



PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

GERALD AKO, CHAIR
GLENDANOGAMI STREUFERT, VICE CHAIR
JERRY ORNELLAS, MEMBER

RECEIVED

25 OCT 23 P1:04

- The Planning Commission Meeting will be at:

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

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

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

SUBDIVISION COMMITTEE MEETING NOTICE AND AGENDA

**Monday, November 10, 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**

RECEIVED

25 OCT 23 P1:04

- 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.
- 2) Supplement #1 to Subdivision Report.

G. NEW BUSINESS (For Action)

1. Preliminary Subdivision Map Approval

- a. Subdivision Application No. S-2025-8
Calipjo Properties, LLC.
Proposed 4-Lot Subdivision
TMK: (4) 3-3-021: 048
Nāwiliwili, Niumalu, Līhu'e, 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-2026-3
State of Hawai'i / Charles K. and Eileen I. Bright
Proposed 2-Lot Consolidation
TMKs: (4) 4-6-027: 010 and 025 (por.)
Kawaihau, Kapa'a, Kaua'i

- 1) Subdivision Report pertaining to this matter.

2. Preliminary Subdivision Extension Request

- a. Subdivision Application No. S-2023-1
Kukui'ula Parcel A2F2F3 Subdivision
BBCP Kukui'ula Development, LLC.
Proposed 31-Lot Subdivision
TMK: (4) 2-6-022: 020
Lāwai, Kōloa, Kona, Kaua'i

- 1) Subdivision Report pertaining to this matter.

- b. Subdivision Application No. S-2024-2
Moloa'a Farms, LLC. et al.
Proposed 11-Lot Subdivision
TMK: (4) 4-9-009: 001
Moloa'a and Papa'a, Kawaihau, Kaua'i

- 1) Subdivision Report pertaining to this matter.

3. Final Subdivision Map Approval

- a. Subdivision Application No. S-2019-4
Tim Beckman and Mira Hess
Proposed 4-Lot Consolidation and Re-subdivision into 3-Lots
TMKs: (4) 2-8-014: 038 and 042
Kōloa, 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, Kauaʻi
2. Subdivision Application No. S-2025-8
Calipjo Properties, LLC.
Proposed 4-Lot Subdivision
TMK: (4) 3-3-021: 048
Nāwiliwili, Niumalu, Līhuʻe, Kauaʻi
3. Subdivision Application No. S-2026-3
State of Hawaiʻi / Charles K. and Eileen I. Bright
Proposed 2-Lot Consolidation
TMKs: (4) 4-6-027: 010 and 025 (por.)
Kawaihau, Kapaʻa, Kauaʻi
4. Subdivision Application No. S-2023-1
Kukuiʻula Parcel A2F2F3 Subdivision
BBCP Kukuiʻula Development, LLC.
Proposed 31-Lot Subdivision
TMK: (4) 2-6-022: 020
Lāwai, Kōloa, Kona, Kauaʻi
5. Subdivision Application No. S-2024-2
Moloaʻa Farms, LLC. et al.
Proposed 11-Lot Subdivision
TMK: (4) 4-9-009: 001
Moloaʻa and Papaʻa, Kawaihau, Kauaʻi
6. Subdivision Application No. S-2019-4
Tim Beckman and Mira Hess
Proposed 4-Lot Consolidation and Re-subdivision into 3-Lots
TMKs: (4) 2-8-014: 038 and 042
Kōloa, Kauaʻi

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

I. SUMMARY

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

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

Name of Applicant(s) SMK, INC.

II. PROJECT INFORMATION

Map Title	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.				
Tax Map Key(s):	2-8-008: 020, 022-029, 034, 035		Area:	1.631 Acres	
Zoning:	General Commercial (C-G) / Form-Based Code Transects: T4VC / T4VN-F				
State Land Use District(s):	Urban		General Plan Designation:	Neighborhood Center	
AGENCY COMMENTS					
<input checked="" type="checkbox"/> COK DPW-Engineering 11.29.2024		<input checked="" type="checkbox"/> COK DPW-Wastewater: 10.15.2024			
<input checked="" type="checkbox"/> COK Water: pending		<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: pending			
EXISTING ROAD RIGHT-OF-WAY(S)					
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"/>	
APPLICABLE FEES					
Environmental Impact Assessment (EIA):	N/A				
Park Dedication:	N/A				
Appraisal Report Required:	N/A				

F.I.A.I.

NOV 10 2025

F.I.A.I.

JUN 10 2025

~~A.I.A.I.~~

~~DEC 10 2024~~

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

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, previously reviewed under Project Development Use Permit PDU-2008-17, Class IV Zoning Permit Z-IV-2008-18, and Use Permit U-2008-16, and approved by the Kaua'i Planning Commission on September 9, 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 order to accommodate the proposed development.


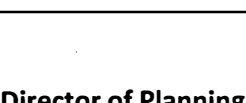
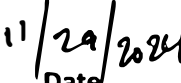
Access

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

V. AGENCY REQUIREMENTS

1. Requirements of the Planning Department:

- a. 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 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.
- b. An updated preliminary title report for the existing lot shall be submitted to the Planning Department for review.
- c. 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.
- d. 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.
- e. 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

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:
- The Kōloa Bridge Repairs project will make structural repairs to the bridge that carries Kōloa Road over Waikomo Stream adjacent to the Sueoka parking lot; the project will also resurface and restripe Kōloa Road between Po'ipū Road and Maluhia Road. Construction is scheduled to start in early 2025.
 - The Po'ipū Road Safety and Mobility Project will install a mini roundabout at the intersection of Kōloa Road and Po'ipū Road. Construction is scheduled to start in approximately April 2025.
 - Kōloa Road will be resurfaced between Maluhia Road and Waikomo Road, anticipated for late 2025. 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.
- These projects and reconfiguration of the Sueoka Store parking lot may offer opportunities for potential changes and improvements to Kōloa Road near Sueoka Store. For example, the new roundabout at Kōloa Road and Poipu Road may make it feasible to prohibit left-turns into Sueoka Market and require westbound vehicular traffic to continue on Kōloa Road and utilize the new roundabout to make a U-turn to safely enter Sueoka Market as a right-turn only from Kōloa Road eastbound, significantly reducing conflicts at the existing Sueoka driveway.
- d. A Traffic Impact Analysis Report (TIAR) should be conducted for the proposed improvements. We look forward to reviewing the TIAR, which should address the following issues:
- Evaluate safety concerns with vehicles making left turn movements to and from the Sueoka Store driveway, relative to the close proximity of the intersection of Kōloa Road and Maluhia Road.
 - Evaluate safety concerns with the location of the existing crosswalk across Kōloa Road at the Sueoka Store driveway.
 - Evaluate safety concerns for vehicles parked along Kōloa Road reversing into Kōloa Road in/near the intersection.

- Evaluate the Kōloa Road and Maluhia Road intersection as follows:
 - With 1-way stop control (existing condition)
 - With all-way stop control
 - As a mini-roundabout.
- Evaluate the need for widening Makai Road and/or Yamada Road to be wide enough for two-way traffic for access to the project from Weliweli Road.

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 upon receipt of their report.

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.

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.

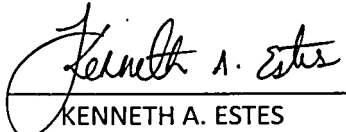
Other

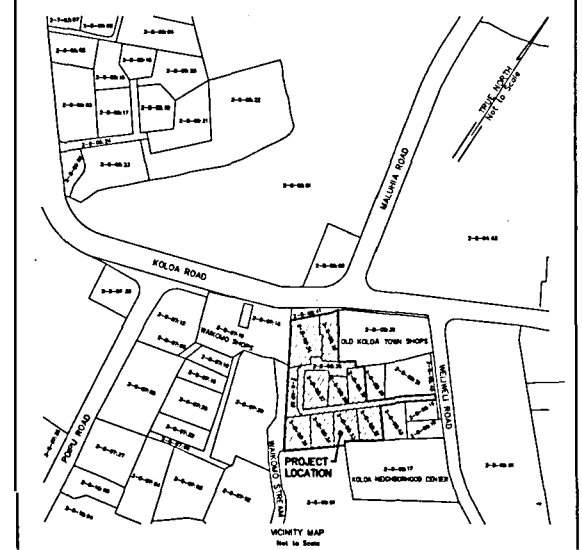
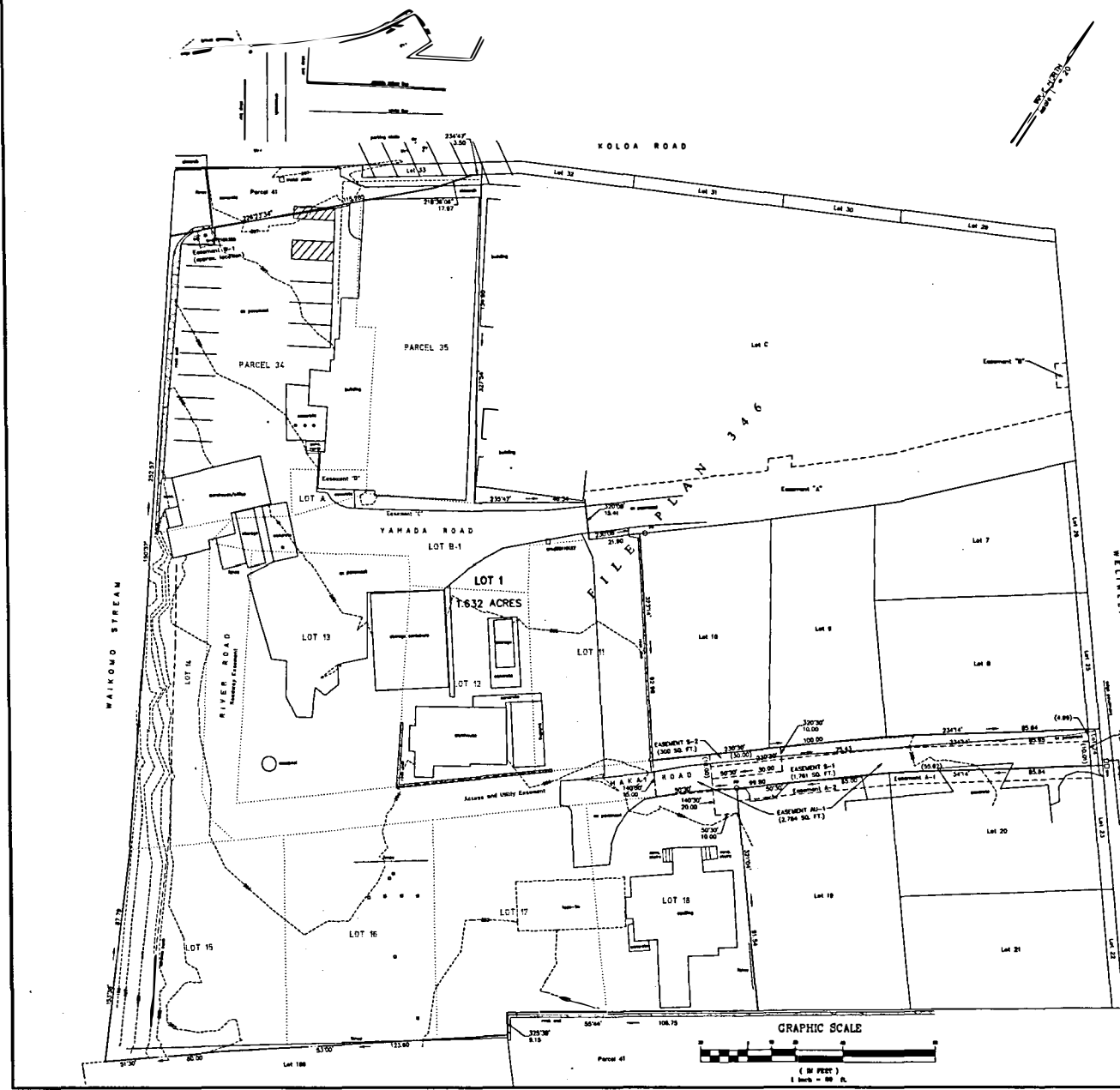
1. CDC–Healthy Places–Healthy Community Design Checklist Toolkit recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is 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. The subdivider shall be notified upon receipt of their report.
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 10, 2024, whereby the entire record should be considered prior to decision-making. The entire record should include but not be limited to:

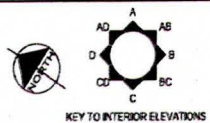
- a. Pending government agency comments;
- b. Testimony from the general public and interested others; and
- c. The Applicant's response to staff's report and recommendation as provided herein.

By 
KENNETH A. ESTES
Planner



THIS DRAWING WAS PREPARED BY ME
OR UNDER MY SUPERVISION
David L. Pratt
ES&M SURVEYING & MAPPING, INC.
LAWSON, HAWAII, 96751

**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: SWK, INC.
Date: September 10, 2024



LEGEND

- EXISTING ITEM TO REMAIN
- CMU WALL
- CHAIN LINK FENCE
- LAMP POST

OVERALL SITE PLAN

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

0' 8' 16' 32' 48'



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

NOV 29 '24 AM 11:18
PLANNING DEPT

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

11/14/2024

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 |
| <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) (11/29/2024)

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:

1. 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:
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 - Grading exceeds five (5) feet in vertical height or depth at its deepest point.
 - The work area unreasonably alters the general drainage pattern to the detriment of abutting properties.
2. 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.
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 - The Po'ipū Road Safety and Mobility Project will install a mini roundabout at the intersection of Kōloa Road and Po'ipū Road. Construction is scheduled to start in approximately April 2025.

- Kōloa Road will be resurfaced between Maluhia Road and Waikomo Road, anticipated for late 2025. 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.
These projects and reconfiguration of the Sueoka Store parking lot may offer opportunities for potential changes and improvements to Kōloa Road near Sueoka Store. For example, the new roundabout at Kōloa Road and Poipu Road may make it feasible to prohibit left-turns into Sueoka Market and require westbound vehicular traffic to continue on Kōloa Road and utilize the new roundabout to make a U-turn to safely enter Sueoka Market as a right-turn only from Kōloa Road eastbound, significantly reducing conflicts at the existing Sueoka driveway.
4. A Traffic Impact Analysis Report (TIAR) should be conducted for the proposed improvements. We look forward to reviewing the TIAR, which should address the following issues:
- Evaluate safety concerns with vehicles making left turn movements to and from the Sueoka Store driveway, relative to the close proximity of the intersection of Kōloa Road and Maluhia Road.
 - Evaluate safety concerns with the location of the existing crosswalk across Kōloa Road at the Sueoka Store driveway.
 - Evaluate safety concerns for vehicles parked along Kōloa Road reversing into Kōloa Road in/near the intersection.
 - Evaluate the Kōloa Road and Maluhia Road intersection as follows:
 - With 1-way stop control (existing condition)
 - With all-way stop control
 - As a mini-roundabout.
 - Evaluate the need for widening Makai Road and/or Yamada Road to be wide enough for two-way traffic for access to the project from Weliweli Road.

Sincerely,



Digitally signed by Michael Moule
Date: 2024.11.29 10:13:27 -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

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 |
| <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 |
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| <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 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)



**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 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 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.

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



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

OCT 21 '24 PM2:57
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:

- | | |
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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 11/23/2024)

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



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

RECEIVED

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

10/10/2024

OCT 14 2024

County of Kauai
Transportation Agency

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

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

11.14.2024

NO FURTHER COMMENT ON THIS PROJECT.

MAHALO!

DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



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

Supplement #1 to Subdivision Report

RE: Subdivision Application No. S-2025-1

APPLICANT: SMK, Inc.

ADDITIONAL FINDINGS

Attached for the Planning Commission's reference is supplemental information as follows:

1. A correspondence from Esaki Surveying & Mapping, Inc. dated October 21, 2025, requesting a four-month deferral of Preliminary Subdivision Map Approval to allow the Department of Public Works, Engineering Division additional time to provide updated agency comments regarding future roadway improvements at the intersection of Kōloa Road and Maluhia Road, fronting Sueoka Store.

BACKGROUND

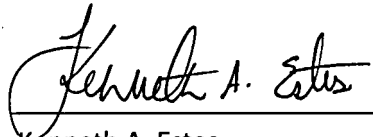
At the Planning Commission Meeting held on December 10, 2024, the subject subdivision application was scheduled for Preliminary Subdivision Map Approval. However, following comments received from the Department of Public Works, Engineering Division dated November 29, 2024, concerning future roadway improvements along Kōloa Road and the requirement for a Traffic Impact Analysis Report, the Applicant submitted a correspondence dated December 6, 2024, requesting a six-month deferral.

In response to the Applicant's request and with their consent to waive the 45-day timeline for the Planning Commission to act on the subdivision pursuant to Section 9-3.4 of the Subdivision Ordinance, Kaua'i County Code, the Planning Commission deferred action of Preliminary Subdivision Map Approval for the subject subdivision application until June 10, 2025.

At the Planning Commission meeting on June 10, 2025, the subject 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 deferral to allow additional time to coordinate the planned roadway improvements fronting Sueoka Store with the Department of Public Works, Engineering Division.

ACTION REQUESTED

The Department requests an indefinite deferral of the Preliminary Subdivision Map Approval for the subject subdivision application to allow sufficient time to coordinate the planned roadway improvements fronting Sueoka Store with the Department of Public Works, Engineering Division. The Department will reschedule the subject subdivision application for Preliminary Subdivision Map Approval on the next available Planning Commission meeting upon receipt of updated comments from the Department of Public Works, Engineering Division.

By 
Kenneth A. Estes
Staff Planner

Date: 10.23.2025

ESAKI SURVEYING & MAPPING, INC

1610 HALEUKANA STREET - LIHUE, KAUA'I, HAWAI'I 96766
(808) 246-0625 ESM@ESAKIMAP.COM

October 21st, 2025

Mr. Ka`aina Hull
Director of Planning
County of Kauai
4444 Rice Street, Suite A473
Lihue, HI 96766

**RE: SUBDIVISION S-2025-1 (SMK, INC.)
KŌLOA, KAUA'I, HAWAI'I**

The Owners representatives have continued to meet with Department of Public Works (DPW) to discuss the concerns raised in the subdivision report.

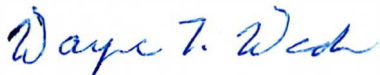
During the 4-month deferment period, the Sueoka Store team has been diligently working with DPW to address the traffic concerns in this area.

An updated intersection improvement plan was submitted to DPW on September 30th, 2025. The plan was deemed acceptable to DPW with minor revisions. The final traffic plan was submitted to DPW on October 8th, 2025. We would like to request an additional 4-month deferment to allow time for DPW to provide Planning Department their updated comments.

Thank you for the opportunity to make this request.

Thank you very much.

Very truly yours,



Wayne T. Wada

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-2025-8 that involves a four (4) lot subdivision.

Subdivision Permit No. Application No. S-2025-8

Name of Applicant(s) CALIPJO PROPERTIES, LLC.

II. PROJECT INFORMATION

Map Title	Subdivision of Lot 2113 (Waiola Subdivision, Phase 1) of Land Court Application 1087 as shown on Map 206 into Lots A through D, Inclusive, and Designation of Easements AU-1, AU-2, and S-1 at Nawiliwili, Niamalu, Līhu'e, Kaua'i, Hawai'i.				
Tax Map Key(s):	3-3-021: 048	Area:	1.909 acres		
Zoning:	Residential District (R-10) / Open				
State Land Use District(s):	Urban	General Plan Designation:	Residential Community		
AGENCY COMMENTS					
<input checked="" type="checkbox"/> COK DPW-Engineering	pending	<input type="checkbox"/> State DOT-Highways:			
<input checked="" type="checkbox"/> COK DPW-Wastewater	05.21.2025	<input checked="" type="checkbox"/> DLNR – SHPD:	pending		
<input checked="" type="checkbox"/> COK Water:	06.02.2025	<input checked="" type="checkbox"/> State Health:	06.12.2025		
<input checked="" type="checkbox"/> COK Housing:	pending	<input checked="" type="checkbox"/> OHA:	06.03.2025		
<input checked="" type="checkbox"/> COK Fire:	05.22.2025				
<input checked="" type="checkbox"/> COK Transportation:	07.01.2025				
EXISTING ROAD RIGHT-OF-WAY(S)					
Road Name	Existing Width	Required Width	Pavement YES	NO	Reserve
Nuhou Street	60 feet	60 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
APPLICABLE FEES					
Environmental Impact Assessment (EIA)	\$2000.00				
Park Dedication	To be determined				
Appraisal Report Required	To be determined				

a.i.a.i.
NOV 10 2025

Date of Preliminary Map Acceptance:	May 15, 2025
Date of Director's Report:	October 22, 2025
Date of Public Hearing:	November 10, 2025
Deadline Date for PC to Take Action Pursuant to Section 9-3.4(b) of the K.C.C.:	August 13, 2025 (Applicant waived the timeline requirement)

III. EVALUATION

Project Description

The proposal involves a four (4) lot subdivision within the Residential (R-10) zoning district, Open (O) zoning district, and State Land Use Urban District. The subject property is located within Grove Farm's Waiola Phase 1 Subdivision and involves a total area of approximately 1.909 acres.


The subject property (Lot 2113) was created through Subdivision Application S-2009-13 (Waiola Phase I Subdivision) that received Final Subdivision Map Approval by the Kaua'i Planning Commission on July 28, 2015. The subdivision involved 86 residential lots within the Residential (R-4) zoning district, a single lot within the Residential (R-10) zoning district, four remnant parcels, one lot for a sewer pump station, and eight roadway lots, which included an extension to Nuhou Street. The infrastructure improvements associated with this application were determined certified complete by the Department of Public Works on October 2, 2024, and by the Department of Water on November 4, 2024.

In reviewing the proposal, it is noted that vehicular access to the proposed lots is planned from Nuhou Street, a major street with an existing right-of-way width of 60 feet. In accordance with Section 9-2.3(b)(2) of the Subdivision Ordinance, Kaua'i County Code, access to individual lots or parcels within a new residential subdivision should be avoided from major thoroughfares or major streets whenever possible. Therefore, to reduce the number of access points along Nuhou Street and prior to final subdivision map approval, the Applicant should coordinate with the Planning Department and the Department of Public Works – Engineering Division, the feasibility of establishing a single vehicular access point onto Nuhou Street to minimize potential traffic interruptions. This access should serve all four lots via a shared driveway, implemented through a common access and utility easement.

The Applicant should also be made aware that since the application creates additional lots, an Environmental Impact Assessment (EIA) Fee and a Park Dedication Fee will be assessed, accordingly.

IV. RECOMMENDATION

TENTATIVE APPROVAL	FINAL APPROVAL
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial	<input type="checkbox"/> Approval <input type="checkbox"/> Denial

Tentative Approval subject to all requirements as noted on the following pages:	All conditions have been complied with
 Director of Planning	10/23/2025 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 Two Thousand Dollars (\$2000.00) shall be paid to the County of Kaua'i.
 - f. Prior to final subdivision approval, the applicant shall work with the Planning Department to determine the applicable Park Dedication Fee requirements for this subdivision. If a Park Dedication Fee is required, the Applicant shall pay the fee in full prior to final subdivision approval.
 - g. Prior to final subdivision approval, the applicant shall identify the zoning district boundary lines on the final subdivision map that was approved through Zoning Amendment ZA-90-2. Additionally, the applicant shall indicate the total area of each County Zoning District within each respective lot of the subdivision proposal.
 - h. In accordance with Section 9-2.3(b)(2) of the Subdivision Ordinance, Kaua'i County Code, whenever avoidable, no access to individual lots or parcels in a new residential subdivision shall be permitted from a major thoroughfare or a major street. Therefore, to reduce the number of access points along Nuhou Street and

prior to final subdivision map approval, the Applicant shall coordinate with the Planning Department and the Department of Public Works – Engineering Division, the feasibility of establishing a single vehicular access point onto Nuhou Street to minimize potential traffic interruptions. This access should serve all four lots via a shared driveway, implemented through a common access and utility easement.

- i. Relative to Condition 1.h., the location and design of the proposed driveway improvements shall be determined in coordination with the Department of Public Works – Engineering Division. If it is determined that these improvements must be completed as part of this subdivision application, the Applicant shall, prior to final subdivision approval, prepare and obtain construction plan approvals for the necessary road, water, drainage, electrical and telephone utilities and facilities, and either construct the same or post a surety bond for completion.
- j. The Applicant should be made aware that pursuant to Section 9-2.7(a) of the Subdivision Ordinance, Kaua'i County Code (1987), as amended, all electrical services, street light wiring, and other utility and communications services shall be installed underground for residential subdivisions where the density of development is to be at 10 dwelling units or more per acre.
- k. In *Ka Pa'akai O Ka'aina v. Land Use Commission*, the Hawai'i Supreme Court established a three-part analytical framework to fulfill the constitutional duty to preserve and protect traditional and customary native Hawaiian rights and resources while reasonably accommodating competing private interests. Prior to final subdivision approval the Applicant shall describe the actions taken and examination conducted to analyze the following:
 - 1) Identify whether any valued cultural, historical, or natural resources are present within the project area, and identify the extent to which traditional and customary Native Hawaiian rights are exercised. This part may include but not be limited to the following analyses:
 - Describe the project area in relation to traditional and customary practices that occurred in the region or district.
 - Describe the extent that traditional and customary practices were practiced in the ahupua'a and project area.
 - Describe the community members you consulted with including their genealogical ties, long-standing residency, and relationship to region, ahupua'a and project area.
 - Describe the Land Commission Awards provided on the property?
 - Describe the prior archaeological studies that were conducted for the property.
 - Are you aware of any resources that found any evidence of subsurface habitation or excavation on the property?

- Does the property contain any evidence that trails were in existence on the property?
 - Have any individuals ever requested access to the property for any reason?
 - 2) Identify the extent to which the identified resources and rights will be affected or impaired by the proposed project.
 - 3) Specify any mitigative actions to be taken to reasonably protect native Hawaiian rights if they are found to exist.
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 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) See the Department of Water's comments dated June 02, 2025.
 - b. Prepare and receive DOW's approval of construction drawings for the necessary water system facilities and either construct the said facilities or post a performance bond for construction. These facilities shall also include:
 - 1) Domestic Service Connections.
 - 2) The fire service connection, if applicable.
 - 3) The interior plumbing with appropriate backflow prevention device, if applicable.
 - 4) All facilities required in the approved water master plan or its amendments.
 - c. Hire a licensed contractor in the State of Hawai'i to construct the necessary water system facilities and receive a "Certification of Completion" notice from DOW. 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 Kaua'i."

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

d. The applicant is required to:

- 1) Submit an updated Grove Farm Water Source and Storage Budget.
- 2) Be made aware that the Facilities Reserve Charge and the adequacy of source, storage and transmission facilities for the proposed development will be dependent on the approved updated Grove Farm Water Source and Storage budget.

4. Requirements of the County Housing Agency:

- a. The subdivider shall comply with the requirements of the County Housing Agency, if any, prior to final subdivision approval. The subdivider shall be notified upon receipt of their report.

5. 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.
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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.
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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/>.

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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/>.
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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.
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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.

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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.

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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.
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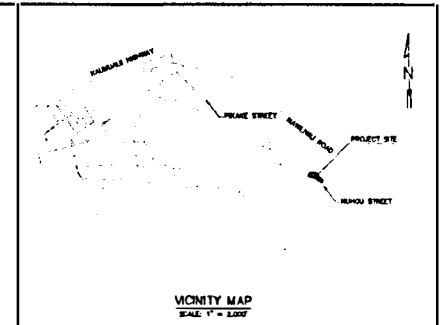
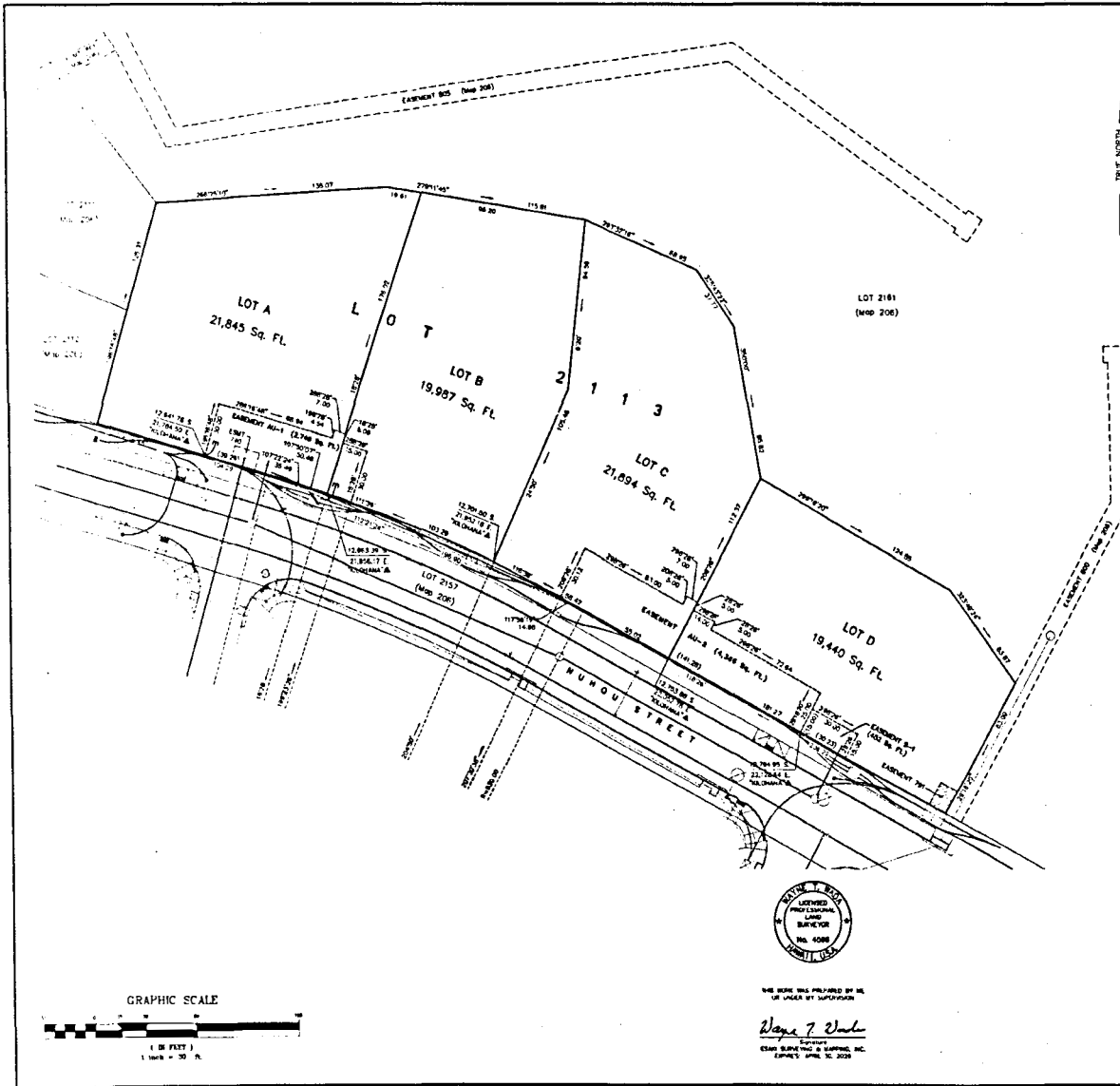
please contact the Department of Health, Kauai District Health Office at 808-241-3495.

6. Requirements of the State Historic Preservation Division:
 - 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 upon receipt of their report.
7. 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 November 10, 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

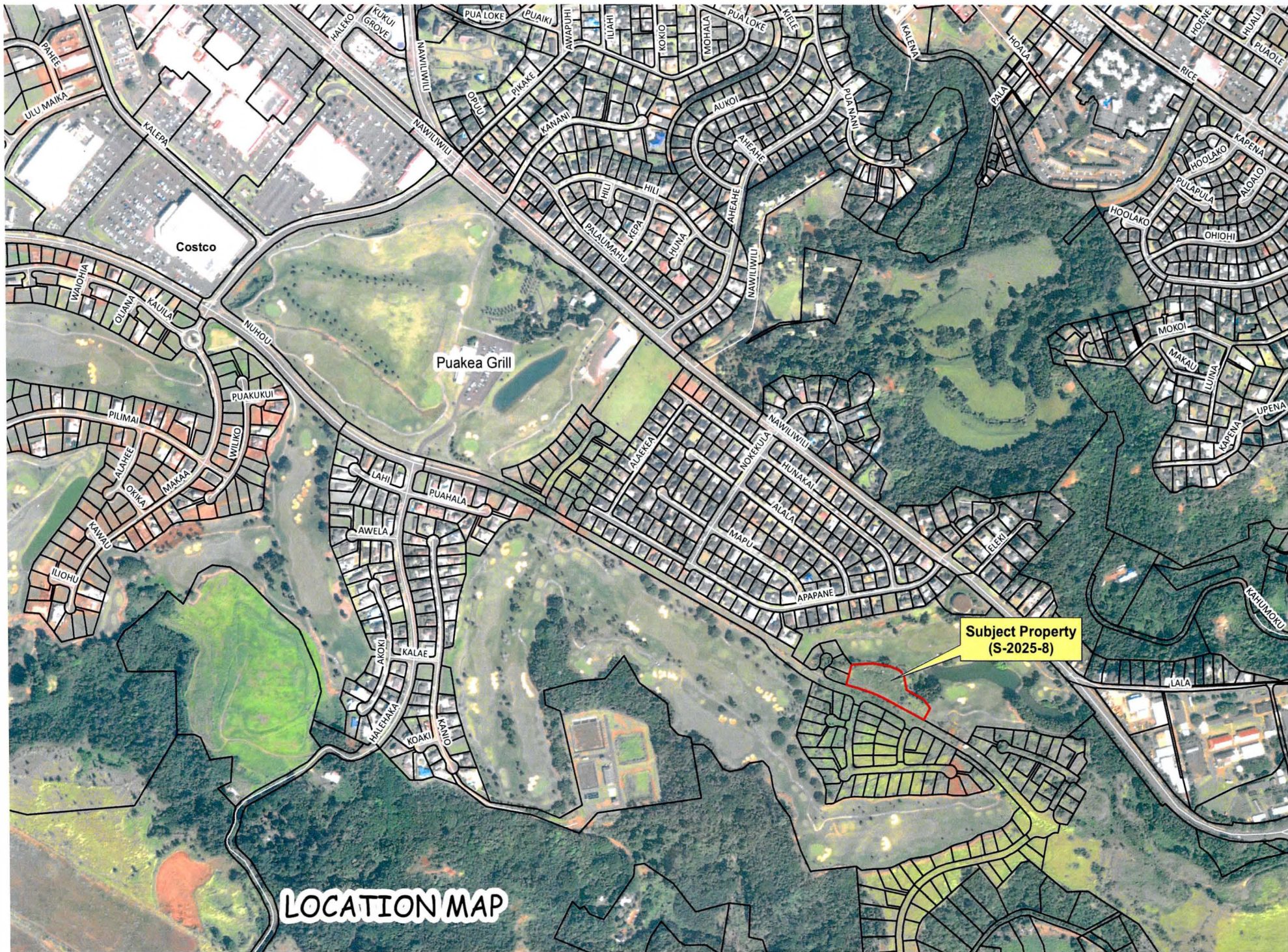


PRELIMINARY
 SUBDIVISION OF LOT 2113
 (WAIOLA SUBDIVISION, PHASE 1)
 OF LAND COURT APPLICATION 1087
 AS SHOWN ON MAP 206
 INTO LOTS A THROUGH D, INCLUSIVE,
 AND DESIGNATION OF EASEMENTS
 AU-1, AU-2, AND S-1
 NAWILIWILI, NIUMALU, EHRU'E, KAUAI, HAWAII
 Tax Map Key: (4) 3-3-21: 48
 Owner: Colipjo Properties, LLC
 Date: January 15, 2025



THIS MAP WAS PREPARED BY ME
 OR UNDER MY SUPERVISION
 Wayne J. Wada
 LICENSED PROFESSIONAL LAND SURVEYOR
 STATE OF HAWAII, LICENSE NO. 4086
 EXPIRES APRIL 30, 2025

ESAND SURVEYING & MAPPING, INC.
 2401 KALANANAKU AVENUE, SUITE 200, HONOLULU, HI 96815
 TEL: (808) 551-1111 FAX: (808) 551-1112





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

Water has no substitute...Conserve it!

JUN 2 '25 PM 4:09
PLANNING DEPT

SUBDIVISION REPORT

TO: PLANNING DEPARTMENT
FROM: DEPARTMENT OF WATER

TMK: 3-3-021:048 NAME: Calipjo Properties LLC SURVEYOR: Wayne T. Wada REPORT NO: S-2025-8

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): ☒
8 5/8-inch = \$ ***
**** two 5/8-inch water meters per lot; see Item 5**
 - 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 connections.
 - 2) The fire service connection, if applicable. ☒
 - 3) The interior plumbing with appropriate backflow prevention device, if applicable.
 - 4) All facilities required in the approved water master plan or its amendments.
 - 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. Hire a licensed contractor in the State of Hawai'i to construct the necessary water system facilities and receive a "Certification of Completion" notice from the DOW. ☒
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 Kaua'i."
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): ☒

The applicant is required to:

 - A. Submit an updated Grove Farm Water Source and Storage Budget.
 - B. Be made aware that the Facilities Reserve Charge and the adequacy of source, storage and transmission facilities for the proposed Development will be dependent on the approved updated Grove Farm Water Source and Storage Budget.

Regina Reyes-Flores

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

06/02/2025

Date

SUBDIVISION REPORT NO.

S-2025-8



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

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

5/20/2025

SUBJECT: Subdivision S-2025-8

Tax Map Key: 3-3-021:048

Applicant: Calipjo Properties LLC

Subdivision of Lot 2113 (Waiola Subdivision, Phase 1) of Land Court Application 1087 as Shown on Map 206 into Lots A through D, Inclusive, and Designation of Easements AU-1, AU-2, and S-1.

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 |
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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 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 6/14/2025)

RECEIVED

MAY 20 2025

County of Kauai
Transportation Agency

7.1.2025

CIA HAS NO FURTHER COMMENT ON
THIS PROJECT.

MAHAU!



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

MAY 22 '25 AM 8:41
PLANNING DEPT

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

5/20/2025

SUBJECT: Subdivision S-2025-8

Tax Map Key: 3-3-021:048

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FOR YOUR COMMENTS (pertaining to your department) (Due Date 6/14/2025)

Fire has no comments



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

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Planner: Kenneth Estes

5/20/25

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| | <input type="checkbox"/> Other:U.S. Dept. of Fish and Wildlife Service |

FOR YOUR COMMENTS (pertaining to your department) (Due Date 6/14/2025)

County DPW – Wastewater: 5/21/25 No comments. This subdivision is not within county Wastewater Management Division sewer service area.

MAY 21 '25 AM 8:50
PLANNING DEPT



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

JUN 19 '25 3:158
9 24 16 23

FROM: Kaaina S. Hull, Director

Planner: Kenneth Estes

5/20/2025

SUBJECT: Subdivision S-2025-8

Tax Map Key: 3-3-021:048

Applicant: Calipjo Properties LLC

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FOR YOUR COMMENTS (pertaining to your department) (Due Date 6/14/2025)

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: June 12, 2025

TO: To whom it may concern

FROM: Ellis Jones
District Environmental Health Program Chief

SUBJECT: RESPONSE_Calipjo Properties LLC_S-2025-8

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.

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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

Romio Idica

From: Kaweni Ibarra <kawenii@oha.org>
Sent: Tuesday, June 03, 2025 7:38 AM
To: Romio Idica
Cc: Kai Markell; Kamakana Ferreira; mana.eolakakouhawaii@gmail.com
Subject: OHA Comment Re: Calipjo Properties LLC, Subdivision of Lot 2113, Kauai

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

Aloha e Romio,

The Office of Hawaiian Affairs (OHA) is in receipt of the application dated May 20, 2025 for the Subdivision of Lot 2113 in Kilauea [TMK (4)3-3-021: 048], Kauai.

At this time, OHA requests that we be provided with copies of any current and future comments provided by the State Historic Preservation Division (SHPD).

We would also like to inquire if are there any plans to conduct a Ka Paakai Analysis for this subdivision action?

Additionally, OHA suggests reaching out to our beneficiary, Roslyn Manawaiakea Cummings (mana.eolakakouhawaii@gmail.com), who has shown connections to the area and could be a possible consulting party for this project.

Mahalo for your time. We look forward to receiving the requested information and continuing consultation. Please feel free to contact me should you have any questions.

Mahalo,

Kaweni Ibarra

Kaweni Ibarra
Compliance Advocate
Office of Hawaiian Affairs





United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pacific Islands Fish And Wildlife Office
300 Ala Moana Boulevard, Box 50088
Honolulu, HI 96850-5000
Phone: (808) 792-9400 Fax: (808) 792-9580



In Reply Refer To:

05/21/2025 01:27:00 UTC

Project Code: 2025-0099527

Project Name: S-2025-8, Calipjo Properties LLC, TMK: 3-3-021:048

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened and endangered species, as well as designated critical habitat that may occur within the boundary of your proposed project and that may be affected by project related actions. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Please contact the Service's Pacific Islands Fish and Wildlife Office (PIFWO) at 808-792-9400 if you have any questions regarding your IPaC species list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may adversely affect threatened and endangered species and/or designated critical habitat.

Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a Biological

Evaluation, similar to a Biological Assessment, be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment or Biological Evaluation are described at 50 CFR 402.12.

Due to the significant number of listed species found on each island within PIFWO's regulatory jurisdiction, and the difficulty in accurately mapping ranges for species that we have limited information about, your species list may include more species than if you obtained the list directly from a Service biologist. We recommend you use the species links in IPaC to view the life history, habitat descriptions, and recommended avoidance and minimization measures to assist with your initial determination of whether the species or its habitat may occur within your project area. If appropriate habitat is present for a listed species, we recommend surveys be conducted to determine whether the species is also present. If no surveys are conducted, we err on the side of the species, by regulation, and assume the habitat is occupied. Updated avoidance and minimization measures for plants and animals, best management practices for work in or near aquatic environments, and invasive species biosecurity protocols can be found on the PIFWO website at: <https://www.fws.gov/office/pacific-islands-fish-and-wildlife/library>.

If a Federal agency determines, based on the Biological Assessment or Biological Evaluation, that a listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <http://www.fws.gov/endangered/esa-library/index>.

Non-federal entities can also use the IPaC generated species list to develop Habitat Conservation Plans (HCP) in accordance with section 10(a)(1)(B) of the Act. We recommend HCP applicants coordinate with the Service early during the HCP development process. For additional information on HCPs, the Habitat Conservation Planning handbook can be found at <https://www.fws.gov/sites/default/files/documents/habitat-conservation-planning-handbook-entire.pdf>.

Please be aware that wind energy projects should follow the Service's wind energy guidelines (<http://www.fws.gov/windenergy>) for minimizing impacts to migratory birds. Listed birds and the Hawaiian hoary bat may also be affected by wind energy development and we recommend development of a Habitat Conservation Plan for those species, as described above. Guidance for minimizing impacts to migratory birds for projects including communications towers can be found at:

- <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers>
- <http://www.towerkill.com>
- <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow>

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation actions that benefit threatened and endangered species into their project planning to further the purposes of the Act in accordance with section 7(a)(1). Please include the Consultation Tracking Number associated with your IPaC species list in any

request for consultation or correspondence about your project that you submit to our office. Please feel free to contact us at PIFWO_admin@fws.gov or 808-792-9400 if you need more current information or assistance regarding the potential impacts to federally listed species and federally designated critical habitat.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Pacific Islands Fish And Wildlife Office
300 Ala Moana Boulevard, Box 50088
Honolulu, HI 96850-5000
(808) 792-9400

PROJECT SUMMARY

Project Code: 2025-0099527

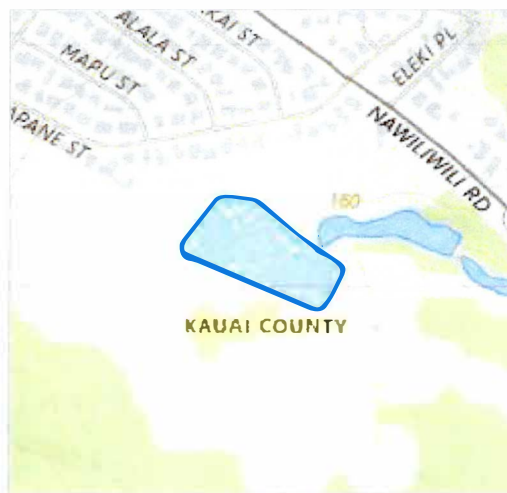
Project Name: S-2025-8, Calipjo Properties LLC, TMK: 3-3-021:048

Project Type: Mixed-Use Construction

Project Description: Subdivision of Lot 2113 (Waiola Subdivision, Phase 1) of Land Court Application 1087 as Shown on Map 206 into Lots A through D, Inclusive, and Designation of Easements AU-1, AU-2, and S-1.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@21.95944335,-159.36692702013613,14z>



Counties: Kauai County, Hawaii

ENDANGERED SPECIES ACT SPECIES

There is a total of 16 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Hawaiian Hoary Bat <i>Lasiurus cinereus semotus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/770 General project design guidelines: https://ipac.ecosphere.fws.gov/project/QKEJRFIZKBCKXIIH74GF3KHFUQ/documents/generated/6477.pdf	Endangered

BIRDS

NAME	STATUS
Band-rumped Storm-petrel <i>Hydrobates castro</i> Population: USA (HI) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1226 General project design guidelines: https://ipac.ecosphere.fws.gov/project/QKEJRFIZKBCKXIIH74GF3KHFUQ/documents/generated/6939.pdf	Endangered
Hawaiian Common Gallinule <i>Gallinula galeata sandvicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6612 General project design guidelines: https://ipac.ecosphere.fws.gov/project/QKEJRFIZKBCKXIIH74GF3KHFUQ/documents/generated/6934.pdf	Endangered
Hawaiian Coot (alae Ke`oke`o) <i>Fulica alai</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7233 General project design guidelines: https://ipac.ecosphere.fws.gov/project/QKEJRFIZKBCKXIIH74GF3KHFUQ/documents/generated/6934.pdf	Endangered
Hawaiian Duck <i>Anas wyvilliana</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7712 General project design guidelines: https://ipac.ecosphere.fws.gov/project/QKEJRFIZKBCKXIIH74GF3KHFUQ/documents/generated/6934.pdf	Endangered
Hawaiian Goose <i>Branta (=Nesochen) sandvicensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1627 General project design guidelines: https://ipac.ecosphere.fws.gov/project/QKEJRFIZKBCKXIIH74GF3KHFUQ/documents/generated/6925.pdf	Threatened
Hawaiian Petrel <i>Pterodroma sandwichensis</i> No critical habitat has been designated for this species.	Endangered

NAME	STATUS
Species profile: https://ecos.fws.gov/ecp/species/6746 General project design guidelines: https://ipac.ecosphere.fws.gov/project/QKEJRFIZKBCKXIIH74GF3KHFUQ/documents/generated/6939.pdf	
Hawaiian Stilt <i>Himantopus mexicanus knudseni</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2082 General project design guidelines: https://ipac.ecosphere.fws.gov/project/QKEJRFIZKBCKXIIH74GF3KHFUQ/documents/generated/6934.pdf	Endangered
Newell's Shearwater <i>Puffinus newelli</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2048 General project design guidelines: https://ipac.ecosphere.fws.gov/project/QKEJRFIZKBCKXIIH74GF3KHFUQ/documents/generated/6939.pdf	Threatened

REPTILES

NAME	STATUS
Hawksbill Sea Turtle <i>Eretmochelys imbricata</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3656	Endangered

FLOWERING PLANTS

NAME	STATUS
`aiea <i>Nothocestrum latifolium</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1061	Endangered
`awikiwiki <i>Canavalia napaliensis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1325	Endangered
`awikiwiki <i>Canavalia pubescens</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7908	Endangered
Makou <i>Peucedanum sandwicense</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5579	Threatened
Olulu <i>Brighamia insignis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1615	Endangered

FERNS AND ALLIES

NAME	STATUS
Microlepidia strigosa var. mauiensis No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4737	Endangered

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

BALD & GOLDEN EAGLES INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

MIGRATORY BIRDS

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service). The incidental take of migratory

birds is the injury or death of birds that results from, but is not the purpose, of an activity. The Service interprets the MBTA to prohibit incidental take.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

MIGRATORY BIRD INFORMATION WAS NOT AVAILABLE WHEN THIS SPECIES LIST WAS GENERATED. PLEASE CONTACT THE FIELD OFFICE FOR FURTHER INFORMATION.

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: County of Kauai
Name: Shanlee Jimenez
Address: 4444 Rice Street, Suite A473
City: Lihue
State: HI
Zip: 96766
Email: sjimenez@kauai.gov
Phone: 8082414050

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-2026-3 that involves a two (2) lot consolidation.

Subdivision Permit No. Application No. S-2026-3

Name of Applicant(s) STATE OF HAWAI'I / CHARLES K. & EILEEN I. BRIGHT

II. PROJECT INFORMATION

Map Title	Subdivision Parcel 25 Identified on Tax Map Key: (4) 4-6-027 Being Portion of the Abandoned Ditch Right-of-Way 10 Feet Wide Across Lot 199, Grant 9312 to Annie Hassard, Kapa'a Homesteads 4 th Series, Into Parcel 25-A, and the Remainder of Parcel 25 at Kawaihau, Kapa'a, Kaua'i, Hawai'i. Consolidation of Parcel 25-A Identified on Tax Map Key: (4) 4-6-027, Portion of the Abandon Ditch Right-of-Way 10 Feet Wide Across Lot 199, Grant 9312 and Lot 11, Annie Hassard Tract, Being Portion of Lot 199, Grant 9312, Kapa'a Homestead 4 th Series into Lot 11-B at Kawaihau, Kapa'a, Kaua'i, Hawaii.				
Tax Map Key(s):	4-6-027: 010 and 025	Area:	22,199 Sq. Ft.		
Zoning:	Residential District (R-4)				
State Land Use District(s):	Urban	General Plan Designation:	Residential Community		
AGENCY COMMENTS					
<input checked="" type="checkbox"/> COK Public Works	pending	<input type="checkbox"/> State DOT-Highways:			
<input checked="" type="checkbox"/> COK Water:	pending	<input checked="" type="checkbox"/> State Health:	Pending		
<input type="checkbox"/> COK Housing:		<input checked="" type="checkbox"/> DLNR – SHPD:	10.16.2025		
<input checked="" type="checkbox"/> COK Fire:	10.22.2025				
EXISTING ROAD RIGHT-OF-WAY(S)					
Road Name	Existing Width	Required Width	Pavement YES	NO	Reserve
Annie Road	30 feet	44 feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	tbd
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
APPLICABLE FEES					
Environmental Impact Assessment (EIA)	N/A				
Park Dedication	N/A				
Appraisal Report Required	N/A				

G.I.B.I.

NOV 10 2025

Date of Preliminary Map Acceptance:	September 10, 2025
Date of Director's Report:	October 20, 2025
Date of Public Hearing:	November 10, 2025
Deadline Date for PC to Take Action Pursuant to Section 9-3.4(b) of the K.C.C.:	November 24, 2025

III. EVALUATION



Project Description

The proposal involves the consolidation of an approximately 1,311 square foot portion of an abandoned ditch right-of-way, owned by the State of Hawai'i, with Lot 11, owned by Charles and Eileen Bright. The State of Hawai'i Board of Land and Natural Resources approved the sale of this portion on April 28, 2023. As a condition of the sale, the Applicant is required to consolidate the acquired land with their property through the County's subdivision process.

The subject property along with the immediate surrounding parcels are located within the Residential (R-4) zoning district and State Land Use Urban District. Additionally, the subject property currently obtains vehicular access from Annie Road, a private roadway with a present right-of-way width of 30 feet which is not up to current County standard of forty-four (44) feet for a minor street classification. As such, a future road widening reserve should be established along the frontage of proposed Lot 11-B, subject to the specifications of the Department of Public Works.

The Applicant should also be made aware that since the application does not create additional lots, an Environmental Impact Assessment (EIA) Fee and a Park Dedication Fee will not be assessed at this time.

IV. RECOMMENDATION

TENTATIVE APPROVAL	FINAL APPROVAL
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Denial	<input type="checkbox"/> Approval <input type="checkbox"/> Denial
Tentative Approval subject to all requirements as noted on the following pages:	All conditions have been complied with
 Director of Planning	 Director of Planning
10/27/2025 Date	 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. A future road widening reserve shall be established along the frontage of Annie Road subject to the specifications of the Department of Public Works. There shall be no new structures permitted within the reserve, and any new structures shall 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.

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 upon receipt of their report.

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 upon receipt of their report.

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

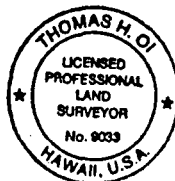
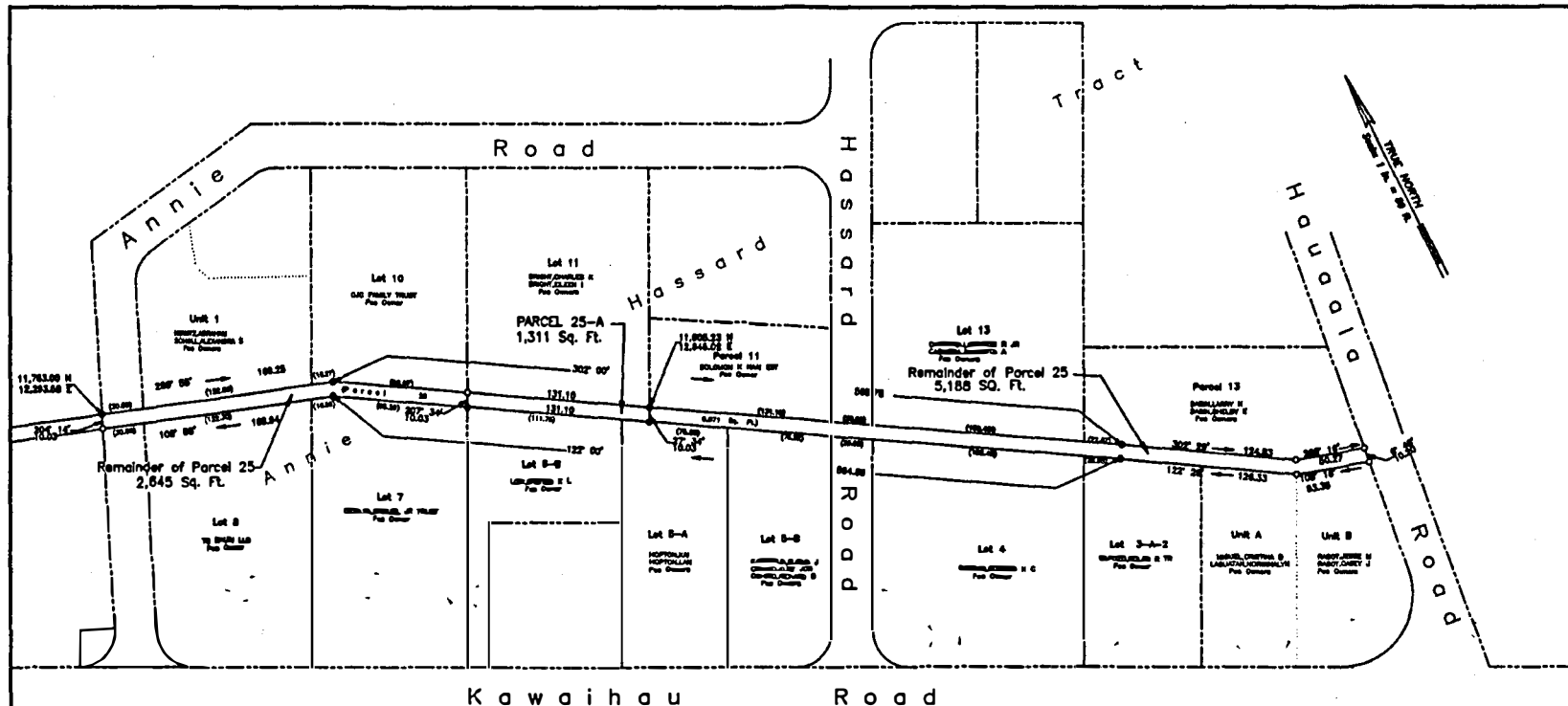
- a. The subdivider shall comply with the requirements of the State Department of Health, if any, prior to final subdivision approval. The subdivider shall be notified upon receipt of their report.

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 November 10, 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 direct supervision

Thomas H. OI
License Professional Land Surveyor
Certificate Number 9033-LS
Expire on April 30, 2026

OWNER: State Of Hawaii

LEGEND:

1. Coordinates are based on Government Triangulation Station "MONOU"
2. Annie Road and Hassard Road are unimproved Roadway.

SUBDIVISION OF PARCEL 25
Identified On Tax Map Key: (4) 4-6-027
Being portion of the Abandon Ditch
Right-of-Way 10 Feet Wide Across Lot 199,
Grant 9312 to Annie Hassard,
Kapaa Homesteads 4th Series,

INTO Parcel 25-A, and the Remainder of
Parcel 25

Kawaihau, Kapaa, Kauai, Hawaii

Tax Map Key: (4) 4-6-027: 010 & 025

Job. 2023-13

Tommy OI Land Surveyor LLC
3644 Kapana Street
Lihue, HI 96796

Revised November 1, 2024 Sheet 1 of 2

10" X 15" = 1.04 S.F.

10" X 15" = 1.04 S.F.

LOCATION MAP

Subject Property
(S-2026-3)

Kapaa High School





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-2026-3

Tax Map Key: 4-6-027:010 and 025 (por)

Applicant: State of Hawaii, Charles K. and Eileen I Bright

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 10/10/2025)

No comments for fire.

OCT 22 '25 PM 4:01
PLANNING DEPT

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

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
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

October 16, 2025

Ka'āina S. Hull, Director
County of Kauai, Planning Department
4444 Rice Street, Suite A-472
Lihue, HI, 96766
Attn: Shanlee Jimenez
Email: sjimenez@kauai.gov

IN REPLY REFER TO:
Project No. 2025PR01047
Doc. No. 2510SN18
Archaeology, Architecture

Dear Ka'āina S. Hull:

SUBJECT: **Hawaii Revised Statutes (HRS) Chapter 6E-42 Historic Preservation Review
County of Kaua'i Subdivision Application (App. No. S-2025-3)
Applicant(s): Charles K. and Eileen I Bright
Kapa'a Ahupua'a, Puna District, Island of Kaua'i
TMK: (4) 4-6-027:010 and 025 por.**

OCT 22 '25 PM 4:02
PLANNING DEPT

This letter provides the State Historic Preservation Division's (SHPD's) review of County of Kaua'i Subdivision Application (App. No. S-2025-3) to subdivide Parcel 25 [TMK: (4) 4-6-027] into Parcel 25-A and the remainder of Parcel 25 and Consolidation with Lot 11. The SHPD received the submittal on September 30, 2025, which included the subject County of Kaua'i Application, a County of Kauai Planning Department routing form, and an aerial image of the proposed project area. The project area is the entire 18.1851-acre parcel.

The application proposes a subdivision/consolidation involving a portion of Parcel 25. It includes abandoning a 10-foot-wide ditch right-of-way that currently crosses into Parcel 25-A. Following the abandonment, the remaining interests will be the remainder of Parcel 25 and the consolidation of Parcel 25-A with Lot 11 of the Annie Hassard Tract (all portions originating from Grant 9312 to Annie Hassard, within Kapaa Homesteads 4th Series).

SHPD records indicate that an archaeological inventory survey (AIS) has not been conducted within the subject project area. The proposed application does not currently involve ground disturbance. The proposed project area has been previously impacted by residential improvements.

Based on the information provided, **SHPD has no objection** to the proposed subdivision/consolidation request. The permit issuance process may continue.

Please contact Brianna Schmidt, Architectural Historian, at Brianna.Schmidt@hawaii.gov, for any concerns regarding architectural resources, and contact Susan A. Lebo, Archaeology Branch Chief, at Susan.A.Lebo@hawaii.gov, for any concerns regarding archaeological resources and or this letter.

Aloha,

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

A handwritten signature in black ink, appearing to read "JPuff", is written over the typed name and title of Jessica L. Puff.

cc: Thomas Oi, toi@hawaii.rr.com
Kenny Estes, kestes@kauai.gov

COUNTY OF KAUAI
PLANNING DEPARTMENT

TO: Subdivision Committee, Planning Commission

SUBJECT: Extension Request

PURPOSE: ☒ File Final Subdivision Maps
☐ Complete Subdivision Improvements
☐ Other: _____

Subdivision Application No.		Applicant(s)	
S-2023-1		BBCP Kukui'ula Development, LLC.	
Location:	Kōloa	Tax Map Key:	(4) 2-6-022: 020
Extension Request No. (1 st , 2 nd , etc.)		Tentative Approval Granted On:	Previous Ext. Expires On:
3 rd		November 15, 2022	November 15, 2025
Subdivision Bonded: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Deadline to Complete Improvements: Not Applicable	

APPLICANT'S REASONS: Additional time is being requested to comply with the conditions/requirements of tentative approval. The Applicant is currently with the various reviewing agencies in resolving the required infrastructure improvements for the subdivision.

**PLANNING DEPARTMENT
EVALUATION & RECOMMENDATION**

EVALUATION: Please refer to next page...

RECOMMENDATION: Please refer to next page...


Kenneth A. Eita
Staff Planner

10.23.2025
Date

☒ Approved and Recommended
to Planning Commission

☐ Denied

Comments:


Planning Director

10/23/2025
Date

G.2.a.1.
NOV 10 2025

COUNTY OF KAUA'I PLANNING DEPARTMENT

Extension requests are primarily processed for the purpose of continuing a tentative approval for a subdivision application. An extension approval allows an applicant additional time to comply with the requirements in order to obtain final subdivision approval.

In determining whether additional time should be granted, an evaluation is made of the project's progress as well as compliance with the requirements of tentative approval. The evaluation is primarily based on determining whether the applicant is **progressively working** towards obtaining final subdivision approval with the various reviewing agencies. The **tentative approval conditions** are then re-evaluated to determine whether the conditions/requirements are adequate to address the impacts of the proposed development in consideration of the time that has lapsed.

Pending evaluation of an extension request, one of the following can occur:

1. The extension is approved without changes to the tentative approval requirements;
2. The extension is approved with modified time frames but no modifications or additions to the tentative approval requirements;
3. The extension is approved with modifications and/or additions to the requirements; and
4. The extension is denied.

EXTENSION REQUEST:

The Applicant is requesting an extension of time to file the final subdivision map with the Planning Department pursuant to Section 9-3.8(c)(1) of the Subdivision Ordinance, Kaua'i County Code (1987), as amended. This application was granted Preliminary Subdivision Map Approval by the Planning Commission on November 15, 2022, and Applicant's extension request is the **third** extension of tentative approval. Please refer to the Applicant's request letter dated September 15, 2025, enclosed as Exhibit 'A'.

FINDINGS/BACKGROUND:

The proposed development involves the subdivision of Lot 13 of the Kukui'ula Parcel E Subdivision into a total of twenty-four (24) residential lots, four (4) remnant parcels, and three (3) roadway lots. The subject property is located on the western side of the Kukui'ula master planned area involving a total area of approximately 136.378 acres. The subject property is County zoned Residential District (R-4), Open (O) District, Special Treatment District – Open Space (ST-O), and Special Treatment District – Cultural/Historic (ST-C).

On November 15, 2022, the Kaua'i Planning Commission granted Preliminary Subdivision Map Approval for the application and, in addition, approved the Applicant's request for a Modification of Requirement. This modification allowed the use of drainage swales on both sides of the residential street in

accordance with the specifications of the Department of Public Works, Engineering Division, and granted a deviation from the requirement to construct curbs, gutters, and sidewalks as specified in Section 9-2.3(e) of the Subdivision Ordinance, Kaua'i County Code (1987), as amended.

Furthermore, on November 14, 2023, the Planning Commission granted the Subdivision's first extension of time to file the final subdivision maps and also recognized revisions to the preliminary subdivision map which included the reorganization of lot numbers within the subdivision and minor changes in lot sizes due to a conflict with a landscaping path. In reviewing the revised preliminary subdivision map, the department had no concerns regarding the proposed revisions since the revisions were consistent with the requirements outlined in the Comprehensive Zoning Ordinance (CZO). The revisions were reflected on a revised Preliminary Subdivision Map dated *rev. October 23, 2023*.

Since the October 23, 2023, update, further minor revisions have been made to the preliminary map, as noted in the Applicant's correspondence dated December 11, 2024 (refer to Exhibit "B"). The revisions include the addition of various utility easements and the minor realignment of roadway Lot 39, which resulted in the adjustments to the lot sizes of Lots 13 through 17.

In assessing the revised preliminary subdivision map dated March 2024, the department has no concerns regarding the revisions. Additionally, the revised lot sizes of proposed Lots 13 through 17 are consistent with the requirements outlined in the Comprehensive Zoning Ordinance.

PROGRESS OF THE SUBDIVISION:

In reviewing the progress with this subdivision, it should be noted that the subdivision received construction plan approvals and construction is currently underway. The Applicant has submitted a Subdivision Agreement and Bond for the completion of subdivision improvements after final subdivision approval, which is presently being routed for the required signatures. Currently, the applicant is working with the Planning Department to resolve the provision of public access within the subdivision. This will involve updating the Kukui'ula Public Path and Trails Exhibit to reflect any new public access routes within the project area. In addition, the Applicant continues to work with the various reviewing agencies to resolve the remaining conditions of tentative approval. Since it is uncertain as to when all the agency comments will be met, the Applicant is requesting additional time to complete the subdivision.

Based on the foregoing circumstances, the Applicant's reasons are justifiable, and no problems are foreseen in granting the extension request.

Additionally, the Applicant should demonstrate further progress with the subdivision within one (1) year from the approval of this extension request. As such, the Applicant shall be made aware that in further considering extension requests involving the proposed development, the Applicant shall continue to submit to the Planning Department an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date in order to allow sufficient time to evaluate whether progress has been made and conditions satisfied.

RECOMMENDATION:

It is recommended that an extension until **NOVEMBER 15, 2026**, be granted to obtain final subdivision approval. However, the Applicant is made aware that an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements shall be submitted to the Planning Department for review for further extensions requests. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date.

Exhibit 'A'

(Applicant's Extension Request Letter dated September 15, 2025)



VIA EMAIL

September 15, 2025

Mr. Kenny Estes
Department of Planning
County of Kauai
4444 Rice Street, Suite A-473
Lihue, Hawaii 96756

Subject: Subdivision S-2023-1
Kukui'ula Parcel A2/F2/F3 Subdivision

Dear Kenny,

Kukui'ula received a Tentative Map extension approval for the above referenced map on January 15, 2025. This Tentative Map is set to expire on November 15, 2025.

We respectfully request a one-year extension for this Tentative Map. As you know, all agencies have signed the subdivision improvement plans and construction is underway. The Tentative Map extension is only needed to cover the time frame to have the subdivision docketed on a Planning Commission agenda for Final Map approval. I will be following up with a Pre-Final Map package within the next couple of weeks.

Thank you for your continued assistance.

Sincerely,
Chris Rivera
Vice President of Development

Exhibit 'B'

(Applicant's Correspondence dated December 11, 2024)



AUSTIN, TSUTSUMI & ASSOCIATES, INC.

CIVIL ENGINEERS • SURVEYORS

CONTINUING THE ENGINEERING PRACTICE FOUNDED BY H. A. R. AUSTIN IN 1934

TERRANCE S. ARASHIRO, P.E.
ADRIENNE W.L.H. WONG, P.E., LEED AP
DEANNA M.R. HAYASHI, P.E.
PAUL K. ARITA, P.E.
ERIK S. KANESHIRO, L.P.L.S., LEED AP
MATT K. NAKAMOTO, P.E.
GARRETT K. TOKUOKA, P.E.

MAY 12 '25 PM 2:08
PLANNING DEPT.

ATA Job No. 01-107.103

December 11, 2024

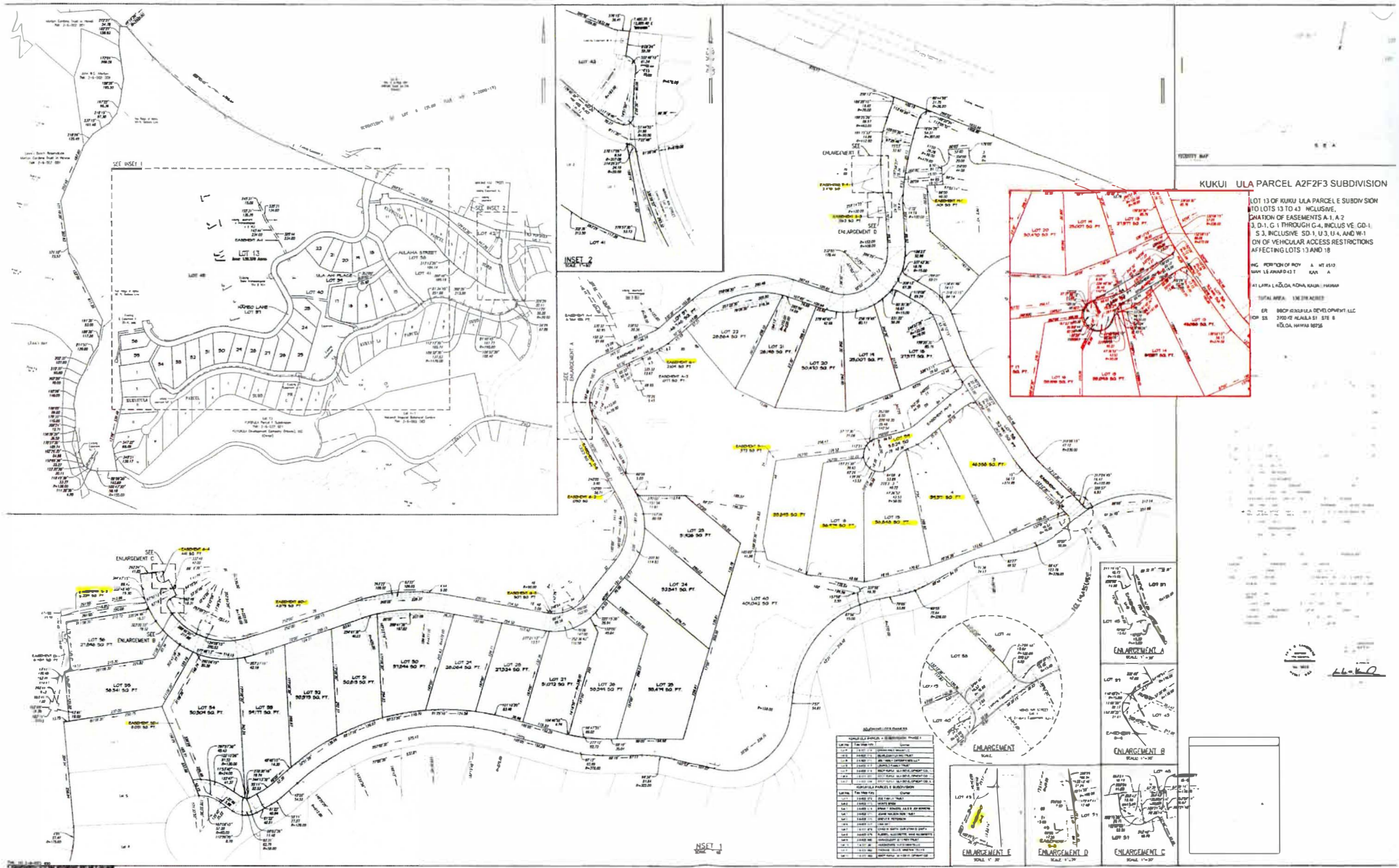
Mr. Kenneth Estes
Department of Planning
County of Kauai
4444 Rice Street, Suite A-473
Lihue, Hawaii 96756

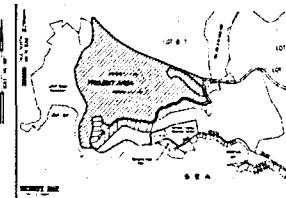
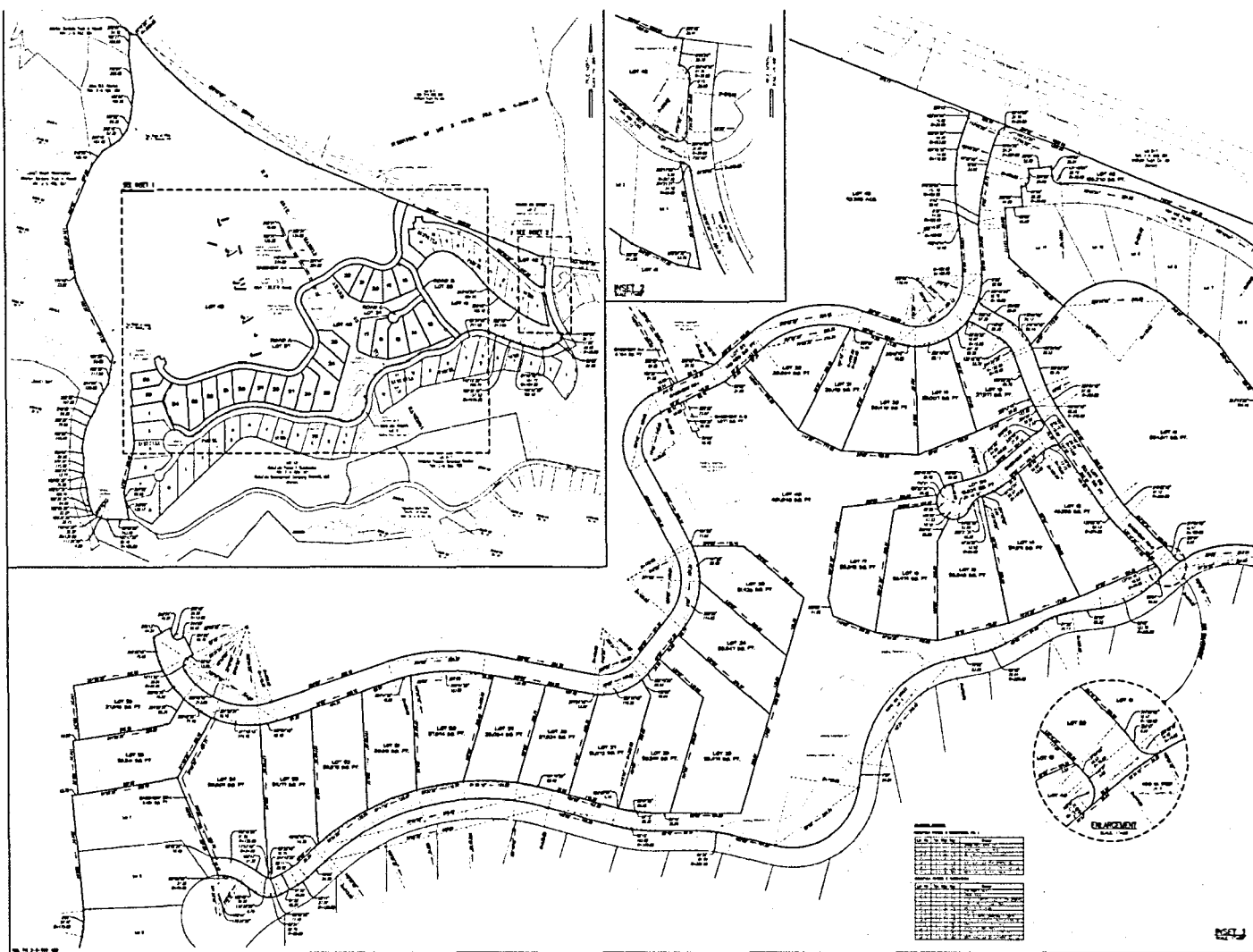
Subject: **Subdivision S-2023-1**
 Kukui'ula Parcel A2F2F3 Subdivision
 TMK: (4) 2-6-022: 020
 Kōloa, Kaua'i, Hawai'i

Dear Mr. Estes:

The following minor revisions were made to the tentative map:

- Addition of Easement G-1 affecting Lot 40 for gasline purposes in favor of Hawaii Gas.
- Addition of Easement G-2 through G-4 affecting Lot 43 for gasline purposes in favor of Hawaii Gas.
- Addition of Easement GD-1 affecting Lot 40 for gasline and drainage purposes in favor of Hawaii Gas and Kukuiula South Shore Community Services, LLC.
- Addition of Easement S-1 affecting Lot 40 for sewer purposes in favor of Kukuiula South Shore Community Services, LLC.
- Addition of Easements S-2 and S-3 affecting Lot 43 for sewer purposes in favor of Kukuiula South Shore Community Services, LLC.
- Easement SD-1 affecting Lot 34 increased to 20-feet wide.
- Addition of Easements U-3 and U-4 affecting Lot 43 for utility purposes in favor of County of Kauai, Kauai Department of Water, Kauai Island Utility Cooperative, Oceanic Time Warner, Hawaiian Telcom, Hawaii Gas, and Kukuiula South Shore Community Services, LLC.
- Addition of Easement W-1 affecting Lot 41 for water purposes in favor of Kauai Department of Water.
- Re-alignment of roadway Lot 39, altering the lot sizes of Lot 13 to 17.
 - Lot 13 decreased in size from 47,048 sf to 46,558 sf.





KUKUIULA PARCEL A2F2F3 SUBDIVISION
 SUBDIVISION OF LOT 13 OF KUKUIULA PARCEL 1 SUBDIVISION
 INTO LOTS 13 TO 43, INCLUSIVE.
 DESIGNATION OF EASEMENTS A-1, A-2,
 A-3, A-4, A-5, AND A-6,
 AND DESIGNATION OF VEHICULAR ACCESS RESTRICTIONS
 AFFECTING LOTS 1 AND 8

BEING A PORTION OF KUKUIULA PARCEL 1, MAP 10, OCEANIC MAP 10, AS SHOWN.

PREPARED BY: JAMES H. HARRIS, JR.
 SURVEYOR
 1001 KUKUIULA ROAD, SUITE 100
 KUKUIULA, HAWAII 96751

LEGEND

1. LOTS 13 TO 43, INCLUSIVE, SHOWN AS SHADDED AREAS.

2. EASEMENTS A-1, A-2, A-3, A-4, A-5, AND A-6, SHOWN AS LINE WITH DASHES.

3. VEHICULAR ACCESS RESTRICTIONS AFFECTING LOTS 1 AND 8, SHOWN AS SOLID LINE.

4. EXISTING ROADS, SHOWN AS SOLID LINE WITH DASHES.

5. EXISTING EASEMENTS, SHOWN AS SOLID LINE WITH DASHES.

6. EXISTING LOT LINES, SHOWN AS SOLID LINE.

7. EXISTING BUILDING FOOTPRINTS, SHOWN AS SOLID LINE WITH DASHES.

8. EXISTING UTILITIES, SHOWN AS SOLID LINE WITH DASHES.

9. EXISTING SURVEY MONUMENTS, SHOWN AS SOLID LINE WITH DASHES.

10. EXISTING SURVEY CORNERS, SHOWN AS SOLID LINE WITH DASHES.

11. EXISTING SURVEY STATIONS, SHOWN AS SOLID LINE WITH DASHES.

12. EXISTING SURVEY BENCH MARKS, SHOWN AS SOLID LINE WITH DASHES.

13. EXISTING SURVEY TIES, SHOWN AS SOLID LINE WITH DASHES.

14. EXISTING SURVEY ADJUSTMENTS, SHOWN AS SOLID LINE WITH DASHES.

15. EXISTING SURVEY REVISIONS, SHOWN AS SOLID LINE WITH DASHES.

16. EXISTING SURVEY NOTES, SHOWN AS SOLID LINE WITH DASHES.

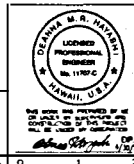
17. EXISTING SURVEY DATA, SHOWN AS SOLID LINE WITH DASHES.

18. EXISTING SURVEY RESULTS, SHOWN AS SOLID LINE WITH DASHES.

19. EXISTING SURVEY CONCLUSIONS, SHOWN AS SOLID LINE WITH DASHES.

20. EXISTING SURVEY RECOMMENDATIONS, SHOWN AS SOLID LINE WITH DASHES.

KUKUIULA A2F2F3 - MAR. 2024
TENTATIVE SUBDIVISION MAP
 SCALE: 1"=2'-0"



ATA AUSTIN, TSUTSUMI & ASSOCIATES, INC.
 ENGINEERS, SURVEYORS
 HONOLULU, HAWAII

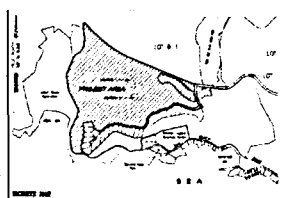
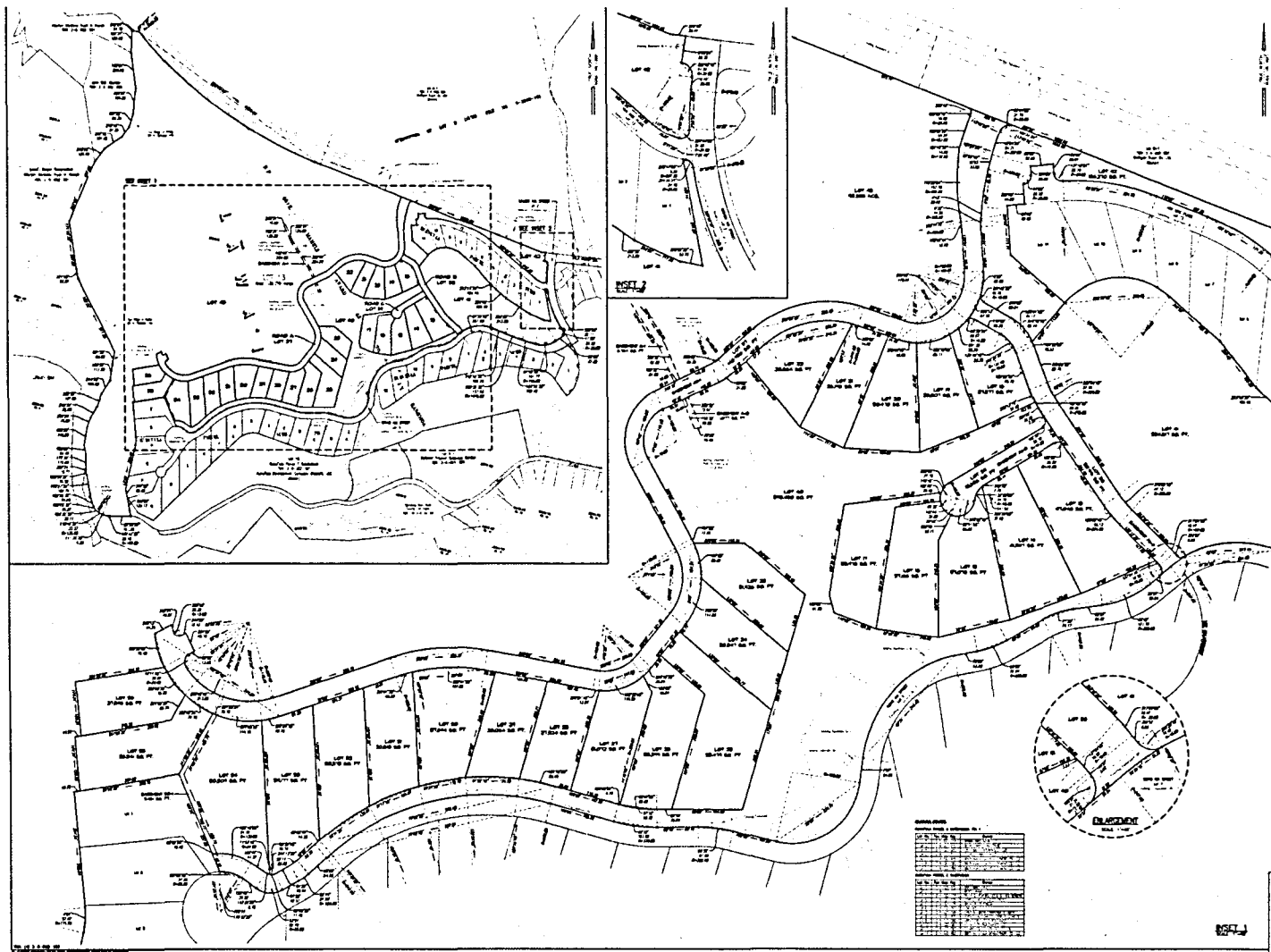
BBCP KUKUIULA DEVELOPMENT (HAWAII), LLC
 KOLOA, KAUAI, HAWAII

PARCEL A2/F2/F3

KUKUIULA A2F2F3 (MAR. 24)
TENTATIVE SUBDIVISION MAP

DWG. NO. **C-08A**
 SHEET 08A OF 70

DATE: **DECEMBER 2024**



KUKUIULA PARCEL A2F2F3 SUBDIVISION
 SUBDIVISION OF LOT 13 OF KUKUIULA PARCEL 1 SUBDIVISION
 INTO LOTS 13 TO 43, INCLUSIVE.
 DESIGNATION OF EASEMENTS 8-1, 8-2,
 8-3, 8-4, 8-5, 8-6, 8-7, AND 8-8
 AND DESIGNATION OF VEHICULAR ACCESS RESTRICTIONS
 AFFECTING LOTS 1 AND 2

THIS IS A PARTIAL MAP OF THE WHOLE
 MAP, WHICH IS TO BE FILED
 WITH THE DEPARTMENT OF LAND AND NATURAL RESOURCES
 OF THE STATE OF HAWAII.

PREPARED BY: BCCP KUKUIULA DEVELOPMENT (HAWAII), LLC
 1000 KALANIAN'IMAMANI BLVD., SUITE 200
 HONOLULU, HAWAII 96813

1. THE SUBDIVISION IS TO BE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE HAWAIIAN LAND USE ACT, CHAPTER 215, HRS, AND THE HAWAIIAN ZONING ACT, CHAPTER 217, HRS.

2. THE SUBDIVISION IS TO BE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE HAWAIIAN LAND USE ACT, CHAPTER 215, HRS, AND THE HAWAIIAN ZONING ACT, CHAPTER 217, HRS.

3. THE SUBDIVISION IS TO BE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE HAWAIIAN LAND USE ACT, CHAPTER 215, HRS, AND THE HAWAIIAN ZONING ACT, CHAPTER 217, HRS.

4. THE SUBDIVISION IS TO BE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE HAWAIIAN LAND USE ACT, CHAPTER 215, HRS, AND THE HAWAIIAN ZONING ACT, CHAPTER 217, HRS.

5. THE SUBDIVISION IS TO BE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE HAWAIIAN LAND USE ACT, CHAPTER 215, HRS, AND THE HAWAIIAN ZONING ACT, CHAPTER 217, HRS.

6. THE SUBDIVISION IS TO BE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE HAWAIIAN LAND USE ACT, CHAPTER 215, HRS, AND THE HAWAIIAN ZONING ACT, CHAPTER 217, HRS.

7. THE SUBDIVISION IS TO BE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE HAWAIIAN LAND USE ACT, CHAPTER 215, HRS, AND THE HAWAIIAN ZONING ACT, CHAPTER 217, HRS.

8. THE SUBDIVISION IS TO BE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE HAWAIIAN LAND USE ACT, CHAPTER 215, HRS, AND THE HAWAIIAN ZONING ACT, CHAPTER 217, HRS.

9. THE SUBDIVISION IS TO BE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE HAWAIIAN LAND USE ACT, CHAPTER 215, HRS, AND THE HAWAIIAN ZONING ACT, CHAPTER 217, HRS.

10. THE SUBDIVISION IS TO BE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE HAWAIIAN LAND USE ACT, CHAPTER 215, HRS, AND THE HAWAIIAN ZONING ACT, CHAPTER 217, HRS.

REVISION	DATE	BY	FOR
1	10/1/2023	ATA	INITIAL DESIGN
2	10/1/2023	ATA	REVISION
3	10/1/2023	ATA	REVISION
4	10/1/2023	ATA	REVISION
5	10/1/2023	ATA	REVISION
6	10/1/2023	ATA	REVISION
7	10/1/2023	ATA	REVISION
8	10/1/2023	ATA	REVISION
9	10/1/2023	ATA	REVISION
10	10/1/2023	ATA	REVISION

ATA AUSTIN, TSUTSUMI & ASSOCIATES, INC.
 ENGINEERS, SURVEYORS
 HONOLULU, HAWAII

BBCP KUKUIULA DEVELOPMENT (HAWAII), LLC
 KOLEA, KAUAI, HAWAII
 PARCEL A2/F2/F3
 KUKUIULA A2F2F3 (OCT. 2023)
 TENTATIVE SUBDIVISION MAP (REV. 1)

DESIGNED BY: JH
 DRAWN BY: JH/JAL
 CHECKED BY: JH

DATE: 10/1/2023

KUKUIULA A2F2F3 - OCT. 2023
TENTATIVE SUBDIVISION MAP (REV. 1)
 SCALE: 1"=2'-0"

DWG. NO. **C-06B**
 SHEET 00A OF 70

DATE: DECEMBER 2024

Exhibit 'C'

(Location Map)

Location Map
Subdivision Application No. S-2023-1
Kukui'ula Parcel A2F2F3 Subdivision



10/07/2021 - 03/15/2022

COUNTY OF KAUAI
PLANNING DEPARTMENT

TO: Subdivision Committee, Planning Commission

SUBJECT: Extension Request

PURPOSE: ☒ File Final Subdivision Maps
☐ Complete Subdivision Improvements
☐ Other: _____

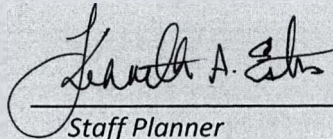
Subdivision Application No.		Applicant(s)	
S-2024-2		Moloa'a Farms, LLC. Et. Al.	
Location:	Moloa'a	Tax Map Key:	(4) 4-9-009: 001
Extension Request No. (1st, 2nd, etc.)		Tentative Approval Granted On:	Previous Ext. Expires On:
2 nd		November 14, 2023	November 14, 2025
Subdivision Bonded:		Deadline to Complete Improvements:	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Not Applicable	

APPLICANT'S REASONS: Additional time is being requested to comply with the conditions/requirements of tentative approval. The Applicant is currently with the various reviewing agencies in resolving the required infrastructure improvements for the subdivision.

**PLANNING DEPARTMENT
EVALUATION & RECOMMENDATION**

EVALUATION: Please refer to next page...

RECOMMENDATION: Please refer to next page...



Staff Planner

10.23.2025

Date

☒ Approved and Recommended
to Planning Commission

☐ Denied

Comments: _____



Planning Director

10/13/2025

Date

G.2.b.1.
NOV 10 2025

COUNTY OF KAUAI PLANNING DEPARTMENT

Extension requests are primarily processed for the purpose of continuing a tentative approval for a subdivision application. An extension approval allows an applicant additional time to comply with the requirements in order to obtain final subdivision approval.

In determining whether additional time should be granted, an evaluation is made of the project's progress as well as compliance with the requirements of tentative approval. The evaluation is primarily based on determining whether the applicant is **progressively working** towards obtaining final subdivision approval with the various reviewing agencies. The **tentative approval conditions** are then re-evaluated to determine whether the conditions/requirements are adequate to address the impacts of the proposed development in consideration of the time that has lapsed.

Pending evaluation of an extension request, one of the following can occur:

1. The extension is approved without changes to the tentative approval requirements;
2. The extension is approved with modified time frames but no modifications or additions to the tentative approval requirements;
3. The extension is approved with modifications and/or additions to the requirements; and
4. The extension is denied.

EXTENSION REQUEST:

The Applicant is requesting an extension of time to file the final subdivision map with the Planning Department pursuant to Section 9-3.8(c)(1) of the Subdivision Ordinance, Kauai County Code (1987), as amended. This application was granted Preliminary Subdivision Map Approval by the Planning Commission on November 14, 2023, and the Applicant's extension request is the **second** extension of the tentative approval. Please refer to the Applicant's request letter dated September 15, 2025, enclosed as Exhibit 'A'.

FINDINGS/BACKGROUND:

The proposed development subdivides Lot 2-A into ten (10) lots and a roadway lot. The project involves a total area of approximately 133.427 acres and is situated within the County Agriculture (Ag) and Open (O) zoning districts. The subject property is primarily within the State Land Use Agricultural District; however, there are sections within the project area (Portions of proposed Lots 2-A-6, 2-A-7, 2-A-8, and 2-A-9) that are situated within the State Land Use Conservation District.

Roadway Lot 2-A-11 will serve as the primary access for the lots within the subdivision. As such, it should be designed and constructed to meet County roadway standards subject to the specifications of the Department of Public Works, Engineering Division. Furthermore, access to the subject property will be

obtained through a vehicular access point connection from Ko'olau Road, an existing roadway with a current right-of-way width of fifty (50) feet.

The property is bounded by Papa'a Valley to the east and Moloa'a Valley to the west, and abuts land to the north that's owned by the State of Hawai'i. This area includes a rocky coastline within the State Land Use Conservation District. South of the subject property is Lot 1 of the Moloa'a Hui Subdivision that was created through Subdivision Application No. S-97-23. Presently, this parcel contains two Condominium Property Regime (CPR) projects known as Moloa'a Hui I and Moloa'a Hui II. Lot 1 is situated within the County Agriculture and Open zoning districts, and is within the State Land Use Agricultural District.

It should be noted that the subdivision proposal is in accordance with a Stipulated Settlement Agreement related to the case of *Molooa Farms LLC et al. v. Kaua'i Planning Commission et al.*, Civil No. 20-CV-00020 HG-KM. Per the provisions of this agreement, Lot 2 is permitted under the CZO to be subdivided into ten (10) agricultural lots and a remainder lot for roadways and utilities. Moreover, Lot 2 is permitted to have an overall density of up to thirty-four (34) farm dwelling units consistent with the CZO.

PROGRESS OF THE SUBDIVISION:

In considering the extension request, it should be noted that the Applicant has shown some progress with the development and has been working to comply with the various requirements of tentative approval. As represented, the Applicant is still working to resolve the required infrastructure improvements associated with this application and determining the applicable requirements of the County of Kaua'i, Department of Water (DOW), Department of Public Works (DPW), and the County Housing Agency. Additionally, over the past year, the Applicant has been working primarily to secure water service to the subdivision, which involves a dispute with the neighboring Moloa'a Hui Lot 1, regarding the right to access the common water system serving both Moloa'a Hui Lot 1 and the subject subdivision. Since it is uncertain as to when the Applicant will be in compliance with the requirements of tentative approval, another time extension is being requested.

Based on the foregoing circumstances, the Applicant's reasons are justifiable, and no problems are foreseen in granting the extension request.

Additionally, the Applicant should demonstrate further progress with the subdivision within one (1) year from the approval of this extension request. As such, the Applicant shall be made aware that in further considering extension requests involving the proposed development, the Applicant shall continue to submit to the Planning Department an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date in order to allow sufficient time to evaluate whether progress has been made and conditions satisfied.

RECOMMENDATION:

It is recommended that an extension until **NOVEMBER 14, 2026**, be granted to obtain final subdivision approval. However, the Applicant is made aware that an updated status report on the subdivision with a detailed time chronology on the progress of the tentative approval requirements shall be submitted to the Planning Department for review for further extensions requests. The status report shall be submitted to the Planning Department no later than sixty (60) days prior to the expiration date.

Exhibit 'A'

(Applicant's Extension Request Letter dated September 15, 2025)



Joseph Adams

joseph.adams@dentons.com
D +1 808-441-6211

Dentons US LLP
1001 Bishop Street
Suite 1800
Honolulu, HI 96813
United States

dentons.com

September 15, 2025

Kenneth Estes, Planner
County of Kaua'i, Department of Planning
4444 Rice Street, Suite A473
Lihu'e, Hawai'i 96766
Tel: (808) 241-4065

Via Email: KEstes@kauai.gov & Hand Delivery

Re: **Extension Request**
Tentative Subdivision Map, Application No. S-2024-2
Applicant: Moloa'a Farms, LLC., et. al.

Dear Planner Estes:

Applicant Moloa'a Farms, LLC. Et. Al., ("Applicant") received Tentative Map approval for the above referenced map on November 14, 2023. This is the Applicant's second extension request. A prior one (1) year extension was granted in November 2024.

The Applicant incorporates by reference its November 14, 2024 Extension Request and the *Report on Progress* included therein. Applicant continues to work with various conditions from seven (7) different Federal State and Local agencies required of the Applicant in order to obtain final approval.

One-Year Extension Request

We are respectfully requesting a one-year extension for this tentative map. Pursuant to Kaua'i County Code Section 9-3.8(c)(1) of the Subdivision Ordinance, in addition to this filed request, the Applicant submits fifteen (15) copies of the subdivision final map.

Report on Progress of Domestic Water Service to Subdivision

Since its last report to the Committee, Applicant has been working primarily to secure water service to the subdivision ("Lot 2").

Specifically, the issue involves a dispute with the owners of Lot 1, the neighboring Mooloa Hui Lot 1 ("Lot 1"), regarding Lot 2's right to access the common water system serving both lots. Lot 2 and Lot 1 have been involved in arbitration and related appeals over access to the common water system. After years of appeals, the matter is now going to arbitration for resolution. Alternatively, Applicant has the resources to supply water directly to Lot 2, but needs an easement from Lot 1 in order to do so. Either by way of arbitration or by negotiated resolution, Applicant believes that the necessary access to water will be provided within the next year.

In addition to arbitration/negotiation of water service, on-going progress involves contracted work to perform environmental studies and/or evaluations. Therefore, more time is required to allow these contracted professionals to perform the necessary work, and in order for Applicant to continue to work with seven (7) different agencies.

In closing, in consideration of the amount of conditions required to obtain final approval, Applicant requests a one-year extension of time to complete the work.

Very truly yours,



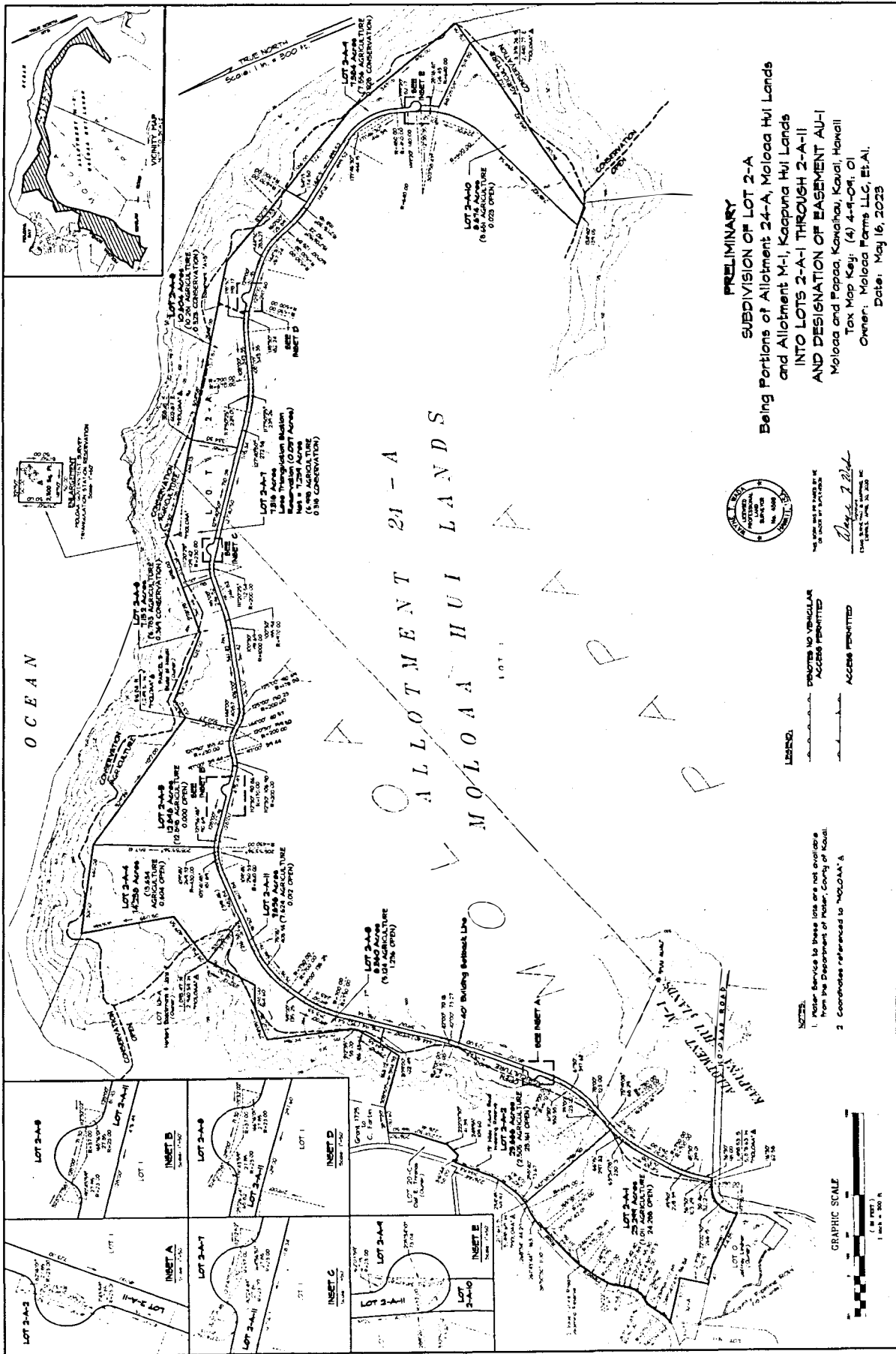
Joseph Adams

Attachments:

Subdivision Map (15 Copies)

Exhibit 'B'

(Preliminary Subdivision Map dated May 16, 2023, and Location Map)



PRELIMINARY
 SUBDIVISION OF LOT 2-A
 Being Portions of Allotment 24-A, Maloala Hui Lands
 and Allotment M-1, Kaapuna Hui Lands
 INTO LOTS 2-A-1 THROUGH 2-A-11
 AND DESIGNATION OF EASEMENT AU-1
 Maloala and Pappa, Kaunohou, Kauai, Hawaii
 Tax Map Key: (4) 4-4-04, O1
 Owner: Maloala Farms LLC, Et Al.
 Date: May 16, 2023

ENGINEER'S SEAL
 CIVIL ENGINEER
 NAME
 NO.

NOTES:
 1. Refer Service to these lots are not available
 from the Department of Public Works of Kauai.
 2. Coordinates referenced to "HOLLOMAN" A

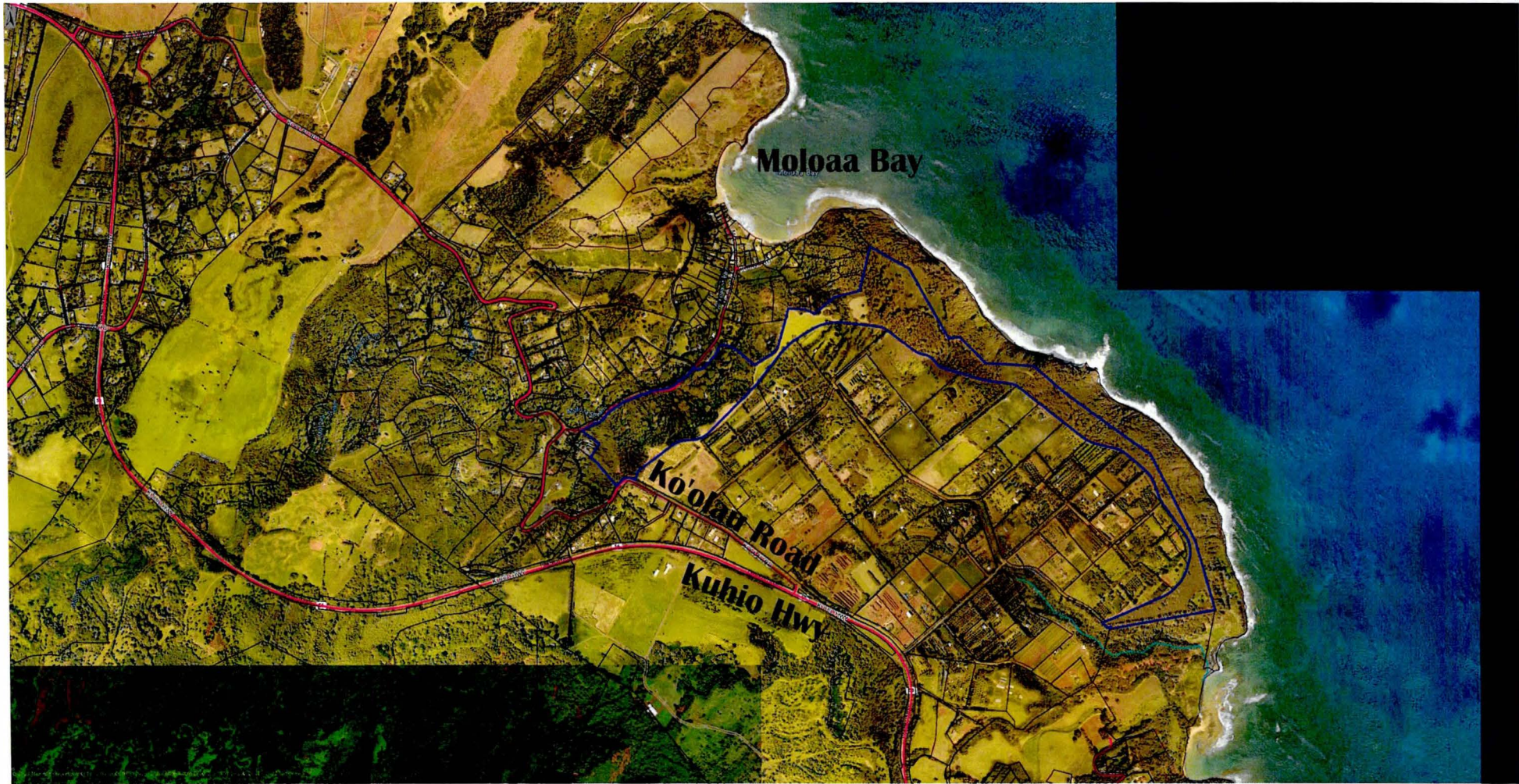
GRAPHIC SCALE
 0 100 200
 FEET

1 inch = 200 feet

Location Map

Subdivision Application No. S-2024-2

Lot 2-A, TMK: 4-9-009:001



10/07/2021 - 03/15/2022



COUNTY OF KAUA'I
PLANNING DEPARTMENT

SUBJECT TO CHANGE

SUBDIVISION REPORT

I. SUMMARY

Action Required by Planning Commission: Consideration of Subdivision Application No. S-2019-4 that involves the Consolidation of five (5) lots and resubdivision into three (3) lots.

Subdivision Permit No. Application No. S-2019-4

Name of Applicant(s) TIM BECKMAN & MIRA HESS

II. PROJECT INFORMATION

Map Title	Consolidation of Lots 12-A and 12-B (Deregistration Doc. No. A-65280621, Dated November 15, 2017) Lot F-1, Lot J, and Remainder of Exc. 17 and resubdivision of said consolidation into Lots A, B and C Being portions of R. P. 6714, L. C. Aw. 7714-B Apana 2 to M. Kekuaiwa no Kekuanaoa at Koloa, Kauai, Hawaii				
Tax Map Key(s):	2-8-014:038, 42	Area:	19.178 Acres		
Zoning:	Open				
State Land Use District(s):	Urban	General Plan Designation:	Residential Community		
AGENCY COMMENTS					
<input checked="" type="checkbox"/> COK Public Works	10/31/18	<input type="checkbox"/> State DOT-Highways:			
<input checked="" type="checkbox"/> COK Water:	1/4/19	<input checked="" type="checkbox"/> State Health:	11/7/18		
<input type="checkbox"/> Other(s)		<input type="checkbox"/> DLNR – SHPD:			
EXISTING ROAD RIGHT-OF-WAY(S)					
Road Name	Existing Width	Required Width	Pavement YES	NO	Reserve
Po‘ipū Road	30 feet	60 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	15 feet
Makale‘a Street	40 feet	40 feet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
APPLICABLE FEES					
Environmental Impact Assessment (EIA)	N/A				
Park Dedication	N/A				
Appraisal Report Required	N/A				

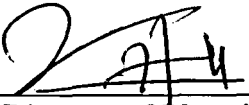

III. EVALUATION

In evaluating the project, the proposed subdivision consolidates five (5) existing lots and resubdivides them into three (3) lots. The surrounding parcels to the south and east are County zoned Open while parcels to the north are zoned Residential. These parcels are within State Land Use Urban District.

It should be noted that the parcel identified as the Remainder of Exclusion 17 lot is considered a Kuleana, and in order to approve the subdivision action, the Department will require verification of the Kuleana ownership to assure that the title is “clean.” Therefore, the subdivider will be required to provide to the Planning Department Title Insurance for the Kuleana.

G.N.A.I. I.Y.A.1.
NOV 10 2025 MAR 27 2019

IV. RECOMMENDATION

TENATIVE APPROVAL	FINAL APPROVAL
<input type="checkbox"/> Approval <input type="checkbox"/> Denied	<input checked="" 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 
<div> <div>3/14/19</div> <div>Director of Planning</div> <div>Date</div> </div>	<div> <div>10/23/2018</div> <div>Director of Planning</div> <div>Date</div> </div>

V. AGENCY REQUIREMENTS

1. Requirements of the Planning Department:
 - a. Prior to final subdivision map approval, the Applicant shall obtain Title Insurance for the Kuleana parcel. In addition, an updated preliminary title report for each of the existing lots 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. A fifteen (15) feet wide future road widening reserve shall be established along the frontage of Po‘ipū Road. There shall be no new structures permitted within the reserve, and any new structures shall 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.
 - e. The Applicant is made aware that Po‘ipū Road is considered a Major Street (60 feet right-of-way width) and serves as a major arterial roadway connection between Kōloa Town and Po‘ipū. Due to the amount of vehicular traffic along this roadway, the Applicant shall work closely with the County Department of Public Works (DPW) in establishing a vehicular access point for Lot C if permitted.

 There shall be no direct access permitted onto Po‘ipū Road from Lots ‘A’ and ‘C’. Semi-circles denoting no direct access permitted shall be shown on the final subdivision map. This provision 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.
 - f. The subdivider shall 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.

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

DRAINAGE

- a. Based on panel no. 314F of the Federal Insurance Rate Maps (FIRM) dated November 26, 2010, the subject property is susceptible to flooding from Waikomo Stream. The flood zone designation are ones AE and AEF. The flood zoning, the FIRM panel no. and suffix, date of the FIRM, 100 year flood elevation and bench mark elevation and datum needs to be shown on the Final Map. Additionally, the applicant and future owners shall be advised that construction of new structures in flood prone areas present flood risks and associated flood problems.

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

- a. A Facilities Reserve Charge as follows:

Lot A – Existing 5/8-inch Water Meter	FRC = \$ 0.00
Lot B – Existing Empty Water Meter Box	FRC = \$ 14,115.00
Lot C - New 5/8-inch Water meter	FRC = \$ 9,515.00
Total: \$ 23,630.00	

***In accordance with the DOW’s Rules and Regulations, Part 5, Section IV, Item No.6, the applicant will be required to pay the difference between the FRC paid and the current FRC rate.*

- b. 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.
- c. 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 is not available from the Department of Water, County of Kaua’i.”

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

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

- a. The subject projected is located within HOH Utilities’ Po’ipū Water Reclamation Facility wastewater sewer systems. All wastewater generated shall be disposed into HOH Utilities’ Po’ipū Water Reclamation Facility sewer systems. All lots in the proposed development/subdivision shall connect to HOH Utilities’ Po’ipū Water Reclamation Facility sewer systems.
- b. The property may harbor rodents which will be dispersed to the surrounding areas when the site is cleared. In accordance with Chapter 11-26, entitled "Vector Control", Title 11, HAR, the applicant shall ascertain the presence or absence of rodents on the property. Should the presence of rodents be determined, the applicant shall eradicate the rodents prior to clearing the site.
- c. Noise will be generated when construction occurs on after the subdivision. The applicable maximum permissible sound levels as stated in Title 11, Hawaii Administrative Rules (HAR), Chapter 11-46, “Community Noise Control”, shall not be exceeded, unless a noise permit is obtained from the State Department of Health (DOH).
- d. Temporary fugitive dust emissions during site preparation and construction could impact the nearby residents when the subdivided lots are developed. In accordance with Chapter 11-60.1, entitled "Air Pollution Control", Title 11, HAR, effective air pollution control measures shall be provided to minimize or prevent any fugitive

dust emission from impacting the surrounding areas. This includes but are not limited to the use of water wagons, sprinkler systems, dust fences, etc.


- e. In accordance with Title 11, HAR, Chapter 11-58.1, "Solid Waste Management Control", the grubbed material and construction waste that will be generated by the project shall be disposed of at a solid waste disposal facility that complies with the DOH. The opening burning of any of these wastes on or off site is prohibited.

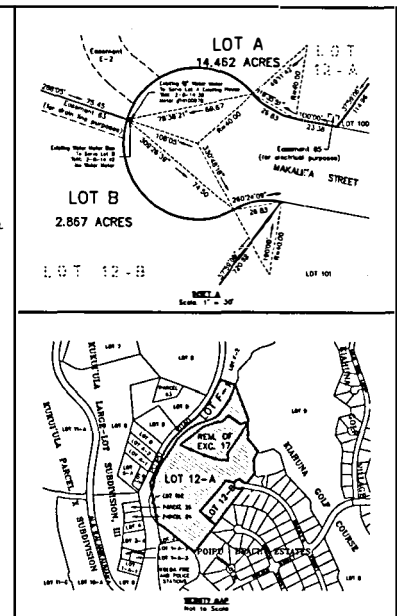
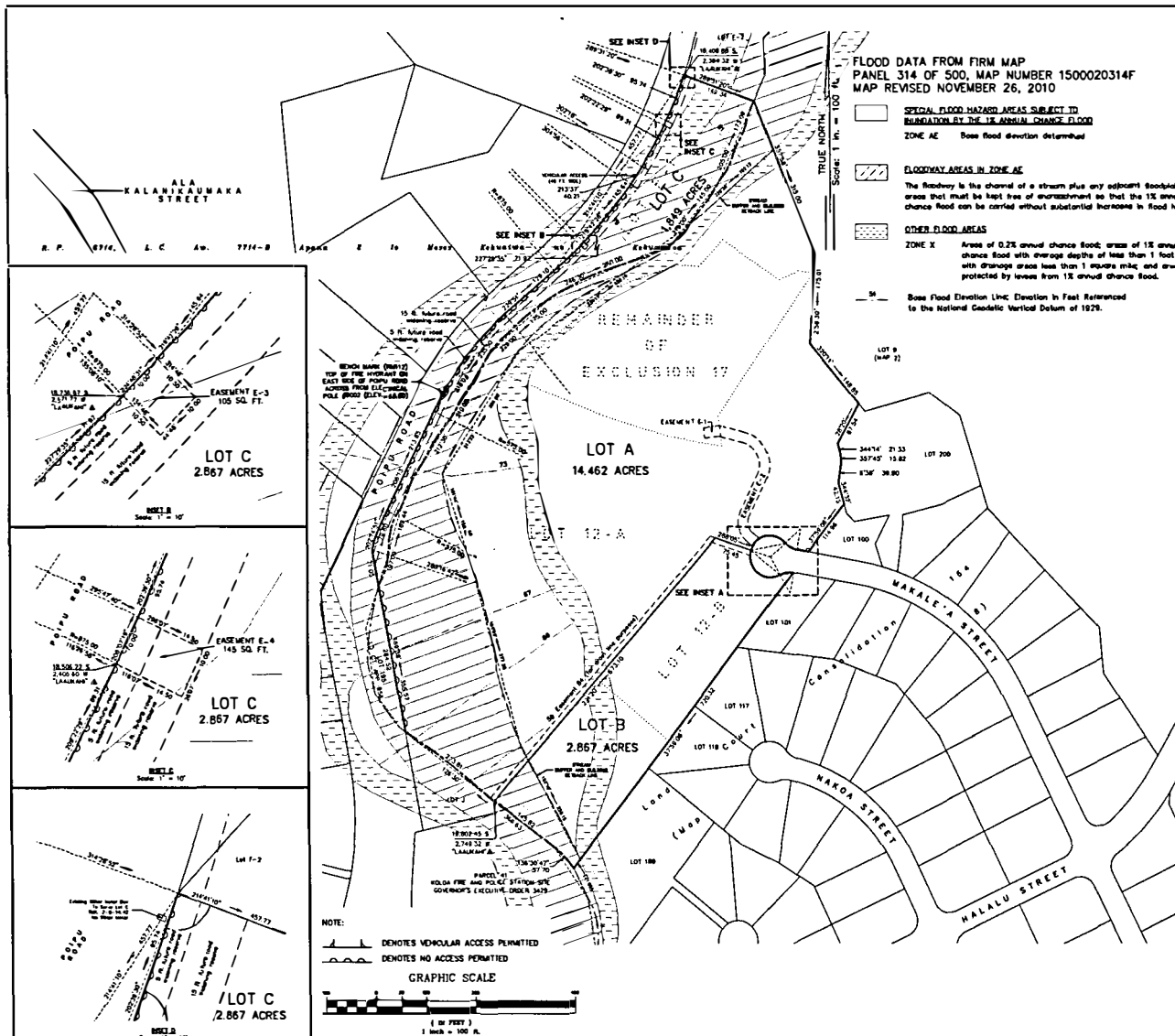
5. Requirements for County Housing Agency:

- a. In accordance to Chapter, 7A of the Kauai County Code, as amended, is applicable to the application/petition. Prior to final application approval(s), the Applicant shall resolve the workforce housing assessment and shall execute a workforce Housing Agreement with the Kauai County Housing Agency as to the method of meeting the workforce housing requirement(s) pursuant to Chapter 7A of the Kauai County Code.
6. The Applicant is advised the 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 and the Planning Department 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 MARCH 27, 2019 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 
CHANCE BUKOSKI
Planner

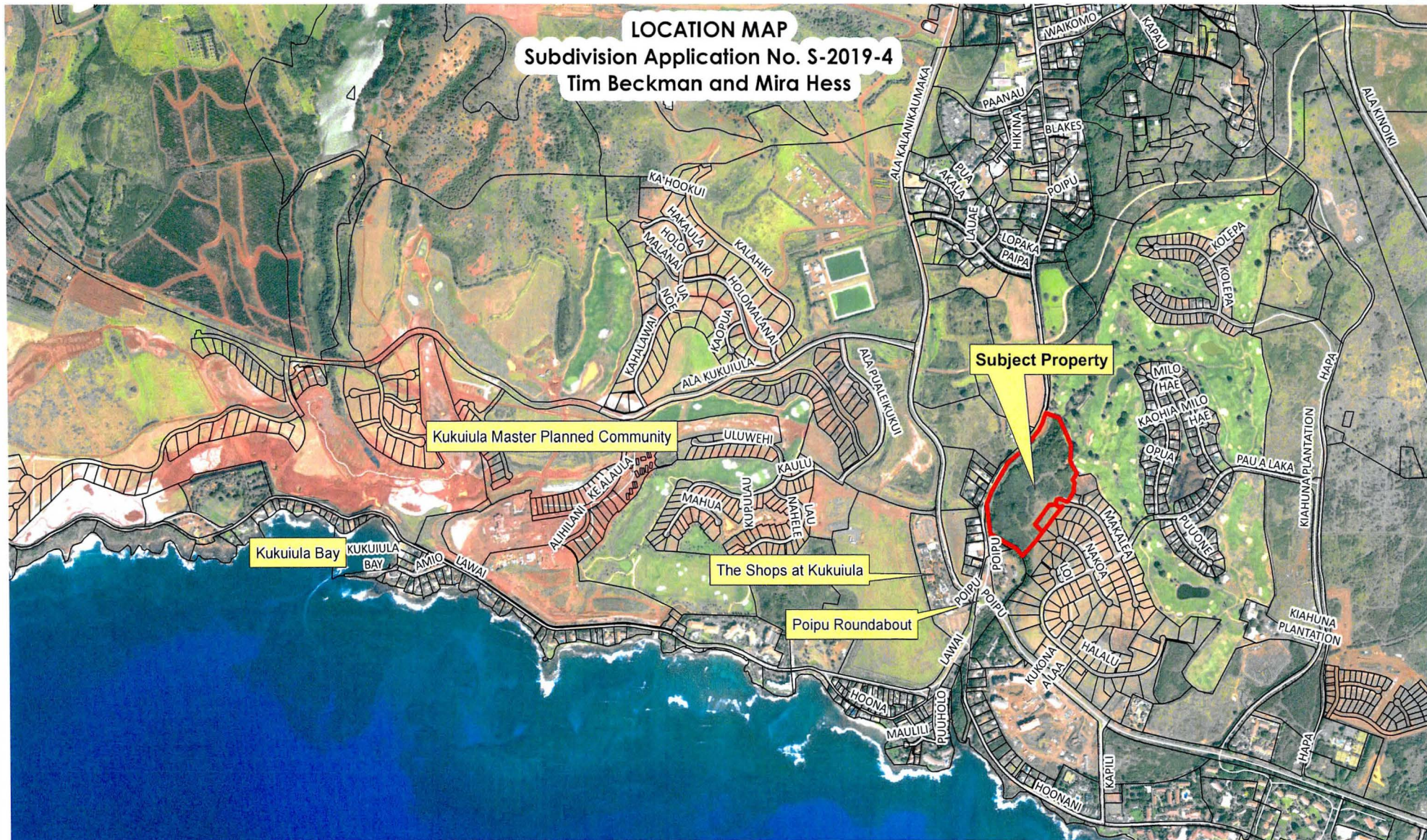


THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION

David J. Walsh
 Licensed Professional Engineer
 License No. 45066
 State of Hawaii
 EXPIRATION DATE: 06/30/2024

(REVISED) PRE-FINAL
S-2019-04
CONSOLIDATION OF
LOTS 12-A, AND 12-B
(DEREGISTRATION DOC. NO. A-05280621,
DATED NOVEMBER 15, 2017)
LOT F-1, AND REMAINDER OF EXC. 17
AND RESUBDIVISION OF SAID CONSOLIDATION
INTO LOTS A, B, AND C
AND DESIGNATION OF EASEMENTS E-3 AND E-4
Being portion of R. P. 6714, L. C. Aw. 4417-B
Apona 2 to M. Kekauwa no M. Kekuanooa
AT KOLOA, KAUAI, HAWAII
Tax Map Key: (4) 2-8-14: 38, 42
Owners: Beckman Trust, and Mira Hess Trust
Date: September 19, 2024


Subdivision Application No. S-2019-4
Tim Beckman and Mira Hess





M E M O R A N D U M

TO: Ka'aina S. Hull, Planning Director

FROM: Michael Moule, P.E., Chief of Engineering  Digitally signed by Michael Moule
Date: 2024.11.22 11:27:15 -10'00'

DATE: November 22, 2024

SUBJECT: REVISED PRE-FINAL SUBDIVISION MAP REVIEW AND APPROVAL
SUBDIVISION S-2019-4
APPLICANT TIM BECKMAN & MIRA HESS TRUST
REVISED PRE-FINAL MAP DATED SEPTEMBER 19, 2024
TMK: (4) 2-8-014:038,042

We have reviewed the subject pre-final subdivision map and have no further comments.



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

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

SUBDIVISION REPORT

TO: PLANNING DEPARTMENT
FROM: DEPARTMENT OF WATER

2-8-14:038;
TMK: 2-8-14:042 NAME: Tim Beckman & Mira Hess SURVEYOR: Esaki REPORT NO: S-2019-4

1. Domestic water is adequate. 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):

Lot A	Existing 5/8-Inch Water Meter	FRC = \$	0	<input type="checkbox"/>
Lot C	New 5/8-Inch Water Meter	FRC = \$	paid	<input type="checkbox"/>
Lot B	Existing Empty Water Meter Box*	FRC = \$	paid	<input type="checkbox"/>
 - * In accordance with the DOW's Rules and Regulations, Part 5, Section IV, Item No. 6, the applicant will be required to pay the difference between the FRC paid and the current FRC rate.
 - 2) Payment to install _____, or relocate _____, service connections(s) at the fixed cost of \$ _____. 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. ☐
 - 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 Kaua'i."

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 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): ☐

Jason Kagimoto
Jason Kagimoto, P.E.
Acting Chief of Engineering Division

2/13/23
Date

SUBDIVISION REPORT NO. S-2019-4

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: January 23, 2023

TO: **Kenneth Estes**

FROM: Janet M. Berreman, M.D., M.P.H.,
District Health Officer (Acting for District Environmental Health Program
Chief)

SUBJECT: RESPONSE_Beckman & Hess_S-2019-4

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

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 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.

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.

Janet Berreman

Janet M. Berreman, MD, MPH, FAAP
Kauai District Health Officer
Office Phone: (808) 241-3614

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

DEAN D. UVENO
ACTING 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

January 16, 2019

Chance Bukoski, Planner
Kaua'i County Planning Department
4444 Rice Street, Suite A473
Lihue, HI 96766
Email: cbukoski@kauai.gov

IN REPLY REFER TO:
Log No. 2018.02318
Doc No. 1901GC15
Archaeology

Dear Mr. Bukoski:

SUBJECT: **Chapter 6E-42 Historic Preservation Review –
Preliminary Subdivision Map Review (S-2019-4)
Preliminary Consolidation of Lots 12-A and 12-B
Koloa Ahupua'a Ahupua'a, Koloa District, Island of Kaua'i
TMK: (4) 2-8-014:038 and 042**

This letter provides the State Historic Preservation Division's (SHPD's) review comments regarding the subject Preliminary Subdivision Application (S-2019-4). The owners, Timothy Beckman Trust and Mira Hess Trust, propose the consolidation of the Lots 12-A and 12-B (Deregistration Doc No. A-65280621, dated November 15, 2017), Lot F-I, Lot J, and remainder of Exclusion 17 and to subsequently re-subdivide into Lots A (14.462 acres), B (2.867 acres) and C (1.849 acres).

A SHPD records review indicates that an archaeological study conducted by Cultural Surveys Hawaii, Inc. documented 462 historic properties within the greater Kiahuna Golf Village area. The sites comprise the Kōloa agricultural complex, and include 'auwai (irrigation features), terraces, boundary walls, C-shaped enclosures, mounds, utilized lava tubes, walls alignments, platforms, and other features indicative of both pre-Contact and historic agriculture and habitation. In addition, our records show that Sites 50-30-10-3309 through 50-30-10-3342, Sites 50-30-10-3344 through 50-30-10-3346, Sites 50-30-10-3356 through 3359, and Sites 50-30-10-3848, 50-30-10-3361, 50-30-10-3362, 50-30-10-3363 (Kiahuna Archaeological Site Preserve 5 (a 1.298-acre agricultural site complex), 50-30-10-3849, and Site 50-30-10-3866, are all within the vicinity of the current subject parcel. In addition, on November 25, 2014, SHPD reviewed and accepted an archaeological monitoring plan (Dega 2014) for proposed grading permit for TMK: (4) 2-8-014:038, Lot 12-A (Log No. 2014.05011, Doc No. 1411MN18).

Based on the information provided, **SHPD has no objections to** the requested consolidation of Lots 12-A, 12-B, F-I, Lot J, and remainder of Exclusion 17 and re-subdivide into Lots A, B and C.

SHPD requests the opportunity to review and comment on any future permit applications involving ground disturbing activities pursuant to Hawaii Revised Statutes (HRS) 6E-42.

Please contact Dr. Susan Lebo, Archaeology Branch Chief, at Susan.A.Lebo@hawaii.gov or at (808) 692-8019 for any questions regarding archaeological resources or this letter.

Aloha,

Alan Downer

Alan S. Downer, PhD
Administrator, State Historic Preservation Officer
Deputy Historic Preservation Officer