

JOHN WAIHEE  
GOVERNOR OF HAWAII



KEITH W. AHUE, CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES  
JOHN P. KEPPELER, II  
DONA L. HANAIKE

RECEIVED  
STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
P. O. BOX 621  
HONOLULU, HAWAII 96809

'94 JUN 13 P1:30

REF: OCEA:KCK  
QUALITY

AQUACULTURE DEVELOPMENT  
PROGRAM  
AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
CONSERVATION AND  
ENVIRONMENTAL AFFAIRS  
CONSERVATION AND  
RESOURCES ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

JUN 9 1994

FILE NO.: HA-2693  
DOC. NO.: 4529

MEMORANDUM

TO: Dr. Bruce S. Anderson, Acting Director  
Office of Environmental Quality Control

FROM: Honorable Keith W. Ahue, Chairperson  
Department of Land and Natural Resources

SUBJECT: Negative Declaration for Conservation District Use Application  
HA-2693 to Construct a Single Family Residence, a Farm Building  
and Organic Agricultural Subsistence Farming at Puna, Hawaii;  
Tax Map Key: 1-5-10: 7

The Department of Land and Natural Resources has reviewed the comments received during the 30-day public comment period which began on February 23, 1994. We have determined that this project will not have significant environmental effect and have issued a negative declaration. Please publish this notice in the OEQC Bulletin as soon as possible.

We have enclosed a completed OEQC Bulletin Publication Form and four copies of the final EA. Please contact Cathy Tilton of our Office of Conservation and Environmental Affairs at 587-0377, if you have any questions.

Enclosure

967

73

1994-06-23-HI-FEA - Scoren / Lendra  
Single Family Residence

JUN 23 1994

Final Environmental Assessment  
Puna, Hawaii THK 1-5-10-07

ENVIRONMENTAL REQUIREMENTS

Identification of Applicants:

Dr. Robert D. Scoren  
568 Mt. Home Rd.  
Woodside, CA 94062

Leslie Scoren Lendra  
918 Hauoli St.  
Honolulu, HI 96826

The owners are father and daughter. Leslie Lendra, a Honolulu resident intends to use the project as her primary residence with her husband and family. Dr. Robert Scoren, a California resident, will visit the property from time to time.

Identification of approving agency:

Department of Land and Natural Resources  
Conservation and Resources Division  
1151 Punchbowl St.  
P.O. Box 621  
Honolulu, HI 96809

Identification of agencies consulted in making assessment:

Kanelei Shun  
Department of Land and Natural Resources  
Historic Preservation Division  
335 Merchant St.  
Honolulu, HI 96813

Marc Smith, Field Archaeologist  
Historic Preservation Division  
Hilo Field Office

Glenn Bauer  
Department of Land and Natural Resources  
Water Resource Management Division  
1151 Punchbowl St. Room 227  
P.O. Box 373  
Honolulu, HI 96809

Department of Health  
1250 Punchbowl St.  
Honolulu, HI 96809

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Planning Department, County of Hawaii  
25 Aupuni Street, Hilo, Hawaii 96785

Hawaiian Paradise Park Association Members

Puna District Community Development Association Members

Mr. Robert Silverstein, neighboring farmer, owner of mauka parcels #8, #22, #23.

Mr. Kim, neighboring dairy rancher, owner of mauka parcel #24 and oceanfront parcel #26.

Summary of Proposed Use

The proposed use is for a single-family residence with barn and farm garden plot for a small family subsistence farm. The activity proposed is to construct a single family home, swimming pool, generator hut, and barn, with a driveway to the home site from the main public access road, Government Beach Road. The first phase in the project is to clear a driveway, prepare an area for planting, drill the water well, install the water pump, build the pad for the generator hut, run water pipe and electric cable down through the driveway to the building site, and prepare the building pads. The second phase of the project is to construct the house, swimming pool, farm building, create landscaping around the buildings, install the septic tank and leech field. The project is expected to commence shortly after approval and to be completed within twelve months to eighteen months after approval.

The property for which your consideration is requested is located in the Puna District, island of Hawaii (Tax Map Key 1-5-10-7) (see Area Plan 1.2). The zoning of the approximately 10 acre parcel is Conservation (State) and Agricultural (County). It is located between two large subdivisions: Hawaiian Paradise Park and Hawaiian Shores. The property is undeveloped at this time, with access to it from the public road, Government Beach Road, or from the public shoreline.

Technical Characteristics

The proposed use involves construction of a single family home, swimming pool, a farm building, a water well and generator hut, a clearing for a subsistence farm of approximately one acre in size, and a private access road into the property from the public access road. The purpose of the project is to provide a home for Leslie and Wayan Lendra and their family. The work would be performed by a licensed contractor on the Big Island, who is familiar with the area's geology, topography and other unique characteristics. The owners also plan to take an active role in the preparation of the building site and farm area.

Area of Proposed Use: The area proposed is shown on the accompanying Site Plan Map. The total square footage of use includes the 1 acre farm plot and no more than 25,000 square feet of cleared area. The proposed driveway will be about 700

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ft in length, 8 feet in width for a total of 5,800 square feet. Utility and water lines will be buried underground in a trench adjacent to the driveway. A ground water well permit has been applied for concurrently with this application to the State Water Commission for water source for both potable and irrigation water (See Well Permit, Exhibit ) A 7 kilowatt generator will be located at the mauka end of the parcel, enclosed in a small wooden building, with a concrete pad to minimize the impact of any accidental spills. This will occupy approximately 250 square feet. The generator hut will be located to conform with the County of Hawaii setbacks of 30 feet from the front of the parcel and 20 feet from the neighboring parcel boundaries.

Clearings for the house and swimming pool and barn will occupy no more than a total area of 20,000 square feet. These improvements are also located to conform with setback requirements, as shown on the Site Plan Map 2. The area that has been identified as a potential area of historic interest, called the kipuka will be left as it is, undisturbed. The 20,000 square feet of cleared area includes those areas surrounding the planned building pads that would either be landscaped, or remain open walking space. This entire area would not necessarily be graded, some will be handcleared. The rest of the natural landscape would remain in its present condition, with the exception of a one-acre farm plot for subsistence farming. The exact location of the farm plot has not yet been determined, since the land is not easily negotiable at this time. The exact location will be determined upon further understanding of the winds, topography and placement of trees, and consideration of archaeological sites. We also plan to discuss our farm project with the Soils Conservation Department and the University Extension Program in Agriculture to determine the best location and conditions for our farm within our environment. The cleared land for farming will in no case be located near the shoreline, but will be located in the mauka portion, no less than 500 feet from the shoreline, as shown on the Site Plan Map 2.

A 1,000 gallon septic tank, with an absorption bed will be constructed in accordance with the Department of Health standards for individual wastewater treatment systems. This area is estimated at 1,000 square feet. A subsurface disposal area for the swimming pool will also be constructed, again in accordance with Department of Health standards, in an area estimated at 600 square feet.

The timeframe for completion of this project is one year to eighteen months following approval. In the initial phase, grading of the driveway for access, laying electrical and water lines, clearing away some of the vegetation, landscaping around the building sites and preparing the two building pads and the generator shed would take place (See Site Plan Map 2). When the site preparation is completed, we will then be best

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prepared to select the final site for the house and barn. A tentative house plan is attached as Site Plan 3. A plan for the barn is attached as Site Plan 4. The final site will be in the general area indicated in this application on Site Plan Map 2. After inspection of the parcel by Marc Smith, State Historic Preservation Division's Hilo field archaeologist, it was determined that most of the parcel has no historical interest and may be graded, with the exception of an area along the northern makai portion of the parcel (see Site Plan Map 2). The archaeologist recommended that this kipuka be left undisturbed until such time as a more intensive survey can be done of that area. The placement of improvements has been revised to incorporate this recommendation. We also intend to preserve any existing large trees on the property, and incorporate them into the landscaping around the buildings. All the natural character and beauty of the site will be left as it was found, as much as possible.

Socio-economic Characteristics

The only significant socio-economic impact of the project will be the addition of one family of residents in the sparsely populated area. This prospect has been regarded positively from discussions with other residents in the area. With the addition of another family to the area, more help is available when needed. In times of emergency, more communication and transportation as well as technical expertise will be available to the surrounding community. A short-term economic impact of the project will be to employ general and sub-contractors in the construction field, for construction of the buildings.

The long-term economic impact will fall outside the immediate area, in the town of Hilo, where the Lendra's plan to open a clothing and gift store. They will hire several local residents, thus providing several permanent jobs. They will use the services of professionals in the area such as accountants, lawyers, and others. Their business will bring more purchasing choices to the community of consumers. A second long-term impact for the County of Hawaii is the increase in property tax revenue that will occur due to the improvements made to the parcel. Other than this, there will be no direct long-term economic impact to the project area, as the project is not for commercial use.

Environmental Characteristics

Summary Description of the Affected Environment:

The subject property is a 9.4 acre ocean-front parcel located in the Puna District, island of Hawaii (Tax Map Key 1-5-10-7). It is located between two large subdivisions: Hawaiian Paradise Park and Hawaiian Shores. The property is undeveloped at this time. Access to its south western boundary is from the public road, Government

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Beach Road. Access to the north eastern boundary is available from the public shoreline. (See Area Plans 1 & 2, Site Plans 1-4, Site Plan Photos.)

**Vegetation:** the land is primarily pasture land, with a thin cover of soil growing grasses and scrub over pahoehoe lava. The few shrubs and trees there consist introduced species such as kiawe, guava (Psidium guajava), strawberry guava (psidium cattleianum), coconut palm (cocos nucifera), mango (mangifera indica), swordfern (Nephrolepis exaltata) and some native plants such as lava'e (Microsorium scolopendrium) and hala (Pandanus tectorius). A line of coconut palms along the southern boundary of the parcel is a distinctive feature of the parcel. (see Site Plan Photos). A walking survey of the parcel by State Archaeologist Marc Smith confirmed that the vegetation is primarily exotic and no endangered native species were found on the parcel. Furthermore, he reported it would be unlikely such would be found, because the area may have been previously graded and then invaded by exotic vegetation such as lantana and guava.

**Fauna:** there are no visible large animal habitats on the parcel. Birds, insects and lizards have been observed on the property. Most of their habitat would not be affected, except for those living on the area to be cleared. Given that similar habitat exists on the remaining 8 acres, the animals affected would simply be displaced to an adjacent area. There are no known rare species of animal life extant on the property.

**Topography:** the general topography is gently rolling pasture over pahoehoe lava. (See Site Plan Photos).

**Shoreline:** the proposed development is well mauka of the shoreline setback area (See Site Plan Map). The shoreline is characterized by gently sloping pahoehoe lava, sloping from approximately 50 feet above mean sea level at the mauka limit of the parcel to approximately 25 feet at the basaltic cliffs on the shoreline. The ocean depth is not determinable, but the dark blue waters indicate the ocean is no less than 40 to 45 feet in depth at the foot of the cliffs. Geological research also indicates that this area of the north Puna coast is characterized by deep water at the cliffs. There are no ponds, tidepools or other land features observable along the shoreline of this parcel. The lava cliffs fall sheer from the shoreline to the open ocean below. There are no other features along the shoreline other than the lava cliffs.

**Historic Sites :** Based on my research at the Hawaii State Division of Historic Preservation and a discussion with archaeological specialist for the Big Island, Kanalei Shun, there are no identified historic sites on the property. There have been several surveys done in the immediate area, and sites

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of historic significance have been found on parcel 29 located three parcels to the north. Other parcels nearby have been previously graded, others covered by recent lava flow.

At the recommendation of the County Planning Department and the Office of Hawaiian Affairs, we have requested a survey by State Historic Preservation Division Field Archaeologist Mark Smith, which was conducted on May 24. His findings are forthcoming in a letter report, and will be submitted to the Board upon receipt. At the time of the survey, he reported his findings to me verbally and indicated an area of concern on a copy of the site plan. Based on our discussion and his drawing of the area to be preserved, we have revised our building plans to accommodate the area to be preserved, as shown on the current Site Plan Map 2. The remainder of the property has not historical interest. Most of the property has been covered recently with lava, as well as having possibly been previously graded. Only the identified area, indicated by the existence of ti leaf and a mango tree, seemed to have some potential historical interest.

Previous to Mr. Smith's professional survey, we had conducted research on our own, described below. According to our pedestrian survey of the property, there are no sites visible on the parcel, no rock walls or mounds, as seen in other areas. The property appears to have been bulldozed or otherwise cleared in the past, as was remarked upon by archaeologist Paul Rosendahl, Phd., in a survey of parcel TMK 3-1-5-28, which is three parcels to the north and has similar characteristics as this parcel. Although Mr. Shun could not comment specifically on our parcel, he was very familiar with the area, and he directed me to the research that has been done. He noted that there had been no significant finds as a result of the surveys. The presence of relatively recent lava flows would rule out significant historic value unless structures were still evident, according to Mr. Shun. Having reviewed all the available studies, the results are summarized below:

In June of 1989 an archaeological survey of the lands of Makuu, Popoki, Halona, Puna District, TMK 1-5-10-28, which is located three parcels to the north of the subject property was completed by certified archaeologist Paul Rosendahl, Phd. in conjunction with a use application. The certified archaeologist, Paul Rosendahl, Phd. noted no archaeological significance on the parcel. He noted that the lands seem to have been bulldozed in the past, as the terrain is level, with secondary vegetation (see Cдуа HA-2284 submitted by neighbor Jon Dangora, for construction of a single family home, application approved 1990.)

In November of 1990, archaeologists William Barrera Jr. and Beth Lerer completed a study entitled Archaeological Inventory Survey of Parcel TMK 1-5-10-33, Makuu, District

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of Puna, Hawaii (H-828). This parcel is located about 1.5 miles to the north of the subject property, along the Government Beach Road, ten parcels north of the subject property. No significant historic sites were found according to the report. The dominant geographical surface feature is pahoehoe lava.

In February of 1974 archaeologists Ned D. Ewart and Margaret L.K. Luscomb completed a survey: Archaeological Reconnaissance of Proposed Kapoho-Keaukaha Highway, District of Puna, Hawaii (H-822). Included in this extensive survey were several ahupuaas, including Makuu, location of the subject property, and Keonipoko which is adjacent to the subject property. The archaeologists noted that there were some sites, and included a map of all sites located. There were none in the immediate area of our parcel TMK 1-5-10-7.

There were several studies of lava tube caves that have been found in the Puna District, but none were located near the subject parcel. The Shipman Cave and the Puna Cave, are both located several miles further inland. These are the only significant historic sites that have been found in the Puna District.

Short and Long-term Impacts

The short term impacts on the environment will be:

- o moving of earth material for drilling of water well, clearing of the driveway, farm garden and building sites.
- o moving earth for the installation of septic tank and leaching field, and a subsurface disposal area for the swimming pool water.
- o some temporary noise (estimated 4 days) due to presence of earth-moving equipment. Very minor noise would be present during construction: hammering, electric saw buzz et al. There are no immediate neighbors living on the adjacent parcels.
- o Introduction of possible toxic materials used in construction such as paint, paint remover, caulking, gasoline. These materials used only for the purpose intended, properly stored or disposed of at a designated dump site.
- o There are currently no large animals living in the area. Since most of the property will be left in its wild state, insects, birds and small rodents that may be living in the area will experience minor displacement.

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The long term impacts on the environment will be:

- o addition of one family inhabiting the area, where before the area was uninhabited. There are some impacts to the natural environment with any habitation, but the simple lifestyle anticipated on the property, would have minimal negative impact.
- o The proposed work would have minimal impact on the natural environment, as most of the 9.4 acre parcel will not be affected. The proposed area for the driveway, generator hut, well, swimming pool, house, farm building and area for farming, will occupy no more than 1.5 acres. The area that will be cleared for the building sites and for farming, will be the only areas disturbed.
- o For the water source, a well with a submersible pump is planned, with pump capacity of 20 gallons per minute. Estimated daily use of potable water is no more than 150 gallons per day. Irrigation water may be less than this amount. Combined, these two amounts extracted from the ground will have an insignificant impact on ground water resources according to figures provided by geologist Glenn Bauer of the State of Hawaii Division of Water Resource Management. Therefore, no mitigation measures are necessary in relation to the water use. The laying of water lines will follow the line of the driveway, buried in the ground in a trench that follow the line of the driveway. Therefore, there will be no additional disturbance of the surrounding land due to the water source development.

Proposed Mitigation Measures:

Short term impacts

- o earth material moved for clearing of the driveway, farm garden and building sites, drilling of the well and installation of the septic tank and leaching field, will be utilized in the formation of the driveway, and for drainage and landscaping berms. Material will be aggregated in piles on the open grassy areas until ready to be replaced, and none will be removed from the property.
- o Any dust that would be caused by the earth moving would not likely disturb any other human inhabitants, as they are far enough away to be unaffected. If the amount of dust produced would affect the surrounding vegetation and small animal habitat, daily damping measures will be taken. This would entail spraying water from a water drum onto the affected area, to keep the dust from spreading from the immediate area.
- o any temporary noise due to presence of earth-moving equipment or construction would be limited to the daytime work hours.

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- o Any possibly toxic materials used in construction such as paint, paint remover, caulking, gasoline will be properly used, stored and disposed of. All paint water will be transported offsite to a County designated disposal area, so that these chemicals will not endanger the natural environment. No materials will be disposed or be allowed to flow into coastal waters. All persons working on the site will be informed of these objectives and the construction head will be requested to monitor the workers' performance.
- o To mitigate any possible erosion due to construction, construction will take place in the dry months of the year, from April to November. Any graded areas will be stabilized with vegetation to prevent excessive rain runoff or other change that would effect the coastal waters.
- o If there are any animal habitats found in the clearing process, every effort will be made to preserve the habitat, not destroy it. The parcel is large enough that there is flexibility in the placing of buildings or driveway. Our intention is to keep intact as much of the native flora and fauna as possible. Thus, most of the property will be left in its wild state.
- o Organic farming only is planned for the project, so there will be no pesticides or chemical fertilizers introduced into the native environment. Other small farmers in the area have been successful using minimal or no chemicals, producing fine fruits and vegetables.

Mitigation measures for long term impacts on the environment will be:

- o We will try to assist our neighbors and serve the community in whatever capacity we may. We will be good stewards of our land, warning and taking action against anyone found polluting or destroying the natural environment of the area.
- o Our recyclable trash will be hauled to the recycling center in Keaau. The organic trash material will be directed to the compost pile to be used for fertilizer. Any other non-recyclable trash will be hauled for disposal at the nearest waste disposal area.
- o Our objective in building any structure is to use materials and design that will aesthetically harmonize with the natural environment. The materials used will be wood and ceramic tile.
- o Water and power impacts will be minimal. At the present time, the planned water source for the project, for both potable and irrigation water, is well ground water, extracted with an electric submersible pump. The well placement at the mauka end of the parcel is shown on the Site Plan Map. This well would be

Environmental Assessment  
Puna, Hawaii TMK 1-5-10-7

very similar to the well recently installed on neighboring parcel 1-10-5-23.

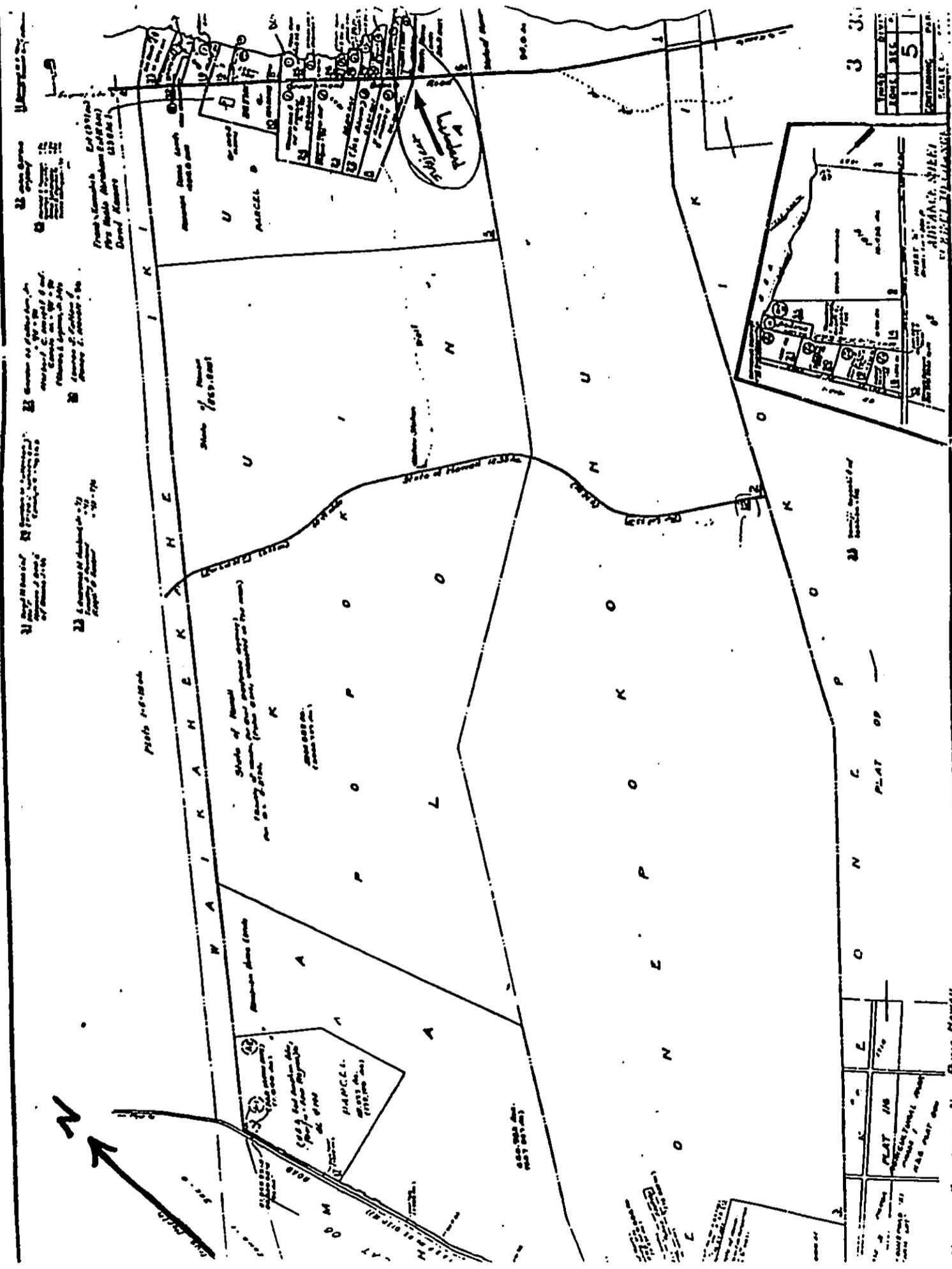
- o Water lines will be installed from the well at the mauka end to the two buildings makai of the well. A trench along the edge of the driveway will be dredged at the time the driveway is graded to provide a place for the conduit. There will thus be minimal additional impact in running the utilities to the buildings.
- o A 7 kilowatt electric generator will provide power, similar to that used in the homes of other residents in the area. Propane gas will power the generator. The generator will be housed in a generator hut to be located on the mauka end of the parcel, near the Government Beach Road, as shown on the Site Plan Map. Propane gas will be used in the house for cooking fuel, therefore an additional above-ground propane tank will be located adjacent to the house. No underground storage tanks will be used. An additional solar powered generator will be used if we can locate an efficient and effective model. Our objective is to live with the resources available, such as the sunlight, rather than bringing in propane gas for power. If practical, we would prefer to use the solar technology.

Determination

After completing the assessment of the environmental impacts of this project, it is our expectation that a negative declaration will be determined by the Board.

MAKUU, PUNA DISTRICT, BIG ISLAND THK 1-5-10-7

LEZUE LENDRA, APUKUA



21. The area shown on this plan is the same as that shown on the plan of the same name filed for record in the Office of the County Clerk of Maui, Hawaii, on the 15th day of May, 1910, and is subject to the provisions of the Act of the Legislature of the Territory of Hawaii, approved March 2, 1909, Chapter 100, Section 1, and the Act of the Legislature of the Territory of Hawaii, approved March 2, 1909, Chapter 100, Section 2.

22. The area shown on this plan is the same as that shown on the plan of the same name filed for record in the Office of the County Clerk of Maui, Hawaii, on the 15th day of May, 1910, and is subject to the provisions of the Act of the Legislature of the Territory of Hawaii, approved March 2, 1909, Chapter 100, Section 1, and the Act of the Legislature of the Territory of Hawaii, approved March 2, 1909, Chapter 100, Section 2.

1	5	1
2	3	3

AREA PLAN 1  
 SCALE 1" = 100' 1/2"

MAUI COUNTY, HAWAII  
 OFFICE OF THE COUNTY CLERK

MAKUU, PUNA DISTRICT, BIG ISLAND LESLIE LENDRA, APPLICANT 1 5 10

21 W. Sullivan, Jr.  
 21 W. Sullivan, Jr.  
 1/8 - 1/8

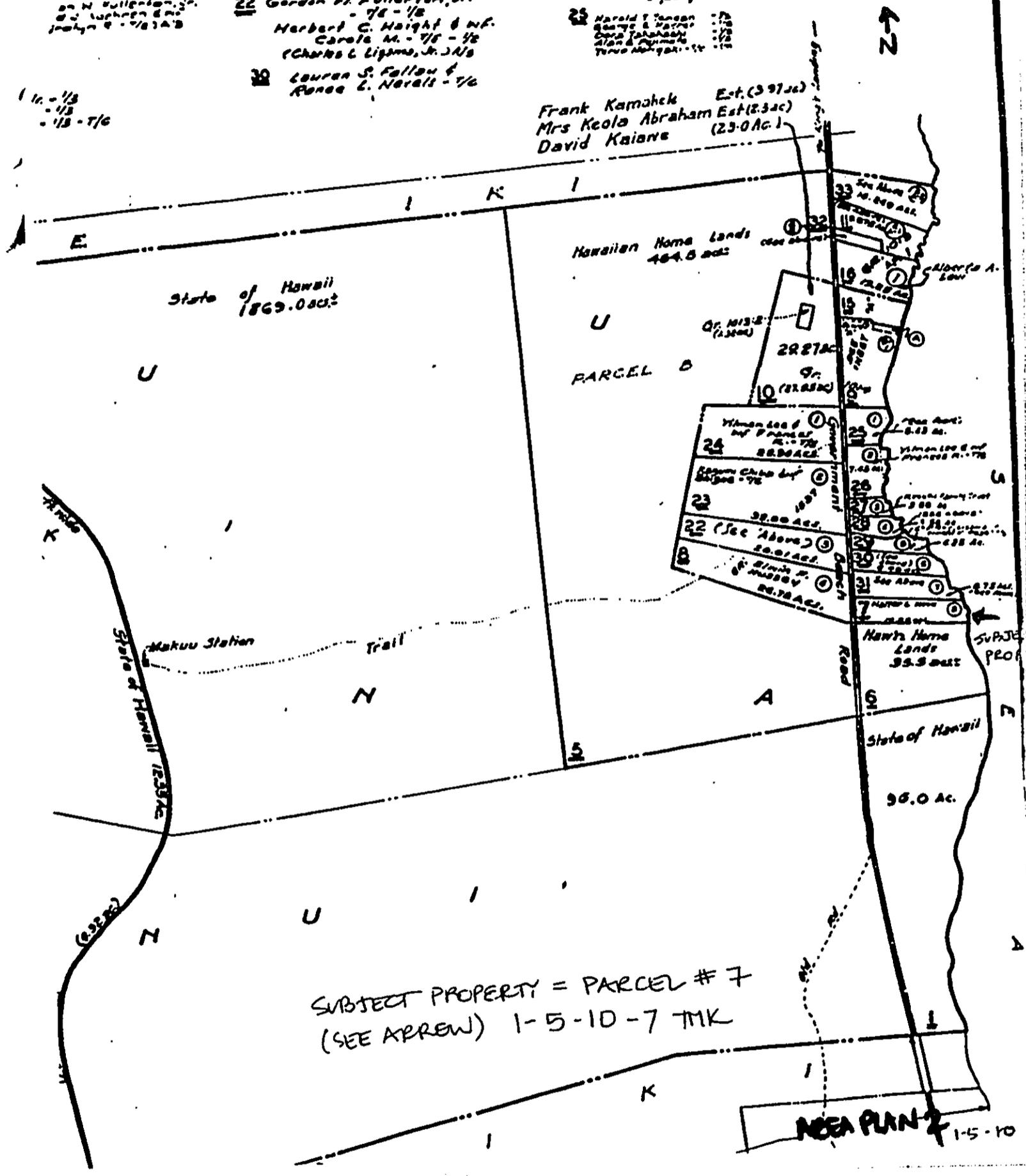
22 Gordon H. Fullerton, Jr.  
 - 1/8 - 1/8  
 Herbert C. Naight & Wf.  
 Carole M. - 1/8 - 1/8  
 (Charles L. Ligano, Jr. JNs)  
 20 Laura S. Fallon &  
 Renee E. Norais - 1/4

32 John Garcia  
 8-2014  
 25 Harold T. Tandon  
 George A. Parker  
 Doris Takahashi  
 Alan & Suzanne  
 Turvo-Murphy

11 Bernard H. P. Chan  
 11 Bernard H. P. Chan  
 11 Bernard H. P. Chan

1/8 - 1/8  
 - 1/8  
 - 1/8 - 1/8

Frank Kamahala Est. (397 ac)  
 Mrs Keola Abraham Est (23 ac)  
 David Kaians (23-0 Ac.)

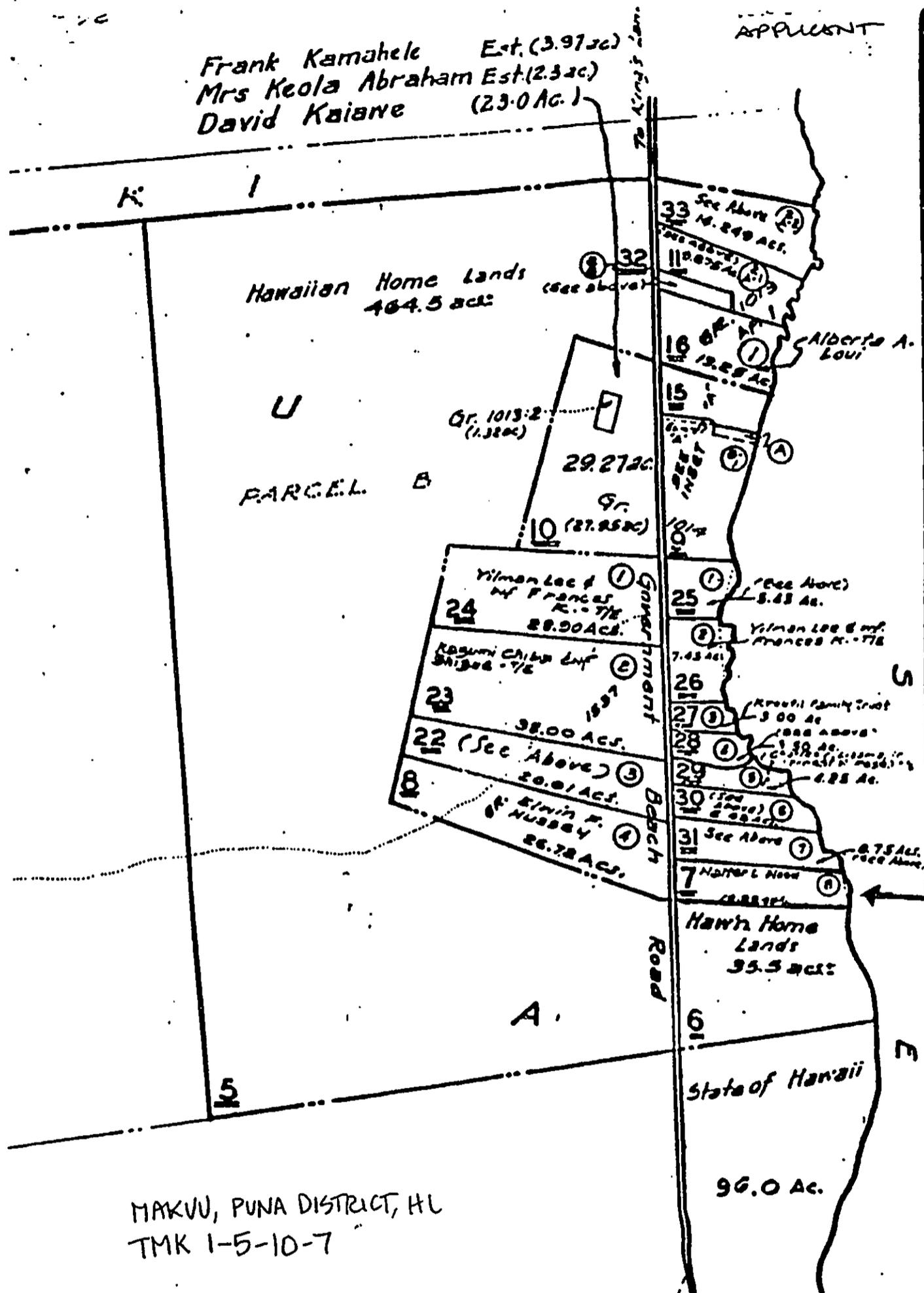


SUBJECT PROPERTY = PARCEL # 7  
 (SEE APPROW) 1-5-10-7 TMK

NEA PLAN 2  
 1-5-10

Frank Kamahela Est. (3.97 ac)  
Mrs Keola Abraham Est. (2.3 ac)  
David Kaiawe (23.0 Ac.)

APPLICANT

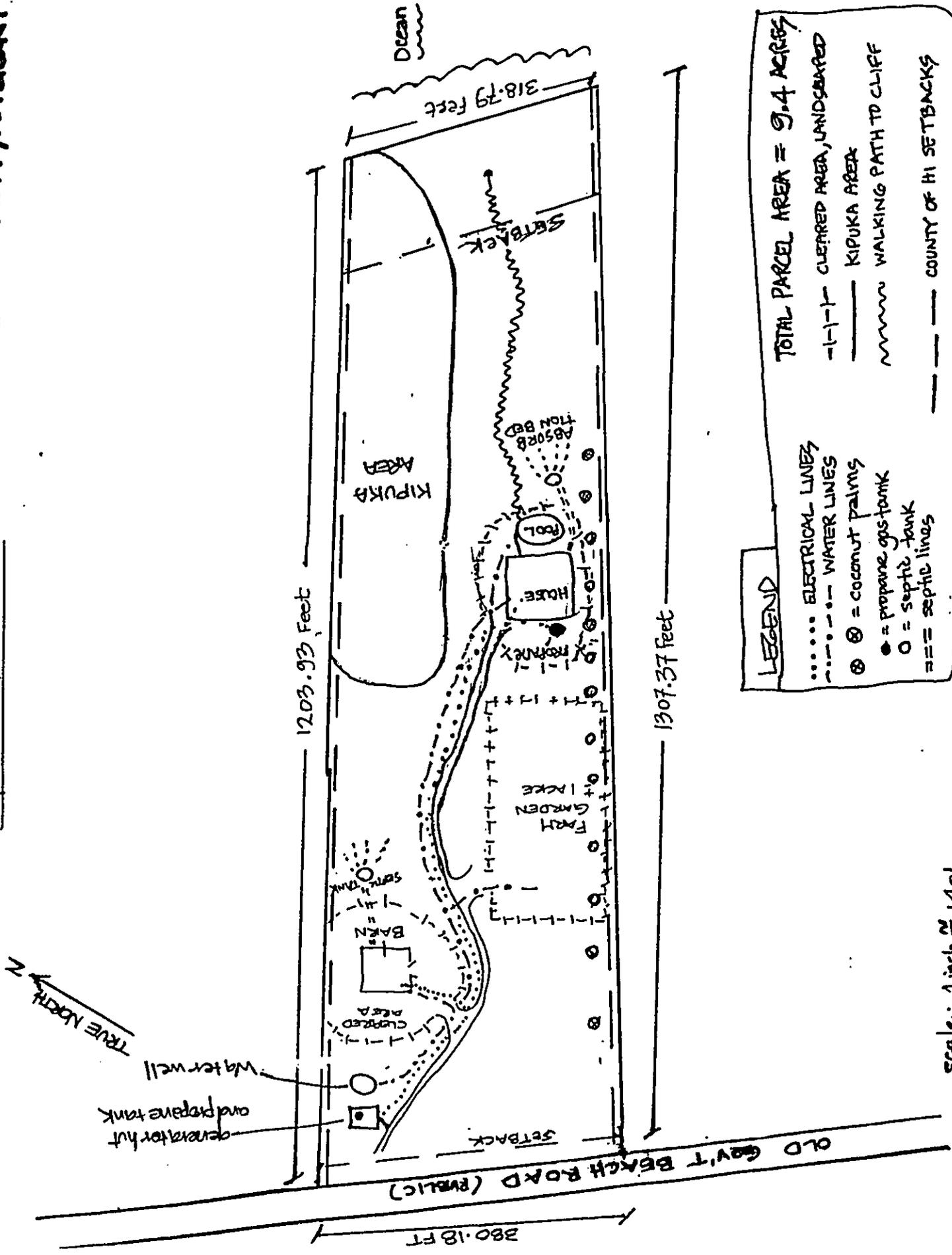


MAKUU, PUNA DISTRICT, HL  
TMK 1-5-10-7

STATE MAP

Proposed Improvements

LESUE LENDRA, APPLICANT



**LEGEND**

- ..... ELECTRICAL LINES
- - - - WATER LINES
- ⊗ = COCONUT PALMS
- = PROPANE GAS TANK
- = SEPTIC TANK
- === SEPTIC LINES

**TOTAL PARCEL AREA = 9.4 ACRES**

- |-|-| CLEARED AREA, LANDSCAPED
- KIPUKA AREA
- ~~~~ WALKING PATH TO CLIFF
- COUNTY OF HI SETBACKS

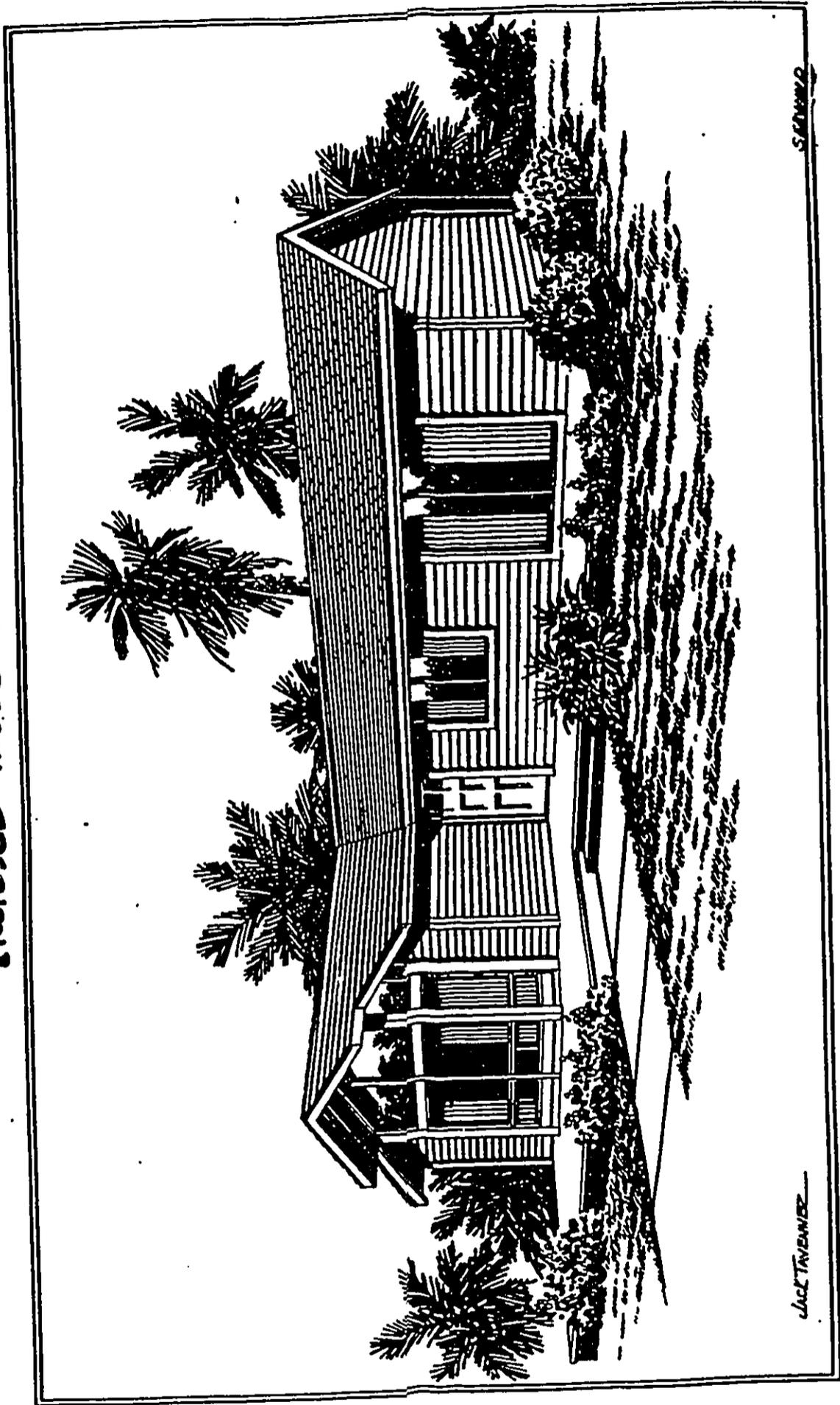
Scale: 1 inch = 140'

MAKUU, PUNA DIST.

TMK 1-5-10-7

SEE MAP 2

PROPOSED HOUSE PLAN



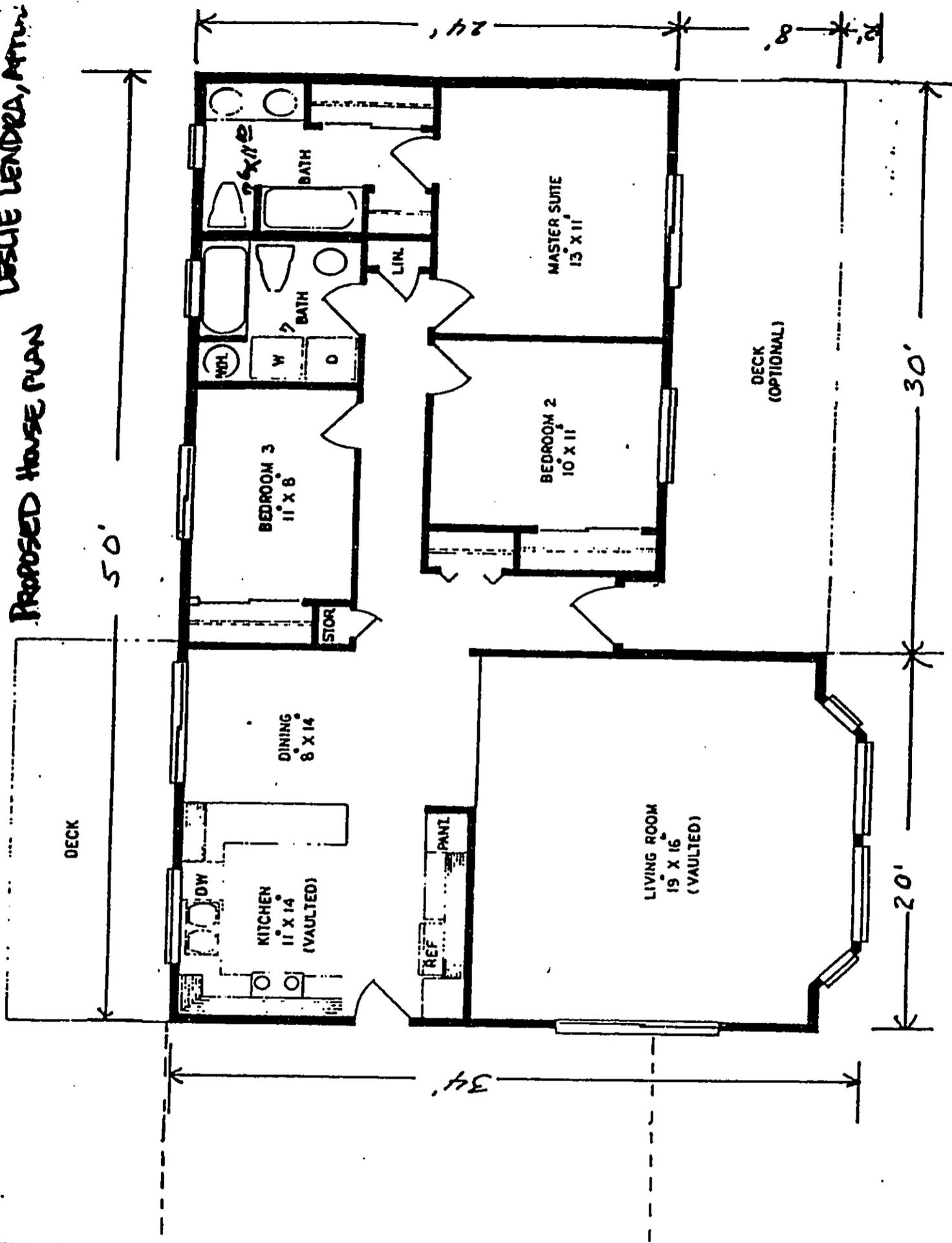
JACK TAVENNER

SANDWICH

MAY 15-1957 SITE PLAN 3 1/2

LESUE LENDRA, ARCHT.

PROPOSED HOUSE PLAN

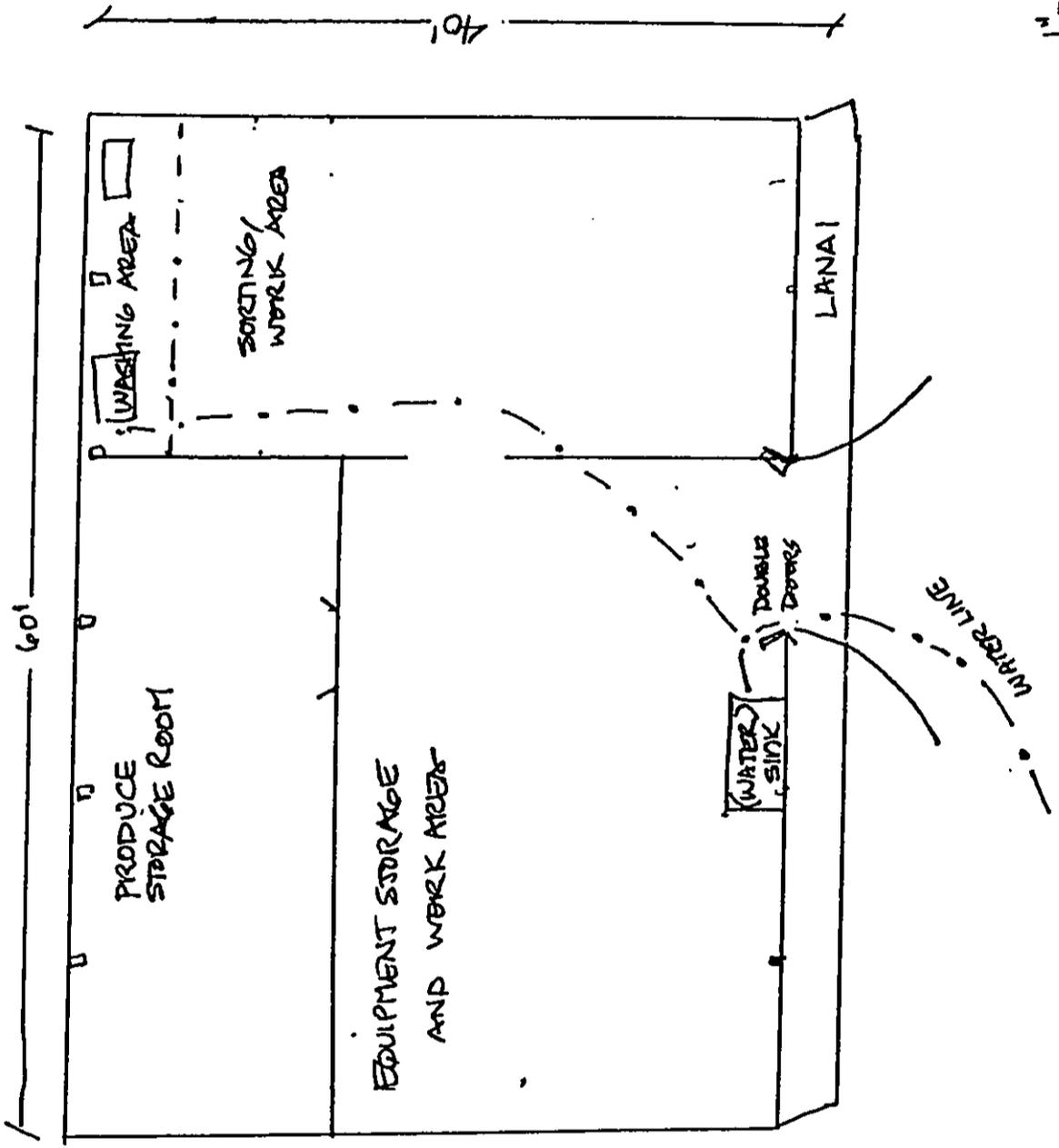


TMK 1-5-10-7

SITE PLAN 3 1/2

INITIATIVE BAKIN FLRIN

LESLIE LENDRA,  
APPLICANT



1" = 10 FEET

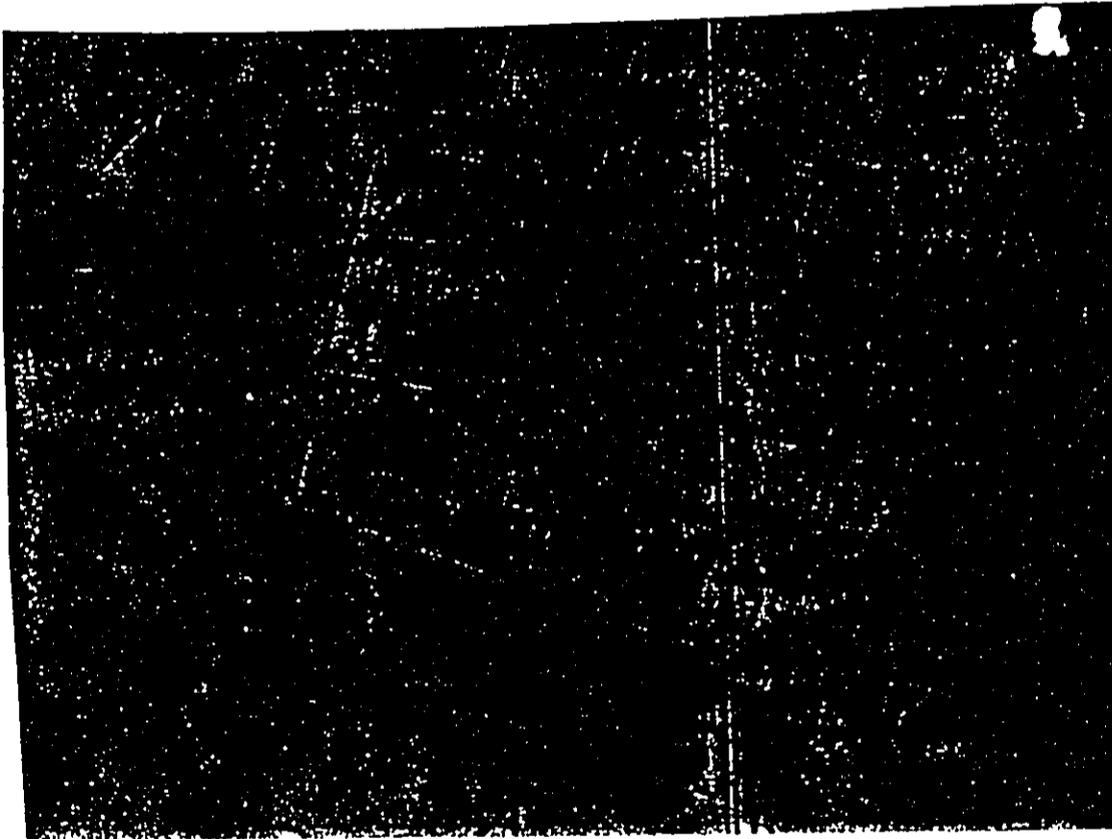
TMK 1-5-10-7

SITE PLAN 4

DOCUMENT CAPTURED AS RECEIVED

12500, 10000, 10000, 10000, 10000

TMK 1-5-10-7 9.342 NEEB



11/13 ->

DOCUMENT CAPTURED AS RECEIVED

MAKUU, BIG ISLAND, PUNA DISTRICT  
TMK 1-5-10-7 9.342 AC



SITE PLAN PHOTO 2/2

DOCUMENT CAPTURED AS RECEIVED

TMK 1-5-10 7 9.342 ACRES



SITE PLAN PHOTO 2/3

APPENDIX  
STATE AND COUNTY AGENCY COMMENTS  
TO CDUA APPLICATION AND APPLICANT  
RESPONSES. Ref: HA-1/11/94-2693

APPENDIX

- A County of Hawaii Planning Department
- B State Office of Hawaiian Affairs
- C State Historic Preservation Division
- D DLNR Aquatic Resources Division
- E County of Hawaii Public Works Department

Stephen K. Yamashiro  
Mayor



114 N  
Virginia  
Director  
Norman Olesen  
Deputy Director

County of Hawaii  
PLANNING DEPARTMENT  
25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 • Fax (808) 961-9615

94 MAR 9 AM 8:51  
RECEIVED  
DLNR  
OCEA

March 3, 1994

Mr. Keith W. Ahue, Chairperson  
Board of Land and Natural Resources  
P. O. Box 621  
Honolulu, HI 96809

Dear Mr. Ahue:

Conservation District Use Application (HA-1/11/94-2693)  
Applicant: Dr. Robert D. Scoren and  
Ms. Leslie S. Lendra  
Proposed Single Family Dwelling, Farm Building  
and Organic Subsistence Farming  
Tax Map Key: 1-5-10:7; Halona, Puna, Hawaii

We have reviewed the above-referenced Conservation District Use Application and provide the following comments:

1. The subject property is situated along the shoreline and within the Special Management Area (SMA). Therefore, an SMA Use Permit Assessment Application for the proposed project is required for our review. On Page 3 of the Draft Environmental Assessment, it appears that the site preparation and other improvements to the property will occur prior to the proposed construction of the single family dwelling. As such, an SMA Permit will likely be required for those activities.
2. A tentative plan for the proposed barn structure should have been included in the CDUA as well.

EXHIBIT A

Mr. Keith W. Ahue  
Page 2  
March 3, 1994

3. The discussion on historic sites (Page 5) makes reference to findings of archaeological surveys conducted on parcels 28 and 33. However, it is not clear as to whether or not a survey was conducted on the subject property by a registered archaeologist or by staff from the State Historic Preservation Division to determine that there are no historic sites. We point out that a number of features on TMK: 1-5-10:29 (Susan Vaughan), located three parcels north of the subject property, were determined to be significant and recommended for preservation.
4. The proposed project should be setback a minimum of 125 feet inland from the edge of the cliff. Setbacks for the proposed dwelling, barn and generator shed should be minimum 30 feet from the front property line and minimum 20 feet from the side boundaries. These minimum setback requirements are applied to Agricultural-1 acre (A-1a) zoned district.

Should you have any questions, please feel free to contact Alice Kawaha of this office at 961-8288.

Sincerely,



VIRGINIA GOLDSTEIN  
Planning Director

AK:mjs

xc: Dr. Robert D. Scoren  
Ms. Leslie S. Lendra

EXHIBIT A

Leslie S. Lendra  
250 Ohua Avenue #2F  
Honolulu, Hawaii 96815

Ms. Virginia Goldstein  
Planning Director  
Hawaii County Planning Dept.  
25 Aupuni Street, Room 109  
Hilo, Hawaii 96720-4252

June 1, 1994

RE: Cдуа (HA-1/11/94-2693) (TK 1-05-10:07: Halona, Puna, Hawaii)

Dear Ms. Goldstein,

In response to your letter dated March 3, 1994 to Mr. Keith Ahue, Chairperson of the Board of Land and Natural Resources, we have addressed your comments and present our response as follows.

Comment #1: regarding the SMA Permit

For the month of April and part of May I had been out of the country at our production plant. When I returned on May 10th 5th I found that all comments had been received from the agencies reviewing the Cдуа, and I began to address them. On May 24th I visited your Hilo office to submit our SMA Use Permit Assessment Application for your review. Ms. Alice Kawaha was kind enough to go over with me the process involved in applying for the SMA. She informed me that the final EA had to be submitted to DLNR and DEQC for publication before your office could make a determination of the SMA permit. I was not aware of the logistics of this process, nor was the DLNR planning office in Honolulu. Apparently the County of Hawaii does things differently than the other counties in this regard. Thus, I am now facing a time problem due to the DLNR 180 day time frame. The Board date for reviewing my application is set for June 24. I am submitting the final EA today, for publication on June 23. Since you will not have had time to respond to the publication, I am hoping that the Board will allow my application to be deferred until the SMA permit (if required) is issued by your office. The next Board meeting will be July 8.

Comment #2 - regarding the plan for the barn structure  
This tentative plan is included in the final EA, as **SITE PLAN 4**.

Comment #3 - regarding historical sites

On May 24, archaeologist Marc Smith of the State Historic Preservation Division, Hilo field office, surveyed the property. I accompanied Mr. Smith to indicate property boundary lines. He is preparing a letter with his recommendations and will send a copy to your office. His survey indicated that most of the parcel was covered by a relatively recent lava flow, with little remaining of historic interest. There is evidence that it also may have been previously graded, as had been neighboring parcels.

APPENDIX-A 1/2

Leslie S. Lendra  
250 Ohua Avenue #2F  
Honolulu, Hawaii 96815

He did identify one area, on the makai portion of the property (see revised site plan for exact location) as a kipuka that may contain historic sites. He recommended that this area be left untouched except for light hand clearing, until a more extensive archaeological examination could be done. As a result, we have moved the house site mauka so that any earth disturbance would take place outside of the indicated area. We will protect that area from any disturbance during construction or any intervention thereafter. Mr. Smith stated that the remaining area of the parcel is of no historical significance. Your office should receive a copy of his survey report within a few days.

Comment #4 - regarding setbacks

We have revised our site plan to conform with the minimum setback requirements for Agricultural-1 acre (A-1a) zoned property, as defined in your letter.

Thank you very much for your attention to our project and for the assistance provided by Ms. Alice Kawaha in clarifying the regulations of the permit process.

Sincerely,

  
Leslie S. Lendra  
Applicant CDUA HA-1/11/94-2693

Encl: Final EA, SMA Use Permit Assessment Application  
CC: Alice Kawaha, County of Hawaii Planning office

APPROXIV-AY

لنفق

1202  
AA-2693



STATE OF HAWAII  
OFFICE OF HAWAIIAN AFFAIRS  
711 KAPIOLANI BOULEVARD, SUITE 500  
HONOLULU, HAWAII 96813-5249  
PHONE (808) 586-3777  
FAX (808) 586-3799

March 14, 1994

RECEIVED  
1994 MAR 16 AM 9:26  
DLNPR  
OCEA

Mr. Keith W. Ahue, Chairperson  
Board of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawai'i 96809

Re: CDUA, Leslie S. Lendra/Robert D. Scoren, HA-1/11/94-2693,  
Single Family Dwelling, Puna, Hawai'i, TMK:1-5-10:7

Dear Mr. Ahue:

Thank you for the opportunity to review the above-referenced Conservation District Use Application. Our concern is with the possibility that archaeological remains and endangered flora could be found on the property.

The applicant has done a considerable amount of archaeological research on the general area. However, the applicant indicates that an archaeological survey of this parcel has never been done. Since the parcel is quite large and densely covered with overgrowth, which could hide archaeological features, we suggest that a survey of the property be done. The survey could be completed by a qualified archaeologist able to ascertain the likelihood of archaeological resources remaining on the property.

We have a similar concern about the possibility of endangered flora on the parcel. It appears that the property could have been previously graded. If the property has been previously graded then the chance of finding endangered species is limited. However, the applicant does not indicate whether grading has or has not occurred. If the applicant is not able to state unequivocally that the property has been previously graded, then the applicant should be required to survey the property for endangered flora.

If you have any questions concerning our comments, please contact Lynn J. Lee, in our Land and Natural Resources Division at 594-1936.

Paul Rosenbahl - Hilo

Mrs. Char - Big Isle  
Kueiyn

Hist Preservation - Honolulu  
Ross Cordery  
587-c-12

Me ka 'oia'io

*Janita A. D. Murphy*  
Dante K. Carpenter  
Administrator

EXHIBIT B

Leslie S. Lendra  
250 Ohua Avenue #2F  
Honolulu, Hawaii 96815

Mr. Dante Carpenter, Administrator  
State of Hawaii, Office of Hawaiian Affairs  
711 Kapiolani Blvd. Suite 500  
Honolulu, HI 96813-5249

June 1, 1994

RE: CDUA (HA-1/11/94-2693) (TRK 1-05-10:07; Halona, Funa, Hawaii)

Dear Mr. Carpenter,

In response to your letter dated March 14, 1994 to Mr. Keith Ahue, Chairperson of the Board of Land and Natural Resources, we have addressed your comments and present our response as follows.

Comment #1 - regarding historical sites  
On May 24, archaeologist Marc Smith of the State Historic Preservation Division, Hilo field office, surveyed the property. I accompanied Mr. Smith to indicate property boundary lines. He is preparing a report with recommendations and will send a copy to your office. His survey indicated that most of the parcel was covered by a relatively recent lava flow, with little remaining of historic interest. There is evidence that it also may have been previously graded, as had been neighboring parcels. He identified one area, on the makai portion of the property (see enclosed revised site plan) as a kipuka that may contain historic sites. He recommended that this area be left untouched except for light hand clearing, until a more extensive archaeological examination could be done. As a result, we have moved the house site mauka so that any earth disturbance would take place outside of the indicated area. We will protect that area from any disturbance during construction or any intervention thereafter. Mr. Smith stated that the remaining area of the parcel is of no historical significance. You should receive a copy of his survey report shortly.

Comment #2 - regarding possible presence of endangered flora  
After surveying the property from mauka to makai, and along the makai boundary from north to south, archaeologist Mr. Marc Smith of the State Historic Preservation Division, Hilo office, determined that no endangered native flora were found on the parcel. Moreover, the area appears to have been graded at one time, with the exception of the above mentioned kipuka area. The vegetation existing is exotic, primarily guava and lantana. He felt that there was no indication of endangered flora, and that no further investigation was necessary. The kipuka area, the only area of historic interest, will be protected, and when a more intensive archaeological survey is done of the area, we will check the area for endangered flora as well.

Sincerely,



Leslie S. Lendra, Applicant CDUA HA-1/11/94-2693

APPENDIX-B

HA-2613

March 8, 1994

LOG NO: 10803 ✓  
DOC NO: 9403PM03

MEMORANDUM

TO: Roger Evans, Administrator  
Office of Conservation and Environmental Affairs

FROM: Don Hibbard, Administrator  
State Historic Preservation Division



SUBJECT: Proposed construction of single family residence, farm building and  
subsistence farming--CDUA HA-2693  
(Leslie Lendra and Robert Scoren)  
Puna, Hawai'i  
TMK: 1-5-10:7

Several recent archaeological surveys have been done in this area of Puna, some of which are noted in the application. A number of historic sites were found in parcel 33. No historic sites were found in parcel 28, which had been bulldozed some time earlier. Parcel 29 on the south was found to contain a number of historic sites. Parcel 29, like parcel 33, has not been bulldozed. On current evidence all of the undisturbed coastal lands on older lava flows in the local area contain historic sites, while those that have been disturbed do not.

The applicant's conducted their own survey and found no evidence of historic sites, but based on what we know of the area there is good reason to expect the presence of historic sites on the subject property, which appears to be undisturbed.

In the absence of a professional survey we cannot concur at this time that the proposed action will have "no effect." To assist in making a determination, Marc Smith of our Hilo office will make a fieldcheck of the parcel. We recommend that no decision be made until the fieldcheck is completed.

If you have any questions, please feel free to contact Pat McCoy (587-0007) or Marc Smith (933-4346).

PM:ank

✓ c: Ms. Leslie Lendra

94 MAR 11 AM 11:02  
RECEIVED  
DLEHR  
OCEA  
EXHIBIT C

Leslie S. Lendra  
250 Ohua Avenue #2F  
Honolulu, Hawaii 96815

Mr. Don Hibbard  
Administrator  
State of Hawaii  
Historic Preservation Division  
335 Merchant St.  
Honolulu, HI 96813

June 1, 1994

RE: CUA (HA-1/11/94-2693) (TMK 1-05-10:07: Halona, Puna, Hawaii)

Dear Mr. Hibbard,

In response to your letter dated March 8, 1994 to Mr. Keith Ahue, Chairperson of the Board of Land and Natural Resources, we have addressed your comments and present our response as follows.

On May 24, archaeologist Marc Smith of the State Historic Preservation Division, Hilo field office, surveyed the property. I accompanied Mr. Smith to indicate property boundary lines. He is preparing a field survey report with his comments. His survey indicated that most of the parcel was covered by a relatively recent lava flow, with little remaining of historic interest. There is evidence that it also may have been previously graded, as had been neighboring parcels. He identified one area, on the makai portion of the property (see revised site plan for exact location) as a kipuka that may contain historic sites. He recommended that this area be left untouched except for light hand clearing, until a more extensive archaeological examination could be done. As a result, we have moved the house site mauka so that any earth disturbance would take place outside of the indicated area. We will protect that area from any disturbance during construction or any intervention thereafter. Mr. Smith stated that the remaining area of the parcel is of no historical significance. We hope that the information reported by Mr. Smith satisfies your concerns regarding historical sites and we have your concurrence that the proposed action will have no effect of historic significance.

Thank you very much for your attention to our project.

Sincerely,



Leslie S. Lendra  
Applicant CUA HA-1/11/94-2693

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WEN  
3/2

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Office of Conservation and Environmental Affairs  
Honolulu, Hawaii

DIVISION OF AQUATIC RESOURCES	
DIRECTOR	Reference Date: <input checked="" type="checkbox"/>
COM FISH	<input checked="" type="checkbox"/>
AO RES	<input checked="" type="checkbox"/>
AG REC	<input type="checkbox"/>
STAFF SVCS	<input type="checkbox"/>
FISH DEV	<input type="checkbox"/>
STATISTICS	<input type="checkbox"/>
AFRC	<input type="checkbox"/>
EDUCATION	<input type="checkbox"/>
FILE NO.:	HA-1/11/94-2693
180-Day Exp. Date:	07/10/94
SUSPENSE DATE: 21 Days	94-237
DOC. NO.:	4100

FEB 8 1994

FILE NO.: HA-1/11/94-2693  
180-Day Exp. Date: 07/10/94  
SUSPENSE DATE: 21 Days  
DOC. NO.: 4100

MEMORANDUM

TO: Aquatic Resources; Conservation & Resources  
Enforcement; Forestry & Wildlife, Historic  
Preservation; Land Management; Natural Area Reserves  
System; State Parks; Water and Land Development;  
Water Commission

RECEIVED

FROM: Office of Conservation and Environmental Affairs

FEB 8 1994

SUBJECT: REQUEST FOR COMMENTS  
Conservation District Use Application

Div. of Aquatic Resources

APPLICANTS: Ms. Leslie S. Lendra  
Dr. Robert D. Scoren

FILE NO.: HA-1/11/94-2693

REQUEST: Single Family Residence, Farm Building and Organic  
Subsistence Farming

LOCATION: Puna, Hawaii

TMK(s): TMK: 1-5-10: 7

PUBLIC HEARING: YES \_\_\_\_\_ NO X

DOCARE: Please conduct a field inspection on this project.  
Should you require additional information, please call Cathy  
Tilton at 7-0377.

If no response is received by the suspense date, we will assume  
there are no comments.

  
ROGER C. EVANS

Attachment(s)

See attached Henry M. Shale  
3/2/94

DLNR  
OCEA

94 MAR 3 AM 9:44

RECEIVED

EXHIBIT D

State of Hawaii  
Department of Land and Natural Resources  
DIVISION OF AQUATIC RESOURCES

Date: March 2, 1994

TO: Paul Kawamoto, Program Manager, Aquatic Resources & Environmental Protection  
FROM: <sup>RS</sup> Richard Sixberry, Aquatic Biologist  
SUBJECT: Comments on Conservation District Use Application HA-2693

Comment Requested by Roger Evans, Office of Conservation and Environmental Affairs Date of Request 02/08/94 Date Rec'd. 02/08/94

Summary of Proposed Project

Title: Single Family Residence, Farm Building, etc.

Project by: Ms. Leslie S. Lendra & Dr. Robert D. Scoren

Location: Puna, Hawaii

Brief Description:

The applicant proposes to construct a home site, swimming pool, a farmhouse, a generator hut, a water well and a driveway to the home site from the main public access road. One acre in the center of the 9.4 acre parcel will be cleared for subsistence farming. The property is located makai of Government Beach Road 4 miles north of Pahoehoe, [Puna] Hawaii.

Comments:

The project as described should not significantly impact aquatic resource values since all proposed construction activities appear to be at least 300 feet from the shoreline. However, areas denuded of vegetation or susceptible to erosion should be appropriately stabilized and precautionary measures taken to prevent construction materials, petroleum products, wastes, swimming pool chemicals, herbicides, pesticides, debris, eroded soil, and other potential contaminants from entering coastal waters.

Finally, any existing historical and traditional access and/or trails to and along the shoreline must not be restricted or denied.

DHR

EXHIBIT D

Leslie S. Lendra  
250 Ohua Avenue #2F  
Honolulu, Hawaii 96815

Mr. Paul Kawamoto, Program Manager  
State of Hawaii  
DLNR-Division of Aquatic Resources  
Aquatic Resources & Environmental Protection Engineering Division  
P.O. Box 621  
Honolulu, HI 96809

June 1, 1994

RE: CDUA (HA-1/11/94-2693) (TMK 1-05-10:07: Halona, Puna, Hawaii)

Dear Mr. Kawamoto,

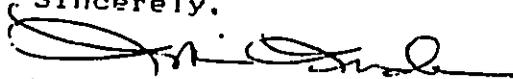
In response to your memo dated March 2, 1994 to Mr. Roger Evans, Office of Conservation and Environmental Affairs, we have addressed your comments and present our response as follows.

Comment #1 - regarding erosion stabilization and runoff  
We agree to make sure that any areas cleared for building or otherwise denuded of vegetation will be appropriately stabilized with landscaping or berming to prevent possible runoff into coastal waters. Any chemicals or other potential contaminants will be disposed of properly, not allowed to runoff over the cliffs into coastal waters.

Comment #2 - regarding historical or traditional access  
We agree that any existing historical or traditional access to the shoreline will not be restricted or denied, provided this access does not traverse our parcel boundaries. Fishermen will not be denied access to the shoreline area outside the boundaries of our parcel.

Thank you very much for your attention to our project.

Sincerely,



Leslie S. Lendra  
Applicant CDUA HA-1/11/94-2693

*Handwritten initials*

Stephen K. Yamashiro  
Mayor



10 10 20 20 20 20

467-2693

Donna Fay K. Kiyosaki  
Chief Engineer  
Riley W. Smith  
Deputy Chief Engineer

**County of Hawaii**  
**DEPARTMENT OF PUBLIC WORKS**  
225 Aupuni Street, Room 202 • Hilo, Hawaii 96720-4252  
(808) 961-8321 • Fax (808) 969-7138

February 23, 1994

*Handwritten mark*

MR KEITH W AHUE  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
P O BOX 621  
HONOLULU HI 96809

SUBJECT: CONSERVATION DISTRICT USE APPLICATION FOR  
APPLICATION NO.: HA-1/11/94-2693  
Location: Maku'u, Puna, Hawaii  
TMK: 3rd Div./1-5-10: 7

We have reviewed the subject application and have the following comments:

1. Building shall conform to all requirements of codes and statutes pertaining to building construction.
2. All development generated runoff shall be disposed of on site and shall not be directed toward any adjacent properties.

*Handwritten signature of Galen M. Kuba*

GALEN M. KUBA, Acting Division Chief  
Engineering Division

STT:byf

cc: Planning Department

DLNR  
OCEA

94 FEB 28 AM 11:29

RECEIVED

EXHIBIT E

Leslie S. Lendra  
250 Ohua Avenue #2F  
Honolulu, Hawaii 96815

Mr. Galen M. Kuba  
Acting Division Chief  
County of Hawaii  
Department of Public Works  
Engineering Division  
25 Aupuni Street Room 202  
Hilo, HI 96720

June 1, 1994

RE: CDUA (HA-1/11/94-2693) (TMK 1-05-10:07; Halona, Puna, Hawaii)

Dear Mr. Kuba,

In response to your letter dated February 23, 1994 to Mr. Keith Ahue, Chairperson of the Board of Land and Natural Resources, we have addressed your comments and present our response as follows.

Comment #1 - regarding building codes and statutes.  
We agree to make sure that all our buildings will conform to the requirements of the County of Hawaii's building codes and statutes.

Comment #2 - regarding development runoff  
We agree to take preventive measures during grading and construction so that all development runoff will be disposed of on site and shall not be directed toward adjacent properties.

Thank you very much for your attention to our project.

Sincerely,



Leslie S. Lendra  
Applicant CDUA HA-1/11/94-2693