



## PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

GERALD AKO, CHAIR  
GLENDA NOGAMI STREUFERT, VICE CHAIR  
JERRY ORNELLAS, MEMBER

- The Planning Commission Meeting will be at:

25 DEC -3 PM 5:53

**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](mailto: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](mailto: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.**

**SUBDIVISION COMMITTEE MEETING NOTICE AND AGENDA**

**Tuesday, December 09, 2025**

**8:30 a.m. or shortly thereafter**

**Līhu'e Civic Center, Moikeha Building**

**Meeting Room 2A-2B**

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

25 DEC -3 PM 12:53

**A. CALL TO ORDER**

**B. ROLL CALL**

**C. APPROVAL OF AGENDA**

**D. MINUTES of the meeting(s) of the Subdivision Committee**

**E. RECEIPT OF ITEMS FOR THE RECORD**

**F. UNFINISHED BUSINESS**

**1. Preliminary Subdivision Map Approval**

- a. Subdivision Application No. S-2025-1  
Sueoka Store Expansion Project  
**SMK, Inc.**  
Proposed 11-Lot Consolidation into 1-Lot  
TMKs: (4) 2-8-008: 020, 022 – 029, 034, 035  
Kōloa, Kaua'i

- 1) Subdivision Report pertaining to this matter.

**G. NEW BUSINESS (For Action)**

**1. Preliminary Subdivision Map Approval**

- a. Subdivision Application No. S-2026-4  
**Peggy R. Medeiros, and Michael B. & Milaine H. Medeiros Trust**  
Proposed 2-Lot Subdivision  
TMK: (4) 2-7-005: 014  
'Ōma'o Homesteads, Kōloa, Kaua'i

- 1) Subdivision Report pertaining to this matter.



## **G. NEW BUSINESS (For Action) Continued**

### **1. Preliminary Subdivision Map Approval (Continued)**

- b. Subdivision Application No. S-2026-5  
**Herbert H. Nishida, Barbara S. Nishida, David H. Nakamura**  
Proposed 5-Lot Subdivision  
TMK: (4) 4-4-015: 017  
Kapa'a Homesteads, Kapa'a, Kaua'i

1) Subdivision Report pertaining to this matter.

- c. Subdivision Application No. S-2026-6  
Lot 5 of Ho'oluana At Kohea Loa, Phase 1  
**Visionary, LLC.**  
Proposed 2-Lot Subdivision  
TMK: (4) 3-7-003: 032  
Hanama'ulu, Lihu'e, Kaua'i

1) Subdivision Report pertaining to this matter.

## **H. EXECUTIVE SESSION**

Pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the County's legal counsel on questions, issues, status and procedural matters. This consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Commission and the County as they relate to the following matters:

- 1. Subdivision Application No. S-2025-1  
Sueoka Store Expansion Project  
**SMK, Inc.**  
Proposed 11-Lot Consolidation into 1-Lot  
TMKs: (4) 2-8-008: 020, 022 – 029, 034, 035  
Kōloa, Kaua'i
- 2. Subdivision Application No. S-2026-4  
**Peggy R. Medeiros, and Michael B. & Milaine H. Medeiros Trust**  
Proposed 2-Lot Subdivision  
TMK: (4) 2-7-005: 014  
'Ōma'o Homesteads, Kōloa, Kaua'i
- 3. Subdivision Application No. S-2026-5  
**Herbert H. Nishida, Barbara S. Nishida, David H. Nakamura**  
Proposed 5-Lot Subdivision  
TMK: (4) 4-4-015: 017  
Kapa'a Homesteads, Kapa'a, Kaua'i

**H. EXECUTIVE SESSION (Continued)**

4. Subdivision Application No. S-2026-6  
Lot 5 of Ho'oluana At Kohea Loa, Phase 1  
**Visionary, LLC.**  
Proposed 2-Lot Subdivision  
TMK: (4) 3-7-003: 032  
Hanamā'ulu, Līhu'e, Kaua'i

**I. ADJOURNMENT**

# DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



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

## SUBDIVISION REPORT (REVISED)

### I. SUMMARY

**Action Required by Planning Commission:** Consideration of Subdivision Application No. S-2025-1 that involves the consolidation of eleven (11) lots into one (1) lot.

**Subdivision Permit No.** Application No. S-2025-1

**Name of Applicant(s)** SMK, INC.

### II. PROJECT INFORMATION

<b>Map Title</b>	Consolidation of Parcel 20 (Yamada, River, and Makai Roads), Parcel 34, Parcel 35, and Lots 11 Thru 18, Being Portions of Kōloa Tract, File Plan 346 Into Lot 1. Designation of Easements AU-1, S-1, and S-2 and Cancellation of Roadway Easement, Access and Utility Easement, and Easements C and D, Kōloa, Kaua'i, Hawai'i.				
<b>Tax Map Key(s):</b>	2-8-008: 020, 022-029, 034, 035	<b>Area:</b>	1.631 Acres		
<b>Zoning:</b>	General Commercial (C-G) / Form-Based Code Transects: T4VC / T4VN-F				
<b>State Land Use District(s):</b>	Urban	<b>General Plan Designation:</b>	Neighborhood Center		
<b>AGENCY COMMENTS</b>					
<input checked="" type="checkbox"/> COK DPW-Engineering	10.27.2025	<input checked="" type="checkbox"/> COK DPW-Wastewater:	10.15.2024		
<input checked="" type="checkbox"/> COK Water:	11.18.2025	<input type="checkbox"/> State DOT-Highways:			
<input type="checkbox"/> COK Housing:		<input checked="" type="checkbox"/> State Health:	10.31.2024		
<input type="checkbox"/> COK Fire:		<input checked="" type="checkbox"/> DLNR – SHPD:	12.31.2024		
<b>EXISTING ROAD RIGHT-OF-WAY(S)</b>					
Road Name	Existing Width	Required Width	Pavement YES	NO	Reserve
Kōloa Road	50 feet	60 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Weliweli Road		56 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
<b>APPLICABLE FEES</b>					
<b>Environmental Impact Assessment (EIA):</b>	N/A				
<b>Park Dedication:</b>	N/A				
<b>Appraisal Report Required:</b>	N/A				

**F.I.A.I.**

**DEC 09 2025**

<b>Date of Preliminary Map Acceptance:</b>	October 09, 2024
<b>Date of Director's Report:</b>	November 27, 2024
<b>Date of Public Hearing:</b>	December 10, 2024
<b>Deadline Date for PC to Take Action Pursuant to Section 9-3.4(b) of the K.C.C.:</b>	December 23, 2024 (Applicant Waived Timeline)

### III. EVALUATION

#### Project Description

The proposal consolidates eleven (11) existing lots into a single lot within the South Kaua'i Form-Based Code Transects T4 Village Center (T4VC) and T4 Village Neighborhood – Flex (T4N-F), as well as the County's General Commercial (C-G) zoning district. The intent of the consolidation is to facilitate the expansion of Sueoka Store and its associated parking lot improvements that were previously reviewed through Project Development Use Permit PDU-2008-17, Class IV Zoning Permit Z-IV-2008-18, and Use Permit U-2008-16, approved by the Kaua'i Planning Commission on September 09, 2008. Prior to final subdivision approval, the Applicant shall work with the Planning Department and the Department of Public Works – Engineering Division to resolve the applicable requirements of PDU-2008-17, Class IV Zoning Permit Z-IV-2008-18, and Use Permit U-2008-16 relating to road widening and access provisions.

In evaluating the proposal, it should be noted that the application was originally scheduled for Preliminary Subdivision Map Approval on December 10, 2024. However, after receiving comments from the Department of Public Works, Engineering Division, dated November 29, 2024, regarding future roadway improvements along Kōloa Road and the need for a Traffic Impact Analysis Report, the Applicant submitted a letter on December 6, 2024, requesting a six-month deferral.

At the Planning Commission meeting on June 10, 2025, the subdivision application was again deferred to October 14, 2025, or to the next available meeting thereafter. This subsequent deferral followed a correspondence from Esaki Surveying and Mapping, Inc., dated May 29, 2025, requesting an additional four-month extension to allow more time to coordinate planned roadway improvements fronting Sueoka Store with the Department of Public Works, Engineering Division.

At the Planning Commission meeting held on November 11, 2025, preliminary approval for the application was again deferred, this time to the Planning Commission meeting scheduled for December 09, 2025, to allow the Department of Public Works, Engineering Division additional time to provide updated comments based on ongoing discussions with the Applicant over the past year.

Following these discussions, the Applicant has agreed to evaluate the feasibility of constructing a new roundabout at the intersection of Maluhia Road and Kōloa Road, in coordination with the Department of Public Works. If a roundabout is necessary, it would be considered as an off-site infrastructure improvement associated with this Subdivision Application. As a result, the Applicant would be required to obtain construction plan approval

prior to final subdivision map approval. Accordingly, the conditions from both the Planning Department and the Department of Public Works, Engineering Division have been updated in this subdivision report to reflect the proposed roundabout improvements.


Access

The subject property is located in the Kōloa Town business core and situated along the frontage of Kōloa Road. Access to development will continue to be provided via Kōloa Road and through Weliweli Road.

Park and EIA Fees

Since there are no additional lots being created with this application, there will be no assessment of an Environmental Impact Assessment (EIA) Fee and Park Dedication Fee.

**IV. RECOMMENDATION**

TENTATIVE APPROVAL	FINAL APPROVAL
<input checked="" type="checkbox"/> Approval  <input type="checkbox"/> Denied	<input type="checkbox"/> Approval  <input type="checkbox"/> Denied
Tentative Approval subject to all requirements as noted on the follow pages:	All conditions have been complied with
 Director of Planning  12/2/2025 Date	Director of Planning  Date

**V. AGENCY REQUIREMENTS**

1. Requirements of the Planning Department:
  - a. An updated preliminary title report for the 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 (digitized format) of the final subdivision map(s) on disk for record keeping purposes prior to final subdivision approval.
  - d. Pursuant to Section 9-3.8 (c) of the Subdivision Ordinance, Kaua'i County Code, 1987, as amended, the Applicant shall file fifteen (15) copies of the subdivision

final map with the Planning Department within one (1) year after approval of the preliminary subdivision map. If no filing is made, the approval of the preliminary subdivision map and construction plan shall become void unless an extension of time is granted by the Planning Commission.

- e. The Applicant shall work with the Planning Department and the Department of Public Works – Engineering Division to resolve the applicable requirements of PDU-2008-17, Class IV Zoning Permit Z-IV-2008-18, and Use Permit U-2008-16 relating to road widening and access provisions in order to accommodate the expansion of Sueoka Store and its associated parking lot. These requirements are reflected in Condition Nos. 1, 2, 4, and 5 of the foregoing permits.
- f. The Applicant shall evaluate the feasibility of establishing a new roundabout at the intersection of Maluhia Road and Kōloa Road. If it is determined that a new roundabout will be necessary, the Applicant shall prepare and obtain construction plan approvals for the necessary road, water, drainage, electrical, and telephone utility and facilities, and either construct the same or post a surety bond for completion.
- g. Relative to Condition 1.f., the proposed roundabout would eliminate public parking spaces along Kōloa Road. Therefore, the Applicant shall designate a public access easement over the Sueoka Store parking area for public parking purposes. The public access easement shall be formalized through a Grant of Easement with the County of Kauaʻi. The Grant of Easement shall be prepared by the Applicant and executed prior to final subdivision approval.

2. Requirements of the Department of Public Works – Engineering Division:

We have no comments on the subdivision map for the proposed consolidation. We understand that the subdivision is intended to facilitate the expansion of the Sueoka Market and associated parking lot. We have the following comments on the proposed expansion:

- a. The applicant shall comply with all provisions of the “Sediment and Erosion Control Ordinance No. 808” 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 County’s Sediment and Erosion Control 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.
- b. During construction, best management practices (BMPs) shall be incorporated to the maximum extent practicable to prevent damage by sedimentation, erosion, or dust to watercourses, natural areas, and other properties. The permittee and the property owner shall be responsible for ensuring that BMPs are satisfactorily implemented at all times.
- c. Please be aware that the County has several projects in the area, as follows:
- Kōloa Road was recently resurfaced between Maluhia Road and Waikomo Road. This resurfacing project is intended to be used as an opportunity to reconfigure striping patterns on Kōloa Road, including marking pedestrian walkways on the pavement. This segment of roadway currently has temporary pavement markings, anticipating these changes.
  - The Po'ipū Road Safety and Mobility Project will install a mini roundabout at the intersection of Kōloa Road and Po'ipū Road. Construction of the overall project is underway; the roundabout at this intersection is anticipated to be constructed in mid to late 2026.

The projects and the reconfiguration of the Sueoka Store parking lot may offer opportunities for potential changes and improvements to Kōloa Road near Sueoka Store.

- d. Lots 22, 23, 24, 25, and 26, collectively the parcel with TMK 2-8-008-040 appears to be a road widening lot that is owned by the same owner as the lots being subdivided. This parcel should be dedicated to the County of Kaua'i to be consistent with Section 9-2.3(b)(1) of the Kaua'i County Code, which prohibits reserve strips that control access to streets, except those under the jurisdiction of the County.
- e. The Engineering Division has reviewed several draft concepts for a new roundabout at the intersection of Maluhia Road and Kōloa Road. Based on the concepts, we recommend the following:
- The final roundabout design is subject to the review and approval by the County Engineer and Planning Director.
  - For safety reason, left turns from the Sueoka Store driveway to Kōloa Road shall be prohibited.

- For vehicles making left turn movements to the Sueoka Store driveway from Kōloa Road, the design for the proposed roundabout shall accommodate two vehicles in a left turn storage lane without blocking the westbound through lane of Kōloa Road, exiting the roundabout.
- The proposed roundabout design would remove at least eight public parking spaces on Kōloa Road. Therefore, a public access easement shall be provided for public parking within the Sueoka Store parking areas.
- The pavement of the Makai Road shall be widened to at least 20 feet to accommodate two-way traffic for access from Weliweli Road, to provide improved alternate access away from Kōloa Road.

3. Requirements of the Department of Water (DOW):

- Locate and display the existing water meters, including their water meter numbers or premise number, on the subdivision map for review and approval by the DOW. Please note that the DOW's comments may vary based on the additional information provided.
- Submit a formal request for water service for our review and approval, if applicable.

Requests for additional water meters or an increase in water meter size will depend on the adequacy of the source, storage, and transmission facilities at that time.

4. Requirements of the State Department of Health (DOH):

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

**Clean Air Branch**

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.



3. Standard comments for the Clean Air Branch are at:

<https://health.hawaii.gov/epo/landuse/>.

#### **Clean Water Branch**

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55:

<https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standard-comments/>.

#### **Hazard Evaluation & Emergency Response Office**

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at: <https://health.hawaii.gov/epo/landuse/>.

#### **Indoor and Radiological Health Branch**

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
2. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

#### **Safe Drinking Water Branch**

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related the Safe Drinking Water program: <https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

#### **Solid & Hazardous Waste Branch**

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.
3. Underground Storage Tank Program - The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

#### **Wastewater Branch**

By Revised Statute 11-62-31.1, if the parcel is less than 10,000 square feet, an individual onsite waste-water unit may be possible for future construction. Please contact Sina Pruder at DOH Waste-Water Branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at [doh.wwb@doh.hawaii.gov](mailto:doh.wwb@doh.hawaii.gov).

#### **Sanitation/ Local DOH Comments:**

1. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
2. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure, place, or vacant lot without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure, site, or vacant lot. A demolition or land clearing permit is required prior to demolition or clearing.

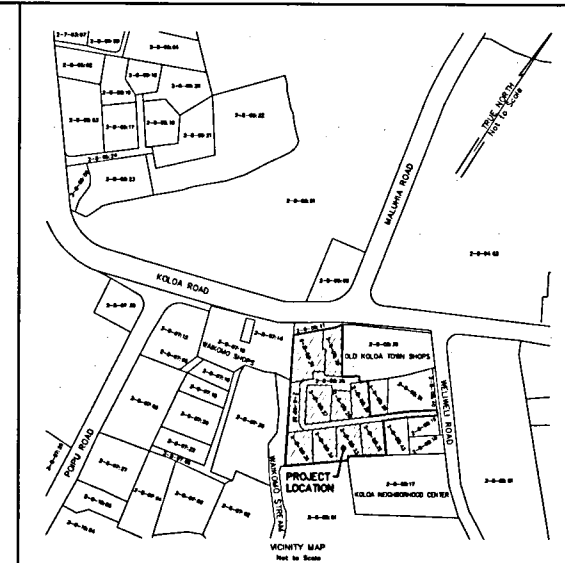
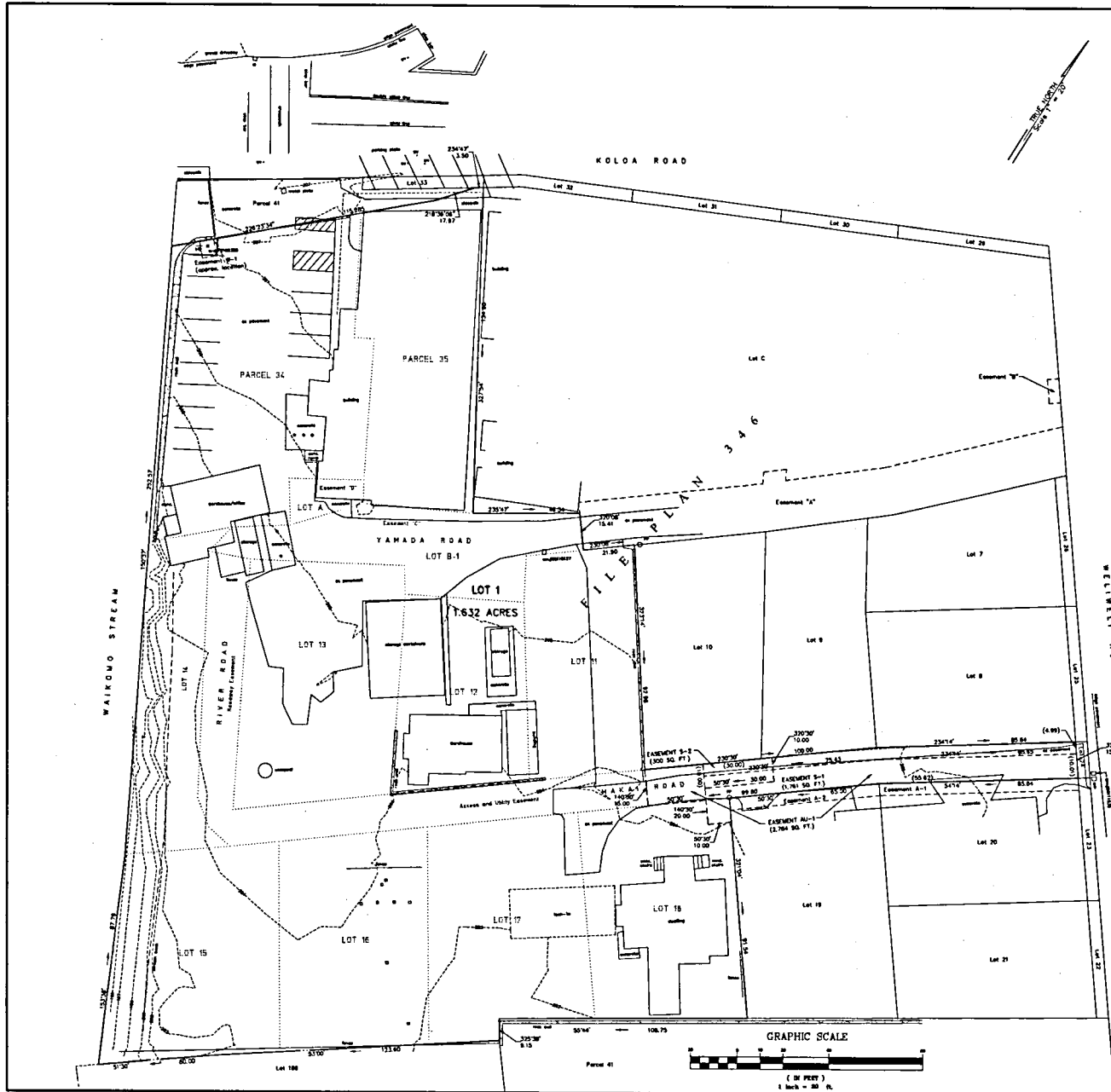
#### **Other**

1. CDC—Healthy Places—Healthy Community Design Checklist Toolkit recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Kauai District Health Office at 808-241-3492.
5. Requirements of the State Historic Preservation Division (SHPD):
  - a. The subdivider shall comply with the requirements of the State Historic Preservation Division, if any, prior to final subdivision approval.
6. 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 Department of Land and Natural Resources, Historic Preservation Division to determine mitigation measures.
7. The Applicant is advised that prior to and/or during construction and use additional conditions may be imposed by government agencies. Should this occur, the applicant shall resolve these conditions with the respective agency(ies).

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 09, 2025, 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   
KENNETH A. ESTES  
Planner



THIS WORK WAS PREPARED BY ME  
OR UNDER MY SUPERVISION

*David T. Smith*  
Surveyor  
ES&M SURVEYING & MAPPING, INC.  
EXPIRES APRIL 30, 2028

**PRELIMINARY  
CONSOLIDATION**  
OF PARCEL 20 (YAMADA, RIVER, AND MAKAI ROADS),  
PARCEL 34, PARCEL 35, AND LOTS 11 THRU 18,  
BEING PORTIONS OF KOLOA TRACT,  
FILE PLAN 346  
INTO LOT 1  
DESIGNATION OF EASEMENTS AU-1, S-1, AND S-2  
AND CANCELLATION OF ROADWAY EASEMENT,  
ACCESS AND UTILITY EASEMENT, & EASEMENTS C AND D  
KOLOA, KAUAI, HAWAII  
TMK: (4) 2-8-08: 20, 22-29, 34, 35  
Owner: SMIK, INC.  
Date: September 10, 2024











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

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

10/27/2025

SUBJECT: Subdivision S-2025-1

Tax Map Key: (4)2-8-08:20, 22-29, 34, 35

Applicant: SMK, Inc.

Consolidation of Parcel 20 (Yamada, River, and Makai Roads), Parcel 35, and Lots 11 thru 18 Being Portions of Koloa Tract, File Plan 346 into Lot 1, Koloa, Kauai, Hawaii

TO:

- |  |  |
|--|--|
| <input type="checkbox"/> State Department of Transportation - STP        | <input checked="" type="checkbox"/> County DPW - Engineering     |
| <input type="checkbox"/> State DOT - Highways, Kauai (info only)         | <input checked="" 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 checked="" 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 type="checkbox"/> Other:                                  |

**FOR YOUR COMMENTS (pertaining to your department) (10/27/2025)**

1. We have no comments on the subdivision map for the proposed consolidation. We understand that the subdivision is intended to facilitate the expansion of the Sueoka Market and associated parking lot. We have the following comments on the proposed expansion:
2. The applicant shall comply with all provisions of the "Sediment and Erosion Control Ordinance No. 808" 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 County's Sediment and Erosion Control 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.
3. During construction, best management practices (BMPs) shall be incorporated to the maximum extent practicable to prevent damage by sedimentation, erosion, or dust to watercourses, natural areas, and other properties. The permittee and the property owner shall be responsible for ensuring that BMPs are satisfactorily implemented at all times.
4. Please be aware that the County has several projects in the area, as follows:
  - Kōloa Road was recently resurfaced between Maluhia Road and Waikomo Road. This resurfacing project is intended to be used as an opportunity to reconfigure striping patterns on Kōloa Road, including marking pedestrian walkways on the pavement. This segment of roadway currently has temporary pavement markings, anticipating these changes.

- The Po'ipū Road Safety and Mobility Project will install a mini roundabout at the intersection of Kōloa Road and Po'ipū Road. Construction of the overall project is underway; the roundabout at this intersection is anticipated to be constructed in mid to late 2026.

These projects and reconfiguration of the Sueoka Store parking lot may offer opportunities for potential changes and improvements to Kōloa Road near Sueoka Store.

5. Lots 22, 23, 24, 25, and 26, collectively the parcel with TMK 2-8-008-040 appears to be a road widening lot that is owned by the same owner as the lots being subdivided. This parcel should be dedicated to the County of Kaua'i to be consistent with Section 9-2.3(b)(1) of the Kaua'i County Code, which prohibits reserve strips that control access to streets, except those under the jurisdiction of the County.
6. The Engineering Division has reviewed several draft concepts for a new roundabout at the intersection of Maluhia Road and Kōloa Road. Based on the concepts, we recommend the following:
  - The final roundabout design is subject to review and approval by the County Engineer and Planning Director.
  - For safety reasons, left turns from the Sueoka Store driveway to Kōloa Road shall be prohibited.
  - For vehicles making left turn movements to the Sueoka Store driveway from Kōloa Road, the design for the proposed roundabout shall accommodate two vehicles in a left turn storage lane without blocking the westbound through lane of Kōloa Road, exiting the roundabout.
  - The proposed roundabout design would remove at least eight public parking spaces on Kōloa Road. Therefore, a public access easement shall be provided for public parking within the Sueoka Store parking areas.
  - The pavement of Makai Road shall be widened to at least 20 feet accommodate two-way traffic for access from Weliweli Road, to provide improved alternate access away from Kōloa Road.

Sincerely,



Digitally signed by Michael Moule  
Date: 2025.10.27 08:16:20 -10'00'

Michael Moule, P.E.  
Chief, Engineering Division





4398 PUA LOKE STREET  
LIHU'E, KAUA'I, HAWAI'I 96766  
PHONE: (808) 245-5400 / FAX: (808) 245-5813

Water has no substitute.....Conserve it!

SUBDIVISION REPORT

TO: PLANNING DEPARTMENT  
FROM: DEPARTMENT OF WATER

2-8-008:020,  
022-029, 034,  
TMK: & 035 NAME: SMK, Inc SURVEYOR: Kenneth A. Estes REPORT NO: S-2025-1

1. Tentative approval is recommended. ☒  
Water Requirements are not affected. Tentative approval is recommended. ☐
2. All requirements have been fully met and; therefore, Final approval is recommended. ☐
3. Before final approval can be recommended, the subdivider must: ☐
  - A. Pay the Department of Water the following charges in effect at the time of receipt. At the present time, these charges include: ☐
    - 1) The Facilities Reserve Charge (FRC): ☐  
\_\_\_\_\_ 5/8-inch = \$ \_\_\_\_\_
    - 2) Payment to install one, service connections(s) at the fixed cost of \$ 2,850. If the subdivider causes a delay in the service connection installation after one year since final map approval, the subdivider shall be charged the increase in the fixed cost, if any. ☐
    - 3) Deposit (the subdivider will either be billed or returned the difference between this deposit and the actual cost of construction of \$ \_\_\_\_\_ for construction by the Department of Water. ☐
  - B. Submit to the Department of Water a copy of the subdivider's permit to perform work upon a State highway from the State Highways Division ☐
  - C. Prepare and receive Department of Water's approval of construction drawings for the necessary water system facilities and either construct said facilities or post a performance bond for construction. These facilities shall also include: ☐
    - 1) The domestic service connection.
    - 2) The fire service connection, if applicable. ☐
    - 3) The interior plumbing with appropriate backflow prevention device, if applicable.
  - D. Prepare and convey to the Department of Water a Right-of-Entry and Temporary Grant of Easement for the purpose of construction, repair, maintenance and operation of the subdivision water system improvements installed in other than County-owned property. ☐
  - E. If a bond is filed, to secure final subdivision approval, the subdivider shall clearly letter the following on the approved construction plans, final subdivision map, and deeds: ☐

"Domestic water service will not be available until the required construction improvements for this subdivision are completed and accepted by the Department of Water, County of Kauai."

This deed restriction shall be recorded with the Bureau of Conveyances within ninety (90) days of final subdivision approval by the Planning Department.
4. Installation of service connections will not be required until a request for water service is made. The applicant for service will be charged the applicable service connection charges at that time. ☐
5. Other (or remarks): ☒
  - A. Locate and display the existing water meters, including their meter numbers or premise number, on the subdivision map for review and approval by the DOW. Please note that the DOW's comments may vary based on the additional information provided.
  - B. Submit a formal request for water service for our review and approval, if applicable.

Requests for additional water meters or an increase in water meter size will depend on the adequacy of the source, storage, and transmission facilities at that time.

Regina Reyes-Flores  
Regina Reyes-Flores (Nov 13, 2024 13:28 HST)  
Regina Reyes-Flores, P.E.  
Water Resources and Planning Division

11/18/2024  
Date

SUBDIVISION REPORT NO. S-2025-1



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

NOV 21 '24 PM 3:05  
PLANNING DEPT

RECEIVED

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

10/10/2024

SUBJECT: Subdivision S-2025-1

Tax Map Key: (4)2-8-08:20, 22-29, 34, 35

Applicant: SMK, Inc.

Consolidation of Parcel 20 (Yamada, River, and Makai Roads), Parcel 35, and Lots 11 thru 18 Being Portions of Koloa Tract, File Plan 346 into Lot 1, Koloa, Kauai, Hawaii

OCT 14 2024

County of Kauai  
Transportation Agency

TO:

- |  |  |
|--|--|
| <input type="checkbox"/> State Department of Transportation - STP        | <input checked="" type="checkbox"/> County DPW - Engineering     |
| <input type="checkbox"/> State DOT - Highways, Kauai (info only)         | <input checked="" 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 checked="" 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 type="checkbox"/> Other:                                  |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 11/23/2024)

11.14.2024

NO FURTHER COMMENT ON THIS PROJECT.

MAHALO!



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

OCT 21 '24 PM 2:57  
PLANNING DEPT

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

10/10/2024

SUBJECT: Subdivision S-2025-1

Tax Map Key: (4)2-8-08:20, 22-29, 34, 35

Applicant: SMK, Inc.

Consolidation of Parcel 20 (Yamada, River, and Makai Roads), Parcel 35, and Lots 11 thru 18 Being Portions of Koloa Tract, File Plan 346 into Lot 1, Koloa, Kauai, Hawaii

TO:

- |  |  |
|--|--|
| <input type="checkbox"/> State Department of Transportation - STP        | <input checked="" type="checkbox"/> County DPW - Engineering     |
| <input type="checkbox"/> State DOT - Highways, Kauai (info only)         | <input checked="" type="checkbox"/> County DPW - Wastewater      |
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| <input type="checkbox"/> State DLNR - Conservation & Coastal Lands       | <input type="checkbox"/> UH Sea Grant                            |
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs           | <input type="checkbox"/> Other:                                  |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 11/23/2024)

County DPW – Wastewater: No comments. This subdivision is not within the county sewer service area.



NOV 6 '24 AM 11:24  
PLANNING DEPT

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

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

10/10/2024

SUBJECT: Subdivision S-2025-1

Tax Map Key: (4)2-8-08:20, 22-29, 34, 35

Applicant: SMK, Inc.

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TO:

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|--|--|
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| <input type="checkbox"/> State DLNR - Conservation & Coastal Lands       | <input type="checkbox"/> UH Sea Grant                            |
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs           | <input type="checkbox"/> Other:                                  |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 11/23/2024)



**JOSH GREEN M.D.**  
GOVERNOR OF HAWAII

**KENNETH S. FINK, M.D., M.G.A., M.P.H**  
DIRECTOR OF HEALTH



**STATE OF HAWAII  
DEPARTMENT OF HEALTH**  
3040 Umi St. Lihue  
Hawaii 96766

**DATE:** Oct 31, 2024

**TO:** To whom it may concern

**FROM:** Ellis Jones  
District Environmental Health Program Chief

**SUBJECT:** RESPONSE\_SMK Inc\_S-2025-1

In most cases, the District Health Office will no longer provide individual comments to agencies or project owners to expedite the land use review and process.

Agencies, project owners, and their agents should apply Department of Health "Standard Comments" regarding land use to their standard project comments in their submittal. Standard comments can be found on the Land Use Planning Review section of the Department of Health website: <https://health.hawaii.gov/epo/landuse/>. Contact information for each Branch/Office is available on that website.

**Note:** Agencies and project owners are responsible for adhering to all applicable standard comments and obtaining proper and necessary permits before the commencement of any work.

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

**Clean Air Branch**

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.

3. Standard comments for the Clean Air Branch are at:  
<https://health.hawaii.gov/epo/landuse/>

#### **Clean Water Branch**

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55:  
<https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standardcomments/>.

#### **Hazard Evaluation & Emergency Response Office**

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at:  
<https://health.hawaii.gov/epo/landuse/>.

#### **Indoor and Radiological Health Branch**

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
2. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

#### **Safe Drinking Water Branch**

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related the Safe Drinking Water program:  
<https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at:  
<https://health.hawaii.gov/epo/landuse/>.

#### **Solid & Hazardous Waste Branch**

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the

electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.

3. Underground Storage Tank Program – The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at:  
<https://health.hawaii.gov/epo/landuse/>.

#### **Wastewater Branch**

By Revised Statue 11-62-31.1 If the parcel is less than 10,000sq feet, an individual onsite waste-water unit may not be possible for future construction. Please contact Sina Pruder at the DOH waste-water branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at [doh.wwb@doh.hawaii.gov](mailto:doh.wwb@doh.hawaii.gov).

#### **Sanitation / Local DOH Comments:**

1. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
2. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure, place, or vacant lot without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure, site, or vacant lot. A demolition or land clearing permit is required prior to demolition or clearing.

#### **Other**

1. [CDC - Healthy Places - Healthy Community Design Checklist Toolkit](#) recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Kauai District Health Office at 808-241-3492.

*Ellis Jones*

*Ellis Jones*

District Environmental Health Program Chief  
Office Phone: (808) 241-3326



JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

STATE HISTORIC PRESERVATION DIVISION  
KAKUHIHEWA BUILDING  
601 KAMOKILA BLVD, STE 555  
KAPOLEI, HAWAII 96707

DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

RYAN K.P. KANAKA'OLE  
FIRST DEPUTY

CIARA W.K. KAHANE  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

December 31, 2024

Ka'āina S. Hull, Director  
County of Kaua'i  
Planning Department  
4444 Rice St.  
Līhu'e, Hawai'i 96766  
c/o Kenneth Estes  
[kestes@kauai.gov](mailto:kestes@kauai.gov)

IN REPLY REFER TO:  
Project No.: 2024PR01272  
Doc. No.: 2412LS59  
Archaeology

Dear Mr. Hull:

SUBJECT: **Hawai'i Revised Statutes (HRS) Chapter 6E-42 Historic Preservation Review – Preliminary Subdivision Map Review (S-2025-1)**  
**5392 Koloa Rd., Kōloa – Consolidation and Subdivision**  
**Owner: SMK, Inc.**  
**Kōloa Ahupua'a, Kona District, Island of Kaua'i**  
**TMK: (4) 2-8-008:020, 022-029, 034, 035**

This letter provides the State Historic Preservation Division's (SHPD's) review comments regarding the subject Preliminary Subdivision Application (S-2025-1). The SHPD received the submittal on October 22, 2024, which included a permit application, a preliminary subdivision map and an aerial photo of the subject parcel. The subject parcel totals 1.631 acres. According to the submittal, the applicants, propose the consolidation of eleven lots and the re-subdivision into one lot. Proposed ground disturbance will include subdivision improvements involving necessary road, water, drainage, electrical and telephone utilities, and facilities relating to the future Sueko Store expansion project (Project No. 2022PR00756, Doc. No. 2301LS02).

A review of SHPD records identified no record of an archaeological inventory survey having been conducted within the project area or documentation of significant archaeological historic properties within the project area or nearby. The USDA soil survey (Foote et al. 1972) identifies the soils within the project area as Pohakupu silty clay loam, 0-8% slopes (PkB). Low potential exists for the project to adversely impact significant archaeological historic properties.

Sueoka Market (ca. 1920) is listed in the Hawaii and National Registers of Historic Places (State Inventory of Historic Places [SIHP] Site 50-30-10-02388, NR #100004288) and is significant for its contributions to the history of the Japanese immigrant's experience in Old Koloa Town. The proposed consolidation will have no effect on the Sueoka Market.

Based on the information provided and due to no subsurface disturbance, **SHPD has no objections** to the requested consolidation and re-subdivision of the subject parcels. The action will not affect any significant historic properties. The permitting process may continue.

**SHPD requests** the opportunity to review future projects involving ground-disturbing activities within the subject parcels.



Mr. Hull  
December 31, 2024  
Page 2

Please contact Mary Kodama, Architectural Historian at [Mary.Kodama@hawaii.gov](mailto:Mary.Kodama@hawaii.gov), for any matters regarding architectural resources or Susan A. Lebo, Archaeology Branch Chief, at [Susan.A.Lebo@hawaii.gov](mailto:Susan.A.Lebo@hawaii.gov), for any matters regarding archaeological resources or this letter.

Aloha,

A handwritten signature in black ink, appearing to read "JPuff", is positioned above the typed name.

Jessica L. Puff  
Administrator, State Historic Preservation Division  
Deputy State Historic Preservation Officer

# DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



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

## SUBDIVISION REPORT

### I. SUMMARY

**Action Required by Planning Commission:** Consideration of Subdivision Application No. S-2026-4 involving a two (2) lot Subdivision

**Subdivision Permit No.** Application No. S-2026-4

**Name of Applicant(s)** PEGGY R. MEDEIROS AND MICHAEL B. & MILAINE H. MEDEIROS TRUST

### II. PROJECT INFORMATION

<b>Map Title</b>	Subdivision of Lot 26-A into Lot 26-A-1 and 26-A-2 Being Portion of Grant 6260 to M. Medeiros at 'Ōma'o Homesteads, Kōloa, Kaua'i, Hawai'i.				
<b>Tax Map Key(s):</b>	2-7-005: 014	<b>Area:</b>	3.776 Acres		
<b>Zoning:</b>	Residential District (R-2)				
<b>State Land Use District(s):</b>	Rural	<b>General Plan Designation:</b>	Residential Community		
<b>AGENCY COMMENTS</b>					
<input checked="" type="checkbox"/> COK Public Works	pending	<input type="checkbox"/> State DOT-Highways:			
<input checked="" type="checkbox"/> COK Water:	11.13.2025	<input checked="" type="checkbox"/> State Health:	10.16.2025		
<input type="checkbox"/> COK Housing:		<input checked="" type="checkbox"/> DLNR – SHPD:	pending		
<input checked="" type="checkbox"/> COK Fire:		<input checked="" type="checkbox"/> State CWRM:	10.23.2025		
<b>EXISTING ROAD RIGHT-OF-WAY(S)</b>					
Road Name	Existing Width	Required Width	Pavement YES	NO	Reserve
Upa Road	30 feet	44 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Noho Road	30 feet	44 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	tbd
			<input type="checkbox"/>	<input type="checkbox"/>	
<b>APPLICABLE FEES</b>					
<b>Environmental Impact Assessment (EIA)</b>	\$250.00				
<b>Park Dedication</b>	\$300.00				
<b>Appraisal Report Required</b>	N/A				

**E.I.A.I.**

**DEC 09 2025**

<b>Date of Preliminary Map Acceptance:</b>	September 15, 2025
<b>Date of Director's Report:</b>	November 28, 2025
<b>Date of Public Hearing:</b>	December 09, 2025
<b>Deadline Date for PC to Take Action Pursuant to Section 9-3.4(b) of the K.C.C.:</b>	December 14, 2025

### III. EVALUATION

#### Project Description

The proposal involves a two (2) lot subdivision within the County Residential (R-2) zoning district and State Land Use Rural District. The subject property is located in 'Ōma'o Homesteads abutting Upa Road on its northern boundary and Noho Road on its southern boundary and involves a total area of approximately 3.776 acres. In reviewing the proposal, vehicular access to proposed Lot 26-A-1 will be obtained from Upa Road and vehicular access to proposed Lot 26-A-2 will be obtained from Noho Road.

The subject property, Lot 26-A, was created through Subdivision Application No. S-78-130, that received final subdivision approval by the Planning Commission on September 13, 1978. The proposal established two residential lots identified as Lots 26-A and 26-B, and two roadway lots identified as Lots 26-C and 26-D, created for future road widening purposes. Lot 26-C was a seven-foot-wide strip of land along the frontage of Upa Road, and Lot 26-D was a five-foot-wide strip of land along the frontage of Noho Road. Both roadway lots were dedicated to the County of Kaua'i through a Dedication Deed executed on July 27, 1978.

As previously noted, the present road right-of-way width for both Upa and Noho Roads do not conform to the County's Minor Street classification. While the dedication of Lot 26-C would provide an adequate road widening reserve along Upa Road, the dedication of Lot 26-D falls two (2) feet short of the necessary road widening width along Noho Road. In reviewing the subdivision file, it is not clear why the road widening lot widths were different between these roadways. Prior to final subdivision map approval, the Applicant should resolve with the Department of Public Works, Engineering Division, whether an additional two feet road-widening reserve is necessary along Noho Road.

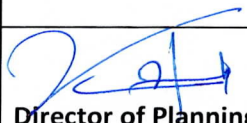
#### Surrounding Properties

The immediate neighboring parcels are situated within the Residential (R-2) zoning district and State Land Use Rural District, and are developed with single-family residences. Beyond the immediate surrounding properties are lands that are situated within the County's Agriculture (Ag) and Open (O) zoning districts and are within the State Land Use Agricultural District.

#### Native Hawaiian Traditional and Cultural Rights

Attached as Exhibit 'A' is a letter from the applicant pertaining to the requirement of a Ka Pa'akai O Ka'aina Analysis for the subject property.

**IV. RECOMMENDATION**

TENTATIVE APPROVAL	FINAL APPROVAL
<input checked="checked" type="checkbox"/> Approval <input type="checkbox"/> Denied	<input type="checkbox"/> Approval <input type="checkbox"/> Denied
Tentative Approval subject to all requirements as noted on the follow pages:	All conditions have been complied with
 Director of Planning	12/2/2025 Date
	Director of Planning Date

**V. AGENCY REQUIREMENTS**

1. Requirements of the Planning Department:
  - a. An updated preliminary title report for the 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 (digitized format) of the final subdivision map(s) on disk for record keeping purposes prior to final subdivision approval.
  - d. Pursuant to Section 9-3.8 (c) of the Subdivision Ordinance, Kaua'i County Code, 1987, as amended, the Applicant shall file fifteen (15) copies of the subdivision final map with the Planning Department within one (1) year after approval of the preliminary subdivision map. If no filing is made, the approval of the preliminary subdivision map and construction plan shall become void unless an extension of time is granted by the Planning Commission.
  - e. An Environmental Impact Assessment Fee of Seven Hundred Fifty Dollars (\$250.00) shall be paid to the County of Kaua'i.
  - f. An Park Dedication Fee of Six Hundred Dollars (\$300.00) shall be paid to the County of Kaua'i.

- g. The Applicant shall work with the Planning Department and the Department of Public Works, Engineering Division to determine whether a future road widening reserve shall be established along the frontage of Noho Road. If a road widening reserve is required, there shall be no new structures permitted within the reserve, and any new structures should be setback from the reserve. The reserve, along with the restrictions, shall be incorporated into the deed descriptions of the affected lots, of which draft copies shall be submitted to the Planning Department for review and approval.
- h. The Applicant is made aware that further subdivision of these lots shall comply with the development standards contained in Hawaii Revised Statutes (HRS) Chapter 205, Section 205-2(c).

2. Requirements of the Department of Public Works (DPW):

- a. The subdivider shall comply with the requirements of the Department of Public Works, if any, prior to final subdivision approval. The subdivider shall be notified of such requirement upon receipt of their report.

3. Requirements of the Department of Water (DOW):

- a. Pay the Department of Water the following charges in effect at the time of receipt. At the present time, these charges include:
  - 1) A Facilities Reserve Charge (FRC): One (1) 5/8-inch = \$14,115
  - 2) Payment to install one service connection at the fixed cost of \$2,850.

If it is determined by the Department that the meter cannot be installed in a suitable location due to field conditions, the applicant may be required to complete a Surveyor Stakeout Method per the Department of Water (DOW) S.O.P. No. 46 or prepare construction drawings of the proposed water service connection and complete the necessary construction work. If the applicant completes the necessary construction, the DOW water meter installation charge would not apply.

If the subdivider causes a delay in the service connection installation after one year since final map approval, the subdivider shall be charged the increase in the fixed cost, if any.

- b. Be made aware that domestic and fire flow demand, as well as the fire hydrant spacing as recommended by the DOW's Water System Standards (WSS) may be adequate to the proposed development.

The applicant must submit fire flow test data or calculations, which must be prepared and signed by an Engineer. The Engineer is also required to confirm that the fire hydrant is adequately spaced from the lot. The DOW's comments may change depending on the additional information provided.

4. Requirements of the Department of Health (DOH):

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

**Clean Air Branch**

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.
3. Standard comments for the Clean Air Branch are at:  
<https://health.hawaii.gov/epo/landuse/>.

**Clean Water Branch**

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55:  
<https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standard-comments/>.

**Hazard Evaluation & Emergency Response Office**

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response



Office are at: <https://health.hawaii.gov/epo/landuse/>.

#### **Indoor and Radiological Health Branch**

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
2. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

#### **Safe Drinking Water Branch**

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related the Safe Drinking Water program: <https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

#### **Solid & Hazardous Waste Branch**

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.
3. Underground Storage Tank Program - The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can

be found at: <https://health.hawaii.gov/epo/landuse/>.

### **Wastewater Branch**

Wastewater Branch has no objections to the proposed project. The type and number of IWS (individual wastewater systems) will be determined during the design review process. By Revised Statute 11-62-31.1, if the parcel is less than 10,000 square feet, an individual onsite waste-water unit may be possible for future construction. Please contact DOH Waste-Water Branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at [doh.wwb@doh.hawaii.gov](mailto:doh.wwb@doh.hawaii.gov).

### **Sanitation/ Local DOH Comments:**

1. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
2. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure, place, or vacant lot without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure, site, or vacant lot. A demolition or land clearing permit is required prior to demolition or clearing.

### **Other**

1. CDC–Healthy Places–Healthy Community Design Checklist Toolkit recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
  2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Kauai District Health Office at 808-241-3492.
5. Requirements of the State Commission of Water Resource Management (CWRM):
- a. If major planned development will follow the subdivision, please ensure that the proposed water source(s) and projected water demands for the project, both potable and non-potable, are identified and the calculations used to estimate demands should be provided.



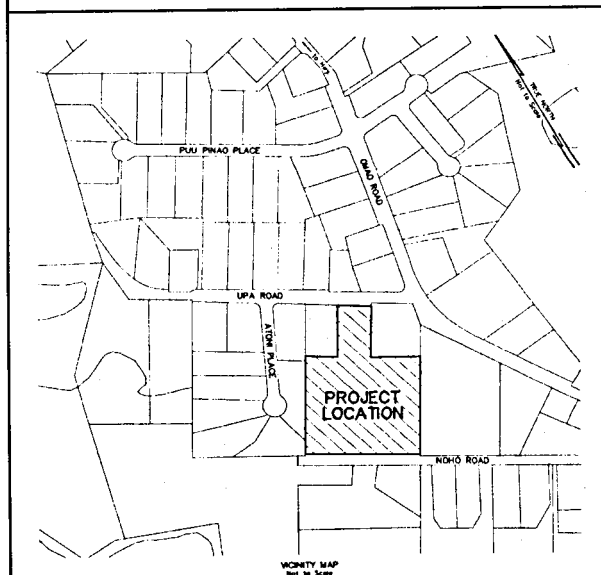
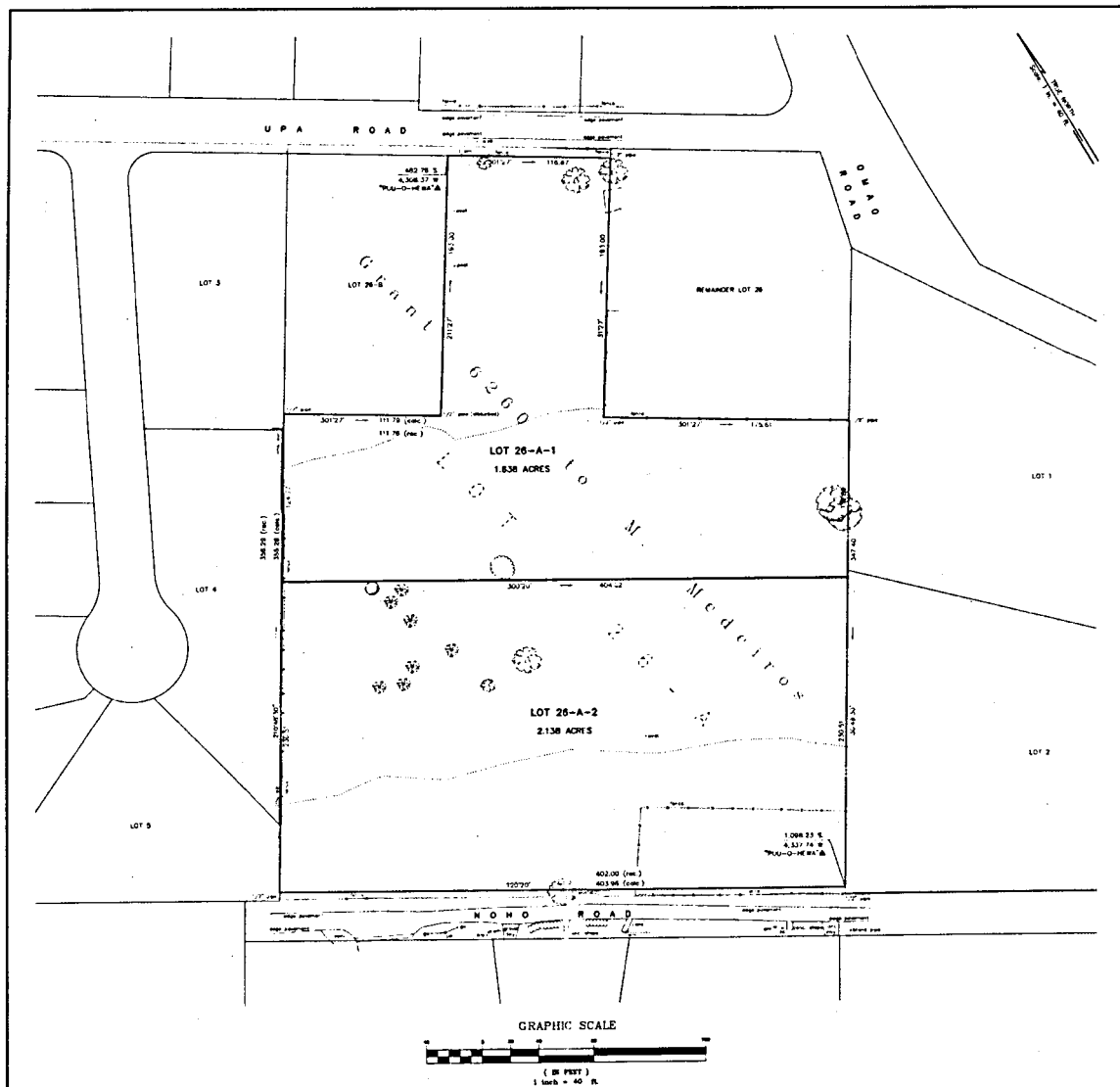
If the water will be provided by a local water utility, coordination is required with the Commission to determine any potential impacts that this project will have on the water utility's allocations.

6. Requirements of the State Historic Preservation Department (SHPD):
  - a. The subdivider shall comply with the requirements of the State Historic Preservation Department, if any, prior to final subdivision approval.
7. 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 Department of Land and Natural Resources, Historic Preservation Division to determine mitigation measures.
8. The Applicant is advised that prior to and/or during construction and use additional conditions may be imposed by government agencies. Should this occur, the applicant shall resolve these conditions with the respective agency(ies).

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 09, 2025, 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   
KENNETH A. ESTES  
Planner



THIS SURVEY WAS PREPARED BY ME  
OR UNDER MY SUPERVISION

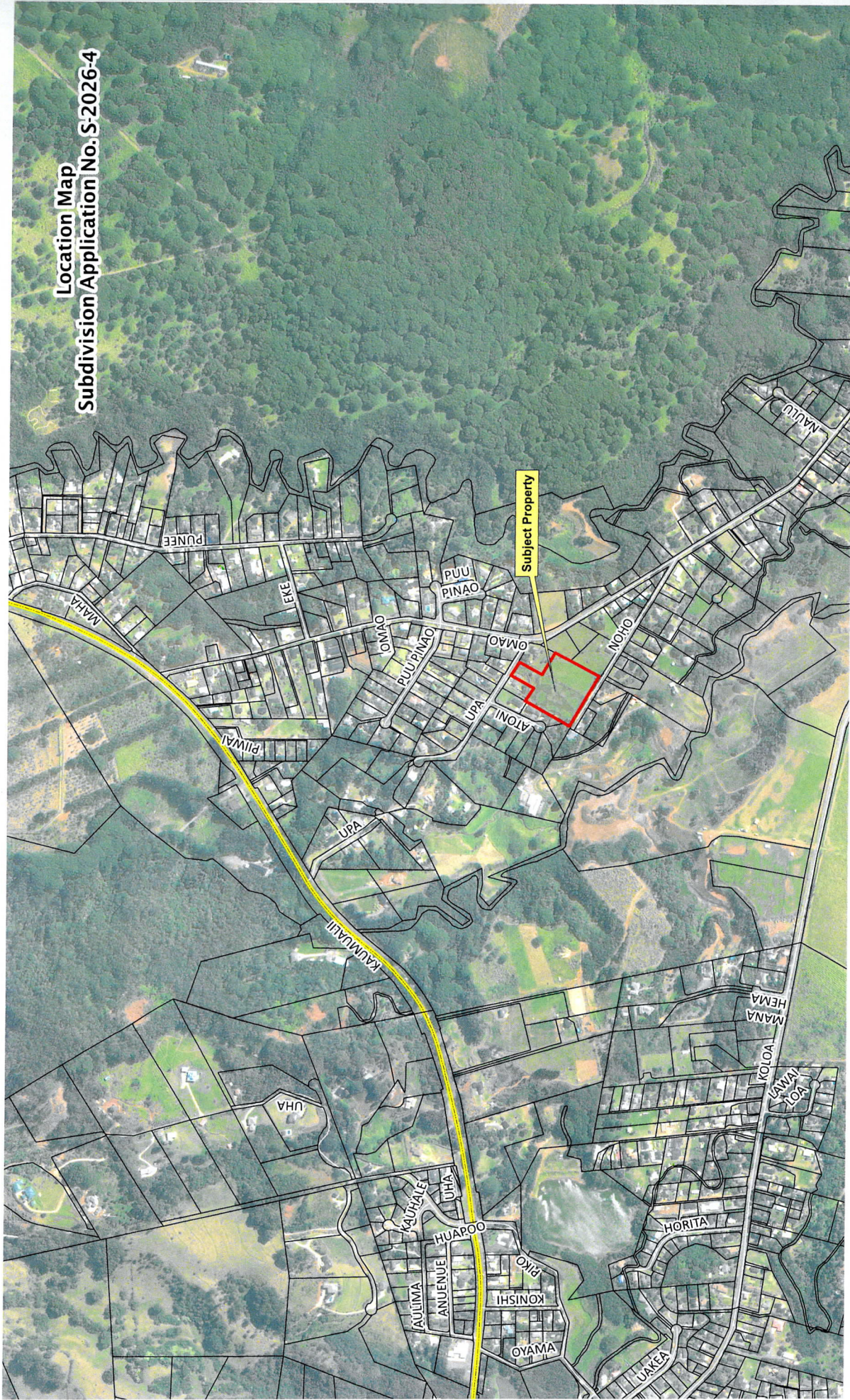
*Wayne T. Wade*

ES&M SURVEYING & MAPPING, INC.  
LICENSED PROFESSIONAL SURVEYOR  
EXPIRES: APRIL 30, 2025

**PRELIMINARY**  
SUBDIVISION OF LOT 26-A  
INTO LOT 26-A-1 AND LOT 26-A-2  
Being a Portion of  
Grant 6260 to M. Medeiros  
OMAO HOMESTEADS, KŪLOA, KAUAI, HAWAII  
Tax Map Key: (4) 2-7-05: 14  
Owners: Peggy R. Medeiros, and  
Michael & Milaine H. Medeiros Trust  
Date: June 12, 2025



Location Map  
Subdivision Application No. S-2026-4







Pinao Way  
PINAOWAY

Omao Rd  
OMAORd

Omao Rd  
Noho Rd

Omao Rd

Omao Rd

Upa Rd  
UPARd

UPARd

Aloua Rd  
ALOUA Rd

Upa Rd  
UPARd

Noho Rd

Noho Rd  
NHO Rd



# Exhibit 'A'

(Letter from Applicant Pertaining to Ka Pa'akai O Ka'aina Analysis)

Brian Medeiros  
482 Kuliouou Rd.  
Honolulu, HI 96821

SEP 29 '25 PM1:07  
PLANNING DEPT

September 23, 2025

**Kaua'i County Planning & Permitting Department**

Subdivision Section  
4444 Rice Street, Suite A473  
Lihue, Hawai'i 96766

Attn: Kenny Estes

**Subject:** Ka Pa'akai Assessment Narrative – Lot 26-A, Omao Homesteads (TMK: 270050140000)

Dear Mr. Estes,

Our subdivision plans for Lot 26-A (TMK: 270050140000) are currently under review by your office. I have engaged Esaki Surveying and Mapping, Inc. to assist us in navigating the requirements of this process. We understand the Department requires a Ka Pa'akai Assessment, and we are submitting this narrative to satisfy that requirement and to support your review of our application.



This property has been in our family for four generations, beginning with my great-grandfather, Manuel Medeiros (born 1891), then my grandfather, Manuel Medeiros (born 1917), followed by my father, Michael Medeiros (born 1953), and now my brother, myself, and our extended family. Historically, the property was zoned agricultural and used primarily for cattle raising, with a few dwellings around its perimeter. Over time, family members developed surrounding portions according to their individual needs. The attached map depicts the subject parcel in red; the gray area reflects land once owned by my great-grandfather but now divided among several families.

Today, the parcel is zoned R-2 Residential and encompasses approximately 3.717 acres. It is located along Upa Road in Kōloa, Kaua'i, within the Omao Homesteads subdivision, with access from Upa Road and Noho Roads. For tax purposes, it is classified as non-owner-occupied residential and currently contains no existing dwelling units or improvements. The legal

description designates it as Lot 26-A of the Omao Homesteads.

To my knowledge, the property has never been used for cultural or religious practices, contains no native plants, streams, shorelines, sensitive areas, or historic sites as defined in Part 2 of the Ka Pa'akai review, and is not known to contain burials or iwi kūpuna. Again, this land was mainly used to raise cattle.

My family's intent in subdividing the land is to accommodate different individual uses and purposes. While each family member has unique plans, our shared goal is to honor the legacy of our ancestors by preserving our connection to the property and managing it responsibly for future generations. Some members plan to construct homes to live on and care for the land directly; others wish to maintain open space, agricultural activity, or small family gardens.


This subdivision is not meant to change the character of the area but to allow our family to use the property in a way that reflects both our past and our future. We view this land as more than just real estate — it is part of our identity, our

history, and our family's story. By subdividing the parcel thoughtfully, we hope to provide opportunities for our children and grandchildren to return, live, and thrive on ancestral lands, maintaining traditions such as cultivating fruit trees, sharing harvests, and caring for the 'āina. Our intent is to ensure that each generation retains a tangible connection to the property and that the land remains a meaningful place for our extended family well into the future.

Should you have any questions or require additional information, you may contact me at **bmedeiros3@hawaii.rr.com** or through our subdivision contractor, Esaki Surveying and Mapping, Inc.

Mahalo for your attention to this matter.

Sincerely,

 Digitally signed by Brian  
Medeiros  
Date: 2025.09.23  
17:08:58 -10'00'

Brian Medeiros

cc: Michael B. & Milaine H. Medeiros Trust  
C/O Brian & Russell Medeiros TTEES  
Russell Medeiros  
Peggy Medeiros  
Kenneth Medeiros  
Timothy Medeiros

# Exhibit 'B'

(Agency Comments)





4398 PUA LOKE STREET  
LIHU'E, KAUAI, HAWAII 96766  
PHONE: (808) 245-5400 / FAX: (808) 245-5813

NOV 13 '25 PM3:28  
PLANNING DEPT

### SUBDIVISION REPORT

TO: PLANNING DEPARTMENT  
FROM: DEPARTMENT OF WATER

TMK: 2-7-005:014 NAME: Peggy R. Medeiros and Michael B. & Milaine H. Medeiros Trust SURVEYOR: Esaki Surveying & Mapping, Inc. REPORT NO: S-2026-4

1. Tentative approval is recommended. ☒  
Water Requirements are not affected. Tentative approval is recommended. ☐  
2. All requirements have been fully met; and therefore, Final Approval is recommended. ☐  
3. Before Final Approval can be recommended, the subdivider must: ☐

A. Pay the Department of Water (DOW) the following charges in effect at the time of receipt. At the present time, these charges include: ☐

1. The Facilities Reserve Charge (FRC): ☒

1 5/8-Inch = \$ 14,115\*\*

*\*\*The applicant is being made aware that the payment of the FRC will only be accepted after all the subdivision requirements are completed.*

2. Payment to install one, service connection(s) at the fixed cost of \$2,850. ☒

*If it is determined by the Department that the meter cannot be installed in a suitable location due to field conditions, the applicant may be required to complete a Surveyor Stakeout Method per the DOW S.O.P. No. 46 or prepare construction drawings of the proposed water service connection and complete the necessary construction work. If the applicant completes the necessary construction, the DOW water meter installation charge will not apply.*

*If the subdivider causes a delay in the service connection installation after one year since final map approval, the subdivider shall be charged the increase in the fixed cost, if any.*

3. Deposit (the subdivider will be either billed or returned the difference between this deposit and the actual cost of the construction of \$\_\_\_ for the construction by DOW. ☐

B. Submit to the DOW a copy of the subdivider's permit to perform work upon a State highway from the State Highways Division. ☐

C. Prepare and receive the DOW's approval of construction drawings for the necessary water system facilities and either construct said facilities or post a performance bond for construction. These facilities shall also include: ☐

1. The domestic service connection.  
2. The fire service connection, if applicable.  
3. The interior plumbing with the appropriate backflow prevention device, if applicable.

D. Prepare and convey to the DOW a Right-of-Entry and Temporary Grant of Easement for the purpose of construction, repair, maintenance, and operation of the subdivision water system improvements installed in other than County-owned property. ☐

E. If a bond is filed, to secure a final subdivision approval, the subdivider shall clearly write the following on the approved construction plans, final subdivision map, and deeds. ☐

"Domestic water service will not be available until the required construction improvements for this subdivision are completed and accepted by the Department of Water, County of Kauai."

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

4. Installation of the service connections will not be required until a request for water service is made. The applicant for service will be charged the applicable service connection charges at that time. ☐

5. Other (or remarks): ☒

A. Be made aware that domestic and fire flow demand, as well as the fire hydrant spacing as recommended by the DOW's Water System Standards (WSS) may be inadequate to the proposed development.

The applicant must submit fire flow test data and calculations, which must be prepared and signed by an Engineer. The Engineer is also required to confirm that the fire hydrant is adequately spaced from the lot. The DOW's comments may change depending on the additional information provided.

Regina Reyes-Flores

Regina Reyes-Flores, P.E.  
Water Resources and Planning Section  
Engineering Division

11/13/2025

Date

SUBDIVISION REPORT No.

S-2026-4



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

SEP 15 '25 PM 2:47  
PLANNING DEPT

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

9/15/2025

SUBJECT: Subdivision S-2026-4

Tax Map Key: 270050140000

Applicant: Peggy R. Medeiros and Michael B. & Milaine H. Medeiros Trust

TO:

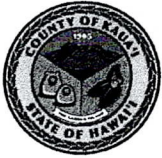
- |  |  |
|--|--|
| <input type="checkbox"/> State Department of Transportation - STP        | <input checked="" type="checkbox"/> County DPW - Engineering                             |
| <input type="checkbox"/> State DOT - Highways, Kauai (info only)         | <input checked="" type="checkbox"/> County 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 checked="" 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: State Commission on Water Resource Management |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 9/15/2025)

Wastewater Management Division has no comments. This subdivision is not within the county sewer service district.

Donald Fujimoto, 9/15/25

Chief, Wastewater Management Division



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

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

9/15/2025

SUBJECT: Subdivision S-2026-4

Tax Map Key: 270050140000

Applicant: Peggy R. Medeiros and Michael B. & Milaine H. Medeiros Trust

TO:

- |  |  |
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| <input type="checkbox"/> State Department of Transportation - STP        | <input checked="" type="checkbox"/> County DPW - Engineering                             |
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| <input checked="" type="checkbox"/> Office of Hawaiian Affairs           | <input checked="" type="checkbox"/> Other: State Commission on Water Resource Management |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 9/15/2025)

Fire Access may be required for lot 2 & A-2  
if not coming from Noho Rd.



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

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

9/15/2025

SUBJECT: Subdivision S-2026-4

Tax Map Key: 270050140000

Applicant: Peggy R. Medeiros and Michael B. & Milaine H. Medeiros Trust

TO:

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|--|--|
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| <input type="checkbox"/> State Office of Planning                        | <input checked="" type="checkbox"/> County Housing Agency                                |
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FOR YOUR COMMENTS (pertaining to your department) (Due Date 9/15/2025)

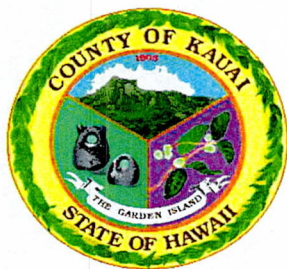
10-20-2025

CTA HAS NO FURTHER COMMENT ON THIS PROJECT.

MAHALO!







COUNTY OF KAUAI  
PLANNING DEPARTMENT

SUBDIVISION APPLICATION

APPLICATION TYPE		DEPT. USE ONLY	
<input checked="" type="checkbox"/> Preliminary – 12 Maps	<input type="checkbox"/> Final – 15 Maps	Application No.	S-2026-4
Attachments: <input type="checkbox"/> Title Report <input type="checkbox"/> Application Fee + \$300.00 Processing Fee <input type="checkbox"/> Letter of Authorization **		Date Accepted	09.15.2025
		Assigned to:	KE
		SMA Permit: [ ] Yes [✓] No	

**Owner(s)/Applicant(s) \*** Peggy R. Medeiros & Michael B. & Milaine H. Medeiros Trust

\* Holder of **AT LEAST 75%** of the equitable and legal title of the property

**Name of Surveyor/Engineer/Authorized Agent \*\*** Wayne T. Wada Esaki Surveying & Mapping, Inc.

**Telephone No.** 808-246-0625

**Map Title/ Description** Subdivision of Lot 26-A Into Lot 26-A-1 and Lot 26-A-2 Being A Portion of Grant 6260 to M. Medeiros

GENERAL INFORMATION			
<b>Tax Map Key: (4)</b>	<b>Zoning</b>	<b>General Plan</b>	<b>State Land Use Designation</b>
2-7-005: 014	R2	Res. Community	Rural
<b>Property Size (Acres or Sq. Feet)</b>	<b>Total Amount of Lots</b>	<b>Subdivision Fee (\$16.50 per lot)</b>	
3.717 Acres	2	\$ 333.00	

**Date:** 6/12/25

**Applicant's Signature** Wayne T. Wada

DEPARTMENT USE ONLY	
<b>Route to:</b>	<b>For:</b>
<input type="checkbox"/> Public Works Department	<input type="checkbox"/> Review and Recommendation
<input type="checkbox"/> Water Department	<input type="checkbox"/> Signature and Return
<input type="checkbox"/> Housing Agency	
<input type="checkbox"/> State Health Department	
<input type="checkbox"/> State Highways Division – DOT	
<input type="checkbox"/> State Historic Preservation Division – DLNR	
<b>AGENCY DEADLINE:</b>	

AGENCY COMMENTS

**Date:** \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature



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

OCT 20 '25 PM 3:06  
PLANNING DEPT

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

9/15/2025

SUBJECT: Subdivision S-2026-4

Tax Map Key: 270050140000

Applicant: Peggy R. Medeiros and Michael B. & Milaine H. Medeiros Trust

TO:

- |  |  |
|--|--|
| <input type="checkbox"/> State Department of Transportation - STP        | <input checked="" type="checkbox"/> County DPW - Engineering                             |
| <input type="checkbox"/> State DOT - Highways, Kauai (info only)         | <input checked="" 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 checked="" 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: State Commission on Water Resource Management |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 9/15/2025)



**STATE OF HAWAII  
DEPARTMENT OF HEALTH**  
3040 Umi St. Lihue  
Hawaii 96766

**DATE:** Oct 16, 2025

**TO:** To whom it may concern

**FROM:** Ellis Jones  
District Environmental Health Program Chief

**SUBJECT:** RESPONSE\_Peggy R. Mederios and Michael B. & Milaine H. Mederios Trust\_S-2026-4

In most cases, the District Health Office will no longer provide individual comments to agencies or project owners to expedite the land use review and process.

Agencies, project owners, and their agents should apply Department of Health "Standard Comments" regarding land use to their standard project comments in their submittal. Standard comments can be found on the Land Use Planning Review section of the Department of Health website: <https://health.hawaii.gov/epo/landuse/>. Contact information for each Branch/Office is available on that website.

**Note: Agencies and project owners are responsible for adhering to all applicable standard comments and obtaining proper and necessary permits before the commencement of any work.**

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

**Clean Air Branch**

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.



3. Standard comments for the Clean Air Branch are at:  
<https://health.hawaii.gov/epo/landuse/>

#### **Clean Water Branch**

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55:  
<https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standardcomments/>.

#### **Hazard Evaluation & Emergency Response Office**

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at:  
<https://health.hawaii.gov/epo/landuse/>.

#### **Indoor and Radiological Health Branch**

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
2. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

#### **Safe Drinking Water Branch**

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related the Safe Drinking Water program:  
<https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at:  
<https://health.hawaii.gov/epo/landuse/>.

#### **Solid & Hazardous Waste Branch**

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the



electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.

3. Underground Storage Tank Program – The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

### **Wastewater Branch**

Wastewater Branch has no objections to the proposed project. The type and number of IWS (individual wastewater systems) will be determined during design review process. By Revised Statute 11-62-31.1 If the parcel is less than 10,000sq feet, an individual onsite waste-water unit may not be possible for future construction. Please contact DOH waste-water branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at [doh.wwb@doh.hawaii.gov](mailto:doh.wwb@doh.hawaii.gov).

### **Sanitation / Local DOH Comments:**

1. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
2. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure, place, or vacant lot without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure, site, or vacant lot. A demolition or land clearing permit is required prior to demolition or clearing.

### **Other**

1. [CDC - Healthy Places - Healthy Community Design Checklist Toolkit](#) recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Kauai District Health Office at 808-241-3492.

*Ellis Jones*

*Ellis Jones*

District Environmental Health Program Chief  
Office Phone: (808) 241-3326

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'AINA



DAWN N.S. CHANG  
CHAIRPERSON

KENNETH S. FINK, M.D., MGA, MPH  
AURORA KAGAWA-VIVIANI, PH.D.  
WAYNE K. KATAYAMA  
LAWRENCE H. MIKE, M.D., J.D.  
HANNAH KIHALANI SPRINGER

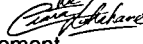
STATE OF HAWAII | KA MOKU'AINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES | KA 'OIHANA KUMUWAIWAI 'AINA  
**COMMISSION ON WATER RESOURCE MANAGEMENT | KE KAHUWAI PONO**  
P.O. BOX 621  
HONOLULU, HAWAII 96809

CIARA W.K. KAHAHANE  
DEPUTY DIRECTOR

Oct 23, 2025

REF: RFD.6527.2

TO: Kaaina Hull, Director  
Director

FROM: Ciara W.K. Kahahane, Deputy Director   
Commission on Water Resource Management

SUBJECT: RFD.6527.2 Subdivision S-2026-4

FILE NO.: RFD.6527.2  
TMK NO.: (4) 2-7-005:014

Thank you for the opportunity to review the subject document. The Commission on Water Resource Management (CWRM) is the agency responsible for administering the State Water Code (Code). Under the Code, all waters of the State are held in trust for the benefit of the citizens of the State, therefore all water use is subject to legally protected water rights. CWRM strongly promotes the efficient use of Hawaii's water resources through conservation measures and appropriate resource management. For more information, please refer to the State Water Code, Chapter 174C, Hawaii Revised Statutes, and Hawaii Administrative Rules, Chapters 13-167 to 13-171. These documents are available via the Internet at <http://dlnr.hawaii.gov/cwrm>.

Our comments related to water resources are checked off below.

- ☐ 1. We recommend coordination with the county to incorporate this project into the next update of the county's Water Use and Development Plan (WUDP). Please contact the respective Planning Department and/or Department of Water Supply for further information.
- ☐ 2. We recommend coordination with the Engineering Division of the State of Hawaii, Department of Land and Natural Resources (DLNR) to incorporate this project into the next update of the State Water Projects Plan (SWPP).
- ☐ 3. We recommend coordination with the State of Hawaii, Department of Agriculture (HDOA) to incorporate the reclassification of agricultural zoned land and the associated agricultural water demands into the State's Agricultural Water Use and Development Plan (AWUDP). Please contact the HDOA for more information at <https://hdoa.hawaii.gov/contact/>.
- ☐ 4. We recommend that water efficient fixtures be installed and water efficient practices implemented throughout the project to reduce the increased demand on the area's freshwater resources. Reducing the water usage of a home or building may earn credit towards Leadership in Energy and Environmental Design (LEED) certification. More information on LEED certification is available at <http://www.usgbc.org/leed>. A listing of fixtures certified by the EAP as having high water efficiency can be found at <http://www.epa.gov/watersense>.
- ☐ 5. We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project on the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMPs may earn credit toward LEED certification. More information on stormwater BMPs can be found at <http://planning.hawaii.gov/czm/initiatives/low-impact-development/>.
- ☐ 6. We recommend the use of alternative water sources, wherever practicable.
- ☐ 7. We recommend participating in the Hawaii Green Business Program, that assists and recognizes businesses that strive to operate in an environmentally and socially responsible manner. The program description can be found online at <http://energy.hawaii.gov/green-business-program>.
- ☐ 8. We recommend adopting landscape irrigation conservation best management practices endorsed by the Landscape Industry Council of Hawaii. These practices can be found online at

<https://hawaiiscape.com/index.php>. Additional information can be found at  
<https://dlnr.hawaii.gov/cwrm/planning/conservation/>.

- ☐ 9. There may be the potential for ground or surface water degradation/contamination and recommend that approvals for this project be conditioned upon a review by the State Department of Health (HDOH) and the acceptance of any resulting requirements related to water quality.
- ☐ 10. The proposed water supply source for the project is located in a designated water management area, and a Water Use Permit is required prior to use of water. The Water Use Permit may be conditioned on the requirement to use dual line water supply systems for new industrial and commercial developments.
- ☐ 11. The Hawai'i Water Plan is directed toward the achievement of the utilization of reclaimed water for uses other than drinking and for potable water needs in one hundred per cent of State and County facilities by December 31, 2045 (§174C-31(g)(6), Hawaii Revised Statutes). We strongly recommend that this project consider using reclaimed water for its non-potable water needs, such as irrigation. Reclaimed water may include, but is not limited to, recycled wastewater, gray water, and captured rainwater/stormwater. Please contact the Hawai'i Department of Health, Wastewater Branch, for more information on their reuse guidelines and the availability of reclaimed water in the project area. Contact information can be found at <https://health.hawaii.gov/about/contact/>.
- ☐ 12. A Well Construction Permit(s) is (are) are required before the commencement of any well construction work.
- ☐ 13. A Pump Installation Permit(s) is (are) required before ground water is developed as a source of supply for the project.
- ☐ 14. There is (are) well(s) located on or adjacent to this project. If wells are not planned to be used and will be affected by any new construction, they must be properly abandoned and sealed. A permit for well abandonment must be obtained.
- ☐ 15. Ground-water withdrawals from this project may affect streamflows, which may require an instream flow standard amendment.
- ☐ 16. A Stream Channel Alteration Permit(s) is (are) required before any alteration can be made to the bed and/or banks of a steam channel.
- ☐ 17. A Stream Diversion Works Permit(s) is (are) required before any stream diversion works is constructed or altered.
- ☐ 18. A Petition to Amend the Interim Instream Flow Standard is required for any new or expanded diversion(s) of surface water.
- ☐ 19. The planned source of water for this project has not been identified in this report. Therefore, we cannot determine what permits or petitions are required by CWRM, or whether there are potential impacts to water resources.
- ☐ 20. The proposed water source(s) and projected water demands for the project, both potable and non-potable, should be identified. If the project will be provided water by a local water system we recommend consultation with them to ensure that system capacity is available to supply water for this project.

- ☒ OTHER: Planning -  
If major planned development will follow the subdivision please ensure that the proposed water source(s) and projected water demands for the project, both potable and non-potable, are identified and the calculations used to estimate demands should be provided.

If the water will be provided by a local water utility, coordination is required with the Commission to determine any potential impacts that this project will have on the water utility's allocations.

If you have any questions, please contact Ryan Imata of the Groundwater Regulation Branch at (808) 587-0225 or Katie Roth of the Planning Branch (808) 587-0216.

# DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



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

## SUBDIVISION REPORT

### I. SUMMARY

**Action Required by Planning Commission:** Consideration of Subdivision Application No. S-2026-5 involving a five (5) lot Subdivision

**Subdivision Permit No.** Application No. S-2026-5

**Name of Applicant(s)** HERBERT H. NISHIDA, BARBARA S. NISHIDA, DAVID H. NAKAMURA

### II. PROJECT INFORMATION

<b>Map Title</b>	Subdivision of Lot 140 into Lots 1 thru 5 Being Portion of Grant 6867 at Kapa'a Homesteads, Kapa'a, Kaua'i, Hawai'i.				
<b>Tax Map Key(s):</b>	4-4-015:017	<b>Area:</b>	19.662 Acres		
<b>Zoning:</b>	Agriculture (Ag)				
<b>State Land Use District(s):</b>	Agricultural	<b>General Plan Designation:</b>	Homestead		
<b>AGENCY COMMENTS</b>					
<input checked="" type="checkbox"/> COK Public Works	12.01.2025	<input type="checkbox"/> State DOT-Highways:			
<input checked="" type="checkbox"/> COK Water:	pending	<input checked="" type="checkbox"/> State Health:	10.16.2025		
<input type="checkbox"/> COK Housing:		<input checked="" type="checkbox"/> DLNR – SHPD:	pending		
<input checked="" type="checkbox"/> COK Fire:					
<b>EXISTING ROAD RIGHT-OF-WAY(S)</b>					
Road Name	Existing Width	Required Width	Pavement YES	NO	Reserve
Kamalu Road	40 feet	60 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	tbd
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
<b>APPLICABLE FEES</b>					
<b>Environmental Impact Assessment (EIA)</b>	\$1000.00				
<b>Park Dedication</b>	\$600.00				
<b>Appraisal Report Required</b>	N/A				

**G.I.B.I.**  
**DEC 09 2025**



<b>Date of Preliminary Map Acceptance:</b>	September 19, 2025
<b>Date of Director's Report:</b>	November 28, 2025
<b>Date of Public Hearing:</b>	December 09, 2025
<b>Deadline Date for PC to Take Action Pursuant to Section 9-3.4(b) of the K.C.C.:</b>	December 18, 2025

### III. EVALUATION

#### Project Description

The proposal involves the subdivision of Lot 140 into five (5) lots. The subject property is approximately 19.662 acres in size and is situated within the County Agriculture (Ag) zoning district and State Land Use Agricultural District. The proposed subdivision creates a one-acre lot along Kamalu Road that will contain an existing residence, and four (4) flag lots consisting of two front lots (Lots 1 and 4), each approximately 4.175 acres in size, and two rear lots (Lots 2 and 3), each approximately 5.156 acres in size. In practice, the department has always discouraged the establishment of a "quadruple flag-lot layout" along major roadways due to the potential impacts related to the driveways. From a traffic mitigation standpoint, it would be the department's preference to have one (1) common driveway access point at the roadway connection OR have the subdivision layout out revised.

In considering the proposal, it is noted that the subject property is situated within a rural neighborhood, characterized by pastures, light farming activities, and residential development. The parcel is currently improved with a single story, residential dwelling unit that was constructed in 1930, which would be situated on proposed Lot 5. The remaining portion of the property is fallow agriculture land presently vacant covered with trees and tall grasses.

The subject parcel existed prior to the adoption of the Comprehensive Zoning Ordinance (CZO) in 1972. Therefore, the proposed development is subject to the requirements in Section 8-8.3 (b) (1) (B) of the Kaua'i County Code, 1987, as amended, which specifies:

*"Parcels larger than 10 acres, but not more than 20 acres, may be subdivided into parcels not less than two acres in size, except that not more than four lots in the parcel may be one acre in size."*


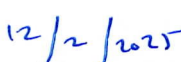
#### Vehicular Access

The primary access to the project is via Kamalu Road, a County-owned roadway with an existing right-of-way width (ROW) of forty (40) feet. Presently, the ROW does not comply with the County standard of sixty (60) feet for a major street classification. As such, a future road widening reserve should be established along the frontage of Kamalu Road subject to the specifications of the Department of Public Works.

In further evaluating the proposal, it is noted that the parcel does not meet its development potential since Lots 1-4 may be further subdivided pursuant to CZO Section 8-8.3(c). Therefore, in minimizing potential traffic impacts along Kamalu Road as a result of the further subdivision of these lots, the pole portions of Lots 2 and 3 should be designated as a common access/utility easement in favor of Lots 1-4. Upon such time that any of these lots are further

subdivided, the common access easement should be improved to a County standard roadway. In addition, access onto Kamalu Road from the pole portions of Lots 1 and 4 should be restricted to a common access easement along the pole sections of Lots 2 & 3.

#### IV. RECOMMENDATION

TENTATIVE APPROVAL	FINAL APPROVAL
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denied	<input type="checkbox"/> Approval <input type="checkbox"/> Denied
Tentative Approval subject to all requirements as noted on the follow pages:	All conditions have been complied with
 Director of Planning  Date	Director of Planning Date

#### V. AGENCY REQUIREMENTS

1. Requirements of the Planning Department:
  - a. An updated preliminary title report for the 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 (digitized format) of the final subdivision map(s) on disk for record keeping purposes prior to final subdivision approval.
  - d. Pursuant to Section 9-3.8 (c) of the Subdivision Ordinance, Kaua'i County Code, 1987, as amended, the Applicant shall file fifteen (15) copies of the subdivision final map with the Planning Department within one (1) year after approval of the preliminary subdivision map. If no filing is made, the approval of the preliminary subdivision map and construction plan shall become void unless an extension of time is granted by the Planning Commission.
  - e. An Environmental Impact Assessment Fee of One Thousand Dollars (\$1000.00) shall be paid to the County of Kaua'i.

- f. An Park Dedication Fee of Six Hundred Dollars (\$600.00) shall be paid to the County of Kaua'i.
- g. A future road widening reserve shall be established along the frontage of Kamalu Road subject to the specifications of the Department of Public Works for a major street classification. There shall be no new structures permitted within the reserve, and any new structures should be setback from the reserve. The reserve, along with the restrictions, shall be incorporated into the deed descriptions of the affected lots, of which draft copies shall be submitted to the Planning Department for review and approval.
- h. The subdivider should consult the Planning Department to establish a building setback line for the subdivision to mitigate adverse impacts to the nearby stream and prohibit development within the "Riparian Area." Prior to final subdivision approval, design covenants, including but not limited to setback lines, structures, and landscaping, shall be established to ensure this. Building setback lines shall be shown on the final subdivision map and design covenants shall be incorporated into the deed descriptions of the affected lots, draft copies of which shall be submitted to the Planning Department for review and approval.
- i. 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.
- j. The pole section of the double flag lots (Lots 2 & 3) shall be designated as common access/utility easements in favor of each other as well as for Lots 1 & 4, and this provision shall be incorporated into the deed descriptions of the affected lots, draft copies of which shall be submitted to the Planning Department for review and approval.
- k. Relative to the foregoing requirement, vehicular access for Lots 1 and 4 shall be limited to the common access easement within the pole portions of Lots 2 and 3. Semi-circles denoting "No Direct Access Permitted" along the frontage of Kamalu Road for Lots 1 and 4 shall be shown on the final subdivision map. These provisions shall be incorporated as a restrictive covenant for the subject lots, draft copies of which shall be submitted to the Planning Department for review and approval.
- l. The subdivider is made aware that upon such time that any of these lots (Lots 1-4) are further subdivided, the common access easement should be improved to a County standard roadway for a Minor Street.

2. Requirements of the Department of Public Works (DPW):

- a. The applicant shall comply with all provisions of the "Sediment and Erosion Control Ordinance No. 808" 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 County's Sediment and Erosion Control 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.

During construction, best management practices (BMPs) shall be incorporated to the maximum extent practicable to prevent damage by sedimentation, erosion, or dust to watercourses, natural areas, and other properties. The permittee and the property owner shall be responsible for ensuring that BMPs are satisfactorily implemented at all times.

- b. Per Kaua'i County Code 9-2.3(b), access for proposed Lots 1, 2, 3, 4, and 5 shall be limited to one location along Kamalu Road via County-standard driveway approaches.
- c. Per Kaua'i County Code 9-3.3, the subdivision map shall "Identify the areas of flood or tsunami hazards, delineating the boundaries of the flood fringe, floodways, general floodplain, and coastal high hazard, and designating the base flood elevations." For the proposed subdivision, it is anticipated that a flood study will need to be completed to meet this requirement.
- d. Kamalu Road is a Collector Street. Per Kaua'i County Code Section 9-2.3(b)(3), "Driveway access from collector streets within a residential subdivision may be limited as deemed necessary by the Planning Director." The existing driveways for Lot 5 and the adjacent Parcel 1B are spaced at approximately 315 feet on center. We recommend that a maximum of three (3) driveway approaches be allowed for this frontage. The applicant shall utilize access easements to ensure access is provided to all five (5) proposed lots with a maximum of three (3) driveway approaches. The applicant may choose where the three (3) driveway approaches are located and the subdivision map shall be updated to indicate access control restrictions for the other areas of the frontage that are not utilized for the driveway approaches.



3. Requirements of the Department of Water (DOW):

- a. The subdivider shall comply with the requirements of the Department of Water, if any, prior to final subdivision approval. The subdivider shall be notified of such requirement upon receipt of their report.

4. Requirements of the Department of Health (DOH):

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

**Clean Air Branch**

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.
3. Standard comments for the Clean Air Branch are at:  
<https://health.hawaii.gov/epo/landuse/>.

**Clean Water Branch**

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55:  
<https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standard-comments/>.

**Hazard Evaluation & Emergency Response Office**

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.

2. Standard comments for the Hazard Evaluation & Emergency Response Office are at: <https://health.hawaii.gov/epo/landuse/>.

#### **Indoor and Radiological Health Branch**

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
2. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

#### **Safe Drinking Water Branch**

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related the Safe Drinking Water program: <https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

#### **Solid & Hazardous Waste Branch**

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.
3. Underground Storage Tank Program - The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.

4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

### **Wastewater Branch**

All structures and wastewater disposal systems are not shown on the subdivision map. Wastewater Branch will not recommend approval of the subdivision application until we have information on the existing wastewater systems. The applicant must have his/her engineer or contractor submit a completed existing cesspool information card for each cesspool, identifying the location of all wastewater systems with associated structures and their relationship to existing and proposed property lines.

Please contact DOH Waste-Water Branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at [doh.wwb@doh.hawaii.gov](mailto:doh.wwb@doh.hawaii.gov).

### **Sanitation/ Local DOH Comments:**

1. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
2. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure, place, or vacant lot without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure, site, or vacant lot. A demolition or land clearing permit is required prior to demolition or clearing.

### **Other**

1. CDC–Healthy Places–Healthy Community Design Checklist Toolkit recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Kauai District Health Office at 808-241-3492.

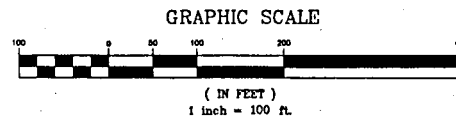
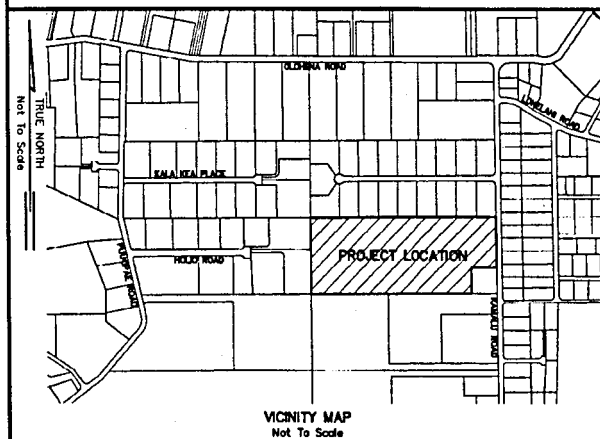
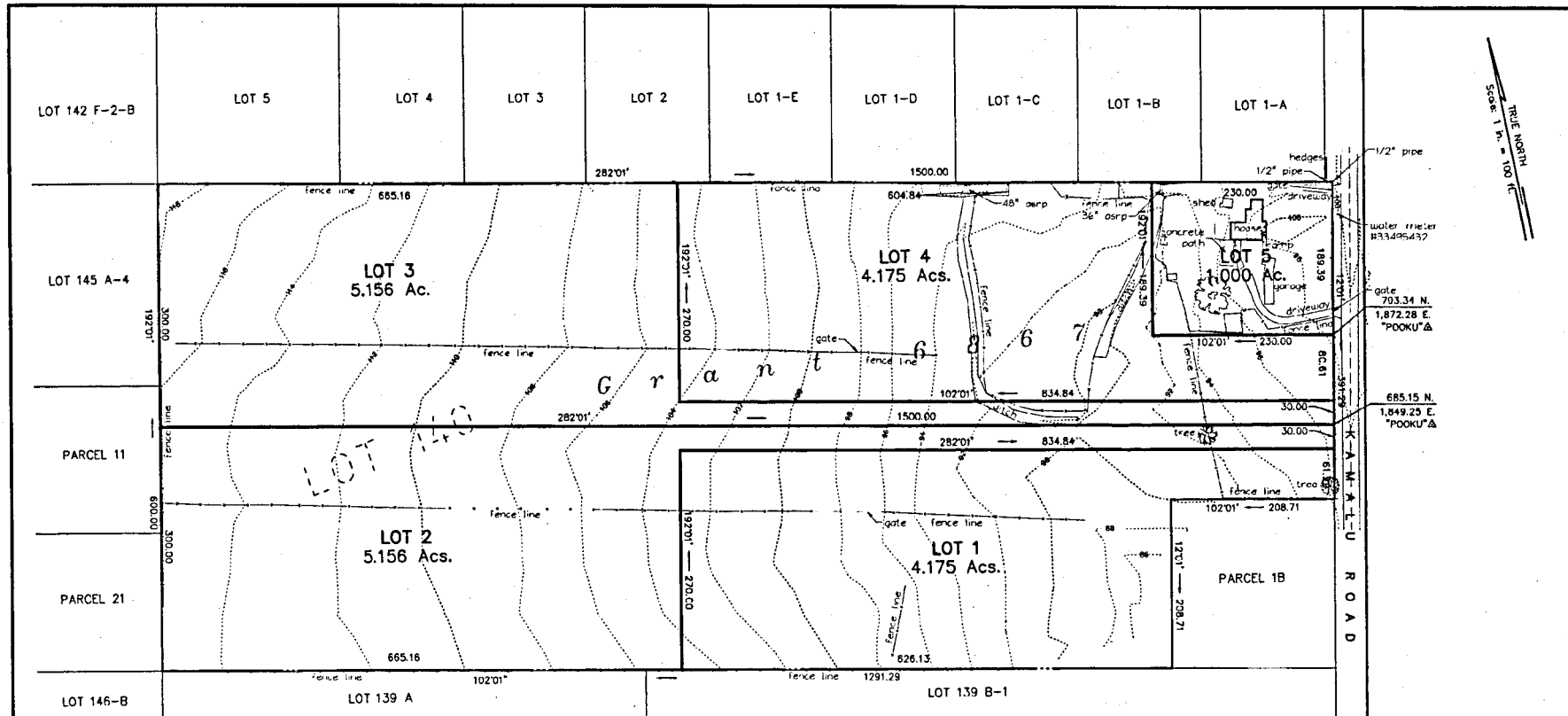
5. Requirements of the State Historic Preservation Department (SHPD):
  - a. The subdivider shall comply with the requirements of the State Historic Preservation Department, if any, prior to final subdivision approval.
6. The Applicant is advised that should any archaeological or historical resources 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 Department of Land and Natural Resources, Historic Preservation Division to determine mitigation measures.
7. The Applicant is advised that prior to and/or during construction and use additional conditions may be imposed by government agencies. Should this occur, the applicant shall resolve these conditions with the respective agency(ies).

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 09, 2025, 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   
KENNETH A. ESTES  
Planner





THIS WORK WAS PREPARED BY ME  
OR UNDER MY SUPERVISION

*Wayne T. Wada*

Signature  
ESAKI SURVEYING & MAPPING, INC.  
EXPIRES: APRIL 30, 2026

ESAKI SURVEYING & MAPPING, INC.  
Civil Engineers - Land Surveyors - Planners

SUBDIVISION OF LOT 140  
INTO LOTS 1 THRU 5  
BEING PORTION OF GRANT 6867  
KAPAA HOMESTEADS, KAPAA, KAUAI, HAWAII  
Tax Map Key: (4) 4-4-15: 17  
Owners: Herbert H. & Barbara S. Nishida  
David H. Nakamura  
Date: June 19, 2025

Job Number: 05-86  
Drawing File: 05-86 Subdivision.dwg

1610 Halekuna Street  
Lihue, Hawaii 96766



[illegible]









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

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

9/22/2025

SUBJECT: Subdivision S-2026-5

Applicant: Herbert H. Nishida, Barbara S. Nishida, & David H. Nakamura

TO:

- |  |  |
|--|--|
| <input type="checkbox"/> State Department of Transportation - STP                        | <input checked="" type="checkbox"/> County DPW - Engineering     |
| <input type="checkbox"/> State DOT - Highways, Kauai (info only)                         | <input checked="" type="checkbox"/> County DPW - Wastewater      |
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| <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                    |
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| <input type="checkbox"/> State DLNR - Forestry & Wildlife                                | <input type="checkbox"/> KHPRC                                   |
| <input type="checkbox"/> State DLNR - Aquatic Resources                                  | <input checked="" type="checkbox"/> U.S. Postal Department       |
| <input checked="" type="checkbox"/> State DLNR - Commission on Water Resource Management | <input type="checkbox"/> Other:                                  |
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs                           |  |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 11/3/2025)

1. The applicant shall comply with all provisions of the "Sediment and Erosion Control Ordinance No. 808" to safeguard the 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 County's Sediment and Erosion Control 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.

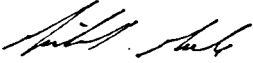
During construction, best management practices (BMPs) shall be incorporated to the maximum extent practicable to prevent damage by sedimentation, erosion, or dust to watercourses, natural areas, and other properties. The permittee and the property owner shall be responsible to ensure that BMPs are satisfactorily implemented at all times.

2. Per Kaua'i County Code 9-2.3(b), access for proposed Lots 1, 2, 3, 4, and 5 shall be limited to one location along Kamalu Road via County-standard driveway approaches.
3. Per Kaua'i County Code 9-3.3, the subdivision map shall "Identify the areas of flood or tsunami hazards, delineating the boundaries of the flood fringe, floodways, general floodplain, and coastal high hazard, and designating the base flood elevations." For the proposed subdivision, it is anticipated that a flood study will need to be completed to meet this requirement.



4. Kāmalū Road is a Collector Street. Per Kaua‘i County Code Section 9-2.3(b)(3), “Driveway access from collector streets within a residential subdivision may be limited as deemed necessary by the Planning Director.” The existing driveways for Lot 5 and the adjacent Parcel 1B are spaced at approximately 315 feet on center. We recommend that a maximum of three (3) driveway approaches be allowed for this frontage. The applicant shall utilize access easements to ensure access is provided to all five (5) proposed lots with a maximum of three (3) driveway approaches. The applicant may choose where the three (3) driveway approaches are located and the subdivision map shall be updated to indicate access control restrictions for the other areas of the frontage that are not utilized for the driveway approaches.

Sincerely,



Digitally signed by Michael Moule  
Date: 2025.12.01 17:25:05 -10'00'

Michael Moule, P.E.  
Chief, Engineering Division



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

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

9/22/2025

SUBJECT: Subdivision S-2026-5

Applicant: Herbert H. Nishida, Barbara S. Nishida, & David H. Nakamura

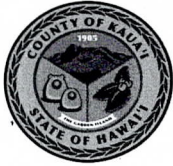
TO:

- |  |  |
|--|--|
| <input type="checkbox"/> State Department of Transportation - STP                        | <input checked="" type="checkbox"/> County DPW - Engineering     |
| <input type="checkbox"/> State DOT - Highways, Kauai (info only)                         | <input checked="" 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                |
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| <input type="checkbox"/> State Department of Agriculture                                 | <input checked="" type="checkbox"/> County Fire Department       |
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| <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      |
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| <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 checked="" type="checkbox"/> U.S. Postal Department       |
| <input type="checkbox"/> State DLNR - Conservation & Coastal Lands                       | <input type="checkbox"/> UH Sea Grant                            |
| <input checked="" type="checkbox"/> State DLNR - Commission on Water Resource Management |  |
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs                           | <input type="checkbox"/> Other:                                  |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 11/3/2025)

Wastewater Management Division has no comments.  
This subdivision is not within the county sewer service area.

Donald Fujimoto 9/22/25  
Chief, Wastewater Management Division



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

OCT 22 '25 PM 1:46  
PLANNING DEPT

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

9/22/2025

SUBJECT: Subdivision S-2026-5

Applicant: Herbert H. Nishida, Barbara S. Nishida, & David H. Nakamura

TO:

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| <input checked="" type="checkbox"/> Office of Hawaiian Affairs                           | <input type="checkbox"/> Other:                                  |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 11/3/2025)

10-20-2025

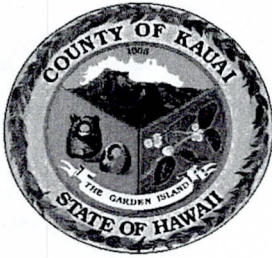
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SEP 23 2025

CTA HAS NO FURTHER COMMENT ON THIS PROJECT.

County of Kauai  
Transportation Agency

MAHAHO!



COUNTY OF KAUAI  
PLANNING DEPARTMENT

SUBDIVISION APPLICATION

APPLICATION TYPE		DEPT. USE ONLY	
<input checked="" type="checkbox"/> Preliminary – 12 Maps	<input type="checkbox"/> Final – 15 Maps	Application No.	5-2026-5
Attachments: <input type="checkbox"/> Title Report <input type="checkbox"/> Application Fee + \$300.00 Processing Fee <input type="checkbox"/> Letter of Authorization **		Date Accepted	09.19.2025
		Assigned to:	KE
		SMA Permit: [ ] Yes [✓] No	

**Owner(s)/Applicant(s) \*** Herbert H. Nishida Barbara S. Nishida David H. Nakamura

\* Holder of **AT LEAST 75%** of the equitable and legal title of the property

**Name of Surveyor/Engineer/Authorized Agent \*\*** Wayne T. Wada Esaki Surveying & Mapping, Inc.

**Telephone No.** 808-246-0625

**Map Title/ Description** Subdivision Of Lot 140 Into Lots 1Thru 5 Being Portion Of Grant 6867

Kapaa Homesteads, Kapaa, Kauai, Hawaii TMK (4) 4-4-15: 17

GENERAL INFORMATION			
Tax Map Key: (4)	Zoning	General Plan	State Land Use Designation
4-4-15: 17	AG	Homestead	AG
Property Size (Acres or Sq. Feet)	Total Amount of Lots		Subdivision Fee (\$16.50 per lot)
19.42 Acres	5		\$ 382.50

**Date:** 7/23/2025

**Applicant's Signature** Wayne T. Wada

DEPARTMENT USE ONLY	
Route to:	For:
<input type="checkbox"/> Public Works Department	<input type="checkbox"/> Review and Recommendation
<input type="checkbox"/> Water Department	<input type="checkbox"/> Signature and Return
<input type="checkbox"/> Housing Agency	
<input type="checkbox"/> State Health Department	
<input type="checkbox"/> State Highways Division – DOT	
<input type="checkbox"/> State Historic Preservation Division – DLNR	<b>AGENCY DEADLINE:</b>

AGENCY COMMENTS

**Date:** \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature





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

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

9/22/2025

SUBJECT: Subdivision S-2026-5

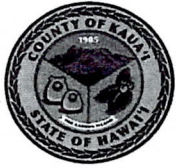
Applicant: Herbert H. Nishida, Barbara S. Nishida, & David H. Nakamura

TO:

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|--|--|
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| <input type="checkbox"/> State Land Use Commission                                       | <input checked="" type="checkbox"/> County Water Department      |
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| <input checked="" type="checkbox"/> State DLNR - Commission on Water Resource Management |  |
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs                           | <input type="checkbox"/> Other:                                  |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 11/3/2025)

Fire has no comments at  
this time.



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

OCT 20 '25 PM3:06  
PLANNING DEPT

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

9/22/2025

SUBJECT: Subdivision S-2026-5

Applicant: Herbert H. Nishida, Barbara S. Nishida, & David H. Nakamura

TO:

- |  |  |
|--|--|
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| <input checked="" type="checkbox"/> Office of Hawaiian Affairs                           | <input type="checkbox"/> Other:                                  |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 11/3/2025)

Please see Wastewater Comments



**STATE OF HAWAII  
DEPARTMENT OF HEALTH**  
3040 Umi St. Lihue  
Hawaii 96766

DATE: Oct 16, 2025

TO: To whom it may concern

FROM: Ellis Jones  
District Environmental Health Program Chief

SUBJECT: RESPONSE\_Subdivision Lot 140 into Lots 1-5\_S-2026-5

In most cases, the District Health Office will no longer provide individual comments to agencies or project owners to expedite the land use review and process.

Agencies, project owners, and their agents should apply Department of Health "Standard Comments" regarding land use to their standard project comments in their submittal. Standard comments can be found on the Land Use Planning Review section of the Department of Health website: <https://health.hawaii.gov/epo/landuse/>. Contact information for each Branch/Office is available on that website.

**Note: Agencies and project owners are responsible for adhering to all applicable standard comments and obtaining proper and necessary permits before the commencement of any work.**

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

**Clean Air Branch**

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2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.

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<https://health.hawaii.gov/sdwb/>.
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<https://health.hawaii.gov/epo/landuse/>.

#### **Solid & Hazardous Waste Branch**

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the



electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.

3. Underground Storage Tank Program – The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

### **Wastewater Branch**

**All structures and wastewater disposal systems are not shown on the subdivision map. Wastewater Branch will not recommend approval of the subdivision application until we have information on existing wastewater systems. The applicant must have his/her engineer or contractor submit a completed existing cesspool information card for each cesspool, identifying the location of all wastewater systems with associated structures and their relationship to existing and proposed property lines.**

Please contact DOH waste-water branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at [doh.wwb@doh.hawaii.gov](mailto:doh.wwb@doh.hawaii.gov).

### **Sanitation / Local DOH Comments:**

1. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
2. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure, place, or vacant lot without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure, site, or vacant lot. A demolition or land clearing permit is required prior to demolition or clearing.

### **Other**

1. [CDC - Healthy Places - Healthy Community Design Checklist Toolkit](#) recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Kauai District Health Office at 808-241-3492.

*Ellis Jones*

*Ellis Jones*

District Environmental Health Program Chief

# DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



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

## SUBDIVISION REPORT

### I. SUMMARY

**Action Required by Planning Commission:** Consideration of Subdivision Application No. S-2026-6 involving a two (2) lot Subdivision

**Subdivision Permit No.** Application No. S-2026-6

**Name of Applicant(s)** VISIONARY, LLC.

### II. PROJECT INFORMATION

<b>Map Title</b>	Subdivision of Lot 5 Ho'oluana At Kohea Loa Phase 1 into Lots 5-A and 5-B and Designation of Easement 5-B as shown on (File Plan 2505) Being Portions of Lot 2, Royal Patent 4481, Land Commission Award 7713, Apana 2, Part 7 to V. Kamamalu at Hanamā'ulu, Līhu'e, Kaua'i, Hawai'i.				
<b>Tax Map Key(s):</b>	3-7-003:032	<b>Area:</b>	5.906 Acres		
<b>Zoning:</b>	Residential (R-6) / Special Treatment – Public Facilities (ST-P)				
<b>State Land Use District(s):</b>	Urban	<b>General Plan Designation:</b>	Residential Community		
<b>AGENCY COMMENTS</b>					
<input checked="" type="checkbox"/> COK Public Works	pending	<input type="checkbox"/> State DOT-Highways:	pending		
<input checked="" type="checkbox"/> COK Water:	pending	<input checked="" type="checkbox"/> State Health:	11.24.2025		
<input type="checkbox"/> COK Housing:		<input checked="" type="checkbox"/> DLNR – SHPD:	pending		
<input checked="" type="checkbox"/> COK Fire:	pending	<input type="checkbox"/> State CWRM:			
<input checked="" type="checkbox"/> COK Parks and Rec.	pending				
<b>EXISTING ROAD RIGHT-OF-WAY(S)</b>					
Road Name	Existing Width	Required Width	Pavement YES	NO	Reserve
Kūhiō Highway	80 feet	80 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
'Akilolo Street	56 feet	56 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
<b>APPLICABLE FEES</b>					
<b>Environmental Impact Assessment (EIA)</b>	N/A				
<b>Park Dedication</b>	N/A				
<b>Appraisal Report Required</b>	N/A				

**E.I.C.I.**

DEC 09 2025

<b>Date of Preliminary Map Acceptance:</b>	October 08, 2025
<b>Date of Director's Report:</b>	November 28, 2025
<b>Date of Public Hearing:</b>	December 09, 2025
<b>Deadline Date for PC to Take Action Pursuant to Section 9-3.4(b) of the K.C.C.:</b>	January 06, 2026

### III. EVALUATION

#### Project Description

The proposal involves the subdivision of Lot 5 of the Ho'oluana at Kohea Loa, Phase I Subdivision (S-2006-12) into Lots 5-A and 5-B. The intent of the proposal is to dedicate Lot 5-A to the County of Kaua'i to facilitate the development of a future community park and to dedicate Lot 5-B to the State Department of Education to accommodate a shared use parking lot as an expansion of the King Kaumuali'i Elementary School campus.

The property is located within the County Residential (R-6) zoning district and the Special Treatment – Public District (ST-P), and lies within the State Land Use Urban District. The total area involved is approximately 5.906 acres, with Lot 5-A comprising 2.906 acres and Lot 5-B comprising 3.00 acres. The subject property is bordered by 'Akilolo Street to the north, the Ho'oluana at Kohea Loa Phase II Subdivision (S-2006-24) to the east, the King Kaumuali'i Elementary School campus to the south, and Kūhiō Highway to the west.

#### Vehicular Access

Vehicular access to the project will be from 'Akilolo Street, a private roadway with a present right-of-way width of fifty-six (56) feet. The Applicant should confirm whether they intend to dedicate 'Akilolo Street to the County of Kaua'i.

#### Pedestrian Access

In evaluating the subdivision, it should be noted that Lots 10 and 22 of the neighboring Ho'oluana at Kohea Loa, Phase II Subdivision (S-2006-24), were intended to provide pedestrian connections between the subdivision and the elementary school to minimize vehicular and pedestrian traffic along Hanamā'ulu Road. As a result, the Applicant should coordinate with the Planning Department and the Department of Public Works, Engineering Division in establishing these lots as public access easements.

Additionally, the Applicant should coordinate with the Planning and Public Works Departments the feasibility of establishing a pedestrian access easement from Hanamā'ulu Place to the proposed development. This connection will be essential in enabling residents living south of Hanamā'ulu Road to access the proposed community park site.

#### Permit History

**Ordinance No. PM-94-82** — The subject property was part of Zoning Amendment Z-82-1, that amended approximately 37.3 acres of land from the Agriculture District to Residential District (R-6)/Special Treatment-Public District (ST-P), Residential District (R-6) and Open District (O); and from the Open District (O) to Residential District (R-6). The zoning amendment was

codified through Zoning Ordinance No. PM-94-82, approved by the Kaua'i County Council on June 15, 1982.

**Subdivision Application No. S-2006-12** — The subject property (Lot 5) was created through Subdivision Application No. S-2006-12 (Ho'oluana at Kohea Loa, Phase I Subdivision). The subdivision established five (5) bulk lots that could be further developed and two (2) roadway lots. The subdivision was approved by the Kaua'i Planning Commission on January 15, 2015.

**Native Hawaiian Traditional and Cultural Rights**

A Ka Pa'akai O Ka'aina Analysis was prepared by Exploration Associates Ltd. for the proposed development. The analysis describes the historic and traditional accounts associated with the Hanamā'ulu Ahupua'a as well as provides a thorough analysis of the project site and potential impacts to cultural resources, historical resources, and archaeological sites. The analysis also provides a detailed summary of the community outreach that was conducted with nine (9) individuals who had potential knowledge, ties and experiences linked to the project area and Hanamā'ulu area.


Based on the information contained in the analysis and evaluating the historical information that was available to the department, the department finds that the proposed development at its designated location should have no impact on any known Hawaiian traditional or customary practices for the following reasons:

- a. No historic properties were identified in the project area.
- b. There are no known traditional or customary practices of Native Hawaiians that are presently occurring at the project site.
- c. There are no known special gathering practices taking place at the project site or within the vicinity of the project site.
- d. The Project should not detrimentally inhibit access to any streams; access to the shoreline or other adjacent shoreline areas; gathering along any streams, the shoreline or in the ocean.
- e. There are no known religious practices taking place within the project site.

**IV. RECOMMENDATION**

<b>TENTATIVE APPROVAL</b>	<b>FINAL APPROVAL</b>
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denied	<input type="checkbox"/> Approval <input type="checkbox"/> Denied
Tentative Approval subject to all requirements as noted on the follow pages:	All conditions have been complied with



 Director of Planning	12/2/2025 Date	Director of Planning	Date
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## V. AGENCY REQUIREMENTS

### 1. Requirements of the County Planning Department:

- a. An updated preliminary title report for the 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 (digitized format) of the final subdivision map(s) on disk for record keeping purposes prior to final subdivision approval.
- d. Pursuant to Section 9-3.8(c) of the Subdivision Ordinance, Kaua'i County Code, 1987, as amended, the Applicant shall file fifteen (15) copies of the subdivision final map with the Planning Department within one (1) year after approval of the preliminary subdivision map. If no filing is made, the approval of the preliminary subdivision map and construction plan shall become void unless an extension of time is granted by the Planning Commission.
- e. The subdivider is made aware that the proposed development shall be subject to all applicable requirements/conditions of Project Development Use Permit P.D.U-2006-19 and Class IV Zoning Permit Z-IV-2006-24 relating to this project. The Applicant shall demonstrate compliance with these requirements through proper documentation (if necessary) prior to final subdivision map approval.
- f. Pursuant to Section 9-2.3(e) of the Subdivision Ordinance, Kaua'i County Code (1987), as amended, curbs, gutters and sidewalks shall be provided on both sides of all proposed or existing streets within or abutting the subdivision in Commercial, Industrial and Resorts Districts; in Residential Districts where the density permitted is four (4) units or more per acre; and in any other Zoning District within the State Land Use-Urban District that are located within ½ mile from any elementary, intermediate, high school, or college. For existing streets abutting subdivisions, sidewalks shall be required on the side of the street fronting the subdivision for the length of the subdivision frontage.

Prior to construction plan approval, the Applicant shall coordinate with the Planning Department and the Department of Public Works, Engineering Division, the provision of curbs, gutters and sidewalks within the proposed development.

g. Prior to construction plan approval, the Applicant shall coordinate with the Planning Department and the Department of Public Works, Engineering Division, to integrate traffic calming measures at the driveway entrance along 'Akilolo Street, as well as an additional crosswalk at the proposed pedestrian pathway (Lot 10 of Ho'oluana at Kohea Loa, Phase II). The Applicant shall also coordinate with the departments on the design of the entry road to accommodate multi-modal transportation. Design considerations shall include but not be limited to narrowing the roadway to discourage speeding and incorporating a pedestrian and/or bicycle path along the mauka side of the 32-foot-wide driveway leading into the park from 'Akilolo Street.

h. Relative to the requirements/standards set forth in Ordinance No. 777, the subdivider shall resolve with the Planning Department the provision of public access, and more specifically, pedestrian access to the King Kaumuali'i Elementary School campus.

Prior to final subdivision approval, the Applicant shall establish a public access easement that connects Lot 10 and Lot 22 at the terminus of 'Ala'ihi Place and Lehu Place to the nearby elementary school campus, as well as establish a public access easement from Hanamā'ulu Place to the proposed development. The extent of the improvements shall be resolved with the Planning and Public Works Departments. Furthermore, proper documents shall be prepared and ready for execution prior to final subdivision approval. The Planning Department reserves the right to impose additional conditions relating to this matter while in the process of resolving this condition.

i. Relative to Condition Nos. 1.f., 1.g., and 1.h., 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.

j. There shall be no direct access permitted onto Kūhiō Highway and 'Akilolo Road from Lot 5-A. Semi-circles denoting "No Direct Access Permitted" shall be shown on the final subdivision map. These provisions shall be incorporated as a restrictive covenant for the subject lot, draft copies of which shall be submitted to the Planning Department for review and approval.

k. As represented, the preliminary subdivision map identifies Easement 5-B over Lot 5-B in favor of Lot 5-A to accommodate shared access and parking. Accordingly, this public access easement shall be formalized through a Grant of Easement in favor of the County of Kaua'i. The Applicant shall prepare the Grant of Easement, and it shall be fully executed prior to final subdivision approval.

2. Requirements of the County Department of Public Works (DPW):
  - a. The subdivider shall comply with the requirements of the Department of Public Works, if any, prior to final subdivision approval. The subdivider shall be notified of such requirements upon receipt of their report.
3. Requirements of the County Department of Water (DOW):
  - a. The subdivider shall comply with the requirements of the Department of Water, if any, prior to final subdivision approval. The subdivider shall be notified of such requirements upon receipt of their report.
4. Requirements of the County Department of Parks and Recreation:
  - a. The subdivider shall comply with the requirements of the Department of Parks and Recreation, if any, prior to final subdivision approval. The subdivider shall be notified of such requirements upon receipt of their report.
5. Requirements of the State Department of Health (DOH):

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

**Clean Air Branch**

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.
3. Standard comments for the Clean Air Branch are at:  
<https://health.hawaii.gov/epo/landuse/>.

**Clean Water Branch**

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55:



<https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standard-comments/>.

#### **Hazard Evaluation & Emergency Response Office**

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at: <https://health.hawaii.gov/epo/landuse/>.

#### **Indoor and Radiological Health Branch**

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
2. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

#### **Safe Drinking Water Branch**

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related the Safe Drinking Water program: <https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

#### **Solid & Hazardous Waste Branch**

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal.



The Office of Solid Waste Management also oversees the electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.

3. Underground Storage Tank Program - The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

### **Wastewater Branch**

Wastewater Branch has no objections to the proposed development. The type and number of IWS (individual wastewater systems) will be determined during the design review process. By Revised Statute 11-62-31.1, if the parcel is less than 10,000 square feet, an individual onsite waste-water unit may be possible for future construction. Please contact Sina Pruder at DOH Waste-Water Branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at [doh.wwb@doh.hawaii.gov](mailto:doh.wwb@doh.hawaii.gov).

### **Sanitation/ Local DOH Comments:**

1. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
2. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure, place, or vacant lot without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure, site, or vacant lot. A demolition or land clearing permit is required prior to demolition or clearing.


### **Other**

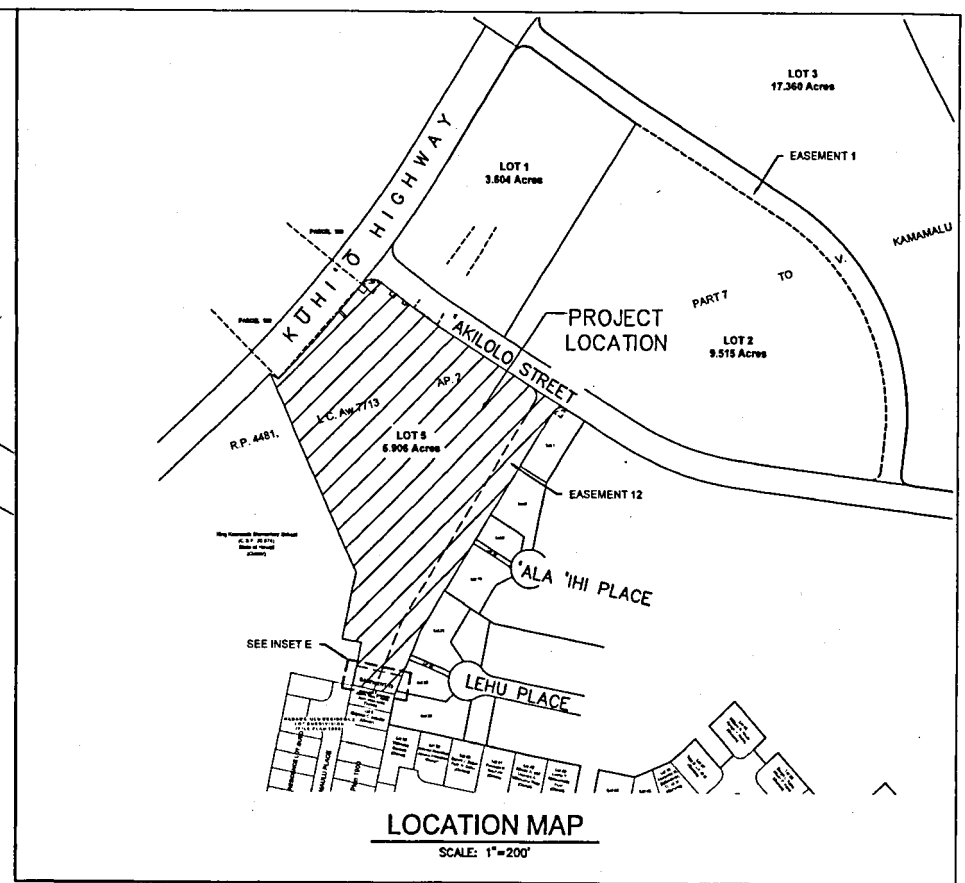
1. CDC–Healthy Places–Healthy Community Design Checklist Toolkit recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Kauai District Health Office at 808-241-3492.

6. Requirements of the State Historic Preservation Division (SHPD):
  - a. The subdivider shall comply with the requirements of the State Historic Preservation Division, if any, prior to final subdivision approval. The subdivider shall be notified of such requirement upon receipt of their report.
7. Requirements of the State Department of Transportation (DOT):
  - a. The subdivider shall comply with the requirements of the State Department of Transportation, if any, prior to final subdivision approval. The subdivider shall be notified of such requirements upon receipt of their report.
8. Requirements of the State Department of Education (DOE):
  - a. The subdivider shall comply with the requirements of the State Department of Education, if any, prior to final subdivision approval. The subdivider shall be notified of such requirements upon receipt of their report.
9. 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 Department of Land and Natural Resources, Historic Preservation Division to determine mitigation measures.
10. The Applicant is advised that prior to and/or during construction and use additional conditions may be imposed by government agencies. Should this occur, the applicant shall resolve these conditions with the respective agency(ies).

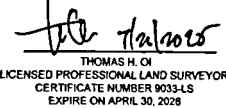
The Planning Commission is further advised that this report does not represent the Planning Department's final recommendation in view of the forthcoming public hearing process scheduled for DECEMBER 09, 2025, whereby the entire record should be considered prior to decision-making. The entire record should 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   
KENNETH A. ESTES  
Planner

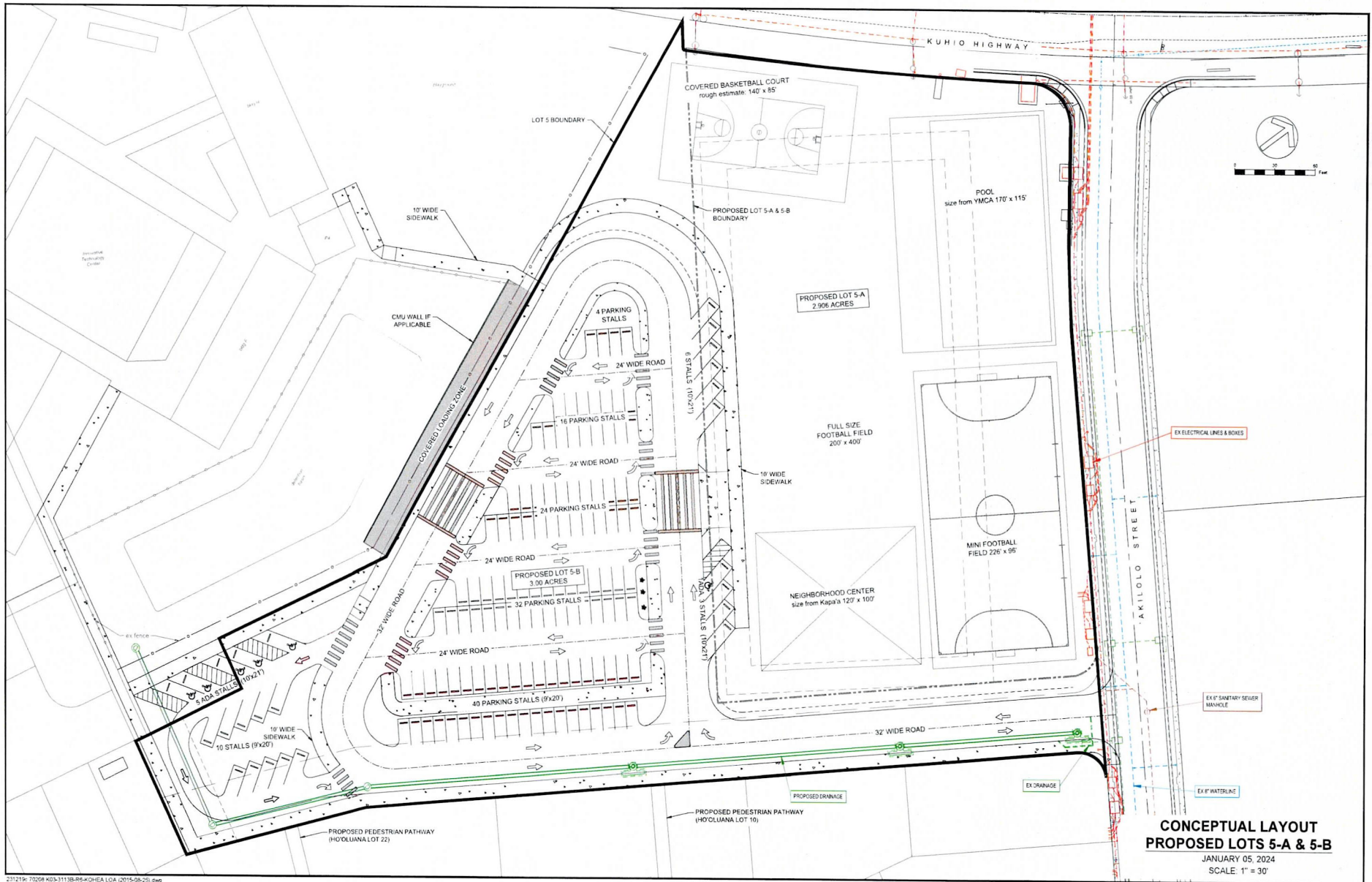


Lihu'e, HI 96766



1. Installation of service connections will not be required until request for water service is made. The applicant for service will be required to complete all Department of Water's requirements existing at that time including full payment of the applicable FRC.









Subject  
Property  
(S-2026-6)



# Exhibit 'A'

(Ka Pa'akai O Ka'aina Analysis)



# **Ka Pa`akai Analysis**

Native Hawaiian Traditions, Customary Practices and Perspectives of  
Hanamā`ulu Ahupua`a Moku o Puna, Kaua`i Island  
for  
TMK (4) 3-7-003: 032 (lot 5)

*Prepared for*

Grove Farm Company, Incorporated

Prepared by  
Exploration Associates Ltd.

May 2025



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## Introduction

At the request of Shawn Shimabukuro of Grove Farm Company, Incorporated, Exploration Associates (EAL) conducted a Ka Pa'akai analysis of 5.906-acre parcel (TMK: (4) 3-7-003: 032 (lot 5) which is in the Hanamā'ulu Ahupua'a, Puna District on Kaua'i Island (Figures 1 - 2). Hereinafter referred to as "project area". The project area is located within Hanamā'ulu, Ahupua'a. The project is a subdivision of Koheā Loa lot 5 into lots 5A & 5B. The land is currently owned by Visionary LLC, and situated in the upland region of Hanamā'ulu, Kaua'i, about 0.6 miles inland from the coast. The area includes the former sugar plantation land.

The parcel is identified in the attached "Hanamā'ulu Triangle" map (Figure 3). It is labeled as LOT 2-E on this map. DR Horton has already developed 151 homes on LOT 2-D. LOTS 2-A, 2-B and 2-C are undeveloped, but are owned by DR Horton and intended for more residential homes. There is an operating sewer pump station on LOT 2-C.

The second map (Figure 4) labeled "LOT 5" shows the subdivision of the 5.906-acre parcel. LOT 5-A will be dedicated to the county for park and/or recreational use (Neighborhood Center), and LOT 5-B will be dedicated to the Department of Education as it is adjacent to the existing King Kaumuali'i Elementary School.

The County Planning Department requires all land permits address the proposed project's effects on traditional Hawaiian practices, customs, and beliefs. This Ka Pa'akai analysis provides information pertinent to the evaluation of the proposed project's cultural impacts.

## Methodology

Methodologies guided by indigenous Hawaiian cultural perspectives and intellect were used to conduct this study. It is always imperative that traditional values of *aloha* and *hō'ihi* (sincerity, love, and respect) are ever present in the actions of the research and investigative team that engages with the natural environments, resources, people, and communities from which/whom information will be gathered for this work. Special focus and attention is given to the examination of the land, water and atmospheric features that are applicable to the study project area and all lands and environments associated with it.

At the onset of this project, EAL entered this work with much enthusiasm and confidence of already "knowing" this place. Even with a limited window of time to conform to, EAL knew that only a little had been documented to bring forth the values and depth of traditional Hawaiian knowledge and customary practices of

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Hanamaulu's ancient past. Information and personal experiences that EAL possessed provided an advantage to accomplish the task of completing this Ka Pa'akai analysis.

Much of the effort in conducting studies such as this is to review and evaluate the land allocated for the project area and any possible adverse influences and consequences relating to indigenous Hawaiian beliefs and practices.

### **Scope of Work**

- (1) The identity and scope of valued cultural, historical, or natural resources that are found within the proposed project area and relevant areas within the ahupua'a of Hanamā'ulu, including the extent to which traditional and customary Native Hawaiian rights are exercised.
- (2) The extent to which those resources, including traditional and customary Native Hawaiian rights, will be affected or impaired by the proposed action.
- (3) The feasible action, if any, to be taken by the agency to reasonably protect Native Hawaiian rights if they are found to exist. (Ka Pa'akai, 94 Haw. at 19, 7 P.3d at 1084.)

### **Environmental Setting**

Alluvium, colluvium and terrigenous sediments resulting from the erosion of the primary island building events in Kaua'i history, the Waimea Canyon Volcanic Series and the Koloa Volcanic Series, are the major sources of sediment for the formation of Kaua'i's non-mountainous region (MacDonald and Abbott 1970:382-384). Hanamā'ulu is located within the physiographic division known as the Līhu'e Plain (Armstrong 1973:30). During higher sea levels, terrigenous sediment accumulated further inland as streams released their sediment loads further inland from where the shoreline had encroached. Also, reefs grew with the rising sea level, and, as the sea receded, marine sediments were created and deposited on shore by the erosion of these reefs. Both processes were part of the formation of the Līhu'e Plain. Topography includes slopes from Kalepa Ridge with upland silty clay soils developed from basaltic rock.

According to the U.S. Department of Agriculture Soil Conservation Service (SCS), soils in the project area consist of Lihue Silty clays (LhB). These soils are characterized by moderately rapid permeability, slow runoff, and slight erosion hazard. Engineering interpretations for this soil type indicate no unusual conditions that would affect



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construction. However, shrink-swell potential is indicated as moderate.

There exist three soil suitability studies for Hawaii which describe the physical attributes of land and the relative productivity of different land types. These are: Soil Conservation Service Soil Survey, Detailed Land Classification, and Agricultural Lands of Importance to the State of Hawaii.

Soil Conservation Service (SCS) Soil Survey: SCS soil capability classifications are based on soil profile, topography, water holding capacity, drainage, erosion hazard, pH, workability, and depth of root penetration. The SCS soil capability classifications range from I to VIII, with I representing the best. Class I soils have no more than minimal limitations that restrict crop production. Class II soils have moderate limitations. Class III soils are marginal and Classes IV to VIII soils are unsuitable for crop production, with Class VIII having the most severe limitations.

The SCS classifies the Lihue silty clay in Sugarcane Group 1, indicating that this soils type is in the grouping most suitable for sugarcane production. The soils capability group is Subclass IIe. This indicates the soils are subject to moderate erosion if they are cultivated and not protected. Soils are 30" to more than 60" deep and have slopes of 0% to 8%.

Detailed Land Classification: The Land Study Bureau (LSB) classifies soils by land type in which classifications are provided for an overall crop productivity rating, with and without irrigation, and for selected crop productivity ratings for seven crops. LSB overall ratings range from A to E, with A being the best. The detailed classification done by the Land Study Bureau for the island of Kauai in 1967 designates the project area as B4li; B indicating a productivity rating of B (second highest on scale); 41 indicating the soil type, Lihue silty clay; and i indicating it is irrigated.

Sugarcane has been the preferred crop for this location, and because of this, the soil has been heavily worked mechanically through time. This re-occurring soil preparation, year upon year for sugarcane production, has resulted in mixed strata as well as the inclusion of non-native soils, such as sand and coral, being imported for soil health.

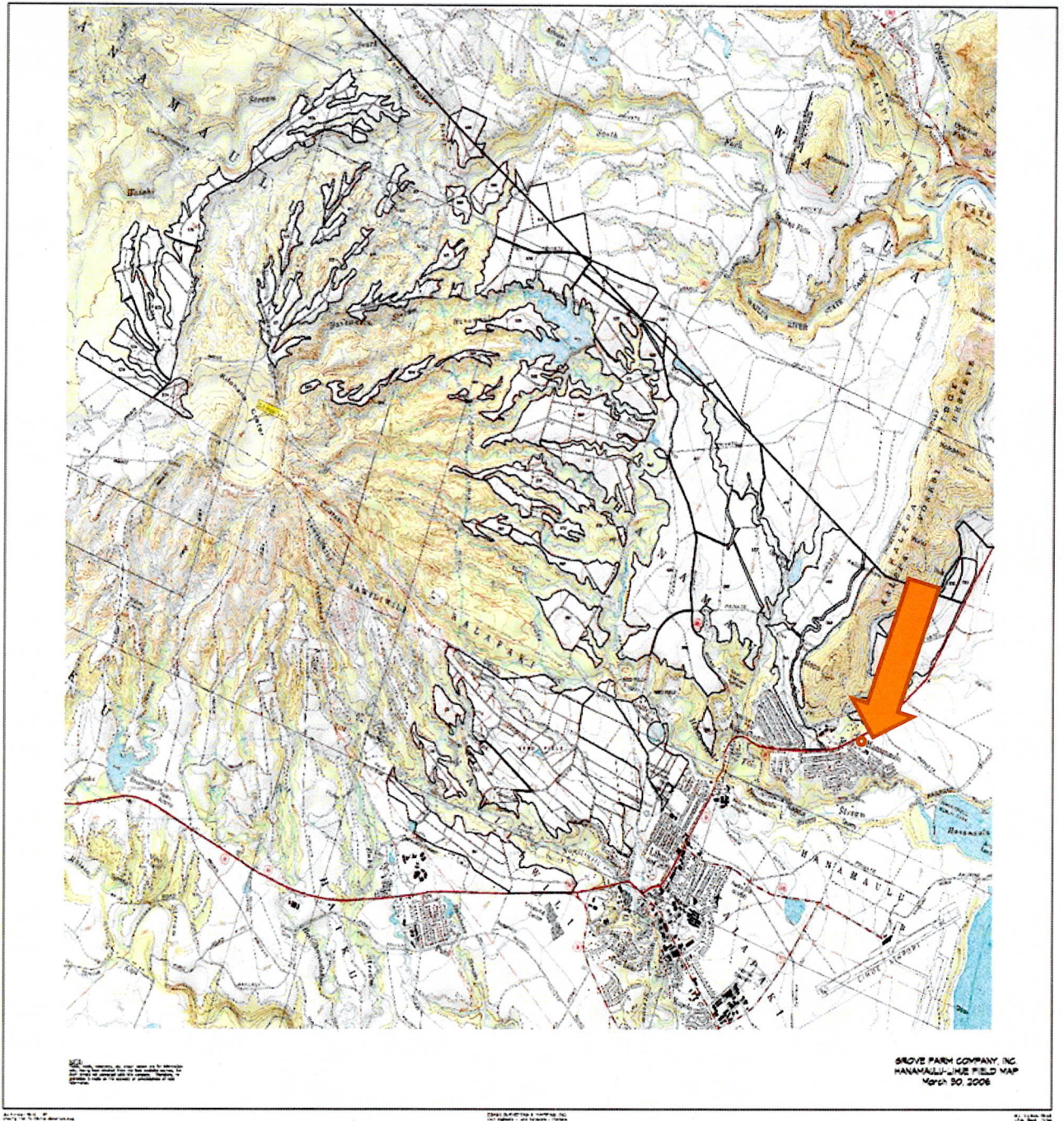


Figure 1. USGS Map of the Project Area.





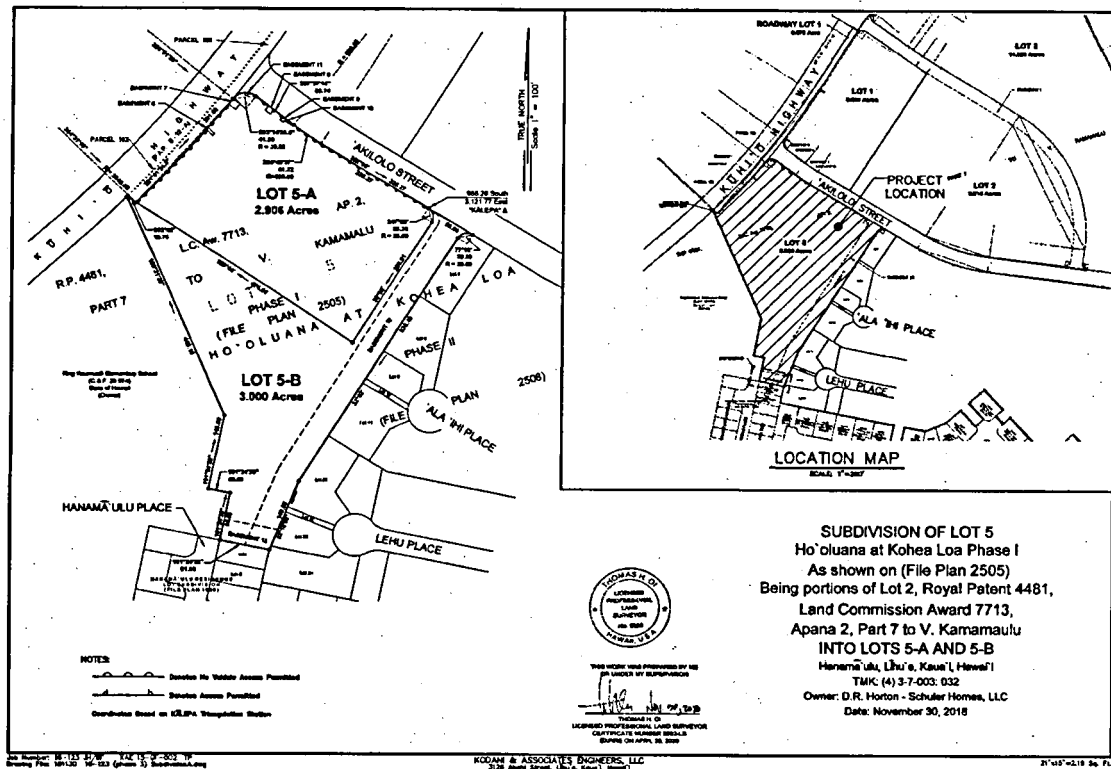


Figure 3. Subdivision of Lot 5 into lots 5A and 5B.



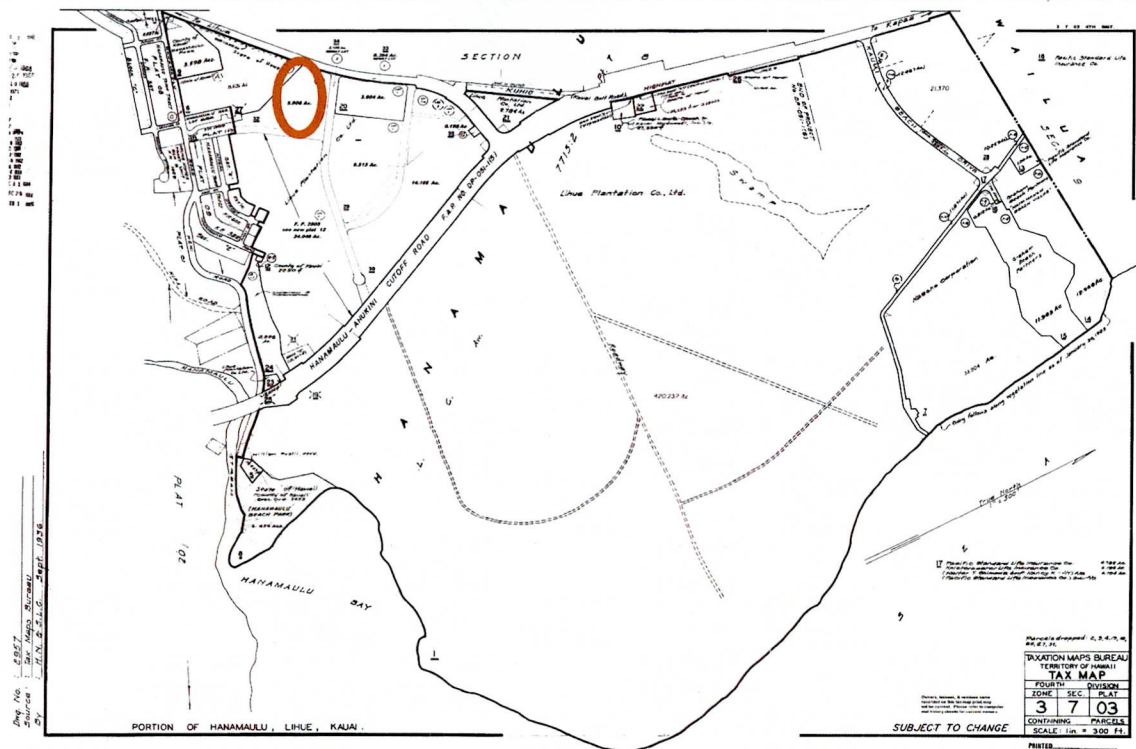


Figure 4. TMK: (4) 3-7-003:032 (lot 5), Orange circle.



Figure 5. Aerial of the project area.





Figure 6. 1845 Map of Kaua'i by Charles Wilkes for U.S. Mapping Expedition. Note that it shows 6 moku or districts including Ko'olau, Halele'a, Nā Pali, Kona and Mānā. Typically, Kaua'i is divided into 5 moku. Mānā is usually considered as part of the Kona moku.

Geologically, Kaua'i is the oldest of the main inhabited islands in the chain. It is also the northwestern-most island, with O'ahu as its closest volcanic sibling separated by the tempestuous Ka'ie'ie Channel which is more than 72 miles long. In centuries past, Kaua'i's isolation from the other islands kept it safe from outside invasion and unwarranted conflict.

## Cultural Overview

This project area is in the midland region of Hanamā'ulu, which has played a critical role in both historical and cultural development. The Kapaia Swinging Bridge (SIHP #50-30-11-9077), built in 1948, connected ethnic labor camps and served as an essential path for plantation workers. Plantation activities and camp settlements shaped the cultural landscape, including sugar transportation



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infrastructure and communal agricultural practices in these inland zones.

Poetically, the island is called, "*Manōkalanipō*", or "*Kaua`i a Manō*" after the ancient chief who was largely responsible for elevating Kaua`i's ancient society to sophisticated heights of advancement and productivity. For centuries, from the time of Manōkalanipō's reign, through Kamehameha's unsuccessful attempts to invade Kaua`i in 1796 and 1804, Kaua`i remained free from warfare.

In 1810, Kaumuali`i accepted Kamehameha as the supreme ali`i by peacefully ceding Kaua`i to the newly United Kingdom of Hawai`i. With honor, Kaumuali`i was encouraged to return to rule on Kaua`i as its tributary chief under Kamehameha I.

In accordance with the ancient land division system, an entire island is referred to as a *mokupuni*. While the word, *moku* by itself can also mean island, it is a term that is more specifically used to identify a district. *Puni* means, *controlled, surrounded, to gain control of*. It comes from the word, *aupuni* which is used to describe a government, kingdom, dominion, nation, or population that is governed or under the leadership of a ruler. In ancient times, a *mokupuni* could include an entire island as well as multiple islands that was ruled by an Ali`i Nui or paramount chief. Historically, the *mokupuni* of Kaua`i has included the islands of Ni`ihau as well as Lehua.

Kaua`i Island has traditionally been divided into 5 *moku* including: Ko`olau, Halele`a, Nā Pali, Kona and Puna. The ali`i nui appointed *ali`i `ai moku* or district chiefs to manage the various *moku*.

Common district names that are universally used across of the Hawaiian archipelago include "Ko`olau" marking the windward sides of the islands; "Kona" - the leeward sides of the islands; and "Puna" - indicating regions where springs and fresh water abound.

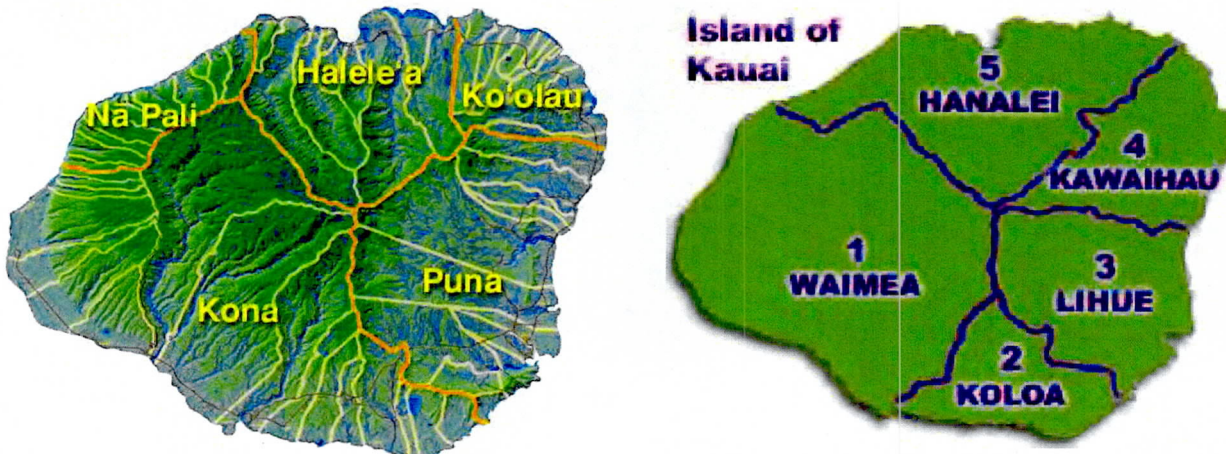


Figure 7 & 8 show Kaua'i Island Districts and Boundaries. Fig 7 on the left show the original moku of Ko'olau, Halele'a, Nā Pali, Kona and Puna. Fig 6 on the right show the revised boundaries and judicial land districts of Kawaihau, Hanalei, Waimea, Kōloa and Lihue.

The boundaries of the five moku on Kaua'i were changed in the late 1800s to reflect the present-day judicial land districts. The project is in Hanamā'ulu. The *ahupua'a* (traditional Hawaiian land division) of Hanamā'ulu is on the southeast coast of Kaua'i in the traditional Puna district and the modern Lihue judicial district, between the *ahupua'a* of Wailua to the north and Kalapakl to the south. The *ahupua'a* name means "tired (as from walking) bay" (Pukui et al. 1974:41). Wichman (1998:61) relates that Hanamā'ulu Bay was given this name because it was "off the main around-the-island trail and a traveler had to walk extra miles to get there."

Historic documentation records the changing name of the district in which the *ahupua'a* of Hanamā'ulu is located. In earlier days, the *ahupua'a* was in the moku (district) of Puna, but today it is in the judicial district of Lihue (meaning "cold chill," or "goose-flesh").

The name, Lihue, applied in a larger sense, included the districts of what are now Kawaihau and Lihue, reaching from Anahola to the Gap, being made so by law in about the year 1861, according to early court records, but some years later divided into the present two districts. The large district was also known as the Puna district and is found on early maps as such. It was August thirteenth, 1880, that the district was divided into two, by act of Legislature with King Kalakaua's signature .... Lihue, in a local sense, and from which the name of the district was derived meant only that little portion of land upon which the present village, as consisting of bank, post office and

store, now stands. [Rice 1914:46]

Hanamā`ulu was permanently inhabited and intensively used in pre-Western Contact (pre-1778) Hawai'i. As suggested by the *ahupua`a* name with its clear coastal references to the distinctive bay, the coastal zone of Hanamā`ulu was the locus for permanent habitation, *heiau* (religious structures), and numerous trails. Intensive agriculture, including irrigated *kalo lo`i* (irrigated taro patches), covered the valley floodplain of the Hanamā`ulu River and extended 2.5 miles inland (Handy 1940:67). In these inland areas, taro patches were often in the gulches, while houses and sweet potato patches were scattered on the *kula* (dry land areas) on each side of the gulches (Handy 1940:154). Native forests were used for their resources (wood, birds, medicinal plants, etc.) and were used for the cultivation of such plants as *wauke* (paper mulberry), which was used to make their tapa clothing (Handy 1940: 198).

Traditionally, the districts were further divided into smaller land divisions known as, *ahupua`a* which included the abundance of land and resources from the mountain to the sea. Under the direction of the *ali`i`ai moku*, the *ali`i`ai ahupua`a* or land division chief was put in charge of governing the *ahupua`a*. The *ali`i`ai ahupua`a* appointed *konohiki* who served as the headman of the *ahupua`a* land division, and was solely responsible for the management of land, water and fishing rights. An ingenious concept, the ancient design of the *ahupua`a* system continues to be an excellent model for sustainability and land and natural resource management today. The common description that *ahupua`a* are "pie-shaped" is inaccurate. However, it is a general practice to apply triangulation of the 3-main boundary points of the *ahupua`a* when identifying its respective division lines. Additionally, *ahupua`a* do not terminate at the ocean ward boundary points. The boundary lines are purposely extended into the ocean so that it also includes the resources and minerals of the reef and ocean as well.

A major element of focus for this Ka Pa`akai analysis is based on the `āina or land that is the project area, as well as surrounding lands and natural resources that are linked to the project area. It is important to readers of this Ka Pa`akai analysis to have a basic understanding of the ancient land division system and the various words, terms and idioms associated with Hawaiian land designation and Hawaiian land use. This is especially helpful in identifying and relating to specific locations and place names that are pertinent to this study.



## Mo`olelo: Storied Origins & Traditional Places

Mo`o Ōlelo is the succession of talk; or the continuation and perpetuation of oral histories and traditions that were passed on in story and chant forms. It is from this that the word mo`olelo is derived - stories, tales, myths, legends, and chronicles; records of information that was storied in the memories of Hawai`i's ancient people. Another term that is used is kā`ao - oral traditions and myths that represent the cultural truths, wisdom, and experiences of kūpuna.

Throughout the Ka Pa'akai analysis, examples of traditional Hawaiian mo`olelo are presented to link the reader with traditional places, beliefs and practices associated with the ancestral worldview of Hawai`i's indigenous Hawaiian people. Mo`olelo and kā`ao are not viewed as fanciful fairy tales or fictional stories woven to entertain. Laden with skillful use of metaphors and poetic expressions, they are invaluable sources of information that have preserved a sense of consciousness and inner connection of the kānaka `ōiwi with his multidimensional world.

In one account of the legend of Kawelo, he is said to be born in Hanamā`ulu (Fornander, 1918-1919 Vol. 2:2). After many battles with Aikanaka (his cousin), whom he eventually vanquishes, he retires to his parents' old house in Hanamā`ulu (Fornander, 1918-1919 Vol. 2:70-71). Hanamā`ulu is also mentioned in the story of Pele, where, in a jealous rage she covers Lohiau (her lover) with lava. Two of Pele's brothers bring him back to life and one brother transforms himself into a canoe and they sail to Kaua`i landing at Ahukini. Lohiau then goes to Hanamā`ulu where he found all the houses closed save one where two men were making tapa. They all walk to Kapa`a where Lohiau is eventually reunited with Hiiaka, Pele's sister (Rice, 1923:7-17).

To the east of the project area is Kalepa ridge and its highest peak, Kalepa, which means "trader, merchant salesman, peddle and to trade, sell as merchandise, peddle or to flutter or wave" (Pukui et al, 1986:122). It literally means to "strike flag" which a salesman would do to signal items for barter. A heiau, Ka-lau-o-ka-manu (tip of the end piece of the canoe) was located at the base of Kalepa at the south end and thus its name. It was said to be used for human sacrifices and feared by travelers who hurried past it because of the bad smell (Wichman, 1998:61). Thrum (1906: 40) described the heiau as "a large walled heiau that stood above the present mill; destroyed about 1855. Of pookanaka class." There are two stones beside the heiau, and the story is that Chief 'U'u-kani-pō was betrothed to Ka-lau-o-kamani, a chiefess of Hanamā`ulu. 'U'u-kani-pō went to see Ka-lau-o-kamani with his friend Ka-ipolei-manu. They were walking down a path toward Kalepa from Kilohana Crater

when they encountered a woman who told them to turn back. She told them not to go near Ka-lau-o-kamani but to go back toward the mountains to seek her sister, Moeapaki'i and marry her. 'U'u-kani-pō recognized her as Ka-lau-o-kamani's ghost and was determined to find out what happened to her. They hurried toward the village, but the stench was so strong they were overcome and turned into rocks. These rocks guard the path as a warning to travelers (Wichman, 1986:62).

Kilohana crater is a small collapsed shield volcano that straddles the ahupua'a of Hanamā'ulu and Haiku to the west. The name Kilohana means "vantage point" (Wichman, 1998:60). In the Legend of Kamapuaa, the warrior and a friend Limaloa journey from Kipu looking for the two daughters of Kaneiki. They come upon them at Kilohana in a valley overgrown with kukui trees where they were gathering kukui nuts (Fornander, 1959:230). Kamapuaa later defends Kaneiki in a battle with Makalii and his warriors. Kukui is also mentioned in the story of Kila, son of Mo'ikeha, who goes to Ra'iātea to bring back his father's foster son, La'a-mai-Kahiki. At each stop in Ra'iātea he encounters several questions, one is what he (Moikeha) is doing and where the kukui blossoms of Puna change; where the waters of Wailuā stretch out..." (Wichman, 2003: 31). Kilohana was also known for a particular kind of maile, maile ku (Fornander, V5, 1918: 616).

The significance and merit of mo'ō `ōlelo - what an ingenious tradition of transmitting wisdom, knowledge, history and more through the succession of the voice conveyed through the telling of stories and the perpetuation of the art form of chants and the oral traditions that inspire the essence of indigenous Hawaiian cultural practices and beliefs.

*He Hu 'eone ka makani o Nawiliwili  
 He Wiimua ka makani o Kalapakf  
 He 'Ehukai ka makani o Ahukini  
 He Piihola ke kiu holo ki 'i makani  
 Lele kula o Lrhu 'e  
 He Kuli'iihiu ka makani o Kapaia  
 He Ho 'oluako 'inehe ka makani o  
 Hanamii 'ulu  
 [Ho'oulumahiehie 2006a:18; 2006b:17]*

The wind of Nawiliwili is a Hu'eone  
 The wind of Kalapakl is a Waohue  
 The wind of Ahukini is an 'Ehukai  
 A Pahola wind is the scout that fetches  
 the winds sweeping the Liiu'e .. plains  
 The wind of Kapaia is a Kuli' ahiu

### The wind of Hanama'ulu is a Ho'oluako'inehe

The name of the wind (*makani*) of Hanama'ulu, "Ho'oluako'inehe ", is not translated, but several Hawaiian winds begin with the term *ho 'olu*, which is a strong, or forceful wind (Kent 1986:438). The name of the *makani* of neighboring Kapaia "Kuli'ahiu" is also uncertain but "ahiu" is a name for a wind of Kahana O'ahu with a connotation of "wild" or "untamed" (Pukui and Elbert 1984:7).

In the story of Kuapaka' a, the hero chants the winds of the Kaula' i for his father Paka' a:

*He alaoli ko* The alaoli is of Huleia,  
*He waikai ko Kalapaki*, The waikai is of Kalopaki,  
*He kaao ko Hanamaulu* The kaao is of Hanamaulu,  
 [Fornander 1918a:5:96-97]

### Hanamā'ulu Wahi Pana

Place names and *wahi pana* ("legendary place") (Pukui and Elbert 1986:377) are an integral part of Hawaiian culture. "In Hawaiian culture, if a particular spot is given a name, it is because an event occurred there which has meaning for the people of that time" (McGuire 2000:17). The *wahi pana* were then passed on through language and the oral tradition, thus preserving the unique significance of the place. Hawaiians named all sorts of objects and places, points of interest that may have gone unnoticed by persons of other cultural backgrounds.

Hawaiians named taro patches, rocks and trees that represented deities and ancestors, sites of houses and *heiau* (places of worship), canoe landings, fishing stations in the sea, resting places in the forests, and the tiniest spots where miraculous or interesting events are believed to have taken place. (Pukui et al. 1974)

There are a few *wahi pana*, notable places, that have associated stories explaining the origin of the names. One of the inland streams in Hanama'ulu is Waiahi, which means "fiery water." This stream merges with Waiaka, "reflecting stream." The water of this stream was the body of a *kupua*, a supernatural creature that could take several forms. One day the villagers on the stream caught 40 'o 'opu (gobies) in a bamboo trap. They ate all the fish, without sharing anything with their neighbors. Overeating gave them diarrhea, a fitting punishment for their disrespect, greed, and selfishness (Wichman 1998:60).

The suggestion of inhospitality at Hanama'ulu recorded by Rice ("Lohiau



found all the houses but one closed") is reminiscent of the Hawaiian proverb *No Hanamli 'ulu ka ipu puehu*, or "the quickly emptied container belongs to Hanama'ulu" (Pukui 1983:252), which implies the food containers of Hanama'ulu were often bare—a plausible reason for the residents to be stingy.

Another peak is called Ka'ilī'iliāhi, meaning "pebblestone of the clear fire," a reference to the stones used in playing the Hawaiian checker game called *konane*. Wichman (1998:62) speculates this might be a good place to find small pebbles that could be used for game pieces. This *pu'u*, or peak/hill, called Ka'ilīhinalea in Rice's (1923:49-50) version of this story is associated with a story of two brothers, Wa'awa'aikina'auao and Wa'awa'aikina'aupo, The-Wise-One and The-Stupid-One, who lived on the flats of Nukole between Hanama'ulu and Wailoa [Wailua] Stream. Nukole is probably a reference to Nukoli'i, a beach area on the boundary between Hanama'ulu and Wailua Ahupua'a (Clark 1990:6). One day they traveled inland up this ridge to collect birds. The-Wise-One said that he claimed all the birds with two holes in their beak. At the end of the day, he had all the birds and his brother had none. The-Stupid-One told his mother what his brother had done, and she explained to him the trick and devised a scheme for his revenge. The next time they went to the bird grounds, she told her son to pluck all the feathers off the birds, to smear his body with breadfruit gum, and then roll in the feathers. He snuck up behind his brother and yelled "Apau! The akua of the mountain is after you! He will grab you!" (Rice 1923:50). This frightened his brother so badly that he dropped all his claimed birds, which The-Stupid-One then claimed for his own (Rice 1923:49-50; Wichman 1998:62-63).

There are caves in the cliffs of Hanama'ulu. One of these is called Na-pali-o'oma-o-, the concave cliffs of Hanama'ulu. A man named Pueo lived here and could not find a wife to satisfy him. He traveled all the way to O'ahu and met a woman named Ke'alohiwai who had also refused to take a mate, saying she was waiting for the man of her dreams. When the two met, they recognized each other as the one they had been waiting for and Pueo and Ke'alohiwai returned to Hanama'ulu to live in the caves, which were named Ke'alohiwai after the couple's death (Aukai n.d.; Wichman 1998:62).

These *mo'olelo* contain several recurrent threads. Canoe landings are mentioned and would have been easy in the uniquely protected environs of Hanama'ulu Bay. Whether arriving by canoe or land, travelers did not find much sustenance here, either due to lack of resources, the tight-fisted nature of the residents, or both. Finally, it is likely Hanama'ulu was the residence of some *ali'i* (chiefly class)-status individuals, as suggested in the *mo'olelo* of Kawelo and the presence of a major sacrificial *heiau* (temple), Kalauokamanu.

## **Hawaiian Religious & Cultural Practices, Gathering Rights in the Hanamā'ulu Ahupua`a**

Field investigations of the project area resulted in no evidence or findings of significant plants or natural resources that are associated with Hawaiian gathering rights for subsistence, cultural or religious practices. Since this parcel is inland nothing on this parcel has affected traditional access.

## **A Connection and Understanding of Place Traditional Wisdom & Knowledge**

Over the years, residents have lost touch with the place names and their meanings for this area. The habit of identifying traditional landmarks whether they are mountains, beaches, etc. by generalization is common. A greater misfortune is the more popular trend and use of nicknames created by recent generations of transient and kama`āina residents. Disappointedly, this has resulted in the greater loss of knowledge and awareness of traditional Hawaiian places and wahi pana.

Knowledge of wahi pana and their place names for both subject ahupua`a of this Ka Pa`akai analysis are on the verge of being forgotten and lost altogether. There is a sense of urgency to bring this to the forefront of our collective attention and create learning opportunities for the native Hawaiian community.

Hanamā'ulu is considered the birthplace of High Chief Kawelo.

## **Land Commission Award Claims Hanamā'ulu Ahupua`a and Associated Knowledge**

Land Commission Awards and Mahele Awards are Sources of Title adjudicated by the Land Commissioners to claimants. Mahele Awards are Sources of Title specifically issued to those chiefs who received their lands from the king but failed to present their claims before the Land Commission and thus received titles to their lands from the Minister of the Interior. Kamehameha Deeds are Sources of Title to Crown Lands that Kamehameha III, IV and V conveyed. Minister of Interior Deeds were Sources of Titles that conveyed lands from the government to private individuals by the Minister of the Interior during the Kingdom of the Monarchy. Patents - both Royal and Land - were issued on the awards as evidence that the Government's right to commutation therein was

satisfied. An award together with a patent perfected the awardee's title to the property. Grants by Royal Patent and Land Patent were Sources of Title deriving from the sales of government lands. The term "Royal" indicates that the document was issued during the Hawaiian Monarchy (up to 1893). The Land Patent or Land Patent Grant thus means the document was issued after the monarchy.

The Kuleana Act of 1850 allowed *maka'āinana* (Native Hawaiian commoners), in principle, to own land parcels at which they were currently and actively cultivating and/or residing. In the period of the *Māhele* and *kuleana* claims (1848-1853), Victoria Kamamalu was awarded the *ahupua'a* of Hanamā`ulu as part of a *konohiki* award, LCA 7713, 'Apana (Lot) 2 (Waihona 'Aina 2022). Since the *ali'i* and *konohiki* were not required to record the use of their large land awards, the surrounding smaller *kuleana* awards of the *maka'āinana* assist in identifying land use of this area of Hanamā`ulu. Twenty *kuleana* parcels were claimed within Hanamā`ulu Ahupua'a. Of these parcels, five were not awarded (LCA 2659\*K, 3370, 3392B, 3641, and 5640B) due to undocumented circumstances. The *kuleana* parcels were along the wide *makai* flood plain of Hanamā`ulu Stream and only extend about 100 m *mauka* of the Kapaia Bridge on Kuhio Highway (no *kuleana* parcels were in the vicinity of the project area).

Nearly every LCA claim in Hanamā`ulu contained an *'auwai* (ditch), necessary for *lo'i* cultivation. The claims for LCA lots in Hanamā`ulu mention that Hawaiian *hale* (houses), *lo'i*, and *kula* lands (lands used for dry land agriculture or pasture) were located along both sides of Hanamā`ulu River, extending from the shore up to the village of Kapaia. The *lo'i* and *kula* lands were often included together in one *'iipana*, with house sites belonging to separate *'iipana*. Overall, the LCA documentation indicates indigenous Hawaiian subsistence activities being practiced in and around Hanamā`ulu Stream (Waihona 'Aina 20255).

This project is believed to have had a very low level of traditional Hawaiian use (no LCAs in the vicinity) and no historic use prior to sugar cane field development. There are no *hoa'āina* (commoner) Land Commission Awards (LCA), or *kuleana* parcels, in the project area. This does not, however, mean Native Hawaiians did not occupy this landscape prior to cane cultivation.

Although many Hawaiians did not submit or follow through on claims for their lands, the distribution, and written testimonies of LCAs provides insight into patterns of residence and agriculture. Many of these patterns probably existed for centuries. By examining the patterns of *kuleana* LCA parcels, insight can be gained into the likely intensity and nature of Hawaiian activity in the area at the time.

LCAs identify traditional land use, but mostly in lowland areas.

Mentions historical disturbances post-Kamehameha unification affecting land control and cultural continuity. Confirms midland area was likely underutilized in traditional periods. The coastal and river valley areas of Hanamā'ulu were more likely zones of traditional agriculture and habitation.

### **Early Accounts of Hanamā'ulu**

The Lihū'e Plantation Company was first established in 1849 by Henry A. Pierce, Judge William Little Lee (the chairman of the Land Commission), and Charles Reed Bishop. Together they formed Henry A. Pierce and Company. The first 3,000 acres were purchased in Nawiliwili and an additional 300 acres were purchased in Ahukini in 1866. It featured a 10-mile-long Hanama'ulu Ditch built in 1856 by plantation manager William H. Rice, which was the first large-scale irrigation project for any of the sugar plantations.

The success of Lihū'e Plantation allowed it to continue to expand. When the owner of Hanamā'ulu Ahupua'a, Victoria Kamamalu, died in 1870, all 9,177 acres (according to the acre number in the Mahele award) in the ahupua'a were purchased by Paul Isenberg (manager of Lihū'e Plantation from 1862-1878), who established as a separate company, the Hanama'ulu Plantation. The land commission report was in error, however, and the deed to the tract found that the early Mahele survey had underestimated the acreage, which was something over 19,000 acres. An even later survey placed the acreage at 17,000 acres. In 1898, Hanama'ulu Plantation merged with the Lihū'e Plantation (Conde and Best 1973: 165). The extent of the sugarcane fields near the turn of the nineteenth century can be seen in an 1878 Hawaiian Government Survey map by Alexander. In this map, there are not yet sugarcane fields depicted in the current project area; however, well before 1910 the project area was heavily altered by the cultivation of sugarcane.

The expansion of Lihū'e Plantation's sugarcane cultivation accelerated throughout the area in the early decades of the twentieth century, transforming nearly the entirety of the traditional landscape of Hanamā'ulu. By 1931, Lihū'e Plantation had 6,712 acres in cane. The Lihū'e Plantation Map in 1939 shows the extent of the lands making up the Lihū'e Plantation and indicates the project area is within sugarcane fields. Railroad tracks are shown north of the project area in 1939 (Figure 13). The USGS 1960 map (Figure 14) show permanent railroad track to the north and south of the project area. By 1960 the train tracks were gone with cane hauling accomplished by trucks. Lihū'e Plantation ceased operations on November 17, 2000, after 151 years of sugar production (Kauai Museum 2015: Lihū'e Plantation Company).

Hanama'ulu Sugar Company, established in 1870 (Conde and Best 1973: 165). In 1898, this sugar company merged with the Lihū'e Plantation Company



(Conde and Best 1973:179) and the railroads of the two companies also connected and merged. As sugar production increased and shipping vessels became larger and drew more water, a modern wharf was needed where ships could draw up alongside and load and unload supplies and passengers. Operations for this large harbor, the most modern harbor in the Islands, began in 1921, with the establishment of the Lihū'e Plantation-sponsored Ahukini Terminal & Railway Company (AT&R), which operated until 1934 (Conde and Best 1973:165). The AT&R railway track traversed the coastline from Ahukini Pier at Hanamā'ulu Bay to Kealia through today's Wailua Golf Course and the Kauai Beach Resort.

On an 1878 Hawaiian Government Survey map (W.D. Alexander), a trail is depicted that originated from Koloa to the western rim of Kilohana crater eventually intersecting with Mā'alo Road at a point north of the project area. This trail mentioned by Ethel Damon in Koamalu who is recounting the description by Reverend Hiram Brigham in his book, *A Residence of Twenty-One Years in the Sandwich Islands*, published in 1847:

In 1824, when walking around the island from Waimea to counsel the people after the wreck of The Cleopatra's Barge, Rev. Hiram Bingham crossed from Hanapēpē, as has been seen, over the old upland trail back of Kilohana, and wrote of it as "a country of good land, mostly open, unoccupied and covered with grass, sprinkled with trees, and watered with lively streams that descend from the forest-covered mountains and wind their way along ravines to the sea, - a much finer country than the western part of the island." (Damon 1931: 401).

This trail was determined to be more upland near the Kilohana crater area and not in the project area.

The midlands, where this project is located, were minimally or never occupied traditionally. Some references suggest possible use of the uplands for limited agriculture like sweet potato, breadfruit and coconuts.

## **Archaeology of Hanamā'ulu**

There are only a few studies near the project area, mostly in the uplands of Hanamā'ulu. December 20, 1989, PHRI (PHRI 1990) conducted an archaeological inventory with no historic properties being identified. No subsurface features, postholes, cultural layers, or artifacts were identified in the nine backhoe trenches (29 m<sup>2</sup> in total).

Creed et al. (2006) provides a detailed synthesis of the settlement patterns and prehistory of the *ahupua'a* of Hanamā`ulu. This synthesis includes extensive research on how the *ahupua'a* fits into the settlement patterns of Kaua'i as a whole. The synthesis presented here is derived from Creed et al. (2006).

As pointed out by Franklin and Walker (1994: 17), two important *ahupua'a* and large rivers lie on either side of Hanamā`ulu lands. The first-Wailua *Ahupua'a*, home of the royal chiefs-lies immediately to the north. The other, Hule'ia River Valley and the *ahupua'a* of Ha'ikii, lies to the south beyond Nawiliwili and Niumalu. Thus, Hanamā`ulu *Ahupua'a* would be expected to have less varied pre-Contact resources than its more dominant neighbors, which had greater populations along large river valleys.

Hanamā`ulu, however, would hardly have been devoid of pre-Contact structures as traditional stories assign considerable importance to the region. They portray Hanamā`ulu as the birth and death place of Kawelo, a late seventeenth century paramount chief. They reference paths crossing Hanamā`ulu as well as frequent canoe landings, and they speak of several *heiau*, including the large Kalauokamanu Heiau at the south tip of Kalepa Ridge, where human sacrifice was conducted. Based on Mahele records, archeological surveys, and ethno-historical accounts, the population in Hanamā`ulu was concentrated in the lower stream valley (with *kuleana* LCAs only extending about 100 m upstream of Kapaia Bridge on Kiihio Highway) and near the shore. The *kula* lands were used for *wauke* and other dryland crops.

The large amount of *kula* land and the importance of the sugar industry in Hanamā`ulu dramatically altered land use patterns, perhaps more so than in prestigious traditional *ahupua'a* like Wailua and Ha'ikii. Many people moved away from the river valleys to make a living through cash crop agriculture. As a result, Hanamā`ulu should have a very high number of cultural resources, both relatively and absolutely, related to sugar plantations.

Research indicates that this area has a history of plantation-era surface disturbance but no buried cultural deposits.

## Native Hawaiian Cultural Consultation

It is the policy of the State of Hawaii under Chapter 343, HRS, to alert developers and decision makers, through the environmental assessment process, about significant environmental effects which may result from the implementation of certain actions. An assessment of cultural impacts gathers information about cultural practices and cultural features that may be affected by actions subject

to Chapter 343 and promotes responsible decision making. Articles IX and XII of the State Constitution, other state laws, and the courts of the state require government agencies to promote and preserve cultural beliefs, practices, and resources of native Hawaiians and other ethnic groups. Chapter 343 also requires an assessment of cultural resources, in determining the significance of a proposed project.

One of the most important parts of conducting a cultural assessment and study is to hold consultation with Native Hawaiian kūpuna or elders, Hawaiian cultural organizations, cultural practitioners, and individuals from the community who potentially have knowledge of traditional Hawaiian sites, resources and cultural practices that are related to the project area as well as to the adjacent and extended land areas of the Hanamā'ulu ahupua'a. Ultimately, the goal as preparers of this Ka Pa'akai Analysis is to produce a document that can be used to protect and preserve the valuable knowledge and traditional practices of nā 'ōiwi kānaka, the Native Hawaiian people of these places.

EAL's goal was to meet with and interview a cross-section of indigenous Hawaiian people from the community; first and foremost, with kūpuna or elders that have memories and personal experiences of the project area and the surrounding lands in Kōloa ahupua'a. In addition, EAL was hopeful to receive their 'ike or insight and knowledge about customary practices and traditional places associated with or relating to the project area.

EAL also aimed to seek out and speak with those of the mākua or parent generation who had potential knowledge, ties and experiences linked to the project area and Hanamā'ulu area. In this endeavor to "interview" Native Hawaiians, EAL chose to do so in a Hawaiian manner of kukākukā or through "talk-story". In speaking with interviewees without being nīele or as a prying meddler by being annoyingly inquisitive was the approach. While there are specific points of interest for questions that lead the discussions, it is important that with each person engage in a manner that is respectful and without imposing pressure. To the Native Hawaiian, a nīele person will never get anywhere by being bold, blunt and direct. However, he or she can be successful by leading up to a subject through indirection and a more 'olu'olu or gracious approach. Every attempt to avoid being maha'oi or presumptuous, brazen and insensitively forward was used. In the traditional Hawaiian household that was led by kūpuna and mākua who were adamant that the values of aloha (love), ha'aha'a (humility), ahonui (patience) and hō'ihi (respect) apply to the way that one behaves and interact with others. This is especially so when talking and meeting with kūpuna, for with the slightest tone of pejorative stance or speech, they will cease to share their valuable insight and experiences. It helps tremendously to have some sort of association with individuals as well, for more is shared when there is a level of comfort, trust and

familiarity.

The interviewees that EAL engaged with for this Ka Pa'akai analysis are:

- |    |                    |                           |
|----|--------------------|---------------------------|
| 1. | Milton Ching       | Kapaa Resident            |
| 2. | Melanie Ching      | Kapaa Resident            |
| 3. | Allan Smith        | Former Plantation Manager |
| 4. | Kaliko Santos      | Ahu Moku Rep              |
| 5. | Lyle Tabata        | Former Plantation Manager |
| 6. | Chucky Boy Chock   | Hanamā'ulu Resident       |
| 7. | Butch Durant       | Hanamā'ulu Resident       |
| 8. | Fredstan Kaluahine | Hanamā'ulu Resident       |
| 9. | Haku Rivera        | Hanamā'ulu Resident       |

All interviews were conducted by EAL in August 2024 – May 2025. Subsequently, EAL found that just about most of the interviewees were very knowledgeable about the area its resources as well as the Hanamā'ulu area. Most of them know about the project area. None of them knew about any current traditional activities that were or have been conducted on the parcel.

As such, the priority topics needed to conduct this Ka Pa'akai analysis of cultural resources and impacts were overshadowed. It was a challenge to steer conversations into that direction without appearing to be presumptuous and insensitive to the needs of the interviewers to be informed of the project. EAL spent a considerable amount of time attempting to provide an overview of the project.

Melanie Ching, who is part Hawaiian, shared that her father was adopted by Peter and Emma Christian in 1939. Her hanai grandfather, Peter Claus Christian, was born in Hanamā'ulu in 1900, and was employed with the Līhu'e Plantation until his death in 1959. Her great grandfather was the first Manager for Hanamā'ulu Sugar Mill and they lived in a house on the top of Kapaia hill with their 12 children. The house still stands today. She is not aware of any ancient trails within the property or any traditional and customary practices in the project area.

Milton Ching, also of Hawaiian and Chinese ancestry, was born in Līhu'e. His father and their siblings were born in Hanamā'ulu from the year 1912 – 1921. His grandmother's father was Sam Paku who lived in Hanamā'ulu, worked in Ahukini docks, was a fisherman, and worked for Līhu'e Plantation until he died in 1952. His great grandfather's wife was born in Kapaia Valley on kuleana land in 1874, some distance from the project area. His Chinese grandfather resided in the "Chinese camp" in Kapaia valley amongst other Chinese workers. Milton shared a publication about Nāwiliwili which described the halo (kalo) field prior



to the plantation but he is not sure if it went mauka to Kapaia. He is aware of some hunting up mauka, but it was usually with permission and access through the plantation. Milton is not aware of any trails or traditional gathering within the property.

Kaliko Santos is the Aha Moku representative for the Puna District which includes Hanamā'ulu Ahupua'a and Kapaia and she is also the OHA Kaua'i senior staff. But more relevantly, Kaliko's father worked for Lihue Plantation driving workers to and from the job site and remembers how close the plantation families were. She also remembers her mother would tell them that when you see a coconut tree in the middle of a cane field or an empty field that usually means a Hawaiian used to live there. Kaliko talked to her 'ohana and they are not aware of any cultural resource or traditional practice that was historically or currently being exercised within the project area.

Allan Smith and Lyle Tabata, former manager for Lihue Plantation and Allan, former manager also for Grove Farm. Lihue Plantation began phasing out hauling of cane from trains in the 1950s and the last load of train hauled cane was in September 1959. He also noted that cane haul roads were mostly built along former railroad routes. Mr. Smith nor Mr. Tabata is not aware of any burials, trails, or cultural significance within the project area.

Chucky Boy Chock, now Director of the Kauai Museum, was also asked if he knew of any traditional practices or customary uses in the project area and he did not.

Butch Durant was mainly concerned about taro and lo'i. He did not know of any traditional cultural practices on this parcel.

Fredstan Kaluahine crew up in this area as well as Haku Rivera. Both knew of no concerns or TCR being impacted.

Several Cultural Impact Assessment Studies have been conducted for various projects near this project area: County of Kauai Adolescent Treatment and Healing Center (ATHC) (SCS 2016); Proposed Municipal Solid Waste Landfill and Resource Recovery Park Hanamā'ulu and Wailua Ahupua'a, Lihue District, Kaua'i (CSH 2013); Replacement of Hanamā'ulu (Kapaia) Stream Bridge, Kūhiō Highway, Approximately Between Mileposts 1.1 and 1.3, (CSH 2013) and Archaeological, Historical, and Cultural Impact Assessment For the Kapaia Cane Haul Road 18-inch (Ku'iwalu Consulting, 2018). The conclusion these studies under the Ka Pa'akai Case determined that there are no known traditional and customary Native Hawaiian rights being exercised in this area currently.

Mahalo a nui loa iā `oukou for your generous support to contribute and collaborate to this success of this Ka Pa`akai analysis.

Community consultations have emphasized ongoing traditional and customary practices in the midlands of Hanamā'ulu. Long-time residents like Joe Rosa recalled gathering shellfish in the Bay, farming taro in the valley, and using native plants such as wauke and hala for cultural uses. These testimonies reinforce the cultural significance of upland resources and continuity of Native Hawaiian practices in the region .

## Consultation Methodology & Results

As with the composition of the Ka Pa`akai analysis document, EAL employed interview methods consistent with indigenous Hawaiian values. Specific values and methods applied to the interview process included:

Kukākukā, also known among locals as "talking story", is a quintessentially Hawaiian approach to sharing information intended to avoid being seen as *nīele* (i.e., nosy or meddling) and instead being perceived as *'olu'olu*—gracious—in conduct. By approaching the specific interview topics in an indirect manner, EAL interviewers communicated a level of sincerity and respect for the interviewee and subject matter and so avoided their curiosity being interpreted as *maha'oi*, i.e., brazen and forward.

To this end, the use of recording devices and a standardized questionnaire were not employed unless requested to do so. Interviews were conducted in individual and small-group settings in homes and backyards. Conversations could flow toward, and at times away from, the specific subject of the project as the interview subjects deemed appropriate.

## Selection of Interview Subjects

An assessment of cultural impacts gathers information about cultural practices and cultural features that may be affected by land use decisions. In the preparation of this Ka Pa`akai analysis, representatives of EAL identified certain criteria which guided the process of identifying individual's familiar with cultural practices and features in, or near, Hanamā'ulu ahupua'a. Was the candidate a *mākua*, or member of the parent generation, with potential knowledge, ties, or experiences of the project area and the Hanamā'ulu - Puna region?

- Was the candidate familiar with, or possessing insight into, the customary practices and traditional places in or near to the project area?

In the timeframe available for the preparation of the Ka Pa'akai analysis, representatives of EAL spoke with 9 community members all with personal ties to Hanamā'ulu; and possessed of unique knowledge relevant to the assessment. Most interviewees were residents of the district of Puna and had a connect to Hanamā'ulu.

## Cultural Resources & Practices Identified

Neither the literature sources consulted, nor the interviews conducted identified any ongoing native Hawaiian cultural resources or practices located on the project. As indicated by background research and many of the interviewees, the broad Hanamā'ulu region does not have a rich history of *mo'olelo* (legends) and *wahi pana* (traditional place names and their stories) and those found none of these have any significant direct or indirect connection to the project site. In addition, the long history of ranching and some cultivation in this area has likely destroyed any cultural materials and since the land has been overgrown and private prevented in cultural practices which might have been present in the past.

Most of the informants did not know of any gather rights in the project area.

## Analysis of Impacts

Upon a thorough review of the archival research, previous archaeological studies, site inspection, and numerous written and oral cultural consultations, we were unable to document any cultural or natural resources within the proposed project area. The large amount of kula lands and the intense use of the land for sugar cultivation in Hanamā'ulu may explain the absence of traditional Hawaiian resources. The pattern of plantation land use, i.e., generally plowing and tilling the soil to at least 36-42 inches, rock removal, etc. destroyed any evidence of pre-contact land use.

The archaeological work surmised that based upon historic documentation and *mo'olelo*, that during traditional times, the mauka trails to Wailuā which is rich in cultural resources and sites, may have bypassed this area because of the stench from the heiau, Ka-lau-o-ka-manu which may have been used for human sacrifice. Or perhaps because Kapaia is much further mauka from the low fertile makai lands. He also noted that mā'alo means to bypass, so perhaps people used Mā'alo Road to bypass this area. However, it is more likely that with over 150 years of continuous sugarcane cultivation, which may have impacted access by native

Hawaiians, that there is at this time, no documentation or evidence of valued cultural and natural resources in the area. Further, the cultural consultations also consistently affirmed that there are no trails, paths, gathering of resources, or burials within the project area.

In 1960, Līhu'e Plantation transitioned hauling cane from railroad cars to big trucks on the cane haul road. With the use of the Cane Haul Roads, the plantation workers, from the ditch workers, irrigators, to the sugarcane workers left the plantation camps to purchase homes and cars in the towns which provided them access to educational, economic, recreational, and political opportunities that were not available within the plantation camps.

In addition to the Cane Haul Roads, there are several historic operating plantation ditches and culverts that are still in existence and being maintained and used by Grove Farm and their leased tenants for agricultural purposes. These features are over fifty years old and are examples of the historic plantation era. None of these features are in the project area. In this case, while we could not identify any valued cultural or natural resources within the proposed area. The proposed project does not intend to adversely impact any functioning access road like Mā'alo Road.

The Ka Pa'akai Analysis has not identified any traditional and customary Native Hawaiian rights or practices that would be impaired by the proposed action.

## Closing

Cultural impacts upon Native Hawaiian people, customary practices and religious beliefs have infiltrated the history of Hawai'i Nei for more than 200 years since the arrival of Captain James Cook in 1778. Within a period of 40 short years, the Kapu system was abolished by Kamehameha II - Alexander Liholiho and the Queen Regent, Ka'ahumanu bringing an end to the strength of the closely-knit Hawaiian religion and political system of Hawai'i. With the arrival of Calvinist missionaries in 1820 came a new god and religion which leveraged the beginnings of severing the native Hawaiians' veneration of the natural world.

By the 1890s, subsistence lifestyles, agriculture and rural communalism had entirely been replaced by commercialism, urbanization, and individualism as key features of life in the Hawaiian Islands. Foreign sugar plantation moguls usurped control of Hawai'i's prime agricultural lands and fresh water sources to sustain their crops. Miles and miles of irrigation ditches were engineered to redirect the natural flow of water out of the ahupua'a; forever changing the



balance of environments and lifestyles of generations of native Hawaiian families.

This analysis does not foresee potential impacts of the proposed proposed land use on Native Hawaiian cultural practices customarily and traditionally exercised for subsistence, cultural or religious purposes.

---

## References

Ishihara, N., & Hammatt, H. H. (2013).

Cultural Impact Assessment for the Proposed Municipal Solid Waste Landfill and Resource Recovery Park, Hanamā'ulu and Wailua, Kaua'i. Cultural Surveys Hawai'i, Inc.

Morriss, V., Yucha, T., Kamai, M., & Hammatt, H. H. (2016).

Archaeological Inventory Survey for the Proposed Municipal Solid Waste Landfill and Resource Recovery Park, Hanamā'ulu and Wailua, Kaua'i. Cultural Surveys Hawai'i, Inc.

Rosendahl, P. H. (1990).

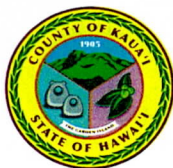
Archaeological Inventory Survey of Hanamā'ulu Affordable Housing Project Area. PHRI.

Cultural Surveys Hawai'i. (2016).

AI for the Replacement of Kapaia Swinging Bridge. CSH Job Code: HANAMAULU 2.

# Exhibit 'B'

(Agency Comments)



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

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

10/9/2025

SUBJECT: Subdivision S-2026-6  
SUBDIVISION OF LOT 5 Ho'oluana At Kohea Loa Phase I INTO LOTS 5-A AND 5-B AND DESIGNATION OF  
EASEMENT 5-B As shown on (File Plan 2505) Being portions of Lot 2, Royal Patent 4481, Land Commission Award  
7713, Apana 2, Part 7 to V. Kamamalu Hanama'ulu, Lihue, Kauai, Hawaii  
Tax Map Key: 37003032  
Applicant: Visionary, LLC.  
Kohea Loa Lot 5 Subdivision

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 checked="" 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 checked="" 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 checked="" type="checkbox"/> U.S. Postal Department                              |
| <input type="checkbox"/> State DLNR - Conservation & Coastal Lands                       | <input type="checkbox"/> UH Sea Grant   |
| <input checked="" type="checkbox"/> State DLNR - Commission on Water Resource Management |   |
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs                           | <input checked="" type="checkbox"/> Other: State Dept. Education, Kauai District Office |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 11/3/2025)

10-20-2025

CTA HAS NO FURTHER COMMENT ON  
THIS PROJECT.

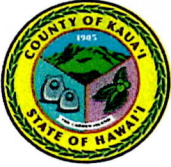
MAHALO!

RECEIVED

OCT - 9 2025

County of Kauai  
Transportation Agency





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

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

10/9/2025

SUBJECT: Subdivision S-2026-6  
SUBDIVISION OF LOT 5 Ho'oluana At Kohea Loa Phase I INTO LOTS 5-A AND 5-B AND DESIGNATION OF  
EASEMENT 5-B As shown on (File Plan 2505) Being portions of Lot 2, Royal Patent 4481, Land Commission Award  
7713, Apana 2, Part 7 to V. Kamamalu Hanama"ulu, Lihue, Kauai, Hawaii  
Tax Map Key: 37003032  
Applicant: Visionary, LLC.  
Kohea Loa Lot 5 Subdivision

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 checked="" 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 checked="" 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 checked="" type="checkbox"/> U.S. Postal Department                              |
| <input type="checkbox"/> State DLNR - Conservation & Coastal Lands                       | <input type="checkbox"/> UH Sea Grant   |
| <input checked="" type="checkbox"/> State DLNR - Commission on Water Resource Management |   |
| <input checked="" type="checkbox"/> Office of Hawaiian Affairs                           | <input checked="" type="checkbox"/> Other: State Dept. Education, Kauai District Office |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 11/3/2025)



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
3040 Umi St. Lihue  
Hawaii 96766

DATE: Nov 24, 2025

TO: To whom it may concern

FROM: Ellis Jones  
District Environmental Health Program Chief

SUBJECT: RESPONSE\_Visionary, LLC\_S-2026-6

In most cases, the District Health Office will no longer provide individual comments to agencies or project owners to expedite the land use review and process.

Agencies, project owners, and their agents should apply Department of Health "Standard Comments" regarding land use to their standard project comments in their submittal. Standard comments can be found on the Land Use Planning Review section of the Department of Health website: <https://health.hawaii.gov/epo/landuse/>. Contact information for each Branch/Office is available on that website.

**Note: Agencies and project owners are responsible for adhering to all applicable standard comments and obtaining proper and necessary permits before the commencement of any work.**

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

**Clean Air Branch**

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.

3. Standard comments for the Clean Air Branch are at:  
<https://health.hawaii.gov/epo/landuse/>

#### **Clean Water Branch**

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55.  
The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55:  
<https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standardcomments/>.

#### **Hazard Evaluation & Emergency Response Office**

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at:  
<https://health.hawaii.gov/epo/landuse/>.

#### **Indoor and Radiological Health Branch**

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
2. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

#### **Safe Drinking Water Branch**

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of: 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related the Safe Drinking Water program:  
<https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at:  
<https://health.hawaii.gov/epo/landuse/>.

#### **Solid & Hazardous Waste Branch**

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H and 342I, and HAR Chapters 11-58.1, and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the

electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.

3. Underground Storage Tank Program – The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

#### **Wastewater Branch**

Wastewater Branch has no objections to the proposed project. The type and number of IWS (individual wastewater systems) will be determined during design review process. By Revised Statute 11-62-31.1 If the parcel is less than 10,000sq feet, an individual onsite waste-water unit may not be possible for future construction. Please contact DOH waste-water branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at [doh.wwb@doh.hawaii.gov](mailto:doh.wwb@doh.hawaii.gov).

#### **Sanitation / Local DOH Comments:**

1. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
2. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure, place, or vacant lot without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure, site, or vacant lot. A demolition or land clearing permit is required prior to demolition or clearing.

#### **Other**

1. [CDC - Healthy Places - Healthy Community Design Checklist Toolkit](#) recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Kauai District Health Office at 808-241-3492.

*Ellis Jones*

*Ellis Jones*

District Environmental Health Program Chief  
Office Phone: (808) 241-3326