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

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

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OFFICE OF ENVIRONMENTAL
QUALITY CONTROL

Memorandum

To: Genevieve Salmonson, Director
Office of Environmental Quality Control

From: Harry Yada, Acting Administrator *[Signature]*
Land Division, Department of Land and Natural Resources *Piha Kahuku*

Subject: Final Environmental Assessment (EA) / Finding of No Significant Impact (FONSI) for Organic Agriculture and Related Uses in the Conservation District at parcels TMK (3) 3-2-04:43 and :44

The Department of Land and Natural Resources has reviewed the comments received during the 30-day public comment period that began May 8th, 2001 for the subject project. We have determined that this project will not have significant environmental effects, and have therefore issued a FONSI. Please publish this notice in the August 23rd issue of the Environmental Notice.

We have enclosed a completed OEQC Bulletin Publication Form and four copies of the Final EA for the project. Comments on the draft EA were sought from relevant agencies and included in the final EA.

Please contact Masa Alkire of our Planning Branch at 587-0385 if you have any questions on this matter.

105

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2001-08-23-HI-PEA-Piha Kahuku Organic Farm
FILE COPY

CONSERVATION DISTRICT USE APPLICATION

GB Hajim

District of North Hilo, Hawai'i
TMK No: (3) 3-2-04:43 (aka Lot 11)
and
TMK No: (3) 3-2-04:44 (aka Lot 11-A)

Prepared for:

GB Hajim

Prepared by:

GB Hajim and Karen Akiba

JULY 2001

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

CONSERVATION DISTRICT USE APPLICATION FORM

(Print or Type)

FOR DLNR USE ONLY

Reviewed by _____
Date _____
Accepted by _____
Date _____
Docket/Fine No. _____
180-Day Exp. _____
EIS Required _____
FH Required _____
Board Approved _____
Disapproved _____

SUMMARY PAGE

I. LANDOWNER

(If State land, to be filled
by State of Hawaii or
government entity with
management control over
parcel.)

Name G.B. Hajim

Address

PO Box 373
Hakalau, HI 96710

Telephone No. (808) 963-5482

SIGNATURE

DATE

NOTE: Signature of an
authorized representative
of DLNR under this section
is not to be construed as
an approval or as an
application which shall be
submitted separately with
the appropriate fee. Also,
for private lands with multiple
owners, the application shall
be signed by landowners whose
property interests constitute
or exceed 85% of the fee
ownership of the parcel(s).

II. APPLICANT

Name G.B. Hajim

Address

PO Box 373
Hakalau, HI 96710

Telephone No. (808) 963-5482

Interest in Property owner

(Indicate interest in property;
submit written evidence of this
interest.)

*SIGNATURE

Date

*If for a Corporation, Partnership,
Agency or Organization, must be
signed by an authorized officer.

AGENT

Name _____

Address _____

Telephone No. _____

CONSERVATION DISTRICT USE APPLICATION FORM

III. TYPE OF PERMIT

Board permit.

IV. LAND PARCEL LOCATION

Island: Hawai'i

County: Hawai'i

District: North Hilo

Tax Map Keys:

TMK 3-3-2-04:43

TMK 3-3-2-04:44

Area of Parcels 5.003 acres and 11.182 acres

V. SUMMARY OF PROPOSED IDENTIFIED LAND USE:

The Applicant is seeking approval of:

- (1) Establishment of organic agricultural uses which includes a small scale timber farm and non-commercial fruit orchard, and removal of noxious species, establishment of a native forest restoration area, and establishment of a vegetable garden and kalo patch;
- (2) Building of a workshed, shadehouse and water catchment system;
- (3) Improvements and extensions to the existing jeep roads.

VI. ENVIRONMENTAL REQUIREMENTS

(See attached document titled Draft Environmental Assessment)

VII. DESCRIPTION OF PARCEL

The parcels lie between two rivers- Kalaeha Stream and Waikaumalo River. The two parcels are in the General Conservation Subzone. An unmaintained DLNR road separates the two. There are no existing utilities. While most of the surrounding properties were formerly planted in sugar cane, the subject properties were not. Historically, these properties were used for pasture and other agricultural uses. Currently the lands lie vacant. Immediately adjoining properties are also vacant. The subject property contains a majority of non-native plants such as cane, guava, molasses grass (*Melinis minutiflora*), and is dominated by *Melastome candidum*.

For more detailed description, please see attached EA and its exhibits.

VIII. COMMENCEMENT DATE: Upon approval of CDUA.

COMPLETION DATE: Two years from Approval of CDUA.

IX. CITE AND DESCRIBE IN DETAIL THE PROPOSED IDENTIFIED LAND USE:

1. Agricultural Uses

All proposed agricultural use will be non-chemical.

- Small Scale Timber Farm. The Applicant proposes a timber farm to include, but not be limited to 4 acres.
- Fruit Orchard. The proposed uses include, but not be limited to 4 acres of tropical fruit orchard. Non-chemical agricultural practices will be used. The purpose of the fruit trees is to provide sustenance for the Applicant and his family.
- Removal of Noxious Species. The Applicant proposes removing as much of the noxious plants as possible without using chemicals. Particular focus will be on guavas and melestome plants which reproduce abundantly on the Property.
- Establishment of a Native Forest Restoration Area. The Applicant proposes replanting an area of, but not be limited to, 4 acres. Non-native invasive plant species will be removed from these areas. Native plants and trees will be replanted with particular focus on those that are threatened. Proposed native plants include 'A'ali'i, 'Äkia, Keahi, 'Ohe, Alahe'e, 'Öhi'a, Lowland Koa, Köpiko, Kamani, Kukui, Loulu, Niu, Ilihia, Kukui, Milo, Olonä (by stream), Wauke, and Olopua.
- Vegetable garden and Kalo patch. The Proposed Action includes a small vegetable garden and Kalo patch to comprise an area of under one acre. As with other agricultural uses in the Proposed Action, no pesticides or herbicides will be used. All sites intended for non-native plants were chosen based on the fact that they are either flat, or slope towards the center of the property and away from the palis.

Agricultural land uses are permitted land uses within the General (G), Limited (L), and Resource (R) subzones, under Section 13-5-25, HAR.

L-1 Agriculture: Agriculture within an area of more than one acre, defined as the planting, cultivating, and harvesting of horticultural crops, floricultural crops, or forest products, or animal husbandry. A management plan is also required (See Exhibit 7, Management Plan). (D-1)

R-5 Landscaping: Landscaping, defined as alteration of plant cover, including trees, in an area of more than ten thousand square feet. (C-1)

2. Accessory Agricultural Buildings and Structures

- Water Catchment System. The Applicant proposes placing a 6,000 gallon rain catchment water tank at the highest elevation on the property so that water to agricultural sites will be gravity fed. A minimal amount of grading may also be necessary for the tank site.

- Storage and Workshed. The Applicant seeks approval to construct storage and workshed for agricultural Tools. The workshed/storage will be less than 1000 sq ft and less than 20 feet tall, which, in effect, replaces the tool, shed that has fallen into disrepair. The workshed is proposed to be located along Stone Road, approximately 100 ft from the makai border of the Property.
- Shadehouse. A shadehouse is proposed to act as a nursery for young plants and trees. It will be approximately 100 feet from the mauka border.

L-7 Structures, Accessory: Construction or placement of structures accessory to an existing structure, building, or facility under an existing conservation district use permit. Accessory uses shall be allowed only if they are consistent with the purpose of the conservation district. (B-1)

3. Improvements to Existing Jeep Roads

The Proposed Action includes improving 2 existing jeep roads. Grading and placement of gravel along a portion of the existing jeep roads constitutes permitted land uses within the General (G) subzone, under section 13-5-25, HAR. Currently access to some parts of the Property is limited to foot traffic. Areas of some of the Proposed Actions are inaccessible and the grading and laying gravel on the jeep roads would enable agricultural vehicles to access them.

Placement of gravel along the existing jeep road to reduce erosion is a permissible land use within the General (G) subzone, under Section 13-5-25 HAR.

L-3 Erosion Control: Erosion control, flood control, and other hazard prevention devices or facilities. (D-1)

X. AREA OF PROPOSED USE

10 ACRES

XI. NAME AND DISTANCE OF NEAREST TOWN:

NINOLE - 2 MILES

XII. LAND USE COMMISSION BOUNDARY INTERPRETATION:

Map attached as Exhibit 8 of EA.

XIII. SUBZONE BOUNDARY DETERMINATION

The proposed land uses are well away from either subzone boundaries, over 300 feet on each side. (See Exhibit 8 of EA, Boundary Interpretation)

XIV.FEES

\$100 is included with Application.

XV.PLANS

A Draft Environmental Assessment is attached which includes a Site Plan and Management Plan.

XIV. CRITERIA IN THE CONSERVATION DISTRICT USE APPLICATION

1. The Proposed land use is consistent with the purpose of the Conservation District

Chapter 205 Hawaii Revised Statutes maintains that lands in the Conservation District shall include "...forestry; open space areas whose existing openness, natural condition, or present state of use, if retained, would enhance the present or potential value of abutting or surrounding communities, or would maintain or *enhance the conservation of natural or scenic resources.*" The proposed action complies with this statute.

2. The Proposed land use is consistent with the objectives of the subzone of the land on which the use will occur

Section 13-5-14, HAR, maintains that the objective of the General (G) subzone. "is to designate open space where specific conservation uses may not be defined, but where urban use would be premature." Lands included in the General (G) subzone include "Lands suitable for farming, flower gardening, operation of nurseries or orchards, grazing; including facilities accessory to these uses when the facilities are compatible with the natural physical environment." Further, all identified land uses for the Protective (P)(Section 13-5-22), Limited (L)(Section 13-5-23) and Resource (R)(Section 13-5-24) subzones also apply to the General (G) subzone under 13-5-25, HAR.

The Proposed Land uses:

Organic agricultural uses which include a small-scale timber farm and non-commercial fruit orchard, removal of noxious species, the establishment of a native forest area, and establishment of a vegetable garden and kalo patch

Building of a workshed, shadehouse and water catchment system

Improve and extend existing jeep roads

Are consistent with the objective of the General Subzone.

3. The proposed land use complies with provisions and guidelines contained in Chapter 205A, Hawaii Revised Statutes (HRS), entitled "Coastal Zone Management"

A letter dated April 11, 2000 from then Planning Director Virginia Goldstein of the County of Hawaii Planning Department states that the parcels are not within the Special Management Area.

4. The proposed land use will not cause substantial adverse impact to existing natural resources within the surrounding area, community, or region

The most significant natural resource near the property is the two rivers, which border the property. . The Applicant proposes maintaining a 100 ft native forest buffer, with a goal of controlling erosion down to the streams. As non-chemical agriculture will be practiced on the Property, agricultural chemicals will not enter the streams and thus the ocean. In addition, grading, clearing and planting activities will be restricted to periods of minimal rainfall.

5. The proposed land use, including buildings, structures and facilities, shall be compatible with the locality and surrounding areas, appropriate to the physical conditions and capabilities of the specific parcel or parcels

The surrounding area is littered with small family homesteads. Most parcels are fruit orchards or are used for cattle grazing.

6. The existing physical and environmental aspects of the land, such as natural beauty and open space characteristics, will be preserved or improved upon, whichever is applicable

Much attention will be placed on replanting native species to enhance the land dominated by alien species. The plantings will all preserve the beauty and preserve the openness of the land.

7. Subdivision of the land will not be utilized to increase the intensity of land uses in the Conservation District

The proposed land use does not include subdividing the land.

8. The proposed land use will not be materially detrimental to the public health, safety and welfare

Growing plants and fruits organically will have no negative effect to the public. Every care will be taken to keep the rivers clean.

FINAL

ENVIRONMENTAL ASSESSMENT

GB Hajim

District of North Hilo, Hawai'i
TMK No: (3) 3-2-04:43 (aka Lot 11)
and
TMK No: (3) 3-2-04:44 (aka Lot 11-A)

Prepared for:

GB Hajim

Prepared by:

GB Hajim and Karen Akiba

JULY 2001

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Summary

Applicant/ Owner: GB Hajim

Property Location: Property located at 1100' to 1200' elevation above Ninole town on the Hamakua Coast between Kalaeha and Waikaumalo Streams

Tax Map Keys: TMK 3-3-2-04:43 (aka Lot 11) and TMK 3-3-2-04:44 (aka Lot 11-A)

Area of Parcels: 5.003 acres and 11.182 acres respectively

Approving Agency: Department of Land and Natural Resources, PO Box 621, Honolulu, HI 96813

Proposed Action: Applicant GB Hajim seeks approval to develop his property for non-commercial organic agricultural use. The Applicant wishes to build a workshed, shadehouse, and water catchment system that follows the county codes for building and wastewater disposal on the property, as well as develop small scale timber farm, fruit orchard, vegetable garden and dryland kalo patch, and replant much of the Property with native and endemic plants and trees. The Property includes two adjacent parcels totaling 16.185 acres located between Kalaeha Stream and Waikaumalo River. The Property is in the Conservation District Subzone G. The Property is accessed via Piha Kahuku Road in Ninole, Hawaii.

Determination: The proposed action is expected to have no significant impact on the environment, therefore, a Finding of No Significant Impact (FONSI) is anticipated subject to provisions of Section 11-200-9, HAR.

Agencies Consulted: U.S. Government

- U.S. Department of Agriculture
- Federal Soil Conservation Service
- U.S. Fish and Wildlife Service

State of Hawaii

- The Department of Land and Natural Resources
- Planning Department
- Environmental Planning Office

- The Land Use Planner
- Office of Environmental Quality Control
- Department of Health
- Division of Forestry and Wildlife
- Office of Hawaiian Affairs
- DLNR- Division of Aquatic Resources
- The Land Use Commission
- Office of Planning at DBEDT
- Department of Agriculture

1.1 Identification of Applicant and Ownership

The applicant is G.B. Hajim, whose mailing address is PO Box 373, Hakalau, HI 96710. The applicant is the fee owner of the properties involved in the project. The applicant's ownership of the property is evidenced by the Quitclaim Deed, dated February 1, 2000, recorded at the Bureau of Conveyances of the State of Hawaii on March 10, 2000 as Document No. 2000-032191 (see, Exhibit 1- Location Map; Exhibit 2- Tax Map; Exhibit 5- Quitclaim Deed).

1.2 Identification of Approving Agency

This environmental assessment is being submitted in conjunction with an application to the Board of Land & Natural Resources for a Conservation District Use Application ("CDUA"), in accordance with Sections 13-5-10, 13-5-14, 13-5-16, 13-5-17, 13-5-25 of the Department of Land Natural Resources ("DLNR") Administrative Rules. The approving agency for this environmental assessment is the Department of Land Natural Resources.

1.3 Identification of Agencies/Personnel Consulted in Making Assessment

The following agencies provided assistance or information in preparing this assessment:

U.S. Government

- U.S. Department of Agriculture
- Federal Soil Conservation Service
- U.S. Fish and Wildlife Service

State of Hawai'i

- The Department of Land and Natural Resources
- The Office of Planning
- Environmental Planning Office,
- The Land Use Planner
- Department of Business,
- Economic Development, & Tourism,
- The Land Use Commission
- Office of Planning at DBEDT
- Office of Environmental Quality Control
- Department of Health
- Division of Forestry and Wildlife
- Office of Hawaiian Affairs
- DLNR- Division of Aquatic Resources
- Department of Agriculture

County of Hawai'i

- Planning Department
- The Sierra Club

- Lena Schnell - Biologist
- Mike and Therese Pacheco - Neighbors
- Jerome Ganske - Neighbor
- Ann Fong - Neighbor
- David Broyles - Neighbor
- PDK Hawaiian Civic Club
- Laupahoehoe Hawaiian Civic Club
- Hamakua Hawaiian Civic Club
- 'Aha Punana Leo

2.0 PROJECT DESCRIPTION

2.1 Location

The two adjacent properties which total just under 16.2 acres are situated between Kalaeha and Waikaumalo Streams, ("Property") (see, Exhibit 1-Location Map; Exhibit 2-Tax Map; Exhibit 3- Detailed Map of Property). The Property is located on Stone Road, which runs parallel to Piha Kahuku Road about 1/2 mile north, between 1100ft and 1200ft elevations and about 1 mile mauka of Ninole town. The property is flanked on the north by the Waikaumalo Stream, on the south by Kalaeha Stream, on the easterly and westerly boundaries by privately owned properties.

The Property is classified "Conservation" in the General Subzone.

2.2 Existing Uses and Activities

The Property is an undeveloped, odd shaped parcel characterized by pasture grasses and small trees and shrubs. Historically it was used for general agriculture and cattle grazing. There is no fencing. Entrance to the property is via a county road known as Stone Road. A jeep road transverses most of the mauka boundary and two other bisect each of the parcels mauka-makai. None of these roads have been improved (see, Exhibit 3 - Detailed Map of Property and Roads; Exhibit 10- Property Photographs).

2.3 Surrounding Uses and Activities

The surrounding land areas are characterized by privately owned lots of comparable size. They are classified "Conservation" and "Agriculture" by the State Land Use Commission. Approximately half of surrounding lots have private homes and half are vacant. Agricultural uses in the area include fenced lots with grazing cattle and orchards.

In August of 1983, a CDUA was approved for neighboring parcel 3-2-04:26. The application was for construction of a single family dwelling close to the border of Waikamalo Stream. The owner at the time, Mr. Douglas A. Bruce sold the property before making the improvements and nothing has been done with it since.

2.4 Proposed Uses and Activities (see, Exhibit 6- Site Plan)

The Applicant is seeking approval of: (1) establishment of organic agricultural uses which includes a small scale timber farm and non-commercial fruit orchard, and removal of noxious species, establishment of a native forest restoration area, and establishment of a vegetable garden and dryland kalo patch; (2) building of a workshed, shadehouse and water catchment system, and (3) improvements and extensions to the existing jeep roads. Eventually, the Applicant will apply for a permit to build a residential dwelling and small outbuilding. Full-time presence on the Property will facilitate the care of the Property and help prevent poaching of native plants and trees (common on the Big Island). The house permitting process will begin after the Applicant has made a series of annual assessments to where the house will have the lowest impact on the surrounding lands. These Proposed Uses are consistent with uses outlined in the General (G) subzone, under Section 13-5-25, HAR.

G-1 Open Space: Land uses promoting natural open space and scenic value including those with accessory structures; provided, however, that no new golf courses shall be developed in the conservation district. (D-1)

For the purposes of this assessment, the improvements being proposed by the Applicant will be called either the "Project" or the "Proposed Action", and the Conservation District land on which the Project is proposed will be called the "Project Area" or "Property".

2.4.1 Establishment of Organic Agricultural Uses

- All proposed agricultural use will be non-chemical.
- Small Scale Timber Farm. The Applicant proposes a timber farm to include, but not be limited to 4 acres.
- Fruit Orchard. The proposed uses include, but not be limited to 4 acres of tropical fruit orchard. Non-chemical agricultural practices will be used. The purpose of the fruit trees is to provide sustenance for the Applicant and his family.
- Removal of Noxious Species. The Applicant proposes removing as much of the noxious plants as possible without using chemicals. Particular focus will be on guavas and melestome plants which reproduce abundantly on the Property.
- Establishment of a Native Forest Restoration Area. The Applicant proposes replanting an area of, but not be limited to, 4 acres. Non-native invasive plant species will be removed from these areas. Native plants and trees will be replanted with particular focus on those that are threatened. Proposed native plants include 'A'ali'i, 'Äkia, Keahi, 'Ohe, Alahe'e, 'Öhi'a, Lowland Koa, Köpiko, Kamani, Kukui, Lulu, Niu, Ilihia, Kukui, Milo, Olonä (by stream), Wauke, and Olopua.
- Vegetable garden and dryland kalo patch. The Proposed Action includes a small vegetable garden and dryland Kalo patch to comprise an area of under one acre. As with other agricultural uses in the Proposed Action, no pesticides or herbicides will be used.

All sites intended for non-native plants were chosen based on the fact that they are either flat, or slope towards the center of the property and away from the palis.

Agricultural land uses are permitted land uses within the General (G), Limited (L), and Resource (R) subzones, under Section 13-5-25, HAR.

L-1 Agriculture: Agriculture within an area of more than one acre, defined as the planting, cultivating, and harvesting of horticultural crops, floricultural crops, or forest products, or animal husbandry. A management plan is also required (See Exhibit 9, Management Plan). (D-1)

R-5 Landscaping: Landscaping, defined as alteration of plant cover, including trees, in an area of more than ten thousand square feet. (C-1)

2.4.2 Accessory Agricultural Buildings and Structures

- **Water Catchment System.** The Applicant proposes placing a 6,000 gallon rain catchment water tank at the highest elevation on the property so that water to agricultural sites will be gravity fed. (See Exhibit 6, Site Plan) A minimal amount of grading may also be necessary for the tank site.
- **Storage and Workshed.** The Applicant seeks approval to construct storage and workshed for agricultural Tools. The workshed/storage will be less than 1000 sq ft and less than 20 feet tall. The workshed is proposed to be located along Stone Road, approximately 100 ft from the makai border of the Property(see Exhibit 7, Storage/ Workshed Plan and Exhibit 6, Site Plan).
- **Shadehouse.** A shadehouse is proposed to act as a nursery for young plants and trees. It will be approximately 100 feet from the mauka border. (see Exhibit 6, Site Plan)

L-7 Structures, Accessory: Construction or placement of structures accessory to an existing structure, building, or facility under an existing conservation district use permit. Accessory uses shall be allowed only if they are consistent with the purpose of the conservation district. (B-1)

2.4.3 Improvements to Existing Jeep Roads

The Proposed Action includes improving 2 existing jeep roads. Grading and placement of gravel along a portion of the existing jeep roads constitutes permitted land uses within the General (G) subzone, under section 13-5-25, HAR. Currently access to some parts of the Property is limited to foot traffic. Areas of some of the Proposed Actions are inaccessible and the grading and laying gravel on the jeep roads would enable agricultural vehicles to access them.

Placement of gravel along the existing jeep road to reduce erosion is a permissible land use within the General (G) subzone, under Section 13-5-25 HAR.

L-3 Erosion Control: Erosion control, flood control, and other hazard prevention devices or facilities. (D-1)

2.5 Timetable for Development

The Applicant proposes to begin work on the proposed improvements upon receipt of all required permits from the State and County. It is anticipated that these improvements should be completed within 2 years from commencement.

2.6 Applicant's Objectives for the Project

The Applicant has the following objectives with this Project:

1. To prevent the spread of noxious and invasive species;
2. To use the land for agricultural use with a minimum of impact;
3. To protect the bordering streams from harmful agricultural run-off;
4. To minimize erosion at the palis;
5. To improve jeep trails for better access to some parts of the Property;
6. To perform native forest restoration;
7. To prepare the Property for single-family sustenance agriculture;
8. To preserve aesthetic open space, vista and view of the area; and
9. To construct accessory buildings to the agricultural practices.

3.0 ENVIRONMENTAL SETTING, IMPACTS & MITIGATION MEASURES

3.1 Physical Characteristics

3.1.1 Physiography and Soils

Setting. The elevation of the property ranges from 1100 feet to 1200 feet above sea level. The Northern and Southern borders are Waikaumalo River and Kalaeha Stream respectively. Steep palis extend from the Property borders down to these waterways.

The soil is classified as inceptisols, one of two soil classifications that make up almost 40% of the area of the state.(McCall, 1975) The soil is currently being analyzed further for its content.

Impacts and Mitigation. Minor changes to the landform will result from the establishment of the workshed, shadehouse, and catchment system and from the road improvements, however, no significant impacts are expected. In March of 1999, the US Department of Agriculture's Natural Resource Conservation Service approved the plan, which includes impacts and mitigation for the Proposed Action. The most significant environmental resource in the area is the two rivers, which border the property- Kalaeha Stream and Waikaumalo River. To protect these sensitive water resources, the Applicant will maintain an area no less than 100 feet from both the Kalaeha Stream and Waikaumalo

River banks in which there will be no development. In these 100 feet, invader plant species will be removed and replanted with native species. With the guidance of the Soil Conservation service, every care will be taken to minimize erosion, groundwater contamination and non-point source pollution into the streams.

3.1.2 Natural Hazards

Setting.

Flood Hazards. The U.S. Corps of Engineers Flood Insurance Rate Map (FIRM) designates the Property in the Zone X. Zone "X" is designated for those areas outside of the 500-year flood plain.

Volcanic and Earthquake Hazards. According to the United States Geological Survey map, the Property is located within the Lava Flow Hazard Zone 8, on a scale of ascending risk 9 to 1. Zone 8 includes little activity in the past 10,000 years. The Building Code designates the entire island of Hawaii in Earthquake Zone 3 and contains certain structural requirements to address the relative seismic hazards.

Impacts and Mitigation. The Property Area is not located in any high hazard area, and thus the risk to human life is minimal.

3.1.3 Flora

Setting. A flora and fauna study was conducted and prepared by Lena Schnell and Brian Stevons, August 1999 (see, Exhibit 4- Flora and Fauna Study). Few native species were observed, and those that are present are common species. Of the native species, four were from the ferns and their allies, one sedge and one tree. All are common and no threatened or endangered species were observed. Most of the property is dominated by pasture grasses, dotted with much Malabar melastome (*Melestome candidum*), and guavas (*Psidium guajava*, *Psidium cattleianum f. lucidium*, *Psidium cattleianum*). These are known pest plants in the state of Hawaii.

Impacts and Mitigation. The removal of non-native invaders by non-chemical means will be pursued. Native species will be replanted in an attempt to reforest areas of the property.

3.1.4 Fauna

Setting. A flora and fauna study was conducted and prepared by Lena Schnell and Brian Stevons in August of 1999. (see, Exhibit 4-Flora and Fauna Study). No native species were observed. The preparers of the study observed few birds and stated that elevations were too low for native forest birds to be present. Damaging evidence of wild pigs (*Sus scrofa*) was found. Other evidence of mammals, cats, mongoose and black rats were found and are common species found throughout the island.

Impacts and Mitigation. The proposed improvements would not disrupt the wildlife on this site. No rare or endangered species would be affected.

3.1.5 Historical/ Cultural and Archaeological Resources

Mark Smith from the Historical Preservation Division of the Department of Land and Natural Resources has stated that: "There is no record of archaeological sites in the area and "In general if it has be in agriculture as your land has been, we usually write it off." Also, Don Hibbard of the State Historic Preservation Division stated that our use will have "no effect" on significant historic sites (see, Exhibit 12- State Historic Preservation Division Letter)

3.1.6 Air and Noise Quality

The Proposed Action should not affect either noise or air quality in the area. Some construction noise will occur, but it will be short-term.

3.1.7 Scenic and Open Space Resources

Setting. The Property is located in an area used for agriculture. Though the Property was not in sugar cane production, many surrounding parcels were. Many surrounding parcels have houses, and the landscape is open and scenic.

Impacts and Mitigation. The Proposed Action is anticipated to change the visual attributes of the Project Area from grassy pasturelands to an open area with many endemic and indigenous plants and food plant with aesthetic, subsistence, scientific, and educational value. There are few areas with only Native plants growing, thus the Proposed Action will enhance the scenic and open space resources of the Project Area.

3.1.8 Coastal Resources

Setting. At 1100 to 1200 feet elevation, and 2 miles from the coastline, the Property lies well away from the Hamakua Coastline. However, the bordering streams, Kalaeha and Waikaumalo River do follow a meandering course and empty into the ocean.

Mitigation. The Applicant proposes maintaining a 100 ft native forest buffer, with a goal of controlling erosion down to the streams. As non-chemical agriculture will be practiced on the Property, agricultural chemicals will not enter the streams and thus the ocean.

3.2 Socioeconomic Considerations

The Project should generate minor improvements to the economy from construction related jobs for the proposed improvements.

3.3 Public Facilities and Services

3.3.1 Access

Setting. Access to the Property is provided by a spur road off of Piha Kahuku Road, a county owned and maintained road that has a 20 ft wide paved roadway surface. The spur road is a 10 foot wide gravel roadway, partially paved which leads to an unclaimed and unmaintained public road known as Stone Road which runs between the 2 parcels which comprise the Property (see, Exhibit 3- Detailed Map of Property and Roads).

Impacts and Mitigation. The Proposed Action is not anticipated to create any substantial adverse impact upon access.

3.3.2 Water Resources

Setting. The nearest County of Hawaii municipal water source is located on the Old Mamalahoa Highway, approximately 2 miles from the Project Area. Therefore, no municipal water system is available to the Project Area. The Applicant proposes to construct a private Water catchment system. The water catchment system will be located at the mauka property boundary.

Impacts and Mitigation. Since there is no municipal water service to the Project Area there will be no adverse impact upon the municipal system by reason of the Proposed Action.

3.3.3 Utilities

Setting. Neither electricity nor telephone services are presently available in the vicinity of the Property. Generator power is proposed for initial construction of the accessory buildings.

Impacts and Mitigation. Since neither electrical nor telephone services is available to the Property, there is no adverse impact upon electrical and telephone utility services by reason of the Proposed Action.

3.3.4 Police and Fire Protection

Setting. Police services are provided from the Laupahoehoe Police Station located approximately 9 miles north of the Property. Fire protection services are provided by the Laupahoehoe Volunteer Fire Department, also located 9 miles north of the Property.

Impacts and Mitigation. The Proposed Action is not anticipated to increase the demand for police and fire services.

4.0 RELATIONSHIP OF THE PROPOSED ACTION TO LAND USE PLANS POLICIES AND CONTROLS FOR THE AFFECTED AREA

4.1 Chapter 205, Hawaii Revised Statutes, State Land Use Law

All lands within the State have been classified into one of our land use districts: Urban, Rural, Agricultural and Conservation, by the State Land Use Commission, pursuant to

Chapter 205, HRS. The Property is within the Conservation District as delineated on Boundary Interpretation No. 97-17. (see, Exhibit 8, Boundary Interpretation)

Section 205-2(e), provides that Conservation District shall include:

areas necessary for protecting watersheds and water sources; preserving scenic and historic areas; providing park lands, wilderness, and beach reserves; conserving indigenous or endemic plants, fish, and wildlife, including those which are threatened or endangered; preventing floods and soil erosion; forestry; open space areas whose existing openness, natural condition, or present state of use, if retained, would enhance the present or potential value of abutting or surrounding communities, or would maintain or enhance the conservation of natural or scenic resources; areas of value for recreational purposes; other related activities; and other permitted uses not detrimental to a multiple use conservation concept.

4.2 State Administrative Rules Governing Land Uses within Conservation Districts, Section 13-5-14, Hawaii Administrative Rules

Title 13 of the Hawaii Administrative Rules ("HAR"), for the Department of Land and Natural Resources, under Subtitle 1, Chapter 5, regulates land uses within the Conservation District. The rules establish five subzones within the Conservation District: the Protective (P), Limited (L), Resource (R), General (G) and Specific subzones. All land within the Conservation District has been designated within one of the five subzones by the DLNR. The Property is designated within the General (G) subzone

Section 13-5-14, HAR, maintains that the objective of the General (G) subzone. "is to designate open space where specific conservation uses may not be defined, but where urban use would be premature." Lands included in the General (G) subzone include "Lands suitable for farming, flower gardening, operation of nurseries or orchards, grazing; including facilities accessory to these uses when the facilities are compatible with the natural physical environment." Further, all identified land uses for the Protective (P)(Section 13-5-22), Limited (L)(Section 13-5-23) and Resource (R)(Section 13-5-24) subzones also apply to the General (G) subzone under 13-5-25, HAR.

The improvements proposed in the Project are permitted land uses within the Protective (P), Limited (L), Resource (R), and General (G) subzones under Sections 13-5-22, 23, 24, and 25, HAR.

4.3 Hawaii State Plan, Chapter 266, Hawaii Revised Statutes

The Hawaii State Plan, Chapter 266, HRS, establishes a set of objectives to serve as guidelines for the growth and development of the State. The following sections of the Hawaii State Plan contain relevant guidelines to the Proposed Action.

Section 226-3. An overall theme for the State Plan.

Objectives: Hawaii's people generally accept and live by a number of principles or values, which are an integral part of society.

Policies: The rights of people to maintain as much self-reliance as possible.

Analysis: The Proposed Action will allow the Applicant and his family to maintain a sustainable food source.

Section 226-7. Objectives and policies for the economy- agriculture.

Objective: Growth and development of diversified agriculture throughout the State.

Policies: Encourage agriculture by making best use of natural resources.

Analysis: The Proposed Action is an example of diversified agriculture. All planted areas will include a variety of plant species. The Proposed Action also includes timber, fruit trees and vegetable.

Section 226-11. Objectives and policies for the physical environment--land-based, shoreline, and marine resources.

Objectives: Prudent use of Hawaii's land-based, shoreline, and marine resources.

Effective protection of Hawaii's unique and fragile environmental resources.

Policies: Exercise an overall conservation ethic in the use of Hawaii's natural resources.

Take into account the physical attributes of areas when planning and designing activities and facilities.

Manage natural resources and environs to encourage their beneficial and multiple use without generating costly or irreparable environmental damage.

Encourage the protection of rare or endangered plant and animal species and habitats native to Hawaii.

Pursue compatible relationships among activities, facilities, and natural resources.

Analysis: The Proposed Action has been designed to harmonize with the existing physical environment and enhance native natural resources. The Proposed Action protects fragile waterways.

Section 226-12 Objective and policies for the physical environment--scenic, natural beauty, and historic resources.

Objectives: Planning for the State's physical environment shall be directed towards achievement of the objective of enhancement of Hawaii's scenic assets, natural beauty, and multi-cultural/historical resources.

Policies: Promote the preservation and restoration of significant natural and historic resources.

Promote the preservation of views and vistas to enhance the visual and aesthetic enjoyment of mountains, ocean, scenic landscapes, and other natural features.

Encourage the design of developments and activities that complement the natural beauty of the islands.

Analysis: The Proposed Action will preserve the natural beauty and enhance the view and vistas of the ocean and of Mauna Kea, and will improve upon the beauty by replacing existing weed species with endemic and indigenous plants, which capitalizes on, rather than destroys the scenic resources that are present.

Section 226-13. Objectives and policies for the physical environment--land, air, and water quality.

Objectives: Maintenance and pursuit of improved quality in Hawaii's land, air, and water resources.

Policies: Promote the proper management of Hawaii's land and water resources.

Analysis: The Proposed Action will improve the resources of the land by reducing erosion into the streams.

4.4 Hawaii Country General Plan

The Hawaii County General Plan is a policy document for the long-range comprehensive development of all land within the County of Hawaii. The plan contains goals, policies, and standards, as well as a set of land use maps, designated as the General Plan Land use Pattern Allocation Guide ("LUPAG") maps, showing the location of desired land uses.

The LUPAG map shows the Property as being in the midst of areas of Intensive Agriculture as well as Extensive Agriculture. Extensive Agricultural designation includes pasture and range lands. The Proposed Action does not conflict with the Intensive and Extensive Agricultural designations of the General Plan.

4.5 Hawaii County Zoning

The Property is zoned under the Hawaii County Zoning code (Chapter 25, Hawaii County Code) as Agricultural. The Proposed Action is permitted under this zoning district.

4.6 County Special Management Area

The Property is not within the Special Management Area (see, Exhibit 11- SMA Exemption)

4.7 Environmental Impact Statement

Section 343-5(a)(2), HRS, provides that any use that is proposed within land in the Conservation District by the State Land Use Commission under Chapter 205, is subject to the Environmental Impact Statement law, Chapter 343, HRS.

Section 343-5(c), HRS, provides that applicants proposing action subject to Chapter 343, HRS.

“...shall prepare an environmental assessment of such proposed action at the earliest practicable time to determine whether an environmental impact statement shall be required.”

This environmental assessment has been prepared to fulfill these requirements.

5.0 IDENTIFICATION OF MAJOR IMPACTS AND ALTERNATIVES CONSIDERED**5.1 Major Impacts**

Due to the limited scope of the Proposed Action, it is not expected to contribute to any economic, social, or environmental concerns, or cause adverse environmental impacts. In addition, no major long-term impacts are anticipated as a result of the implementation of the Applicant's proposal since the Proposed Action involves permitted uses within the (G) Subzone, pursuant to Sections 13-5-22, 23 and 25, HAR.

5.2 Alternatives to Proposed Action

Under the “No Action” alternative, the Property would continue to remain unimproved and the Applicant would have no alternative but to abandon the Proposed Action, thereby depriving the Applicant of reasonable use of the Property. In addition, non-native and aggressive species, such as guava and melestome will continue to dominate the landscape and eventually cover much of the Property as is evidenced in bordering lands. The Property was previously used in agriculture and currently is well suited for Agricultural uses and blends in well with existing uses of surrounding properties.

6.0 AGENCY ANTICIPATED DETERMINATION AND FINDINGS AND REASONS SUPPORTING ANTICIPATED DETERMINATION

Based on the information described herein, the Proposed Action will not result on significant social, economic, cultural, or environmental impacts. Consequently a Finding of No Significant Impact (“FONSI”) is anticipated, subject to the public review provisions of Section 11-200-9.1, HAR.

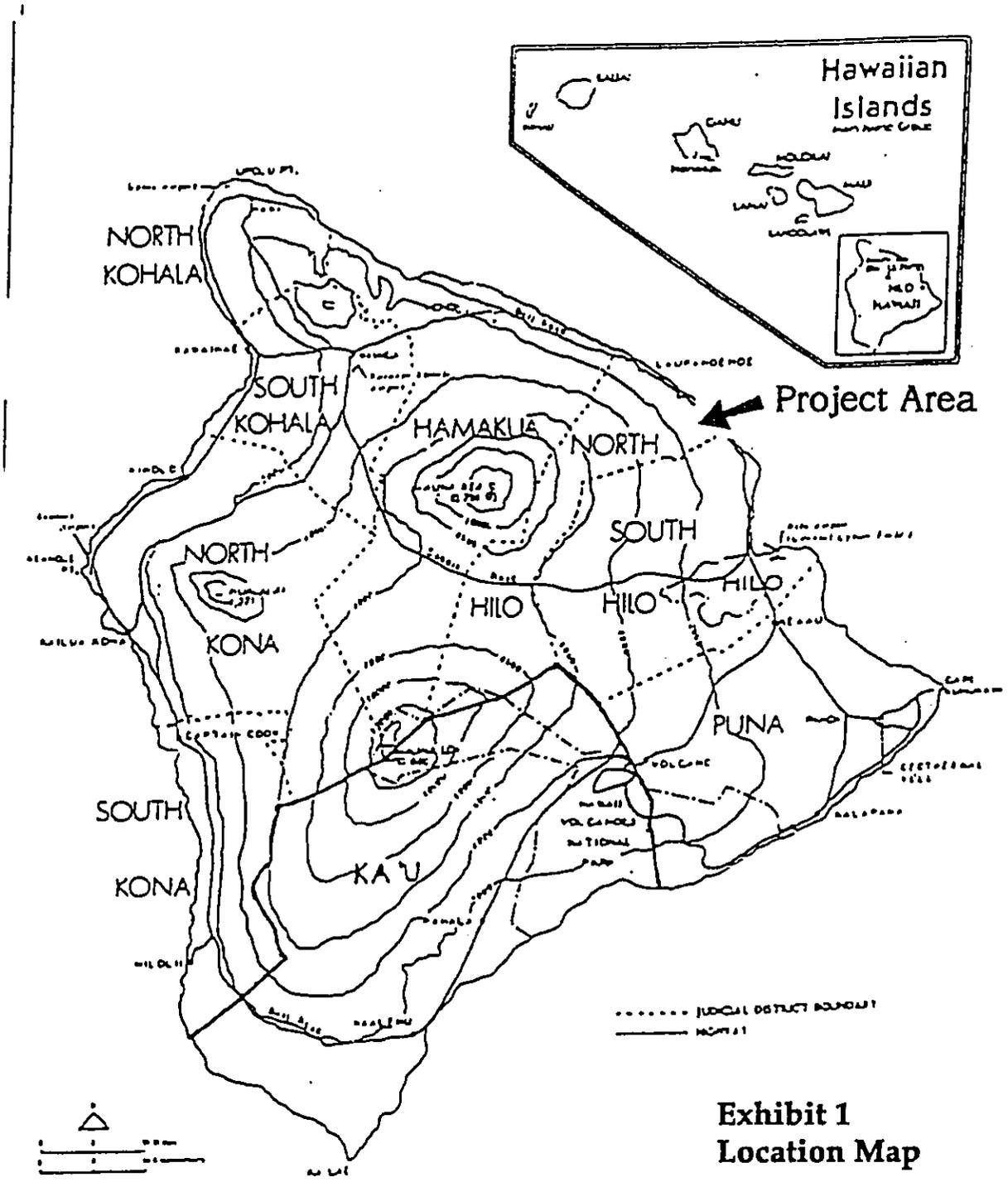
In considering the significance of potential environmental effects, the Applicant has considered the sum of effects on the quality of the environment and evaluated the overall cumulative effects of the proposed action. The Applicant has considered the expected consequences, both primary and secondary, and the cumulative, as well as, the short- and long-term effects of the Proposed Action. As a result of these considerations, the Applicant has determined that the approval of the Proposed Action will have no significant effect on the environment since:

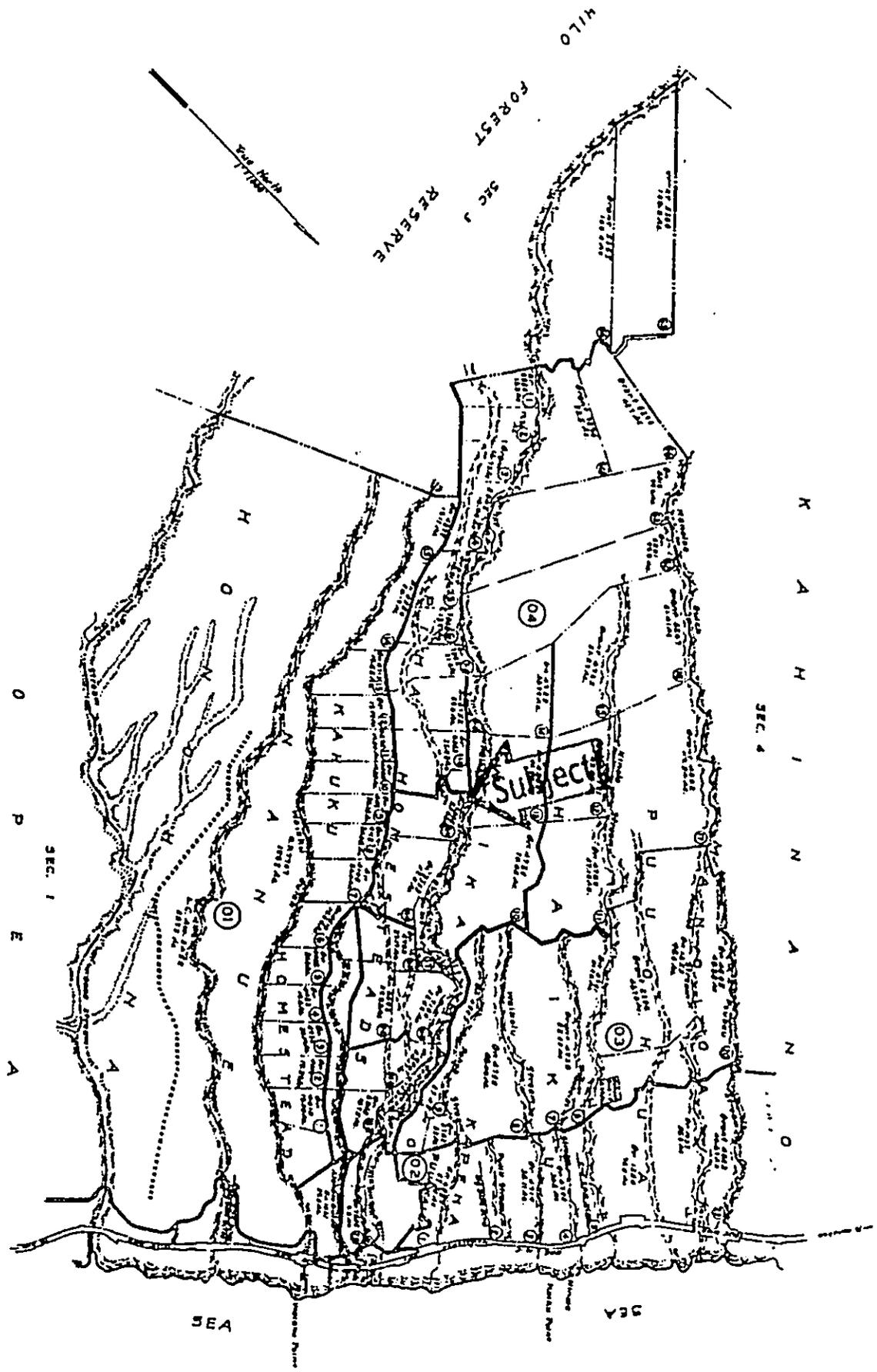
1. The Proposed Action does not involve the degradation of environmental quality as the Proposed improvements do not compromise the character of the Property and surrounding area, but will improve the resources of the land by controlling invasive species, restoring native flora and maintaining the historical use of the land through proper management, will reduce the possibility of erosion and sedimentation, and seepage into the streams.
2. The preparation of the environmental assessment is in compliance with Chapter 344, HRS, and the Proposed Action does not conflict with the short or long term policies, goals and guidelines of Chapter 343, HRS.
3. The economic or social welfare of the community will be positively affected from the creation of construction related jobs and the use of the Project Area as a native plant and animal habitat.
4. Public Health will not be affected since improvements for the Proposed Action involve primarily agricultural uses.
5. The Proposed Action will not cause substantial secondary impacts, nor adversely affect population changes on public facilities. Access is provided off of Piha Kahuku Road, a County owned and maintained roadway. Electrical and telephone services are not available to the Project Area. There are no additional burdens on public facilities anticipated from the Proposed Action.
6. The Property will remain consistent in character and size with other properties in the area, and will neither conflict with or intensify existing land uses, nor burden the existing area resources and available public services, and therefore does not have a cumulative effect upon the environment or involve a commitment for larger action.
7. There are no known rare, threatened, or endangered plant or animal species or habitats on the Property or immediate vicinity.
8. The Proposed Action will not detrimentally affect air or water quality or ambient noise levels.
9. The Property is not located in a flood area and is in one of the lowest volcano hazard zones.
10. The Proposed Action is consistent with the character and size of other parcels in the area, does not substantially impact upon the scenic vistas and viewplanes of surrounding properties, and will enhance the scenic and open space resources of the Project Area.

11. There are no known archaeological/ cultural resources in the area that would involve an irrevocable commitment to loss or destruction of any natural or cultural resources.
12. Without the Proposed Action, the land is being inundated by invasive species, many spread by wild pigs. These pigs are also damaging native species such as the Hapu'u tree ferns.
13. The Proposed Action will not require substantial energy consumption. Much of the work will be done by hand and use people power.

LIST OF EXHIBITS

1. Location Map
2. TMK Area Map
3. Detailed Map of Property and Roads, with Metes and Bounds
4. Flora and Fauna Study
5. Quitclaim Deed
6. Site Plan
7. Storage / Workshed Plan
8. Boundary Interpretation
9. Management Plan
10. Property Photographs
11. SMA Exemption Letter
12. State Historic Preservation Division Letter
13. Community Letters
14. Draft Grading Plan
15. Agency Comments to Draft Environmental Assessment and Responses





ADJACENT SHEET
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THIRD DIVISION	
ZONE 3 SEC.	
3	2
CONTAINING PLAN	
3000 10000000	

Exhibit 2
TMK Area Map

Background

Lot 11 and Lot 11A, is located on the Hamakua coast above Ninole at 1100 to 1200 foot elevation. The property surveyed is roughly 17 acres in size. The area is considered mesic low-land forest. The property is bordered by two gulches, Waikaumalo and Kalaeha. Currently, the land is zoned general conservation.

The land has been used to graze cattle for over 150 years. Very few native plants remain on the property. Pasture grasses, introduced forbs and shrubs comprise the bulk of the flora.

Methods

The property was surveyed for plants and animals by walking trails around the perimeter and two trails that bisected the property. Plants were identified while walking. Plants that were unfamiliar were keyed in either the Hawaii Flora or Weeds of Hawaii. When seen signs of animal activity were noted. Where bird activity was detected, the surveyors paused to identify the species. Identifications were made by sight, sound and nests.

Results

Few Native plants were observed and no threatened or endangered plants were seen. Of the native plants four were ferns or their allies, one sedge, and one tree (see table 1), all of which are common species. Because the property has been in pasture for over 150 years the bulk of the flora is comprised of pasture grasses and introduced forbs.

No native animals were detected during the survey. Rooting damage from feral pigs, *Sus scrofa*, was observed frequently along the trails, indicating high activity levels. Feral cats, mongoose and black rats are also present on the property. Only non-native birds were heard singing during the survey and the property elevation is much too low for most native Hawaiian forest birds.

Conclusion

Because the bulk of the fauna and flora is non-native and the natives that are present are common species, the impact from development will not significantly impact native, threatened or endangered species.

Gulch Plants for

Lot 11 and Lot 11A

Scientific Name	Hawaiian Name	Common Name
Ferns and Allies		
<i>Ciborium glaucum</i>	Hauptu pulu	Hawaiian Tree Fern
<i>Psylodium nudum*</i>	Moa	Whisk ferns
<i>Deparia petersenii</i>		Lady Fern
<i>Ophioglossum perndulum*</i>	Puapuamoa	Adder's tongue
<i>Pleopletis thunbergiana*</i>	Pakahakaha	
<i>Elephoglossum alatum*</i>	Hoe a maui	Stag tongue ferns
<i>Pityrogramma calomelanos</i>	Laukahi	Silver Fern
<i>Blechnum occidentale</i>		
Grasses and Sedges		
<i>Oplismenus hirtellus</i>	Honohono kukui	Basket grass
<i>Coix lacryma-jobi</i>	Puoheche	Job's tears
Forbs		
<i>Rubis rosifolius</i>	Olaa, akala, akalakala	Thimble berry
<i>Asclepias curassavica</i>	Laulele	Milk weed
<i>Ageratum conyzoides</i>	Maile hono	Ageratum (daisy)
<i>Begonia hirtella</i>		Begonia
<i>Youngia japonicus</i>		Asiatic hawksbeard
<i>Drymaria cordata</i>	Pipili	Camation family
<i>Hypricum mutilum</i>		St. John's wart
<i>Torenia asiatica</i>	Nanioolaa	Olaa beauty
Trees and shrubs		
<i>Metersideros polymorpha*</i>	Ohia lehua	Ohia
<i>Psidium cattleianum</i>	Waiawi ulaula	Red strawberry guava
<i>P. cattleianum f. lucidum</i>	Waiawi	Yellow strawberry guava
<i>P. guajava</i>	Kuawa	Yellow guava
<i>Antidesma platyphyllum*</i>	Hame	
<i>Pisonia sp.*</i>	Palapa kepau	
<i>Koa acacia*</i>	Koa	Koa
<i>Melochia sp.</i>		
<i>Aleurites moluccana</i>	Kukui	Candle nut tree

* Native Hawaiian Plants

Species Lists for

Lot 11 and Lot 11A

Scientific Name		Common Name
Ferns and allies		
<i>Phymatosours scolopendria</i>	Lauae	Maile-scented fern
<i>Nephrolepis exalta</i>	Kupukupu, okupukupu	Common sword fern
<i>Dicranopetris linearis*</i>	Uluhe	False staghorn
<i>Odontosoria chiensis*</i>	Palaa	
<i>Pleopeltis thunbergiana*</i>	Pakahakaha	
<i>Lycopodiella cernua*</i>	Wawaeiole	Club moss
Grasses and sedges		
<i>Melinis minutiflora</i>		Molasses grass
<i>Anderopogon virginicus</i>		Broomsedge
<i>Schizachyrium condensatum</i>		Bushy beardgrass
<i>Sacciolepis indica</i>		Glenwood grass
<i>Paspalum sp.</i>		
<i>Paspalum conjugatum</i>	Mauu Hilo	Hilo grass
<i>Pycnus polystachyos*</i>		Native sedge
<i>Cyprus halpan</i>		Common sedge
<i>Kyllinga brevifolia</i>	Kilioopu	
Forbs		
<i>Spathoglottis plicata</i>		Philippine orchid
<i>Arundinag graminifolia</i>		Bamboo orchid
<i>Desmodium sp1</i>	Kaimi	Spanish clover
<i>Desmodium sp2</i>		Tick clover
<i>Mimosa pudica</i>	Hilahila	Sensitive plant
<i>Chanacerista nictitans</i>	Lauki	Partridge tea
<i>Commelina diffusa</i>	Honohono	Wandering Jew
<i>Hedychium gardnerianum</i>	Kahili	Kahili ginger
<i>Tritonia crocosmiflora</i>		Orange krokos
<i>Crassocephalum crepidioides</i>		Daisy family
<i>Polygalla piniculata</i>		Milkwort
<i>Conyza bonariensis</i>		Hairy horse weed
Trees and Shrubs		
<i>Psidium cattleianum</i>	Waiawi ulaula	Red strawberry guava
<i>P. cattleianum f. lucidum</i>	Waiawi	Yellow strawberry guava
<i>P. guajava</i>	Kuawa	Yellow guava
<i>Syzygium jambos</i>	Ohia loke	Rose apple
<i>Melestome candidum</i>		Malabar melestome
<i>Spathodea campanulata</i>		African Tulip
<i>Rhus sandwhichensis*</i>	Neleau, neneleau	Hawaiian sumac
<i>Melia azedarach</i>		Pride of India, Chinaberry

*Native Hawaiian Plants

Animals for Lot 11 and Lot 11A

Scientific Name	Common Name
Birds	
<i>Zosterops japonicus</i>	Japanese White-eye
<i>Carpodacus mexicanus</i>	House finch
<i>Lonchura malabarica</i>	Warbling Silver bill
Mammal	
<i>Sus scrofa</i>	Pig
<i>Felis catus</i>	Feral cat
<i>Herpestes auropunctatus</i>	Mongoose
<i>Rattus rattus</i>	Black rat

R-170

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED

MAR 10, 2000 08:01 AM

Doc No(s) 2000-032191

/s/ CARL T. WATANABE
ACTING
REGISTRAR OF CONVEYANCES
CONVEYANCE TAX: \$0.00

RETURN BY: MAIL (x) ^{KM} PICK UP () TO:
Mahoney Cohen & Company, CPA, P.C. TG: 286330-13
111 W. 40th Street TGE:
New York, New York 10018 Tina L. Kinney (1)

TAX MAP KEY NO. (3) 3-2-004-043
(3) 3-2-004-044

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

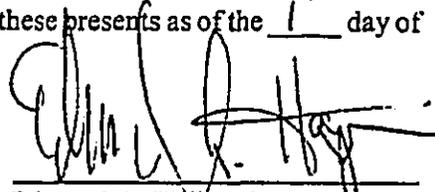
THAT, EDMUND A. HAJIM, husband of BARBARA E. HAJIM, residing at 21 Guinea Road, Greenwich, Connecticut 06830, for consideration paid in the amount of TEN (\$"10") DOLLARS and other good and valuable consideration to the Grantor paid by GEOFFREY B. HAJIM, husband of KAREN AKIBA-HAJIM, residing at P.O. Box 373, Hakalau, Hawaii 96710, receipt whereof is hereby acknowledged, does hereby convey, remise, release and quitclaim unto the Grantee, his heirs and assigns, forever, any and all of the Grantor's right, title, interest, claim and demand whether by dower, curtesy, or otherwise, in and to the property more fully described in Exhibit "A" attached hereto and made a part hereof.

IT IS MUTUALLY AGREED that the terms "Grantor" and "Grantee", or any pronouns used in place thereof, as and when used herein, shall mean and include the masculine or feminine gender, the singular or plural number, individuals or corporations, and their and each of their

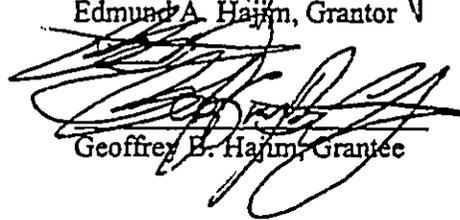
Exhibit 5
Quitclaim Deed

respective successors, survivors, heirs, executors, administrators and permitted assigns, according to the context thereof, and that if these presents shall be signed by two or more Grantors or two or more Grantees, all of the covenants of such parties shall for all purposes be joint and several.

IN WITNESS WHEREOF, the undersigned executed these presents as of the 1st day of February, 2000.



Edmund A. Hajim, Grantor

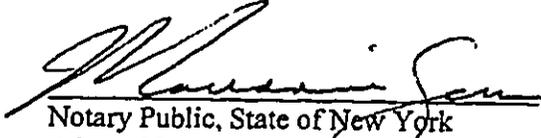


Geoffrey B. Hajim, Grantee

STATE OF New York }
COUNTY OF New York } ss.:

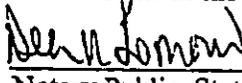
On this 1st day of February, 2000, before me came personally appeared EDMUND A. HAJIM, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

MARIANNE M. N. JENSEN
Notary Public, State of New York
No. 02-JE5040658
Qualified in Kings County
Commission Expires March 20, 2001


Notary Public, State of New York
Printed Name:
My Commission Expires:

STATE OF Hawaii }
COUNTY OF Hawaii } ss.:

On this 9th day of February, 2000, before me came personally appeared GEOFFREY B. HAJIM, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.


Notary Public, State of
Printed Name:
My Commission Expires: 2/16/2001

DEBRA N. TOMONO
Expiration Date: February 16, 2001

EXHIBIT "A"

Lot 11

Being all of that certain parcel of land situate at Piha, District of North Hilo, Island and County of Hawaii, State of Hawaii, being a portion of Grant 6565 to Mathias Pedro, being also a portion of former "Lot 11" of "Piha Homesteads", being thus bounded and described as follows:

Beginning at the Southerly corner of this parcel of land along the Northeasterly side of Grant 6752 to Mariano Deniz, Jr., being also the Northwesterly side of the Public Road (30.00 feet wide). The coordinates of said point of beginning referred to Government Survey Triangulation Station "HAIKU" being 4,885.02 feet South and 3,410.27 feet West, thence running by azimuths measured clockwise from True South;

1. 135 degrees 01 minute 30 seconds 261.99 feet along the Northeasterly side of Land Patent Grant Number 6752 to Mariano Deniz, Jr.;

Thence along the top of the South edge of Waikaumalo Gulch in all its windings, the direct azimuth and distance being:
2. 224 degrees 29 minutes 00 seconds 683.12 feet;
3. 315 degrees 30 minutes 00 seconds 217.70 feet along the Southwesterly side of Grant 6566 to Manuel Ignacio;
4. 35 degrees 19 minutes 00 seconds 6.52 feet along the Northwesterly side of the Public Road (30.00 feet wide);
5. 40 degrees 49 minutes 00 seconds 676.68 feet along the same to the point of beginning and containing an area of 5.003 acres, more or less.

BEING A PORTION OF THE PREMISES ACQUIRED BY WARRANTY DEED:

GRANTOR: DONNIE PERCY TODD, JR. and EVELYN RUTH TODD, husband and wife, as Tenants by the Entirety, as to an undivided 1/3 interest, and ALFRED BORSA, JR. and SHAWN NAPUAPUNAHELEOKALANAI BORSA, husband and wife, as to an undivided 2/3 interest, altogether as Tenants in Common.

GRANTEE: EDMUND A. HAJIM, husband of BARBARA E. HAJIM, as Tenant in Severalty.

DATED: July 8, 1997.

RECORDED: Document No. 97-093237.

SUBJECT HOWEVER TO:

Any unrecorded leases and matters arising from or affecting the same.

Claims arising out of customary and traditional rights and practices, including without limitation, those exercised for subsistence, cultural, religious, access or gathering purposes, as provided for in the Hawaii Constitution or the Hawaii Revised States.

EXHIBIT "A"

Lot 11-A

Being all of that certain parcel of land situate at Piha, District of North Hilo, Island and County of Hawaii, State of Hawaii, being a portion of Grant 6565 to Mathias Pedro, being also a portion of former "Lot 11" of "Piha Homesteads", being thus bounded and described as follows:

Beginning at the Westerly corner of this parcel of land along the Northeasterly side of Grant 6752 to Mariano Deniz, Jr., being also the Southeasterly side of the Public Road (30.00 feet wide). The coordinates of said point of beginning referred to Government Survey Triangulation Station "HAIKU" being 4,906.30 feet South and 3,389.01 feet West, thence running by azimuths measured clockwise from True South;

1. 220 degrees 49 minute 00 seconds 680.33 feet along the Southeasterly side of the Public Road (30.00 feet wide);
 2. 215 degrees 19 minutes 00 seconds 2.57 feet along the same;
 3. 315 degrees 30 minutes 00 seconds 355.52 feet along the Southwesterly side of Grant 6566 to Manuel Ignacio;
 4. 248 degrees 12 minutes 00 seconds 125.15 feet along the same to the Southerly side of a 30.00 road;
 5. 15 degrees 28 minutes 00 seconds 44.41 feet along the Southerly side of a 30.00 foot road;
 6. 294 degrees 59 minutes 00 seconds 49.04 feet along the same;
 7. 248 degrees 21 minutes 00 seconds 127.55 feet along the same to the middle of the Kalacha Stream;
- Thence, along the middle of the Kalacha Stream in all its windings, the direct azimuth and distance being:
8. 15 degrees 49 minutes 00 seconds 1,017.85 feet;
 9. 135 degrees 01 minute 30 seconds 969.58 feet along the Northeasterly side of Grant 6752 to the point of beginning and containing an area of 11.182 acres, more or less.

BEING A PORTION OF THE PREMISES ACQUIRED BY WARRANTY DEED:

GRANTOR: DONNIE PERCY TODD, JR. and EVELYN RUTH TODD, husband and wife, as Tenants by the Entirety, as to an undivided 1/3 interest, and ALFRED BORSA, JR. and SHAWN NAPUAPUNAHELEOKALANAI BORSA, husband and wife, as to an undivided 2/3 interest, altogether as Tenants in Common.

GRANTEE: EDMUND A. HAJIM, husband of BARBARA E. HAJIM, as Tenant in Severalty.

DATED: July 8, 1997.

RECORDED: Document No. 97-093237.

SUBJECT HOWEVER TO:

Any unrecorded leases and matters arising from or affecting the same.

Claims arising out of customary and traditional rights and practices, including without limitation, those exercised for subsistence, cultural, religious, access or gathering purposes, as provided for in the Hawaii Constitution or the Hawaii Revised States.

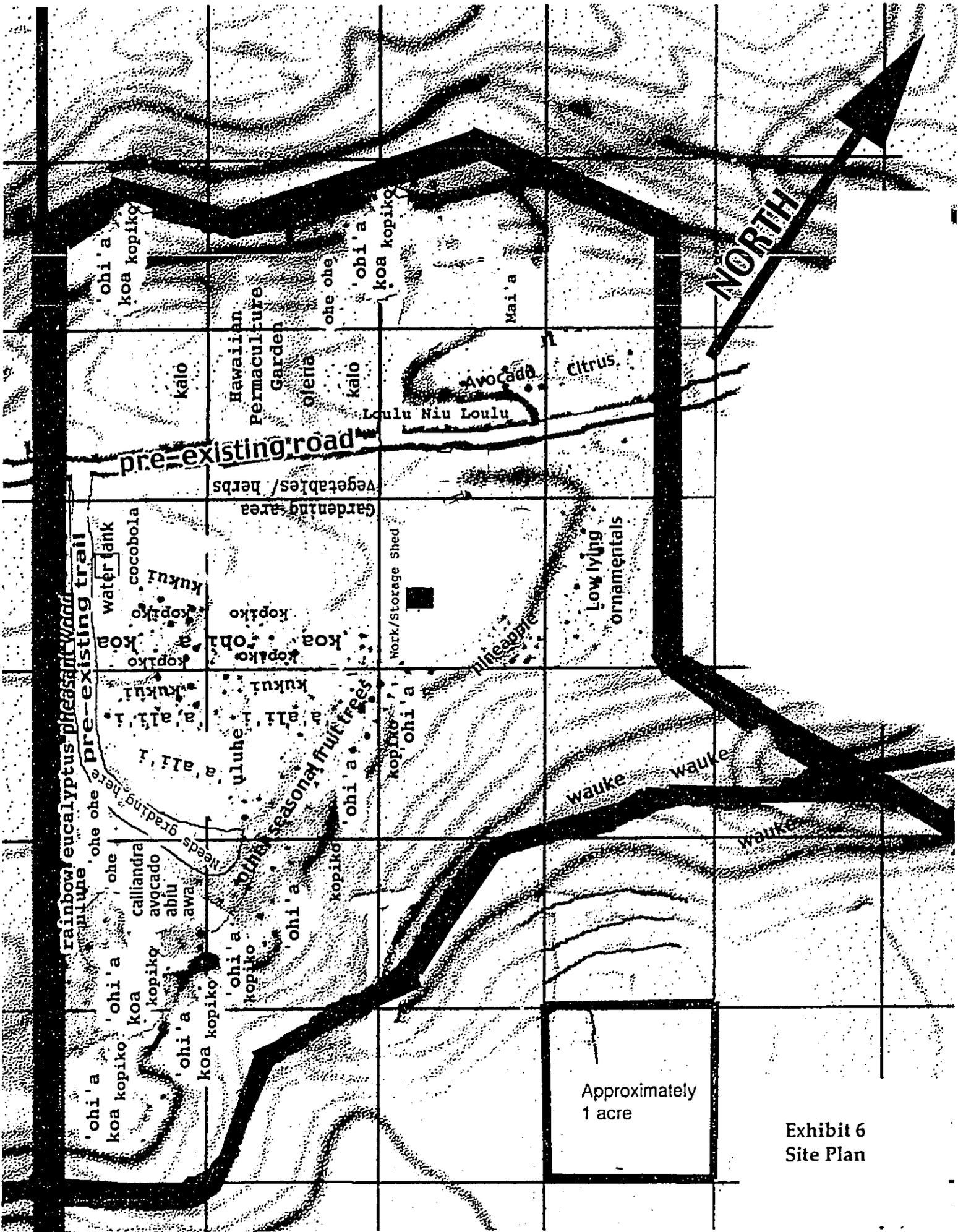


Exhibit 6
Site Plan

Storage / Work Shed

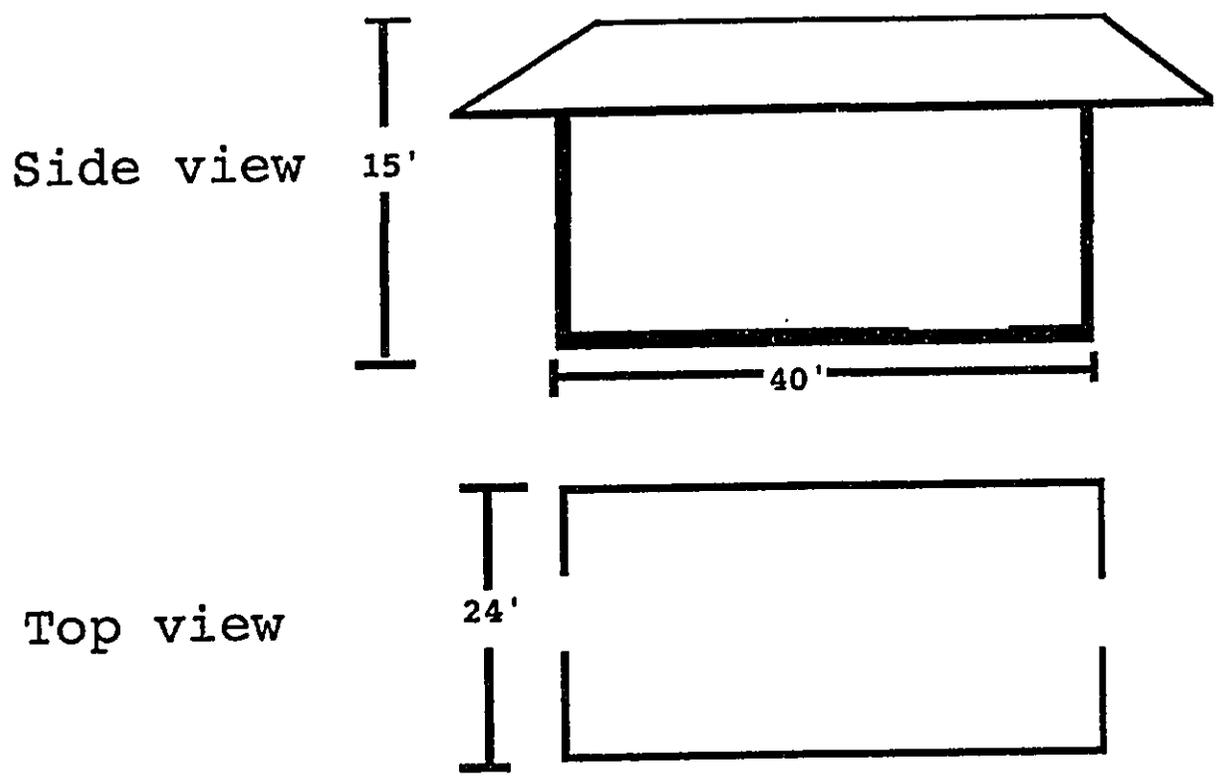


Exhibit 7
Storage / Workshed Plan

MANAGEMENT PLAN

1 GENERAL DESCRIPTION

Please refer to Summary of Draft Environmental Assessment (EA), *Description of Proposed Action*, page 1.

1.1 PROPOSED LAND USE

Please refer to EA, 2.4 *Proposed Uses and Activities* and 2.4.1 *Establishment of Organic Agricultural Uses* for a description of the Proposed Land use and how it is consistent with the General Subzone (G), under section 13-5-25, HAR, pages 2 and 3.

1.2 TIMING

Upon Board approval the Applicant will begin work on the Proposed Action with a completion date set for 3 years thereafter.

2 EXISTING CONDITIONS ON PARCEL

2.1 OWNERSHIP

Please refer to EA, 1.1 *Identification of Applicant and Ownership*, page 1..

2.2 RESOURCES

For biological resources, please refer to Flora and Fauna Study, Exhibit 4 of EA. Please refer to EA, 3.1.5 *Historical Cultural and Archaeological Resources*, page 6. For volcanic and flood hazards, please refer to EA 3.1.2 *Natural Hazards*, page 5.

2.3 PROPOSED LAND USES

Please refer to EA 2.2 *Existing Uses and Activities* and 2.3 *Surrounding Uses and Activities*, page 2.

2.4 ACCESS

Please refer to EA 3.3.1 *Access*, page 7.

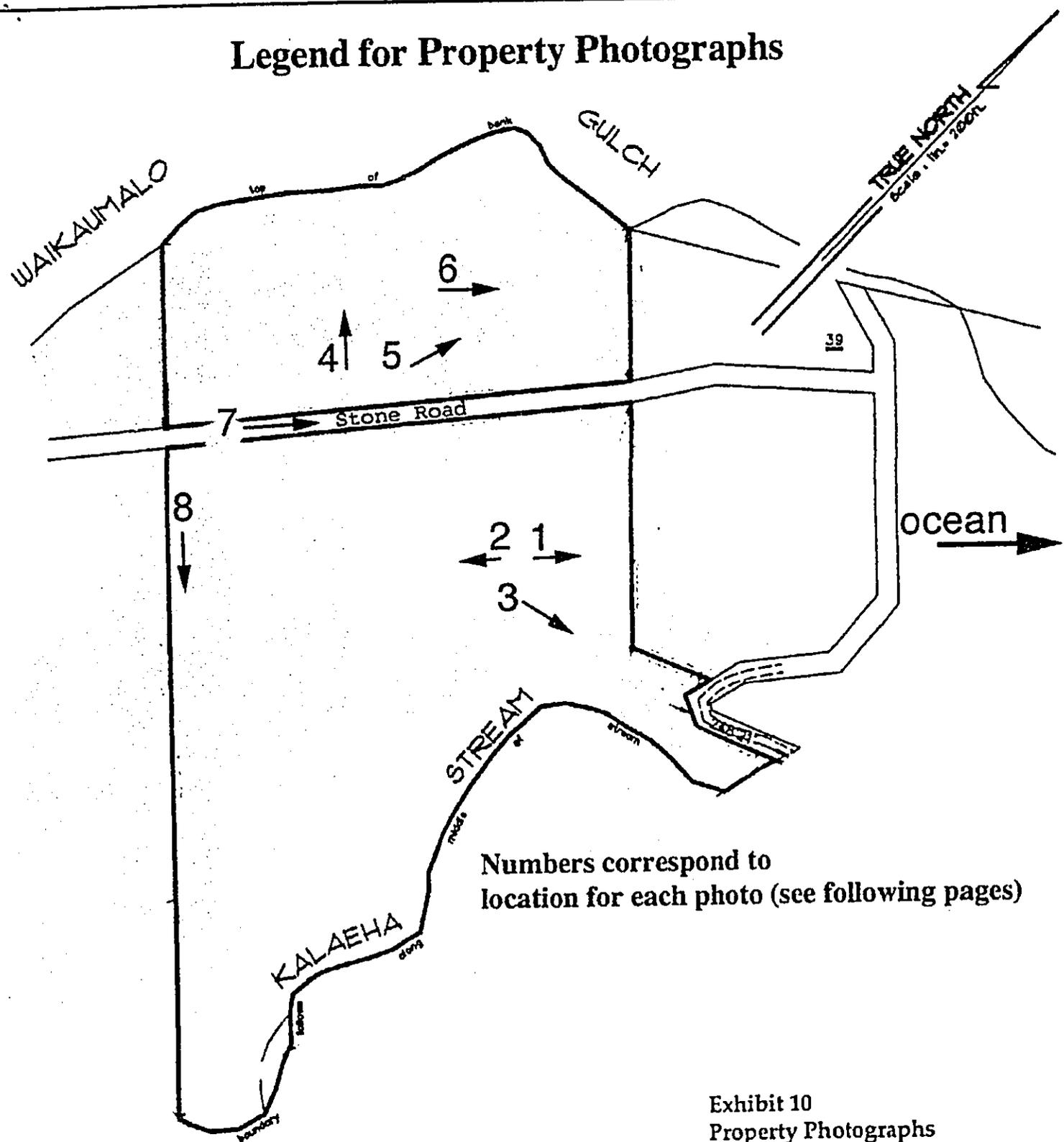
2.5 SOILS

Please refer to EA 3.1.1 *Physiography and Soils*, page 5.

3 SITE PLAN

Please refer to Exhibit 6 of EA.

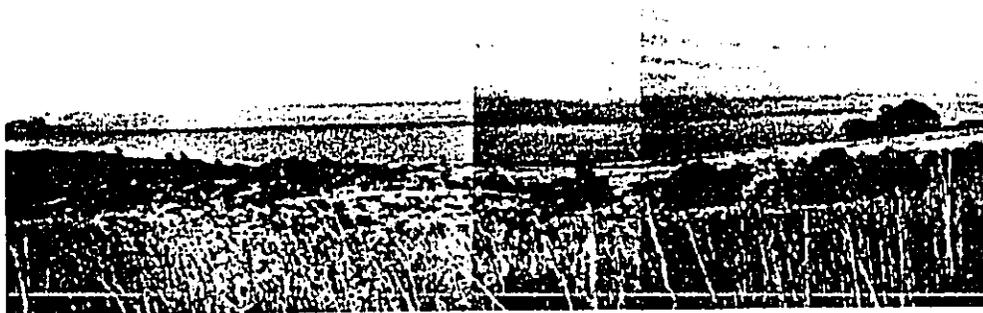
Legend for Property Photographs



Numbers correspond to location for each photo (see following pages)

Exhibit 10
Property Photographs

1



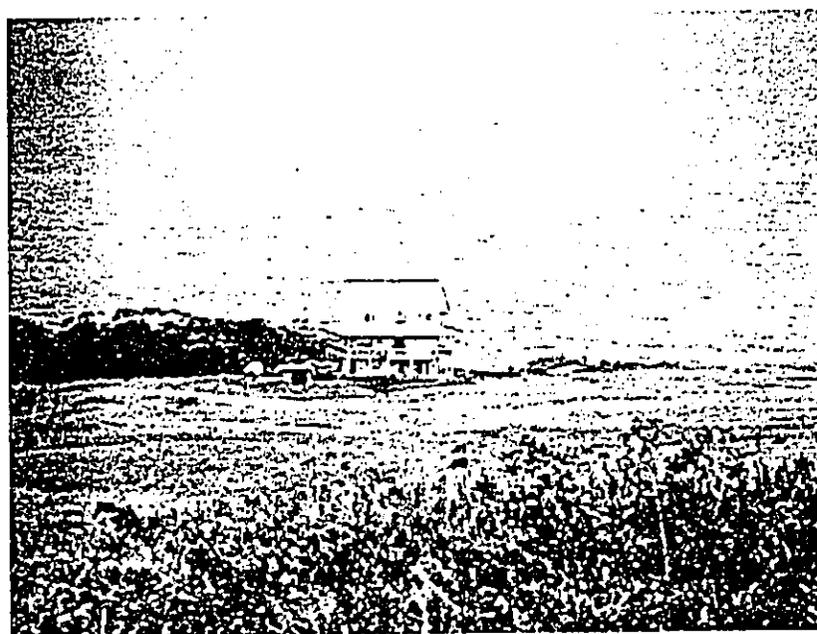
looking ma kai from middle of parcels

2



looking ma uka from middle of parcels

3



looking ma kai from middle of parcels

4



looking northwest from road

5



looking north from road

6



looking ma kai from small parcel

7



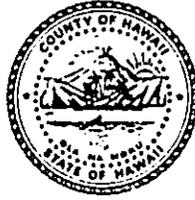
looking ma kai on road

8



looking across ma uka side
of property

Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Russell Kokubun
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-8742

April 11, 2000

GB Hajim
P.O. Box 373
Hakalau, HI 96710

Dear GB Hajim:

TMK: (3) 3-2-4:43 & 44

In response to your letter, please be informed that the above-captioned parcels are not within the Special Management Area.

Should you have any questions, please feel free to contact us again.

Sincerely,


VIRGINIA GOLDSTEIN
Planning Director

NH:pak
P:\wpwin60\norm\letters\hajim 4-11-00

Exhibit 11
SMA Exemption

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
33 SOUTH KING STREET, 6TH FLOOR
HONOLULU, HAWAII 96813

MICHAEL D. WILSON, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES

GILBERT COLOMA-AGARAN

AQUACULTURE DEVELOPMENT
PROGRAM

AQUATIC RESOURCES
CONSERVATION AND

RESOURCES ENFORCEMENT

CONVEYANCES

FORESTRY AND WILDLIFE

HISTORIC PRESERVATION

DIVISION

LAND DIVISION

STATE PARKS

WATER AND LAND DEVELOPMENT

April 24, 1998

Ms. Karen Akiba and GB Hajim
PO Box 170
Ninole, Hawaii 96733

LOG NO: 21307 ✓
DOC NO: 9804PM15

Dear Ms. Akiba:

**SUBJECT: Request for Comment on Proposed Agricultural Use of 5 Acres
of Land in the Conservation District
Kahuku, North Hilo, Hawaii Island
TMK: 3-2-04: 27 (Lots 11 and 11-A)**

Thank you for your letter of March 30, 1998 regarding your intentions for the subject parcel.

Because the land was in sugar cane production for some 50 years or more it is highly unlikely that any significant historic sites would still remain because of the repeated disturbances to the land surface. We thus believe that the proposed use will have "no effect" on significant historic sites.

If you should have any other questions please contact Patrick McCoy (587-0006).

Aloha,

A handwritten signature in black ink, appearing to read "Don Hibbard".

DON HIBBARD, Administrator
State Historic Preservation Division

PM:amk

Exhibit 12
State Historic Preservation Division Letter



MOKU · LOA · GROUP

SIERRA CLUB · HAWAII CHAPTER

Chairman Tim Johns and
Members of the Board of the
Department of Land and Natural Resources
PO Box 621
Honolulu, HI 96809

November 22, 2000

RE: CDUA of GB Hajim
Hamakua District, Island of Hawaii

We have reviewed Mr. Hajim's CDUA and find it will improve the native ecosystem on his land and have a positive impact on the surrounding environment. The flora of the region in question has been negatively impacted by highly invasive species. It is important that the CDUA is approved and Mr. Hajim is allowed to control the infestations and replant with non-invasive plants.

If the Board is concerned with the riparian zone, they should look to restrict the property owners outside the conservation district who practice extensive cattle ranching boarding the rivers. The Board might want to consider the restriction of the use of herbicides by the Department of Transportation on the roads that transverse the rivers. Mr. Hajim's plan is designed to control erosion and runoff. He plans to use no herbicides what so ever and has never, in past projects, used herbicides or pesticides.

Mr. Hajim has been a longtime supporter of environmental issues and conservation practices. Sierra Club supports this CDUA.

Mahalo for your consideration.

Nelson Ho

Nelson Ho, Co-Chair
Moku Loa Group Conservation Committee

Exhibit 13
Community Letters

P.O. BOX 1137 · HILO, HAWAII · 96721

Dave Broyles
PO Box 312
Hakalau, HI 96710
Broyles@hawaii.edu
March 5, 2001

G.B. Hajim/Karen Akiba
Hakalau, HI 96710

RE: Conservation District Use Application for TMKs 3-3-2-4-43 and 44

To Whom it May Concern:

I favor the application for agricultural use because this land was in agricultural use decades before the advent of conservation zoning. In this instance, conservation zoning has been actively detrimental to the ecology of this tract. Conservation zoning promoted agricultural abandonment. Unfortunately, abandoned agricultural land rarely if ever returns to a state remotely resembling a native ecosystem. What happens instead is that invasive species, all introduced rather than native, take over the land. This is what has happened to this land.

At present, this land and adjacent properties provides lower elevation habitat for feral pigs. The introduced juice variety of guava produces a fruit that is larger and that has more seeds than the native guava. Pigs love it – then excrete the seeds all over the community. This is clearly a matter of public nuisance. Unfortunately, conservation district regulations do not distinguish among species of trees. All trees are treated as equal and are afforded equal regulatory protection. Guava, strawberry guava, and melastomes receive the same protection as does koa and ohia.

As a matter of history, this land was all in agricultural production in 1911, when the Territory of Hawaii instituted its homestead program. This program enabled small tenant farmers who leased territorial land to acquire title to their farms. All of the land included in this application was part of such a lease and was in agricultural production prior to 1911. Most likely, the land was in production prior to 1880. Because of the difficulty of transporting crops more distant markets, agricultural production was limited to what could be consumed in the immediate community. The sole exception was sugar cane, which small farmers grew and sold to the local sugar mill.

That the area between Piha and Waikaumalo Streams was in sugar production is strongly suggested by the bridge across Waikaumalo Stream from this area. There is no public right-of-way on the northwest side of Waikaumalo Stream. Instead, the road crossed plantation land and was built and maintained by the plantation. It appears that this road was to facilitate the transportation of sugar cane from the area between the streams to the mill.

All of the land between the streams was part of the territorial homestead program. Nearly all of it presently is in a state of agricultural abandonment. Such abandonment clearly serves no public purpose.

Yours truly,


Dave Broyles

Exhibit 13

Mike and Therese Pacheco
PO Box 155
Hakalau, HI 96710
March 12, 2001

As neighbor of GB Hajim, I support his plan for agriculture on his Property. I am aware that his property is conservation land and what his plan involves will benefit the surrounding environment. Replanting native trees will help exterminate the guava trees which are so prevalent on the land. This in itself will help conserve the land and surrounding properties. Please approve this Conservation District Use Application.

Thank You,

Mike and Therese Pacheco

Michael Pacheco III 3/12/01

Therese Pacheco

Jerome Ganske
P.O. Box 144
Ninole, Hi. 96773
808-963-6969

To DLNR and all interested parties,

The CDUA application for GB Hajim has my approval. My house and land are within 300 yards of GB's property. And I also have land in that conservation zoned area and I'm very happy with GB's plans for forest and orchard cultivation.

Mostly I find it important for the area because all the land in this area, within this conservation zone, is infested with feral pigs, and over grown with the wildly invasive strawberry guava.

Direct contact by GB to establish his plan will set an example for everyone in this conservation zone to restore and transform the land from a dedicated pig run to a regenerated self sustaining conservation zone.

Sincerely



Jerome Ganske

3/12/01

Department of Land and Natural Resources
PO Box 621
Honolulu, HI 96809

March 7, 2001

Re: CDUA of GB Hajim
Ninole, Island of Hawaii

I have read GB Hajim's Conservation District Use Application (CDUA). I support Mr. Hajim's Proposed Action on his conservation Property.

Signed Anne C. Fong
Name ANNE C. FONG

Address P.O. Box 161
Ninole, Hi. 96773

DRAFT GRADING PLAN

1. We estimate that we will move 10,000 – 20,000 cubic feet of earth to improve the existing jeep road on the property and level the water tank site.
2. The earth moved will be placed in low-lying areas that drain away from the gulches and planted with ground cover to prevent run-off.
3. The new trail will be covered by a woven geotextile which will help spread applied loads over a wider foundation, reduce rut depths and prevent aggregate contamination. We will top the geotextile with a thin layer of 1" aggregate and topped by black cinder.
4. To minimize erosion, two culverts will be placed along the trails.
5. All grading work will be more than 100 feet away from the pali and all flora in that area will remain intact to help retain soil and reduce erosion.

Note: This grading is to improve access by wheelbarrow and garden cart, not vehicular traffic.

RECEIVED
BENJAMIN J. CAYETANO
GOVERNOR
EIA DIVISION



GENEVIEVE SALMONSON
DIRECTOR

2001 MAY 17 P 1:33

STATE OF HAWAII

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

OFFICE OF ENVIRONMENTAL QUALITY CONTROL
235 SOUTH BERETANIA STREET
SUITE 7C2
HONOLULU, HAWAII 96813
TELEPHONE (808) 586-4186
FACSIMILE (808) 586-4186

May 17, 2001

Dean Uchida, Administrator
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

Attention: Masa Alkire

Dear Mr. Uchida:

Subject: Draft Environmental Assessment (EA) for Piha Kahuku Organic Farm, Hamakua

We have the following comments to offer:

Two-sided pages: In order to reduce bulk and save on paper, please consider printing on both sides of the pages in the final document.

Significance criteria: In section 6.0 of the draft EA, your analysis of this project according to the significance criteria found in HAR 11-200-12 did not include the following 2 criteria. Please include them in the final EA:

*Curtails the range of beneficial uses of the environment;
Requires substantial energy consumption.*

Taro patch: What negative impacts do you expect from the taro cultivation and how will you eliminate or minimize these impacts?

Timber cultivation: The draft EA mentions that timber cultivation may not be limited to 4 acres. Do you plan to expand acreage in the future? How will the new habitat created for native species be protected from timber harvest (or poaching) activities? Please expand this discussion in the final EA.

Stream protection: What measures will you implement to prevent runoff into the two streams during grading and planting?

If you have any questions, call Nancy Heinrich at 586-4185.

Sincerely,

GENEVIEVE SALMONSON
Director

c: Karen Akiba

Exhibit 15
Agency Comment Letters and Responses

Genevieve Salmonson, Director
Office of Environmental Quality Control
236 South Beretania Street
Honolulu, HI 96813

August 14, 2001

Dear Ms Salmonson:

Thank you for your thoughtful comments regarding the EA associated with our Conservation District Use Application. We offer the following comments in response to your queries:

- 1) Taro Patch – We expect no more impact from the dryland kalo patch than from any other vegetable gardening. The kalo patch will be under an acre in size.
- 2) Timber Cultivation – The specific timber trees will be limited to 4 acres, however only native trees suitable for timber uses will be maximized. Any timber harvest plan will take into account any native species that begin to use the replanted forest as habitat. No more than two trees per year will be harvested, so that their absence will not have an impact on the forest. The point is to establish a canopy and keep it intact.
- 3) Poaching - Poaching of native trees is an issue on the Big Island – especially trees such as koa, which have a high demand for woodworking. Our increased presence on the land will be a deterrent to poaching activities.
- 4) Stream Protection – As stated in the EA, there will be no grading or clearing within 100 feet of either pali. In addition, between the activity area and the pali, the vegetation is thick and will remain intact, thus ensuring no significant impact. The exposed graded area will be covered with geotextile and then aggregate and all excess soil will be immediately moved to areas where it cannot drain into either gulch.

Thank you again and Aloha,



G.B. Hajim

PHONE (808) 594-1888



RECEIVED
LAND DIVISION FAX (808) 594-1865

2001 MAY 17 A 9:22

STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

LAND DIVISION
STATE OF HAWAII

May 2, 2001

Dean Uchida
Department of Land and Natural Resources, Land Division
PO Box 621
Honolulu, HI 96809

Subject: Conservation District Use Application (Board Permit) HA-3030B
TMK (3) 3-2-01:43 and TMK (3) 3-2-04:44

Dear Mr. Uchida,

Thank you for the opportunity to comment on the above referenced project.

The applicant proposes organic agricultural uses which would include a small scale timber farm, taro cultivation, and native plant restoration. The applicant has prepared a draft environmental assessment for the proposed uses.

The Office of Hawaiian Affairs notes that the deed to the land is subject to claims arising out of customary and traditional rights and practices. The draft EA for this project does not address impacts to these rights and practices, particularly as they might pertain to use of the two streams bordering the property, and should do so.

If you have any questions, please contact Sharla Manley, assistant policy analyst at 594-1944, or e-mail her at sharlam@oha.org.

Sincerely,

A handwritten signature in cursive script, appearing to read "Colin C. Kippen, Jr.".

Colin C. Kippen, Jr.
Deputy Administrator

CK: sam

cc: Board of Trustees
Randall K. Ogata, Administrator
Hilo CAC

Exhibit 15

Colin C. Kippen, Jr., Deputy Administrator
Office of Hawaiian Affairs
711 Kapiolani Blvd
Honolulu, HI 96813

August 14, 2001

Dear Mr. Kippen:

Thank you for commenting on our proposed Conservation District Use Application. In regards to your comments regarding customary and traditional rights and practices we have contacted the following agencies and individuals about the proposed actions:

Office of Hawaiian Affairs Oahu – Sharla Manley
Office of Hawaiian Affairs, East Hawaii, Ululani Sherlock
Laupahoehoe Hawaiian Civic Club – Walter Victor, Jr.
PDK Hawaiian Civic Club
Hamakua Hawaiiin Civic Club – Roy Sato
'Aha Punana Leo
Historic Preservation Division - Mark Smith

We received no substantive objections to the terms of the project and most individuals were supportive of our proposed actions.

We will provide access for any traditional or customary practices on the property and to the streams. I work with Hawaiian Language Revitalization and have in the past granted access to 'Aha Punana to the subject property on numerous occasions. As stated in the text of the EA, measures will be taken to prevent run-off into the abutting streams so that any traditional or customary practices occurring downstream will not be negatively impacted by the proposed actions.

In addition, Mark Smith of the Historic Preservation Division has stated that there are no records of archaeological sites in the area.

Aloha,



G. B. Hajim

SUSPENSE DATE: May 8, 2001

STATE OF HAWAII
Department of Land and Natural Resources
Division of Aquatic Resources

MEMORANDUM

To: William Devick, Administrator *WDB*
From: Richard Sixberry, Aquatic Biologist *RS*
Subject: Comments on Conservation District Use Application HA-3030B

Comments Requested By: Dean Uchida - Land Division

Date of Request: 4/17/01

Date Received: 4/17/01

Summary of Project

Title: Agriculture, Timber Farm, Workshed, Shadehouse &
Water Catchment

Proj. By: GB Hajim

Location: North Hilo, Hawaii

Brief Description:

The applicants propose to develop a small scale timber farm and non-commercial fruit orchard, removal of noxious species, and establish a vegetable garden and kalo patch. Also, build a workshed, shadehouse, water catchment system and improve the existing jeep roads.

Comments:

Significant impacts adverse to aquatic resource values are not expected from the activities proposed.

We recommend that clearing and planting activities be restricted to periods of minimal rainfall and areas denuded of vegetation which could be susceptible to wind or water erosion are appropriately stabilized.

Further, precautionary measures should include preventing chemicals (fertilizers, herbicides, pesticides, etc.), petroleum products, debris, cleared vegetation, eroded material and other potential contaminants from entering the abutting streams, Kalaeha and Waikaumalo River.

Richard Sixberry
Aquatic Biologist

Exhibit 15

5/7/01

Richard Sixberry, Aquatic Biologist
Division of Aquatic Resources, DLNR
1151 Punchbowl Street, Room 330
Honolulu, HI 96813

August 14, 2001

Dear Mr. Sixberry:

Thank you for taking the time to comment on our Conservation District Use Application and coming to the conclusion that significant adverse impacts are not expected from the activities proposed. In response to your queries:

- 1) We fully intend to conduct the proposed work in a manner that does not leave areas of the property susceptible to wind and water erosion. This includes not conducting work during periods of heavy rain. There will be no large-scale denudation of vegetation. The clearing of noxious species will occur in a thoughtful manner. Any areas cleared will be stabilized with both new plant material and any temporary reinforcement that may be needed.
- 2) As far as your comment regarding precautionary measures for preventing chemicals, petroleum products, debris cleared vegetation and eroded material from entering the abutting streams we fully intend on not damaging surrounding watercourses in any way. Chemicals will not be used in the organic agriculture proposed for the property. Use of tools requiring petroleum will be minimized and when gas tools are necessary great care will be taken to not contaminate the parcel in any way. Cleared vegetation will be disposed of in a way that will not affect surrounding streams.

Aloha,



G.B. Hajim

Harry Kim
Mayor

RECEIVED
LAND DIVISION

2001 MAY 10 P 12:45

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-8742

May 7, 2001

Mr. Dean Uchida, Administrator
Land Division
Department of Land and Natural Resources
P. O. Box 621
Honolulu, HI 96809

Dear Mr. Uchida:

Conservation District Use Application - GB Hajim
CDUA HA-3030B
Tax Map Key: (3) 3-2-004:043 & 044

We have received your letter of April 17, 2001 requesting our review of this proposal.

The application consists of three parts, (1) establishment of organic agricultural uses, (2) Building a workshed, shade house, and water catchment system, and (3) improvements and extensions to the existing jeep roads. We have no objections to the approval of parts (1) and (2), and (3).

Exhibit 15

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII

RECEIVED
LAND DIVISION



2001 MAY 15 P 12:20

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

May 9, 2001

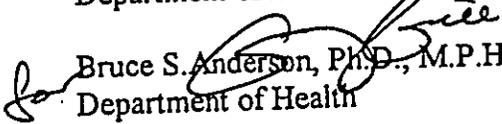
BRUCE S. ANDERSON, Ph.D., M.P.H.
DIRECTOR OF HEALTH

In reply, please refer to:
File:

01-022/epo

MEMORANDUM

TO: Dean Y. Uchida, Administrator
Land Division
Department of Land and Natural Resources

FROM:  Bruce S. Anderson, Ph.D., M.P.H., Director
Department of Health

SUBJECT: Conservation District Use Application, GB Hajim, HA-3030B

Thank you for allowing use to comment on the subject project. We have no comments to offer at this time.

Exhibit 15

Division of Forestry & Wildlife

1151 Punchbowl Street, Rm. 325 • Honolulu, HI 96813 • (808) 587-0166 • Fax: (808) 587-0160

April 18, 2001

MEMORANDUM

TO: Masa Alkire, Planner
Division of Land Management

THRU: Dean Uchida, Administrator
Division of Land Management

FROM: Michael G. Buck, Administrator
Division of Forestry and Wildlife



SUBJECT: CDUA file #HA-3030B Organic Agriculture, Small-Scale Timber Farm,
Workshed, Shadehouse and Water Catchment, District of North Hilo,
Hawaii County TMK: 3-2-04:43 and 3-2-04:44 by GB Hajim.

We have reviewed this CDUA with respect to its impacts on DOFAW's natural resources management programs and endangered species in particular. We support projects that provide for economic viability for the Hamakua area. The current land use provides for forest planning and other agriculture related activities on current fallowed land. We have no objections to this CDUA No. HA-3030B by GB Hajim within the General subzone of the State Conservation District. Thank you for allowing us the opportunity to comment.

C: DOFAW, Hawaii Branch

Exhibit 15

LNR-LAND DIVISION
ENGINEERING BRANCH

COMMENTS

REF.PB:EAH

Our current projects and programs are not affected by the proposed project.

For your information, the project site, according to FEMA Community Panel Number 155166
0425 C (not printed), is located in minimal tsunami inundation.