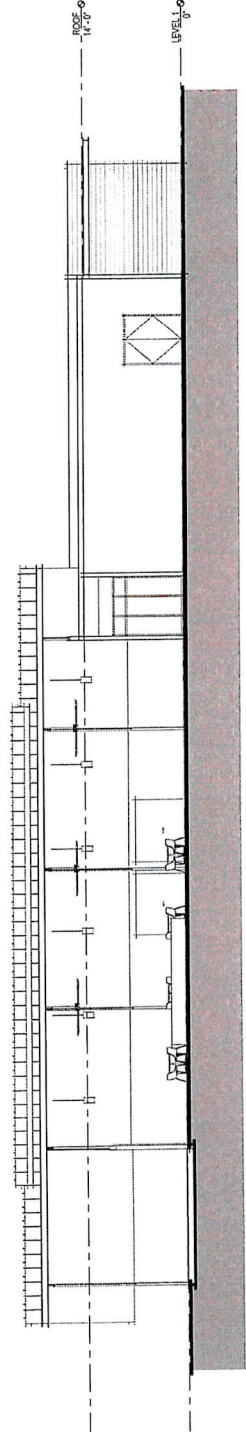
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SHEET ISSUE DATE

01/19/22



1 SECTION 1
SCALE: 1/8" = 1'-0"



2 SECTION 2
SCALE: 1/8" = 1'-0"



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NAMAHANA PUBLIC
CHARTER SCHOOL

PROJECT TITLE

GYMNASIUM FLOOR PLAN

SCALE: 1/8" = 1'-0"

CONTRACT NO.

G70

PROJECT NO.

000000

PROJECT NAME

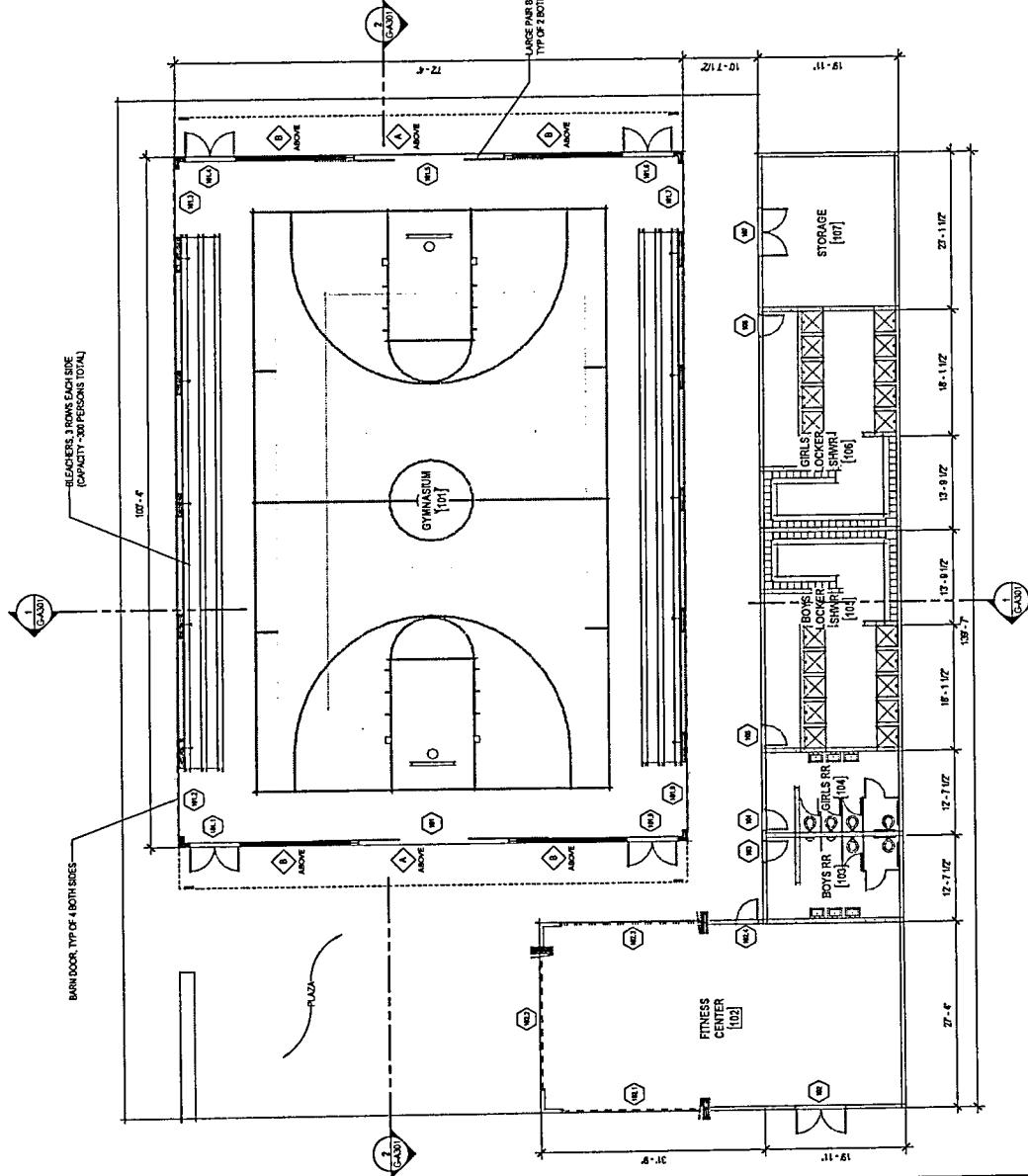
7/1/2022

G-A101

ROOM	FLOOR FINISH	WALL FINISH	CEILING FINISH
GYM	WOOD	PAINTED GYP BD	PAINTED ROOF DECK
FITNESS CENTER	WOOD	PAINTED GYP BD	PAINTED ROOF DECK
LOCKER ROOMS	CERAMIC TILE	CERAMIC TILE	PAINTED GYP BD
STORAGE	SEALED CONCRETE	PAINTED GYP BD	PAINTED GYP BD

DOOR MARK	CONSTRUCTION (2)	FINISH	GLASS (4)	FRAME MATERIAL	REMARKS
101.1	144	UP	-	UP	
101.2	144	UP	-	UP	
101.3	144	UP	-	UP	
101.4	144	UP	-	UP	
101.5	144	UP	-	UP	
101.6	144	UP	-	UP	
101.7	144	UP	-	UP	
101.8	144	UP	-	UP	
101.9	144	UP	-	UP	
102.1	144	UP	-	UP	
102.2	144	UP	-	UP	
102.3	144	UP	-	UP	
102.4	144	UP	-	UP	
102.5	144	UP	-	UP	
102.6	144	UP	-	UP	
102.7	144	UP	-	UP	
102.8	144	UP	-	UP	
102.9	144	UP	-	UP	
103.1	144	UP	-	UP	
103.2	144	UP	-	UP	
103.3	144	UP	-	UP	
103.4	144	UP	-	UP	
103.5	144	UP	-	UP	
103.6	144	UP	-	UP	
103.7	144	UP	-	UP	

WINDOW TYPE	CONSTRUCTION (2)	FINISH	GLASS (4)	FRAME MATERIAL	REMARKS
A	AL	AP	-	AP	LOW E DUAL PANE



1 LEVEL 1
SCALE 1/8" = 1'-0"

BUILDING AREA = 10,970 SF TOTAL COMPLEX

111 S. KING STREET, SUITE 170
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--	-------------

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This work was prepared by me or under my supervision and this project will be under my observation

Supervision and Observation of this project is as defined in Section 1.2 of the Hawaii Administrative Rules, Title 15, Chapter 115.

Professional Engineer, Architects, Land Surveyor, and Landscape Architect

PROJECT TITLE

**NAMAHANNA PUBLIC
CHARTER SCHOOL**

FILENAME:
Asldestk Docs\7272006-01 Namahana
School\Ns_Namahana_03_Gym Building_A22-Centid.Lvt

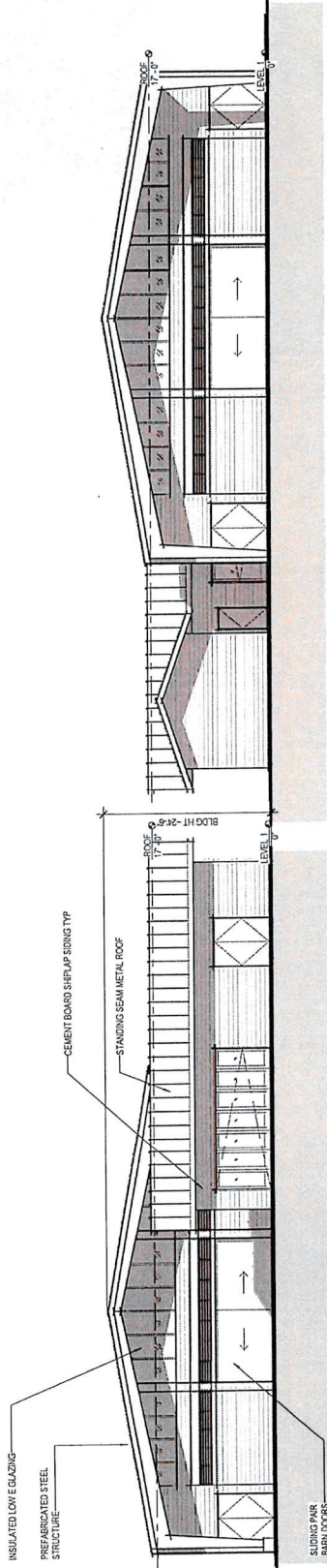
GYMNASIUM EXTERIOR
ELEVATIONS

DATE 1888 = 1888

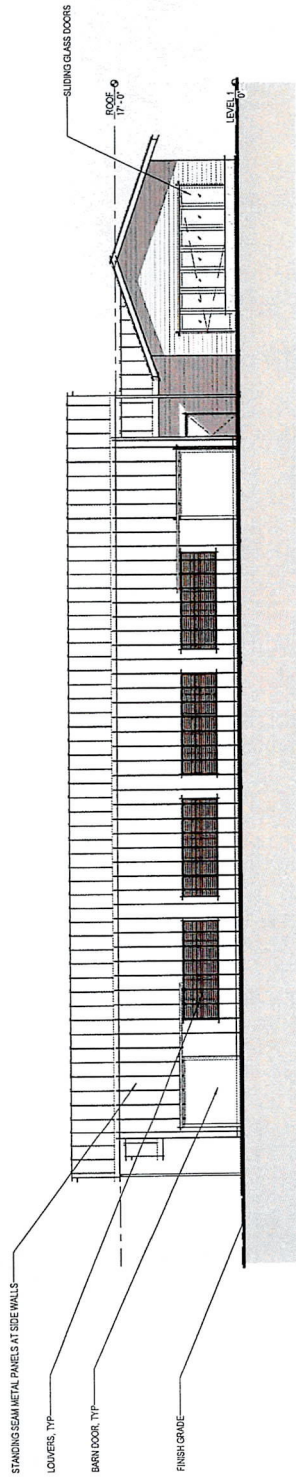
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Author	Checker
PROJECT NO.	DRAWING NO.

G-A201

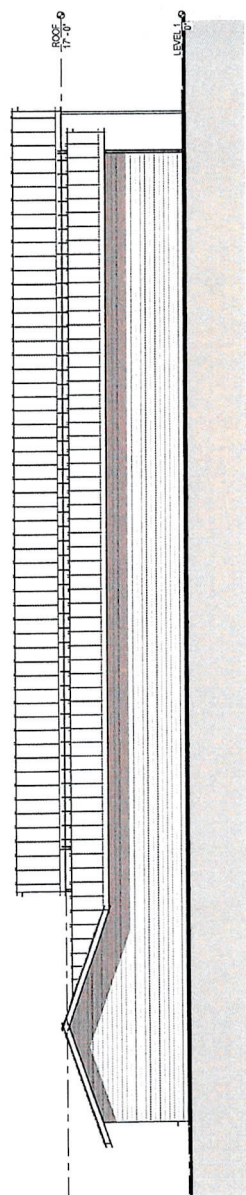
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1 FRONT ELEVATION
SCALE 1/8" = 1'-0"



3 LEFT ELEVATION
SCALE: 1/8" = 1'-0"



4 RIGHT ELEVATION
SCALE: 1/8" = 1'-0"



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This work was prepared by me or under my direct supervision and I am a duly Licensed Professional Engineer in the State of Hawaii. I am not providing any services outside the scope of my license.

As the Licensed Professional Engineer, I am responsible for the design and construction of the project in accordance with the Hawaii Building Code and all applicable laws and regulations. I am not providing any services outside the scope of my license.

License Expiration Date

PROJECT TITLE

NAMAHANA PUBLIC
CHARTER SCHOOL

FILE NAME:
AutoCAD Doc:22200607 Namahana
Schools, Jernamua, JCL Open Building, JCL Civil.dwg

SYNOPSIS TITLE

GYMNASIUM BUILDING SECTIONS

SCALE: 1/8" = 1'-0"

DRAWN BY:

CHECKED BY:

Author

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SYNOPSIS NO.

PROJECT NO.

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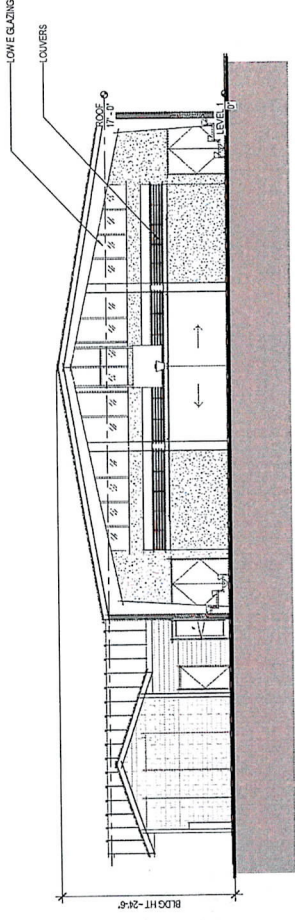
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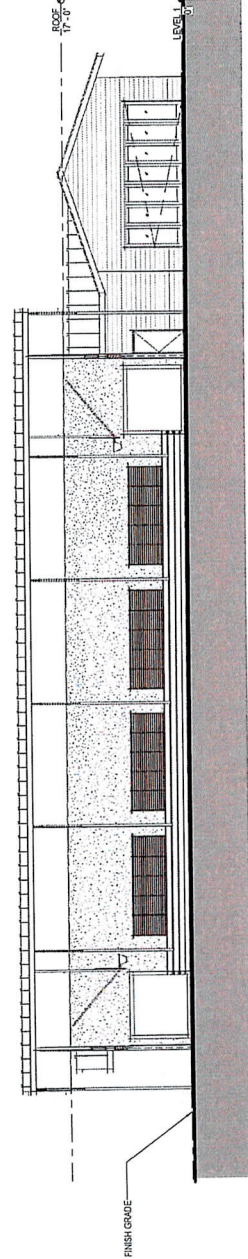
SYNOPSIS NO.

SYNOPSIS NO.

1 2 3 4 5 6 7 8 9 10



1 SECTION 1
SCALE: 1/8" = 1'-0"



2 SECTION 2
SCALE: 1/8" = 1'-0"



PLANNING COMMISSION
THE COUNTY OF KAUAI
KA'AINA S. HULL, CLERK OF THE COMMISSION

September 9, 2020

Dennis Esaki
Esaki Surveying & Mapping
1610 Haleukana St,
Lihu'e, Hawai'i 96766

Ian K. Jung, Esq.
Belles Graham Proudfoot Wilson & Chun, LLP.
Watumull Plaza
4334 Rice Street, Suite 202
Lihu'e, Hawai'i 96766

Subject: Subdivision of Lot 11-A-2-B into Lots 11-A-2-B-1 through 11-A-2-B-7, Roadway Lots A & B, and multi-Use Path Lot and designation of Easements W-1, Being portion of Grant 630 to Jules Dudoit at Namahana, Hanalei, Kaua'i, Hawai'i.
(S-2018-15, KILAUEA OHANA PLATEAU LLC)

Dear Messrs Esaki & Jung,

This letter memorializes the action taken by the Kaua'i Planning Commission effective SEPTEMBER 8, 2020 concerning **FINAL APPROVAL** of the above subject application.

Be advised that the final subdivision map or a metes and bounds description of the subdivision must be recorded prior to or at the time of conveyance of interest in any lot or parcel. If no such recordation is made, all approval shall become null and void.

Sincerely Yours,

KA'AINA S. HULL
Clerk, Kaua'i Planning Commission

xc: COK – Public Works, Fire, Water, Finance-Real Property Division
State – Health, Historic Preservation Division-DLNR

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Y:\2018 Master Files\Regulatory\Subdivisions\S-2018-15\Correspondence\Approval-1 9.9.20 DC S2018-15 Kilauea Ohana Plateau.docx

Donna Apisa
Chair

Glenda Nogami Streufert
Vice-Chair

Kanoe Ahuna
Kimo M. Keawe
Roy Ho
Sean Mahoney
Members



PLANNING COMMISSION
County of Kaua'i, State of Hawai'i
4444 Rice Street
Kapule Building, Suite A-473
Lihu'e, Hawai'i 96766-1326
TEL (808) 241-4050 FAX (808) 241-6699

Michael A. Dahilig
Clerk of the Commission

SEP 20 2018

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SEP 24 2018

Dennis Esaki
Esaki Surveying & Mapping
1610 Haleukana St,
Lihu'e, Hawai'i 96766

BELLES GRAHAM PROUDFOOT
WILSON & CHUN, LLP

Ian K. Jung, Esq.
Belles Graham Proudfoot Wilson & Chun, LLP.
Watumull Plaza
4334 Rice Street, Suite 202
Lihu'e, Hawai'i 96766

Subject: Subdivision of Lot 11-A-2-B into Lots 11-A-2-B-1 through 11-A-2-B-7,
Roadway Lots A & B, and multi-Use Path Lot and designation of Easements W-
1, Being portion of Grant 630 to Jules Dudoit at Namahana, Hanalei, Kaua'i,
Hawai'i. (S-2018-15, Kilauea Ohana Plateau LLC)

Subject subdivision was granted **TENTATIVE APPROVAL** by the Planning Commission at
their meeting held on September 11, 2018. Final approval will be granted subject to the
following conditions:

1. Requirements of the Planning Department:
 - a. An updated preliminary title report for each existing lot shall be submitted to the Planning Department for review
 - b. All existing and proposed easements, if any, shall be identified in the deed descriptions of the affected lots, draft copies of which shall be submitted to the Planning Department for review and approval.
 - c. Pursuant to Section 9-3.8(b) of the Subdivision Ordinance, Kaua'i County Code (1987), the Applicant shall submit to the Planning Department an electronic record

An Equ

(digitized format) of the final subdivision map(s) on disk for record keeping purposes prior to final subdivision approval.

- d. The Applicant shall pay a Park Dedication fee pursuant to Section 9-2.8 of the Kaua'i County Code Subdivision Ordinance. An appraisal report and price list shall be provided to the Planning Department to forward to the Real Properties Division to help calculate the fee amount.
- e. An Environmental Impact Assessment Fee of One Thousand Five Hundred Dollars (\$1,500.00) shall be paid to the County of Kaua'i.
- f. Newly created Lots 11-A-2-B-3 through 11-A-2-B-6 shall have no dwelling density. However, Lot 11-A-2-B-7 has a max dwelling density of five (5) units and this provision should be incorporated into the deed description of the subject parcels.
- g. As proposed, Lot 11-A-2-B-7 does not comply with the lot configuration requirement prescribed in Section 8-8.3(e) of the Comprehensive Zoning Ordinance (CZO). Prior to final subdivision map approval, the Applicant shall work with the Planning Department to comply with the foregoing standard.
- h. As proposed, Lots 11-A-2-B-1 and 11-A-2-B-2 does not comply with the minimum lot size requirement prescribed in Section 8-8.3(b) of the Comprehensive Zoning Ordinance (CZO). All lots within the proposed development shall comply with the foregoing standard prior to final subdivision map approval.
- i. Due to the topography in the area and relative to the roadway improvements for Roadway Lot A and Road way Lot B, there shall be cut and fill reserves established to facilitate actual construction of the roadway (if necessary). The locations and extent of these reserves shall be resolved with the Department of Public Works and shall be shown on the final map. There shall be no new structures permitted within the reserves; new structures should be setback from the reserves. The reserves along with the restrictions shall be identified in the deed descriptions, draft copies of which shall be submitted to the Planning Department for review and approval.
- j. The Applicant shall prepare and obtain construction plan approvals for necessary road, water, drainage, electrical and telephone utilities and facilities, and either construct the same or post a surety bond for completion.
- k. The applicant is made aware that the streets designated within the subdivision must be officially named before the Department approves the construction plans. Street names should be in Hawaiian and be submitted to our Department for review and approval, along with a request letter and 12 maps (on 8½" x 14" paper). The maps

should be detailed such that emergency vehicles, police services, postal deliveries, etc., are able to locate the street. References to roadway, such as the highway and other surrounding roads, should be shown on the street-naming map.

1. The applicant is advised that uses on the newly-created lots shall be limited to those listed as permissible uses within the "A" Agricultural District in the State Land Use Commission Rules and Regulations. Dwellings on the lot shall mean a single-family dwelling located on and used in connection with a farm where agriculture activity provides income to the family occupying the dwelling. These restrictions shall be included in the covenants for the proposed lots, draft copies of which shall be submitted to the Planning Department for review and approval.
 - m. As represented by the applicant, Roadway Lot A and the Shared Multi-Use Path Lot shall be dedicated to the County of Kaua'i. As such, proper documents shall be prepared by the applicant and be ready for execution prior to final subdivision map approval.
 - n. The applicant is advised that the subject subdivision application shall be exempt from the "one-time" agricultural subdivision restriction, per section 8-8.3(c) of the CZO, since it is a subdivision requested for public utility purposes.
2. Requirements of the Department of Water (DOW):
- a. Locate and show existing water meter/s (with appropriate meter number) on the subdivision map for DOW's review and approval. Also, identify the proposed subdivision lot the existing water meters will be assigned to. DOW comment may change depending on the approved tentative map.
 - b. For Lots 11-A-2-B-1 through 11-A-2-B-6, clearly letter on the final subdivision map and deeds:
 - i) "Domestic water service is not available from the Department of Water, County of Kauai."
 - ii) "Prior to building permit approvals, the applicant shall either complete a Waiver and Release Agreement with the Department of Water, County of Kaua'i or submit a copy of the deeds of the lot to the Department of Water that state that domestic water service is not available from the Department of Water, County of Kaua'i."

This deed restriction shall be recorded with the Bureau of Conveyances within ninety (90) days of the final subdivision approval by the Planning Department.

- c. The water system improvements required for Kilauea Lighthouse Village – Kilauea Road and Ala Namāhana Parkway Improvements must be completed and certification of Completion for the project must be issued by the DOW.

3. Requirements for Department of Public Works(DPW):

FORM & CONTENT OF MAP & SUPPLEMENTAL DOCUMENTS:

- a. The map does not comply with Section 3.031-J Form and Content of the Map of the Subdivision Ordinance No. 175. Paragraph J States "All maps shall show pertinent topographical information such as slopes and shapes of the land, approximate elevations, watercourses and drainage ways, and other information affecting the design of the subdivision." Additionally, the map needs to show the existing pavement width and whether the abutting roadways are paved and where the pavement ends. We recommend that the preliminary map be returned for the required information.

DRAINAGE:

- b. The Subdivision and subsequent development of residences and other impermeable surfacing will increase storm water flows rates. A drainage study needs to be made to evaluate the impacts of the increased storm runoffs. Measures to keep flow to pre-development conditions are required. Provisions need to be established to prevent structures from being built in flood prone areas and to preserve the natural function and capacity of the watercourses.

ROAD:

- c. The widened area of ROADWAY LOT A near the stream crossing should be extended to the northeast (on both sides of the lot) until it meets the bulge for the future roundabout.
- d. The 10' construction right-of-entry should also be shown along ROADWAY LOT A on the southeast side of the widened area near the stream crossing.
- e. Change the name of the MULTI-USE PATH LOT to "SHARE USE PATH LOT" or simply "PATH LOT" or "PATH LOT C." This lot must be widened to 20 feet and include a 100' radius where the lot bends around Lot 11-A-2-B-5, as shown in the earlier draft versions of this subdivision map. The PATH LOT must also include a 50' radius (minimum) at the location where this lot bends around Lot 11-A-2-B-7.

OTHERS:

- f. A grading permit will be required for this project. The property size is more than 10 acres. The maximum area that may be opened for grading or grubbing at any one time is ten (10 acres). The area of land that may be opened shall not exceed ten (10) acres. Grading/grubbing shall be accomplished in increments not more than 10 acres. Best Management Practices (BMP's) shall be provided at all times to the maximum extent practicable to prevent damage by sedimentation, erosion and dust to streams, water courses, natural areas and the properties of others.

4. Requirements for State Department of Health:

- a. All structures and wastewater disposal systems are not shown on the subdivision map. The State of Hawaii Department of Health (DOH) Wastewater Branch will not recommend final approval of the subdivision application until we have information on existing wastewater system. The applicant must have his/her engineer or contractor submit a completed exiting cesspool information card for each cesspool, identifying the location of all wastewater systems both cesspools and septic systems with associated structures and their relationship to existing and proposed property lines. Please add existing septic system to the subdivision map.
- b. The property may harbor rodents which will be dispersed to the surrounding areas when the site is cleared. In accordance with Chapter 11-26, entitled "Vector Control", Title 11, HAR, the applicant shall ascertain the presence or absence of rodents on the property. Should the presence of rodents be determined; the applicant shall eradicate the rodents prior to clearing the site.
- c. Noise will be generated when construction occurs on after the subdivision. The applicable maximum permissible sound levels as stated in Title 11, Hawaii Administrative Rules (HAR), Chapter 11-46, "Community Noise Control", shall not be exceeded, unless a noise permit is obtained from the State Department of Health (DOH).
- d. Temporary fugitive dust emissions during site preparation and construction could impact the nearby residents when the subdivided lots are developed. In accordance with Chapter 11-60.1, entitled "Air Pollution Control", Title 11, HAR, effective air pollution control measures shall be provided to minimize or prevent any fugitive dust emission from impacting the surrounding areas. This includes but are not limited to the use of water wagons, sprinkler systems, dust fences, etc.
- e. In accordance with Title 11, HAR, Chapter 11-58.1, "Solid Waste Management Control", when the lot is further developed, the grubbed material and construction waste that is generated shall be either recycled or disposed of at a solid waste

Ka Pa‘akai Assessment

*He Maka Lehua,
A Ka Pa‘akai of Namahana*

Kaua‘i Mokupuni
Ko‘olau Moku, Namahana, Ahupua‘a



Kapua L. Chandler, Ph.D.
Dominique Leu Cordy, M.A.

Prepared for:
County of Kaua‘i Planning Commission

Prepared by:
Namahana School, Hawai‘i August 2022

EXHIBIT "F"

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Abbreviations and Glossary of Hawaiian Terms

Abbreviations

Above mean sea level	amsl
Bernice Pauahi Bishop Museum	BPBM
Department of Land and Natural Resources	DLNR
Department of Accounting and General Services	DAGS
Environmental Assessment	EA
Fahrenheit	°F
Kaua'i Historic Society	KHS
National Wildlife Refuge	NWR
Hawai'i Revised Statutes	HRS
Land Commission Award	LCA
Land Court Application	LCApp
Million gallons per day	mgd
National Register of Historic Places	NRHP
Native Register	NR
Native Testimony	NT
Register Map	RM
Department of Land and Natural Resources	DLNR
State Historic Preservation Division	SHPD
United States Geological Survey	USGS
University of Hawai'i	UH

Glossary of Hawaiian Terms

ae'o	Hawaiian stilt, endemic waterbird
'ai pono	eating of traditional Hawaiian foods
'āina	land
ahupua'a	land division
akua	god, deity
'alae ke'oke'o	Hawaiian coot, endemic waterbird
'alae 'ula	Hawaiian moorhen, endemic waterbird
ali'i	chief
'auwai	irrigation ditch
corm	food-bearing underground stem (see 'i'o)
hinana	young 'o'opu, formerly caught in nets
hīhīwai	also called wī, freshwater pūpū (mollusk)
ho'i	out-takes or returns
huli	revegetative portion of kalo that is re-planted, between corm and leaf
kalo	<i>Colocasia esculenta</i> , or taro
kalo pa'a	cooked table kalo
Kānaka Maoli	Native Hawaiian
kī	<i>Cordyline fructosa</i> , ti, ti leaf, lā'ī, lau'ī
kinolau	physical manifestation
kula	Plain, field, open country, pasture
mahi'ai	farmer
moloa maoli	Hawaiian duck, endemic waterbird
kuāuna	bank or border of a kalo patch
kūpuna	ancestors, also grandparent
lā'ī	<i>Cordyline fructosa</i> , ti, ti leaf, kī, lau'ī
lawai'a	fisher
lau	leaf, specifically often kalo leaf
lo'i	flooded/wetland irrigated field
lo'i kalo	irrigated wetland field growing kalo
lū'au	kalo leaf
ma kai	to/towards the ocean
ma uka	to/towards the mountain
mana wai	tributary
mana'o	thought, idea, belief, opinion
mānowai	traditional intake
manu	bird
mele	song or poetic text
moku	district
mo'olelo	oral history, historic tale, legend
muliwai	river mouth characterized by brackish water
na'au	physically the center of your body, metaphorically: gut, heart, feeling

nā'ū	endemic Hawaiian gardenia
nī'oi	Hawaiian chili pepper
nūpepa	Hawaiian Language newspapers
'ōlena	turmeric
oli	chant or chant text
pae 'āina	archipelago
po'owai	secondary water diversion
pu'uone loko i'a	inter-tidal fishpond
wai	fresh water
wī	short for hīhīwai

Introduction and Purpose

This Ka Pa‘akai assessment is being conducted in support of a County of Kaua‘i Special Use Permit for Namahana School, a tuition free public charter school. The proposed Namahana School lot, and the project area for this study is in Kīlauea Town, in the Ahupua‘a of Namahana, the Moku of Halele‘a, Kaua‘i Island. The study area consists of Tax Map Key (TMK) parcel (4) 5-2-005:023, which is located across from the Kīlauea Post Office on Ala Namahana Pkwy.

The State and its agencies are obligated to preserve and protect the reasonable exercise of customarily and traditionally exercised rights of Native Hawaiians to the extent feasible. This affirmative obligation is set forth in the Hawai‘i State Constitution Article XII, Section), State Laws, Hawai‘i Revised Statutes (HAR) Section 1-1 and 7-1, and judicial precedent. The Court has held that,

- State agencies may not act without independently considering the effect of their actions on Hawaiian traditions and practices.

To assist the State and its agencies in fulfilling its constitutional obligation as set forth in Article XII, Section 7, the court has provided an analytical framework. In accordance with Ka Pa‘akai O Ka ‘Āina vs. LUC (Ka Pa‘akai), the analytical framework provides the following:

- (1) the identity and scope of valued cultural, historical, or natural resources in the petition area, including the extent to which traditional and customary native Hawaiian rights are exercised in the petition area;
- (2) the extent to which those resources, including traditional and customary native Hawaiian rights, will be affected or impaired by the proposed action; and
- (3) the feasible action, if any, to be taken by Namahana School to reasonably protect native Hawaiian rights if they are found to exist.

The primary purposes of this study are to account for historical and archival information; identify, beliefs, practices, and cultural resources (and their scope) within and in relation to the Project Area and assess potential affects or impairments to those practices and resources as a result of the proposed project. Additionally, intent is to give voice to community ‘ike (*knowledge*) and mana‘o (*thoughts*); and summarize community uses, resources, concerns, and recommendations as they relate to Native Hawaiian traditional and customary practice(s), and historic properties within the Project Area; specifically, how the Proposed Action might impact these practices, beliefs, and resources, both in the present and in the future, and how the applicant, Namahana School, will address these potential affects.

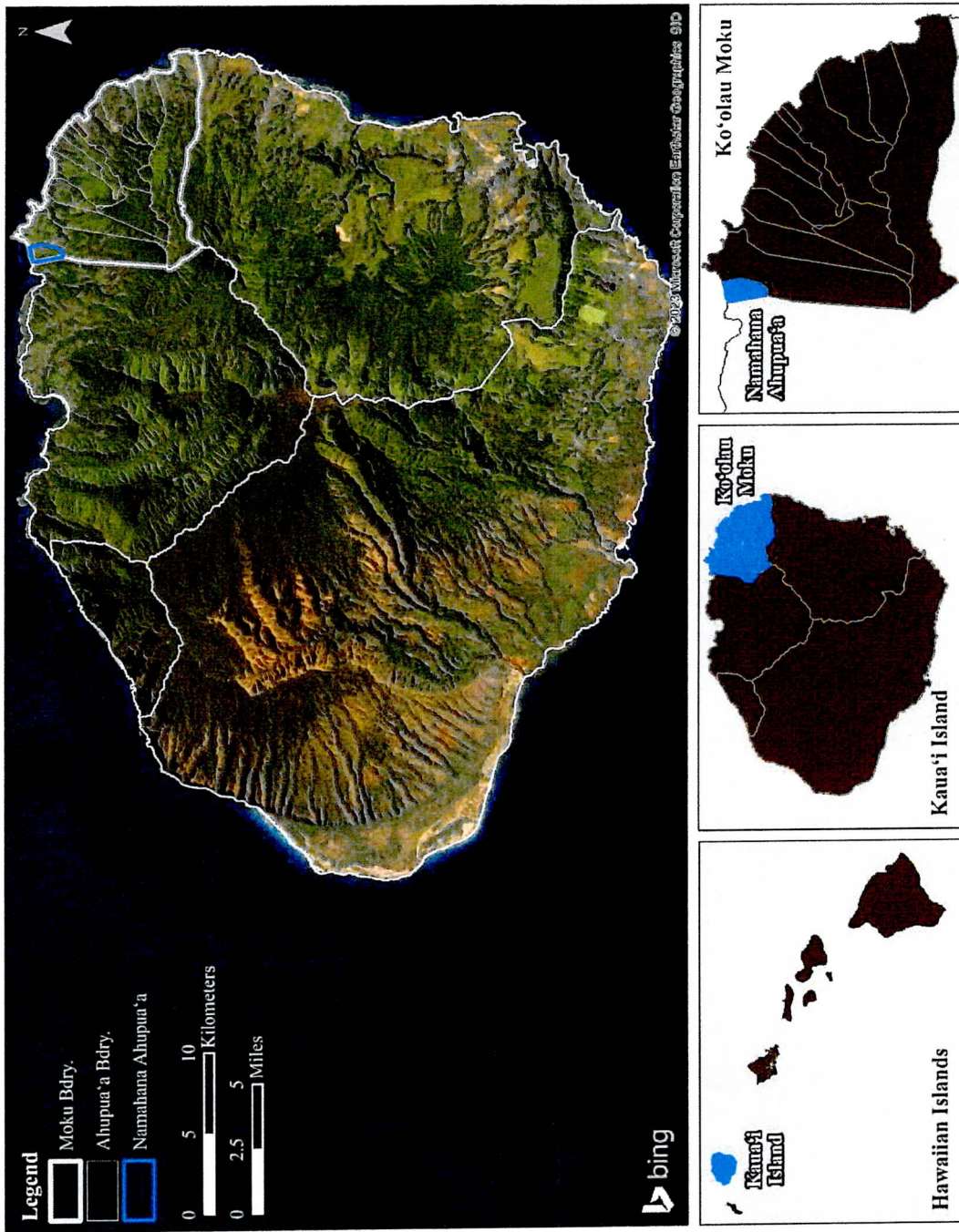


Figure 1. Depiction of the Project Area in relation to Kaua'i Island and the main Hawaiian Islands.

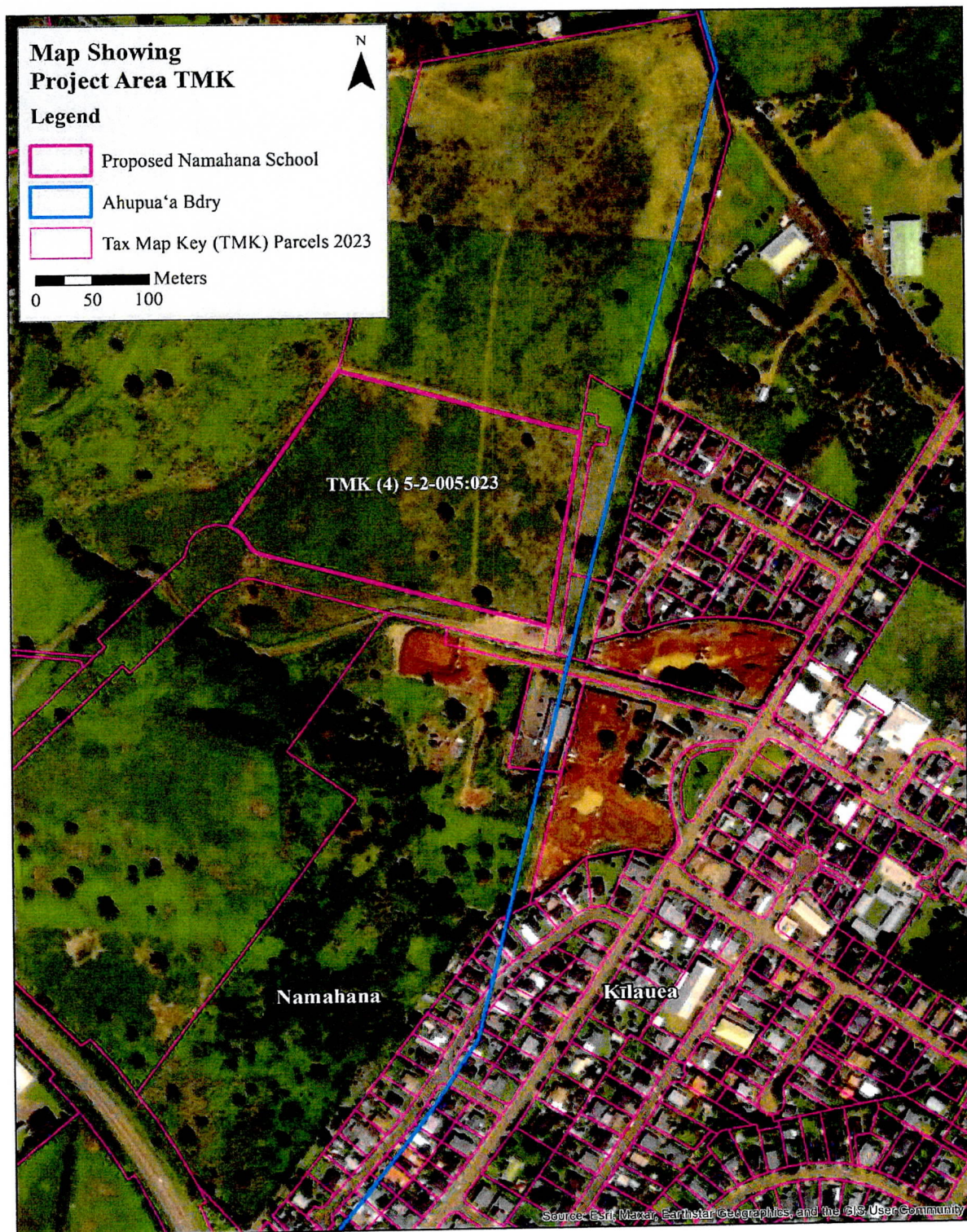


Figure 2: Map Showing Project Area TMK

Scope of Work, Guiding Principles, & Methods

This study spanned a five-month period from August to December 2022. Study authors and researchers included: Dr. Kapua L. Chandler and Dominique Cordy. This study pays specific attention to the project area, TMK (4) 5-2-005:023, while ensuring to look beyond the bounds of the parcel to better understand the larger cultural landscape of its surroundings. While conducting this study, the research team incorporated a set of community values to guide our research, analysis, behavior, perspective, and overall frame of reference, including:

- **Aloha ‘āina** - to have a deep and cherished love and respect for the land that created and sustains us
- **Aloha kanaka** - to recognize, feel, and understand righteousness, properness and goodness in all we do, especially with the caretakers and cultural practitioners of place
- **Aloha i ke ao** - to be humble, modest, unassuming, and unobtrusive in our approach to respect, recognize, appreciate, and encourage the preservation, perpetuation, and continuity of our wahi pana (storied places) lāhui (nation), and hana (practices)

With these values as a kahua, or foundation, the project team also looked to guiding documents, including the Ka Pa‘akai analytical framework. The Namahana School Governing Board, Namahana Education Foundation, and School Leader in consultation with community members developed a general scope of tasks to guide this Ka Pa‘akai Assessment.

1. **Ethnohistorical Research** – gathering relevant cultural and historical information on the proposed Namahana School site, as well as the surrounding area and resources; and analyzing mo‘olelo (oral histories), mele (*songs*) and oli (*chants*), ‘ōlelo no‘eau (*proverbs, poetical sayings*), inoa ‘āina (*place names*), historical maps, photographs, Hawaiian language and other historical archives and documents, as well as relevant archaeological reports.
2. **Community Knowledge** – gathering information from topic area experts and cultural practitioners with pilina (*connection, relationship*) to and knowledge of the study area.
3. **Report Compilation** – compiling accompanying figures and narratives, and crafting recommendations.

The research team examined a variety of repositories and resources to develop a general description of the natural, cultural, historical, and historical background of the proposed Namahana School site. The study team gathered information about the natural landscape by reviewing County, State, and Federal GIS data, atlases, maps, scientific reports, reference books and archaeological investigations. We compiled inoa ‘āina, mo‘olelo, oli, and ‘ōlelo no‘eau from both Hawaiian and English language sources in books, newspapers, online databases, and archives. The team also collected historical accounts of Namahana and surrounding ahupua‘a from primary and secondary documents including records, journals, newspapers, and previous reports from various state and private collections such as the Bernice Pauahi Bishop Museum (“BPBM”) Archives, the State Historic Preservation Division (“SHPD”), and Kaua‘i Historic Society (“KHS”). The research team gathered historical land documents and Māhele data from the Buke Māhele, Boundary Commission Records, and the Biennial Report of the Commissioners of Crown Lands, 1894, and retrieved historic maps from the State of Hawai‘i’s Department of Accounting and General Services (“DAGS”) online database. The digital archival repositories utilized include: Ulukau, AVA Konohiki, Hawai‘i Office of Planning GIS repository, Papakilo Database, Kīpuka Database, various Hawaiian language newspapers, and others.

Ethnography

In the Namahana, and its sister communities in Kīlauea, Kalihiwai and Kahili, many kūpuna and kama‘āina have maintained close connections to their ‘āina and have kept the stories and practices of their culture alive, continuing traditions since time immemorial. Ethnographic research for this report included conducting interviews with community members to record and acknowledge participants’ thoughts, concerns, and ‘ike (knowledge) regarding:

- (1) The identity and scope of valued cultural, historical, or natural resources in the study area and Namahana generally, including traditional and customary Native Hawaiian and practices being exercised in the area.
- (2) If any, impacts to or concerns about traditional and customary Native Hawaiian rights that could be affected (negative or positive) by the proposed action.
- (3) Recommendations, if any, on actions that could be taken by Namahana School to reasonably protect native Hawaiian rights in the implementation of the proposed action.

Ethnographic work for this study was conducted from August 2022 through August 2023. The research team reached out to community members, requesting their mana‘o and participation in this study. The ethnographic outreach process consisted of:

- 1) Outreach, via phone and email (Appendix A: Community Participation Letter) to Native Hawaiian residents, cultural practitioners and other appropriate and knowledgeable individuals who are long term kama‘āina.
- 2) Conducting ethnographic interviews (Appendix B: Interview Themes and Questions), Consent forms were signed by participants (Appendix C: Signed Consent Forms) who understood their shared information would be used in this study. All participants were shared information about the proposed action.
- 3) Summarizing the interviews, analyzing the ethnohistoric data, and preparing this report.

Five (5) individuals were contacted to participate in this study (see below, Table 1). Our interview sessions had thematic questions but were held in a talk story style, language is fluid and informal. It is also important to note that original outreach was conducted for the original Namahana School site, mauka of the Highway in Kalihiwai Ahupua‘a. All participants were re-consulted with for the current proposed School site at Tax Map Key (TMK) parcel (4) 5-2-005:023. Participants were made aware off all changes and consented to amending and updating their interviews to reflect thoughts, ‘ike and mana‘o regarding the current study area in Namahana Ahupua‘a.

Table 1: Community Interview Participants

Participant	Background/Affiliation
David Sproat	Life-long resident and married to the lineal descendent ‘ohana of Kalihiwai. Native Hawaiian fisherman and cultural practitioner, longstanding kupuna of the Kalihiwai and Kīlauea community.
Gary Smith	Multi-generational resident and family of Kīlauea. Uncle Gary Smith is a community historian, writer, and kupuna of Kīlauea. His father was the Manager of the Kīlauea Sugar Plantation.
Harry Paik	Lineal descendant of the moku of Halele‘a. Harry Paik is a fisherman and long time Kīlauea resident. Lived through the Sugar Plantation Era.

Participant	Background/Affiliation
Roy Constantino	Long time Kīlauea resident, Roy grew up living and working on the Sugar Plantation.
Mehana Vaughan	Born then raised in Kalihiwai and now a Kīlauea resident with her growing 'ohana. Native Hawaiian cultural practitioner and 'āina-based educator.

Uncle David Sproat is a long time Native Hawaiian resident of Kalihiwai ahupua'a, adjoining ahupua'a to Namahana. Uncle David is a retired fire chief and kalo farmer. Uncle David Sproat raised his three daughters and now their children (6) all in Kaihiwai valley. Uncle David is married to Aunt Linda Akana, daughter of last konohiki of Kalihiwai valley. Uncle David Sproat is a long time protector of community lands. He is a musician, historian, and kupuna of the Kalihiwai and Kīlauea communities.

Uncle Gary Smith grew up in Namahana and Kilauea Ahupua'a down the street from the proposed Namahana School site and who has first-hand experience of many of the traditions of Kilauea and Namahana. Uncle Gary was born and worked on the plantation, after graduating from college he returned to Kilauea. Uncle Gary's father was the plantation manager.. Uncle Gary is a community historian, writer, and kupuna of Kīlauea. Uncle Gary is also an artist and composer of mele in the area. Uncle Gary is an active community advocate and also the President of the Kīlauea Japanese Grave Yard association. He is a grandfather to Kīlauea mo'opuna (grandchildren) attending Kīlauea School and being raised in Kīlauea.

Uncle Harry Paik is a long time Native Hawaiian resident of Kīlauea and Namahana ahupua'a down the street from the proposed Namahana School site. Uncle Harry's ancestors are descendents of ahupua'a surrounding ahupua'a including Kahili and Wanini. He is a fisherman and grandfather to two mo'opuna (grandchildrent) that are also being raised in Kīlauea by his son.

Uncle Roy Constantino was born and raised in the Kīlauea ahupua'a. Uncle Roy grew up during and on the Kīlauea Plantation. Uncle Roy walked the roads and ditches of Kīlauea before they were paved, was a 1974 graduate of Kapa'a High School and grew up to be a fire fighter for over 20 years. Uncle Roy's dad worked in the sugar cane fields during the plantation and his parents met at the plantation camp in Kīlauea.

Kumu Mehana Vaughan grew up in Namahana and Kalihiwai, on the border of the moku of Halele'a and Ko'olau. A graduate of Kīlauea Elementary School, Mehana grew up playing and walking between the Kīlauea and Kalihiwai ahupua'a traversing Namahana ahupua'a. She studied sociology and secondary education at Harvard University. After a decade of teaching middle school in Hawaiian charter schools and developing 'āina-based education programs on Kaua'i, she completed her doctorate in environmental studies at Stanford University. Mehana is currently an associate profesosr at the University of Hawai'i at Mānoa in the Department of Natural Resources and Environmental Management and U.H. Sea Grant College program. Kumu Mehana is a Native Hawaiian cultural practitioner that loves to make lei in the wili style of her grandmother, Amelia Ana Ka'ōpua Bailey, to dance hula, and share mo'olelo passed down by her kūpuna. She lives in Kīlauea with her husband Kilipaki, mother Beryl, and three children – Pikomanawa, Pi'ina'emalina, and Anauleikupuna.

We understand that peoples' relationships with their place is a precious thing. We would like to acknowledge and express our humble gratitude to all the individuals who spent their time with us and chose to share their knowledge of this place. Without their willingness to spend much of their own time, and impart personal recollections and stories, this study would not have been possible.

Project Area – Namahana School

Environmental Setting

This Project Area is located on the Island of Kaua‘i, along its north-facing coast, at the western-most end of the moku (traditional Hawaiian land division similar to a district) of Ko‘olau, in the ahupua‘a of Namahana. Ko‘olau is one of the five moku of Kaua‘i. Ko‘olau is found in the northeastern region of the island. Its name often refers to the typical windward, east or northeast, districts of an island. The Namahana Ahupua‘a is located on the border of the Halele‘a and Ko‘olau moku. The Study Area is located on the eastern edge of the ahupua‘a of Namahana. Namahana is one of the two smallest ahupua‘a on Kaua‘i, measuring less than 400 acres, nested on the coast between the ahupua‘a of Kīlauea and Kalihiwai.

While much of the literature relating to place names contends that Namahana means “twins,” Hawaiian linguist, Kumu Devin Kamealoha Forrest, posits that Namahana speaks to “a gathering of chiefs,” or “a congregation of chiefs.” ‘Mahana’ is a type of ali‘i (*chief*) and ‘Nā’ pluralizes its meaning. Beyond the literal translation, there were various historical documents and mo‘olelo (stories) that support this interpretation along with Kumu Kamealoha’s experience with Hawaiian literature and naming practices.

The Study Area for the purposes of this report is an 11.3 acre, relatively flat, field of buffalo grass boarded predominantly by agricultural pasture lands to the north, west, and south. The East facing side of the property borders vacant lots currently planned to be developed for affordable housing and a bank. The study area is just outside of Kīlauea town and is an ideal location for future students to walk or bike to school. When standing in the middle of the site, there is a view of the entire Namahana mountain range, Nihokū (Crater Hill), and sweeping views from Kalalea mountain range in Anahola to Makana mountain in Hā‘ena. Additionally, when looking west over the adjacent agricultural fields there is an ocean view.

The Project parcel is set high on the Namahana plateau at an elevation of 300 feet above mean sea level (amsl), and back from Kauape‘a beach at the coast by ~0.6 miles. Within walking distance of the Study Area, remnants of the Kīlauea Sugar Plantation Era can be found including retired ditches and stone buildings. The Niu stream can be found just mauka of the Study Area. Approximately, a half mile away from the Study Area is the Kuhio Highway.

Two soil types have been identified within the study area, Puhi silty clay loam and Makapili silty clay.

Table 2. Soils present in the study area.

Munsell Symbol	Soil Description	Farmland	Erosion
PnB	Puhi silty clay loam, 3 to 8 percent slopes	All areas are prime farmland	Potentially highly erodible land
MeB	Makapili silty clay, 0 to 8 percent slopes	All areas are prime farmland	Potentially highly erodible land

Harold Baker’s 1975 study *Agricultural Lands of Importance to the State of Hawaii* provides an appraisal of farmland based on soils across the State (Table 2). Forty-five years later, Baker’s report is still used to categorize and assess soils; it is a companion download to the soils shapefile layer on the Hawai‘i Statewide Geographic Information System (“GIS”) Program website. It is important to note that Baker’s value for prime farmland is measured through the lens of intensive monocrop farming, such as sugar and pineapple.

Identity and Scope – Cultural Historical and Natural Resources

Historically, Namahana Ahupua‘a was the location of the original Kīlauea School. Established in 1894, the first school was for plantation children. As discussed in a Garden Island newspaper article (2012), “this school was situated near the top of Kalihiwai Road, between what is now the giant banyan tree on the right side (heading downhill) and the bridge a short distance below). This original school site is located less than half a mile Southwest of the Project Area. In 1922, the school was moved to Kīlauea where it resides today, also less than half a mile Southeast of the Project Area. The plateau area of Namahana was itself not a center of habitation in traditional times, it was the Plantation that started Kīlauea town, of which Namahana is a part of. In traditional times the population centers were at the coast along the mouth of Kalihiwai River to the west and Kahili to the east. The coastline is non-contiguous, meaning it cannot be walked between Kalihiwai and Kahili; the rocky points of Kapuka ‘amoi, Wōwoni (Lae of Kīlauea), Makapili and Mōkōlea make it impassable. The coastal plateaus of Kalihiwai, Namahana, and Kīlauea would have been a major land artery during the high surf winter seasons from East to North, Ko‘olau to Halele‘a (See Figure 3).

Place Names – Wahi Inoa

The thousands of place names recorded and still used today provide a glimpse of how nā po‘e kahiko (people of old) understood the landscape of Hawai‘i. A place name may explain a commemorative event, describe an important person or the physical environment, reveal the function of the land, or do all of these things at once. When explaining the concept of mana that is instilled in a name, Pūku‘i writes:

Once spoken, an inoa took on an existence, invisible, intangible, but real. An inoa could be a causative agent, capable of marshaling mystic elements to help or hurt the bearer of the name. And so went the belief, the more an inoa was spoken, the stronger became this name-force and its potential to benefit or harm.¹

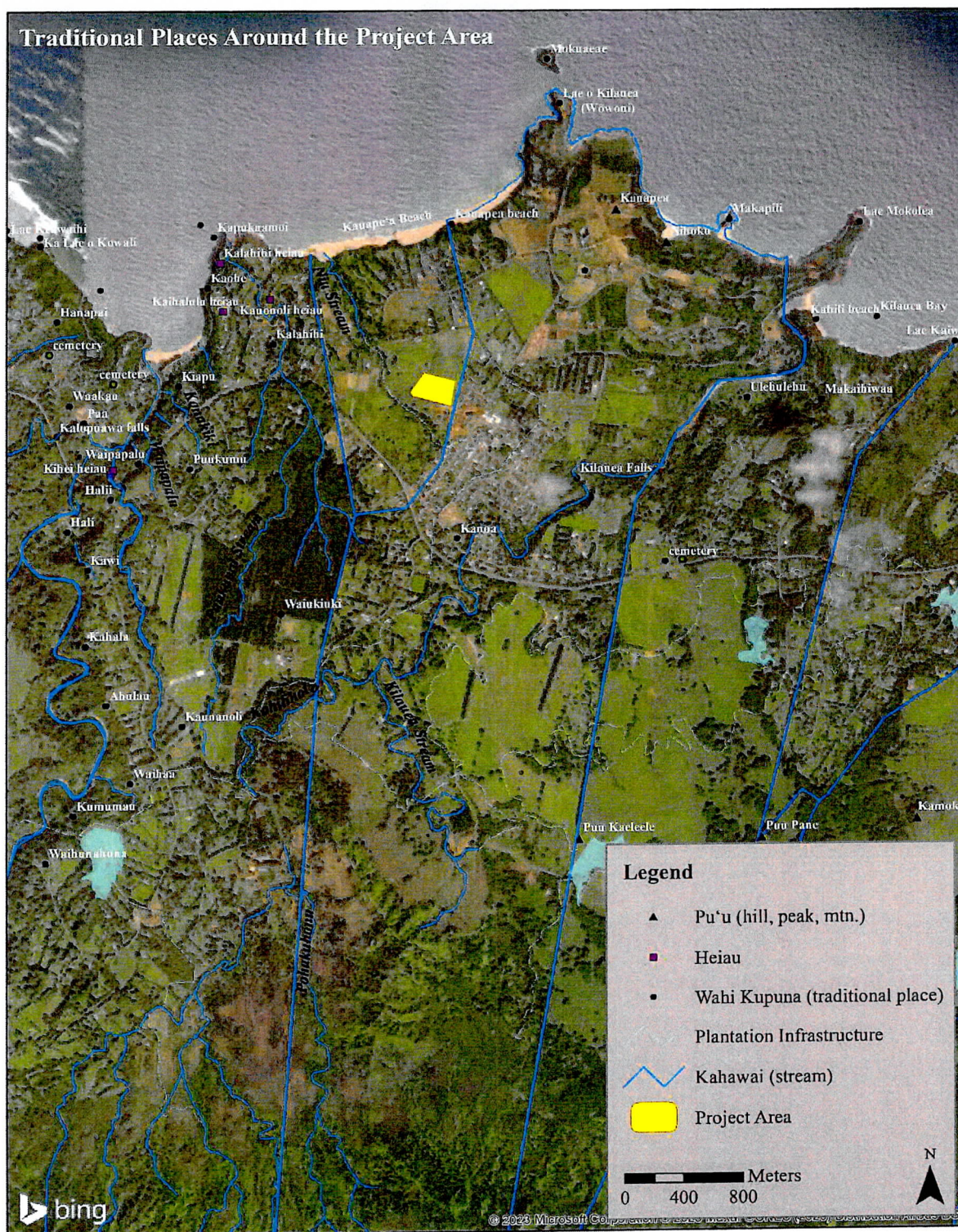
The following table is a list of identified place names of important features in Namahana Ahupua‘a from various sources.²

Table 3: List of known place names of important features in the Namahana Ahupua‘a

Name	Source	Feature Type	Summary/Description
Niu	BC 31 (1:154); USGS 1963.	Kahawai/ Stream	“The NW Corner of Namahana at the sea shore at the mouth of the stream called Niu...”
Kaluawīwī	BC 31 (1:154)	Palena, ‘auwai	“The SW corner of Namahana is at a marked hala tree on the bank of the ditch called Kaluawīwī...”
Kauape‘a	USGS 1963	Kahakai	“Darkened.” Elevation 560ft on the Kalihiwai River
Papaloa	CE: Mehana Vaughan	Kahakai	Name of portion of Kauape‘a beach
Keahiu	CE: Mehana Vaughan	Kahakai	Western most part of Kauape‘a beach
Namahana	IN 68; Kekauonhi 1850; IDLB 2:537; USGS 1963.	Ahupua‘a, peak	Elevation of 2661 ft.

¹ Pūkui, Haertig & Lee 1972: 94.

² Sources include: Land Commission, Awards Book (AB), Boundary Certificate No. (BC), Boundary Commission Testimony (BCT), Indices of Awards (IN), Land Commission Foreign Testimony (FT), Land Court Application Map 1 (LCA), Land Commission Award (LCAw), Macdonald, Stearns, Cox and Davis Geologic Map (MSCD), Tax Map Key (TMK), United States Geological Survey (USGS), and Community Experts (CE).



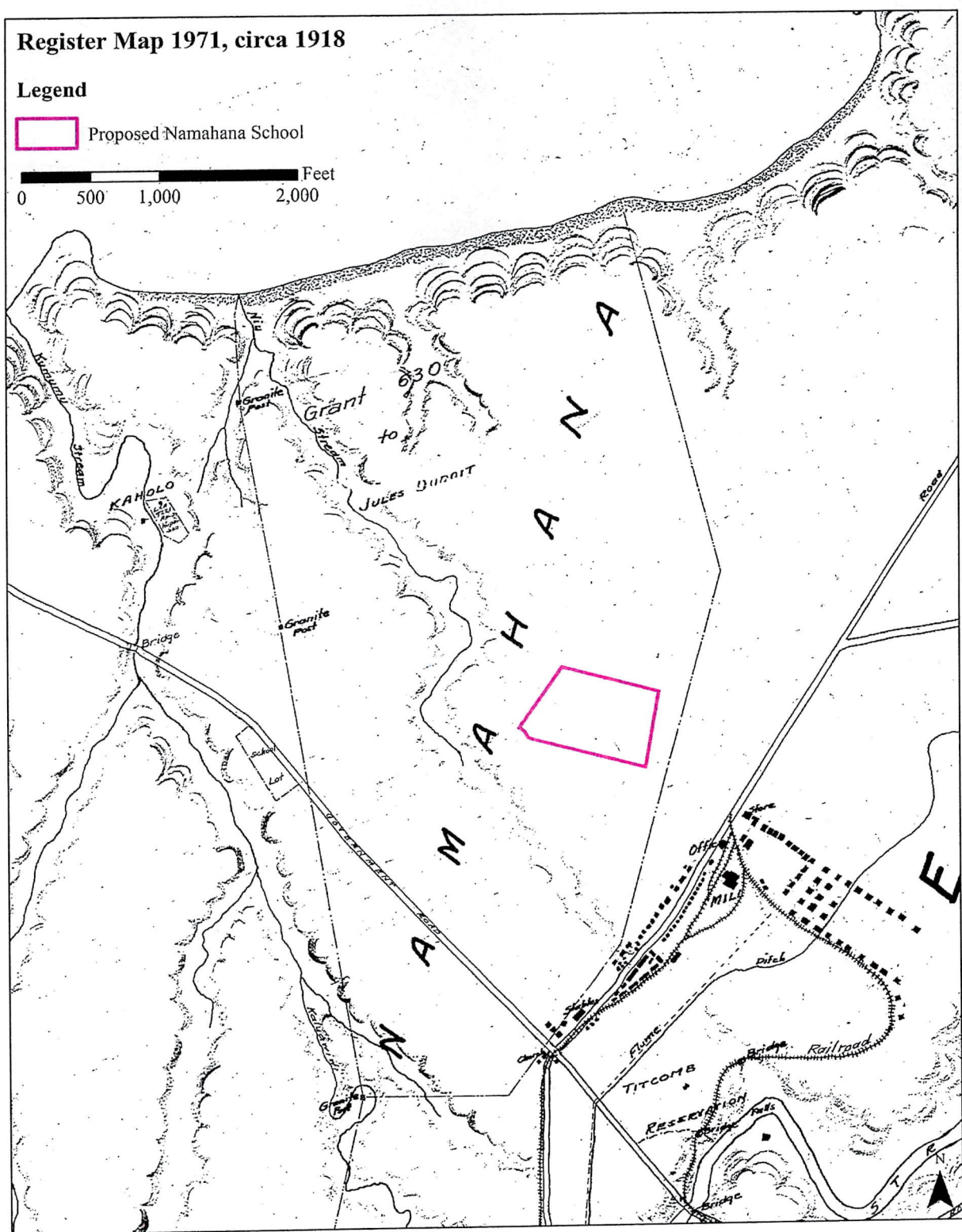


Figure 4. Study Area depicted on Register Map 1971, circa 1918.

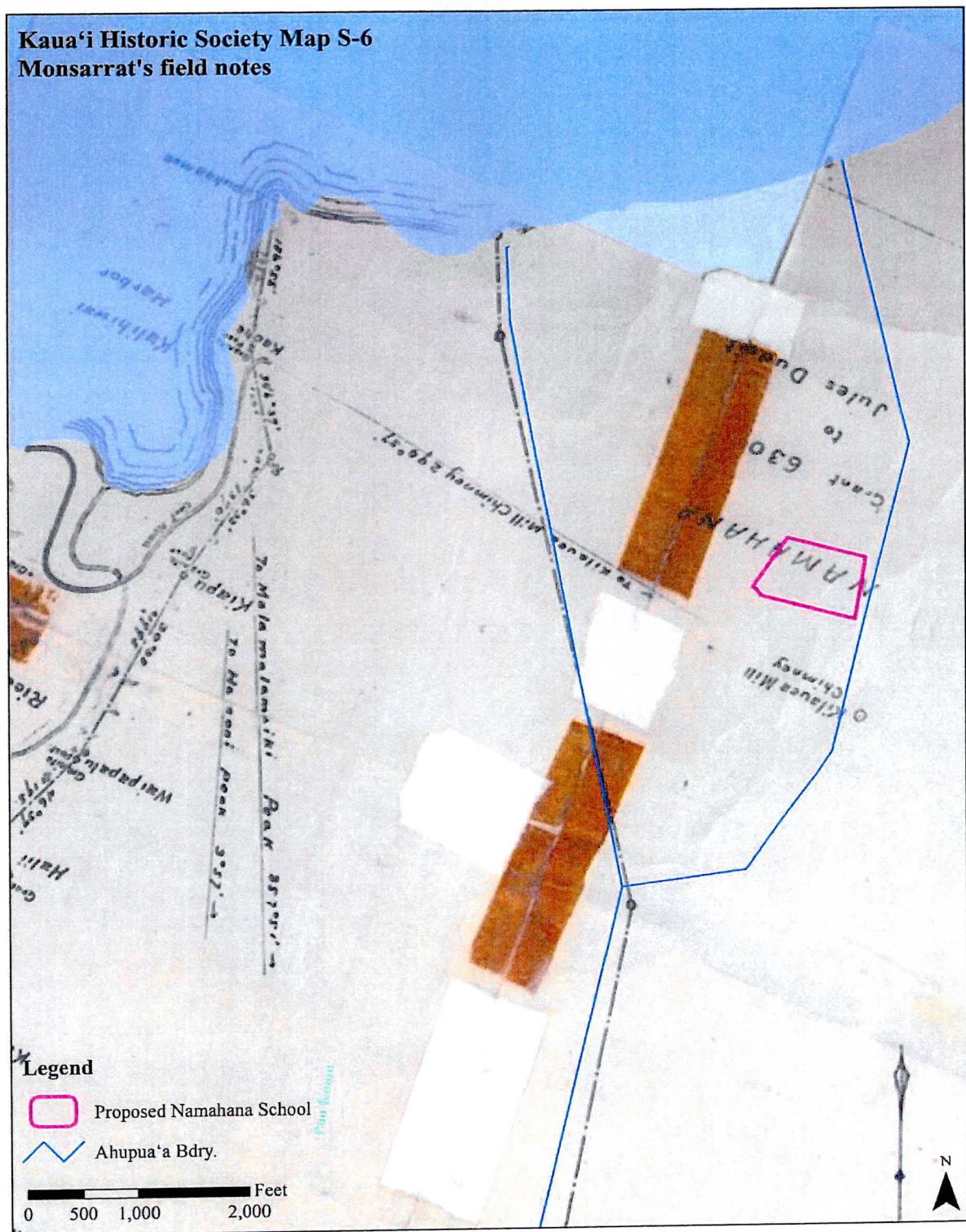


Figure 5. Study area depicted on Kaua'i Historic Society Map S-6.

Niu Stream

The nearest identified cultural resource to the Project Area is the Niu stream located south of the project site. Niu Stream is spring fed, exiting into the ocean at Kauape'a beach located on the north facing coastal waters. Niu stream is the nearest identified traditional Hawaiian named place to the project site.

Kaluawīwī

The Southwest corner of the Namahana ahupua'a is on the bank of a ditch called Kaluawīwī. Circa the 1850s, granite posts were erected to identify boundaries of ahupua'a.



Figure 3 is the boundary marker located on the bank of the Kaluawīwī ditch. While this wahi pana is a marker for the Namahana ahupua'a boundary, the Kaluawīwī stream flows into the neighboring Kalihiwai ahupua'a.

Kauape'a Beach

Kauape'a beach borders the coastal waters of the Namahana ahupua'a. Community experts shared that the Kauape'a beach, while continuous, has four different names of which two are in the ahupua'a of Namahana: Papaloa and Keahiu. The sand at Kauape'a also disappears during the winter months and returns at the beginning of summer. The Niu stream flows through Namahana and into the Kauape'a beach. Community expert, Jack Gushiken, wrote:

Kauape'a is well known in the old days for the abundance of the fish...The fine sand at Kauape'a makes a great place for the Sand Crab to live and is a great food source for fish.

This quote highlights the importance of Kauape'a beach as a resource for fish and food for the Kīlauea, Namahana, and Kalihiwai communities.

Summary of Inoa 'Āina

Table 2 includes identified inoa 'āina (*place names*) located throughout the ahupua'a of Namahana and the surrounding area. No traditional named historic properties are located within the study area. However, it is worth noting that several mountain peaks can be seen in the distance from the subject property including Mount Namahana to the south, Nihoku to the North, and to the west is Hihimanu, Namolokama, Māmalahoa. The backside of the nearby lua pele (*crater*) Nihoku, is also visible from the project area, this Traditional Cultural Property is described in a 2022 Kapa'akai study conducted by community members and the County of Kaua'i. View planes and the integrity of surrounding historic properties, such as the sands at KAupea Beach, the waters of Kalihiwai, Puukumu, Niu and Kīlauea are all important considerations when situation the impacts of the project area. As will be discussed in the conclusion, the use of the study area as a place of education is a consistent cultural use of the plateau area of Namahana as a piko and a crossroads for the wahi pana (*storied places*) and wahi kupuna (*ancestral places*) unknown and known around it.

Ka Wā Kahiko

Hawaiian oral traditions have been passed down from one generation to the next for hundreds of years and have been written and recorded in contemporary times. There is no written record of Namahana prior to the advent and proliferation of writing in the Hawaiian Islands. Hawaiian oral traditions, however, such as mo'olelo, mele, and oli, started to be documented and distributed in the mid-1830s via Hawaiian language nūpepa (*newspapers*).³ Mo'olelo and mele through nūpepa provide a glimpse into the early settlement of Kaua'i as well as life in Namahana, its immediate neighbors, Kalihiwai and Kīlauea, and the surrounding Halele'a and Ko'olau Moku.

Nā Mo'olelo a me Nā Ka'ao

The terms mo'olelo and ka'ao (legend) have been used interchangeably to refer to legends or historic tales, with ka'ao sometimes referring to a fictional legend or fanciful tale. Pūku'i describes the tradition of storytelling as "a principal source of entertainment while simultaneously providing instruction in the many interwoven aspects of life – ancestry, history, religion, human relations, crafts, and the natural world."⁴ Before Hawaiian became a written language in the 1820s, cultural knowledge was perpetuated through various forms of oral repetition and passed down from generation to generation through mele, hula, kū'auhau (genealogy), ka'ao, or mo'olelo.⁵

Mo'olelo, like mele, are also very valuable in offering a more descriptive account of the evolution of an area. One of the oldest nūpepa articles (Ka Nupepa Kuokoa, December 30, 1876, to March 3, 1877) was printed over the span of four months telling a story of 'A'ahoaka, in *He Mo'olelo No 'A'ahoaka ke Koa*. This story follows some of the ali'i (*chiefs*) of Ko'olau Moku and the places named after them; including Kahale'ala in Kalihiwai, Kāhīlikolo, Kalalea, Kamoku, Haleone, and Kāhili. The mo'olelo of *Unupaialoha* (Ka Momi Hawaii, January 15, 1913 to April 9, 1913) was focuses on the subject of the Ko'olau chiefs, and changes in power of Kaua'i's ruling class.

Nā Oli a me Nā Mele o Namahana

Mele and oli can provide succinct descriptions of place, weather, and common day occurrences. Mele can convey important ideas and happenings about the people, places, and events of their time. For instance,

³ Nogelmeier 2003: 107.

⁴ Pukui & Green 1995: xii.

⁵ Kalākaua & Daggett 1888.

the mele of *Nā Makani o Kauaʻi* as chanted by Pele in *Ka Moʻolelo o Hiʻiaka-i-ka-poli-o-Pele* (Ka Nupepa Ka Naʻi Aupuni, June 21, 1906) speaks of the common wind of Namahana: Kauapeʻa.

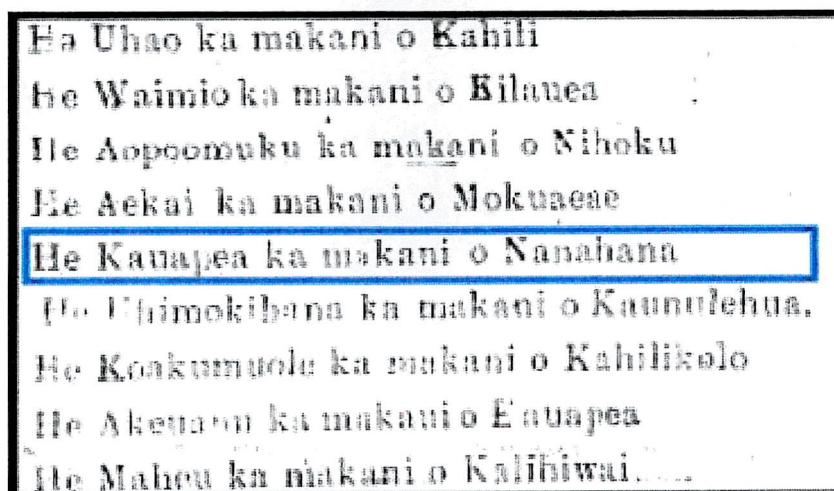


Figure 7: Newspaper Clipping of *Nā Makani o Kauaʻi* from 1906

In present day, many oli have been and continue to be composed the ahupuaʻa sitting on the boundary of Haleleʻa and Koʻolau Moku: Kalihiwai, Kilauea, and Namahana. Kilauea Elementary school regularly practices the mele, *Oli no Kilauea* (Mehana Vaughan, July 26, 2019), which speaks to wahi kūpuna across this area, including Namahana.

Namahana Changes in Land Tenure – The Māhele

The Māhele records of the 1840s and 50s provide a unique written record of lands in Namahana ahupuaʻa. Land use, names of family, the moʻokūʻauhau (genealogy) of their land holdings, and sometimes even micro-place names held by ʻohana are recorded in the testimonies that are part of the Māhele. The Māhele, was the first formal division of land in Hawaiʻi, where lines were drawn on the landscape and a concept of private property was introduced (Chinen 1958, Preza 2010). Land was claimed by aliʻi, Native Tenants, the Sovereign, and even a few foreigners through a claims process overseen by the Land Commission and recorded in the Buke Māhele. Grants of Government lands were sold at this time as well, to foreigners and Hawaiians alike.

Kuleana are a type of Land Commission Award, reserved for “Native Tenants” and open to claim by Kānaka Maoli during the Māhele. One-third of the lands of Hawaiʻi were reserved for Native Tenants, but by the closing of the Land Commission they would have received less than 1% of land in Hawaii through the Māhele process.

Interestingly, there are only two records of land claims in the ahupuaʻa of Namahana, one kuleana and one konohiki (aliʻi, or chiefly) claim. The kuleana claimant, Kahikuokolo, initially made a claim for, “...five loʻi, four mala of noni, two orange trees, and the house site” (Buke Mahele, Native Register, vol.9, p419). Although there is not a way to determine exactly where Kahikuolo’s ʻāina is in Namahana; it is likely his ʻapana are outside of the project area, likely much closer to the coast: as he claims several loʻi, which could not have been on the plateau due to lack of water. Kuleana claims were not surveyed unless they were awarded, and Kahikuokolo later recanted his claim stating, “I have forsaken my claim, Namahana, on account of the cattle overrunning it and I have no further claim to that land.” Therefore, his claim was never awarded.

9141 Kahikuokolo Kilauea Hawaii 17 Januani 1898.
 Ka Luna Hoona Kuleana, aloha oukou
 Ke hai aku nei au i kōin kuleana ma **itama-**
ana. Eima Ioi eha onala noni, eua kumu
 alani me ke kahua hale.
 eka Kahikuokolo

Figure 8. Claim number 9141 by Kahikuokolo, Native Register Book, vol.9, p.419.

It was understood that kuleana land claims should be in active use. Unfortunately, this was interpreted in different ways in different places. Some lo'i in Wai'ahole on Oahu were unawarded because they were fallow (as it traditional for field rotation), leaving an odd patchwork of ownership on the landscape. In other places there was some carte blanche allowed with larger swaths of claims. Some konohiki and foreign leases and aspiring landowners, both paid, bribed and threatened maka'āinānā out of their land claims (seen in Honua'ula Moku, Maui). It is uncertain what happened in Kahikukolo's case, but regardless of the cattle damage he would have had a valid claim for him and his heirs.

The konohiki claimant, Mikahela Kekau'ōnohi, submitted a claim for the entire ahupua'a of Namahana, which he was awarded as Land Commission Award (LCA) 11216, see Figure 8 (Buke Mahele, Native Register vol.4, p360).

11216 Na M. Kekau'ōnohi a me A. K.

11216

Ina Luma Hono Kuleana. Aloha oukou

Ke hōke aku nei meua i ka māua māu

Kuleana Aina mai Hāwaii a Kamehameha Pēne'i hōi:

Ke Mīkahela Kōnohiki.

Inoa i na Aina Ahupua'a Palana Mokupeuni		
Waiakalua 2 mākou	"	Kōkai Kamehameha
Kōkai Kamehameha	"	"
Namahana	"	"
Waiakalua	"	Kōkai Kamehameha
Waiakalua	"	"
Kōkai	"	Puna
Makua	"	Kōkai Pōke
Honolulu	"	Ewa
Waimanalo, a-o-o, Kōkai	"	"
Makua	"	Molokai

Figure 9. Buke Māhele, konohiki LCA 11216, for Namahana, by Kekau'ōnohi, Native Register, vol.4, p360.

However, further research revealed that Kekau'ōnohi's award for the portion of Namahana ahupua'a was nullified due to the arranged purchase of the ahupua'a for \$300 via a Hawaiian Kingdom Government Grant by Jules Dudoit, in the time of Kamehameha III in 1851. This purchase was noted as Royal Patent No. 630 to Dudoit (See Figure 10). Government grants were purchases of land from the Government body of lands (vs the Crown lands) which were bought and sold and contributed to the running of the Kingdom. Interestingly there is a clause at the bottom of Dudoit's grant that is more often seen in konohiki LCA. The Grant document (See Figure 10) describes the boundary of the sale as Namahana Ahupua'a, and at the end it reads, "Reserving the rights of Native Tenants."

Meaning, that if Kahikukolo had not withdrawn his kuleana claim, and had been awarded an LCA, that Dudoit's ownership of Namahana Ahupua'a, per Grant 630, would be exclusive of Kahikukolo's lands.

Through Native Registers ("NRs"), Native Testimonies ("NTs"), Foreign Testimonies ("FTs"), and Land Commission Awards ("LCAs"), Namahana had few land claimants who provided testimony to delineate the scope and use of the land during their or their ancestors' land tenure in Namahana. However, the population was centered at the coast at Kalihiwai Bay and Kāhili Bay.

[illegible]

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Gary Smith (2023), a long time contributing community member, historian, and kama‘āina of the Namahana/Kīlauea area, shared his written story about Dudoit, which captures the nuances of this development in the following:

Before becoming a farmer, Captain Richard Charlton was appointed as the British Counsel in Honolulu.

By 1831, Charlton leased some land near Kīlauea from Kamehameha III to raise sheep and cattle. It soon became obvious to the people of North Kaua‘i that he was a very difficult man to deal with. ... Fortunately for people of North Kaua‘i, Charlton’s presence was as infrequent as it was short lived. After he failed to pay Governor Kaikioewa his rent, possibly because he thought he could get away with it, Charlton’s lease was quickly terminated.

Another sea captain and French Counsel, Jules Dudoit, took his place. Dudoit, who was born on the island of Mauritius in the Indian Ocean, settled in Hawai‘i in 1837. Known by the Hawaiians as Kuakua, he had a more amiable onshore personality and got along well with Hawaiians. During his early years in the islands, he taught Native Hawaiians the skill of piloting sailing ships. But prior to his arrival in Hawai‘i, Dudoit had quite a storied past as a freelancing business man who captained his own ship, the brig-schooner “Clementine.” In 1848, Dudoit sold his bark “Clementine” and, upon assuming Charlton’s lease in Kīlauea, dove head on into becoming a farmer.

In just two years the Kuleana Act expired and the unclaimed inventory of land set aside for the maka‘āinana reverted to the Kingdom, in this case Namahana was part of the Government body of land, which was at that time open to sale by foreigners. Many of the leasees took the opportunity to convert their leases into fee ownership. On May 4, 1851, Dudoit purchased the land he was leasing for his farm from the Hawaiian Kingdom Government for \$603. His 402-acre parcel made up the majority of the Namahana ahupua‘a. Interestingly enough, Namahana was also claimed by High Chiefess Miriam Kekau‘ōnohi and her husband, Aaron Keali‘iahonui, (son of Kaua‘i’s King Kaumuali‘i) who were awarded Land Commission Award 11216 on December 20, 1853. Based on the date of Kekau‘ōnohi’s finalized award, which was three years after the Māhele ended, it appears that Dudoit’s purchase nullified that portion of their claim. Besides, Namahana’s size was quite miniscule compared to their request for many thousands of acres throughout the islands. Their Kaua‘i lands alone were quite large and included the ahupua‘a’s of Waiakaluaiki (West Waiakalua), Ka‘aka‘aniu, Keālia, and Wainiha. The ali‘i did not have to pay for their land so Dudoit was not only first in line but also a paying customer. (G. Smith, personal written history, April 10, 2023).

In 1862, Dudoit sold Namahana to Mr. Samuel Clark. Charles Titcomb purchased the 402 acre ahupua‘a of Namahana from Samuel Clark the following year 1865.

Namahana and Agricultural Lands

In 1863, Charles Titcomb purchased 3,016.98 acres, of which Namahana was included, in order to grow Mulberry for his silkworm and coffee ventures; of which both failed.

In 1877, the land was sold to John Ross and E.P. Adams, who built Stone Dam in 1880, the same year Kīlauea Sugar Plantation began. Eventually, a total 4,500 acres were acquired and under cultivation by the Kīlauea Sugar Plantation of which the Project Area is included.

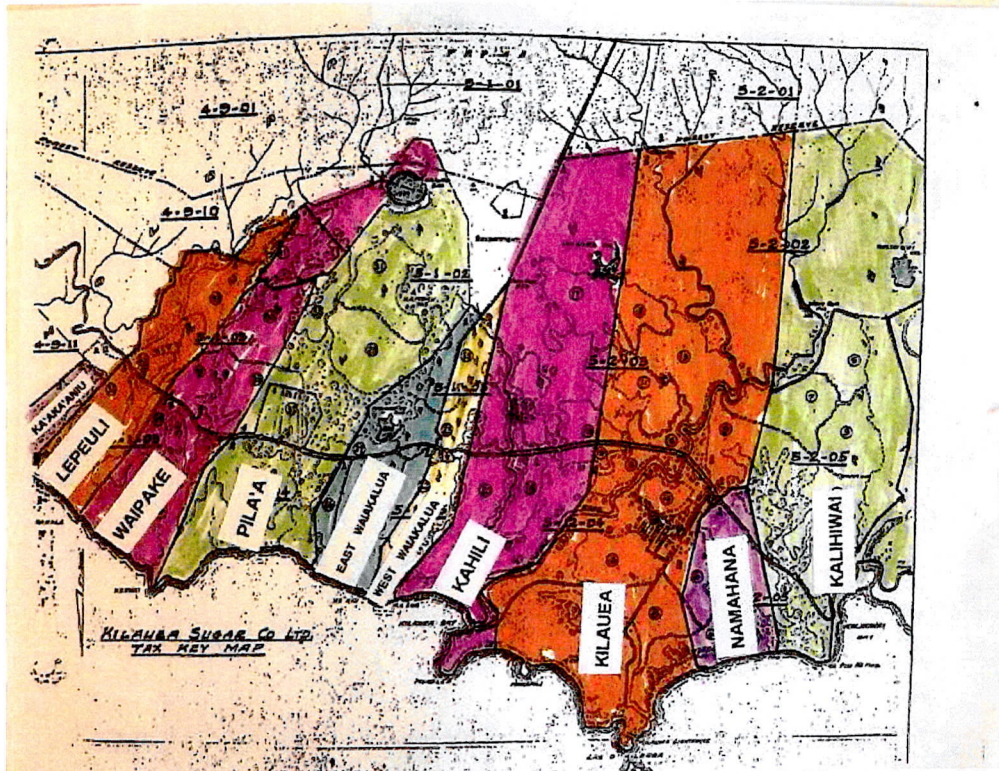


Figure 12: Kilauea Sugar Plantation TMK Map Colored in and Labeled by Jack Gushiken

In 1818, Kīlauea Sugar Plantation was the first in the territory to install a railroad system that began from Waikoa and into the Kīlauea factory. Queen Liliuokalani officially opens the railroad by pounding the first spike.

Sugar in the Historic Period

Plantation Era Water Use

In 1910, Kilauea Sugar Plantation Company was acquired by C. Brewer and Co. A record yield of sugar was achieved in 1966, under Manager A. Smith but production decreased in the late 1960's and early 1970s. Kīlauea Sugar Plantation Company ceased its operations in November 1971 after 94 years of sugar production.

Its actions in the region dramatically altered the water use across the ahupua'a of Kīlauea, Namahana, and Kalihiwai (Wilcox 1996). Herein referred to as the "Plantation", Kīlauea Sugar Co.'s network comprised

of ditches, siphons, flumes, and reservoirs that carried a total capacity of over 730 million gallons of water to supply over 3,000 acres of sugarcane stretching six miles (Appendix; Wilcox 1996).

Of the six reservoirs that supplied the Plantation's, Kalihiwai Reservoir was the last to be built in 1920. Water is diverted into Kalihiwai from plantation ditches from Halualani Stream tributaries with its spillway emptying into Kalihiwai River. Halualani Stream naturally flows into Kahiliholo Stream ending at Kahili Bay. The purpose of Kalihiwai Reservoir was to supply the infamous Stone Dam because it could only hold 10 million gallons. Kalihiwai Reservoir was also known as "drinking water reservoir" because it supplied Kīlauea town below through an 8-inch pipe (Wilcox 1996). As one multigenerational Kīlauea resident and former Kalihiwai Reservoir worker shared, "[f]our generation of our family drank this water...And we had right from the reservoir, right into our irrigation system. And the filter that we used for our system was the Durham bag, you know the tobacco cloth bag? There was the filter" (Hālana Ka Mana'o 2019). Kalihiwai Reservoir is no longer used for drinking water and is currently ringed by a residential neighborhood.

Included in the Plantation's water infrastructure were miles of siphons and flumes that transported water from one location to another (Wilcox 1996). Water from Kalihiwai River was diverted by Hanalei Ditch (named for the ahupua'a to the west) and delivered to Stone Dam, totaling 3.8 miles long. Wilcox (1996) recalls that Hanalei Ditch was able to divert up to 10 to 15 million gallons per day.

According to the historical records of Kalihiwai Reservoir manager, Jack Gushiken:

As more fields of sugar cane were planted in the Ko'olau Moku, more water was required for irrigation. To meet the demand for more water, an irrigation ditch system was built to take water from the Kalihiwai river and delivered to Stone Dam. The ditch was built on the Hanalei side of the river and a five foot diameter siphon, 600 feet long, siphoned the water across the river and flowed into a 50 million gallon reservoir storage and also to deliver water to Stone Dam. Five million gallons of water flowed daily to the factory, homes, and to irrigate the fields in the Kīlauea and Namahana ahupua'a. (Jack Gushiken, personal written records, March 28, 2016)

Another prominent impact of the Plantation Era on resources within the Namahana ahupua'a was the Niu Stream, the point of discharge of mill wastes from the Kīlauea Sugar Company. A 1972 study later identified the untreated mill waste from the 90-year old Kīlauea Sugar Company to be the major contributor of wastes from the industry, carrying coliforms, sediments, trash and bagasse to coastal waters at Kauape'a beach (Lau, 1972). During the Plantation Era, approximately four million gallons of water per day flowed through Niu Stream (Jack Gushiken, personal written records, March 28, 2016).

The Plantation Era significantly impacted the landscape of both the 'āina (land) and the wai (water), two critical resources for traditional and customary practice.

Present Day

Since the closure of the Kīlauea Sugar Plantation Company, the Project Area and relative surroundings have remained as pasture lands. Olena/Turmeric farming and pasture grazing have been the two primary agricultural uses that have remained within the Namahana ahupua‘a. Today, the entire study area is completely level as it was heavily graded and planted in sugar repeatedly from the late 1800s through the 1960s.

Towards the makai side of the ahupua‘a, wealthy residential developments along the Kauape‘a sea cliff have restricted public access to Kauape‘a beach. To the East, Kīlauea residential community continued to grow with the most recent development of the Titcomb subdivision in 1997. The most recent commercial developments are to the East and Southeast which include the Ahuimanu Shopping Center and Kīlauea Market in 2019. Additionally, it is important to note, during the various developments of the Namahana ahupua‘a, two commercial developments (housing development and golf course) were stopped by community opposition.



Figure 13: Picture taken of pasture lands comprising the Project Area

Today, as seen in Figure 7, the Project area remains as open pasture lands and has not been encumbered since it was put in sugar by the Kīlauea Sugar Plantation Company.

Native Hawaiian Traditional and Customary Practices and Resources

Dr. Davianna Pōmaika'i McGregor is a retired professor from UH Mānoa in Ethnic Studies, and lead of the Oral History Project in that Department. Dr. McGregor has conducted extensive ethnographies across the Pae 'Āina. She works under the premise that **where a resource is present the practice is present**, it is both the potential of future practice and the hint of what would have been utilized by a people so completely dependent and dedicated to their surroundings, that for one to thrive so too must the other. This identification of resources also removes the burden of proof for modern practitioners to assign cultural value to specific places. Additionally, this premise encourages any proposed development to closely consider the potential, in the future, of Hawaiian traditional and customary practices and resources being restored. This study considers resources that are both historical, existing and potentially restorable; thus, enabling continued cultural practice.

This section includes ethnohistoric and ethnographic contributions from public reports and from study participants (See Ethnography Section for participant details and methodology).

Participants detailed important resources and cultural (e.g., subsistence) practices reliant upon them in the Project Area. Participants identified the type of resource(s) collected, in relation to the Project Area, and the practices and methods associated with those resources or the protocols observed. The most prevalent subsistence practices in Namahana kula (plateau lands), streams (Niu), and beach (Kauape'a) mentioned during the interviews include 1) Fishing, 2) Hunting, and 3) Gathering. Apart from established traditional and customary Native Hawaiian practices, participants also shared their 4) Manu Interactions with endemic and endangered birds near the Project Area.

Table 4. Inventory of traditional and customary practices and resources identified in Namahana Ahupua'a

Traditional Cultural Practice	Cultural Resource	Area/Location in Kalihiwai Ahupua'a
Lawai'a (Fishing)	'ōio	ma kai
	moi	ma kai
	āholehole	ma kai
	honu	ma kai
	akule	
Gathering: Mea 'ai	lā'i	kula
	taro	in stream
Hunting	pua'a	kula, ma uka
	manu (pheasants, quail, dove)	kula
Hana Noeau: Hulu	Uau, Moli, Nene, A	Kula, cliffs

Hana Noeau: Maawe	Wauke	Kula, stream, coast
Hana noeau: Maawe	Hala	Kula, coast
Wai	Niu Stream	kahawai
	Springs and seeps	Entire Namahana coastline

Fishing Practices

Participants detailed a range of traditional and customary fishing practices within Kauape‘a beach. They also documented the change in fishery resources and practices over time, including where species occur (or occurred), what was caught where, and in what quantities. Some of this variation was the change in the coastal waters pre- and post- the sugar plantation impacts. Moreover, there was discussion of the specific impacts of the plantation irrigation systems, specifically the bagasse discharge from Niu stream into Kauape‘a beach, on fishing practices.

Hunting Practices

Hunting in the Namahana ahupua‘a and upland in the Kalihiwai valley, is focused on the feral Hawaiian mountain pig. Pig hunting is a cultural practice for subsistence and mālama ‘āina. Feral Hawaiian mountain pigs eat massive vegetation causing native plant extinction, soil erosion, and soil compaction in their tracts. These hunting practices perpetuate the protection and care for place.

Another practice shared was non-native bird hunting. Kupuna Jack Gushiken shared, “After School were the best time. All of us had to carry our homemade slings. The slings were made out of a guava branch shape like a Y, with the top of the Y were attached two rubber bands with a leather pouch to hold the bullets, small guava seeds, or marbles. At times we sat under the bean poles, and waited for birds to shoot at, a big dove was a prize catch. After shooting some birds, we walked down the river and made a bird roast, with a can of Vienna sausage. At times we forgot a can opener and we had to smash the can until it break open.” (Personal written record, November 21, 2016)

When Uncle Jack Gushiken was younger, the USFWS Kilauea Refuge was not yet in place and the Native Sea bird population would still have been on a decline. During traditional times, there would have been a proliferation of seasonal nesting and migrant birds in the area, as well as Nene.

Gathering Practices

Participants described gathering cultivated and uncultivated resources in kula (dryland plateau) portions of Namahana for subsistence. They also shared previous generations’ practices and the change in gathering activities and resources over time.

Manu Interactions

Habitat loss and degradation have perhaps been the most pervasive threats affecting many endemic bird populations across Hawai'i. Participants stated nene have been sited near and within the ahupua'a of Namahana, described as often being along the roadside near Nihokū. This is not surprising with the Kīlauea Point National Wildlife Refuge nearby at the makai side of Kīlauea town. Participants also recalled seeing pueo, owls, in the valley of the pasture areas within the ahupua'a of Namahana.

There are also non-native birds whose feathers are used in hulu or featherwork. The Kolohala, pheasant, was reported to occasionally frequent the Namahana kula area as well.

Trails and Access

At the time Kīlauea town was established the traditional and existing area population centers were at the mouth of Kalihiwai Valley and Kahili River. The Namahana plateau would have been a lowland location for gathering resources as well as for travel between Kalihiwai and Kahili. Namahana Ahupua'a is itself a transitional space between the first Halele'a Moku village, in Kalihiwai and the Moku of Ko'olau. There are no early maps (1870s-1890s) that show trail systems in the area. However, the Government Road passes through the northern part of Namahana, as the coastline along Ko'olau Moku does not provide ideal trail terrain; it is broken, boulder strewn and non-contiguous. As small as Namahana Ahupua'a is, it would have been well trafficked in traditional times.

One participant, who grew up in Kalihiwai ahupua'a remembered when she could ride her bike across the grassy abandoned sugar fields of Namahana ahupua'a to get to Kilauea School. Likewise, children and communities that lived in Kilauea could previously access the kai resources for fishing, swimming, surfing, etc. at Kalihiwai through Namahana. Now, because of privatized boundaries, access between the ancient community of Kalihiwai Valley and Namahana are cut off from each other for *walking* or non-vehicular road access. Access is now only through Kuhio Highway, which has no safe walking or biking paths that allow the communities of Kalihiwai to access Namahana and Kilauea schools; and vice versa for Namahana and Kilauea communities to access Kalihiwai beaches, fishing spots and hunting in the valley. Even with access now focused on roads and driving the populations of Kalihiwai, Namahana and Kilauea are still very tightly woven among families and remaining cultural resources.

Summary of Community Ethnography

Participants connect their experiences in Namahana with the Kīlauea Sugar Plantation as it was the plantation that established Kīlauea town and peopled the plateau, where in the past the area was either low shrubland or lowland forest. There was more seamless access from Namahana to Kalihiwai and Namahana to Kilauea in Kilauea even in the more recent past. The Plantation dictated access as well as impacted the water resource of Niu Stream. Participants have observed dramatic changes to Kauape'a Beach pre and post the plantation era due to the sugar mill discharge into Niu stream. Participants identified historic and *ongoing* traditional and customary practices in Namahana, specifically in the makai (ocean) and kula (plantation) areas. These practices include fishing, hunting, and gathering. Additionally, participants shared about some of the federally listed endangered or protected manu (birds) who frequent Namahana ahupua'a.

Summary and Considerations

The ahupua'a of Namahana has a deep history of abundance. This analysis provides a broad overview of the important resources of the entire ahupua'a, with a focus primarily on the kula (dryland plateau) and makai areas of Namahana, often characterized in relation to the plantation era. From 1835 to the present, Namahana and its resources were significantly impacted by the irrigation systems of the plantation era. The changing of plantation ownership and crops left an indelible mark on the opportunities for community members to access resources due to privatization of lands. Though these obstacles exist, this research reveals the presence of Native Hawaiian and customary practices in this specific area of Namahana and across neighboring communities.

This study documents the unique history of the Namahana ahupua'a and the Native Hawaiian traditional and customary practices near the Project Area.

- It is our finding that none of the Native Hawaiian traditional practices and wahi kūpuna (*ancestral places*, which include streams, ditches, beaches, or trails) identified through this study are not geographically located within or on the Project Area.

Rather, the cultural resources and practices identified are proximal, nearby and in surrounding properties.

Cultural Resources, Practices, and Beliefs Identified

This assessment identified several cultural practices and resources throughout the ahupua'a of Namahana.

- The nearest Native Hawaiian cultural resource identified was the Niu Stream. The nūpepa documentation showed evidence of mo'olelo and oli practices associated with the larger Namahana area.
- The Native Hawaiian cultural practices identified by participants including fishing, hunting, gathering, and manu were all identified within other featured cultural resources including Kauape'a Beach, Kalihiwai uplands, and Nihokū (Crater Hill).

Potential Impacts of the Proposed Action

Drainage and run-off

Participants (2) inquired about project area topography and the potential for water run-off. Participants were informed of the water study completed by Namahana Education Foundation which identified the campus water needs and informs a wastewater master plan. More specifically, Namahana School plans to utilize constructed wetlands and absorption beds as part of the waste water treatment system. This mitigation is best described in Namahana School's Wastewater Treatment Summary:

The proposed wastewater treatment system for Namahana School is comprised of both primary and secondary treatment. Primary treatment consists of septic tanks and the secondary treatment includes constructed wetland treatment technologies where the wastewater would be further polished to meet the State of Hawaii Department of Health HAR 11-62 water quality rules before entering into the absorption treatment cells. They have a header and outlet consisting of perforated pipes and are filled with gravel media planted with native and/or tropical wetland plants. The wetlands also include a level adjusting basin which maintains the water level below the gravel. The siting of the constructed wetlands should restrict surface storm water inflow from the surrounding landscape. The wetlands would have a free board typically sized for the 100-year storm event to contain rainfall within the wetland footprint during storms. (G70, 2023, pp59-60)

This suggested mitigation also aligns with Namahana School's mission and values ensuring mālama 'āina practices within the physical construction and development of the school footprint (the study area).

Access and Disconnection

Plantations across Hawai'i have displaced people's relationship with their ancestral and traditional places, through grading, dam building, water diversions, population displacement and replacement, and with fences and infrastructure. These same kinds of impact, to Native Hawaiian traditions and cultural practices, are through land privatization today. Modern trends are land subdivisions and CPRs that carve up the landscape and potentially prevent access to and across important cultural places and space; the blockage of visual access (view planes) is another kind of this displacement.

The proposed Namahana School will increase cultural access to Namahana, for children and community. Part of understanding a place and its resources is through the practice of kilo (reflection and observation) overtime. The school itself creates a place, space, and structure to kilo; providing students, staff and community to increase their cultural pilina (relationship) with Namahana and its surrounding traditional places (see Figure 3).

The Namahana School Project Area supports the perpetuation of Native Hawaiian customary and traditional Native Hawaiian rights. More specifically, Namahana School's, public charter, 'āina-based learning model is a Native Hawaiian approach to education. This model promotes oli, mele, hula, and mālama 'āina practices. In fact, the proposed project area, as a public charter school, will allow for increased access of cultural practitioners and support continued perpetuation of Native Hawaiian customary and traditional practices in Namahana Ahupua'a.

It is possible that the proposed study would have a positive effect on traditional Hawaiian cultural practices not just in the study area, but in its surrounding communities as well. Rather than displacement or impediments to access and resources the proposed Namahana School model will serve as a cultural kīpuka (like an oasis of native forest in a lava flow).

Considerations and Summary

This study looked through archival Hawaiian language resources, Plantation records, other references and spoke with respected community members. In sum,

- *No* Native Hawaiian traditional cultural properties, practices, or resources within the study area will be negatively impacted by this proposed project.
- This study looks outward as well as inward and concludes that *no* Native Hawaiian traditional cultural properties, practices, or resources in the larger Namahana Ahupua'a will be negatively impacted as a result of the proposed project.

Namahana School has provided below a list of considerations as to how Native Hawaiian traditional cultural properties, practices, resources, and values will be fostered, supported, and incorporated into their proposed programming, landscaping, and school culture:

- Students will haku (compose) a school oli for the place that students will utilize regularly.

- The geographic integrity of the Project Area will be enhanced with the proposed planting of native plants, specifically those important for the Hawaiian practices of *wili lei (lei making)* and *la'au lapa'au (Hawaiian medicine)*. These plants will be utilized in courses and curriculum.
- Middle School curriculum will aim to ground students in the moku served by Namahana School, and its unique place at the juncture of these Moku: Halele'a and Ko'olau. Curriculum includes place-based history, mo'olelo, significance, and cultural practices within these areas.
- Potential field study sites to important places such as the Niu Stream and Kauape'a will support student learning about the history, significance, and ways to care for these cultural resources.
- The process and practice of mālama 'āina built into the 'āina-based learning model of Namahana School will further enhance the cultural resources whereby supporting the cultural practices associated with them.

Based on this study and the materials developed by Namahana School as part of the proposed project (G70, 2023), we offer for your consideration that the proposed Namahana School would, uniquely, have a *positive* impact on Native Hawaiian traditional and customary practices in the study area and across Namahana Ahupua'a.

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- 2023 Namahana Public Charter School Preliminary Design Set

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- 1972 *Nānā I Ke Kumu: Look to the Source*. Honolulu, HI: Hui Hānai, Queen Lili‘uokalani Children’s Center.
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- Smith, Gary
 2023 *Kīlauea, Ko‘olau, Kaua‘i. A History Through the Stories of its People*. Unpublished.
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 1:24,000, 7.5-minute series.
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- Wilcox, C.
 1996 *Sugar Water: Hawaii’s Plantation Ditches*. Honolulu: University of Hawai‘i Press.

Appendix A: Community Participation Letter

May 2023

Welina mai me ke aloha,

Namahana School appreciates your generosity and willingness to share your knowledge of Namahana, specifically area inclusive of and surrounding the proposed Namahana School site. The goal of this ethnography is to identify Native Hawaiian traditional and cultural practices that may be impacted by the development of Namahana School.

The study area, Namahana School is in the ahupua'a of Namahana, in the Moku of Ko'olau, on Kaua'i Island. The study area is directly adjacent to the ahupua'a of Kilauea also in the Ko'olau moku. It is located on 11.3 acres, TMK 5-2-005-053:0000, property. Namahana Education Foundation is currently in escrow to acquire ownership of this property. The study area includes 11.3 acres and nearby natural resources such as the Niu stream and Kauape'a beach.

The purpose of this study is to identify Native Hawaiian cultural practices that may be impacted by the development of Namahana School. The information gathered from this study will be used to inform the Ka Pa'akai Assessment as a part of the Special Use Permit being submitted by Namahana School for the development of these agricultural lands.

In particular, we would like to gather information relating to:

- Personal relationships to this place personal, historical, or organizational
 - Any mo'okū'auhau of 'ohana or 'āina you would like to share
- Any mo'olelo, wahi inoa, oli, hula, mele, traditions, akua, 'ohana, or people associated with this place
- Cultural protocols and practices (both traditional and contemporary) specific to this place
 - Gathering practices: mauka (hunting), in stream (fishing), lei, and/or lā'au lapa'au
- Considerations or concerns regarding the development of Namahana School on natural resources and/or cultural practices
- Referrals to other 'ohana and individuals who are connected to this project area

Our community consultation team member, Kapua Chandler, will be contacting you shortly. We look forward to collaborating with you to document your mana'o for this Ka Pa'akai Assessment.

Kapua Chandler

(808) 639-6248

kapua@ucla.edu

Me ka ha'aha'a,

Namahana School

KĪLAUEA SITE: ORIENTATION & LOCATION



Looking toward the Namahana mountain range



The property includes an ocean view to the west

Appendix B: Interview Themes and Questions

Ka Pa‘akai Interview Questionnaire

Are you familiar with where the Namahana School site is located?

The following is a list of cultural practice areas that I would like to ask you about:

- Could you please share about hunting? Did/do you hunt in this area? Where? And what for?
- Could you please share about fishing? Did/do you fish in this area? Where? And what for?
- Could you please share about gathering for food, medicine, or lei? Did/do you gather in this area? Where? And what for?
- Do you know of any wahi pana (place names), mo‘olelo, oli, mele, or hula for this place? If so, what are they?
- Are there any other Native Hawaiian cultural practices that you know exist in this area?

Do you have any thoughts about the impact Namahana School will have on any of these cultural practices?

Do you have any thoughts about the impact Namahana School will have on any of natural resources that support those practices such as Niu Stream and/or Kauape‘a Beach?

If negative, what mitigations could Namahana School do to reduce that impact?

Notes on Interview with _____

Topic	Time in Transcript	Notes: Cultural Resource & Location
Hunting		
Fishing		
Gathering		
Wahi pana, mo'olelo, oli, mele, hula		
Other		

Appendix C: Signed Consent Forms by Participants

INFORMED CONSENT FORM

Aloha mai, Namahana School appreciates your generosity and willingness to share your knowledge of Namahana, specifically area inclusive of and surrounding the proposed Namahana School site. The goal of this ethnography is to identify Native Hawaiian traditional and cultural practices that may be impacted by the development of Namahana School. The information you share with us will be used to guide and inform a Ka Pa'akai Assessment for Namahana School.

Namahana School understands our responsibility in respecting the wishes and concerns of the interviewees participating in this study.

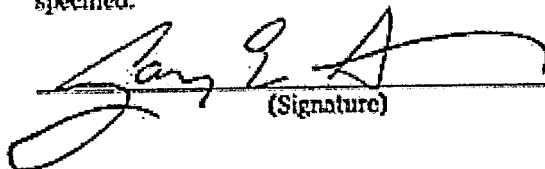
Here are our obligations to you and the process we promise to follow:

1. The interview will *not* be recorded without your knowledge and explicit permission.
2. You will have the opportunity to review the written transcript and summary of your interview if you so choose. Your transcript will *not* be used without your approval. *NO*.
3. You *will* be given a copy of the interview transcript and/or summary for your records if you choose.
4. You *will* be given a copy of this release form for your records.

For your protection, we need your written confirmation that (circle yes or no below):

1. You *consent* to the use of the complete transcript and/or interview quotes for the purposes of this study. ☒ Yes ☐ No
2. If a photograph is taken during the interview, you consent to the photograph being included in this study. ☒ Yes ☐ No

I, GARY E. SMITH, agree to the procedures outlined above and,
(Please print your name here)
by my signature, give my consent and release of this interview and/or photograph to be used as specified.


(Signature)

4/10/2023
(Date)

INFORMED CONSENT FORM

Aloha mai, Namahana School appreciates your generosity and willingness to share your knowledge of Namahana, specifically area inclusive of and surrounding the proposed Namahana School site. The goal of this ethnography is to identify Native Hawaiian traditional and cultural practices that may be impacted by the development of Namahana School. The information you share with us will be used to guide and inform a Ka Pa'akai Assessment for Namahana School.

Namahana School understands our responsibility in respecting the wishes and concerns of the interviewees participating in this study.

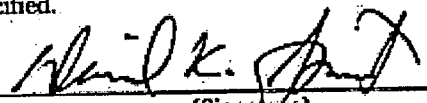
Here are our obligations to you and the process we promise to follow:

1. The interview will *not* be recorded without your knowledge and explicit permission.
2. You will have the opportunity to review the written transcript and summary of your interview if you so choose. Your transcript will *not* be used without your approval.
3. You *will* be given a copy of the interview transcript and/or summary for your records if you choose.
4. You *will* be given a copy of this release form for your records.

For your protection, we need your written confirmation that (circle yes or no below):

1. You *consent* to the use of the complete transcript and/or interview quotes for the purposes of this study. Yes No
2. If a photograph is taken during the interview, you consent to the photograph being included in this study. Yes No

I, DAVID SPROAT, agree to the procedures outlined above and,
(Please print your name here)
by my signature, give my consent and release of this interview and/or photograph to be used as specified.


(Signature)

6/13/23
(Date)

INFORMED CONSENT FORM

Aloha mai, Namahana School appreciates your generosity and willingness to share your knowledge of Namahana, specifically area inclusive of and surrounding the proposed Namahana School site. The goal of this ethnography is to identify Native Hawaiian traditional and cultural practices that may be impacted by the development of Namahana School. The information you share with us will be used to guide and inform a Ka Pa'akai Assessment for Namahana School.

Namahana School understands our responsibility in respecting the wishes and concerns of the interviewees participating in this study.

Here are our obligations to you and the process we promise to follow:

1. The interview will not be recorded without your knowledge and explicit permission.
2. You will have the opportunity to review the written transcript and summary of your interview if you so choose. Your transcript will not be used without your approval.
3. You will be given a copy of the interview transcript and/or summary for your records if you choose.
4. You will be given a copy of this release form for your records.

For your protection, we need your written confirmation that (circle yes or no below):

1. You consent to the use of the complete transcript and/or interview quotes for the purposes of this study. Yes No
2. If a photograph is taken during the interview, you consent to the photograph being included in this study. Yes No

I, Sherry de Paiva, agree to the procedures outlined above and,
(Please print your name here)
by my signature, give my consent and release of this interview and/or photograph to be used as specified.

Sherry de Paiva
(Signature)

7/13/23
(Date)

INFORMED CONSENT FORM

Aloha mai, Namahana School appreciates your generosity and willingness to share your knowledge of Namahana, specifically area inclusive of and surrounding the proposed Namahana School site. The goal of this ethnography is to identify Native Hawaiian traditional and cultural practices that may be impacted by the development of Namahana School. The information you share with us will be used to guide and inform a Ka Pa'akai Assessment for Namahana School.

Namahana School understands our responsibility in respecting the wishes and concerns of the interviewees participating in this study.

Here are our obligations to you and the process we promise to follow:

1. The interview will *not* be recorded without your knowledge and explicit permission.
2. You will have the opportunity to review the written transcript and summary of your interview if you so choose. Your transcript will *not* be used without your approval.
3. You *will* be given a copy of the interview transcript and/or summary for your records if you choose.
4. You *will* be given a copy of this release form for your records.

For your protection, we need your written confirmation that (circle yes or no below):

1. You consent to the use of the complete transcript and/or interview quotes for the purposes of this study. Yes No
2. If a photograph is taken during the interview, you consent to the photograph being included in this study. Yes No

I, Roy Constantino, agree to the procedures outlined above and,
(Please print your name here)
by my signature, give my consent and release of this interview and/or photograph to be used as specified.

Roy Constantino
(Signature)

9-7-23
(Date)

INFORMED CONSENT FORM

Aloha mai, Namahana School appreciates your generosity and willingness to share your knowledge of Namahana, specifically area inclusive of and surrounding the proposed Namahana School site. The goal of this ethnography is to identify Native Hawaiian traditional and cultural practices that may be impacted by the development of Namahana School. The information you share with us will be used to guide and inform a Ka Pa'akai Assessment for Namahana School.

Namahana School understands our responsibility in respecting the wishes and concerns of the interviewees participating in this study.

Here are our obligations to you and the process we promise to follow:

1. The interview will not be recorded without your knowledge and explicit permission.
2. You will have the opportunity to review the written transcript and summary of your interview if you so choose. Your transcript will not be used without your approval.
3. You will be given a copy of the interview transcript and/or summary for your records if you choose.
4. You will be given a copy of this release form for your records.

For your protection, we need your written confirmation that (circle yes or no below):

1. You consent to the use of the complete transcript and/or interview quotes for the purposes of this study. Yes No
2. If a photograph is taken during the interview, you consent to the photograph being included in this study. Yes No

I, Mehana Vaughan, agree to the procedures outlined above and,
(Please print your name here)
by my signature, give my consent and release of this interview and/or photograph to be used as specified.

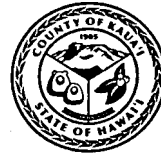

(Signature)

6/14/23
(Date)

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

TRANSMITTAL OF AGENCY COMMENTS TO PLANNING COMMISSION

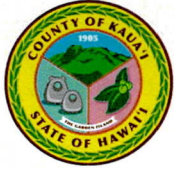
DATE: November 28, 2023

PERMIT NO.(S): Class IV Zoning Permit Z-IV-2024-2
Use Permit U-2024-2
Special Permit SP-2024-1

APPLICANT: NAMAHAHA EDUCATION FOUNDATION

Attached for the Planning Commission's reference are agency comments for the permit referenced above.

**F.2.a.1./L.1.a.
Dec. 12, 2023**



County of Kauai
Planning Department
4444 Rice St., Suite A473 Lihue, HI 96766
(808) 241-4050

FROM: Kaaina S. Hull, Director

Planner: Dale Cua

11/9/2023

SUBJECT: Zoning Class IV Z-IV-2024-2
Use Permit U-2024-2
Special Permit SP-2024-1
Tax Map Key: 520050530000
Applicant: Namahana Education Foundation
Namahana School

TO:

- | | |
|--|---|
| <input checked="" type="checkbox"/> State Department of Transportation - STP | <input checked="" type="checkbox"/> County DPW - Engineering |
| <input checked="" type="checkbox"/> State DOT - Highways, Kauai (info only) | <input type="checkbox"/> County DPW - Wastewater |
| <input type="checkbox"/> State DOT - Airports, Kauai (info only) | <input type="checkbox"/> County DPW - Building |
| <input type="checkbox"/> State DOT - Harbors, Kauai (info only) | <input type="checkbox"/> County DPW - Solid Waste |
| <input checked="" type="checkbox"/> State Department of Health | <input type="checkbox"/> County Department of Parks & Recreation |
| <input type="checkbox"/> State Department of Agriculture | <input checked="" type="checkbox"/> County Fire Department |
| <input type="checkbox"/> State Office of Planning | <input checked="" type="checkbox"/> County Housing Agency |
| <input type="checkbox"/> State Dept. of Bus. & Econ. Dev. Tourism | <input type="checkbox"/> County Economic Development |
| <input type="checkbox"/> State Land Use Commission | <input checked="" type="checkbox"/> County Water Department |
| <input checked="" type="checkbox"/> State Historic Preservation Division | <input type="checkbox"/> County Civil Defense |
| <input type="checkbox"/> State DLNR - Land Management | <input checked="" type="checkbox"/> County Transportation Agency |
| <input type="checkbox"/> State DLNR - Forestry & Wildlife | <input type="checkbox"/> KHPRC |
| <input type="checkbox"/> State DLNR - Aquatic Resources | <input type="checkbox"/> U.S. Postal Department |
| <input type="checkbox"/> State DLNR - Conservation & Coastal Lands | <input type="checkbox"/> UH Sea Grant |
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs | <input checked="" type="checkbox"/> Other: Office of Hawaiian Affairs |

FOR YOUR COMMENTS (pertaining to your department): November 15, 2023

We have reviewed the subject application for the construction of a School and school related improvements at TMK: (4) 5-2-005;053 (Applicant: Namahana Education Foundation). We offer the following comments.

1. The applicant shall comply with all provisions of the Sediment and Erosion Control Ordinance No. 808 (Kaua'i County Code Chapter 22, Article 7) to safeguard public health, safety, and welfare, to protect property, and to control soil erosion and sedimentation. This shall include, but not be limited to, a grading and/or grubbing permit in compliance with the Ordinance, which is required if any of the following conditions apply:
 - The work area exceeds one (1) acre.
 - Grading involving excavation or embankment, or combination thereof exceeds 100 cubic yards.
 - Grading exceeds five (5) feet in vertical height or depth at its deepest point.
 - The work area unreasonably alters the general drainage pattern to the detriment of abutting properties.
2. Proposed improvements shall be designed in compliance with the Storm Water Runoff System Manual, July 2001.
3. All existing drainage runoff volumes and flow patterns shall be maintained and subject to Best Management Practices (BMPs). BMPs shall be implemented at all times to the maximum extent practicable to prevent damage by sedimentation, erosion, or dust to streams, watercourses, natural areas, and the property of others.
4. Page 20, Section 8.4.c Transportation: It is inaccurate to say that the project is not anticipated to result in increased traffic, as there will be an increase in traffic volume, although there is likely minimal impact to congestion.

Sincerely,

Digitally signed by Michael Moule
Date: 2023.11.27 16:51:42 -10'00'

Michael Moule, P.E.

This matter is scheduled for a public hearing before the County of Kauai Planning Commission on 12/12/2023 at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, at 9:00 am or soon thereafter. If we do not receive your agency comments within one (1) month from the date of this request, we will assume that there are no objections to this permit request. Mahalo!



County of Kauai
Planning Department
4444 Rice St., Suite A473 Lihue, HI 96766
(808) 241-4050

FROM: Kaaaina S. Hull, Director

Planner: Dale Cua

11/9/2023

SUBJECT: Zoning Class IV Z-IV-2024-2
Use Permit U-2024-2
Special Permit SP-2024-1
Tax Map Key: 520050530000
Applicant: Namahana Education Foundation
Namahana School

RECEIVED

NOV 13 2023

County of Kauai
Transportation Agency

TO:

- ☒ State Department of Transportation - STP
- ☒ State DOT - Highways, Kauai (info only)
- ☐ State DOT - Airports, Kauai (info only)
- ☐ State DOT - Harbors, Kauai (info only)
- ☒ State Department of Health
- ☐ State Department of Agriculture
- ☐ State Office of Planning
- ☐ State Dept. of Bus. & Econ. Dev. Tourism
- ☐ State Land Use Commission
- ☒ State Historic Preservation Division
- ☐ State DLNR - Land Management
- ☐ State DLNR - Forestry & Wildlife
- ☐ State DLNR - Aquatic Resources
- ☐ State DLNR - Conservation & Coastal Lands
- ☒ Office of Hawaiian Affairs

- ☒ County DPW - Engineering
- ☐ County DPW - Wastewater
- ☐ County DPW - Building
- ☐ County DPW - Solid Waste
- ☐ County Department of Parks & Recreation
- ☒ County Fire Department
- ☒ County Housing Agency
- ☐ County Economic Development
- ☒ County Water Department
- ☐ County Civil Defense
- ☒ County Transportation Agency
- ☐ KHPRC
- ☐ U.S. Postal Department
- ☐ UH Sea Grant
- ☐ Other:

NOV 24 '23 PM12:42
PLANNING DEPT

FOR YOUR COMMENTS (pertaining to your department)

11/21/2023

CTA HAS NO FURTHER COMMENT ON THIS PROJECT.

MAHALO!

This matter is scheduled for a public hearing before the County of Kauai Planning Commission on at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, at 9:00 am or soon thereafter. If we do not receive your agency comments within one (1) month from the date of this request, we will assume that there are no objections to this permit request. Mahalo!

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

TRANSMITTAL OF PUBLIC TESTIMONY TO **PLANNING COMMISSION**

DATE: December 7, 2023

PERMIT NO.(S): Class IV Zoning Permit Z-IV-2024-2
Use Permit U-2024-2
Special Permit SP-2024-1

APPLICANT(S): NAMAHAHA EDUCATION FOUNDATION

Attached for the Planning Commission's reference are public testimony for the permits referenced above.

F.2.a.2./L.1.b

DEC 12 2023

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Bill DeCosta
Ross Kagawa



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
Email: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihue, Kauai, Hawaii 96766

November 21, 2023

Kauai Planning Commission
Office of Boards and Commissions
4444 Rice Street, Suite 300
Lihue, HI 96766

Aloha Commissioners,

**RE: TESTIMONY OF FELICIA COWDEN, COUNCILMEMBER, KAUAI COUNTY COUNCIL IN
STRONG SUPPORT OF SPECIAL USE PERMIT CLASS IV ZONING PERMIT LOT A-2-B-3 KILAUEA
TMK (4)5-2-005-053**

Thank you for the opportunity to provide testimony in STRONG support of Special Use Permit IV zoning permit Lot A-2-B-3 Kilauea TMK (4)5-2-005-053 to allow the development of a 7-12 Public Charter School in Kilauea. My testimony is submitted in my individual capacity as a Member of the Kauai County Council

The need for upper grades has been a persistent community request for at least forty years. The North Shore location in Kilauea is centrally located on high, safe ground in the middle of a growing neighborhood where many students can safely walk or ride their bikes. The erosion of the available DOE bus service will also be less problematic for our North Shore students at greater distance.

As a community member, I live within a five-minute walking distance from the school. I welcome the increased traffic and activity because it will greatly benefit our generations. The school's proximity to adjacent retail businesses, our sports fields, the planned affordable housing project, and the nearby community agricultural park all contribute to beneficial and symbiotic learning and business potential. The availability of a regional school will increase the vitality in our communities and assist with the retention of our residents and workforce.

The educational format of Namahana charter school is in alignment with community needs, vision and supports our North Shore Development Plan, as well as the Kauai General Plan Update.

Thank you again for this opportunity to provide testimony, and I eagerly encourage approval of this Special Use Permit on Ag land for educational purposes. Should you have any questions, please feel free to contact me at (808)652-4363 or Council Services Staff at (808)241-4188.

Sincerely,

FELICIA COWDEN
Councilmember, Kauai County Council

CR:cr

Aloha Chair DeGarcia and members of the planning Commission,

I am writing in support of Namahana School's application for Class IV Zoning Permit(Z-IV-2024-2), use permit(U-2024-1), and special permit (SP-2024-1).

I am currently on the Namahana School Board and more importantly the grandparent of six and eight year old girls who currently attend Kilauea Elementary School. I fervently believe that the student oriented curriculum that will be offered at Namahana middle and high school will be very beneficial for their intellectual and personal growth. Having the school located close to home will make it easier for their parents to be actively involved in the school. This is particularly important in the middle school years.

With the school located in the community it serves, it will make it easier for the students to participate with off campus mentors as part of the schools internship program. It will also solve the transportation issue for the student's parents, and allow the students to get more sleep.

I urge you to favorably consider this application, as it best serves the interests of our community.

Sincerely yours,
Jonathan McRoberts

FW: Namahana School

Planning Department <planningdepartment@kauai.gov>

Fri 11/24/2023 3:32 PM

To: Kaaina Hull <khull@kauai.gov>; Jodi Higuchi Sayegusa <jhiguchi@kauai.gov>; Dale Cua <dcua@kauai.gov>

Mahalo,

Brent

From: Jack Forrest <jackforrest13@gmail.com>

Sent: Friday, November 24, 2023 5:49 AM

To: Planning Department <planningdepartment@kauai.gov>

Subject: Namahana School

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Chair Garcia and members of Kauai Planning Commission,

Kauai has a unique opportunity to establish a middle and high school particularly well designed to meet the needs of its students and the entire community.

The Big Picture Learning model is designed to allow students an education designed to foster their own interests and skills. Already strong students advance faster; previously marginal students become stars. I have been to these schools and seen the results: all the students are engaged and learning. An essential part of this approach is cooperation and support for fellow students rather than competition to get a higher GPA. The school becomes a happy place where students learn, achieve and succeed. Students become important members of their community because they learn that working together is more satisfying and productive.

I strongly urge approval of Namahana School's special use permit. Kauai and all its residents, not just the students, will prosper in future decades from the well educated, community minded leaders who will come from its halls.

John V. Forrest
Princeville Resident
Retired Professor of Medicine UCSD

jackforrest13@gmail.com

FW: Namahana School permit testimony

Planning Department <planningdepartment@kauai.gov>

Wed 11/29/2023 9:16 AM

To: Kaaina Hull <khull@kauai.gov>; Jodi Higuchi Sayegusa <jhiguchi@kauai.gov>; Dale Cua <dcua@kauai.gov>

Mahalo,

Brent

From: Jason Ito <jkenjiito@yahoo.com>

Sent: Wednesday, November 29, 2023 9:05 AM

To: Planning Department <planningdepartment@kauai.gov>

Subject: Namahana School permit testimony

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Chair Garcia and Members of the Planning Commission,

I am writing in support of Namahana School's Special Use Permit application. I believe the school will be a great resource to our community members and enrich our children, benefitting our future.

Mahalo,

Jason Ito

Kilauea resident

[Sent from Yahoo Mail on Android](#)

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

DIRECTOR'S REPORT

I. SUMMARY

Action Required by Planning Commission: Consideration of a Class IV Zoning Permit, Use Permit, and Special Permit to operate and construct a middle/high school facility.

Permit Application Nos. Class IV Zoning Permit Z-IV-2024-2
Use Permit U-2024-2
Special Permit SP-2024-1

Name of Applicant(s) NAMAHAHA EDUCATION FOUNDATION
Ian K. Jung, Esq., Authorized Agent

II. PERMIT INFORMATION

PERMITS REQUIRED	
<input checked="" type="checkbox"/> Use Permit	Pursuant to Section 8-2.4 of the KCC, 1987, as amended, a Use Permit is required as the proposed use is not generally permitted within the Agriculture District (A).
<input type="checkbox"/> Project Development Use Permit	
<input type="checkbox"/> Variance Permit	
<input checked="" type="checkbox"/> Special Permit	Pursuant to Section 205 of the Hawai'i Revised Statutes (HRS) and Chapter 13 of the Rules of Practice and Procedures of the Planning Commission, a Special Permit is required for a use in the State Land Use Agricultural (A) District that is not a permissible use as set forth in Chapter 205 of the HRS.
<input checked="" type="checkbox"/> Zoning Permit Class <input checked="" type="checkbox"/> IV <input type="checkbox"/> III	Pursuant to Section 8-8.4 of the KCC, 1987, as amended, a Class IV Zoning Permit is a procedural requirement for obtaining a Use Permit in the Agricultural (A) Zoning District.
<input type="checkbox"/> Special Management Area Permit <input type="checkbox"/> Use <input type="checkbox"/> Minor	
AMENDMENTS	
<input type="checkbox"/> Zoning Amendment	
<input type="checkbox"/> General Plan Amendment	

F.2.a.3./L.1.c
Dec 12, 2023

<input type="checkbox"/> State Land Use District Amendment	
--	--

Date of Receipt of Completed Application: November 8, 2023

Date of Director's Report: December 12, 2023

Date of Public Hearing: DECEMBER 12, 2023

Deadline Date for PC to Take Action (60TH Day): January 7, 2024

III. PROJECT DATA

PROJECT INFORMATION			
Parcel Location:	The project site is located on the northern side of Kilauea Town, along the makai side of Kūhiō Highway, in close proximity to the Ahuimanu Shopping Center in Kilauea.		
Tax Map Key(s):	(4) 5-2-005:053	Area:	Approx. 11.327 acres
ZONING & DEVELOPMENT STANDARDS			
Zoning:	Agriculture (A)		
State Land Use District:	Agricultural (A)		
General Plan Designation:	Neighborhood General		
Height Limit:	Twenty-Five (25) Feet		
Max. Land Coverage:	60% of lot area		
Parking Requirement:	Refer to Section VII., Item 7. of the Director's Report for parking calculation		
Front Setback:	10 feet		
Rear Setback:	5 Feet minimum		
Side Setback:	5 Feet or half the wall plate height		
Community Plan Area:	North Shore Development Plan		
Community Plan Land Use Designation:	NA		
Deviations or Variances Requested:	NA.		

IV. LEGAL REQUIREMENTS

Section 8-3.1(f), KCC:	This report is being transmitted to the Applicant and Planning Commission in order to satisfy the requirements of Section 8-3.1 (f), relating to the provision of the Planning Director's report and recommendation on the subject proposal within sixty (60) days of the filing of a completed application. The application was received on November 8, 2023, and the Applicant, through its authorized agent, was notified accordingly of the Planning Department's intent to commence permit processing.
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V. PROJECT DESCRIPTION AND USE

As represented, the Applicant is seeking to operate and construct a charter school facility. The proposed development will be completed in multiple phases as described in Section 3.3 of the Application.

The development phases are broken as follows:

DEVELOPMENT PROJECT BREAKDOWN	
Phase 1	<ul style="list-style-type: none">○ Total of sixteen (16) yurts connected by deck platforms○ Forty-one (41) off-street parking stalls○ Driveway for ingress/egress○ Associated infrastructure improvements (domestic potable water, wastewater, communications)
Phase 2 - 4	<ul style="list-style-type: none">○ Administration Building○ Resource Center○ Learning Common Area○ Eight (8) Classroom buildings (associated with Middle School)○ Sixteen (16) Classroom buildings (associated with High School)○ Gymnasium & Locker/Weight Room building○ Agricultural warehouse & associated areas○ Open Space/Playfield area○ One hundred eleven (111) off-street parking stalls○ Associated landscaping○ Driveway for ingress/egress

The intent of Phase 1 of the project is to enable the charter school to operate in “temporary” structures (yurts) until such time more funding becomes available to construct the permanent structures. Exhibit D-2 of the Application illustrates the layout of the campus when it is completed and built out.

The construction permanent structures will eventually replace the yurts and will be slowly integrated into the final layout of the campus. With the exception of the proposed gymnasium, all of the proposed buildings will be one-story in height.

VI. APPLICANT’S REASONS/JUSTIFICATION

Please refer to sections of the application.

VII. ADDITIONAL FINDINGS

1. Project Site & Surroundings

The subject parcel is currently vacant and was recently created through a subdivision proposal that was processed through Subdivision Application No. S-2018-15. As noted by the Applicant, the 10-lot subdivision obtained Final Subdivision map approval by the Planning Commission at their meeting on September 8, 2020. Prior to the subdivision, the subject property was previously utilized for agricultural purposes and sits currently fallow.

As previously stated, the subject parcel is zoned Agriculture (A) District and the surrounding parcels to the north and west are similarly zoned. Properties to the south are within the State Urban Land Use District and are zoned commercial & residential districts. The project site is makai of the highway in Kilauea Town and is in close proximity to the Ahuimanu Shopping Center. This area is experiencing growth and has been identified as an expansion area to Kilauea Town.

The nearest residentially zoned area is situated approximately 200 feet south of the project site. These properties are located within the Kilauea Town Core and are comprised of single-family residences that are within the Residential District (R-4). It is further noted that Kilauea Elementary School is approximately ½-mile away to the southwest of the project site.

2. Flood Zones

The general topography of the project site is relatively flat, containing a gentle slope from west to east (mauka to makai), in the direction away from the highway. The Federal Emergency Management Agency (FEMA) Flood Insurance Map shows the project site is situated within the flood zone identified as Zone 'X'. FEMA has identified those areas within the Zone "X" are determined to be outside the 0.2% annual chance floodplain.

3. Kaua'i General Plan (GP)

The present GP designation of the subject property is "NEIGHBORHOOD GENERAL." This designation applies to the watershed surrounding Neighborhood Centers. This designation is intended for medium intensity mixed-use environments that support the town core with housing, services, parks, civic/institutional, home occupation, and commercial uses. Buildings in this designation are mostly detached, with some attached, 1-2 stories in height that can accommodate a range of multi-family housing types. Areas with this designation are generally within a quarter-mile radius of an area that is designated as "Neighbor Center."

5. North Shore Development Plan (NSDP)

The subject property is within the North Shore Planning Area (NSPA) but is located outside of the planned areas within the NSDP. However, it is subject to applicable design requirements specified by the plan, and more particularly, the 25-foot high maximum building height.

6. Vehicular Access

The primary access to the project is through Ala Namahana Parkway, which is a County roadway with 24 feet-wide asphalt pavement. It is presently wide enough to accommodate two-way vehicular traffic.

7. CZO Development Standards

- a. **Off-Street Parking:** In evaluating the parking standards for the proposed school facility, it is noted that the CZO does not specify parking standards for a “SCHOOL” use. However, in referencing the parking standards contained in the Land Use Ordinance (LUO) of the City & County of Honolulu, it should be noted:
- 1) Schools (High, language, vocational, business, technical & trade, business colleges: **1 parking stall/10 students, plus 1 stall/400 SF Office Space.**
 - 2) Based on the foregoing standard and using the information provided in the Applicant’s Project Description concerning Phase 1 of the development, a total of forty-one (41) off-street parking stalls are required.
 - 3) As represented, the Applicant will be providing a total of 41 off-street parking stalls for Phase 1 of the project.
 - 4) The provided site plan indicates that these parking areas within Phase 1 of the project would be unimproved and unpaved (gravel).

Based on the proposed number of buildings and the amount of area, the campus should be able to accommodate at least 300 students when it is built-out, and possibly up to 30 faculty members. Based on this, the off-street requirements for the project would be a minimum of one hundred fifty (150) parking stalls. The Application notes that when the campus is completed, there will be a total of **111 parking stalls**.

VIII. AGENCY COMMENTS

Comments from applicable government agencies are being sought and are expected at the time of the public hearing scheduled on December 12, 2023.

IX. PRELIMINARY EVALUATION

In evaluating the proposed development, the following aspects are being considered:

1. GENERAL PLAN

The proposed development satisfies the following policies of the General Plan, as taken from Sections 1.3, 1.4, and 3.0. Responses to the GP Policies are taken directly from Section 8, Page 16 of the Application:

Section 1.3, entitled “VISION AND GOALS”

- a. **Goal #1 “A Sustainable Island”** – As represented, the education use associated with the project would assist the development of the youth of Kauai by providing opportunities to be educated, stay fit & healthy, and develop team building skills.
- b. **Goal #2 “A Unique and Beautiful Place”** – The project would be outfitted with modest buildings that would be in keeping with the rural character of the area as well as the surrounding neighborhood within the Kilauea Town Core. As proposed, all of the buildings would be in compliance with the maximum building height requirement within the North Shore Planning Area.
- c. **Goal #3 “A Healthy and Resilient People”** – The project serves as an educational facility that would promote healthy and resilient students with the curriculum to focus on Native Hawaiian practices and integrating agricultural activities.
- d. **Goal #4 “An Equitable Place, with Opportunity for All”** – The project supports youth education, activities, and team building opportunities for the youth of Kaua’i.

The Applicant addresses conformance with Section 1.4, entitled “POLICIES TO GUIDE GROWTH” of the General Plan from Pages 17-20 of the Application.

Section 3.0, entitled “ACTIONS BY SECTOR”

- a. **Sector 1 “The Watershed”** – The project would not negatively or detrimentally impact the environmental qualities of the Watershed area, and would have no negative impacts on the natural, historic, cultural, or environmental qualities of, or resources within, the Watershed area, or access thereto.
- b. **Sector 2 “Housing”** – The project does not create any demand for housing opportunities, nor provide any housing.
- c. **Sector 3 “Transportation”** – The project is not anticipated to result in increased traffic and would have no negative impact on Kauai’s transportation infrastructure. Further, the project is not anticipated to increase traffic or congestion given its new entry road and it would likely enhance the traffic flow through the Kilauea Town area.
- d. **Sector 4 “Infrastructure & Services”** - The project would provide a service for the educational development of the North Shore youth with no anticipated impact to existing infrastructure.
- e. **Sector 5 “Shared Spaces”** – The school services the project would render are in large part essential to support educational and recreational activities for Kauai’s youth.
- f. **Sector 6 “Economy”** – The project would not impact the Kilauea economy given the tuition-free policy of a public charter school. The project would strengthen the local economy by graduating, capable, problem-solving students that understand careers through internships, and would become valued members of the workforce.
- g. **Sector 7 “Heritage Resources”** – The project would have no substantial visual impact on surrounding lands, and not substantial impacts on historic sites, Hawaiian cultural or traditional practices, or access to streams, shoreline, areas associated with Hawaiian cultural or traditional practices, recreational area, or other special places. The subject property does not contain and would not negatively impact any special features or resource that are shown on the East Kauai Heritage Resource Map (Kauai General Plan Figure 5-13).
- h. **Sector 8 “Energy Sustainability”** – The Applicant intends to enact and promote energy

sustainability in the project's infrastructure.

- i. **Sector 9 "Public Safety & Hazards Resiliency"** – The subject parcel is not located near the shoreline and would not be subject to sea level rise.
- j. **Section 10 "Opportunity & Health for All"** – The project is an educational facility that would promote healthy and resilient students with curriculum focused Native Hawaiian practices and would integrate agricultural activities.

In evaluating the Applicant's request for Special and Use Permits, the following aspects are being considered:

2. SPECIAL PERMIT

Pursuant to Chapter 205 of the Hawai'i Revised Statutes (HRS) and its Rules of Practice and Procedures, the Planning Commission may approve a Special Permit under such protective restrictions as may be deemed necessary if it finds that the proposed use is an unusual and reasonable use of land situated within the State Land Use Agricultural District, and that the use would promote the effectiveness and objectives of Chapter 205, HRS. The Planning Commission shall consider the following guidelines in determining unusual and reasonable use:

(A) Such use shall not be contrary to the objectives sought to be accomplished by Chapters 205 and 205A, HRS, and the Rules of the Land Commission.

An intent of the State law is to assure that agricultural lands with a high capacity for intense cultivation be afforded the highest protection of agricultural purposes, and the uses allowed on other agriculture lands be compatible with such agricultural uses.

As represented, part of the Namahana School curriculum would engage its students and faculty members to utilize its agricultural lands surrounding the campus to educate its students about growing food and care for the land that sustains and feeds the community. The 'aina-based curriculum would incorporate outdoor learning spaces for a school farm, fruit orchard, and small nursery where students can access the full range of knowledge concerning the food production cycle. There, students would gain hands-on experience growing, harvesting, and processing food crops for use in the schools Farm to School lunch program, and through both core subject classes and electives such as agricultural business or garden and culinary arts-based classes. Crops would include a variety such as annuals, edible perennials, and fruit trees. The school farm would provide internship opportunities for high school students who wish to focus on agricultural production.

Over the long term, the Applicant would explore the feasibility of a Farm to School lunch program that offers scratch prepared meals. A Farm to School lunch initiative would include key components such as, partnerships with local farms and farm hubs, having students grow produce on the school farm, working with North Shore and island-wide schools and institutions to consolidate purchasing to increase buying power, assessing regional facilities/infrastructure needs for both

partners and the Applicant, integrating the lunch program in to the curriculum through courses such as applied agricultural and culinary arts, and raising public & private source of funding to support a Farm to School lunch program initiative.

Although the proposed school use is not directly tied to agricultural activities, the Applicant intends to enhance agricultural activities surrounding the proposed buildings and engage the students into cultivating agricultural plantings. The proposed agricultural program curriculum associated with the project would promote the objectives contained in Chapter 205.

(B) *The desired use would not adversely affect surrounding property.*

The proposed use is consistent and appropriate within the State Agricultural Land Use District and County Agriculture zoning district. It would be compatible with the surrounding neighborhood and uses and would not generate any significant adverse impacts given the surrounding properties are primarily fallow agriculture land, commercial/retail use, and residential. The project would support surrounding properties by offering educational opportunities tuition free to the North Shore's youth and interested island-wide students. Since this area was previously under agriculture cultivation and now fallow, there will be no irrevocable loss to natural, scenic, cultural, historical, or archaeological resources or sites. As such, the use should not significantly affect the surrounding properties.

(C) *The use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection.*

The facility already has all the necessary infrastructure requirements in place, and there should be no additional burden placed on the County to provide further improvements.

(D) *Unusual conditions, trends, and needs have arisen since the district boundaries and rules were established.*

As the island's population has grown, the inventory of land available for industrial, commercial, and multi-family residential uses has dwindled. The Applicant has been searching for suitable land while being cognizant not to use needed residentially zoned land for housing. Therefore, establishing a school site on an 11-acre agriculture zoned parcel provides a unique opportunity given its adjacency to the residential area of Kilauea Town.

(E) *The land upon which the use is sought is unsuited for the uses permitted in the District.*

The subject parcel contains approximately 11.327 acres and is suitable for agriculture on a limited scale. The Applicant is looking to incorporate agricultural

education and sustainability on the land surrounding the proposed structures, which is a use that is appropriate within the State Agricultural Land Use District.

3. USE PERMIT

Pursuant to Article 20 of the Comprehensive Zoning Ordinance (CZO), Chapter 8 of the Kaua'i County Code (1987), the purpose of the Use Permit procedure is to assure the proper integration into the community of uses which may be suitable only in specific location of a district, or only under certain conditions, or only if the uses are designed, arranged or conducted in a particular manner, and to prohibit the uses if proper integration cannot be assured. Section 8-20.5 of the CZO specifies a Use Permit may be granted only if the Planning Commission finds that the use meets the following criteria:

A. Compatible Use

- 1) The project area is zoned for agriculture and is primarily surrounded by agricultural lands to the north and west. The use of a portion of the 11-acre parcel as a school site is not likely to adversely affect nearby agricultural activity.
- 2) It should be noted that the school may be impacted by agricultural nuisances.
- 3) The project is in close proximity to urban development to the southwest that contains residential and commercial/retail activities.

B. Will Not Be Detrimental to Persons Residing or Property in the Area

- 1) The proposed school facility is not expected to be detrimental to the adjacent agriculture zoned properties or persons residing in the area.

C. Will Not Cause Substantial Harmful Environmental Consequences

- 1) The project site was previously utilized for agricultural purposes, and therefore it is unlikely that rare or threatened plant species exist at this location.
- 2) The site does not contain wetlands or other unique or sensitive habitats.

D. Will Not be Inconsistent with the Intent of the CZO and General Plan

- 1) The area is planned as an expansion to the Kilauea Town core and is consistent with the Neighborhood General designation of the Kauai General Plan.
- 2) The proposed project can be considered within the Agriculture zoning district through the Use Permit process.

4. COMPREHENSIVE ZONING ORDINANCE (CZO) DEVELOPMENT STANDARDS & CONSIDERATIONS

The project is consistent with the development standards contained in the CZO in that:

- a. **Off-Street Parking:** As previously noted, the CZO does not specify parking standards for a "SCHOOL" use. Using the standards contained in the LUO, Phase 1 of the project requires a minimum of forty-one (41) off-street parking stalls. As represented, there parking areas will be an unimproved gravel parking lot until

the campus is further developed with permanent buildings, as represented in Exhibit 'D-2' of the Application. While it is understandable to minimize project cost associated with Phase 1, the Applicant should consider paving portions of the driveway and parking areas in an effort to mitigate dust impacts to neighboring downwind properties. The Applicant is made cognizant that the Planning Director reserves the right to review this requirement if dust issues/complaints arise from neighboring property owner and may also increase parking requirements when particular uses or locations occur in areas where unusual traffic congestion or conditions exist or are projected.

- b. **EIA Fees:** The Applicant would be subject to the requirements of Section 11A-2.2 of the Kauai County Code (KCC), relating to the payment of the Environmental Impact Assessment (EIA) Fee for the required off-street parking requirements relating to the proposed development.
- c. **Development Standards:** The proposed development conforms to the lot coverage, building height, and setback requirements as outlined in the CZO.
- d. **Lighting:** It is uncertain as to whether the Applicant will be making provisions for night illumination for the project, based on the preliminary plans that have been submitted. If so, night illumination should be designed to minimize adverse impacts on the Federally Listed Threatened Species, Newell's Shearwater, and other seabirds. Night lighting should be shielded from above and directed downwards and shall be approved by the U.S. Dept. of the Interior Fish and Wildlife Service. If external lighting is to be used in connection with the proposed project, all external lighting should be only of the following type: *downward-facing shielded lights*. Any spotlights aimed upward or spotlighting of structures is prohibited.
- e. **Landscaping** – Since the project would be visible along the highway and based on the mass of the proposed structures, there could be concerns regarding the potential visual impact of the project, as viewed from Kūhiō Highway. Therefore, visual mitigation of building mass can be achieved through various techniques including color, roof surfaces, facade details, and landscaping techniques. In order to mitigate the size of the proposed structures and maintain compatibility with the surrounding area, a less formal landscaping style than proposed may be more appropriate, using native and non-invasive species and incorporating canopy trees on-site. Incorporation of taller landscaping would assist in mitigating the building mass. Therefore, the Applicant should resolve with the Planning Department detailed landscaping of the project to achieve better visual mitigation of the building masses.

Agency Comments – The Applicant should resolve and comply with all agency requirements as recommended in the permit application review, including but not limited to the fire code requirements as imposed by the County Fire Department, drainage requirements for DPW-Engineering Division, affordable housing requirements established by the County Housing Agency, wastewater requirements for the State Department of Health (DOH), and the archaeological/historical requirements of the State Historic Preservation Division

(SHPD).

X. PRELIMINARY CONCLUSION

Based on the foregoing findings and evaluation, it is concluded that through proper mitigative measures and compliance efforts, the proposed development can be considered, and it should not have significant adverse impacts to the environment or the surrounding neighborhood. The proposal is generally in compliance with the criteria outlined for the granting of a Use Permit and Class IV Zoning Permit. In addition, the proposed development is consistent with the goal and policies outlined in the General Plan, as well as the development standards prescribed by the Comprehensive Zoning Ordinance.

The Applicant should institute the “Best Management Practices” to ensure that the operation of this facility does not generate impacts that may affect the health, safety, and welfare of those in the surrounding area of the proposal.

XI. PRELIMINARY RECOMMENDATION

Based on the foregoing evaluation and conclusion it is hereby recommended that subject request to allow operation of an indoor recreation facility through Class IV Zoning Permit Z-IV-2024-2, Use Permit U-2024-2, and Special Permit SP-2024-1 be **approved** subject to the following conditions:

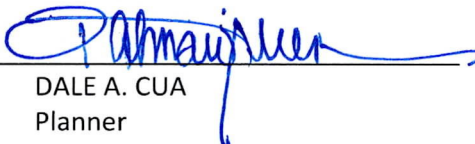
1. The proposed development shall be constructed and operated as represented in the application. Any changes to said structures and/or facilities shall be reviewed by the Planning Department to determine whether Planning Commission review and approval is warranted.
2. The Applicant shall consider paving portions of the driveway and parking areas in an effort to mitigate dust impacts to neighboring downwind properties. The Applicant is made cognizant that the Planning Director reserves the right to review this requirement if dust issues/complaints arise from neighboring property owner and may also increase parking requirements when particular uses or locations occur in areas where unusual traffic congestion or conditions exist or are projected.
3. The Applicant shall provide a total of forty-one (41) off-street parking stalls for Phase 1 of the proposed development. Upon further development of the campus, the Applicant shall work and resolve with the Planning Department the off-street parking requirements.
4. The Applicant will be subject to the requirements of Section 11A-2.2 of the Kauai County Code (KCC), relating to the payment of the Environmental Impact Assessment (EIA) Fee for the required off-street parking requirements relating to the proposed development.
5. The Applicant is made aware that intensive agriculture, which may entail dust, active pesticide use, and other nuisances associated with agricultural uses, occur on nearby

properties. The approval of this permit shall not limit or prevent the continuation of intensive agricultural activities within the immediate surroundings.

6. The Applicant shall resolve with the Planning Department detailed landscaping of the project in order to achieve better visual mitigation of the building masses.
7. In order to minimize adverse impacts on the Federally Listed Threatened Species, Newell's Shearwater, and other seabirds, if external lighting is to be used in connection with the proposed project, all external lighting should be only of the following type: *downward-facing shielded lights*. Any spotlights aimed upward or spotlighting of structures is prohibited.
8. The Applicant should institute the "Best Management Practices" to ensure that the operation of this facility does not generate impacts that may affect the health, safety, and welfare of those in the surrounding area of the proposal.
9. The Applicant shall comply with the requirements and recommendation of applicable County, State and Federal agencies, including the County Fire, Public Works and Water Departments, and the State Department of Health and the State Historic Preservation Division.
10. The Applicant is advised that should any archaeological or historical resources be discovered during ground disturbing/construction work, all work in the area of the archaeological/historical findings shall immediately cease and the Applicant shall contact the State of Hawaii, Department of Land and Natural Resources – Historic Preservation Division and the County of Kauai, Planning Department.
11. The Applicant is advised that prior to construction and/or use, additional government agency conditions may be imposed. It shall be the Applicant's responsibility to resolve those conditions with the respective agency(ies).
12. The Planning Commission reserves the right to add or delete conditions of approval in order to address or mitigate unforeseen impacts this project may create or revoke the permits through the proper procedures should conditions of approval be violated or adverse impacts be created that cannot be properly addressed.

The Planning Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process scheduled for December 12, 2023 whereby the entire record should be considered prior to decision making. The entire record should include but not be limited to:

- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The Applicant's response to staff's report and recommendation as provided herein.

By 
DALE A. CUA
Planner

Approved & Recommended to Commission:

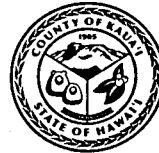
By 
KA'ĀINA S. HULL
Director of Planning

Date: 11/28/2023

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

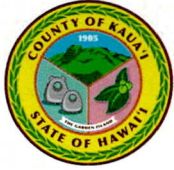
TRANSMITTAL OF AGENCY COMMENTS TO PLANNING COMMISSION

DATE: November 28, 2023

PERMIT NO.(S): Class IV Zoning Permit Z-IV-2024-2
Use Permit U-2024-2
Special Permit SP-2024-1

APPLICANT: NAMAHAHA EDUCATION FOUNDATION

Attached for the Planning Commission's reference are agency comments for the permit referenced above.



County of Kauai
Planning Department
4444 Rice St., Suite A473 Lihue, HI 96766
(808) 241-4050

FROM: Kaaina S. Hull, Director

Planner: Dale Cua

11/9/2023

SUBJECT: Zoning Class IV Z-IV-2024-2
Use Permit U-2024-2
Special Permit SP-2024-1
Tax Map Key: 520050530000
Applicant: Namahana Education Foundation
Namahana School

TO:

- | | |
|--|---|
| <input checked="" type="checkbox"/> State Department of Transportation - STP | <input checked="" type="checkbox"/> County DPW - Engineering |
| <input checked="" type="checkbox"/> State DOT - Highways, Kauai (info only) | <input type="checkbox"/> County DPW - Wastewater |
| <input type="checkbox"/> State DOT - Airports, Kauai (info only) | <input type="checkbox"/> County DPW - Building |
| <input type="checkbox"/> State DOT - Harbors, Kauai (info only) | <input type="checkbox"/> County DPW - Solid Waste |
| <input checked="" type="checkbox"/> State Department of Health | <input type="checkbox"/> County Department of Parks & Recreation |
| <input type="checkbox"/> State Department of Agriculture | <input checked="" type="checkbox"/> County Fire Department |
| <input type="checkbox"/> State Office of Planning | <input checked="" type="checkbox"/> County Housing Agency |
| <input type="checkbox"/> State Dept. of Bus. & Econ. Dev. Tourism | <input type="checkbox"/> County Economic Development |
| <input type="checkbox"/> State Land Use Commission | <input checked="" type="checkbox"/> County Water Department |
| <input checked="" type="checkbox"/> State Historic Preservation Division | <input type="checkbox"/> County Civil Defense |
| <input type="checkbox"/> State DLNR - Land Management | <input checked="" type="checkbox"/> County Transportation Agency |
| <input type="checkbox"/> State DLNR - Forestry & Wildlife | <input type="checkbox"/> KHPRC |
| <input type="checkbox"/> State DLNR - Aquatic Resources | <input type="checkbox"/> U.S. Postal Department |
| <input type="checkbox"/> State DLNR - Conservation & Coastal Lands | <input type="checkbox"/> UH Sea Grant |
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs | <input checked="" type="checkbox"/> Other: Office of Hawaiian Affairs |

FOR YOUR COMMENTS (pertaining to your department): November 15, 2023

We have reviewed the subject application for the construction of a School and school related improvements at TMK: (4) 5-2-005;053 (Applicant: Namahana Education Foundation). We offer the following comments.

1. The applicant shall comply with all provisions of the Sediment and Erosion Control Ordinance No. 808 (Kaua'i County Code Chapter 22, Article 7) to safeguard public health, safety, and welfare, to protect property, and to control soil erosion and sedimentation. This shall include, but not be limited to, a grading and/or grubbing permit in compliance with the Ordinance, which is required if any of the following conditions apply:
 - The work area exceeds one (1) acre.
 - Grading involving excavation or embankment, or combination thereof exceeds 100 cubic yards.
 - Grading exceeds five (5) feet in vertical height or depth at its deepest point.
 - The work area unreasonably alters the general drainage pattern to the detriment of abutting properties.
2. Proposed improvements shall be designed in compliance with the Storm Water Runoff System Manual, July 2001.
3. All existing drainage runoff volumes and flow patterns shall be maintained and subject to Best Management Practices (BMPs). BMPs shall be implemented at all times to the maximum extent practicable to prevent damage by sedimentation, erosion, or dust to streams, watercourses, natural areas, and the property of others.
4. Page 20, Section 8.4.c Transportation: It is inaccurate to say that the project is not anticipated to result in increased traffic, as there will be an increase in traffic volume, although there is likely minimal impact to congestion.

Sincerely,

Digitally signed by Michael Moule
Date: 2023.11.27 16:51:42 -10'00'

Michael Moule, P.E.

This matter is scheduled for a public hearing before the County of Kauai Planning Commission on 12/12/2023 at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, at 9:00 am or soon thereafter. If we do not receive your agency comments within one (1) month from the date of this request, we will assume that there are no objections to this permit request. Mahalo!



County of Kauai
Planning Department
4444 Rice St., Suite A473 Lihue, HI 96766
(808) 241-4050

FROM: Kaaiana S. Hull, Director

Planner: Dale Cua

11/9/2023

SUBJECT: Zoning Class IV Z-IV-2024-2
Use Permit U-2024-2
Special Permit SP-2024-1
Tax Map Key: 520050530000
Applicant: Namahana Education Foundation
Namahana School

RECEIVED

NOV 13 2023

County of Kauai
Transportation Agency

TO:

- ☒ State Department of Transportation - STP
- ☒ State DOT - Highways, Kauai (info only)
- ☐ State DOT - Airports, Kauai (info only)
- ☐ State DOT - Harbors, Kauai (info only)
- ☒ State Department of Health
- ☐ State Department of Agriculture
- ☐ State Office of Planning
- ☐ State Dept. of Bus. & Econ. Dev. Tourism
- ☐ State Land Use Commission
- ☒ State Historic Preservation Division
- ☐ State DLNR - Land Management
- ☐ State DLNR - Forestry & Wildlife
- ☐ State DLNR - Aquatic Resources
- ☐ State DLNR - Conservation & Coastal Lands
- ☒ Office of Hawaiian Affairs

- ☒ County DPW - Engineering
- ☐ County DPW - Wastewater
- ☐ County DPW - Building
- ☐ County DPW - Solid Waste
- ☐ County Department of Parks & Recreation
- ☒ County Fire Department
- ☒ County Housing Agency
- ☐ County Economic Development
- ☒ County Water Department
- ☐ County Civil Defense
- ☒ County Transportation Agency
- ☐ KHPRC
- ☐ U.S. Postal Department
- ☐ UH Sea Grant
- ☐ Other:

NOV 24 '23 PM12:42
PLANNING DEPT

FOR YOUR COMMENTS (pertaining to your department)

11/21/2023

CTA HAS NO FURTHER COMMENT ON THIS PROJECT.

MAHALO!

This matter is scheduled for a public hearing before the County of Kauai Planning Commission on at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, at 9:00 am or soon thereafter. If we do not receive your agency comments within one (1) month from the date of this request, we will assume that there are no objections to this permit request. Mahalo!



McCORRISTON MILLER MUKAI MACKINNON LLP
ATTORNEYS AT LAW

Laurel Loo, Partner
ll@m4law.com

December 5, 2023

Ka'aina Hull, Director
Kauai County Planning Director
Via e-mail: KHull@Kauai.gov

Re: Kauanoë O Koloa
P.D. U-2006-25, Use Permit U-2006-26,
Class IV Zoning Permit Z-IV-2006-27
5425 Pau a Laka LLC
Tax Map Key 2-8-014:032

Dear Mr. Hull:

As you know, this firm represents Meridian Pacific, developer of the above-referenced project.

Enclosed for Planning Commission approval is the master drainage plan as referenced in Condition 26 of the applicable zoning permits. Please schedule agenda time on the next available commission meeting.

Sincerely yours,
McCorriston Miller Mukai MacKinnon

Laurel Loo

Enclosure

LL; vct

H.1.
Dec 12, 2023

**

**

Page 2

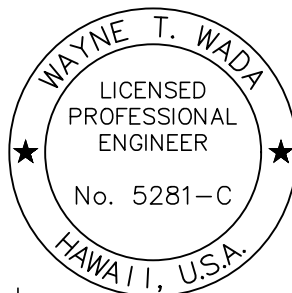
FINAL
MASTER DRAINAGE PLAN FOR LANDS MAUKA OF
PO`IPŪ ROAD REZONED UNDER MOANA CORPORATION
ORDINANCE NO. PM-31-79

FOR
Use Permit P.D. U-2006-25
Use Permit U-2006-26
Class IV Zoning Permit Z-IV-2006-27
Kōloa, Kaua`i, Hawai`i

Prepared for:
5425 Pau A Laka LLC
PO Box 459
Kōloa, HI 96756

Prepared by:
Esaki Surveying and Mapping, Inc.
1610 Haleukana Street
Līhu`e, Kaua`i, Hawai`i 96766

December 5, 2023



Wayne T. Wada
This work was prepared by
me or under my supervision
Expires: April 30, 2024

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Figure 2 – Zoning Map

Figure 3 – Po`ipū Beach Estates

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Figure 6A – Kauanoē O Kōloa (Lower Half)

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Figure 7A – Wainani at Po`ipū

Figure 7B – Wainani at Po`ipū (Detention Basin)

Figure 8 – Knudsen 50 Lot Subdivision

Figure 9 – Drainage Basin Area Map

APPENDIX

Appendix A – Petition Documents

- Moana Corporation Ordinance No. PM-31-79
- Use Permit P.D. U-2006-25, Use Permit U-2006-26,
Class IV Zoning Permit Z-IV-2006-27

Appendix B – Tax Map Keys

Appendix C – Runoff Calculations

Appendix C.1 – Runoff Curve Number (CN) Supporting Data

Appendix C.2 – Time of Concentration Calculations

Appendix C.3 – 2 Year Rainfall Intensity Map to Support Time of Concentration

Appendix C.4 – 100 Year Rainfall Map to Support Runoff Calculations

Appendix C.5 – Soils Map

Appendix D - Other Reports

- Final Environmental Impact Statement Village at Po`ipū
- Kāneiolouma Heiau Complex Master Plan

SECTION 1 - INTRODUCTION

1.1 Purpose of Report

This Master Drainage Plan ("Report") is being prepared under the guidance of the Department of Public Works, County of Kauai, Storm Water Runoff System Manual, July 2001. The purpose of this Report is to address Condition Number 26 of Project Development Use Permit P.D. U-2006-25, Use Permit U-2006-26, Class IV Zoning Permit Z-IV-2006-27. The condition states:

26. Prior to building permit approval, the Applicant shall submit a master drainage plan for all lands mauka of Po'ipū Road rezoned under Moana Corporation Ordinance No. PM-31-79 for Planning Commission review and approval, including Kaneioulouma Heiau.

See Appendix A for Moana Corporation Ordinance No. PM-31-79 and Project Development Use Permit P.D. U-2006-25, Use Permit U-2006-26, and Class IV Zoning Permit Z-IV-2006-27.

The Applicant's civil engineer, Esaki Surveying & Mapping Inc., ("Esaki's") has reviewed drainage reports prepared for projects within the petition area, with the exception of [Knudsen 50-lots].

Esaki's was the civil engineer for four of the six projects within the petition area: Po'ipū Beach Estates, Royal Palms at Po'ipū, Wainani at Po'ipū, and this project, Kauanoe O Kōloa, and therefore has familiarity with and access to these drainage reports. Esaki's was not the civil engineer for Pili Mai at Po'ipū, the project adjacent to Kauanoe O Kōloa, but has access to Pili Mai at Po'ipū's drainage plan and has reviewed it. The only project which Esaki's does not have a drainage plan for is the 50-lot subdivision, Village at Po'ipū, located east of Kiahuna Plantation Drive, which has already been constructed. Esaki's has made attempts to contact the prior civil engineer for this subdivision, but those files are no longer available; nevertheless, Esaki's has access to certain drawings which show a large detention basin serving that project.

Po'ipū Beach Estates is located southwest of Kauanoe O Kōloa and consists of 106 lots designed for single-family residential homes and three lots for an archaeological preserve. The project includes two detention basins.

Proposed Royal Palms at Po'ipū development is located next to Po'ipū Beach Estates and south of Kauanoe O Kōloa. The design consists of nine buildings that operate as resorts and one unit as an archaeological preserve.

Wainani at Po'ipū is located northwest and adjacent to Kauanoe and consists of 70 house lots and two landscape lots. The project includes one detention basin.

Pili Mai at Po'ipū is immediately south of Kauanoe O Kōloa and consists of 15 multi-family buildings containing a total of 180 condominium units. The project includes several detention basins.

Knudsen Trust's 50-lot subdivision, Village at Po'ipū is partially constructed, in litigation, and includes one detention basin.

Kauanoë O Kōloa is located on the west and south side of Kiahuna Plantation Drive and will contain 279 multi-family condominium units. The project includes several proposed detention basins.

1.2 Location of Project

The Petition area is located mauka of Po'ipū Road. The Petition area is shown on Figure 1.

1.3 Zoning Map

The County of Kaua'i Zoning Map is shown in Figure 2 which was used to prepare this Report.

SECTION 2 - PROJECTS WEST OF KIAHUNA PLANTATION DRIVE

For the Petition areas west of Kiahuna Plantation Drive most of the lots have been developed and constructed or are under construction. These projects include the following:

- Po`ipū Beach Estates
- Royal Palms at Po`ipū
- Pili Mai at Po`ipū
- Kauanoe O Kōloa
- Wainani at Po`ipū
- Kiahuna Golf Village
- Po`ipū Golf Course (Kiahuna Players, LLC.)

The developed and constructed projects have incorporated bioswales, detention basins as well as networks of drain inlets, manholes, headwalls and drain pipes for their drainage systems. The drainage systems were designed to keep the amount of runoff to pre developed rates. Drainage Reports for Po`ipū Beach Estates, Pili Mai at Po`ipū, Kauanoe o Kōloa, Wainani at Po`ipū, Kiahuna Golf Village and Po`ipū Golf Course have been completed and approved by the County of Kaua`i Department of Public Works ("County").

2.1 Po`ipū Beach Estates

Project Location – The project is located mauka of Po`ipū Road as shown on Figure 1.

Description of Project – Approximately 69 Acres - The developed site consists of one hundred ten (110) lots. One (1) roadway lot designed for six (6) interconnecting roadways. One hundred six (106) lots are designed for single family residential homes. Three (3) lots for archaeological preserve. Onsite improvements include underground water, sewer, gas, and drainage utilities and structures.

Zoning – The property is zoned R-4/Open.

Project Status – Construction completed in 2007.

Engineer – Esaki Surveying and Mapping, Inc.

Runoff – Pre Developed runoff 121.00 cfs for 2-year storm and 414.25 cfs for a 100-year storm. Developed runoff 145.00 cfs for 2-year storm and 435.58 cfs for a 100-year storm. With the detention basins, the flow reduces to 118.44 cfs for 2-year storm and 348.83 cfs for a 100-year storm.

Detention Basins – Project includes two detention basins. (See Figure 3)

2.2 Royal Palms at Po`ipū

Project Location – The project is located mauka of Po`ipū Road on the west side of Kiahuna Plantation Drive as shown on Figure 1.

Description of Project – Approximately 22 Acres - Proposed Nine (9) buildings to operate as resort units or condominium units with driveways and parking stalls. One (1) Pool and spa with maintenance and pump house. One (1) archaeological preserve at the north end of the project.

Zoning – The property is zoned R-10.

Project Status – Construction Drawings have been started and reviewed by the County agencies, but the project has since been put on hold.

Engineer – Esaki Surveying and Mapping, Inc.

Runoff – Pre Developed runoff 457.59 cfs for 2-year storm and 1,468.24 cfs for a 100-year storm. Proposed developed runoff 462.47 cfs for 2-year storm and 1,477.38 cfs for a 100-year storm. With the proposed retention basins, the flow reduces to 388.26 cfs for 2-year storm and 1,253.14 cfs for a 100-year storm.

Retention Basins – Project includes proposed sub-surface retention basins. (See Figure 4)

Proposed changes to the composition or layout of the proposed development may result in changes to the drainage information included in the master drainage plan.

2.3 Pili Mai at Po`ipū

Project Location – The project is located on the west side of Kiahuna Plantation Drive north of the entrance to the Kiahuna Golf Club House as shown on Figure 1.

Description of Project – Approximately 19 Acres - The site is composed of three (3) main roads with a driveway leading to fifteen (15) multi-family buildings and recreation center. The buildings contain one hundred eighty (180) multi-family condo units. Other onsite improvements include underground water, sewer, and drainage utilities and structures.

Zoning – The property is zoned R-10.

Project Status – Construction completed in 2019.

Engineer – R. M. Towill Corporation.

Runoff – Pre Developed runoff 42.32 cfs for 2-year storm and 143.30 cfs for a 100-year storm. With the detention basins, the flow reduces to 39.46 cfs for 2-year storm and 142.04 cfs for a 100-year storm.

Detention Basins – Project includes several detention basins. (See Figure 5)

2.4 Kauanoë O Kōloa

Project Location – The project is located on the west and south side of Kiahuna Plantation Drive as shown on Figure 1.

Description of Project – Approximately 28 Acres - The development will contain two hundred seventy nine (279) multi-family condo units, two (2) recreational areas, a clubhouse, and other amenities to serve the project. One proposed driveway to the east of the project and one driveway to the north of the project to provide access to Kiahuna Plantation Drive. Parking stalls and sidewalks to provide access to the buildings.

Zoning – The property is zoned R-10.

Project Status – Construction in progress.

Engineer – Esaki Surveying and Mapping, Inc.

Runoff – Pre Developed runoff 355.66 cfs for 2-year storm and 1,182.04 cfs for a 100-year storm. With the proposed detention basins, the flow reduces to 347.35 cfs for 2-year storm and 1,140.50 cfs for a 100-year storm.

Detention Basins – Project includes several proposed detention basins. (See Figure 6A and 6B)

2.5 Wainani at Po'ipū

Project Location – The project is located on the end of Kiahuna Plantation Drive as shown on Figure 1.

Description of Project – Approximately 17 Acres - The developed subdivision consists of seventy (70) house lots, two (2) landscape lots, and one (1) roadway lot. Onsite improvements include underground water, sewer, gas, and drainage utilities and structures.

Zoning – The property is zoned R-6.

Project Status – Construction completed in 2019.

Engineer – Esaki Surveying and Mapping, Inc.

Runoff – Pre Developed runoff 59.77 cfs for 2-year storm and 158.66 cfs for a 100-year storm. With the detention basin, the flow reduces to 53.99 cfs for 2-year storm event. A spillway for the detention basin was designed to accommodate a 100-year storm.

The 100-year roadway capacity indicates that the subdivision will be able to sustain the runoff. Street flooding for major storm runoff allows a minimum of 1 foot freeboard between the water surface elevation and the finish floor. The maximum capacity is shown to be greater than the calculated runoff. The roadway will be able to sustain the runoff from a 100-year storm.

Detention Basin – Project includes one detention basin. (See Figure 7A and 7B)

2.6 Kiahuna Golf Village

Project Location – The project is located west of Kiahuna Plantation Drive in the middle of Kiahuna Golf Course as shown on Figure 1.

Description of Project – Approximately 30 Acres - The developed subdivision consists of ninety (90) house lots. Onsite improvements include underground water, sewer, and drainage utilities and structures.

Zoning – The property is zoned R-4.

Project Status – Construction completed in 1980.

Engineer – Not verified.

Runoff – No data discovered.

Detention Basins – Non visible. Project includes bioswales, water features and sand traps as detention basins. This project has been 100% built out implying the project received County approval of the Drainage Report and its analysis. The Drainage Report for this project was requested from the County. However, due to natural disasters and/or flooding that occurred after 1980, County was unable to retrieve Drainage Report for this project.

2.7 Po`ipū Golf Course (Kiahuna Players, LLC.)

Project Location – The project is located west of Kiahuna Plantation Drive in the middle of the Petition area as shown on Figure 1

Zoning – The property is zoned Open.

Project Status – Construction is complete.

Engineer – Not Verified

Runoff – Property is zoned Open. There was no change in zoning therefore runoff remains the same.

Detention Basins – Project includes water features and sand traps which could be used as detention basins.

SECTION 3 PROJECTS EAST OF KIAHUNA PLANTATION DRIVE

This area includes the Petition area east of Kiahuna Plantation Drive. All the Lots/Parcels in this area are either owned or have an interest by Eric A Knudsen Trust. A centralized detention basin serving this area could be proposed, however for this Master Plan, an analysis of each Lot/Parcel was separately prepared. See Appendix C (C.1 to C.4) for the Runoff Calculations.

3.1 (CN) Tax Map Key (4) 2-8-14: 26

Parcel 26 encompasses 3.815 acres.

Zoning for this parcel was changed from Agriculture District to Commercial District (Neighborhood).

Brush (Good Condition) [CN=73] was used for the Pre-developed Condition ground cover type. Urban (Commercial and Business) [CN=95] was used for the Developed Condition ground cover type.

Time of Concentration (Pre-developed Condition) was calculated to be 0.45 hour and based on contours found on County of Kauai Photocontour maps. Minimum Time of Concentration of 0.10 hour was used for the Developed Condition.

Runoff (Pre-developed Condition) was calculated to be 9.70 inches, and 12.69 inches for the Developed Condition. Volumetric increase in runoff (1,533.59 cubic yards) was calculated by using the increase in runoff and parcel area.

1,534 cubic yards is the estimated minimum required retention basin storage.

Peak runoff for the Pre-developed Condition is 4 cfs for the 2-year storm and 17 cfs for the 100-year storm. Peak runoff for the Developed Condition (without mitigative measures) is 13 cfs for the 2-year storm and 38 cfs for the 100-year storm.

3.2 (R-6) Tax Map Key (4) 2-8-14: por. 19

Zoning for portion of parcel 19 (1.10 acres) was changed from Agriculture District to Residential District (R-6).

Brush (Good Condition) [CN=73] was used for the Pre-developed Condition ground cover type. Runoff Curve Number [CN=89] between Residential (1/4 Acre) and Residential (1/8 Acre) was used for the Developed Condition ground cover type.

Time of Concentration (Pre-developed Condition) was calculated to be 0.37 hour and based on contours found on County of Kaua'i Photocontour maps. Minimum Time of Concentration of 0.10 hour was used for the Developed Condition.

Runoff (Pre-developed Condition) was calculated to be 9.70 inches, and 11.92 inches for the Developed Condition. Volumetric increase in runoff (328.31 cubic yards) was calculated by using the increase in runoff and parcel area.

329 cubic yards is the estimated minimum required retention basin storage.

Peak runoff for the Pre-developed Condition is 1 cfs for the 2-year storm and 5 cfs for the 100-year storm. Peak runoff for the Developed Condition (without mitigative measures) is 3 cfs for the 2-year storm and 10 cfs for the 100-year storm. Storm runoff from this parcel will eventually reach Kāneioulouma Heiau.

3.3 (R-20) Tax Map Key (4) 2-8-14: 30

Parcel 30 encompasses 9.000 acres.

Zoning for this parcel was changed from Agriculture District to Residential District (R-20).

Brush (Good Condition) [CN=73] was used for the Pre-developed Condition ground cover type. Urban (Commercial and Business) [CN=95] was used for the Developed Condition ground cover type.

Time of Concentration (Pre-developed Condition) was calculated to be 0.44 hour and based on contours found on County of Kauai Photocontour maps. Minimum Time of Concentration of 0.10 hour was used for the Developed Condition.

Runoff (Pre-developed Condition) was calculated to be 9.70 inches, and 12.69 inches for the Developed Condition. Volumetric increase in runoff (3,089.28 cubic yards) was calculated by using the increase in runoff and parcel area.

3,090 cubic yards is the estimated minimum required retention basin storage.

Peak runoff for the Pre-developed Condition is 9 cfs for the 2-year storm and 41 cfs for the 100-year storm. Peak runoff for the Developed Condition (without mitigative measures) is 31 cfs for the 2-year storm and 90 cfs for the 100-year storm.

3.4 (R-10) Tax Map Key (4) 2-8-14: por. 19

Zoning for portion of parcel 19 (11.80 acres) was changed from Agriculture District to Residential District (R-10).

Brush (Good Condition) [CN=73] was used for the Pre-developed Condition ground cover type. Urban (Industrial) [CN=93] was used for the Developed Condition ground cover type.

Time of Concentration (Pre-developed Condition) was calculated to be 0.33 hour and based on contours found on County of Kauaʻi Photocontour maps. Minimum Time of Concentration of 0.10 hour was used for the Developed Condition.

Runoff (Pre-developed Condition) was calculated to be 9.70 inches, and 12.44 inches for the Developed Condition. Volumetric increase in runoff (4,346.86 cubic yards) was calculated by using the increase in runoff and parcel area.

4,347 cubic yards is the estimated minimum required retention basin storage.

Peak runoff for the Pre-developed Condition is 13 cfs for the 2-year storm and 60 cfs for the 100-year storm. Peak runoff for the Developed Condition (without mitigative measures) is 39 cfs for the 2-year storm and 116 cfs for the 100-year storm. Storm runoff from this parcel will eventually reach Kāneiolouma Heiau.

3.5 Knudsen 50 Lot Subdivision (inclusive of lands within Tax Map Key: (4)2-8-14: 19

Project Location – The project is located on the mauka side of Poʻipū Road north of the Poʻipū Beach Athletic Club as shown on Figure 1.

Description of Project – The Phase 1 developed subdivision consists of fifty (50) house lots. Onsite improvements include underground water, sewer, and drainage utilities and structures.

Zoning – The property is zoned R-6.

Project Status – This project was the first phase of the Village at Poʻipū development. Construction is ongoing. Site infrastructure is complete, except the access road.

Engineer – Kodani and Associates/Lyon and Associates

Runoff – On file with the County of Kauaʻi, Department of Public Works. The Drainage Study Report could not be obtained from various sources. We believe the detention basin was designed and approved by the County of Kauai to maintain the predeveloped runoff.

Detention Basins – Project includes one detention basin. (See Figure 8)

3.6 (Open) Tax Map Key (4) 2-8-14: por. 19

Project Location – The project is located on the east side of Kiahuna Plantation Drive as shown on Figure 1.

Zoning – The property is zoned Open.

Project Status – Vacant Lot.

Engineer – None.

Runoff – Property is zoned Open. There was no change in zoning therefore runoff remains the same.

Detention Basins – This area could be used as a centralized park/detention basin/silt basin combination to mitigate the increase in runoff from the other zoned properties within the petition area east of Kiahuna Plantation Drive.

SECTION 4 - KĀNEIOLOUMA HEIAU

Kāneiolouma Heiau is located on TMK (4) 2-8-17: parcels 13, 14, and 24. It is Southeast of the Po'ipū Road and Ho'owili Road intersection. The area is zoned Open.

Runoff from the area North of Po'ipū Road is directed to a culvert before crossing under Po'ipū Road. Drainage Basin A as shown in Figure 9 indicates the location of the culvert.

Potential development within Drainage Basin A (mostly on TMK (4) 2-8-14: 19) that would directly impact the Kāneiolouma Heiau should follow the requirements of the County of Kaua'i Storm Water Runoff System Manual. These requirements would include installation of one or more detention basins to ensure that the post-development flows are less than or equal to pre-development flows and to prevent excess runoff from flowing into Kāneiolouma Heiau. Drainage improvements may also include the construction of bioswales and/or a proposed park (green space) which could serve as a detention basin for this area.

The master plan for Kāneiolouma Heiau prepared in 2012 includes the following statement about drainage: "Water draining from mauka subdivision into the park is contributing to flooding problem in the Preserve." This statement likely refers to the Weliweli Houselots subdivision, which was constructed by the State of Hawai'i in approximately 1970 and has no detention basins. One option to mitigate runoff from Weliweli Houselots subdivision is to expand the detention basin(s) that would need to be constructed as part of development on TMK (4) 2-8-14: 19. Furthermore, these proposed drainage improvements could also serve as a silt/filtration basin if the owner chooses to incorporate this feature into the design. However, the final design of the detention basin is subject to County review and approval before any development in this area can commence.

SECTION 5 – SUMMARY

5425 Pau A Laka LLC is proposing to develop an approximate 27-acre parcel of land. The “Project”, Kauanoe o Kōloa, will contain 279 multi-family condo units, 2 recreational areas, a clubhouse, and other amenities to serve the Project. Currently the land is under construction, with Phase 1A infrastructure commencing. The Detention Basin Analysis specific to this Project site has been accepted and approved by the County.

This Report has been prepared to address a zoning condition contained in Project Development Use Permit P.D. U-2006-25, Use Permit U-2006-26, and Class IV Zoning Permit Z-IV-2006-27 which pertains to this 27-acre parcel and other lands, not owned by 5425 Pau A Laka LLC. 5425 Pau A Laka LLC has chosen to complete the requirement to prepare this Master Drainage Plan. This Report has been prepared under the guidance of the Department of Public Works, County of Kauaʻi, Storm Water Runoff System Manual, July 2001. The Report has analyzed the Petition area and summarizes the mitigative measures already completed or measures that should be implemented to comply with the County of Kauaʻi Storm Water Runoff System Manual.

This Report evaluated the existing drainage conditions and the existing and proposed drainage facilities within the Petition area. An evaluation of the proposed drainage conditions was also performed to determine the impact of changes in the drainage conditions within the Petition area to provide a drainage Master Plan for the proposed full build-out of the Petition area. The existing and proposed detention/retention features are built and designed to detain proposed development runoff to the existing and pre-development flow rates for both a 2-year, 24-hour storm event and a 100-year, 24-hour storm event. The existing and proposed drainage systems for the Petition area will be mitigated to handle the increase in storm runoff to match the existing and proposed drainage conditions. Therefore, there would be no adverse impact to areas downward or outside of the Petition area, specifically no adverse impact to Kāneiolouma Heiau, which is contained outside of the Petition area.

SECTION 6 - REFERENCES

1. U.S Department of Agriculture, Soil Conservation Service, Erosion and Sediment Control, March 1981.
2. U.S. Department of Agriculture, Soil Conservation Service, Soil Survey of Islands of Kaua`i, O`ahu, Maui, Moloka`i and Lāna`i, State of Hawai`i, August 1972.
3. Department of Public Works, County of Kaua`i, Storm Water Runoff System Manual, July 2001.
4. National Flood Insurance Program, Kaua`i County, Hawaii, Flood Insurance Rate Map 1500020314F, November 26, 2010,
<https://msc.fema.gov/portal/viewProduct?productID=1500020314F>.
5. U.S. Department of Commerce, National Weather Bureau, Rainfall-Frequency Atlas of the Hawaiian Islands, Washington D.C., 1962.
6. Detention Basin Analysis Kiahuna Makai Subdivision, prepared by Esaki Surveying & Mapping, Inc., August 2006.
7. Drainage System Analysis The Royal Palms At Po`ipū Beach, prepared by Esaki Surveying & Mapping, Inc., October 2006.
8. Drainage Study Pili Mai At Po`ipū, prepared by R.M. Towill Corporation, August 1, 2007.
9. Detention Basin Analysis Ka Ua Noe O Kōloa Volume 1 of 3, prepared by Esaki Surveying & Mapping, Inc., September 2021.
10. Drainage System Analysis Wainani At Kiahuna, prepared by Esaki Surveying & Mapping, Inc., November 2005.

FIGURES

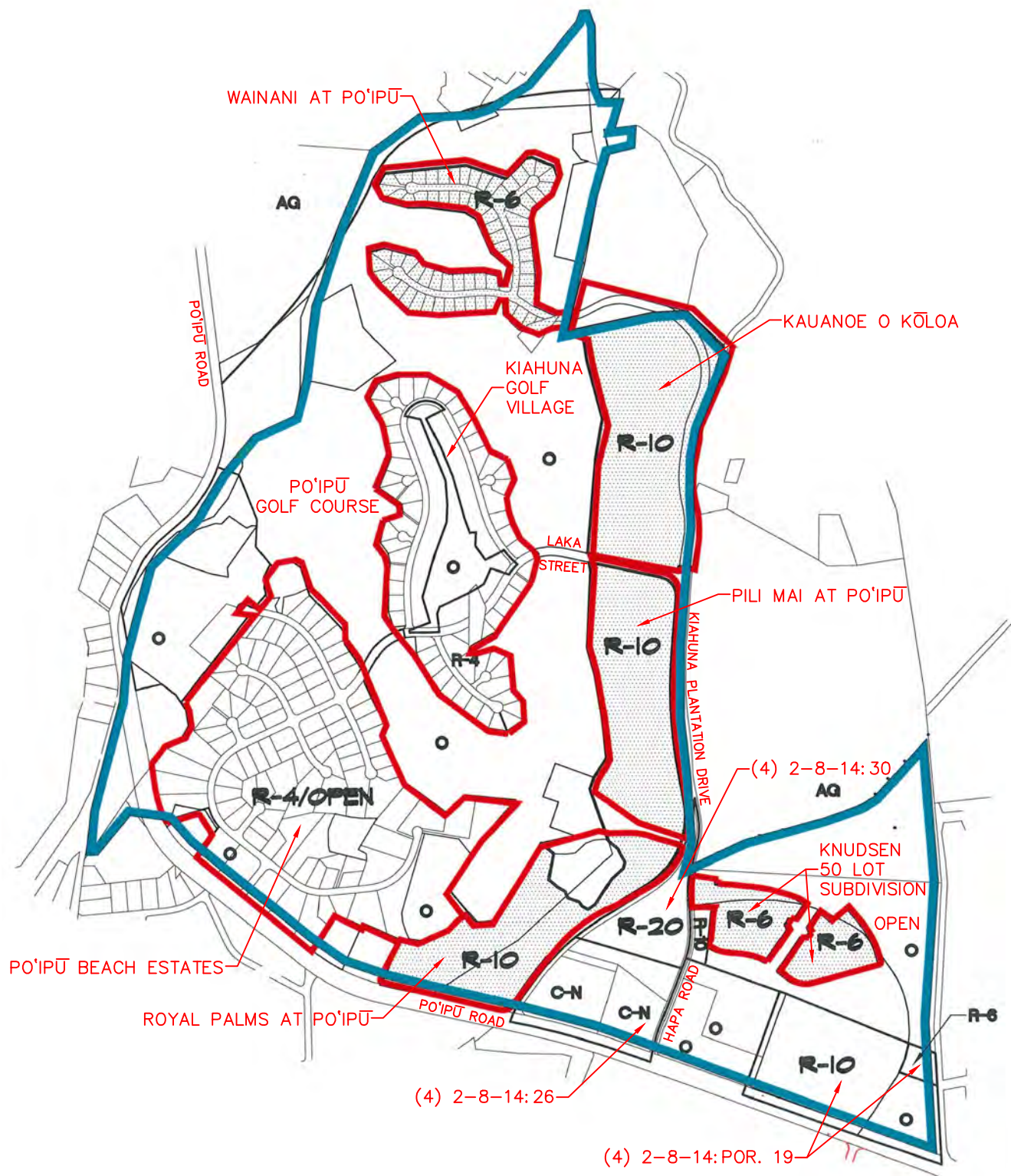
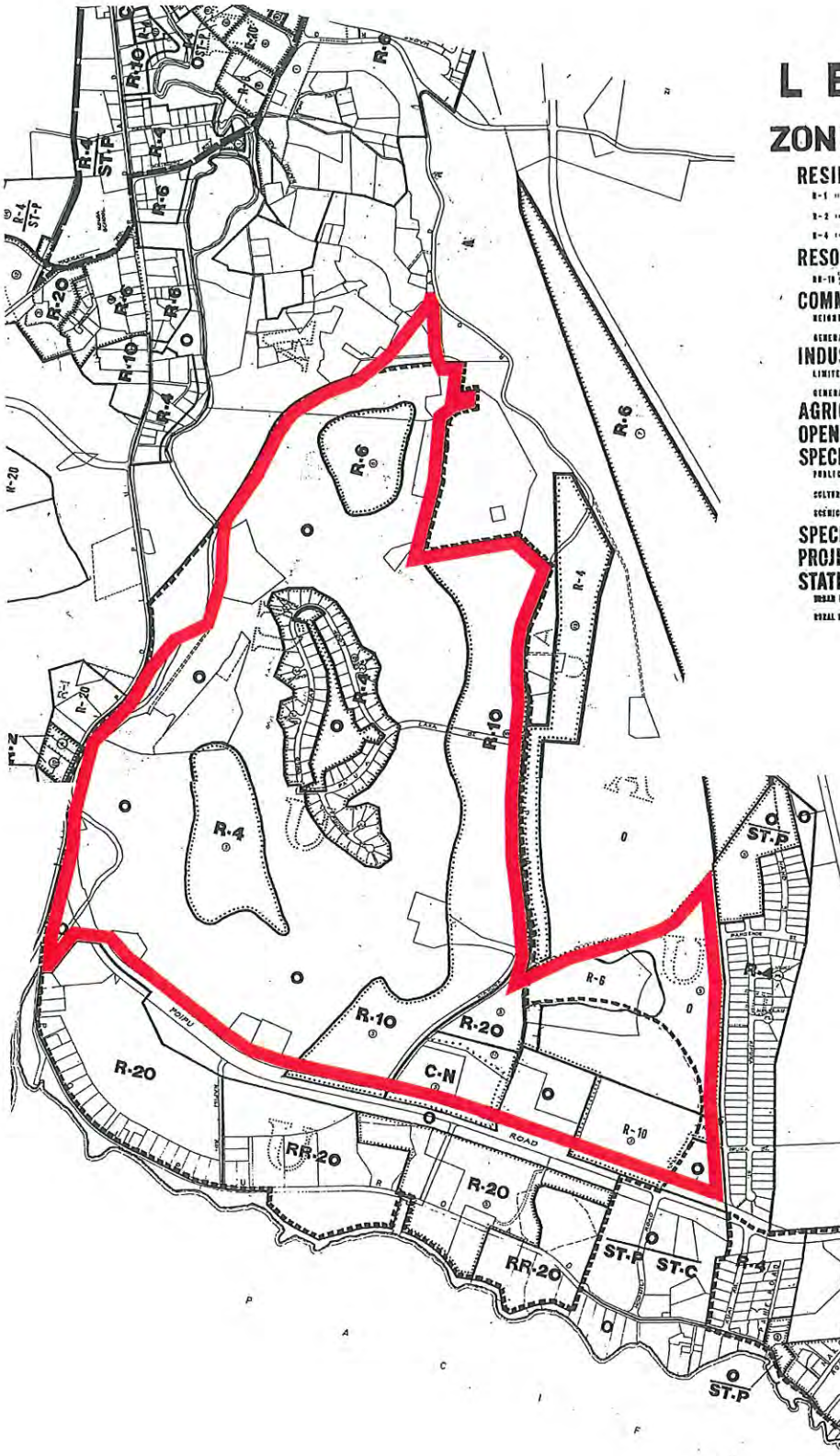


FIGURE 1 - PETITION AREA MAP



LEGEND ZONING DISTRICTS

RESIDENTIAL DISTRICT			
R-1 10 UNITS/ACRE	R-1 10 UNITS/ACRE	R-2 10 UNITS/ACRE	R-4 10 UNITS/ACRE
R-2 10 UNITS/ACRE	R-2 10 UNITS/ACRE	R-10 10 UNITS/ACRE	R-10 10 UNITS/ACRE
R-4 10 UNITS/ACRE	R-4 10 UNITS/ACRE	R-20 10 UNITS/ACRE	R-20 10 UNITS/ACRE
RESORT DISTRICT			
RR-10 10 UNITS/ACRE	RR-10 10 UNITS/ACRE	RR-20 10 UNITS/ACRE	RR-20 10 UNITS/ACRE
COMMERCIAL DISTRICT			
INDUSTRIAL DISTRICT			
AGRICULTURE DISTRICT			
OPEN DISTRICT			
SPECIAL TREATMENT DISTRICT			
SPECIAL PLANNING AREA			
PROJECT DISTRICT			
STATE LAND USE DISTRICTS			
URBAN DISTRICT	U	AGRICULTURE DISTRICT	A
RURAL DISTRICT	R	CONSERVATION DISTRICT	C

MAP SHOWING
KAUAI COUNTY ZONING MAP

POIPU & KOLOA, KAUAI, HAWAII

TMK: (4) 2-8-14

Date: September 11, 2023

FIGURE 2 - ZONING MAP

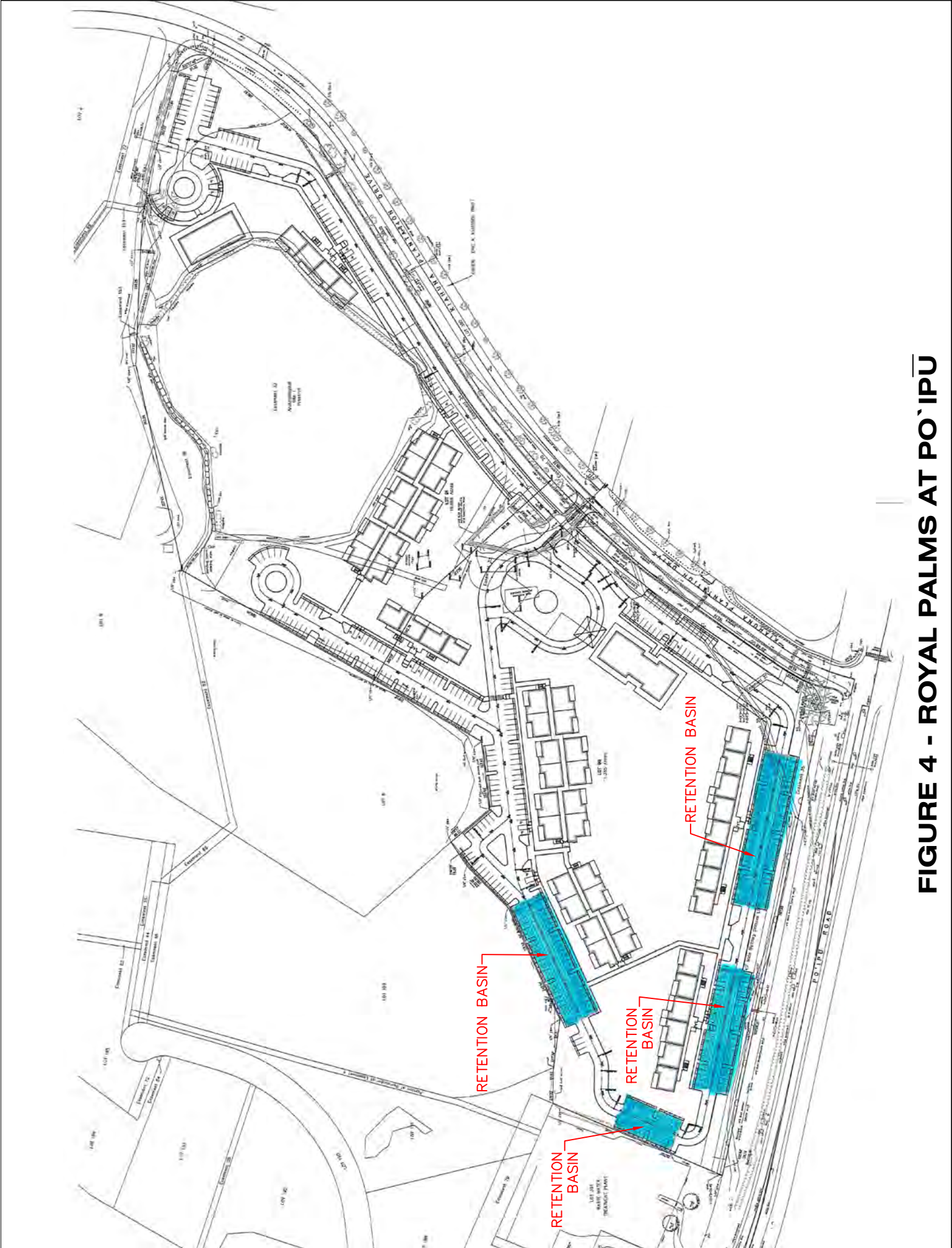


FIGURE 4 - ROYAL PALMS AT PO'IPU

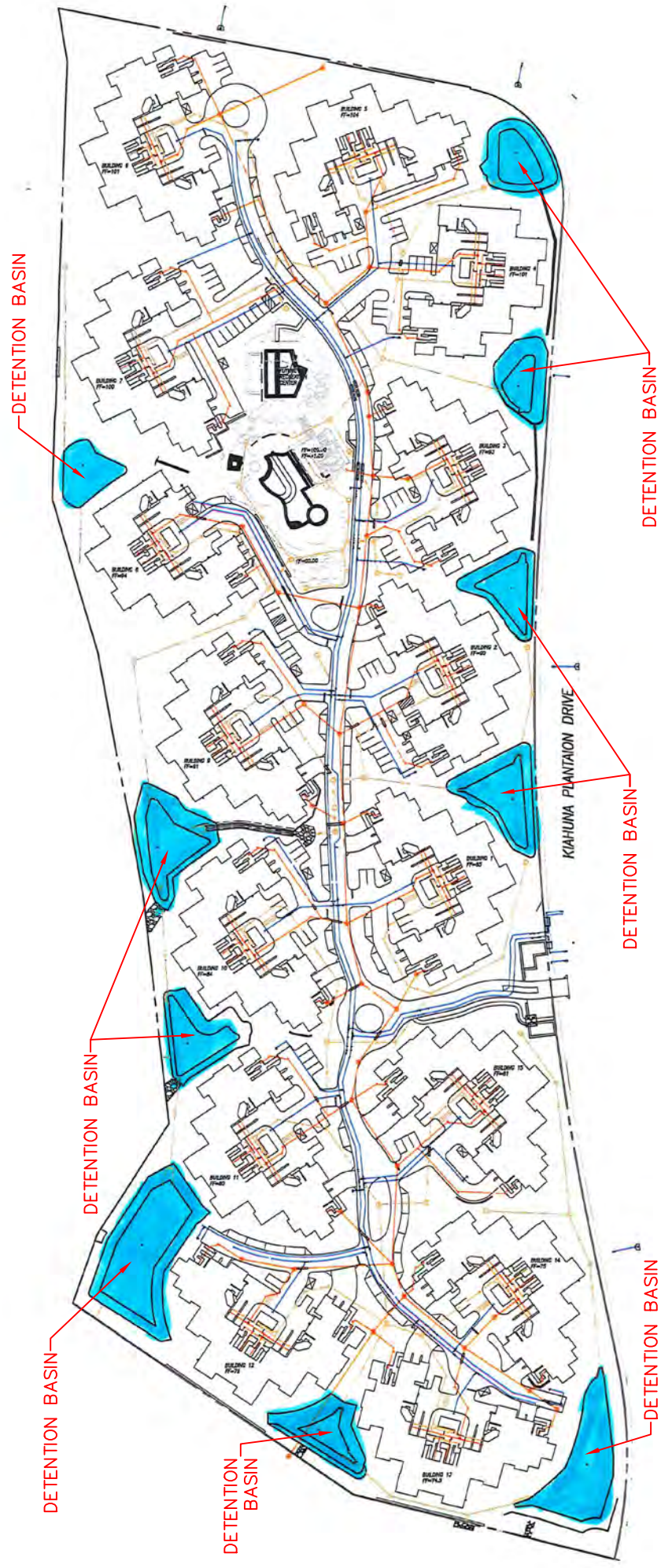


FIGURE 5 - PILI MAI AT PO'IPU

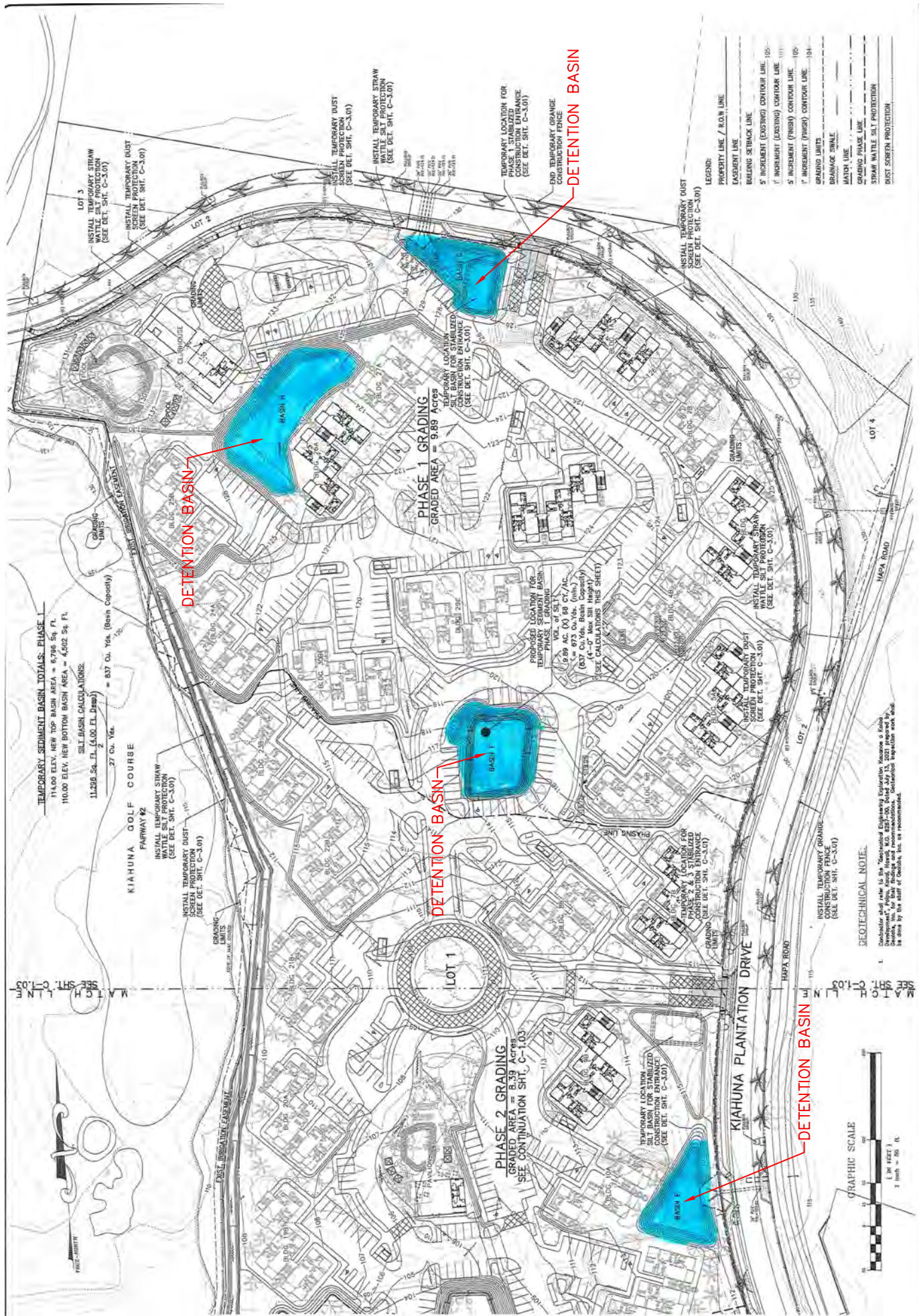


FIGURE 6B - KAUANOE O KŌLOA (UPPER HALF)

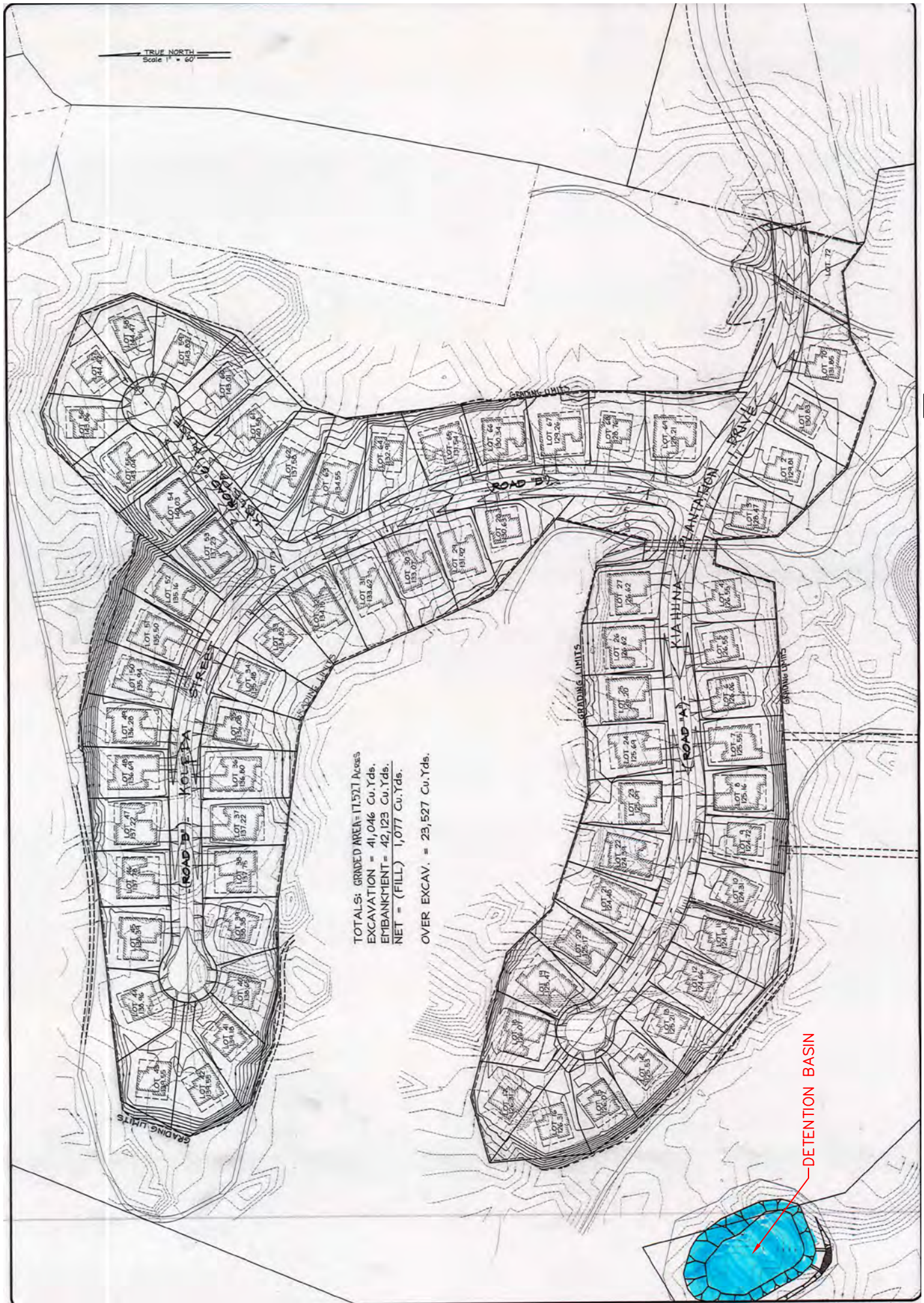
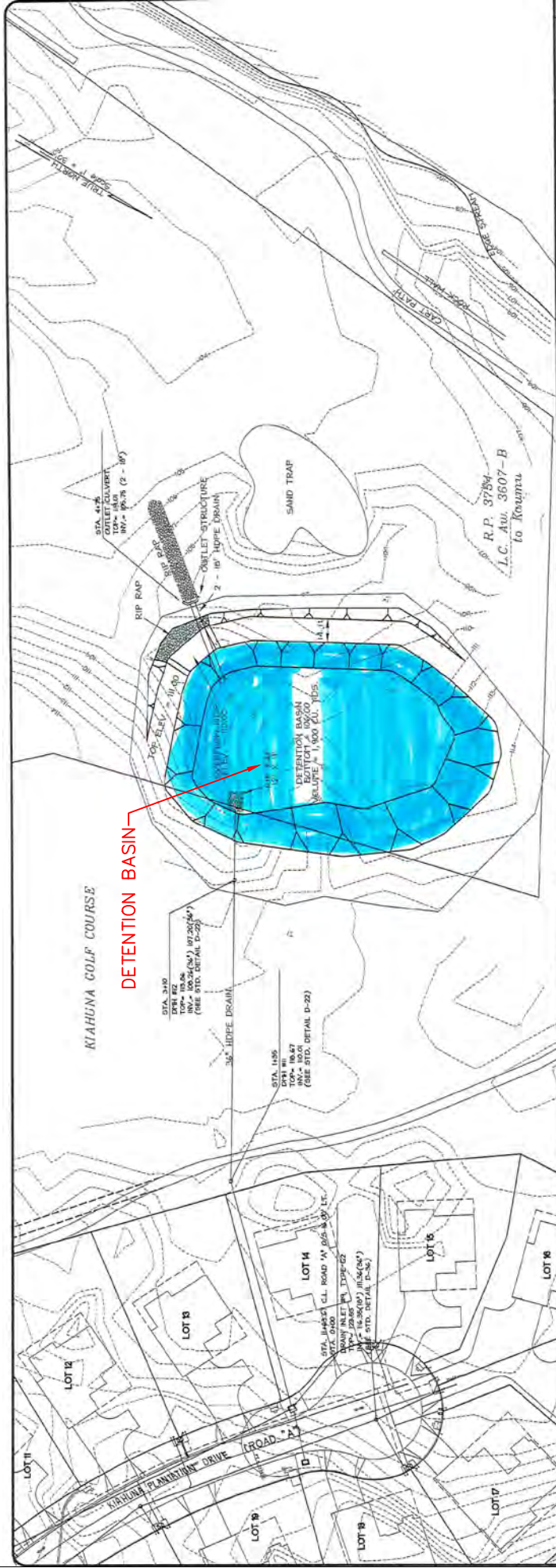


FIGURE 7A - WAINANI AT PO'IPU



HORIZONTAL 1" = 30'
VERTICAL 1" = 6'

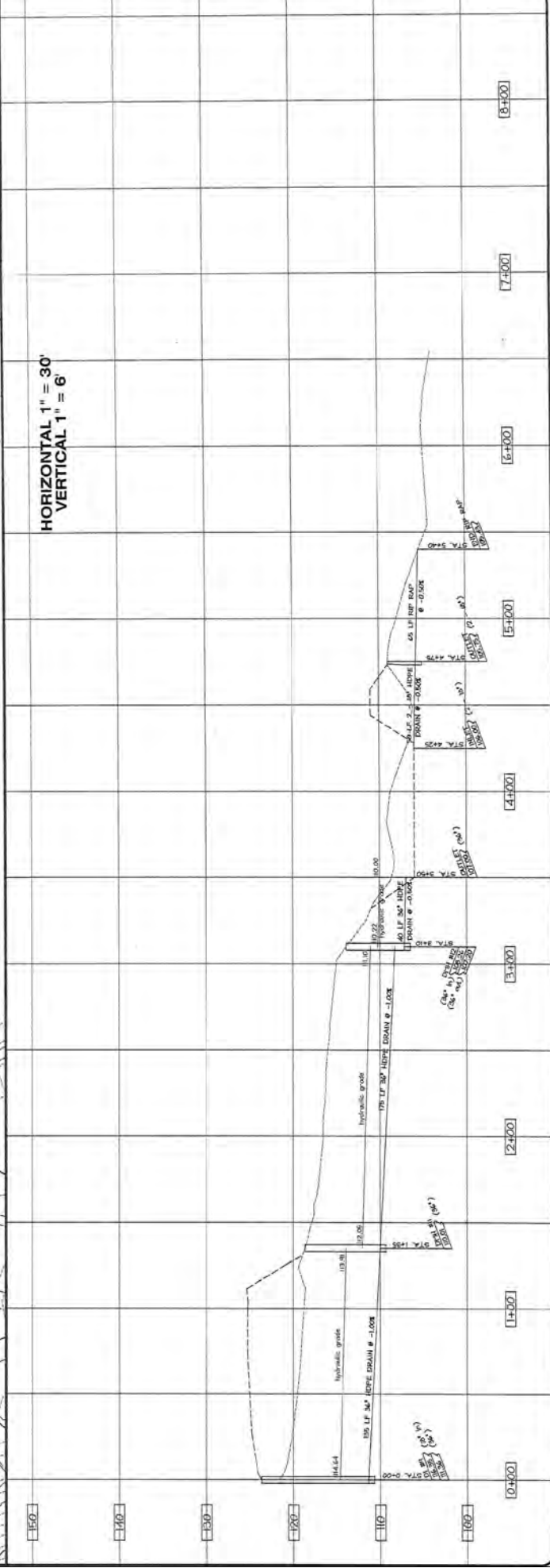


FIGURE 7B - WAINANI AT PO'IPU (DETENTION BASIN)



FIGURE 8 - KNUDSEN 50 LOT SUBDIVISION

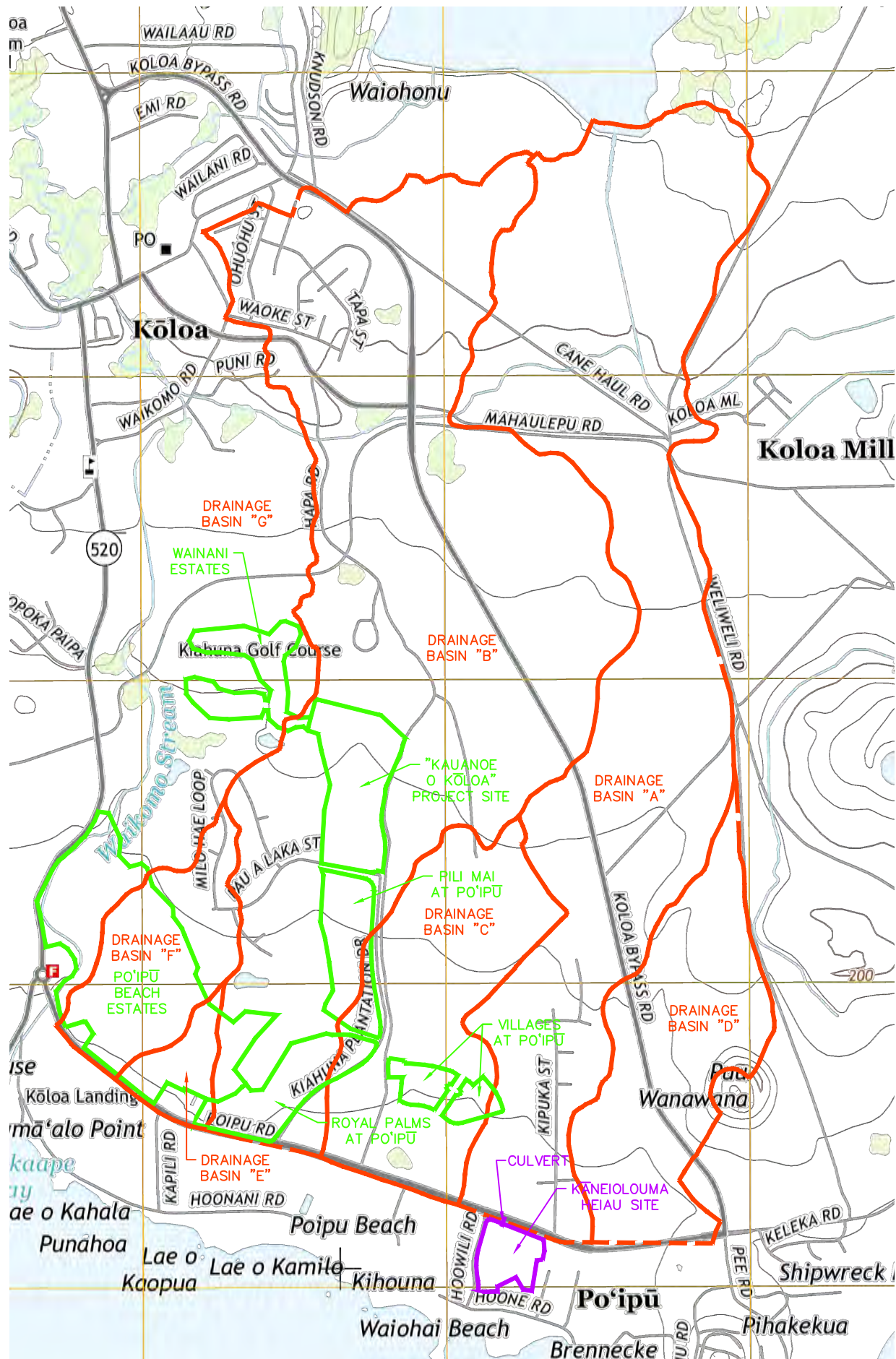


FIGURE 9 - DRAINAGE BASIN AREA MAP

APPENDIX A

PETITION DOCUMENTS

AN ORDINANCE AMENDING ORDINANCE NO. 164
COMPREHENSIVE ZONING ORDINANCE OF THE
COUNTY OF KAUAI
(Moana Corporation)

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII:

SECTION 1. That the Zoning Map ZM-KO & PO 300 is hereby amended by changing the present "Open District (O)" to "Neighborhood Commercial District (C-N) and Residential Districts (R-20), (R-10), (R-6), (R-4)" for TMK: 2-8-14; Por. 1, 5, 6; 2-8-13; Por. 5, Poipu, Koloa, as recommended by the Planning Commission subject to the following conditions:

1. For the purpose of relieving the housing impact which will result from the proposed development, and in lieu of the 140 home sites to be provided by the Applicant, the Applicant will contribute the sum of \$2,000,000 to the County of Kauai to be used for the implementation of a County housing program. The sum will be paid as single family residential lots are sold on the basis of \$10,000 per lot sold in the development, but no later than 5 years from the date construction commences in this development. At the end of 5 years, the balance of the \$2,000,000 shall be due and payable to the County in one lump sum, unless the Applicant is unable to perform due to economic conditions beyond its control, in which event the Applicant shall seek an extension from the Council.

This condition shall be subject to the withdrawal by the Land Use Commission of the State of Hawaii of its conditions numbered 1, 2, 3 and 4, relating to housing and the amending of condition No. 9 relating to performance time to provide housing as contained in its Decision and Order in Docket No. A-76-418, dated July 7, 1977.

The County of Kauai will assist the Applicant in petitioning the Land Use Commission to delete the aforesaid housing conditions from its Decision and Order in the aforesaid Docket No. A-76-418.

2. In order to satisfy the need for employee housing, the Applicant shall make available to employees:

- a) Rental housing at a reasonable cost, which would be based on ability to pay.

Because not all employees will need housing, the Applicant shall establish qualifying criteria to determine what employees are in need of housing and how many units will be needed.

3. The Applicant shall make the recreational and other amenities of the development such as golf course, golf clubhouse, swimming facilities, tennis courts, and theater and cultural center available for public use at reasonable usage fees.

4. That the Applicant dedicate to the County of Kauai approximately 20 acres of land makai of Poipu Beach Road and abutting Poipu Beach Park for expansion of the park.

With respect to this condition, the dedication shall occur as soon as Applicant may reasonably obtain a subdivision of said property, but shall not be required to make the dedication in less than 2 years from the date of zoning approval but not more than 5 years from that date hereof.

The Applicant shall further sign an agreement with the County to this effect; such agreement shall give the County the right to occupy and improve the property if necessary.

5. The Applicant shall preserve:

- a) the five (5) archaeological sites identified in the archaeological and biological report and shall cause no construction or alteration or other land disturbances on said sites except for preservation and restoration of the sites.
- b) the two lava tubes containing the habitat of the eyeless big-eyed hunting spider and protect these from man-made encroachments. Permission to re-survey three (3) other caves that are potential habitats, shall be granted for scientific purposes, before these caves are destroyed.

6. No site identified in the report, "Archaeological and Biological Survey of the Proposed Kiahuna Golf Course Village Area, Koloa, Kona, Kauai Island, Hawaii" shall be graded, grubbed, bulldozed, or in any way destroyed unless in accordance with a plan, mutually agreed upon by the Applicant and the archaeologist that has been prepared whereby the archaeological salvage will be accomplished by means of coordinating any grading, grubbing or similar work by the Applicant with the archaeological salvage.

7. That to whatever extent possible within the confines of union requirements and applicable legal prohibitions against the discrimination in employment the Applicant, as represented, shall hire Kauai contractors as long as they are reasonably competitive with other contractors, and employ residents of Kauai in the temporary construction and permanent hotel related jobs. The Applicant may have to employ non-Kauai residents for particular skilled jobs when no Kauai resident possess such skills. However, the Applicant shall cooperate with, and utilize, whatever government training program may be available so that Kauai residents can be trained to fill such jobs. For the purposes of this condition, the Commission relieves the Applicant of this requirement if he is subjected to anti-competitive restraints on trade or other monopolistic practices.

8. The Applicant shall provide a minimum 6 feet wide public pedestrian access from the commercial area to the beach site. Public restrooms and showers shall also be provided and maintained by the Applicant in the vicinity

of the existing beach right-of-way. The Applicant shall further provide alternative parking plans for additional parking stalls for beach-goers in the vicinity of the Hoone Street cul-de-sac. The public parking area proposed by the commercial area shall be used for back-up parking needs for beach goers.

9. When the final route for the by-pass roadway from Poipu to Koloa is determined, the Applicant shall participate in his pro rata share of the cost of the by-pass road. If the alignment of the roadway traverses over the owner's property, then the portion of property required for the roadway shall be dedicated to the County by the owner. The pro rata share will be established in a manner agreed upon by the Applicant and the Department of Planning and Public Works.

Furthermore, should the by-pass road occur along the East boundary of the project, the owner shall be required to dedicate a 40 feet strip of land abutting Weliweli Subdivision for roadway purposes, and the Applicant shall participate in his pro rata share of the cost of the by-pass road. Until the final by-pass route is determined, no development shall be allowed within this 40 feet strip. Should the by-pass road not occur along the East boundary of the project, the 40 feet strip shall be kept as a buffer zone between the project and the abutting Weliweli Subdivision. The Applicant shall be entitled to use the land area comprising the 40 feet strip in the calculation of the permissible number of lots in the abutting rezoned area.

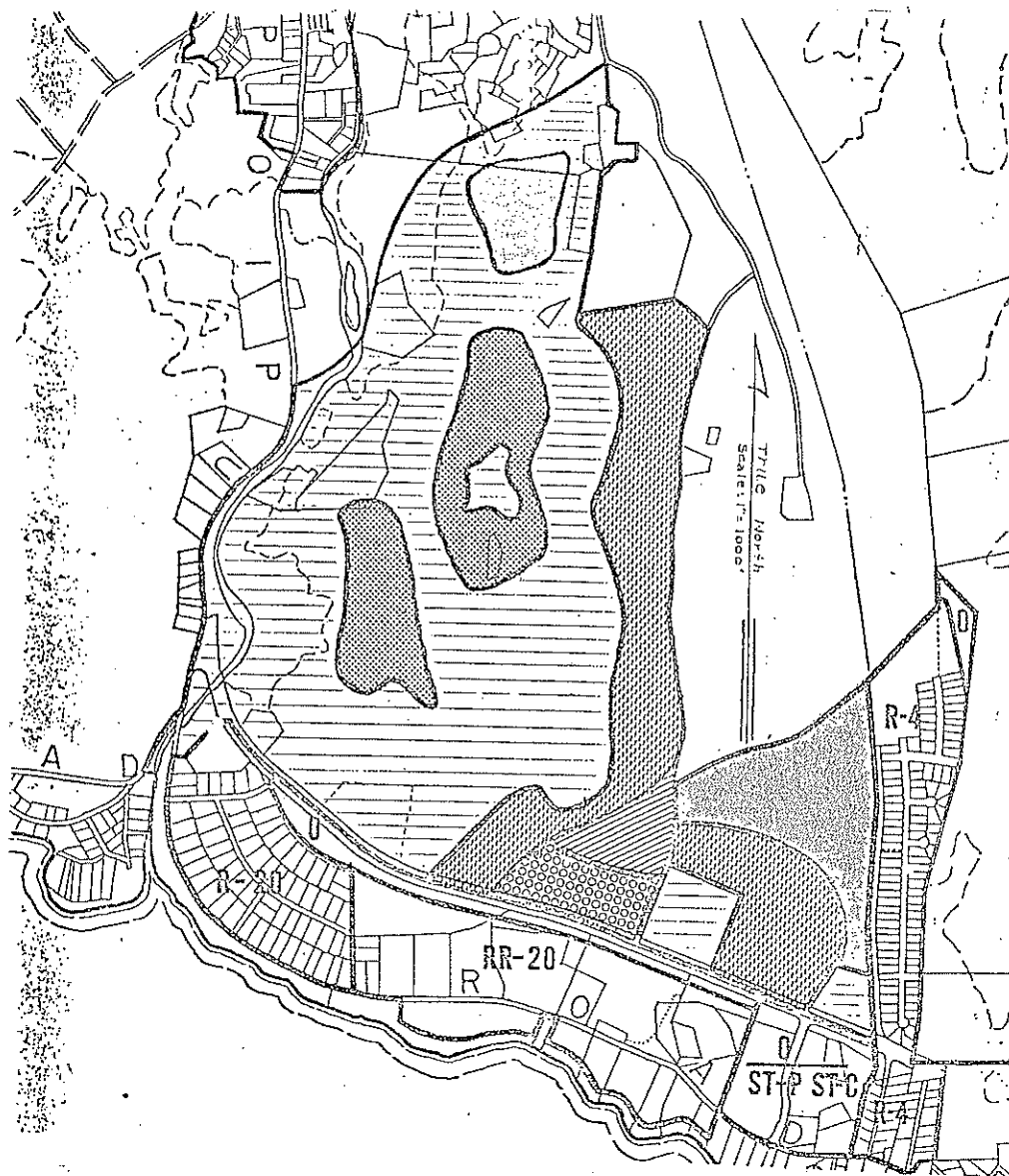
Furthermore, should funds not become immediately available to construct the by-pass road, the Applicant shall work with the Planning and Public Works Departments to consider providing an interim alternate road through the site connecting Poipu to Koloa, to resolve potential traffic congestion that would occur on Poipu Road.

10. All interior roadways shall comply with the County standards. Direct lot access to Poipu Road shall not be permitted. Lot accesses shall be from the interior roads.
11. The drainage diversion channels shall be reviewed and approved by the Public Works Department, and settling basins shall be provided if required.
12. The grading of the subject development shall comply with Grading Ordinance No. 262. The maximum area of land that may be opened for grading or grubbing is 20 acres. Additional area shall not be opened for grading or grubbing until measures to prevent dust or erosion problems in the area already graded or grubbed have been satisfactorily completed.
13. The Applicant shall be required to tie in its efforts in providing sewage facilities for the project with County Planning for sewage facilities, and shall work with the Department of Health and Department of Public Works towards the development of a regional sewage treatment plant.

14. If Applicant is to use water provided by the Department of Water, Applicant shall be required to contribute to the Department of Water its pro rata share of the cost to provide domestic water to the subject parcel.
15. The proposed amphitheatre site shall be kept and reviewed for possible relocation, if necessary, to minimize noise impacts to Weliweli Subdivision. Site location, stage orientation, facility design, landscaped berms, limitations on uses, and other means of reducing noise impacts shall be utilized in the planning of this facility.
16. All access roads shall be provided to within 250 feet to all sections of all building structures and shall not be less than 20 feet wide. Fire extinguishers installed as required by the NFPA 10, Installation of Fire Extinguishers. Fire hydrants complying with water department standards shall be located within 250 feet and not to exceed 500 feet from the protected buildings.
17. A landscaped buffer zone shall be provided along Poipu Road. Open vistas from Poipu Road to the golf course shall be, however, provided to create a feeling of openness along the Poipu Road.
18. The Applicant shall meet with the Planning Department and Public Works Department relative to the future improvements to Hapa Road, and its relationship to the traffic circulation.
19. Prior to the approval of any subdivision or zoning permit, the Applicant shall provide the following:
 - a) Qualifying criteria for employee housing and preferential rates or purchase prices for employees;
 - b) Alternative plans for additional parking areas for beachgoers located in the vicinity of Hoonani Road cul-de-sac;
 - c) Amphitheatre design criteria, use restrictions and alternative site if relocation is necessary.
20. Applicant shall obtain building permits, electrical permits and plumbing permits prior to starting construction of any structures to be erected on the property.
21. Prior to and during any development or construction, all applicable State and County laws, codes, ordinances, rules and regulations be complied with.

SECTION 2. The Planning Commission is directed to note the change on the official Zoning Map ZM-KO & PO 300 on file with the Commission. All applicable provisions of the Comprehensive Zoning Ordinance shall apply to the district as amended.

SECTION 3. This ordinance shall take effect upon its approval.



LEGEND

	Proposed Amendment To Zoning Map From Ag. District To R-4 District
	" " " " " " " " " " R-6 "
	" " " " " " " " " " R-10 "
	" " " " " " " " " " R-20 "
	" " " " " " " " " " C-N "
	Open District

LOCATION SHOWING
 PROPOSED AMENDMENT TO ZONING MAP ZM-KO & PO-30C
 FROM
 OPEN DISTRICT (O) TO R-4, R-6, R-10, R-20, C-N DISTRICTS
 KOLOA, POIPU, KAUAI

ZA-79-5

CERTIFICATE OF THE COUNTY CLERK

I hereby certify that hereto attached is a true and correct copy of Bill No. 585 (Draft 1), As Amended, which was passed on second and final reading by the Council of the County of Kauai at its meeting held on March 20, 1979, by the following vote:

FOR ADOPTION: Baptiste, Hew, Sarita, Tsuchiya,
Yadao, Yotsuda

AGAINST ADOPTION: Yukimura

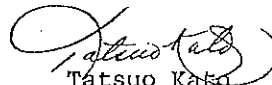
ABSENT & NOT VOTING: None

TOTAL - 6,

TOTAL - 1,

TOTAL - 0.

Dated at Lihue, Kauai, Hawaii,
this 23rd day of
March, A. D. 1979.

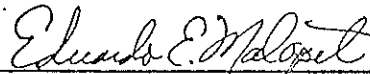


Tatsuo Kato
Deputy County Clerk
County of Kauai

Date of transmittal to the Mayor:

March 23, 1979

Approved this 23rd day of
March, A. D. 1979.



Eduardo E. Malapit
Mayor
County of Kauai

BRYAN J. BAPTISTE
MAYOR



IAN K. COSTA
DIRECTOR OF PLANNING

GARY K. HEU
ADMINISTRATIVE ASSISTANT

MYLES S. HIRONAKA
DEPUTY DIRECTOR OF PLANNING

COUNTY OF KAUA'I
PLANNING DEPARTMENT
4444 RICE STREET
KAPULE BUILDING, SUITE A473
LIHU'E, KAUA'I, HAWAII 96766-1326

TELEPHONE: (808) 241-6677 FAX: (808) 241-6699

September 15, 2006

Kiahuna Poipu Golf Resort LLC
c/o Greg Kamm
P.O. Box 1200
Kōloa, Kauai, Hawaii 96756

SUBJECT: Project Development Use Permit P.D. U-2006-25
Use Permit U-2006-26
Class IV Zoning Permit Z-IV-2006-27

At its meeting held on August 22, 2006, the Planning Commission approved the subject permits. Approval is subject to the following conditions, as recommended by the Planning Department and as amended by the Planning Commission:

1. The Applicant is advised that the property is subject to the conditions of LUC Decision and Order A76-418 (D&O) and County of Kauai Ordinances No. PM-31-79, PM-148-87 and PM-334-97 ("the Ordinances"), which shall run with the land. All conditions of the Ordinances are enforceable against any party seeking to use the entitlement. The following conditions are deemed complete, ongoing or to be resolved with LUC, or not applicable to the subject property: LUC Docket A76-418 #1-6, 17, 19-22; PM-31-79, PM -148-87 and PM-334-97 #1, 3, 4, 9, 15, 17, 19(c), 25.
2. Prior to building permit approval:
 - (a) The Applicant shall provide clearance from SHPD that data recovery is complete for any non-significant sites on the parcel prior to any grading or grubbing on the site.
 - (b) Prior to building permit approval, the Applicant shall provide to the Planning Department evidence that the subject parcel is clear of habitats for the Kauai cave amphipod or cave spiders worthy of preservation.

3. Prior to building permit approval, the applicant shall provide documentation substantiating compliance with LUC Condition #8 and County Ordinance Condition #7, relating to employment of Kauai residents in construction and permanent hotel related jobs. "Hotel related jobs" shall mean any sales, operations, management or maintenance job associated with the operation or transient vacation rentals conducted on the property.
4. Prior to building permit approval:
 - (a) as recommended by the Count Housing Agency, "Prior to building permit application, the Applicant shall resolve with the County Housing Agency and the Planning Department the satisfaction of the employee housing requirement in Condition No. 2 of Ordinance No. PM-31-79 for employee housing in the Kōloa-Po'ipū area," and
 - (b) the Applicant shall provide a preferential rate schedule or purchase price for employees.
5. The Applicant is advised that lands rezoned by the Ordinance Nos. PM-31-79, PM-148-87 and PM-334-97 are responsible for continued provision of a public pedestrian access between Po'ipū Road and the Ho'onani cul-de-sac as a condition of their zoning. Signage shall be maintained and replaced as needed. The sidewalk and crosswalk from Po'ipū Road to the shopping center sidewalk shall be provided prior to building permit approval for the project.
6. The Applicant is advised that should the maintenance agreement for the comfort station at the Ho'onani Road cul-de-sac be terminated, the Applicant and other rezoned parcels within the Moana project shall be required to fund the comfort station maintenance and liabilities, pursuant to Condition #8 of the Ordinances.
7. Prior to certificate of occupancy, KMP project sidewalks along Kiahuna Plantation Drive shall be developed to connect to and integrate with the Hapa Road path, at SHPD and Planning Department approved locations.
8. The Applicant shall resolve any improvements required for the extension of Kiahuna Plantation Drive for access to the subject project and to the KMP5 project subdivision with the Department of Public Works. Internal driveways shall be a minimum of 20' wide for two-way traffic, and landscaping maintained to provide adequate clearance for fire vehicle access. Parking areas shall meet County standards. No parking for the project shall be allowed along Kiahuna Plantation Drive, except for public parking stalls as represented for Hapa Trail users. An emergency vehicular connection shall be made from the Kiahuna Plantation Drive extension to Hapa Road or a future roadway which connects to Hapa Road as resolved with the Planning Department and the Department of Public Works.

9. The Applicant shall resolve fire protection, drainage, grading, water, and wastewater treatment requirements directly with the applicable agencies. Wastewater handling shall be provided through connection to and expansion of the private wastewater treatment plant on TMK 2-8-14: 27, as required by the Health Department. Easements shall be created in the subdivision for any sewer, irrigation or utility lines associated with this or other KMP projects, and granted to appropriate parties. Additional easements shall be dedicated if required by the Fire Department, Departments of Public Works or Water.
10. In order to address traffic circulation issues relating to the Kōloa-Po'ipū area:
 - (a) Prior to building permit application, the Kōloa-Po'ipū Area Circulation Plan shall be completed, and the Applicant shall enter into a non-occupancy agreement with the Planning Department which shall expire when the improvements are accepted or approved as complete by the County Department of Public Works. Prior to the County's issuance of certificate of occupancy, construction of the required improvements, and dedication to the County if applicable, shall be completed.

For KMP related improvements, circulation improvements as recommended by the final Kōloa-Po'ipū Area Circulation Plan shall be resolved with the Department of Public Works (DPW) Engineering Division, the Planning Department, and the County Transportation Agency, and constructed, or construction plans and a performance bond be posted for such construction, prior to any building permit application (except for temporary sales offices) on any adjoining Kiahuna Mauka Partners project phase parcel. If a bond is posted, improvements shall be completed prior to certificate of occupancy of such buildings. Such circulation improvements to be resolved shall include but not be limited to:

- (1) A sidewalk within the Po'ipū Road mauka right-of-way from Kiahuna Plantation Drive west to the Po'ipū Road-Kapili Road intersection;
- (2) A sidewalk within the Kiahuna Plantation Drive right-of-way from Po'ipū Road mauka to the western edge of the KMP4 project;
- (3) Improvements to the intersection of Po'ipū Road and Kiahuna Plantation Drive; and
- (4) Crosswalks on Po'ipū Road, and Kiahuna Plantation Drive at locations appropriate to the intersection improvements approved to be constructed; and
- (5) location and detail of any other sidewalks, bus turnout, road and access improvements, landscaping, and bikeways adjacent to KMP properties.

- (b) Prior to building permit application, the Applicant shall execute with the County of Kauai (Planning Department, Department of Public Works, and OCA Transportation Agency, the Mayor, County Attorneys and the County Council) and record with the Bureau of Conveyances on the deed for the subject property, an agreement as herein described:
- (1) As represented, the Applicant or its successors in interest to the property shall contribute its reasonable and fair share of funding, in conjunction with other developers and government agencies, of any Kōloa-Po'ipū-Kukui'ula transportation or circulation measures and/or improvements which may include but shall not be limited to construction plans and environmental studies for and construction of Capital Improvements such as roads, intersection improvements, traffic signals, sidewalks, bike paths, off-street parking areas or structures, and traffic calming devices, and may include Traffic Demand Management measures such as increased bus service, shuttles, car-pooling, ride-sharing, flex-time work hours, bus/shuttle use incentives, car-pooling incentives and other measures, as approved, adopted or designated by the County of Kaua'i within seven years of approval of the subject zoning permit. As represented, prior to building permit approval the Applicant shall participate in and seek approval of a Community Facilities District (CFD) for implementation and cost-sharing of the foregoing improvements.
 - (2) The share attributable to each development shall be determined at the time of adoption of any implementing funding ordinance adopted, including but not limited to a Community Facilities District (CFD), Impact Fee, and Improvement District. Such commitment and responsibility to contribute shall run with the land.
11. In conjunction with the KMP projects and in compliance with an Ordinance condition, a landscaped buffer is proposed within the Po'ipū Road right-of-way from Waikomo Stream to Kiahuna Plantation Drive. Prior to building permit approval, landscaping construction plans for the proposed Po'ipū Road landscape buffer shall be submitted to the Planning Department and the Department of Public Works for review and approval. Landscaped buffers within the rights of way shall be installed prior to completion and acceptance of any road improvements. Offsite landscaping improvements shall be installed either prior to building permit approval of buildings within adjacent Kiahuna Mauka Partners projects (excepting temporary sales office) or a performance bond posted for the construction. If a bond is posted, offsite landscaping improvements shall be completed prior to issuance of certificate of occupancy for those buildings.
12. Prior to certificate of occupancy for project buildings, civil defense measures shall be installed within the KMP4 project area as represented in the KMP Implementation Plan addendum, and as resolved with State Civil Defense. Such improvements shall be adjacent to but not within the Hapa Road right-of-way.

13. The project shall be served by private solid waste collection. A construction waste diversion plan shall be developed for the project for diversion of at least 80% of the waste generated by the project from the Kekaha landfill. Approval of the plan shall be obtained from the Department of Public Works prior to building permit approval, and the remainder of the waste may be accepted at the Kekaha Landfill.

14. The following uses are deemed permitted in the project:

- (a) in the Residential (R-10) district, a maximum of 280 multi-family residential dwelling units; a front desk, rental and administrative management offices; a maintenance building and restrooms; and a Hapa Road shelter as represented in the Open District;
- (b) designed for guest use, the following: a pool bar/snack bar of a maximum of 1,600 s.f.; business center; fitness center, game room, retreat center, outdoor recreational facilities as represented including a tennis court, sand volleyball courts, nine-hole executive putting course and putting shack, two swimming pools, keiki playground and activity center; and
- (c) two single-family dwellings may be constructed in the Open District, subject to design review by the Planning Department.

Any other uses not specifically listed above shall require Planning Department review and approval.

15. The project shall comply with County and State codes, laws, ordinances, rules and regulations, except for the uses allowed in Condition #14 above and the following:

- (a) minimum distance between residential buildings may vary from the applicable standard only for the third floor covered lanais as represented; and
- (b) provided that the total lot coverage allowed for the combined zoning districts, including impervious surfaces within the road easement, is not exceeded and uses are generally allowed in the Open District, lot coverage may be transferred from the Residential District into the Open District through the Project Development Use Permit.
- (c) The clubhouse shall meet the building height and setback requirements of CZO Section 8-3.11(a) for single-family dwellings.

16. The project shall provide parking for residential uses in accordance with CZO Section 8-3.7(a). The Applicant shall also provide a minimum of one parking stall adequate for maintenance vehicles at each building. Parking shall be provided for the pool bar/snack bar and offices in accordance with commercial standards designated in CZO Section 8-5.5.

17. The temporary sales offices shall be limited to "on-site" properties and shall not be used as general real estate brokerage offices. The driveway approach shall be paved to reduce transport of gravel onto the roadway. Any temporary sales facilities shall be included and indicated on the building permit application for the overall project.
18. Prior to building permit approval, the Applicant or other entity shall prepare and obtain construction plan approvals for undergrounding of electrical, street light wiring, communication and cable utilities abutting KMP projects in the Po'ipū Road right-of-way and construct the same or post a performance bond for completion.
19. The Applicant shall submit a landscaping plan at the time of building permit application, subject to Planning Department review and approval, and is encouraged to use endemic, indigenous or Polynesian introduced plant species common to the area in project landscaping and landscaped buffers.
20. In order to minimize adverse impacts on the Federally Listed Threatened Species, Newell's Shearwater and other seabirds, if external lighting is to be used in connection with the proposed project, all external lighting shall be only of the following types: shielded lights, cut-off luminaires, or indirect lighting. Spotlights aimed upward or spotlighting of structures shall be prohibited.
21. The applicant shall resolve and comply with all applicable conditions as recommended by the Water, Fire, and Public Works Departments, and with the State Departments of Health, Transportation and DLNR Historic Preservation Division.
22. The Applicant shall submit annual status reports documenting compliance with conditions of the permits until final completion of buildings and all conditions are completed.
23. The Planning Commission reserves the authority to impose additional conditions, modify or delete conditions stated herein, or to revoke the subject permits through proper procedures should the applicant fail to comply with the conditions of approval or if unforeseen problems are generated by the proposed use at the project site.
24. The applicant is advised that additional government agency conditions may be imposed. It shall be the applicant's responsibility to resolve those conditions with the respective agency(ies).
25. The Applicant shall incorporate and integrate this project with any master plan to be developed for the Poipu area, where feasible.

Kiahuna Poipu Golf Resort LLC

September 15, 2006

Page 7

26. Prior to building permit approval, the Applicant shall submit a master drainage plan for all lands mauka of Poipu Road rezoned under Moana Corporation Ordinance No. PM-31-79 for Planning Commission review and approval, including Kaneiolouma Heiau.
27. The Applicant shall demonstrate marketable title of the project premises to the Planning Department prior to building permit application.



IAN K. COSTA

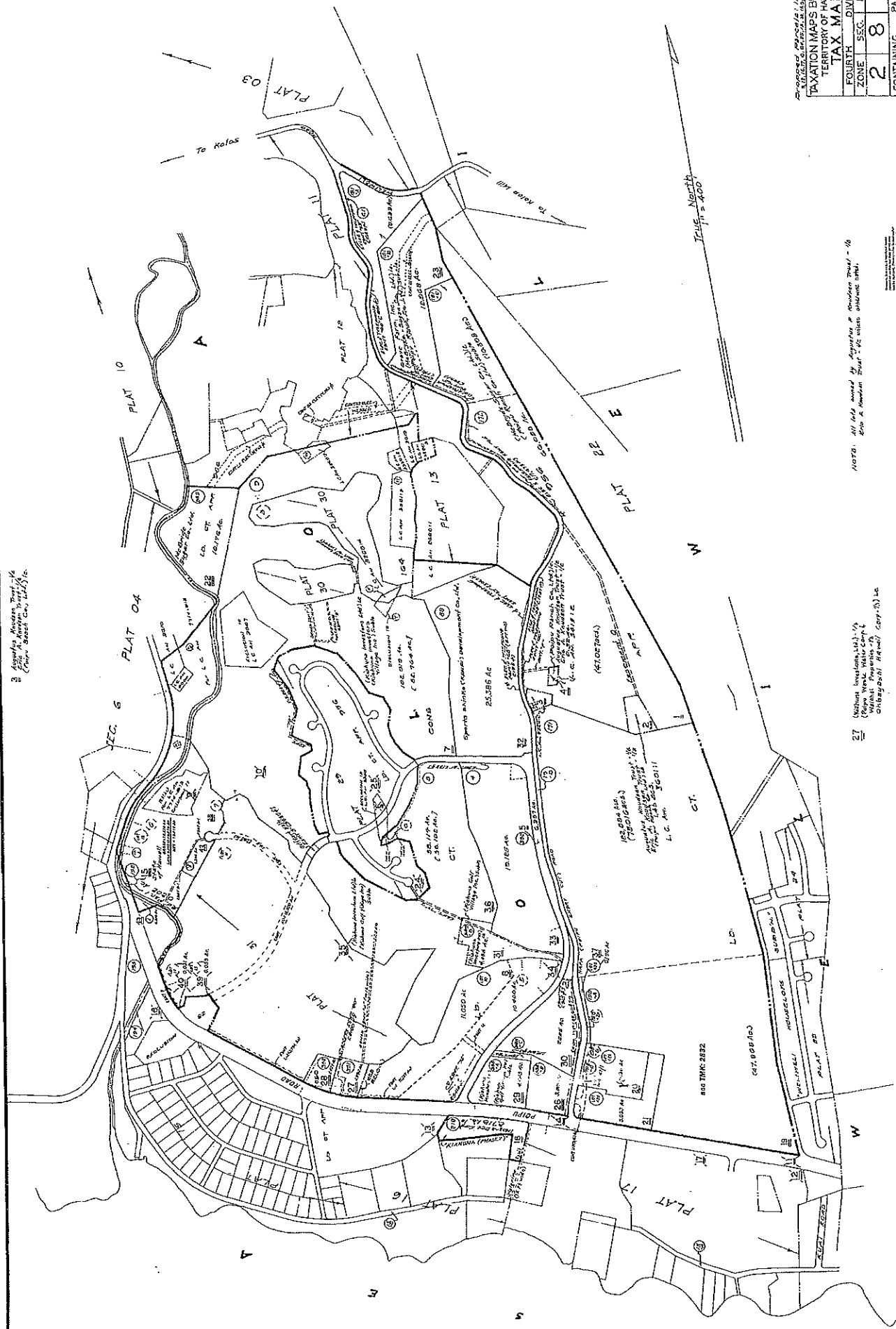
Planning Director

cc: DPW Engineering Div.; DPW Solid Waste Div.; Water Dept.; State Dept. of Health; DLNR
Historic Preservation Div.; Fire Dept.; State DOT Highways Div.; Finance Dept. Real
Property Div.

APPENDIX B

TAX MAP KEYS

2. Approved: Modern Survey Co., Ltd.
 3. From: Beach Co., Ltd.



27. (National Investigations, Inc.)
 (From: Beach Co., Ltd.)
 (Approved: Modern Survey Co., Ltd.)
 (From: Beach Co., Ltd.)

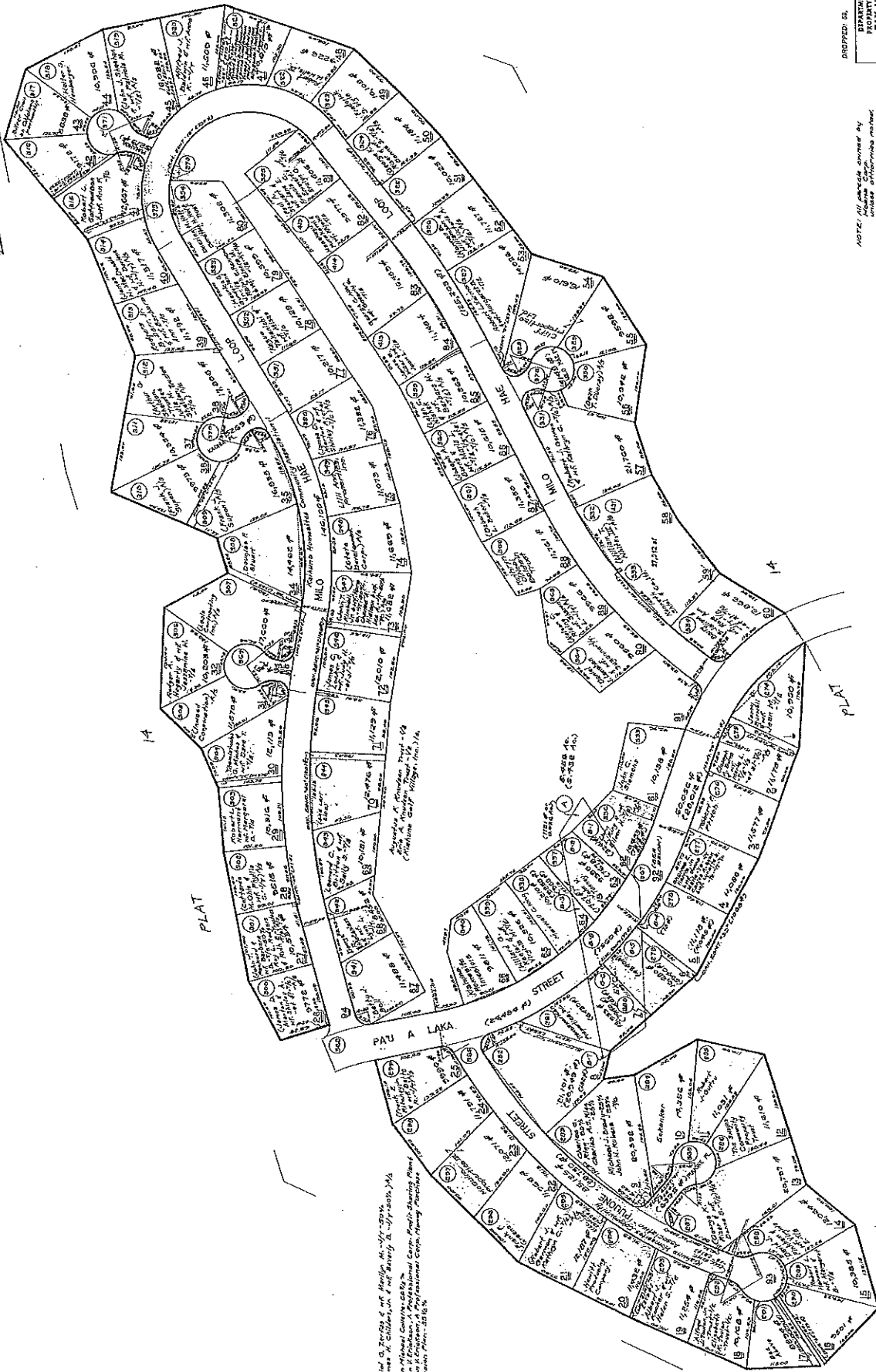
NOTE: All lots owned by Augustus A. Kahanu, Trust - 1/8
 E. A. Kahanu, Trust - 1/8 (Kahanu, Trust - 1/8)

SUBJECT TO CHANGE

FOR OF KOLOA, KOLOA, KAUAI.

TAXATION MAPS BUREAU TERRITORY OF HAWAII			
TAX MAP			
FOURTH	DIVISION	ZONE	SSC
2	8	14	
CONTAINING PARCELS			
SCALE: 1 in. = 400 ft.			

PRINTED



NOTE: All parcels owned by
Hoskins Corp.
unless otherwise noted

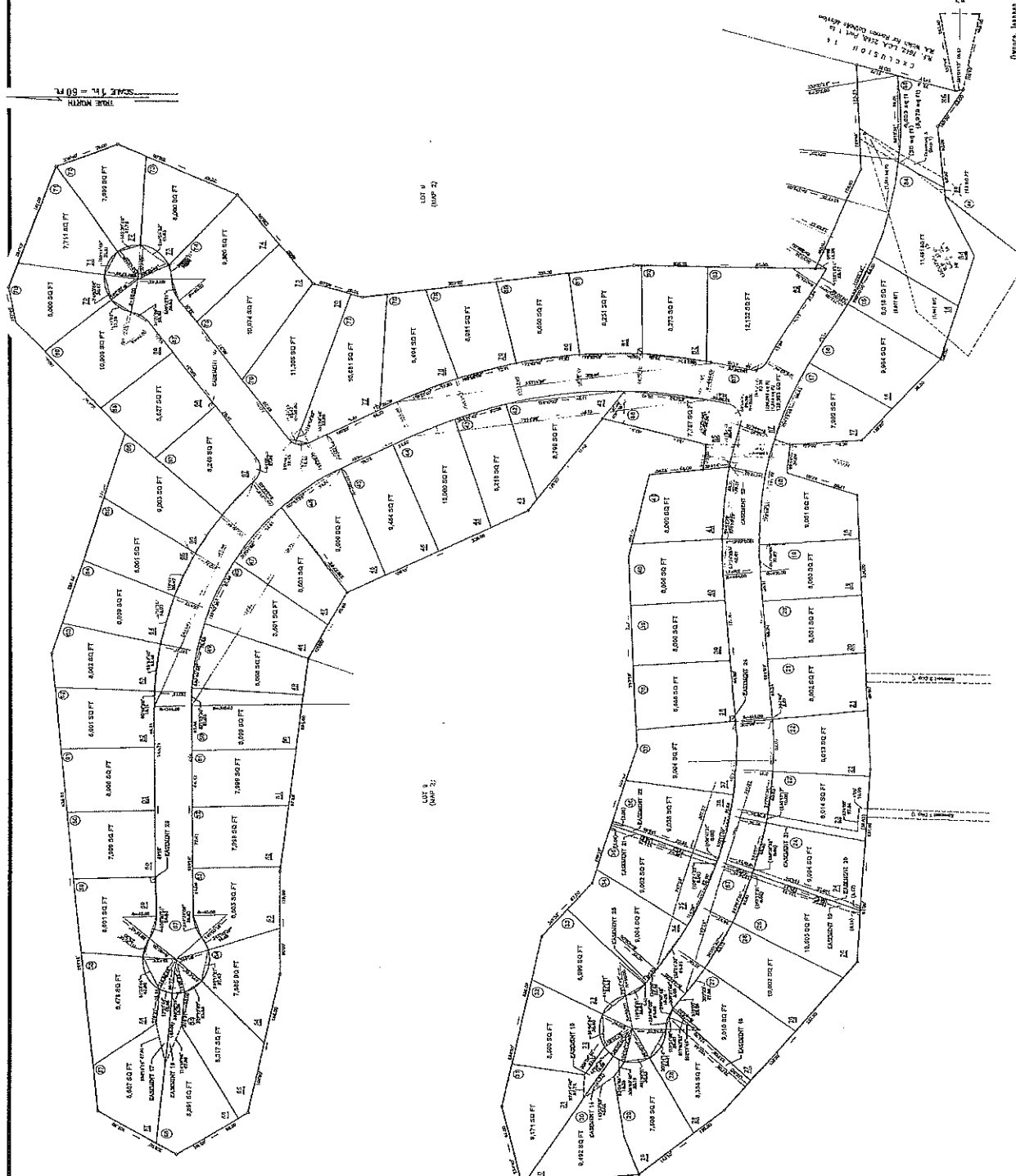
NOTE: Mergals is 64" x 7" owned by Kristine Odeh Villingar, Inc. unless otherwise noted.

ment, leisure, & vacation time recorded on the Survey of Professional Life. At the moment, please refer to computer National Archive for current entries.

OUR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

92 Stearns Corp. (52,400 sq ft)
Highway Corp Williams, Ind. (7000 sq ft)

SCALE 1" = 50'



LOT 9
(MAP 2)

LOT 8
(MAP 2)

DEPARTMENT OF FINANCE OFFICE OF THE COUNTY CLERK COUNTY OF KAUAI TAX MAP			
ZONE	SECTION	PLAT	
2	8	30	

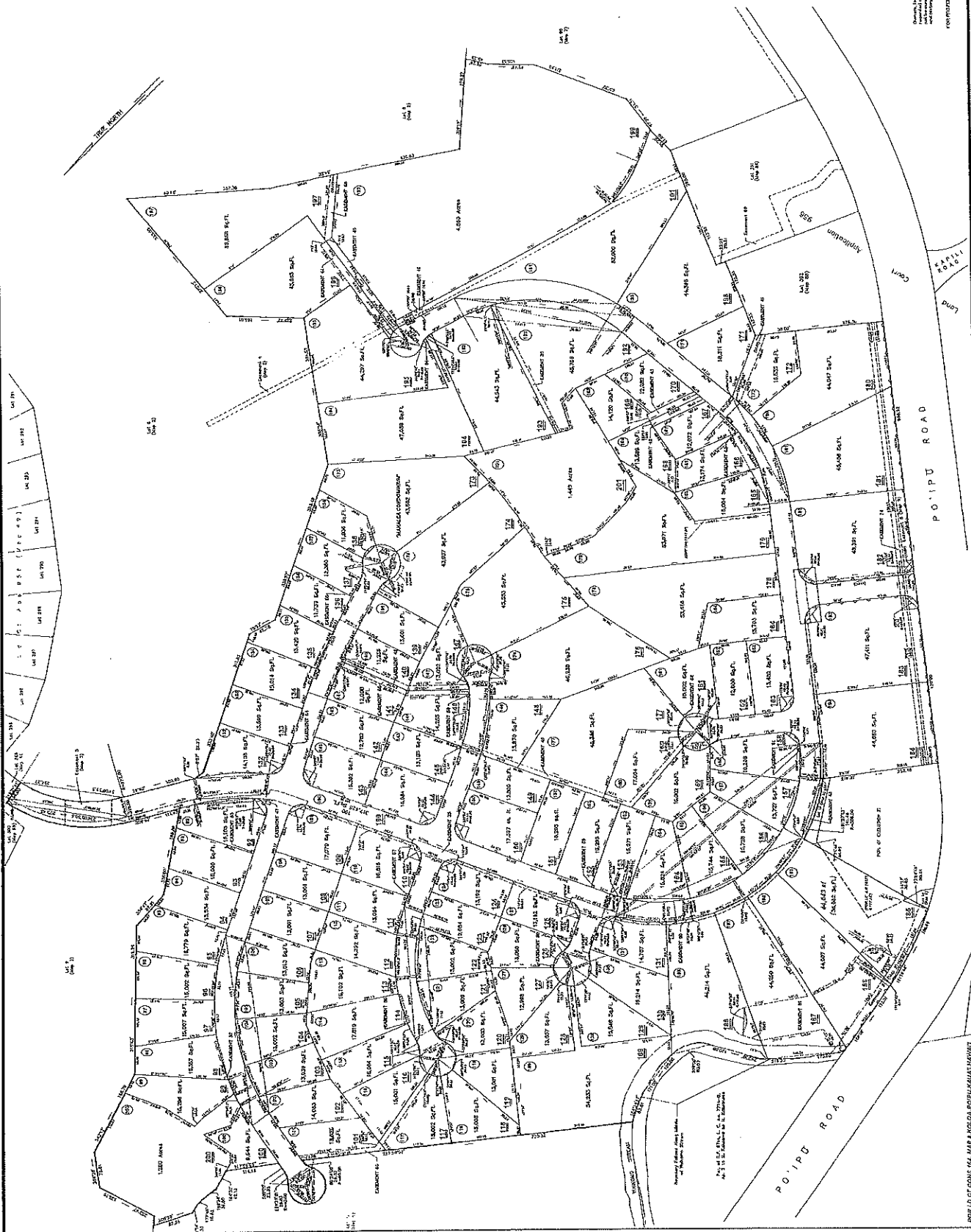
SCALE 1" = 50'

PRINTED:

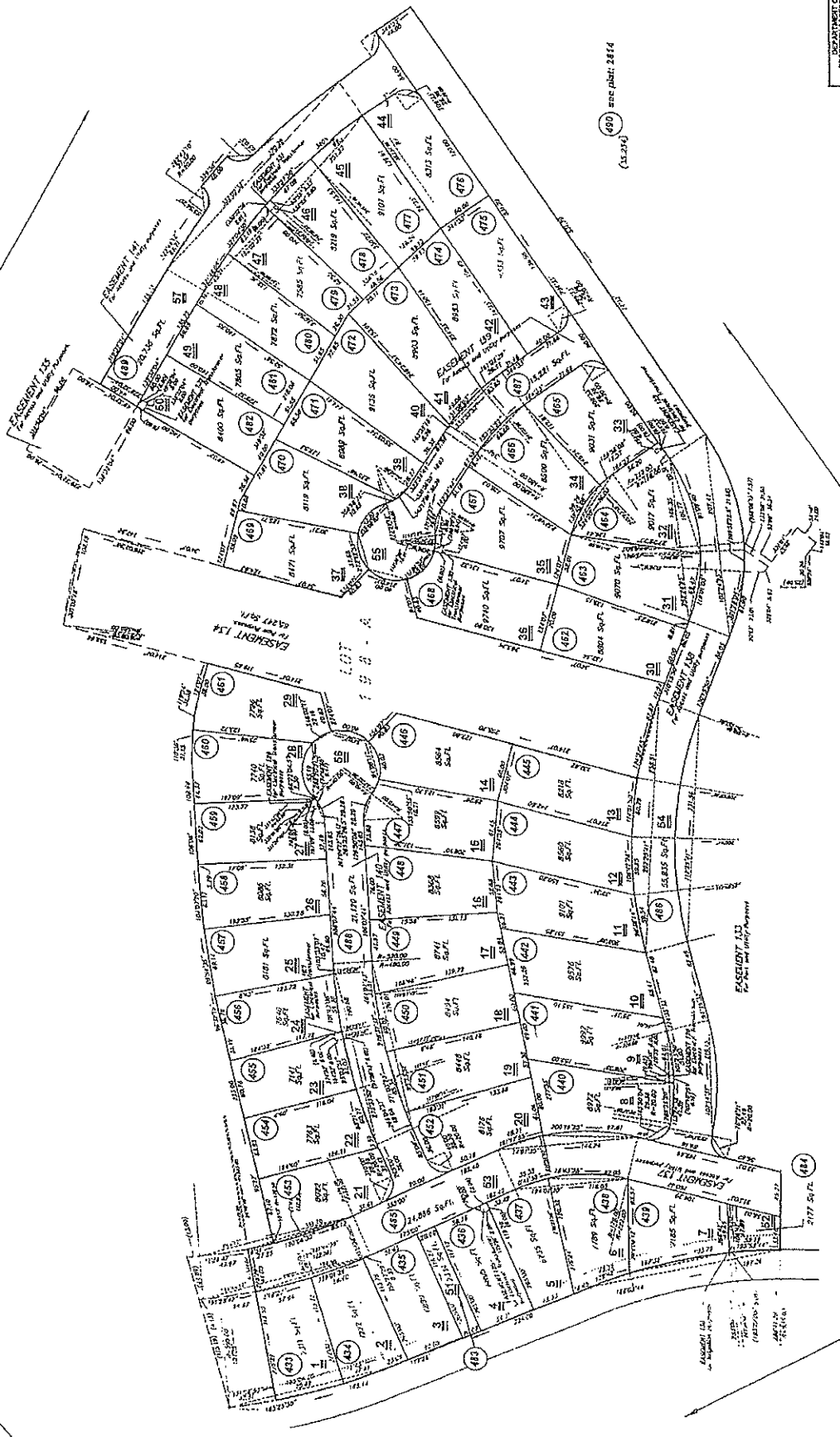
Owners, lessees, & vendors are
 required to file this plat with the
 Department of Finance, Office of the
 County Clerk, for recording and
 to pay the recording fee for
 certain errors.

FOR PROPERTY ASSESSMENT PURPOSES - SUBJECT TO CHANGE

PROPERTY INTERESTS
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA
FOR PROPERTY INTERESTS
SUBJECT TO CHANGE



PLAT 14



PLAT 14

DEPARTMENT OF LAND PROPERTY ASSESSMENT DIVISION COUNTY OF MAUI			
ZONE	SECTION	FLAT	PLAT
2	8	32	

CHANGES, REVISIONS & AMENDMENTS
 NOT BE CURRENT. PLEASE REPORT TO
 CURRENT OWNERS.

FOR PROPERTY ASSESSMENT PURPOSES - SUBJECT TO CHANGE

SCALE: 1" = 400'

APPENDIX C
RUNOFF CALCULATIONS

>>>> GRAPHICAL PEAK DISCHARGE METHOD <<<<

Drainage Master Plan
 Knudsen Lands (C-N)
 TMK (4) 2-8-14: 26
 Pre-developed Condition

CALCULATED
 DISK FILE: 20-266AP.GPD

Drainage Area	(acres)	3.815	--->	0.0060	sq.mi.
Runoff Curve Number	(CN)	73			
Time of Concentration, Tc	(hrs)	.45			
Rainfall Distribution	(Type)	I			
Pond and Swamp Areas	(%)	0	--->	0.0	acres

	Storm #1	Storm #2	Storm #3
	-----	-----	-----
Frequency (years)	2	100	
Rainfall, P, 24-hr (in)	5	13.3	
Initial Abstraction, Ia (in)	0.740	0.740	0.740
Ia/p Ratio	0.148	0.056	0.000
Unit Discharge, * qu (csm/in)	274	295	0
Runoff, Q (in)	2.28	9.70	0.00
Pond & Swamp Adjustment Factor	1.00	1.00	1.00
PEAK DISCHARGE, qp (cfs)	4	17	0

Summary of Computations for qu

Ia/p	#1	0.100	0.100	0.000
C0	#1	2.306	2.306	0.000
C1	#1	-0.514	-0.514	0.000
C2	#1	-0.117	-0.117	0.000
qu (csm)	#1	294.930	294.930	0.000
Ia/p	#2	0.200	0.100	0.000
C0	#2	2.235	2.306	0.000
C1	#2	-0.504	-0.514	0.000
C2	#2	-0.089	-0.117	0.000
qu (csm)	#2	250.823	294.930	0.000
* qu (csm)		274	295	0

* Interpolated for computed Ia/p ratio (between Ia/p #1 & Ia/p #2)
 If computed Ia/p exceeds Ia/p limits, bounding limit for Ia/p is used.

$$\log(qu) = C0 + (C1 * \log(Tc)) + (C2 * (\log(Tc))^2)$$

$$qp \text{ (cfs)} = qu(\text{csm}) * \text{Area}(\text{sq.mi.}) * Q(\text{in.}) * (\text{Pond \& Swamp Adj.})$$

>>>> GRAPHICAL PEAK DISCHARGE METHOD <<<<

Drainage Master Plan
 Knudsen Lands (C-N)
 TMK (4) 2-8-14: 26
 Developed Condition

CALCULATED
 DISK FILE: 20-266AD.GPD

Drainage Area	(acres)	3.815	--->	0.0060 sq.mi.
Runoff Curve Number	(CN)	95		
Time of Concentration, Tc	(hrs)	.1		
Rainfall Distribution	(Type)	I		
Pond and Swamp Areas	(%)	0	--->	0.0 acres

	Storm #1	Storm #2	Storm #3
	-----	-----	-----
Frequency (years)	2	100	
Rainfall, P, 24-hr (in)	5	13.3	
Initial Abstraction, Ia (in)	0.105	0.105	0.105
Ia/p Ratio	0.021	0.008	0.000
Unit Discharge, * qu (csm/in)	504	504	0
Runoff, Q (in)	4.42	12.69	0.00
Pond & Swamp Adjustment Factor	1.00	1.00	1.00
PEAK DISCHARGE, qp (cfs)	13	38	0

Summary of Computations for qu

Ia/p #1	0.100	0.100	0.000
C0 #1	2.306	2.306	0.000
C1 #1	-0.514	-0.514	0.000
C2 #1	-0.117	-0.117	0.000
qu (csm) #1	503.837	503.837	0.000
Ia/p #2	0.100	0.100	0.000
C0 #2	2.306	2.306	0.000
C1 #2	-0.514	-0.514	0.000
C2 #2	-0.117	-0.117	0.000
qu (csm) #2	503.837	503.837	0.000
* qu (csm)	504	504	0

* Interpolated for computed Ia/p ratio (between Ia/p #1 & Ia/p #2)
 If computed Ia/p exceeds Ia/p limits, bounding limit for Ia/p is used.

$$\log(qu) = C0 + (C1 * \log(Tc)) + (C2 * (\log(Tc))^2)$$

$$qp \text{ (cfs)} = qu(\text{csm}) * \text{Area}(\text{sq.mi.}) * Q(\text{in.}) * (\text{Pond \& Swamp Adj.})$$

>>>> GRAPHICAL PEAK DISCHARGE METHOD <<<<

Drainage Master Plan
 Knudsen Lands (R-6)
 TMK (4) 2-8-14: por. 19
 Pre-developed Condition

CALCULATED
 DISK FILE: 20-266BP.GPD

Drainage Area	(acres)	1.1	---	0.0017 sq.mi.
Runoff Curve Number	(CN)	73		
Time of Concentration, Tc	(hrs)	.37		
Rainfall Distribution	(Type)	I		
Pond and Swamp Areas	(%)	0	---	0.0 acres

	Storm #1	Storm #2	Storm #3
	-----	-----	-----
Frequency (years)	2	100	
Rainfall, P, 24-hr (in)	5	13.3	
Initial Abstraction, Ia (in)	0.740	0.740	0.740
Ia/p Ratio	0.148	0.056	0.000
Unit Discharge, * qu (csm/in)	298	320	0
Runoff, Q (in)	2.28	9.70	0.00
Pond & Swamp Adjustment Factor	1.00	1.00	1.00
PEAK DISCHARGE, qp (cfs)	1	5	0

Summary of Computations for qu

Ia/p #1	0.100	0.100	0.000
C0 #1	2.306	2.306	0.000
C1 #1	-0.514	-0.514	0.000
C2 #1	-0.117	-0.117	0.000
qu (csm) #1	320.377	320.377	0.000
Ia/p #2	0.200	0.100	0.000
C0 #2	2.235	2.306	0.000
C1 #2	-0.504	-0.514	0.000
C2 #2	-0.089	-0.117	0.000
qu (csm) #2	273.081	320.377	0.000
* qu (csm)	298	320	0

* Interpolated for computed Ia/p ratio (between Ia/p #1 & Ia/p #2)
 If computed Ia/p exceeds Ia/p limits, bounding limit for Ia/p is used.

$$\log(\text{qu}) = C0 + (C1 * \log(Tc)) + (C2 * (\log(Tc))^2)$$

$$qp \text{ (cfs)} = qu(\text{csm}) * \text{Area}(\text{sq.mi.}) * Q(\text{in.}) * (\text{Pond \& Swamp Adj.})$$

>>>> GRAPHICAL PEAK DISCHARGE METHOD <<<<<

Drainage Master Plan
 Knudsen Lands (R-6)
 TMK (4) 2-8-14: por. 19
 Developed Condition

CALCULATED
 DISK FILE: 20-266BD.GPD

Drainage Area	(acres)	1.1	--->	0.0017 sq.mi.
Runoff Curve Number	(CN)	89		
Time of Concentration, Tc	(hrs)	.1		
Rainfall Distribution	(Type)	I		
Pond and Swamp Areas	(%)	0	--->	0.0 acres

	Storm #1	Storm #2	Storm #3
	-----	-----	-----
Frequency (years)	2	100	
Rainfall, P, 24-hr (in)	5	13.3	
Initial Abstraction, Ia (in)	0.247	0.247	0.247
Ia/p Ratio	0.049	0.019	0.000
Unit Discharge, * qu (csm/in)	504	504	0
Runoff, Q (in)	3.77	11.92	0.00
Pond & Swamp Adjustment Factor	1.00	1.00	1.00
PEAK DISCHARGE, qp (cfs)	3	10	0

Summary of Computations for qu

Ia/p #1	0.100	0.100	0.000
C0 #1	2.306	2.306	0.000
C1 #1	-0.514	-0.514	0.000
C2 #1	-0.117	-0.117	0.000
qu (csm) #1	503.837	503.837	0.000
Ia/p #2	0.100	0.100	0.000
C0 #2	2.306	2.306	0.000
C1 #2	-0.514	-0.514	0.000
C2 #2	-0.117	-0.117	0.000
qu (csm) #2	503.837	503.837	0.000
* qu (csm)	504	504	0

* Interpolated for computed Ia/p ratio (between Ia/p #1 & Ia/p #2)
 If computed Ia/p exceeds Ia/p limits, bounding limit for Ia/p is used.

$$\log(qu) = C0 + (C1 * \log(Tc)) + (C2 * (\log(Tc))^2)$$

$$qp \text{ (cfs)} = qu \text{ (csm)} * \text{Area (sq.mi.)} * Q \text{ (in.)} * (\text{Pond \& Swamp Adj.})$$

>>>>> GRAPHICAL PEAK DISCHARGE METHOD <<<<<

Drainage Master Plan
 Knudsen Lands (R-20)
 TMK (4) 2-8-14: 30
 Pre-developed Condition

CALCULATED
 DISK FILE: 20-266CP.GPD

Drainage Area	(acres)	9	---	>	0.0141 sq.mi.
Runoff Curve Number	(CN)	73			
Time of Concentration, Tc	(hrs)	.44			
Rainfall Distribution	(Type)	I			
Pond and Swamp Areas	(%)	0	---	>	0.0 acres

	Storm #1	Storm #2	Storm #3
	-----	-----	-----
Frequency (years)	2	100	
Rainfall, P, 24-hr (in)	5	13.3	
Initial Abstraction, Ia (in)	0.740	0.740	0.740
Ia/p Ratio	0.148	0.056	0.000
Unit Discharge, * qu (csm/in)	276	298	0
Runoff, Q (in)	2.28	9.70	0.00
Pond & Swamp Adjustment Factor	1.00	1.00	1.00
PEAK DISCHARGE, qp (cfs)	9	41	0

Summary of Computations for qu

Ia/p	#1	0.100	0.100	0.000
C0	#1	2.306	2.306	0.000
C1	#1	-0.514	-0.514	0.000
C2	#1	-0.117	-0.117	0.000
qu (csm)	#1	297.805	297.805	0.000
Ia/p	#2	0.200	0.100	0.000
C0	#2	2.235	2.306	0.000
C1	#2	-0.504	-0.514	0.000
C2	#2	-0.089	-0.117	0.000
qu (csm)	#2	253.322	297.805	0.000
* qu (csm)		276	298	0

* Interpolated for computed Ia/p ratio (between Ia/p #1 & Ia/p #2)
 If computed Ia/p exceeds Ia/p limits, bounding limit for Ia/p is used.

$$\log(qu) = C0 + (C1 * \log(Tc)) + (C2 * (\log(Tc))^2)$$

$$qp \text{ (cfs)} = qu \text{ (csm)} * \text{Area(sq.mi.)} * Q \text{ (in.)} * (\text{Pond \& Swamp Adj.})$$

>>>> GRAPHICAL PEAK DISCHARGE METHOD <<<<

Drainage Master Plan
 Knudsen Lands (R-20)
 TMK 2-8-14: 30
 Developed Condition

CALCULATED
 DISK FILE: 20-266CD.GPD

Drainage Area	(acres)	9	---	0.0141 sq.mi.
Runoff Curve Number	(CN)	95		
Time of Concentration, Tc	(hrs)	.1		
Rainfall Distribution	(Type)	I		
Pond and Swamp Areas	(%)	0	---	0.0 acres

	Storm #1	Storm #2	Storm #3
	-----	-----	-----
Frequency (years)	2	100	
Rainfall, P, 24-hr (in)	5	13.3	
Initial Abstraction, Ia (in)	0.105	0.105	0.105
Ia/p Ratio	0.021	0.008	0.000
Unit Discharge, * qu (csm/in)	504	504	0
Runoff, Q (in)	4.42	12.69	0.00
Pond & Swamp Adjustment Factor	1.00	1.00	1.00
PEAK DISCHARGE, qp (cfs)	31	90	0

Summary of Computations for qu

Ia/p	#1	0.100	0.100	0.000
C0	#1	2.306	2.306	0.000
C1	#1	-0.514	-0.514	0.000
C2	#1	-0.117	-0.117	0.000
qu (csm)	#1	503.837	503.837	0.000
Ia/p	#2	0.100	0.100	0.000
C0	#2	2.306	2.306	0.000
C1	#2	-0.514	-0.514	0.000
C2	#2	-0.117	-0.117	0.000
qu (csm)	#2	503.837	503.837	0.000
* qu (csm)		504	504	0

* Interpolated for computed Ia/p ratio (between Ia/p #1 & Ia/p #2)
 If computed Ia/p exceeds Ia/p limits, bounding limit for Ia/p is used.

$$\log(\text{qu}) = C0 + (C1 * \log(Tc)) + (C2 * (\log(Tc))^2)$$

$$\text{qp (cfs)} = \text{qu (csm)} * \text{Area (sq.mi.)} * Q(\text{in.}) * (\text{Pond \& Swamp Adj.})$$

>>>> GRAPHICAL PEAK DISCHARGE METHOD <<<<

Drainage Master Plan
 Knudsen Lands (R-10)
 TMK (4) 2-8-14: por. 19
 Pre-developed Condition

CALCULATED
 DISK FILE: 20-266DP.GPD

Drainage Area	(acres)	11.8	--->	0.0184 sq.mi.
Runoff Curve Number	(CN)	73		
Time of Concentration, Tc	(hrs)	.33		
Rainfall Distribution	(Type)	I		
Pond and Swamp Areas	(%)	0	--->	0.0 acres

	Storm #1	Storm #2	Storm #3
	-----	-----	-----
Frequency (years)	2	100	
Rainfall, P, 24-hr (in)	5	13.3	
Initial Abstraction, Ia (in)	0.740	0.740	0.740
Ia/p Ratio	0.148	0.056	0.000
Unit Discharge, * qu (csm/in)	312	336	0
Runoff, Q (in)	2.28	9.70	0.00
Pond & Swamp Adjustment Factor	1.00	1.00	1.00
PEAK DISCHARGE, qp (cfs)	13	60	0

Summary of Computations for qu

Ia/p	#1	0.100	0.100	0.000
C0	#1	2.306	2.306	0.000
C1	#1	-0.514	-0.514	0.000
C2	#1	-0.117	-0.117	0.000
qu (csm)	#1	335.648	335.648	0.000
Ia/p	#2	0.200	0.100	0.000
C0	#2	2.235	2.306	0.000
C1	#2	-0.504	-0.514	0.000
C2	#2	-0.089	-0.117	0.000
qu (csm)	#2	286.600	335.648	0.000
* qu (csm)		312	336	0

* Interpolated for computed Ia/p ratio (between Ia/p #1 & Ia/p #2)
 If computed Ia/p exceeds Ia/p limits, bounding limit for Ia/p is used.

$$\log(qu) = C0 + (C1 * \log(Tc)) + (C2 * (\log(Tc))^2)$$

$$qp \text{ (cfs)} = qu(\text{csm}) * \text{Area}(\text{sq.mi.}) * Q(\text{in.}) * (\text{Pond \& Swamp Adj.})$$

>>>> GRAPHICAL PEAK DISCHARGE METHOD <<<<<

Drainage Master Plan
 Knudsen Lands (R-10)
 TMK (4) 2-8-14: por. 19
 Developed Condition

CALCULATED
 DISK FILE: 20-266DD.GPD

Drainage Area	(acres)	11.8	--->	0.0184 sq.mi.
Runoff Curve Number	(CN)	93		
Time of Concentration, Tc	(hrs)	.1		
Rainfall Distribution	(Type)	I		
Pond and Swamp Areas	(%)	0	--->	0.0 acres

	Storm #1	Storm #2	Storm #3
	-----	-----	-----
Frequency (years)	2	100	
Rainfall, P, 24-hr (in)	5	13.3	
Initial Abstraction, Ia (in)	0.151	0.151	0.151
Ia/p Ratio	0.030	0.011	0.000
Unit Discharge, * qu (csm/in)	504	504	0
Runoff, Q (in)	4.20	12.44	0.00
Pond & Swamp Adjustment Factor	1.00	1.00	1.00
PEAK DISCHARGE, qp (cfs)	39	116	0

Summary of Computations for qu

Ia/p	#1	0.100	0.100	0.000
C0	#1	2.306	2.306	0.000
C1	#1	-0.514	-0.514	0.000
C2	#1	-0.117	-0.117	0.000
qu (csm)	#1	503.837	503.837	0.000
Ia/p	#2	0.100	0.100	0.000
C0	#2	2.306	2.306	0.000
C1	#2	-0.514	-0.514	0.000
C2	#2	-0.117	-0.117	0.000
qu (csm)	#2	503.837	503.837	0.000
* qu (csm)		504	504	0

* Interpolated for computed Ia/p ratio (between Ia/p #1 & Ia/p #2)
 If computed Ia/p exceeds Ia/p limits, bounding limit for Ia/p is used.

$$\log(qu) = C0 + (C1 * \log(Tc)) + (C2 * (\log(Tc))^2)$$

$$qp \text{ (cfs)} = qu \text{ (csm)} * \text{Area (sq.mi.)} * Q \text{ (in.)} * (\text{Pond \& Swamp Adj.})$$

APPENDIX C.1

RUNOFF CURVE NUMBER (CN)

SUPPORTING DATA

Soil Properties Related to Erosion and Sedimentation
For the islands of
Kauai, Oahu, Maui, Molokai, and Lanai 1/
July 1993

Soil Symbol 2/	Soil Series or Miscellaneous Land Type	Erosion Factors		Hydrologic Group	Erosion Resistance Group
		K	T (t/a/yr)		
URD	UMA	0.05	5	A	IV
UwB	UWALA	0.17	5	B	II
UwC	UWALA	0.17	5	B	II
UwC3	UWALA	0.17	5	B	II
WID2	WAIAKOA	0.10	2	C	II
WJF	ROCK OUTCROP	0.02	1	D	
WJF	WAIAWA	0.28	1	D	II
WaA	WAIATAWA	0.15	5	B	II
WaB	WAIATAWA	0.15	5	B	II
WaC	WAIATAWA	0.15	5	B	II
WaD2	WAIATAWA	0.15	5	B	II
WbB	WAIKULI	0.17	2	B	II
WcB	WAIKULI	0.15	2	B	II
WcC	WAIKULI	0.15	2	B	II
WdB	WAIKULI	0.10	2	B	II
WeB	WAIAKOA	0.17	2	C	II
WeC	WAIAKOA	0.17	2	C	II
WfB	WAIAKOA	0.15	2	C	II
WgB	WAIAKOA	0.10	2	C	II
WgC	WAIAKOA	0.10	2	C	II
WhB	WAIAKOA	0.10	2	C	II
WhC	WAIAKOA	0.10	2	C	II
WkA	WAIALUA	0.28	5	B	III
WkB	WAIALUA	0.28	5	B	III
WLB	WAIALUA	0.17	5	B	III
WLE	WAIALUA	0.17	5	B	III
WmD	WAIALUA	0.10	5	B	III
WnB	WAIALUA	0.28	5	B	III
WoA	WAIHUNA	0.28	5	D	II
WoB	WAIHUNA	0.28	5	D	II
WoC	WAIHUNA	0.28	5	D	II
WoD	WAIHUNA	0.28	5	D	II
WohB	WAIHUNA	0.20	5	D	II
WpB	WAIKANE	0.10	5	B	I
WpC	WAIKANE	0.10	5	B	I
WpE	WAIKANE	0.10	5	B	I
WpF	WAIKANE	0.10	5	B	I
WpF2	WAIKANE	0.10	5	B	I
WpaE	WAIKANE	0.10	5	B	I
WraA	WAIKAPU	0.17	5	B	II
WrbB	WAIKAPU	0.17	5	B	II
Wrb3	WAIKAPU	0.17	5	B	II
Wrc3	WAIKAPU	0.17	5	B	II
Ws	WAIKOMO	0.17	1	D	II
Wt	ROCK OUTCROP	0.02	1	D	
Wt	WAIKOMO	0.17	1	D	II
Wu	ROCK OUTCROP	0.02	1	D	
Wu	WAIKOMO	0.17	1	D	II
WvB	WAILUKU	0.17	5	B	II
WvC	WAILUKU	0.17	5	B	II
WwC	WAILUKU	0.15	5	B	II

Table 2-2a Runoff curve numbers for urban areas ^{1/}

Cover description		Curve numbers for hydrologic soil group			
Cover type and hydrologic condition	Average percent impervious area ^{2/}	A	B	C	D
<i>Fully developed urban areas (vegetation established)</i>					
Open space (lawns, parks, golf courses, cemeteries, etc.) ^{3/} :					
Poor condition (grass cover < 50%)		68	79	86	89
Fair condition (grass cover 50% to 75%)		49	69	79	84
Good condition (grass cover > 75%)		39	61	74	80
Impervious areas:					
Paved parking lots, roofs, driveways, etc. (excluding right-of-way)		98	98	98	98
Streets and roads:					
Paved; curbs and storm sewers (excluding right-of-way)		98	98	98	98
Paved; open ditches (including right-of-way)		83	89	92	93
Gravel (including right-of-way)		76	85	89	91
Dirt (including right-of-way)		72	82	87	89
Western desert urban areas:					
Natural desert landscaping (pervious areas only) ^{4/}		63	77	85	88
Artificial desert landscaping (impervious weed barrier, desert shrub with 1- to 2-inch sand or gravel mulch and basin borders)		96	96	96	96
Urban districts:					
Commercial and business	85	89	92	94	95
Industrial	72	81	88	91	93
Residential districts by average lot size:					
1/8 acre or less (town houses)	65	77	85	90	92
1/4 acre	38	61	75	83	87
1/3 acre	30	57	72	81	86
1/2 acre	25	54	70	80	85
1 acre	20	51	68	79	84
2 acres	12	46	65	77	82
<i>Developing urban areas</i>					
Newly graded areas (pervious areas only, no vegetation) ^{5/}		77	86	91	94
Idle lands (CN's are determined using cover types similar to those in table 2-2c).					

¹ Average runoff condition, and $I_a = 0.25$.² The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 98, and pervious areas are considered equivalent to open space in good hydrologic condition. CN's for other combinations of conditions may be computed using figure 2-3 or 2-4.³ CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space cover type.⁴ Composite CN's for natural desert landscaping should be computed using figures 2-3 or 2-4 based on the impervious area percentage (CN = 98) and the pervious area CN. The pervious area CN's are assumed equivalent to desert shrub in poor hydrologic condition.⁵ Composite CN's to use for the design of temporary measures during grading and construction should be computed using figure 2-3 or 2-4 based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.

Table 2-2c Runoff curve numbers for other agricultural lands ^{1/}

Cover description		Curve numbers for hydrologic soil group			
Cover type	Hydrologic condition	A	B	C	D
Pasture, grassland, or range—continuous forage for grazing. ^{2/}	Poor	68	79	86	89
	Fair	49	69	79	84
	Good	39	61	74	80
Meadow—continuous grass, protected from grazing and generally mowed for hay.	—	30	58	71	78
Brush—brush-weed-grass mixture with brush the major element. ^{3/}	Poor	48	67	77	83
	Fair	35	56	70	77
	Good	30 ^{4/}	48	65	73
Woods—grass combination (orchard or tree farm). ^{5/}	Poor	57	73	82	86
	Fair	43	65	76	82
	Good	32	58	72	79
Woods. ^{6/}	Poor	45	66	77	83
	Fair	36	60	73	79
	Good	30 ^{4/}	55	70	77
Farmsteads—buildings, lanes, driveways, and surrounding lots.	—	59	74	82	86

¹ Average runoff condition, and $I_a = 0.2S$.² *Poor*: <50% ground cover or heavily grazed with no mulch.*Fair*: 50 to 75% ground cover and not heavily grazed.*Good*: > 75% ground cover and lightly or only occasionally grazed.³ *Poor*: <50% ground cover.*Fair*: 50 to 75% ground cover.*Good*: >75% ground cover.⁴ Actual curve number is less than 30; use CN = 30 for runoff computations.⁵ CN's shown were computed for areas with 50% woods and 50% grass (pasture) cover. Other combinations of conditions may be computed from the CN's for woods and pasture.⁶ *Poor*: Forest litter, small trees, and brush are destroyed by heavy grazing or regular burning.*Fair*: Woods are grazed but not burned, and some forest litter covers the soil.*Good*: Woods are protected from grazing, and litter and brush adequately cover the soil.

APPENDIX C.2

TIME OF CONCENTRATION CALCULATIONS

Quick TR-55 Ver.5.47 S/N:
Executed: 09:43:44 09-12-2023 20-266A.TCT

Drainage Master Plan
Knudsen Lands (C-N)
TMK (4) 2-8-14: 26
Pre-developed Condition

Tc COMPUTATIONS FOR:

SHEET FLOW (Applicable to Tc only)

Segment ID			
Surface description			
Manning's roughness coeff., n		0.2400	
Flow length, L (total < or = 300)	ft	300.0	
Two-yr 24-hr rainfall, P2	in	5.000	
Land slope, s	ft/ft	0.0249	
	0.8		
	.007 * (n*L)		
T =	-----	hrs	0.42 = 0.42
	0.5 0.4		
	P2 * s		

SHALLOW CONCENTRATED FLOW

Segment ID			
Surface (paved or unpaved)?		Unpaved	
Flow length, L	ft	345.9	
Watercourse slope, s	ft/ft	0.0348	
	0.5		
Avg.V = Csf * (s)	ft/s	3.0099	
where: Unpaved Csf = 16.1345			
Paved Csf = 20.3282			
T = L / (3600*V)	hrs	0.03	= 0.03

CHANNEL FLOW

Segment ID			
Cross Sectional Flow Area, a	sq.ft	0.00	
Wetted perimeter, Pw	ft	0.00	
Hydraulic radius, r = a/Pw	ft	0.000	
Channel slope, s	ft/ft	0.0000	
Manning's roughness coeff., n		0.0000	
	2/3 1/2		
	1.49 * r * s		
V =	-----	ft/s	0.0000
	n		
Flow length, L	ft	0	
T = L / (3600*V)	hrs	0.00	= 0.00

.....
TOTAL TIME (hrs) 0.45

Quick TR-55 Ver.5.47 S/N:
 Executed: 09:25:28 09-12-2023 20-266B.TCT

Drainage Master Plan
 Knudsen Lands (R-6)
 TMK (4) 2-8-14: por. 19
 Pre-developed Condition

Tc COMPUTATIONS FOR:

SHEET FLOW (Applicable to Tc only)

Segment ID
 Surface description
 Manning's roughness coeff., n 0.2400
 Flow length, L (total < or = 300) ft 243.7
 Two-yr 24-hr rainfall, P2 in 5.000
 Land slope, s ft/ft 0.0222

$$T = \frac{0.007 * (n * L)^{0.8}}{P2^{0.5} * s^{0.4}} \quad \text{hrs} \quad 0.37 = 0.37$$

SHALLOW CONCENTRATED FLOW

Segment ID
 Surface (paved or unpaved)?
 Flow length, L ft 0.0
 Watercourse slope, s ft/ft 0.0000

Avg.V = $Csf * (s)^{0.5}$ ft/s 0.0000
 where: Unpaved Csf = 16.1345
 Paved Csf = 20.3282

$$T = L / (3600 * V) \quad \text{hrs} \quad 0.00 = 0.00$$

CHANNEL FLOW

Segment ID
 Cross Sectional Flow Area, a sq.ft 0.00
 Wetted perimeter, Pw ft 0.00
 Hydraulic radius, r = a/Pw ft 0.000
 Channel slope, s ft/ft 0.0000
 Manning's roughness coeff., n 0.0000

$$V = \frac{1.49 * r^{2/3} * s^{1/2}}{n} \quad \text{ft/s} \quad 0.0000$$

Flow length, L ft 0

$$T = L / (3600 * V) \quad \text{hrs} \quad 0.00 = 0.00$$

.....
 TOTAL TIME (hrs) 0.37

Quick TR-55 Ver.5.47 S/N:
 Executed: 09:27:04 09-12-2023 20-266C.TCT

Drainage Master Plan
 Knudsen Lands (R-20)
 TMK (4) 2-8-14: 30
 Pre-developed Condition

Tc COMPUTATIONS FOR:

SHEET FLOW (Applicable to Tc only)

Segment ID			
Surface description			
Manning's roughness coeff., n		0.2400	
Flow length, L (total < or = 300)	ft	300.0	
Two-yr 24-hr rainfall, P2	in	5.000	
Land slope, s	ft/ft	0.0430	
	0.8		
	.007 * (n*L)		
T =	-----	hrs	0.34 = 0.34
	0.5 0.4		
	P2 * s		

SHALLOW CONCENTRATED FLOW

Segment ID			
Surface (paved or unpaved)?		Unpaved	
Flow length, L	ft	1007.2	
Watercourse slope, s	ft/ft	0.0304	
	0.5		
Avg.V = Csf * (s)	ft/s	2.8131	
where: Unpaved Csf = 16.1345			
Paved Csf = 20.3282			
T = L / (3600*V)	hrs	0.10	= 0.10

CHANNEL FLOW

Segment ID			
Cross Sectional Flow Area, a	sq.ft	0.00	
Wetted perimeter, Pw	ft	0.00	
Hydraulic radius, r = a/Pw	ft	0.000	
Channel slope, s	ft/ft	0.0000	
Manning's roughness coeff., n		0.0000	
	2/3 1/2		
	1.49 * r * s		
V =	-----	ft/s	0.0000
	n		
Flow length, L	ft	0	
T = L / (3600*V)	hrs	0.00	= 0.00

.....
 TOTAL TIME (hrs) 0.44

Quick TR-55 Ver.5.47 S/N:
Executed: 09:42:37 09-12-2023 20-266D.TCT

Drainage Master Plan
Knudsen Lands (R-10)
TMK (4) 2-8-14: por. 19
Pre-developed Condition

Tc COMPUTATIONS FOR:

SHEET FLOW (Applicable to Tc only)

Segment ID

Surface description

Manning's roughness coeff., n 0.2400

Flow length, L (total < or = 300)	ft	242.3
-----------------------------------	----	-------

Two-yr 24-hr rainfall, P2 in 5.000

Land slope, s	ft/ft	0.0532
---------------	-------	--------

0.8

$$T = \frac{.007 \cdot (n \cdot L)}{0.5 \cdot 0.4} \text{ hrs} = 0.26$$

SHALLOW CONCENTRATED FLOW

Segment ID

Surface (paved or unpaved)?

Unpaved

Flow length, L	ft	377.9
----------------	----	-------

Watercourse slope, s	ft/ft	0.0103
----------------------	-------	--------

0.5

Avg.V =	Csf *	(s)	ft/s	1.6375
where:	Unpaved	Csf = 16.1345		
	Paved	Csf = 20.3282		

$$T = L / (3600 * V) \quad \text{hrs} \quad 0.06 \quad = \quad 0.06$$

CHANNEL FLOW

Segment ID

Cross Sectional Flow Area, a sq.ft 0.00

Wetted perimeter, Pw	ft	0.00
----------------------	----	------

Hydraulic radius, $r = a/P_w$ ft 0.000

Channel slope, s	ft/ft	0.0000
------------------	-------	--------

Manning's roughness coeff., n	0.0000
-------------------------------	--------

$$V = \frac{1.49 \cdot r^{2/3} \cdot s^{1/2}}{n} \quad \text{ft/s} \quad 0.0000$$

Flow length, L	ft	0
----------------	----	---

T = L / (3600*V) hrs 0.00 = 0.00

```

.....
TOTAL TIME (hrs)          0.33

```


Sheet flow

Sheet flow is flow over plane surfaces. It usually occurs in the headwater of streams. With sheet flow, the friction value (Manning's n) is an effective roughness coefficient that includes the effect of raindrop impact; drag over the plane surface; obstacles such as litter, crop ridges, and rocks; and erosion and transportation of sediment. These n values are for very shallow flow depths of about 0.1 foot or so. Table 3-1 gives Manning's n values for sheet flow for various surface conditions.

Table 3-1 Roughness coefficients (Manning's n) for sheet flow

Surface description	n ^{1/}
Smooth surfaces (concrete, asphalt, gravel, or bare soil)	0.011
Fallow (no residue)	0.05
Cultivated soils:	
Residue cover $\leq 20\%$	0.06
Residue cover $> 20\%$	0.17
Grass:	
Short grass prairie	0.15
Dense grasses ^{2/}	0.24
Bermudagrass	0.41
Range (natural)	0.13
Woods: ^{3/}	
Light underbrush	0.40
Dense underbrush	0.80

¹ The n values are a composite of information compiled by Engman (1986).

² Includes species such as weeping lovegrass, bluegrass, buffalo grass, blue grama grass, and native grass mixtures.

³ When selecting n , consider cover to a height of about 0.1 ft. This is the only part of the plant cover that will obstruct sheet flow.

For sheet flow of less than 300 feet, use Manning's kinematic solution (Overtop and Meadows 1976) to compute T_c :

$$T_t = \frac{0.007(nL)^{0.8}}{(P_2)^{0.5} s^{0.4}} \quad [\text{eq. 3-3}]$$

where:

- T_t = travel time (hr),
- n = Manning's roughness coefficient (table 3-1)
- L = flow length (ft)
- P_2 = 2-year, 24-hour rainfall (in)
- s = slope of hydraulic grade line (land slope, ft/ft)

This simplified form of the Manning's kinematic solution is based on the following: (1) shallow steady uniform flow, (2) constant intensity of rainfall excess (that part of a rain available for runoff), (3) rainfall duration of 24 hours, and (4) minor effect of infiltration on travel time. Rainfall depth can be obtained from appendix B.

Shallow concentrated flow

After a maximum of 300 feet, sheet flow usually becomes shallow concentrated flow. The average velocity for this flow can be determined from figure 3-1, in which average velocity is a function of watercourse slope and type of channel. For slopes less than 0.005 ft/ft, use equations given in appendix F for figure 3-1. Tillage can affect the direction of shallow concentrated flow. Flow may not always be directly down the watershed slope if tillage runs across the slope.

After determining average velocity in figure 3-1, use equation 3-1 to estimate travel time for the shallow concentrated flow segment.

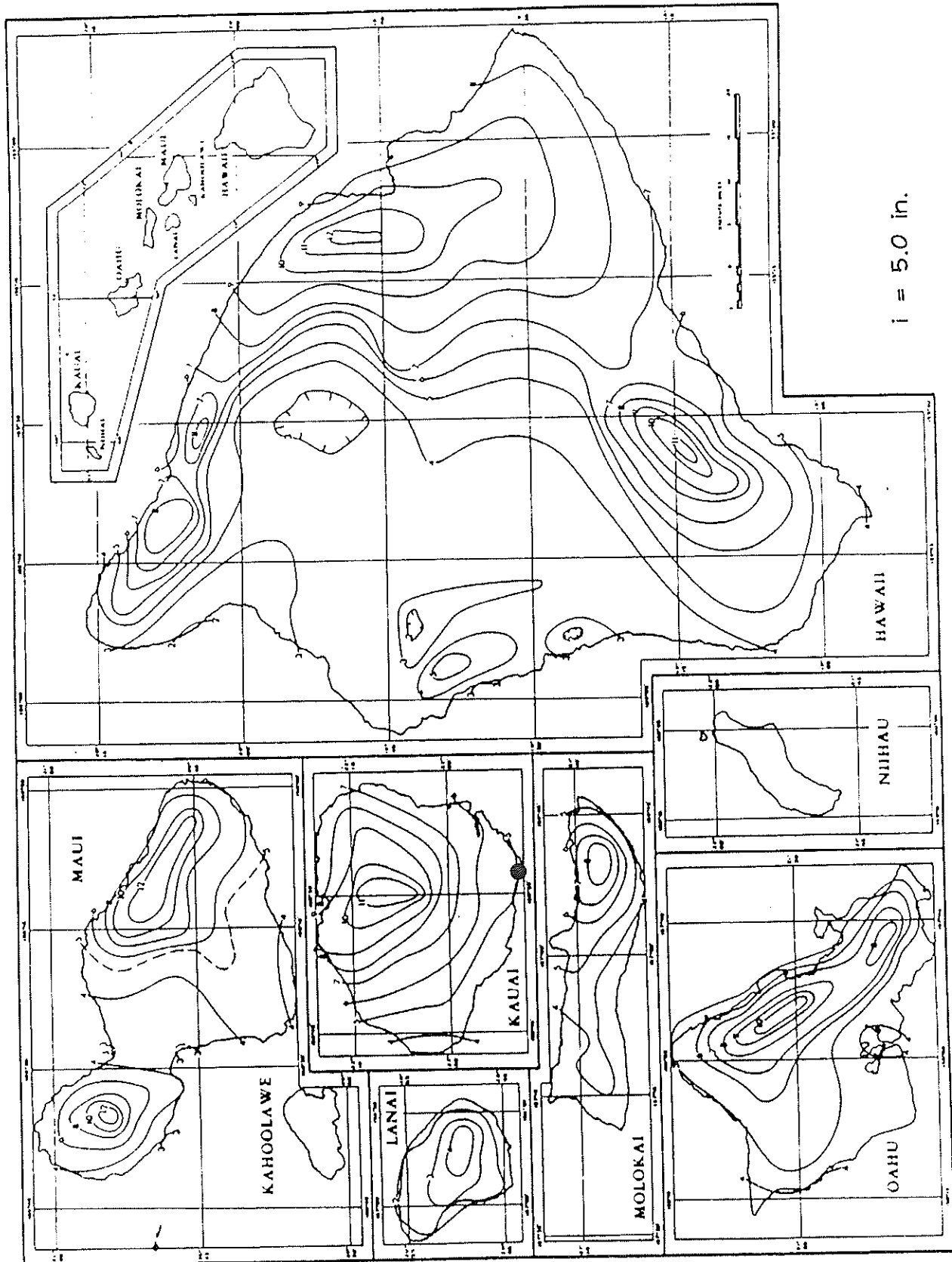
Open channels

Open channels are assumed to begin where surveyed cross section information has been obtained, where channels are visible on aerial photographs, or where blue lines (indicating streams) appear on United States Geological Survey (USGS) quadrangle sheets. Manning's equation or water surface profile information can be used to estimate average flow velocity. Average flow velocity is usually determined for bank-full elevation.

APPENDIX C.3

**2 YEAR RAINFALL INTENSITY MAP
TO SUPPORT TIME OF CONCENTRATION**

Plate 5

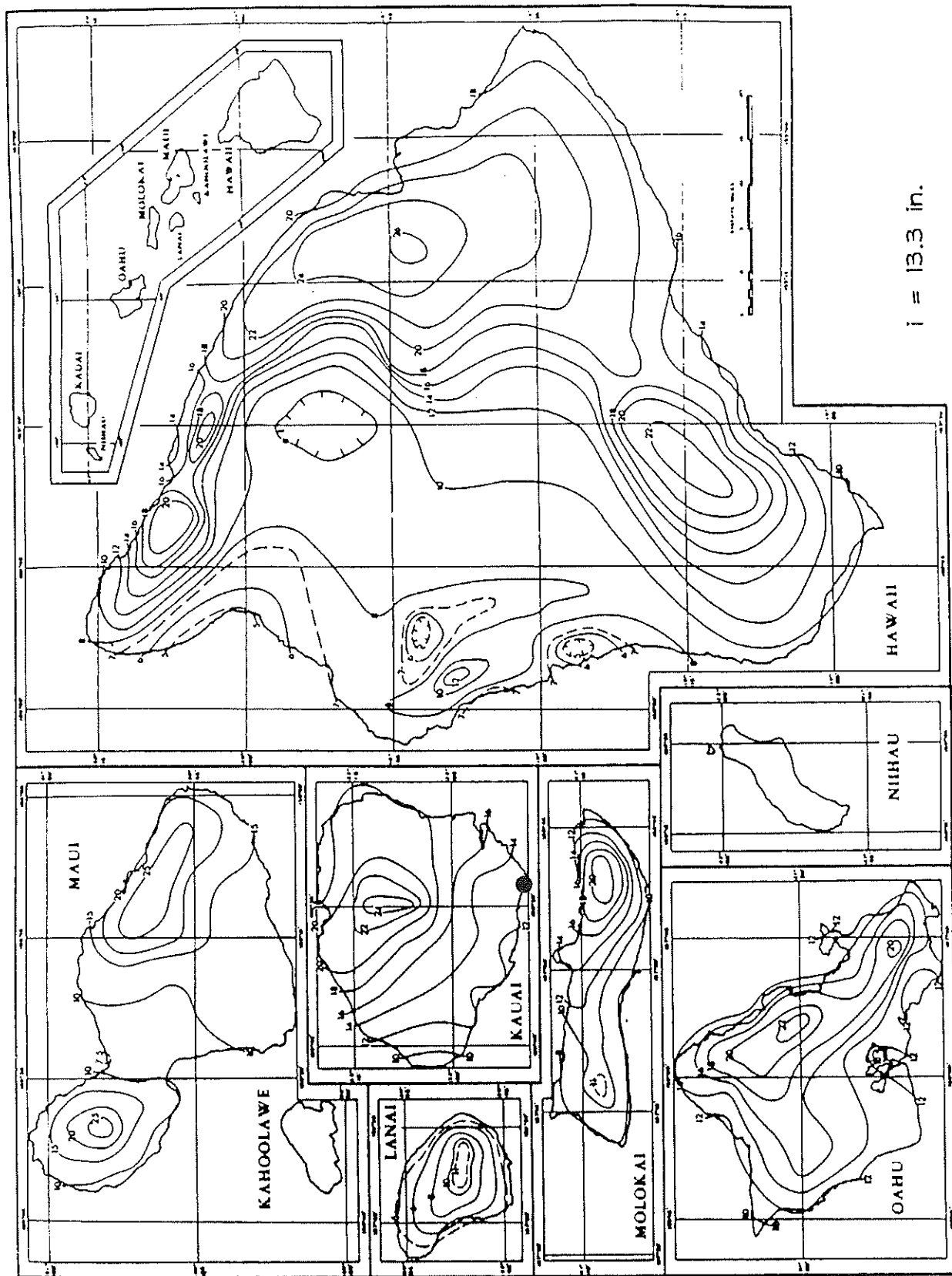


2-Year 24-Hour Rainfall (in.)

APPENDIX C.4

100 YEAR RAINFALL MAP TO SUPPORT RUNOFF CALCULATIONS

Plate 6



100-Year 24-Hour Rainfall (in.)

APPENDIX C.5

Soils Map

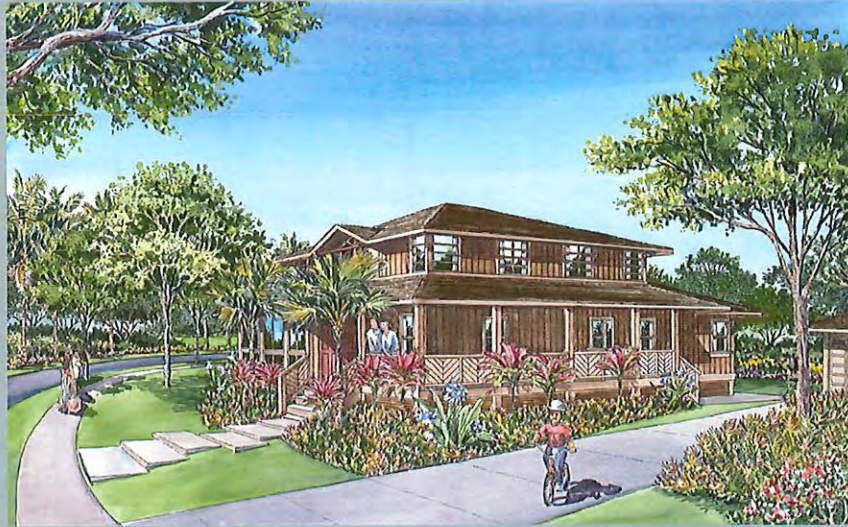


SOILS MAP

APPENDIX D

OTHER REPORTS

FINAL
ENVIRONMENTAL IMPACT STATEMENT



Village at Po'ipū

Prepared By:



Prepared For:

Accepting Authority,
State of Hawai'i Land Use Commission
Docket No. A05-761
Eric A. Knudsen Trust

November 2006



~~DRAFT FINAL~~ ENVIRONMENTAL IMPACT STATEMENT
VILLAGE AT PO'IPŪ

facilities reserve charges per the agreement. In addition, the Village at Po'ipū will install, own and maintain a separate irrigation system using non-potable drinking water for all landscaping within common areas and the larger single-family lots will be developed. The non-potable drinking water will be supplied by a private system, sourced from two on-site wells and Grove Farm's Waita Reservoir as needed and will help reduce the use of safe drinking water for irrigation for the project.

Wastewater

Based on a 250-gpd per multi-family unit generation rate and a 400-gpd per single-family generation rate, the proposed project would produce roughly 181,100 gpd at full build out. The 98 single family units in the petition area would generate 39,200 gpd of that total or 78,400 gpd if all 98 additional dwelling units are built. Wastewater generated by the Village at Po'ipū project will be collected and routed to the privately owned and operated Po'ipū Water Reclamation Facility (PWRf) for treatment. An upgrade and expansion of the wastewater plant was initiated in 2004. The first phase of improvements has been completed and included a new biological process, capable of treating up to 1,000,000 gallons per day of wastewater. With the completion of this phase, the Po'ipū Reclamation Facility has sufficient capacity to treat all the wastewater that will be generated by the Village at Po'ipū.

The second phase of improvements is estimated for completion at the end of 2005 has been completed and includes tertiary filtration and ultraviolet (UV) disinfection. When the second phase of improvements is completed, the treatment plant will now meets R-1 standards, which is the highest level of effluent quality regulated by the State of Hawai'i. It is expected that the effluent will be used by the neighboring Kiahuna Mauka Partners projects to irrigate the common areas of their development as well as the Kiahuna Golf Course. This will increase reuse of wastewater and reduce the amount of potable safe drinking water requirements used for irrigation in the region.

Drainage

Although the Village at Po'ipū will result in the construction of impermeable areas such as roads and homes that will increase the amount of runoff generated, the proposed improvements planned for the Village at Po'ipū drainage system will meet County requirements to maintain or reduce peak discharge rates at pre-development levels. The onsite detention basins are expected to actually reduce the peak discharge rate compared with existing levels. The plan also proposes using a combination of bioswales, vegetated drainage filtration and detention basins, as well as engineered networks of drain inlets, manholes, and drainage pipes. The incorporation of bioswales into the drainage process will help filter and slow runoff, improving the water quality of the runoff before it reaches the drainage systems and eventually the ocean. Because drainage is a cumulative impact that relates to the region as a whole, the impacts directly attributed to the petition area were not calculated by the engineers. However, based on the preliminary engineering report, drainage areas 3 and 4 comprise most of

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VILLAGE AT PO'IPŪ

the petition area and the peak discharge rate for those two drainage areas are expected to decrease after development compared with existing conditions. Furthermore, since the units planned within the petition area will have a lower density than those areas outside the petition area and County zoning for the Open District only allows ten percent lot coverage, the petition area lots must maintain permeable surfaces over 90 percent of the lot area which should help minimize any additional runoff generated in the petition area.

1.3.3 Relationship to Land Use Policies

State Land Use Law, Chapter 205, Hawaii Revised Statutes

Within the Village at Po'ipū project site, approximately ~~124.7~~127.490 acres are within the Agricultural District and approximately ~~78.380~~471 acres are within the Urban District. The proposed residential uses are permitted within the Urban District. A State Land Use District Boundary Amendment (SLUDBA) ~~will be required~~is being sought to reclassify the areas within the Agricultural District to Urban. ~~An additional~~The 2.709-acre portion of Hapa Road ~~is also that is~~ within the Agricultural District ~~and will be~~ included in the SLUDBA petition per the LUC request and with permission of the County of Kaua'i.

Hawaii Coastal Zone Management Program, Chapter 205A, Hawaii Revised Statutes

The Coastal Zone Management Area as defined in Chapter 205A, HRS, includes all the lands of the State. As such, the Village at Po'ipū is within the Coastal Zone Management Area. ~~However, it is the project site and petition area are not located along a shoreline and is are~~ outside of the Special Management Area (SMA). Conformance with the Coastal Zone Management Program is further discussed in Section 5.1.3 of this Draft EIS.

Hawaii State Plan, Chapter 226, Hawaii Revised Statutes

The Hawaii State Plan (Chapter 226, HRS) establishes a set of goals, objectives, and policies that serve as long-range guidelines for the growth and development of the State. As proposed, the Village at Po'ipū (including the petition area) is relevant to many of goals, objectives, and policies set forth by the Hawaii State Plan. The proposed project balances the provision of needed housing in South Kaua'i with the preservation of historic resources and implements environmentally-sensitive management of resources and wastes such as the use of ~~non-potable drinking~~ water for irrigation and the biofiltration of runoff water. Conformance with specific elements of the Hawaii State Plan is discussed in detail in Section 5.1.4 of this Draft EIS.

State Functional Plans

The Hawaii State Plan directs State agencies to prepare functional plans for their respective program areas. There are 13 state functional plans that serve as the primary implementing vehicle for the goals, objective, and policies of the Hawaii State Plan. The

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VILLAGE AT PO'IPŪ

Potential Impacts and Mitigative Measures

Based on a 250-gpd per multi-family unit generation rate and a 400-gpd per single-family generation rate, the proposed project would produce roughly 181,100 gpd at full build-out including all ADUs. The 98 additional single family lots in the petition area would generate 39,200 gpd of that total or 78,400 gpd if all 98 ADUs are built. As noted above, all of the effluent generated by the Village at Po'ipū including the petition area will be routed to the PWRF. It is expected that the effluent will be used by the neighboring Kiahuna Mauka Partners to irrigate the common areas of their development as well as the Kiahuna Golf Course. This will have a double benefit of increase—reusing of—wastewater effluent and reducing demand on safe drinking/potable water requirements—supplies for irrigation in the region.

An onsite sewer collection system consisting of sewer manholes and 8-inch pipelines will also be constructed. The developer will construct a sewer pump station and install sewer lines off-site to convey the wastewater to the treatment facility, as needed.

4.8.3 Drainage System

Existing terrain within the Village at Po'ipū site is generally consistent, with the topography being level to undulating and rocky in places. Elevations run from 18-25 feet above mean sea level (msl) at the *makai* boundary along Po'ipū Road to approximately 200 feet above msl along its *mauka* border near the intersection of Hapa Road and Weliweli Road. There are no wetlands or impaired waters of Hawai'i onsite.

Under existing conditions, runoff on the project site collects in natural swales and drainage-ways and flows *makai*, in the general direction of Po'ipū Road. The flows cross under Po'ipū Road through two sets of existing culverts near Hapa Road and near Kipuka Street before making its way through downstream properties to the ocean. Surface flows from the northernmost portion of the Village at Po'ipū site flow to the Kiahuna Golf course.

Under existing conditions, peak discharge rates for a 100-year, 24-hour storm are estimated to be 519 cubic feet per second (cfs) through the series of five culverts near the Po'ipū Road/Hapa Road intersection and 277 cfs through the culvert near Kipuka Road, and 170 cfs from the northernmost portion of the Village at Po'ipū site.

Potential Impacts and Mitigative Measures

The development of the Village at Po'ipū will result in the construction of impermeable areas such as roads and homes that will affect runoff. Drainage patterns will change

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slightly from the existing conditions as the runoff pattern is revised to follow the new roadways.

Peak discharge rates with the Village at Po'ipū project are estimated to be 466 cfs through the series of five culverts near Hapa Road, 332 cfs through the culvert near the Po'ipū Road/Kipuka Road intersection, and 157 cfs from the northernmost portion of the site. Drainage flows through the series of five culverts and from the northernmost portion of the site will decrease with the proposed project. However, the flow rate is estimated to increase by 55 cfs over the existing peak discharge through the culvert near the Po'ipū Road/Kipuka Road intersection.

The County of Kaua'i requires that for new developments, the peak discharge rate for the future condition be maintained at exiting levels. To meet this requirement, the developer proposes to construct detention basins near Po'ipū Road. Table 5Table 8 compares the existing peak discharge rates with future peak discharge rates with and without the detention basins.

Table 5Table 8: Comparison of Existing and Future Peak Runoff Conditions

Drainage Area	Existing Peak Discharge Rate (cfs)	Future Peak Discharge Rate (cfs)	Future Peak Discharge Rate After Detention (cfs)
Kipuka Road Culvert (No. 2)	277	332	172
Hapa Road Culverts (No. 1 and 3)	519	466	466 (No Detention)
Mauka Area (No. 4)	170	157	157 (No Detention)

Because the Village at Po'ipū will be completed in three phases, a temporary detention basin will also be necessary during construction. To maintain the pre-development peak discharge rate throughout all three phases of construction, a temporary detention facility will be constructed upstream of the culvert openings at Po'ipū Road. Following construction of the upstream areas and the permanent detention facilities, the temporary detention basin can be removed.

The on-site drainage collection system for the Village at Po'ipū will consist of drain inlets, manholes, swales, and drainage pipes estimated from 18" to 60" in diameter, which will be installed along the planned roadways of the development. Runoff will be collected and routed to detention basins before being discharged to the culverts crossing Po'ipū Road. Drainage improvements may also include the construction of bioswales, which use landscaping improvements to help filter and slow runoff,

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VILLAGE AT PO'IPŪ

improving the water quality of the runoff before it hits the drainage systems and eventually the ocean.

With the construction of the proposed drainage system and detention basins, peak discharge rates of runoff to neighboring areas will not exceed existing rates. In fact, they will be reduced. Furthermore, the use of bioswales and biofiltration should help slow runoff and improve the water quality of the runoff. Therefore the development will not create an unreasonable risk to adjacent and downstream properties.

Please note that because drainage is a cumulative impact that relates to the region as a whole, the impacts directly attributed to the petition area were not estimated. However, based on the preliminary engineering report, drainage areas 3 and 4 comprise most of the petition area and the peak discharge rate for those two drainage areas are expected to decrease after development compared with existing conditions (see Table 8). Furthermore, since the units planned within the petition area will have a lower density than those areas outside the petition area and County zoning for the Open District only allows ten percent lot coverage, the petition area lots must maintain permeable surfaces over 90 percent of the lot area which should help minimize any additional runoff generated in the petition area.

4.8.4 Electrical and Communications Systems

Kaua'i Island Utility Cooperative (KIUC) supplies electrical power for residential, commercial, large power, and street lighting uses throughout the island. Major load centers are in Kapa'a-Wailua, Lihu'e, and Kōloa-Po'ipū. KIUC generates power from a 96-megawatt (MW), diesel-fired power plant located at Port Allen. The utility also purchases non-firm power from Island Coffee and the Gay & Robinson sugar mill.

The Village at Po'ipū site is within the Kalāheo-Po'ipū-Kōloa service area. The region is served by four transmission circuits, one extending east from Pt. Allen and another extending south from Kaumuali'i Highway. There is a switchyard in Kōloa and a substation in Lāwa'i.

Hawaiian Telcom (formerly Verizon Hawaii) provides telephone and other communications services to Kaua'i. Oceanic Time Warner Cable provides the cable television and internet service for Kaua'i.

Potential Impacts and Mitigative Measures

The annual electrical demand of the project when fully developed is expected to reach approximately 3 million kilowatt-hours (kwh) (BD Neal 2005). At 5,750 kwh per residence per year, the electrical demand for the 98 single family units and 98 ADUs within the petition area is estimated to be 1.13 million kwh per year. Electrical power



Section 3. MASTER PLAN

Preamble

Definition and purpose

A Master Plan is a comprehensive document that sets out an overall vision and steps for implementation. It is a long-term outline for a project or function, and typically incorporates related sub-plans. Its use and form varies somewhat by discipline.

- To engineers, a Master Plan means “the orderly planning of a system’s future program and *the initial step before specific design of parts of the system.*”^[52]
- To architects and landscape architects, a Master Plan is more narrowly *a concept definition for a space*, illustrated by maps, drawings, and narrative.
- To town planners or university leaders, a Master Plan is *a policy document to guide future development.*
- For conservators of historic properties, a Master Plan has been called “*a living document, that sets the parameters for the maintenance, interpretive programs, and management of the property.*”^[53]

The *Kāneiolouma* Master Plan incorporates elements from each of the above. It provides an overall vision for the project, sketches a timeline for the next decade, defines steps and methods, sets priorities, and addresses funding. The most immediate components have the most detailed work-plan specifics.

This is a living document, meaning that regular review, update, and further additions are planned. The entire Master Plan will be scheduled for review and updates at 5-year intervals. Additionally, several sub-plans are designated for further development as part of the project itself.

The purpose of this Master Plan is to provide a guiding blueprint for the work of *Hui Mālama Kāneiolouma* and to set parameters for care of *Kahua O Kāneiolouma* into the future.

Components

Components of the Master Plan are organized into the following (sub-plan) chapters:

- Preservation plan
- Interpretive plan
- Management plan
- Traffic plan (to be completed in consultation with County)
- Drainage plan (to be completed in consultation with County)

Guiding principles

Following are the guiding principles for the project:

- All actions are grounded in respect for the Hawaiian culture and its traditions, language, religion, and life in balance with the land.
- All restoration is strictly authentic and performed in accord with ancient protocols.
- To the greatest degree possible, a Hawaiian atmosphere prevails. That means no metal or anything that did not exist in ancient Hawaii.
- Care of the site is paramount. Work vigilantly to prevent damage or deterioration. Consider carrying capacity. No over-use.
- This is a cultural ceremonial preserve. Dance and sports have a place, Island champions are determined. *Kāneiolouma* can resume a traditional role in hosting larger groups and inter-island visitors for *Makahiki* ceremonies.
- Cultural experts are engaged to ensure correct protocols are followed.
- Community participation and volunteers are involved to share in the experience of restoring *Kāneiolouma*.
- The site is preserved for the access and benefit of all peoples.

Preservation Plan

Guidelines

A draft Preservation Plan prepared for the County of Kaua'i by Cultural Surveys Hawaii, Inc. in 2010^[36] recommended the following preservation/mitigation measures:

1. A stewardship agreement between the County of Kaua'i and *Hui Mālama O Kāneiolouma*.
2. Vegetation clearing, landscaping, and erosion control.
3. Site stabilization and reconstruction.
4. Monitoring of vegetation clearing and site stabilization activities.
5. Access for the public and cultural practices.
6. Barriers to rock theft.
7. Signs to advise of the legal consequences of vandalism and rock theft.

The present Master Plan includes measures that address the above recommendations.

Restoration definitions

The Secretary of the Interior's Standards and Guidelines for Preservation, as amended (1995), provide the following definitions:^[54]

- **Restoration** is defined as "the process of accurately recovering the form, features and character of a property as it appeared at a particular period of time, by means of the removal of features from other periods and reconstruction of missing features from the restoration period."
- **Rehabilitation** is defined as "the process of making possible a compatible [modern] use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, architectural, and cultural values."
- **Reconstruction** is defined as the process of depicting by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time in its historic location.

In this project, preservation activities are dedicated to authentic restoration of the site to its pre-historic state. This will involve primarily stabilization and repair of deteriorated structures, and in some cases reconstruction of missing elements.

Security wall

Need

In light of the potential for site disturbance and theft, security is a concern. When the vegetation buffer that currently surrounds the preserve is removed, the entire *Kāneiolouma* complex will be open and clearly visible from Ho'owili and Po'ipū roads. The view from the road will be a wide open landscape, looking into a natural arena and complicated array of walls, enclosures and terraces.

As a high priority, we are proposing a visually compatible perimeter buffer in the form of a rock wall to delineate and secure the preserve.

Appearance

The intent is not to block or spoil the view with fencing. We are committed to preserving a Hawaiian landscape and atmosphere. A stone wall, four feet high, three feet wide at its base and two at the top (FIGURE 5), grouted by cement the color of stone (following Kekahuna), will work to delineate the preserve boundary while still allowing visibility of the site. This wall style will be distinguishable from those within the complex.

Location

The placement of the perimeter wall is shown in MAP 6.

Entrances

Three openings through the security wall are proposed.

The eastern gateway is on the two acres recently transferred^[4] from the State to the County. This entry/exit opens onto an undeveloped road corridor (northern extension of Kaua'i Road) which has potential for enhancement for bike and pedestrian traffic (see MAP 6). The other two entrances are located on the western side fronting Ho'owili Road and are approximately 150 feet apart. The western entrances will give access to the main spectator viewing area during cultural performances. An inner recess wall with two gates at each entrance is proposed, as this will give the main wall a seamless continuity from most angles (see FIGURE 6). Note that these are pedestrian gates, four feet wide. The main entrance and vehicular access will be from the south side, at the location of the surf shop.



MAP 6: Aerial view of Kāneiolouma looking north-east, showing location of security wall and entrances to the preserve. The adjoining Nukumoi property (former YMCA) is also shown.
Aerial photo by Jim Aickman.

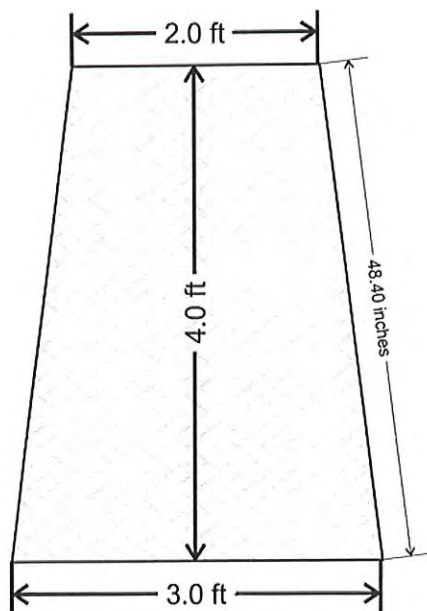


FIGURE 5: Schematic cross-section of proposed security wall.

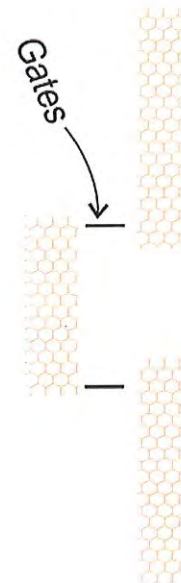


FIGURE 6: Schematic structure of gateways in security wall.

Traffic Plan

Issues

- Traffic flow pattern
- Access and entry
- Parking
- Safety
- Emergency exits
- Main signage at intersection of Ho'owili and Pō'ipu road
- Main entrance into *Kāneiolouma* complex at Nukumoi.
- Potential for pedestrian/bike access via undeveloped road corridor (north Kaua'i Rd.)

Approach

- Safety is priority one.
- Make the Po'ipū Beach Park experience as pedestrian and bike friendly as possible.
- Coordinate with County in development of traffic plan.

Drainage Plan

Issues

- 1- Former fish ponds bisected by road.
- 2- Center of west pond has been filled, causing flooding.
- 3- Water draining from *mauka* subdivision into the park is contributing to flooding problem in the Preserve.

Approach

- Coordinate with the County.
- Completion of a flood mitigation plan and implementation of drainage recommendations is critical to preservation of the *kahua*.



Flooding at Kāneiolouma

Section 4. IMPLEMENTATION

Timeline and phasing

This Master Plan addresses a seven year horizon, with work in four overlapping phases.

The broad tasks for each Phase are as follows:

Phase I: (one year time-frame)

- Security wall and protective signage.
- Adjacent parcel acquisition.
- Removal of hurricane debris.
- 3-D site survey and documentation.
- Assemble stone masons and volunteer teams.

Phase II: (three year time-frame)

- Rock wall restoration.
- Drainage plan and flood mitigation.
- Interpretive signage development.
- Traffic plan.

Phase III: (five year time-frame)

- Fishpond restoration.
- Taro field restoration.
- Selected house site restoration.
- Pathways and viewing points.
- Grounds open to public.

Phase IV: (seven year time-frame)

- Interpretive center remodel.
- Interpretive displays install.
- Facilities integration with Po'ipū Beach Park.
- Cultural activities begin.
- Interpretive visitor center open to public.

Table 5, next page, shows a timeline for these activities.

Table 6, following page, summarizes specific objectives, priorities, and resource needs, by Phase.

TABLE 5. Project Timeline (last updated January 2012)

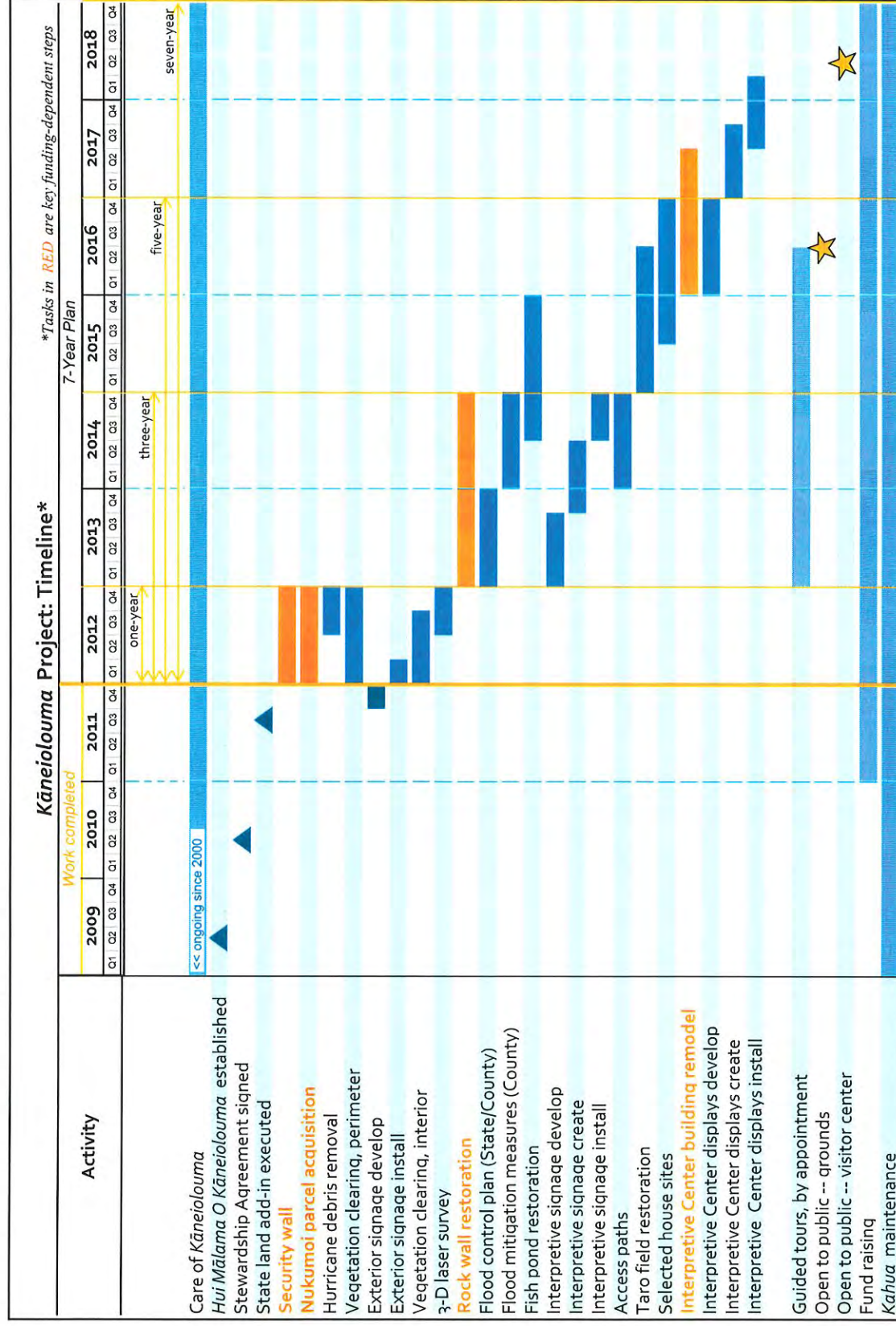


TABLE 6. Detail of Project Phases and Resources

PHASE I Time-frame: 1 year

Item	Resources needed*	Estimated Total Cost	Estimated Time
Vegetation clearing, perimeter	Volunteer labor. County assistance hauling trees.	donated	12 months
Security wall	Aim: Rocks donated, A&B Inc. Aim: Cement donated, Glover. Labor by contract. Funding from County.	\$500,000	Funds transfer, bids, contract award: 6 months Construction: 6 months Total: 12 months.
Acquisition of adjacent parcel (YMCA)	Potential grant sources: - Hawaii Land Trust - Community block grant, with County assistance	TBD	Begin immediately, time required TBD.
Hurricane debris removal	County equipment	TBD	6 months
Exterior signage for security	In-house design resources in consultation with County. Support requested from HTA.	\$5,000	12 months coordinate with perimeter clearing and security wall.
Vegetation clearing, interior	Volunteer labor.	donated	12 months
Site laser survey	Preliminary work donated by Wellman Surveying; additional support requested from HTA.	\$5,000	3 months
Grant writing	Requests to OHA and others with match by in-kind contributions and County funds.	donated	various due dates for funding FY12 and FY13
Admin & misc support	Support requested	\$30,000	ongoing

PHASE II Time-frame: 3 years

Item	Resources*	Estimated Total Cost	Estimated Time
Repair rock walls	Hawaiian cultural stone masons Volunteer support labor	\$1,200,000	2 years
Flood control	County capital project. County/State/Federal funding for flood mitigation planning.	TBD	Planning: 1 year Mitigation measures: 1 year
Fishpond restoration begin.	Volunteer labor County and State funding for drainage and flood mitigation.	TBD	2 years
Re-vegetation begin	Volunteer labor & consultation Donated plants	donated	begin as areas of walls are completed, 3 years
Traffic plan	In consultation with County.	donated	1 year

/continued

* Volunteer labor includes County work service detail

Table 4: Detail of Phases (continued)

PHASE III Time-frame: 5 years

Item	Resources*	Estimated Total Cost	Estimated Time
Taro field restoration	Volunteer labor. Donated materials.	donated	3 years
Selected house site restoration	Volunteer labor. Donated materials supplemented by grant request	\$100,000	3 years
Paths, access, viewpoints	Volunteer labor. Donated materials supplemented by grant request	\$100,000	2 years
Interpretive signage	In-house resources collaborate with design professionals. Grant request for production.	\$50,000	1 year

PHASE IV Time-frame: 7 years

Item	Resources*	Estimated Total Cost	Estimated Time
Interpretive Center remodel	Potential grant sources: OHA, HTA	TBD	18 months
Interactive displays and exhibits	In-house and donated design resources. Grant for production costs.	\$50,000	1 year
Cultural activities	Volunteer labor, kūpuna and community leaders.	in-house resources	ongoing
Facilities integration with Po'ipū Beach	Consultation with County.	TBD	TBD

* volunteer labor includes County work service detail

Budget

When available, the most current budget and funding plan will be provided as an attachment to this document.

County assistance

Assistance of the County has been requested / is being provided on several issues related to the project.

These include:

- 1- Assistance in acquisition of adjacent parcel (former YMCA property), currently zoned Open, Public, Cultural, in the public interest, for expansion of the *Po'i'pū Beach Mauka Preserve*.
- 2- Funding support for security wall in phase I.
- 3- Assistance with flood mitigation and drainage issues.
- 4- Coordination of traffic and parking plan.
- 5- Coordination of facilities integration with Po'i'pū Beach Park.

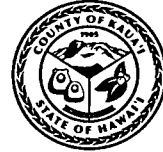
Revision

An update to the Implementation section is scheduled in 12 months to take account of data gathered in Phase I.

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
REIKO MATSUYAMA, MANAGING DIRECTOR

TRANSMITTAL OF AGENCY COMMENTS TO PLANNING COMMISSION

DATE: December 6, 2023

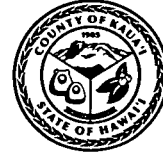
PERMIT NO.(S): Class IV Zoning Permit Z-IV-2006-27
Use Permit U-2006-26
Project Development Use Permit PDU-2006-25

APPLICANT: MERIDIAN PACIFIC (Formerly Kiahuna Poipu Golf Resort, LLC.)

Attached for the Planning Commission's reference are agency comments for the permit referenced above.

H.I.A.

DEC 12 2023



MEMORANDUM

TO: Ka'aina Hull, Planning Director

FROM: Michael Moule, PE, Chief of Engineering

Digitally signed by Michael
Moule
Date: 2023.12.05 16:42:07 -10'00'

DATE: December 5, 2023

RE: Master Drainage Plan for Lands Mauka of Po'ipū Road Rezoned under Ordinance No. PM-31-79

My office has completed our review of the subject master drainage plan, dated December 5, 2023, as submitted by Esaki Surveying and Mapping, Inc. The Planning Department issued a letter dated September 25, 2006 documenting the approval by Planning Commission of Project Development Use Permit P.D.U-2006-25, Use Permit U-2006-26, and Class IV Zoning Permit Z-IV-2006-27. Condition number 26 documented in this letter states:

"Prior to building permit approval, the Applicant shall submit a master drainage plan for all lands mauka of Po'ipū Road rezoned under Moana Corporation Ordinance No. PM-31-79 for Planning Commission review and approval, including Kaneioulouma Heiau."

The subject master drainage plan was submitted to address condition number 26.

We have reviewed the subject master drainage plan and find the final version dated December 4, 2023 acceptable with respect to the County of Kaua'i Storm Water Runoff System Manual.

The master drainage plan does the following:

- Summarizes information from detailed drainage reports within the master plan area, for development projects that have already been completed or have already been designed.
- Discusses and provides estimated stormwater runoff information for properties within the master plan area that have been rezoned but for which no specific developments have been proposed or constructed.
- Indicates which properties within the master plan area drain to Kaneioulouma Heiau and discusses methods to mitigate stormwater runoff to the heiau.

If you have any questions, please contact me at 808-241-4891.

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

DIRECTOR'S REPORT

I. SUMMARY

Action Required by Planning Commission: Consideration of Master Drainage Plan for approval, pursuant to Condition No. 26 of the subject permits

Permit Application Nos. Class IV Zoning Permit Z-IV-2006-27
Use Permit U-2006-26
Project Development Use Permit PDU-2006-25

Name of Applicant(s) MERIDIAN PACIFIC (Formerly KIAHUNA POIPU GOLF RESORT, LLC.)

II. PERMIT INFORMATION

PERMITS REQUIRED	
<input checked="" type="checkbox"/> Use Permit	A Use Permit was necessary since the project warranted a Project Development Use Permit.
<input checked="" type="checkbox"/> Project Development Use Permit	Pursuant to Article 10, Chapter 8 of the KCC (1987) as amended, a Project Development Use Permit was required to allow comprehensive site planning and design, and to allow "diversification in the relationships of various uses, buildings, structures, open spaces and yards, building heights, lot sizes, and streets."
<input type="checkbox"/> Variance Permit	
<input type="checkbox"/> Special Permit	
<input checked="" type="checkbox"/> Zoning Permit Class <input checked="" type="checkbox"/> IV <input type="checkbox"/> III	Pursuant to Section 8-10.5 of the KCC (1987) as amended, a Class IV Zoning Permit was a procedural requirement for obtaining a Project Development Use Permit.
<input type="checkbox"/> Special Management Area Permit <input type="checkbox"/> Use <input type="checkbox"/> Minor	
AMENDMENTS	
<input type="checkbox"/> Zoning Amendment	
<input type="checkbox"/> General Plan Amendment	
<input type="checkbox"/> State Land Use District Amendment	

Date of Receipt of Completed Application: N/A
Date of Director's Report: December 6, 2023
Date of Planning Commission Review: December 12, 2023
Deadline Date for PC to Take Action (60TH Day): N/A

III. PROJECT DATA

PROJECT INFORMATION			
Parcel Location:	The project site is located along Kiahuna Plantation Drive in Po'ipū, Kaua'i.		
Tax Map Key(s):	2-8-014:032	Area:	Approx. 27.886 acres
ZONING & DEVELOPMENT STANDARDS			
Zoning:	Residential (R-10) & Open (O) Districts		
State Land Use District:	Urban		
General Plan Designation:	Resort		
Height Limit:	55 feet		
Max. Land Coverage:	60% of lot area		
Parking Requirement:	N/A		
Front Setback:	10 feet min.		
Rear Setback:	10 feet min,		
Side Setback:	5 feet min.		
Community Plan Area:	South Kaua'i Community Plan (SKCP)		
Community Plan Land Use Designation:	NA.		
Deviations or Variances Requested:	NA.		

IV. PROJECT DESCRIPTION AND USE

On August 22, 2006, the Planning Commission approved the subject permits to allow for the construction of a 280-unit multi-family resort residential project (refer to Exhibit 'A', Planning Commission approval letter). As represented, the project would involve:

- Front desk and rental offices;
- 4,800 SF restaurant and pool bar;
- Permanent project real estate sales offices & administrative offices;
- Small gift shop;
- Meeting rooms;
- Fitness & Business Centers;
- Two (2) on-site swimming pools;
- Retreat center with poolside bar and massage palapas;

- Logo shop
- Keiki pavilion & playground;
- Sand volleyball court area;
- Tennis court; and
- 9-hole putting course

In addition, two (2) single-family residential dwellings would be located within the Open (O) zoning district portion of the parcel. A total of 554 parking stalls would be provided on-site within parking garages and parking lots, and there will also be 6 parking stalls along Kiahuna Plantation Drive and designated for public use for Hapa Trail users.

The parcel is a portion of the 457-acre Moana project area that included single and multi-family residential zoning, open zoning for recreational uses and archaeological preserves, and Neighborhood Commercial zoning to serve the Po'ipū area.

The subject parcel is primarily zoned Residential District (R-10) with a portion that's zoned Open District (O) that's adjacent to the golf course along its western boundary. The project is situated within the Po'ipū Visitor Destination Area (VDA).

V. APPLICANT'S REASONS/JUSTIFICATION

The Applicant is requesting the Commission to review and approve the Master Drainage Plan pursuant to Condition No. 26 that relates to drainage requirements for the project. The condition currently reads:

"26. Prior to building permit approval, the Applicant shall submit a master drainage plan for all lands mauka of Poipu Road rezoned under Moana Corporation Ordinance No. PM-31-79 for Planning Commission review and approval, including Kaneioulouma Heiau."

As stated, the condition requires the developer to prepare a master drainage plan that would include the project area, the lands that were rezoned through Ordinance No. PM-31-79, commonly referred to as the "Moana Ordinance," and the land encumbered by Kaneioulouma Heiau. It is noted that the parcel containing the heiau was not a part of the Moana Ordinance and it is physically separated from the "Moana" lands since it is on the makai side of Poipu Road.

The intent of the document is to study the stormwater effect on the heiau as a result of the developments within the Moana lands. In consideration of the plan, it should be noted that the Applicant does not have any control of the lands that are situated across and along Kiahuna Plantation Drive, as well as those lands immediately mauka of the heiau parcel since they are under a different ownership. The drainage plan would evaluate its impacts to surrounding parcels as well as potential impacts to Kaneioulouma Heiau.

It is finally noted that the drainage plan has been submitted to the County Department of Public Works (DPW), Engineering Division for their review and comment. Attached for the Commission's consideration, through a separate transmittal, is a copy of the COK DPW comments dated


December 5, 2023.

VI. AGENCY COMMENTS

Under separate transmittal.

VII. PRELIMINARY RECOMMENDATION

Based on the correspondence received from the County DOW, it is recommended that the Commission **approve** the Master Drainage Plan dated December 5, 2023. Additionally, the Applicant is advised that all applicable conditions of approval shall remain in effect.

By 
DALE A. CUA
Planner

Approved & Recommended to Commission:

By 
KA'ĀINA S. HULL
Director of Planning

Date: _____