



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

MAY 14 '25 PM 1:06  
PLANNING DEPT

FROM: Kaaina S. Hull, Director

Planner: Dale Cua

4/30/2025

SUBJECT: CLASS IV ZONING PERMIT (Z-IV-2025-12), USE PERMIT (U-2025-8), and SPECIAL PERMIT (SP-2025-5) to conduct agricultural tours and outdoor commercial events, including but not limited to weddings and public/private gatherings, on a parcel situated along the mauka side of Kaumualii Highway in Kalaheo (formerly Olu Pua Gardens site), situated approximately 0.5 mile west of Kalaheo Town, approximately 3,000 feet mauka of the Halewili Road/Kaumualii Highway intersection, further identified as Tax Map Key: (4) 2-4-007:016, containing a land area of 12.285 acres.

Tax Map Key: 510020100005

Applicant: Carol Cassiday Orr (Max W. Graham, Jr. Esq., Authorized Agent)  
Keala Ranch Tours

TO:

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

FOR YOUR COMMENTS (pertaining to your department)

5.13.2025

CTA HAS NO FURTHER  
COMMENT ON THIS PROJECT.

MAHALO!

RECEIVED

MAY - 2 2025

County of Kauai  
Transportation Agency

This matter is scheduled for a public hearing before the County of Kauai Planning Commission on 6/24/2025 at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, at 9:00 am or soon thereafter. If we do not receive your agency comments within one (1) month from the date of this request, we will assume that there are no objections to this permit request. Mahalo!



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

MAY 21 '25 PM 1:28  
PLANNING DEPT

FROM: Kaaina S. Hull, Director

Planner: Dale Cua

4/30/2025

SUBJECT: CLASS IV ZONING PERMIT (Z-IV-2025-12), USE PERMIT (U-2025-8), and SPECIAL PERMIT (SP-2025-5) to conduct agricultural tours and outdoor commercial events, including but not limited to weddings and public/private gatherings, on a parcel situated along the mauka side of Kaumualii Highway in Kalaheo (formerly Olu Pua Gardens site), situated approximately 0.5 mile west of Kalaheo Town, approximately 3,000 feet mauka of the Halewili Road/Kaumualii Highway intersection, further identified as Tax Map Key: (4) 2-4-007:016, containing a land area of 12.285 acres.

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FOR YOUR COMMENTS (pertaining to your department)

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

DATE: May 19, 2025

TO: To whom it may concern

FROM: Ellis Jones  
District Environmental Health Program Chief

SUBJECT: RESPONSE\_Carol Cassiday Orr\_Z-IV-2025-12

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. NPDES depending on scope of the project and land being disturbed
2. 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. The proposed development shall comply with the applicable requirements of Title 11, Hawaii Administrative Rules (HAR), Chapter 11-39, "Air Conditioning and Ventilating", pertaining to mechanical ventilation
2. The proposed food establishment shall be constructed in accordance with the applicable ventilation requirements of Title 11, Hawaii Administrative Rules (HAR), Chapter 11-39, Air "Conditioning and Ventilating".
3. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, 11-504.
4. 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/>.

#### **IRH Noise Section**

1. Noise will be generated during the construction and demolition phase of this project. The applicable maximum permissible sound levels as stated in Title 11, Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control", shall not be exceeded unless a noise permit is obtained from the Department of Health.

#### **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. The construction waste that will be generated by the project shall be disposed of at a solid waste disposal facility that complies with the applicable provisions of Title 11, Hawaii Administrative Rules (HAR), Chapter 11-58.1 “Solid Waste Management Control”, the open burning of any of these wastes on or off site prohibited
  5. 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 DOH waste-water branch at 808-586-4288 for further information. For comments, please email the Wastewater Branch at [doh.wwb@doh.hawaii.gov](mailto:doh.wwb@doh.hawaii.gov).

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

1. The proposed food services and food establishments shall comply with the applicable requirements of Title 11, Hawaii Administrative Rules (HAR), Chapter 11-50, “Food Safety Code”.
2. The proposed food establishment will be provided by well water that is from an unapproved source. In accordance with HAR 11-50-60, water provided for the establishment shall meet state drinking water standards. Contact the State of Hawaii Safe Drinking Branch( Madeleine Hyde) by phone: 808 241-3329 or email at [madeline.hyde@doh.hawaii.gov](mailto:madeline.hyde@doh.hawaii.gov) for more details.
3. The proposed food services and food establishments shall comply with the applicable requirements of Title 11, Hawaii Administrative Rules (HAR), Chapter 11-50, “Food Safety Code”.
4. The proposed food establishment shall be provided with minimum sanitary facilities for the employees in accordance with the applicable provisions of Title 11, Hawaii Administrative Rules (HAR), Chapter 11-50, “Food Safety Code”.
5. The person whether the applicant or person in charge of the proposed food establishment shall allow the Director or authorized representative access to the establishment, allowing inspection during business operational hours and other reasonable times.
6. If leafy greens (lettuce, cabbages, spinach, Kale, etc.) and melons are grown on or downhill from former cow pasture lands for commercial purposes, please note that the risk of E-coli 01H757 and Salmonella are greatly increased.
7. 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.

8. 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.

#### **Vector Control Branch**

1. In accordance with Title 11, HAR, Chapter 26 "Vector Control", if the proposed Food Establishments' flooring is not constructed of concrete or other material impervious to rodents, an unobstructed crawl space of at least twenty inches between the bottom of the joists of the lower floor of the building and the highest point of the ground will be required

#### **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

No IWS (individual wastewater systems) exist on Unit 5. Owner must have civil engineer submit IWS plans to Dept. of Health for this commercial facility for review. The number and type of IWS required by Dept. of Health will be determined at the time of building permit submittal.



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



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII  
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

EDWIN H. SNIFFEN  
DIRECTOR  
KA LUNA HO'ŌKELE

Deputy Directors  
Nā Hope Luna Ho'okele  
DREANALEE K. KALILI  
TAMMY L. LEE  
CURT T. OTAGURO  
ROBIN K. SHISHIDO

IN REPLY REFER TO

DIR0001878  
STP 8.3933

May 30, 2025

**VIA EMAIL:** [planningdepartment@kauai.gov](mailto:planningdepartment@kauai.gov)

Mr. Kaaina S. Hull  
Planning Director  
County of Kauai  
Planning Department  
4444 Rice Street, Suite A473  
Lihue, Hawaii 96766

Dear Mr. Hull:

Subject: Zoning Class IV (Z-IV-2025-12), Use Permit (U-2025-8), and Special Permit (SP-2025-5)  
Keala Ranch Tours  
Kilauea, Kauai, Hawaii  
Tax Map Keys: (4) 5-1-002: 010

Thank you for your transmittal, dated April 30, 2025, requesting the Hawaii Department of Transportation's (HDOT) review and comments on the subject permit request. HDOT understands the applicant, Carol Cassiday Orr, owner of Keala Ranch, is seeking a Class IV Zoning, Use, and Special Permit to incorporate agricultural-related business activities within the property.

HDOT has the following comments:

1. Based on the project information provided, HDOT does not anticipate a significant impact to the State highway system. However, in the event there are any unexpected traffic issues attributed to the project, the applicant shall mitigate them to the satisfaction of HDOT, at no cost to the State.
2. HDOT encourages strategies to reduce carbon emissions from the project whenever possible. Suggestions include:
  - a. Incorporate elements that encourage and enhance the use of multiple types of transportation to reduce carbon emissions.
  - b. Implement energy-efficient technologies and practices, such as light-emitting diode lighting.



Mr. Kaaina S. Hull  
May 30, 2025  
Page 2

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- c. Use sustainable, recycled, or low-emission materials in construction and manufacturing.

Please submit any subsequent land use entitlement-related requests for review or correspondence to the HDOT Land Use Intake email address at [DOT.LandUse@hawaii.gov](mailto:DOT.LandUse@hawaii.gov).

If there are any questions, please contact Mr. Blayne Nikaido, Planner, Land Use Section of the HDOT Statewide Transportation Planning Office at (808) 831-7979 or via email at [blayne.h.nikaido@hawaii.gov](mailto:blayne.h.nikaido@hawaii.gov).

Sincerely,



EDWIN H. SNIFFEN  
Director of Transportation