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William Takaba
Director

County of Hawaii RECEIVED

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OFC. OF ENVIRONMENTAL
QUALITY CONTROL

April 9, 2003

Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu HI 96813

Dear Ms. Salmonson:

SUBJECT: Final Environmental Assessment for Purchase of Road
Remnant at Pu'uuanahulu, TMK: (3) 7-1-05

The Hawaii County Department of Finance has reviewed the comments received during the 30-day public comment period which began on February 8, 2003. The agency has determined that the project will not have significant environment effects and has issued a FONSI. Please publish this notice in the next edition of the OEQC Environmental Notice.

Enclosed are four copies of the Final EA, a publication notice for the OEQC Environmental Notice, a distribution list for the EA, and a sample of the "Dear Participant" letter that will go to Draft EA commenters. As the project description summary has not changed, we are not submitting a copy of the summary, per OEQC recommended procedure.

Please contact Stanley Iwamoto of the Accounts Division at 961-8439, if you have any questions. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "William Takaba".

William Takaba
Director of Finance

Enclosures

2003-05-08-HA-FEA

MAY 8 2003

FILE COPY

FINAL ENVIRONMENTAL ASSESSMENT
PURCHASE OF ROAD REMNANT AT PU'UANAHULU
(Pu'uanahulu Purchase)

TMK (3rd): 7-1-05
Pu'uanahulu, North Kona, Island of Hawaii

April 2003

Applicants:
Rhondall K and Edward J. Rapoza
Claire and George R. Robinson
Sharron and George Handgis

Approving Agency:
Hawai'i County Department of Finance

FINAL ENVIRONMENTAL ASSESSMENT
PURCHASE OF ROAD REMNANT AT PU'UANAHULU

TMK (3rd) 7-1-05
Pu'uanahulu, North Kona, Island of Hawaii

APPLICANTS:

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APPROVING AGENCY:

Hawai'i County Department of Finance
25 Aupuni Street, Room 118
Hilo, Hawaii 96720

CLASS OF ACTION:

Use of County Land

This document is prepared pursuant to the Hawaii Environmental Protection Act,
Chapter 343, Hawaii Revised Statutes (HRS), and
Title 11, Chapter 200, Hawaii Department of Health Administrative Rules (HAR).

TABLE OF CONTENTS

SUMMARY	iii
PART 1: ACTION DESCRIPTION	1
1.1 Project Location	1
1.2 Project Description, Purpose and Objectives	1
1.3 Alternatives	2
1.4 Ownership and Land Use	2
1.5 Consultation with Agencies, Organizations and Individuals	2
1.6 Summary of Regulatory Requirements	3
PART 2: ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES	4
2.1 Basic Geographic Setting	4
2.2 Physical Environment	4
2.2.1 Drainage	4
2.2.2 Geologic Setting and Hazards	4
2.2.3 Flora, Fauna and Ecosystems	5
2.2.4 Air Quality and Noise	7
2.2.5 Scenic Impacts	7
2.3 Socioeconomic and Cultural	8
2.3.1 Socioeconomic	8
2.3.2 Historic and Cultural Environment	9
2.3.3 Archaeology and Historic Sites	13
2.3.3 Hazardous Materials and Toxic Substances	15
2.4 Public Facilities and Services	16
2.4.1 Public Roads	16
2.4.2 Recreational Facilities	17
2.4.3 Other Public Facilities and Services	17
2.5 Secondary and Cumulative Impacts	18
2.6 Required Permits and Approvals	18
2.7 Consistency With Government Plans and Policies	18
2.7.1 Land Use Designations	18
2.7.2 Hawaii County General Plan Goals, Policies and Objectives	18
PART 3: DETERMINATION	20
PART 4: FINDINGS AND REASONS	21
REFERENCES	23

LIST OF TABLES

Table 1	Plant Species List	6
Table 2	North Kona Population Growth	8
Table 3	Selected Socioeconomic Characteristics	8

LIST OF APPENDICES

APPENDIX 1A	COMMENT LETTERS FROM AGENCIES AND ORGANIZATIONS IN RESPONSE TO PRE-CONSULTATION
APPENDIX 1B	COMMENT LETTERS TO DRAFT EA AND RESPONSES
APPENDIX 2	FIGURES Figure 1 Location Map Figure 2a TMK Map Figure 2b Road Remnant Figure 3 Project Site Photos Figure 4 Conceptual Consolidation/Resubdivison Layout
APPENDIX 3	PHASE I ENVIRONMENTAL SITE ASSESSMENT
APPENDIX 4	CORRESPONDENCE WITH BIG ISLAND COUNTRY CLUB

SUMMARY

The project involves the purchase of a remnant of a 25-foot Road Reserve at Pu'uuanahulu Homesteads in North Kona. It is approximately 1,160 feet long by 25 feet wide, and encloses an area of 0.877 acres between TMKs 7-1-05:20, 27 and 62. The remnant connects to a system of former road remnants purchased in 1998 from the County of Hawai'i by the Big Island Country Club Estates (BICC), the surrounding real property owner. BICC was obliged as part of its rezoning conditions to install pedestrian walkways and bike lanes to be connected to Mamalahoa Highway, presumably along the subject road remnant or another route through the applicants' property. The road reserve is no longer used as a road, and does not provide actual or legal access to any property, and serves no other private or public function except to access the planned BICC trail and a portion of the historic Pu'u Loa-Kiholo Trail. The surrounding property owners use other routes to access their properties. Big Island Country Club is the only other property owner that utilizes a portion of the remnant for vehicular access, and BICC has agreed with the applicants to release any interest it may have in the road remnant in exchange for the applicants' grant of easement over their properties for ingress and egress to its maintenance baseyard.

Allowing the purchase will relieve the County of Hawai'i from any potential maintenance and liability responsibilities for the road, and will not adversely affect any public or private access or other rights. It will provide the surrounding property owners with the ability to realign the property boundaries through the consolidation/resubdivision process into an arrangement that better suits the owners.

Several minor adverse environmental conditions related to hazardous materials (e.g., stacks of golf cart batteries) are present in the maintenance yard of the Big Island Country Club, which has spread to include a portion of the subject road remnant. The applicants will work with Big Island Country Club to accomplish the remediation recommended in a Phase I assessment, including removal and disposal of hazardous materials and provision of a release of liability to the County of Hawai'i.

Given conditions as part of the sale requiring the applicants to maintain access to the Pu'u Loa-Kiholo Trail and to provide unrestricted public access through the relocated 25-foot wide access to the planned BICC pedestrian/bicycle/equestrian trail, no adverse impacts to public access will occur.

No other potential adverse environmental impacts are foreseen.

PART 1: ACTION DESCRIPTION

1.1 Project Location

The project involves the purchase of a remnant of a 25-foot wide Road Reserve at Pu'uuanahulu Homesteads, North Kona, Hawai'i, TMK 7-1:05 (plat) (Figs. 1-3). The road reserve is a remnant portion (hereinafter called the road remnant) of the former road network for the Pu'uuanahulu Homesteads. It is approximately 1,160 feet long by 25 feet wide, and encloses an area of 0.877 acres between TMKs 7-1-05:20, 27 and 62.

1.2 Project Description, Purpose and Objectives

The purpose of the project is to allow the incorporation of the remnant into adjacent parcels and provide the surrounding property owners with the ability to realign the property boundaries and access through the consolidation/resubdivision process into an arrangement that better suits the owners use of the land. Figures 2a and 2b illustrate the current parcel layout, and Figure 4 illustrates the conceptual lot layout after the proposed consolidation/resubdivision, including the new legal access, which is already the de facto access for the above-mentioned parcels. It is important to note that no extra lots would be created as a result of the consolidation/resubdivision planned subsequent to the road purchase.

The remnant connects to a system of former road remnants purchased in 1998 from the County of Hawai'i by the Big Island Country Club Estates, the surrounding real property owner (Fig 1). BICC was obliged through Condition N of Hawai'i County Ordinance 94-78, amending the zoning of certain parcels, to "install pedestrian walkways and bike lanes within the subdivision....the location of which shall be determined by the Planning Director in consultation with Na Ala Hele..." These lanes would require a trail connection through the applicants' property to Mamalahoa Highway.

Close to its terminus with Mamalahoa Highway, the road remnant (as well as TMK 7-1-05:62) is crossed by the historic Pu'u Loa-Kiholo Trail (Fig. 1).

For most of its length, the road reserve is no longer used as a road, and does not provide actual or legal access to any property, and serves no other private or public function except to access the planned BICC trail and the Pu'u Loa-Kiholo Trail. The surrounding property owners use other routes to access their properties. Big Island Country Club is the only other property owner who may on occasion utilize this roadway parcel and has agreed with the applicants to release any interest it may have in the roadway parcel in exchange for the applicants' grant of an easement over the applicants' properties for ingress and egress to its maintenance baseyard (see Appendix 4)

Allowing the purchase will benefit the taxpaying public in that it would relieve the County of Hawai'i from any potential maintenance and liability responsibilities. Furthermore, the purchase and associated consolidation/resubdivision would not adversely affect any public or private access or other rights, given conditions related to trail access. The purchase of the road remnant will proceed as soon as practical after completion of the EA and approval by the County Council. No State or County funds will be used. The applicants will purchase the road remnant from the County for an amount to be determined through appraisal and County Council action.

1.3 Alternatives

The basic alternative to the proposed purchase is to allow the road remnant to remain in place. Other than the one existing and one planned trail mentioned above, it does not provide access to any area useful to the public, e.g., recreational areas, gathering resources, etc., and it is not been maintained by the County of Hawai'i. As Photo Figures 3a-b illustrate, it is thus no longer passable for some of its length. It is unlikely that the County would choose to maintain it in the future, but the County would still be legally liable for activities or accidents that might occur on the property. Thus, there would be little public benefit (relative to the proposed action) but at least some risk of public cost. This EA considers the No Action Alternative as the baseline by which to compare environmental effects from the project.

1.4 Ownership and Land Use

The road remnant is owned by the County of Hawai'i. TMK 7-1-05:27 is owned by Edward J. Rapoza and Rhondall K. Rapoza. TMKs 7-1-05:20 and 7-1-05:62 are owned by Mr. and Mrs. Rapoza as well as George R. Robinson, Claire Robinson, George Handgis and Sharron Handgis. Land use in the properties surrounding the remnant is mostly agricultural with residences, in conformance with the State Land Use District (Agricultural) and County zoning (Agricultural, 1-acre and 5-acre minimum lot size) for these parcels.

1.5 Consultation With Agencies, Organizations and Individuals

The following agencies, organizations and individuals were consulted during the preparation of the Draft EA:

County:

Planning Department

County Council

State:

Department of Land and Natural Resources, Historic Preservation Division
Department of Land and Natural Resources, Forestry and Wildlife Division
Department of Transportation, Highways Division, Hawai'i District

Private:

Ka 'Ahahui O Pu'u Wa'awa'a

Sierra Club

Notice of the availability of the Draft EA was published by the Hawaii State Office of Environmental Quality Control (OEQC) in the *Environmental Notice* of 8 February 2003. This initiated a 30-day comment period during which the public was invited to respond to the Draft EA with comments or questions. Four comment letters were received. These letters and the responses to them are included in Appendix 1B. The Final EA has been revised to incorporate revisions based on comments. Sections where substantive information has been added to Final EA are denoted by double underlines, as in this paragraph.

1.6 Summary of Regulatory Requirements

This Environmental Assessment (EA) process is being conducted in accordance with Chapter 343 of the Hawaii Revised Statutes (HRS). This law, along with its implementing regulations, Title 11, Chapter 200, of the Hawaii Administrative Rules (HAR), is the basis for the environmental impact process in the State of Hawaii. According to Chapter 343, an EA is prepared to determine impacts associated with an action, to develop mitigation measures for adverse impacts, and to determine whether any of the impacts are significant according to thirteen specific criteria. As the purchase of a County road remnant involves the "use" of County land, compliance with Chapter 343, HRS, is required. As the Hawai'i County Department of Finance (HCDF) is responsible for disposition of County real estate, this agency is serving as the Approving Agency for the Environmental Assessment. Part 4 of this document states the anticipated finding that no significant impacts are expected to occur; Part 5 lists each criterion and presents the preliminary findings for each made by the applicants and submitted to the HCDF. If, after considering comments to the Draft EA, the HCDF concludes that, as anticipated, no significant impacts would be expected to occur, then the HCDF will issue a Finding of No Significant Impact (FONSI), and the action will be permitted to occur. If the agency concludes that significant impacts are expected to occur as a result of the proposed action, then an Environmental Impact Statement (EIS) will be prepared.

PART 2: ENVIRONMENTAL SETTING, IMPACTS AND PROPOSED MITIGATION MEASURES

2.1 Basic Geographic Setting

The road remnant is a narrow, nearly level property situated at about 2,140 feet above sea level, about six miles from the coast (Fig. 1). The long ridge (Pu'u Loa) that represents the edge of the Pu'uuanahulu lava flow, a very viscous and thick eruption that extended from Hualalai, lies several hundred feet to the south. The surface is low-sloped and covered with a fine soil. Annual rainfall is approximately 25 inches (Giambelucca et al 1986). The vegetation on the road remnant and adjacent property consists of weedy shrubs, herbs, vines and grasses. A length of 400 feet at the makai (western) end of the remnant has been used as part of a baseyard by the adjacent Big Island Country Club. The remnant is walkable along its entire length, although dense vegetation and several old bulldozer push piles make walking difficult. Portions can be driven, but in some sections the rough vehicle track does not coincide with the actual road remnant, generally being displaced a short distance south.

2.2 Physical Environment

2.2.1 Drainage

Environmental Setting

All of the property is designated Zone X, defined as areas outside the 500 year flood plain on the Flood Insurance Rate maps (FIRM).

Impacts and Mitigation Measures

No impacts to drainage or flood zones is expected to occur as a consequence of the purchase of the road remnant and or any action that this might enable.

2.2.2 Geologic Setting and Hazards

Geologic maps show that the property occupies an approximately 10,000-year old lava flow from Hualalai that overlies the famous 100,000-year old Pu'u Wa'awa'a trachyte flow that forms prominent Pu'u Loa just to the south (Wolfe and Morris 1996). Soil is classified as Pu'u Pa extremely stony very fine sandy loam (U.S. Soil Conservation Service 1973). In some places in Kona and South Kohala the soil is severely eroded, runs off rapidly and may pose a severe erosion hazard on high slopes. In the area surrounding the road remnant, however, the slopes are low and the surface is highly vegetated; no signs of water or wind erosion are present.

The entire Big Island is subject to geologic hazards, especially lava flows and earthquakes. The site is located on Hualalai volcano in an area of Lava Flow Hazard Zone 4 (on a scale of ascending risk 9 to 1). Zone 4 on Hualalai have had 25 percent of their surfaces covered by lava in the last 1,000 years. As such, there is a fairly low risk of lava inundation over relatively short time scales (see Heliker 1990).

In terms of seismic risk, the entire Island of Hawai'i is rated Zone 4 Seismic Probability Rating (*Uniform Building Code*, Appendix Chapter 25, Section 2518). Zone 4 areas are at risk from major earthquake damage, especially to poorly-designed or -built structures.

Impacts and Mitigation Measures

Some level of geologic risk is a fact of life for the majority of locations and residents on the island of Hawaii. Although the proposed project is located in an zone exposed to some earthquake and volcanic hazard, there would be no additional exposure to either the public or private parties as a result of the purchase.

2.2.3 Flora, Fauna and Ecosystems

Environmental Setting and Impacts

A biological reconnaissance of the road remnant and surrounding property was conducted in May of 2002. Through a combination of influences – particularly grazing and the general spread of aggressive alien plants – the property has almost entirely alien vegetation. Table 1 lists plant species that are present on the road remnant.

The low elevation and disturbed site conditions preclude the presence of wildlife habitat or native birds. Although no formal avian survey was conducted, Northern Cardinals (*Cardinalis cardinalis*), Common Mynahs (*Acridotheres tristis*), House Finches (*Carpodacus c. mexicanus*), Zebra Doves (*Geopila striata*), wild turkeys (*Meleagris gallopavo*), Chestnut-Bellied Sandgrouse (*Pterocles exustus*), Skylark (*Alauda arvensis*) Erckel's francolin (*Francolinis erckelli*), and Japanese White-eyes (*Zosterops japonicus*) were seen during the botanical survey. All of the birds found are common throughout the leeward lowlands on the island of Hawai'i. The endangered Nene, (*Branta sandvicensis*), is frequently seen on the Big Island Country Club golf course, the fairways of which are as close as a few hundred yards to north of the road remnant. Although Nene are seen in the area, the road remnant itself offers little in the way of unique habitat or resources that would be valuable to the Nene.

No threatened or endangered animal or plant species are present or would be expected to be present on the property. No adverse impact to flora, fauna or ecosystems would be expected to result from the proposed subdivision or any activities associated with it.

**Table 1
Plant Species List**

Scientific Name	Family	Common Name	Life Form	Status*
<i>Amaranthus spinosus</i>	Amaranthaceae	Spiny Amaranth	Herb	A
<i>Bidens pilosa</i>	Asteraceae	Beggar's tick	Herb	A
<i>Tithonia diversifolia</i>	Asteraceae	Tree Marigold	Shrub	A
<i>Xanthium strumarium</i>	Asteraceae	Cocklebur	Herb	A
<i>Opuntia megacantha</i>	Cactaceae	Prickly pear	Shrub	A
<i>Dianthus armeria</i>	Carvophyllaceae	Deptford	Pink	A
<i>Silene gallica</i>	Carvophyllaceae	Small-flowered catchfly	Herb	A
<i>Chenopodium murale</i>	Chenopodiaceae	Aheahea	Herb	A
<i>Chenopodium oahuense</i>	Chenopodiaceae	Aheahea	Shrub	E
<i>Commelina diffusa</i>	Commelinaceae	Wandering Jew	Vine	A
<i>Ipomea congesta</i>	Convolvulaceae	Blue Morning Glory	Vine	I
<i>Bryophyllum pinnatum</i>	Crassulaceae	Airplant	Herb	A
<i>Ricinus communis</i>	Euphorbiaceae	Castor Bean	Shrub	A
<i>Crotalaria sp.</i>	Fabaceae	Rattle-box	Shrub	A
<i>Indigofera suffruticosa</i>	Fabaceae	Indigo	Shrub	A
<i>Medicago polymorpha</i>	Fabaceae	Bur Clover	Herb	A
<i>Macroptilium atropurpureum</i>	Fabaceae	none	Vine	A
<i>Hyptis pectinata</i>	Lamiaceae	Hyptis	Shrub	A
<i>Abutilon grandifolium</i>	Malvaceae	Hairy Abutilon	Shrub	A
<i>Malvastrum coromandelianum</i>	Malvaceae	False Mallow	Herb	A
<i>Sida rhombifolia</i>	Malvaceae	Cuba Jute	Herb	A / I (?)
<i>Sida spinosa</i>	Malvaceae	Prickly Sida	Herb	A
<i>Agrotis stolonifera</i>	Poaceae	Redtop	Herb	A
<i>Chloris barbata</i>	Poaceae	Swollen Fingergrass	Herb	A
<i>Chloris radiata</i>	Poaceae	Radiate Fingergrass	Herb	A
<i>Cymbopogon refractus</i>	Poaceae	Barbwire grass	Herb	A
<i>Cynodon dactylon</i>	Poaceae	Bermuda grass	Herb	A
<i>Eragrostis tenella</i>	Poaceae	Lovegrass	Herb	A
<i>Glycine Wightii</i>	Fabaceae	none	Herb	A
<i>Panicum maximum</i>	Poaceae	Guinea grass	Herb	A
<i>Pennisetum setaceum</i>	Poaceae	Fountain grass	Herb	A
<i>Portulaca oleracea</i>	Portulacaceae	Pigweed	Herb	A
<i>Portulaca pilosa</i>	Portulacaceae	Akulikuli	Herb	A
<i>Solanum americanum</i>	Solanaceae	Popolo	Herb	A / I (?)
<i>Waltheria indica</i>	Sterculiaceae	Waltheria	Shrub	A / I (?)

A = alien, E = endemic, I = indigenous, End = Federal and State listed Endangered Species

2.2.4 Air Quality and Noise

Environmental Setting

Human-caused air pollution on the Big Island is minimal at present. Kona suffers from a visible haze (vog) caused when volcanic emissions of sulfur dioxide produced by Kilauea volcano drift into the circulation of Kona and convert into particulate sulfate.

Ambient noise in the area is slight and is mostly derived from adjacent farms and residences and State Highway 190.

Impacts and Mitigation Measures

The proposed action will have no impact on either air quality or noise in the area, as it does not increase or relocate any potential land uses. It should be noted that the "new" access is already a legal County road access for two lots and is the de facto access for the other subject lots.

2.2.5 Scenic Impacts

The Hawai'i County General Plan contains Goals, Policies and Standards intended to preserve areas of natural beauty and scenic vistas from encroachment. For North Kona, the affected viewplanes or viewpoints areas pertinent to this action are views of Pu'u Wa'awa'a. A fine view of this scenic cone is present for southbound motorists on Highway 190 at the large curve where the road begins to descend Pu'uanahulu Ridge. Pu'uanahulu Ridge blocks any views of the ocean from Highway 190 over the property.

Impacts

Neither the purchase of the road remnant nor the consolidation/resubdivision this would enable would cause any scenic impacts.

2.3 Socioeconomic and Cultural

2.3.1 Socioeconomic

Environmental Setting

The North Kona district has been growing steadily since 1960, as shown in Table 2.

Table 2
North Kona Population Growth

1970	1980	1990	1995	2000
4,832	13,898	22,284	25,547	28,453

The 2000 U.S. Census of Population statistics for Hawai'i County and the two census units closest to the property – North Kona and Census Tract 215.02, which includes the northernmost portion of North Kona – are presented in Table 3.

Table 3
Selected Socioeconomic Characteristics

Characteristic/Geographic Area	Hawaii County	North Kona	Tract 215.02
Total Population	148,677	28,543	3,688
Percent Female	49.9	49.7	48.6
Median Age	38.6	39.4	40.9
Percent < 18 Years	26.1	24.4	23.2
Percent > 65 Years	27.1	11.8	11.6
Percent Caucasian	31.5	47.1	49.0
Percent Asian	26.7	16.3	15.2
Percent Native Hawaiian	11.2	10.7	9.6
Percent Two or More Races	28.4	23.5	23.1
Percent Family Households	69.6	68.6	64.8
Average Household Size	2.75	2.70	2.60
Average Family Size	3.24	3.13	3.15
Percent House Seasonal/Vacation Use	8.1	19.7	4.8
Percent Housing Owner Occupied	64.5	58.5	55.0

Source: U.S. Census of Population, 2000. American Fact Finder web page (<http://factfinder/census.gov>)

Impacts and Mitigation Measures

The purchase of the road remnant will have no impact on the greater socioeconomic environment.

2.3.2 Historical and Cultural Environment

Background and Environmental Setting

The information in this section is derived from published sources. (especially Kumu Pono Associates 1999¹ and 2001; Kelley 1996) and interviews with Ku'ulei Keakealani, Sally Rice, and Debbie Chang during a site visit in July of 2002. All are long-time residents and/or experts in history and aspects of traditional Hawaiian culture.

Kekaha and Na Pu'u

The lands of Kona north of Kailua are commonly referred to as Kekaha or Kekaha-wai-ole, waterless Kekaha. Although the lands are notable for arid stretches of nearly bare lava, natives of the region knew where water could be found. Traditional settlement in Kekaha was found primarily on the coast, where fishponds, shoreline resources and offshore fisheries provided sustenance. When studying the cultural setting in Hawai'i, it is important to focus on the ahupua'a. These land units generally extended from the mountain to the sea and contained most of the resources that a settlement would require for its subsistence, distributed at various elevations. As historian Marion Kelley has said, the ahupua'a "was the basic land unit, most common and most closely related to the religious and economic life of the people." (Kelley 1996:iv).

The property is on the border of the ahupua'a of Pu'uanahulu and Pu'u Wa'awa'a, in the district or moku'aina of Kona. These two ahupua'a are often jointly referred to as Na Pu'u. Pu'uanahulu literally means ten-day hill, perhaps in reference to a supernatural dog and/or priestess of that name (Pukui et al 1976), or perhaps because of a ten-day ceremonial harvest period (Kumu Pono 1999:20). Pu'u Wa'awa'a means furrowed hill (Pukui et al 1976). Traditional accounts of the area also include personages with the names Anahulu and Wa'awa'a (Kumu Pono 1999:20).

¹ The author is grateful for access to this material and acknowledges and has attempted to satisfy the wishes of the community members who authorized the study, who state in the introduction: "Here is our request of you, who read this collection of our history - what we ask of you is respect. Respect our kupuna. Respect our land. Respect this information by not using it out of context...As our kupuna taught us in all things, we ask you "noi mua" (ask permission first)."

Traditional Resources and Settlement

Pu`uanahulu and Pu`u Wa`awa`a offered an excellent variety of resources. As stated in Kumu Pono Associates:

~Traditional and historic literature, and oral historical accounts describe the Nāpu`u region as one of favored lands of Kekaha. The fresh water pond of Luahinewai, and watered shores of Pu`u Anahulu-Pu`u Wa`awa`a; the great fishponds of Kīholo and Wainānāli`i; rich ocean and near-shore fisheries; sheltered bays from Kīholo to Kapalaoa; important salt making locations; the inland agricultural field systems; and diverse forest and mountain resources, attracted native residents to the area, and sustained them on the land~ (2001:n.p.)

JW.H.I. Kihe, a resident of Kekaha a century ago, is cited in Kumu Pono and Associates (1999:20-22) for a series of stories about Pu`u Anahulu illustrating the relationship of natural and spiritual forces in sustaining rainfall, pond water and the food resources that these in turn provided. There are many wahi pana (or storied places) in Pu`u Anahulu. Kumu Pono and Associates (1999:31-32) cite a number of hills, caves, water channels, water holes and ridges in the area. Although none appear to be present on the subject property itself, many are visible from there and imbue the property with a rich sense of history and connectedness with its ahupua`a.

Kelley (1996) states that it is unknown whether the early inhabitants of Pu`u Wa`awa`a and Pu`uanahulu confined themselves to the coastal or inland areas or occupied both. The lava flows of the 19th century, as well as the relentless action of cattle, sheep, lantana and fountain grass, have destroyed or obscured many of the fields, shelters, trails and other archaeological evidence that might help answer these and other questions about traditional settlement. However, some residents during consultation for this project reported that at least during the historic period, families would move between Ka`upulehu and Kiholo on the coast up to Pu`u Anahulu.

Traditional Hawaiian land use was arranged according to elevational zones called ~wao~ in Hawaiian (Pukui et al 1972). Regarding the subject area:

~These environmental zones include the near-shore fisheries and shoreline strand (*kahakai*) and the *kula kai-kula uka* (shoreward and inland plains). These areas were greatly desired as places of residence by the natives of the land. (Kumu Pono Associates 2001 n.p.)~

Although only a few remnant diverse native dry forests survive today, the *kula* region formerly harbored plant communities of great diversity and utility to the inhabitants.

In the *wao kanaka* (region of man, about 1,800-2,400 feet in elevation, where the subject property is located) and *wao nahele* (forest region, 2,400-4,000 feet), greater rainfall induced denser forest growth. The area embracing the current Pu`uanahulu Homesteads and Pu`u Wa`awa`a Ranch was known as Nāpu`u-pū`alu-kinikini (the-many-folded or

gullied-hills). Further mauka are the heavily forested *wao ma'ukele* and the *wao akua*, or "region of gods." All these elevational zones were important and integrated. In the words of Kumu Pono Associates (2001:n.p.):

"Early native residents of Nāpu'u and their descendants, share a deep cultural attachment with their environment. Their customs, beliefs, practices, and history are place based. This attachment to place is rooted in the native belief that all things within the environment are interrelated. Whether in the uplands, the near shore lowlands, or in the sea, everything was connected. The ahupua'a as the primary native land unit was the thread which bound all things together in Hawaiian life."

This attachment to and honoring of place in Nāpu'u continues today, as *Hui 'Ohana mai Pu'u Anahulu a me Pu'u Wa'awa'a*, a community-based organization composed of Hawaiian families, descendants of the native tenants and historic homesteaders, has undertaken a program of oral history interviews and documentary research.

The Historical Period

Just as elsewhere in Hawai'i, the coming of Europeans brought great change and disruption to the area. Disease and migration depopulated the area, while new economic patterns changed the relationship of community to its place and the resources that had sustained it for centuries. Missionary censuses placed the population of Kekaha at 1,233 in 1935 (Schmitt 1973:8). There was a steady decline in the population of Kekaha (and indeed all of Kona) between 1850 and 1920, but Kumu Pono Associates (1999:54-58) review of church school records indicates that Na Pu'u always maintained a population large enough for at least one school.

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In the decades that followed, the great majority of the land in Na Pu'u (excluding only where native tenants had land rights) was leased by the Hawaiian Kingdom to various ranches. The first formal lease in Pu'u anahulu was for the entire ahupua'a in 1863 (Kumu Pono Associates 1999:114). Three Hawaiians from Honolulu were the lessees, and the lease was subject to the rights of native tenants on the land. Title to the lease periodically changed, but the purpose was always cattle grazing. At the end of one of the long leases in 1894, native tenants asked the government to lease land in what is now known as the homestead lands of Pu'u anahulu. The granting process was slow, and

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Mitigation

Although most of the adverse environmental conditions in the baseyard do not currently and would not be expected to affect the road remnant, the following measures were recommended to manage these conditions as they do affect the remnant:

- o All materials should be removed from the subject property prior to sale, or after the sale by funds placed in escrow as a condition of sale. These materials should be removed in a manner that does not spill any oils, fuels or other chemicals from the materials.
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gullied-hills). Further mauka are the heavily forested *wao ma'ukele* and the *wao akua*, or "region of gods." All these elevational zones were important and integrated. In the words of Kumu Pono Associates (2001:n.p.):

"Early native residents of Nāpu'u and their descendants, share a deep cultural attachment with their environment. Their customs, beliefs, practices, and history are place based. This attachment to place is rooted in the native belief that all things within the environment are interrelated. Whether in the uplands, the near shore lowlands, or in the sea, everything was connected. The ahupua'a as the primary native land unit was the thread which bound all things together in Hawaiian life."

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homesteaders competed with Pu`u Wa`awa`a Ranch for homestead parcels. Eben Low and Robert Hind received the lease of the Government lands at Pu`u Anahulu-Pu`u Wa`awa`a in 1897 (Kumu Pono Associates 1999). The report of the Territorial Governor to the U.S. Secretary of the Interior in 1901 stated that Pu`uanahulu was the second largest government land lease, at 83,000 acres, plus 852 acres for settlement purposes. The lease rent was \$150 year, which increased to about \$1,500 by 1917 (Kelley 1996:11). Low and Hind also began acquiring some of the small fee simple parcels in Pu`u Anahulu which had been set aside for homesteading purposes. By 1914, they had gotten partial or full title to most of the lots. Nevertheless, between 1897 and 1920 several dozen native residents received lots varying from 7 and 37 acres, where they built homes and raised crops. Many worked for Pu`u Wa`awa`a Ranch as well. (Kumu Pono Associates 2002). These homesteading lots represent the land foundation of the traditional Hawaiian community in Pu`uanahulu today.

The Hind family remained at Pu`u Wa`awa`a until 1958, when Dillingham Ranch took over. In 1972, Dillingham sold its interests. Subsequent owners and State land lessees have continued to ranch, with more intense grazing on a smaller land base. The late 20th century also saw the development of Big Island Country Club, a private golf course, and Pu`u Lani Ranch, a gated, upscale residential community. The 20th century has also witnessed droughts, fire, grazing, land use conversion and alien species invasion contributing to a decline in forest cover and biodiversity in the area.

The Pu`uanahulu-Pu`u Wa`awa`a area is thus a region with a long and varied history, throughout which important cultural sites and practices have been perpetuated and nurtured by a group of native residents continuously from traditional times to the present. According to Kumu Pono Associates (1999:162):

“The historic families of Napu`u shared - and through their descendants continue to share - an intimate relationship with the `ohana ...of the neighboring communities...By living and working with the `ohana...a wide variety of skills were brought together, and resources - those purposefully collected and those collected from the natural environment - from the uplands and fisheries, were pooled together and exchanged to support the extended families and communities.”

These interrelationships underscore the importance of the unity of the region and the importance of maintaining the integrity of resources for both the cultural and physical health of Na Pu`u.

Impacts

In order to determine whether any important cultural sites or practices were present or would in some way be impacted by the proposed road remnant sale and consolidation/resubdivision, residents knowledgeable in the local resources were invited to an onsite gathering and walk about the property. Four residents and a Kona trail expert attended. All were highly familiar with the property and its history.

Several resources of concern were noted. First was the Pu'u Loa-Kiholo Trail, which crosses TMK 7-1-05:62 and the road remnant in the extreme southeast corner of the property, near the terminus with Mamalahoa Highway (Figs. 2a-b). The trail has few traces on the ground except at an old wooden gate at a stone wall, but is readily visible to those familiar with the area and Hawaiian trails. Although little used at present, the trail has great potential for both recreational use and historic interpretation, and is an important symbol of vital linkages within and between the ahupua'a of Pu'uanahulu and Pu'u Wa'awa'a. The applicants recognize and value the trail and have no plans to disturb it in any way, including the gate area, and will not restrict access, and will agree to conditions requiring such to be part of the County ordinance granting sale of the road remnant. This subject is discussed in more detail in Section 2.4.2.

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Pu'uanahulu homesteads in the early 20th century. An old house, which has become dilapidated through lack of use and vandalism, is present about 50 feet north of the remnant on TMK 7-1-05-062. Separately from the proposed action, the house is planned for donation to a local family, which will relocate it and partially restore it in a separate area of Pu'uanahulu. No other potential historic sites appear to be present nearby.

Impacts

The stone wall and house would not be affected by the sale of the remnant or any activities that this would enable. The applicants will commit as part of the County ordinance granting the sale to not disturb the trail, including the gate area, or restrict access to it.

It would appear that no historic sites would be affected by the proposed action. This Draft EA will be reviewed by the Hawai'i State Historic Preservation Division (SHPD) to determine whether there is sufficient information to determine that no effect to significant historic sites will occur as a result of this action.

Mitigation Measures

With or without the proposed action, agricultural activities (e.g., grazing, fencing and cultivation) as well as construction of farm dwellings and residences are planned for the properties. Although such finds are not expected on a site where heavy land disturbance has already occurred, the applicants will cease work immediately and consult SHPD if any artifacts, charcoal deposits, or human remains are discovered during grading or construction.

2.3.4 Hazardous Materials and Toxic Substances

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The applicants will work with Big Island Country Club to accomplish the recommended remediation. The applicants will provide a release to the County of Hawai'i.

2.4 Public Facilities and Services

2.4.1 Public Roads

Existing Facilities

The property is accessed via State Highway 190 (Mamalahoa Highway), a two-lane State road that connects Waimea and Kailua-Kona. Traffic is generally light but steady on the road, which is used by both residents and visitors. The current access is in the middle of a curving section of the road which ascends/descends Pu'u Loa (Figs. 1, 2a-b). The State Highways Division commented in a letter of January 22, 2001, that no vehicle access would be allowed (to the remnant) from the State Highway. They further requested that a 10-foot wide planting screen easement be provided along the State Highway right-of-way frontage, and that no additional storm discharge be allowed onto the State's right of way as a result of the proposed action.

The road remnant accesses six properties: TMKs 7-1-05:20, 22, 26, 27, 28 and 62 (see Fig. 2a). All but parcel 27 have alternate accesses. The owners of three of the properties (TMK 7-1-05:20, 27 and 62) are the applicants for this EA. Big Island Country Club owns parcels 22, 26 and 28, and has agreed with the applicants to release any interest it may have in the roadway parcel in exchange for the applicants' grant of an easement over the applicants' properties for ingress and egress to its maintenance baseyard.

Impacts and Mitigation Measures

The proposed action would eliminate a redundant access to a busy highway and relocate a County roadway access from a hazardous location on a curve to a safer position.

No property owner will be deprived of access as a result of the proposed purchase of the road remnant and consolidation/resubdivision, and all parties who take access from the road remnant favor the purchase. Given proposed conditions relating to trail access (see Section 2.4.2), no adverse impact to public access is thus foreseen.

The applicants are willing to surrender the right to access the property from the remnant after its purchase and grant a 10-foot wide planting screen easement per the requests from the State Department of Transportation. No additional storm water discharge onto the State Highway would occur as a result of the proposed actions.

2.4.2 Recreational Facilities

Existing Environment

No parks, wildlife refuges or other recreational areas are present on the properties surrounding the remnant or would be accessed by the road remnant.

However, the remnant connects to a system of former road remnants purchased in 1998 from the County of Hawai'i by the Big Island Country Club Estates, the surrounding real property owner (Fig 2a). BICC was obliged in Condition N of Hawai'i County Ordinance 94-78, amending the zoning of certain parcels, to "install pedestrian walkways and bike lanes within the subdivision....the location of which shall be determined by the Planning Director in consultation with Na Ala Hele..." Although these facilities have not yet been developed, it is likely that they will utilize the system of road remnants, and the subject road remnant will thus ultimately connect to a pedestrian/bicycle trail, which will likely also to be used by horses.

In addition, close to its terminus with Mamalahoa Highway, the road remnant (as well as TMK 7-1-05:62) is crossed by the historic Pu'u Loa-Kiholo Trail (Figs. 2a-b). The trail has few traces on the ground except at an old wooden gate at a stone wall but is readily visible to those familiar with the area and/or Hawaiian trails. According to Deborah Chang of the Hawai'i County Planning Department, a map of this trail is currently being developed. The trail is one of several important, centuries old mauka-makai routes that offer both historical and recreational interest.

Impacts and Mitigation Measures

The applicants recognize the importance of maintaining the integrity of and access to public trails. Relative to the BICC pedestrian/bicycle/equestrian trail, the applicants propose a condition as part of the ordinance allowing the purchase of the road remnant that would require unrestricted public access through the relocated 25-foot wide access to the planned trail.

The proposed purchase of the road remnant and consolidation/resubdivision would not affect the physical remains of the trail or access along it, given appropriate mitigation conditions. The applicants propose a condition as part of the ordinance allowing the purchase of the road remnant that would require a reservation in the deed to acknowledge the Pu'u Loa-Kiholo Trail and access along it. It is also suggested that the State of Hawai'i confirm State ownership and survey the trail.

2.4.3 Other Public Facilities and Services

The road remnant is not associated with utility easements for electricity, telephone, cable, water, sewer, drainage, etc., and these services will not be affected. No effect to public parks, educational facilities or other government services or facilities would occur as a result of the road remnant purchase.

2.5 Secondary and Cumulative Impacts

There would be no changes or increase in density of uses in the property, or any other change that would result in secondary effects from the road remnant purchase and consolidation/resubdivision.

There are no anticipated adverse effects as a result of the proposed action, and there are thus no adverse effects that would accumulate with effects from other past, present or future private or projects in such a way as to produce cumulative impacts.

2.6 Required Permits and Approvals

The purchase will require approval by the Hawai'i County Council. The consolidation/resubdivision will require approval from the Hawai'i County Planning Director.

2.7 Consistency With Government Plans and Policies

2.7.1 Land Use Designations

The current zoning of the remnant and immediately surrounding property is A-5a and A-1a (Agricultural, five-acre and one-acre minimum lot size). The road remnant is zoned A-5a. The State Land Use District is Agricultural. The General Plan Land Use Pattern Allocation Guide Map (LUPAG) designation under the currently adopted (1989) General Plan is *Extensive Agricultural* for the mauka portion of the property, and *Intensive Agricultural* for the makai end. The current draft of the revised General Plan proposes changing the LUPAG designation of this area to *Rural*. The land is not within the Special Management Area.

The sale of the road remnant, the proposed consolidation/resubdivision, and the subsequent use of the land in conformance with its zoning would not be contrary to laws and regulations governing these designations.

2.7.2 Hawai'i County General Plans Goals, Policies and Objectives

The *General Plan* for the County of Hawai'i is the document expressing the broad goals and policies for the long-range development of the Island of Hawai'i. The plan was adopted by ordinance in 1989. The *General Plan* is organized into thirteen elements, with policies, objectives, standards, and principles for each. There are also discussions of the specific applicability of each element to the nine judicial districts comprising the County of Hawai'i. Below are pertinent sections followed by a discussion of conformance. In recognition that the *General Plan* is currently in the final stages of a periodic update and is likely to be adopted soon, the following references include language from the revisions. Additions to the 1989 language are in bold and underlined, and deletions are bracketed.

ENVIRONMENTAL QUALITY GOALS

Define the most desirable use of land within the County that achieves an ecological balance providing residents and visitors the quality of life and an environment in which the natural resources of the island are viable and sustainable.

Maintain and, if feasible, improve the existing environmental quality of the island.

HISTORIC SITES GOALS

Protect, **restore**, and enhance the sites, buildings, and objects of significant historical and cultural importance to Hawaii.

[Access] **Appropriate access** to significant historic sites, buildings, and objects of public interest should be made available.

AGRICULTURAL LAND GOALS

Identify, protect and maintain important agriculture lands on the island of Hawaii.

Preserve the agricultural character of the island.

Zoning shall protect and maintain important agricultural lands from urban encroachment. New approaches to preserve important agricultural land shall be implemented by the County.

Agricultural land shall be used as one form of open space or as green belt.

SCENIC BEAUTY GOALS

Protect, preserve and enhance the quality of areas endowed with natural beauty, including the quality of coastal scenic resources.

Protect scenic vistas and view planes from becoming obstructed.

Maximize opportunities for present and future generations to appreciate and enjoy natural and scenic beauty.

TRANSPORTATION GOALS

Provide a system of [thoroughfares and streets] **roadways** for the safe, efficient and comfortable movement of people and goods [between and within the various sections of the County].

TRANSPORTATION POLICIES

[The County shall encourage] **Encourage** the programmed improvement of existing [thoroughfares and streets] **roadways** by both public and private sectors.

[The County shall investigate] **Investigate** various methods of funding road improvements, including private sector participation, to meet the growing transportation needs of the island.

[The County shall work] **Work** in conjunction with the State [or] **to** establish a clear agreement of the ownership and maintenance of the old homestead roads [which were laid out several decades ago].

TRANSPORTATION COURSES OF ACTION FOR NORTH KONA:

[Improve present Kona-Ka'u Road.] **Improve that portion of the Mamalahoa Highway extending from the North Kona to the Ka'u Districts.**

DISCUSSION: The proposed action maintains the environmental quality of the area, and does not affect agricultural pursuits on the surrounding properties. The proposed conditions relating to trail access will affirm the right to access the Pu'u Loa trail and help develop access to this historic trail and the planned pedestrian/bicycle/equestrian trail. The scenic character of the area, particularly views from State Highway 190 to Pu'u Wa'awa'a (listed as an example of natural beauty in the General Plan), will not be adversely affected by the action. The action fulfills with goals, policies and courses of action calling for improving the safety and efficiency of island roadways by reducing redundant accesses to a busy highway and relocating a County roadway access from a hazardous location on a curve to a safer position.

PART 3: DETERMINATION

The Hawaii County Department of Finance has determined that the impacts from the proposed road remnant purchase will be minimal and that the project will not significantly alter the environment. It has therefore issued a Finding of No Significant Impact (FONSI), which means that an EIS is not required to be prepared.

PART 4: FINDINGS AND REASONS

Chapter 11-200-12, Hawaii Administrative Rules, outlines those factors agencies must consider when determining whether a project has significant effects:

1. *The proposed project will not involve an irrevocable commitment or loss or destruction of any natural or cultural resources.*

No natural or cultural resources are present on the road remnant or would be irrevocably committed or lost by the proposed purchase. The proposed conditions relating to trail access will affirm the right to access and help develop access for the historic Pu'u Loa trail.

2. *The proposed project will not curtail the range of beneficial uses of the environment.*

No restriction of beneficial uses would occur.

3. *The proposed project will not conflict with the State's long-term environmental policies.*

The project is environmentally benign and is consistent with all elements of the State's long-term environmental policies as expressed in Chapter 344, HRS, the broad goals of which are to conserve natural resources and enhance the quality of life. The project does not conflict with any aspect of this policy, and is consistent with those aspects maintaining small farms and rural lifestyles and protecting and maintaining access to historic sites.

4. *The proposed project will not substantially affect the economic or social welfare of the community or State.*

No substantial effect, either adverse or beneficial, would occur as a result of the proposed road remnant purchase, which will produce only very minor effects of any kind.

5. *The proposed project does not substantially affect public health in any detrimental way.*

Public health and safety will be not be affected in any way.

6. *The proposed project will not involve substantial secondary impacts, such as population changes or effects on public facilities.*

There would be no changes or increase in density of uses in the property, or any other change that would result in secondary effects from the road remnant purchase and consolidation/resubdivision.

7. *The proposed project will not involve a substantial degradation of environmental quality.*

The project would not degrade environmental quality.

8. *The proposed project will not substantially affect any rare, threatened or endangered species of flora or fauna or habitat.*

No rare, threatened or endangered species of flora or fauna are known to exist on the road remnant, which was used for transportation and grazing and now supports weedy vegetation.

9. *The proposed project is not one which is individually limited but cumulatively may have considerable effect upon the environment or involves a commitment for larger actions.*

There are no anticipated adverse effects as a result of the proposed action, and there are thus no adverse effects that would accumulate with effects from other past, present or future private or projects in such a way as to produce cumulative impacts.

10. *The proposed project will not detrimentally affect air or water quality or ambient noise levels.*

No substantial effects to air, water, or ambient noise would occur. The road is not currently used for access and there will be essentially no change from current land use conditions.

11. *The project does not affect an environmentally sensitive area such as a flood plain, tsunami zone, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal area.*

The project is not located near coastal or inland waters. No flood zone is present. Although the proposed project is located in an zone exposed to some earthquake and volcanic hazard, there would be no additional exposure to either the public or private parties as a result of the purchase.

12. *The project will not substantially affect scenic vistas and viewplanes identified in county or state plans or studies.* No protected viewplanes in the area, in particular views of Pu'u Wa'awa'a, would be adversely impacted, and no scenic impacts would occur.

13. *The project will not require substantial energy consumption.* No energy will be necessary to complete the proposed action.

For the reasons above, the proposed project will not have any significant effect in the context of Chapter 343, Hawaii Revised Statutes and section 11-200-12 of the State Administrative Rules.

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APPENDIX 1A

COMMENT LETTERS

FROM AGENCIES AND ORGANIZATIONS

IN RESPONSE TO PRE-CONSULTATION

BENJAMIN J. CAYETANO
GOVERNOR



**STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION**

HAWAII DISTRICT
50 MAKAALA STREET
P.O. BOX 4277
HILO, HAWAII 96720
TELEPHONE: (808) 933-8866 • FAX: (808) 933-8869



BRIAN K. MINAAI
DIRECTOR - DESIGNATE

DEPUTY DIRECTORS
GLENN M. OKIMOTO
JADINE Y. URASAKI

IN REPLY REFER TO:

January 22, 2001

HWY-H 01-2.0037

Ron Terry, PhD
Geo Metrician
HC 2 Box 9575
Keaau, Hawaii 96749

Dear Mr. Terry:

Subject: Pre-Consultation on Environmental Assessment for Purchase of a
Portion of a 25-foot Road Reserve at Pu'uuanahulu Homesteads, North
Kona, Hawaii TMK 7-01:05, 020, 027 & 062
Highway Project No. FAP 10-A

Thank you for your letter of January 16, 2001, informing us of your intentions. We have the following comments regarding the property involved:

1. No vehicle access will be allowed from the State Highway. A 10-ft wide planting screen easement shall be provided along the State Highway right-of-way frontage.
2. No additional storm discharge shall be allowed onto the State's right-of-way as a result of the proposed actions.

Please contact Mr. Robert Taira at (808) 933-8866 if you have any questions regarding this information.

Very truly yours,

STANLEY TAMURA
Hawai'i District Engineer

Enclosures



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPI'OLANI BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

January 25, 2001

Dr. Ron Terry
Geo Metrician
HC 2 Box 9575
Keeau, HI 96749

Dear Dr. Terry:

Subject: Pre-consultation on Environmental Assessment for Purchase of a Portion of a 25-foot Road Reserve at Pu'uana'hulu Homesteads, North Kona, Hawai'i, TMK 7-1-05 (plat)

This is in response to your letter of January 16, 2001, within which you had requested as a pre-consultation that Office of Hawaiian Affairs review and comment on the preparation of a Draft Environmental Assessment for the above proposed project. Upon review of your letter, OHA would recommend that your agency complete a cultural impact assessment to be included in any EA concerning the above project.

OHA relies on the guarantee of applicant's agent, in its letter of January 16, 2001, that the project will not adversely affect any public or private access or other traditional or cultural rights. We look forward to reviewing your Site Plan and its detailed access considerations. As you may be aware, HRS 343 requires your project to address impacts that your proposed project may have on the Native Hawaiian culture in addition to addressing environmental impacts and concerns. The contents of any prospective draft assessment needs to take full account of cultural impacts and concerns that the project raises.

OHA recommends a cultural assessment that includes consultations with individuals and organizations with expertise and knowledge of the project area and the area surrounding the project. These consultations should concern the types of cultural resources, practices and beliefs found within the broad geographical area (e.g., district or ahupua'a). As an initial matter, this requires contact or determination of people or groups who may be resources to making a proper determination of the cultural importance of the area.

In the process of completing a cultural assessment of the project area, the EA will be better able to identify and describe any significant resources, practices, beliefs or historical, cultural, archaeological or burial sites, as appropriate, that may lie within or have connection to the project area. After such a consultation, the EA will be able to assess the impact of the proposed action in its final environmental assessment, and whether it will have a significant effect or not. Perhaps after completing its cultural assessment, the project initiator may find that the completion of an environmental impact statement would be more appropriate for the project. The current definition of "significant effect" does include effects on cultural resources, and OHA feels that a cultural assessment would help to address any effects or impacts that this proposed project might have on these resources.

If applicable, it may also be necessary to complete an archaeological inventory of the project area to determine the significance of any historical sites or resources found. OHA recommends that the results of such an inventory, if necessary, should be evaluated as to the significance of their findings in consultation with people with knowledge of the area or its cultural significance and the State Historic Preservation Division.

OHA recommends that the EA's final assessment of impacts in the project area include discussion concerning any cultural resources, practices and beliefs identified, and, for resources and practices, their location within the broad geographical area in which the proposed action is located, as well as their direct or indirect significance or connection to the project site. The assessment should also include discussion concerning the nature of the cultural practices and beliefs, and the significance of the cultural resources within the project area, affected directly or indirectly by the proposed project.

If a finding of no significant impact is anticipated, the EA should document that the completion of a cultural impact assessment of the project area, and has analyzed the potential effects of any proposed physical alteration on cultural resources, practices or beliefs; the potential of the proposed action to isolate cultural resources, practices or beliefs from their setting; and the potential of the proposed action to introduce elements which may alter the setting in which cultural practices take place. Moreover, the EA should indicate mitigation measures which are either culturally appropriate or which minimize detrimental impacts, effects, or harms to any valuable cultural resources which are within or nearby the project area, as appropriate.

Thank you for the opportunity to review and comment regarding the proposed project. OHA would appreciate the receipt of the Draft EA document when such becomes available. If you have any questions, please contact Wayne Kawamura, Policy Analyst at 594-1945, or email him at waynek@oha.org.

Sincerely,



Colin Kippen, Jr.
Deputy Administrator

cc: BOT
OHA Administrator



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE
P.O. BOX 4849
HILO, HAWAII 96720
(808) 974-4221
FAX (808) 974-4226
March 2, 2001

Dr. Ron Terry
Geo Metrician
HC2 Box 9575
Keaau, HI 96749

Dear Dr. Terry:

**Subject: Pre-Consultation on Environmental Assessment for Purchase of a
Portion of a 25-foot Road Reserve at Pu'uanahulu Homesteads,
North Kona, Hawai'i, TMK 7-1:05 (plat)**

**Thank you for the opportunity of commenting on the proposed purchase of a road
reserve at Pu'uanahulu Homesteads.**

**Based on the information provided in your letter (01/16/01), I do not foresee any
special environmental conditions or impacts related to the proposed development at this
time. I would appreciate it if you would send me a copy of the Environmental
Assessment when completed.**

Sincerely,

JON G. GIFFIN
Hawaii District Manager

Harry Kim
Mayor



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

December 9, 2002

Mr. William Takaba
Director of Finance
County of Hawaii Finance Department
25 Aupuni Street, Room 118
Hilo, Hawaii 96720

Dear Mr. Takaba:

Subject: Request for comments on a Draft Environmental Assessment

Applicants: Rhondall K. and Edward J. Rapoza
Claire and George R. Robinson
Sharron and George Handgis

Project: Purchase of a Road Remnant

TMK: 7-1-5 Pu'uana'hulu, North Kona, Hawai'i

This is to acknowledge receipt of your memorandum dated November 18, 2002 and Draft Environmental Assessment requesting preliminary comments on a proposed purchase of a road remnant in Pu'uana'hulu. The project involves the purchase of a portion of a 25-foot road reserve at Pu'uana'hulu Homesteads. The road reserve is a remnant portion of the former road network for the Pu'uana'hulu Homesteads. The purpose of the project is to allow the incorporation of the remnant into adjacent parcels and provide the surrounding property owners with the ability to realign property boundaries and gain appropriate access through consolidation and resubdivision. The Environmental Assessment is required because the project involves the use of County lands.

The State Land Use designation for Plat 5 is Agricultural, and the properties surrounding the road remnant is zoned Agricultural (A-5a) by the County. Likewise, the General Plan LUPAG Map designation of the project area is Extensive and Intensive Agricultural. The subject area is not situated in the County's Special Management Area.

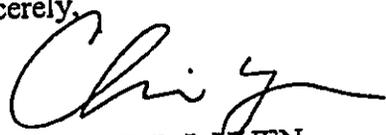
Towards the Mamalahoa Highway, the subject road remnant is crossed by the Pu'u Loa-Kiholo Trail, one of several mauka-makai routes of both historical and recreational importance. We firmly support the proposal to require a reservation in the deed to acknowledge the Pu'u Loa-Kiholo Trail, and to maintain access to the trail. We suggest that the exact location of the trail be

Mr. William Takaba
Director of Finance
County of Hawaii Finance Department
Page 2
December 9, 2002

surveyed and clearly delineated on any future subdivision maps. Our understanding is that the ownership of the trail has not been confirmed by the State.

Thank you for the opportunity to provide comments. If you have any questions, please call Phyllis Fujimoto at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

PF:pak
p:\wpwin60\Ch343\2002\DEAPuuanahulu.doc

cc: Long Range Planning
Ministerial Division
West Hawaii Office
State Department of Land and Natural Resources
Historic Preservation Division
Mr. Ron Terry

APPENDIX 1B

COMMENT LETTERS

TO DRAFT EA AND RESPONSES

LINDA LINGLE
GOVERNOR



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

February 7, 2003

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

ERNEST LAU
DEPUTY DIRECTOR

DEAN A. NAKANO
ACTING DEPUTY DIRECTOR FOR
THE COMMISSION ON WATER
RESOURCE MANAGEMENT

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

LD/NAV
Ref.: REMNANT710RAPOZA.CMT

L-577
Suspense Date: 2/27/03

MEMORANDUM:

TO: Division of Aquatic Resources
XXX Division of Forestry & Wildlife
XXX Na Ala Hele Trails *ADDNER*
XXX Engineering Division
XXX Division of State Parks
Division of Boating and Ocean Recreation
XXX Commission on Water Resource Management
XXX Land-Planning and Technical Services
XXX Land-Hawaii District Land Office

FROM: Charlene E. Unoki, Acting Assistant Administrator
Land Division *Charlene*

SUBJECT: Draft Environmental Assessment (DEA) - Purchase of Road
Remnant at Pu'uuanahulu, North Kona, Island of Hawaii
Tax Map Key: 3rd/ 7-1-005 (Plat)

Please review the attached DEA covering the subject matter and submit your comments (if any) or recommendations on Division letterhead within the time requested above.

If this office does not receive your comments by the suspense date, we will assume there are no comments.

Should you need more time to review the subject matter, please contact Nicholas A. Vaccaro at ext.: 7-0384.

() We have no comments.

Comments attached.

Signed: *Jon Giffen*

Name: JON GIFFEN

Date: 2/21/03



NA ALA HELE
Hawai'i Trail & Access System

February 21, 2003

MEMORANDUM

TO: Charlene E. Unoki, Acting Assistant Administrator,
Land Division

THRU: Jon Giffin, Manager, DOFAW *J. Giffin*

FROM: *Rodney T. Oshiro*
Rodney T. Oshiro, Na Ala Hele

SUBJECT: Draft Environmental Assessment
Purchase of Road Remnant at Pu'uuanahulu
TMK 3rd 7-1-05:20,27 & 62
North Kona, Hawaii

The Division of Forestry and Wildlife (includes Na Ala Hele) has no objections to the sale of the 25-foot road remnant at Pu'uuanahulu Homestead in North Kona.

We support the inclusion of a condition as part of the ordinance that would require unrestricted public access through the relocated 25-foot wide access to the planned pedestrian, bicycle and equestrian trail system to be developed the Big Island Country Club.

We also support the requirement of a reservation in the deed to acknowledge the Pu'u Loa-Kiholo Trail and access along the trail. To facilitate use of this trail, we are also requesting as a condition of approval that the applicant provide public parking along the relocated access to accommodate at least 5 (five) vehicles. We are in the process of requesting a title search to ascertain state ownership of the trail.

Thank you for the opportunity to comment.

c: Ron Terry, Geometrician Associates
Nelson Ayers, DOFAW Administration

geometrician
ASSOCIATES, LLC
integrating geographic science and planning

April 3, 2003

Charlene Unoki
Hawai'i State Land Management Division
P.O. Box 621
Honolulu HI 96809

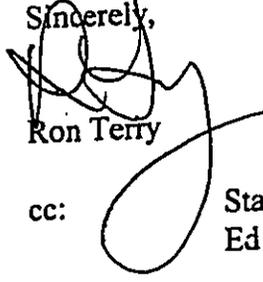
Dear Ms. Unoki:

Subject: Comment Letter on Draft Environmental Assessment for Purchase of Road Remnant at Pu'uanahulu, TMK (3rd) 7-1-05

This letter responds to your letter of February 7, 2003, concerning the Draft EA, in which you routed the comments of Rodney Oshiro of Na Ala Hele. Our response to your individual comments is as follows:

1. *Support for Public Access Through Property and to Trails.* We acknowledge your concurrence with the applicants' plans for these actions.
2. *Trail Parking.* The applicants are willing to provide the area necessary for parking.
3. *State Ownership of Trail.* The applicants would like to be kept apprised of your findings concerning ownership. Regardless of the ownership, the applicants are willing to provide public access and to grant an easement to the Pu'uanahulu Community Association.

Sincerely,


Ron Terry

cc:

Stanley Iwamoto, Hawaii County Finance Department
Ed Rapoza

LINDA LINGLE
GOVERNOR



GENEVIEVE SALMONSON
DIRECTOR

STATE OF HAWAII
OFFICE OF ENVIRONMENT QUALITY CONTROL
235 SOUTH BERETANIA STREET
SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 586-4185
FACSIMILE (808) 586-4186

February 11, 2003

William Takaba
Hawaii County Finance Department
25 Aupuni Street #118
Hilo, Hawaii 96720

Attn: Stanley Iwamoto

Dear Mr. Takaba:

Subject: Draft environmental assessment (EA) for Purchase of Road Remnant at Puuanahulu

Please include the following in the final EA:

Time frame: What are the anticipated start and end dates of this project?

Funding: The total project cost is not given. Please disclose all state or county funds involved.

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

Sincerely,

A handwritten signature in cursive script that reads "Genevieve Salmonson".

GENEVIEVE SALMONSON
Director

c: Ron Terry
Rhondall and Edward Rapoza *et al*

geometrician

ASSOCIATES, LLC

integrating geographic science and planning

April 3, 2003

Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu HI 96813

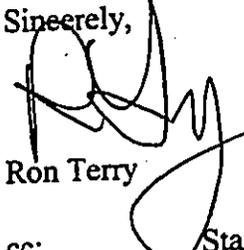
Dear Ms. Salmonson:

Subject: Comment Letter on Draft Environmental Assessment for Purchase of Road Remnant at Pu`uanahulu, TMK (3rd) 7-1-05

Thank you for letter of February 11, 2003, concerning the Draft EA. Our response to your individual comments is as follows:

1. *Time frame.* The purchase of the road remnant will proceed as soon as practical after completion of the EA and approval by the County Council.
2. *Funding.* No State or County funds will be used. The applicants will purchase the road remnant from the County for an amount to be determined through appraisal and County Council action.

Sincerely,


Ron Terry

cc: Stanley Iwamoto, Hawaii County Finance Department
Ed Rapoza

Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720
Phone (808) 961-8288 • Fax (808) 961-8742

February 12, 2003

Mr. Ron Terry
GeoMetrician Associates
HC 2 Box 9575
Keaau, HI 96749

Dear Mr. Terry:

**Draft Environmental Assessment for Purchase of Road Remnant at Pu'uanahulu
TMK: 7-1-005: 20, 27, 62 & road remnant; Pu'uanahulu, North Kona, Hawaii**

Thank you for providing our office with the opportunity to review the above-described draft environmental assessment (DEA). We have completed our review and have the following comments to offer for your consideration:

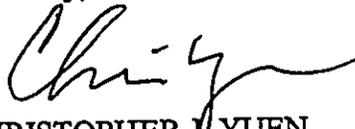
1. Preliminary comments offered by our office by letter dated December 9, 2002 indicated that zoning of the remnant and surrounding area is A-5a. Section 2.7.1 – Land Use Designations within the DEA makes incorrect reference to zoning of the road remnant. To clarify, the road remnant is zoned A-5a while lands in the immediate vicinity are zoned A-5a and A-1a.
2. Section 2.4.2-Recreation: We concur with measures to be taken by the applicant to provide unrestricted public access over the relocated 25-foot wide vehicular access that will lead to the future BICC pedestrian/bicycle/equestrian trail. We also concur with the establishment of proper deed reservations that acknowledges the location of the Pu'uloa-Kiholo Trail within the affected properties and to allow for continued public access along the trail.
3. Figure 4 – Conceptual Consolidation/Resubdivision Layout reflects the relocated 25-foot wide vehicular access as well as a portion of the Pu'uloa-Kiholo Trail, both of which access directly off of the Mamalahoa Highway. There is currently no formal safe parking area for people who wish to use the future BICC pedestrian/bicycle/equestrian trail and Pu'u'oa-Kiholo Trail. We recommend that the applicants consider establishing a small parking area (no more than 5 parking stalls) somewhere within proposed Lot A, in close

Mr. Ron Terry
Page 2
February 12, 2003

proximity to the Mamalahoa Highway and possibly near the relocated vehicular accessway.

Again, we appreciate the opportunity to comment on the DEA. Please contact Daryn Arai of our West Hawaii Office at 327-3510 should you have any questions.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

DSA:da:pak
P:/wpwin60/dsa/2003/LRoadRemDEA01.doc

c: Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, HI 96813

Mr. Stanley Iwamoto
Finance Department
25 Aupuni Street, Room 118
Hilo, HI 96720

Planning - West Hawaii Office

geometrician
ASSOCIATES, LLC
integrating geographic science and planning

April 3, 2003

Christopher Yuen, Director
Hawaii County Planning Department
101 Pauahi Street
Hilo HI 96720

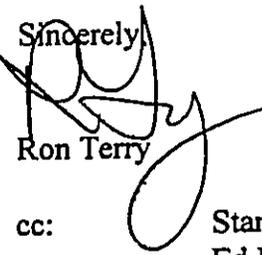
Dear Mr. Yuen:

Subject: Comment Letter on Draft Environmental Assessment for Purchase of Road Remnant at Pu'uanahulu, TMK (3rd) 7-1-05

This letter responds to your letter of February 12, 2003, concerning the Draft EA. Our response to your individual comments is as follows:

1. *Zoning.* The Final EA has been revised to state that lands in the area zoned A-1a and A-5a, and that the road remnant is zoned A-5a.
2. *Recreation-Trail Deed Reservations.* We acknowledge your concurrence with the applicants' plans for these actions
3. *Trail Parking.* The applicants are willing to provide the area necessary for parking.

Sincerely,


Ron Terry

cc: Stanley Iwamoto, Hawaii County Finance Department
Ed Rapoza

PHONE (808) 594-1888

FAX (808) 594-1865



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPI'OLANI BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

February 25, 2003

HRD 03/904

Ron Terry
GeoMetrician Associates
HC 2 Box 9575
Keaau, HI 96749

Subject: Purchase of Road Remnant at Pu'uanaulu
Draft Environmental Assessment (DEA)
North Kona, Hawaii
TMK: (3): 7-1-05

Dear Dr. Terry,

This is in response to your request to the Office of Hawaiian Affairs to review and comment on the Draft Environmental Assessment (DEA) for the Purchase of Road Remnant at Pu'uanaulu. The Office of Hawaiian Affairs has no comment on the proposed project at this time. Please feel free to contact Leimana DaMate, Hawaiian Rights Division, at 594-1944 or email her at leimanad@oha.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest M. Kimoto".

Ernest M. Kimoto
Hawaiian Rights Division, Acting Director

geometrician
ASSOCIATES, LLC
integrating geographic science and planning

April 3, 2003

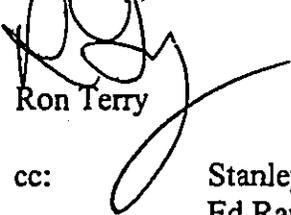
Ernest Kimoto, Acting Director
Hawaiian Rights Division
Office of Hawaiian Affairs
711 Kapiolani Blvd., Suite 1250
Honolulu HI 96813

Dear Mr. Kimoto:

Subject: Comment Letter on Draft Environmental Assessment for Purchase of Road Remnant at Pu'uanahulu, TMK (3rd) 7-1-05

This letter responds to your letter of February 25, 2003, concerning the Draft EA, in which you state that your agency has no comment at this time. Thanks you for review of the project.

Sincerely,

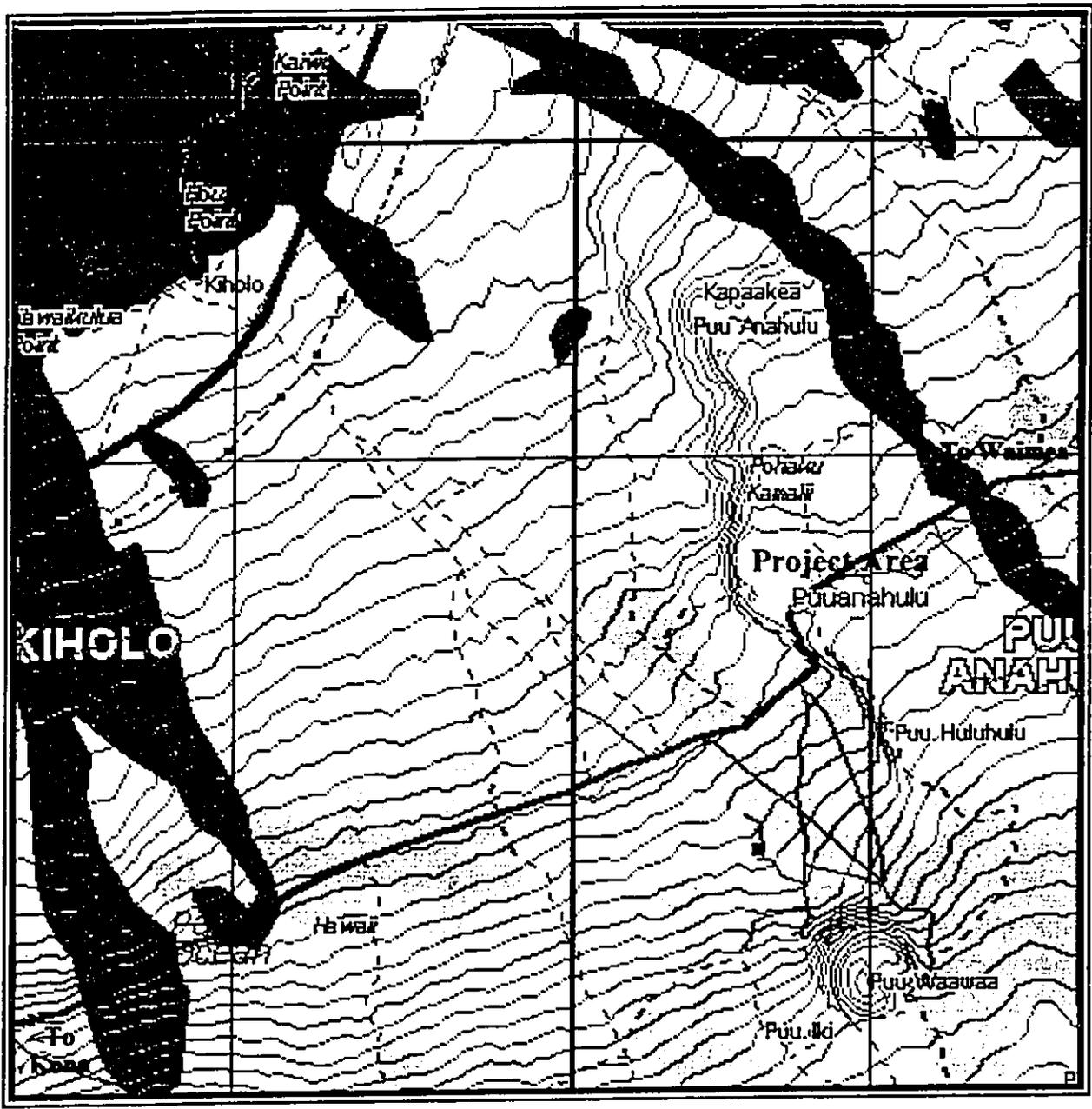

Ron Terry

cc: Stanley Iwamoto, Hawaii County Finance Department
Ed Rapoza

APPENDIX 2

FIGURES

Figure 1
Location Map



Source: DeLorme 3-D Topoquads

Scale: 1 inch = 1.3 miles

DOCUMENT CAPTURED AS RECEIVED

Figure 2b Road Remnant

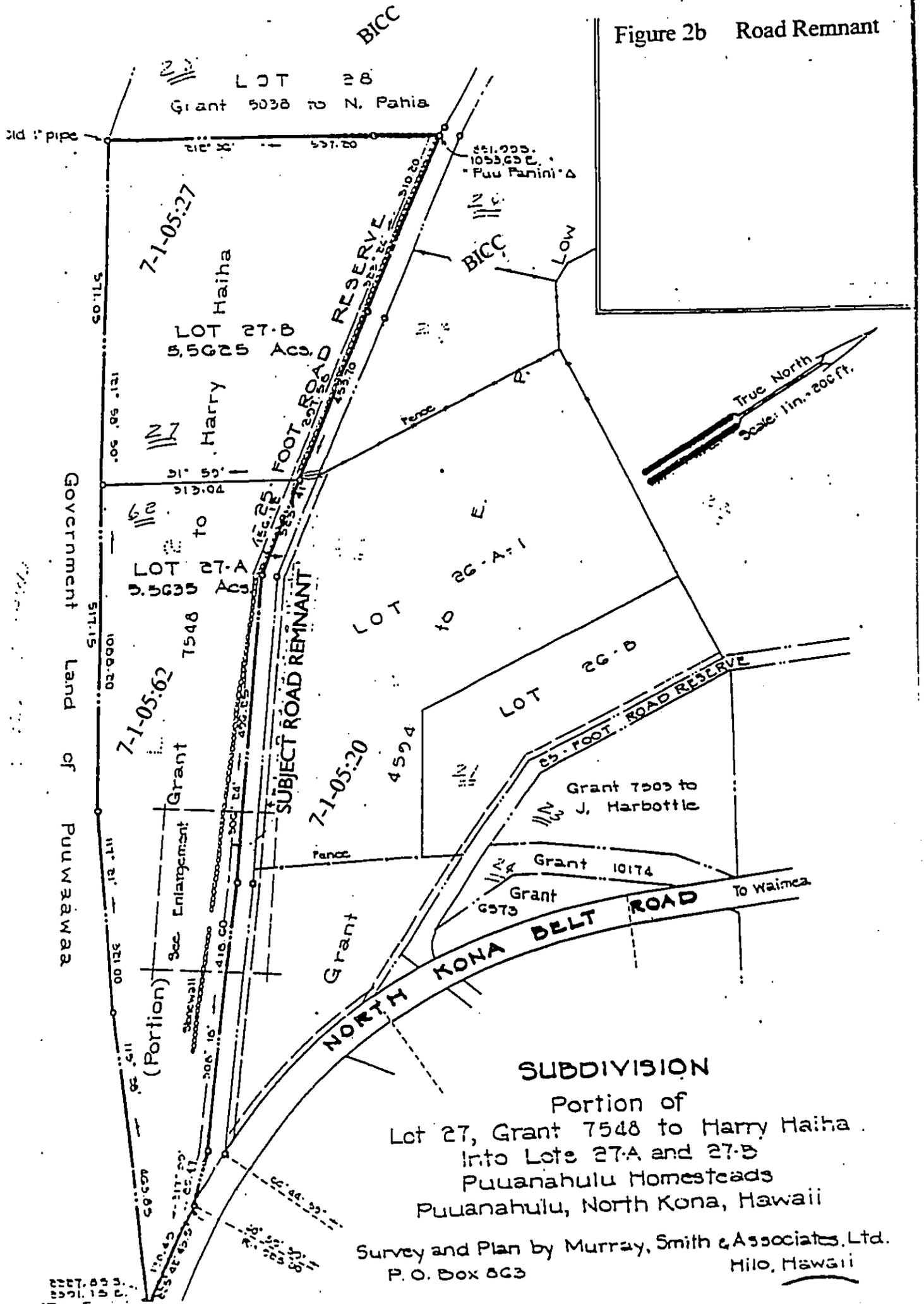
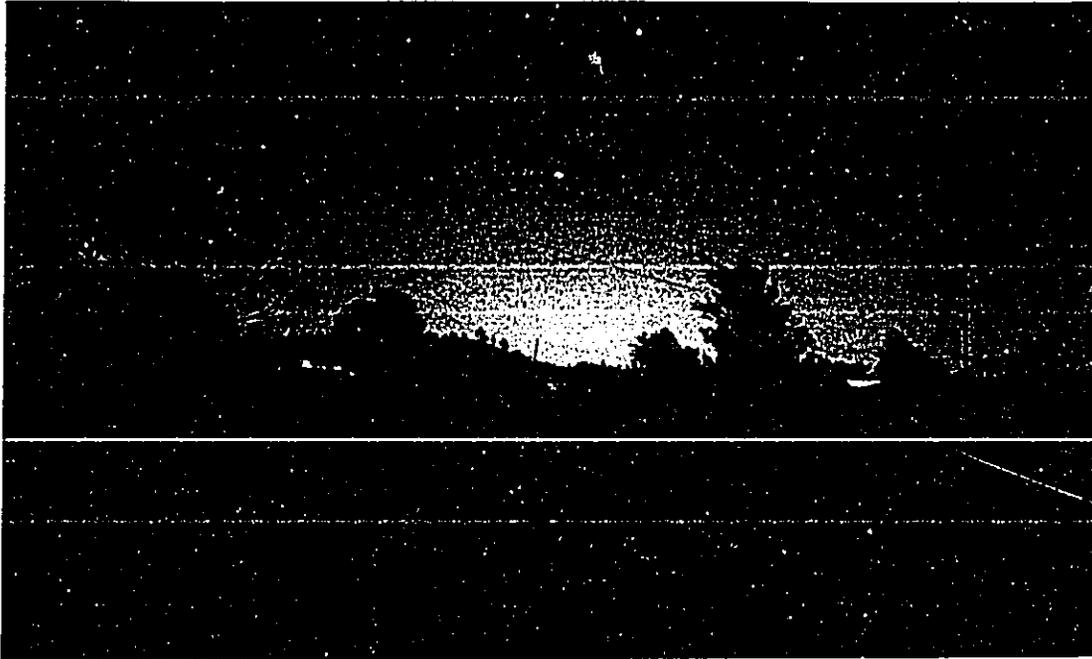


Figure 3
Project Site Photos



a. At terminus with Mamalahoa Highway, looking northwest



b. Near homestead, looking northwest



c. Looking south on Mamalahoa Hwy: proposed new legal access in foreground, road remnant terminus at apex of curve in background



BICC

Lot C
217778.51 Sq. Ft.
5.00 Acres

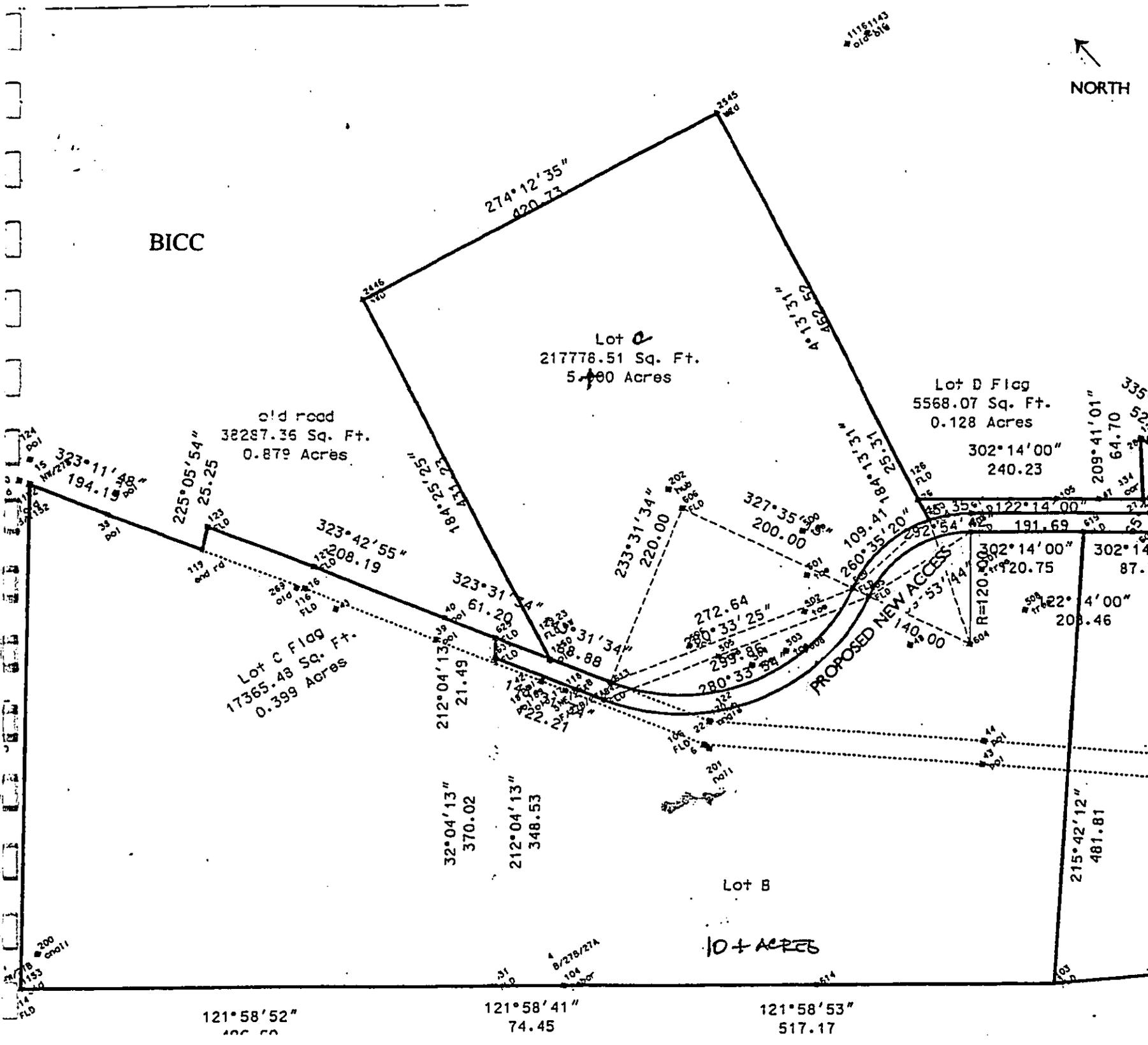
Lot D Flag
5568.07 Sq. Ft.
0.128 Acres

old road
38287.36 Sq. Ft.
0.879 Acres

Lot C Flag
17365.48 Sq. Ft.
0.399 Acres

Lot B
10+ ACRES

PROPOSED NEW ACCESS



121°58'52"
400.50

121°58'41"
74.45

121°58'53"
517.17

215°42'12"
481.81

302°14'00"
87.7

302°14'00"
208.46

302°14'00"
191.69

302°14'00"
122°14'00"

302°14'00"
240.23

302°14'00"
209°41'01"

302°14'00"
64.70

302°14'00"
52.35

302°14'00"
335°3'

302°14'00"
208.46

302°14'00"
191.69

302°14'00"
122°14'00"

302°14'00"
240.23

302°14'00"
209°41'01"

302°14'00"
64.70

302°14'00"
52.35

302°14'00"
335°3'

APPENDIX 3

PHASE I ENVIRONMENTAL SITE ASSESSMENT

Kauai Environmental, Inc.

ENVIRONMENTAL SITE ASSESSMENT REPORT
COUNTY OF HAWAII ROAD REMNANT
PU'UANAHULU HOMESTEADS

April, 2002

Prepared for: Ed Rapoza
Maryl Realty Company
75-1000 Henry St. Suite 200
Kailua-Kona, Hawaii 96740

Prepared by: 
David Gerow, CIH, CSP
Senior Environmental Project Manager

P.O. Box 1408 Lihue, HI 96766

808-651-3977

ENVIRONMENTAL SITE ASSESSMENT REPORT
COUNTY OF HAWAII ROAD REMNANT
PU'UANAHULU HOMESTEADS

1.0 INTRODUCTION

Kauai Environmental was contracted to perform a limited Phase I Environmental Site Assessment of a small parcel of land owned by the County of Hawaii. The parcel is an old roadway access in the Pu'uanahulu area of the county, adjacent to a property identified as Tax Map Key Number (3) - 7 - 1 - 005: 027. This property, approximately 25 feet by 400 feet is currently being used by the Big Island Country Club for equipment storage and access. This storage area is adjacent to the the Maintenance Yard of the golf course that houses its maintenance equipment, pesticide storage, fuel storage, and vehicle and equipment maintenance shop. The strip of land is being purchased by the owner of the adjacent parcel, Ed Rapoza. This parcel will be referred to as *the subject property* or *the property* in this report.

The purpose of this Phase I Environmental Site Assessment was to investigate past and present land uses of the subject property and surrounding areas to determine if the potential for hazardous materials contamination exists. The presence of recognized environmental conditions on the property may become the responsibility of the new landowner unless a due diligence assessment is performed to identify those conditions. Conditions that are not evident upon the due diligence assessment may indemnify the landowner from significant remediation costs in the event the site becomes a Superfund hazardous waste site.

2.0 ASSESSMENT METHODS

This limited Phase I Environmental Site Assessment was designed to meet the objectives and requirements of the ASTM Standard for the Performance of a Phase I Environmental Site Assessment (ASTM 1527-00). A previous ESA was performed for the entire Big Island Country Club, including the subject property (R.M. Towill Corporation, April 2001). This assessment serves to update information on the subject property since the original ESA was performed. The

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following tasks were undertaken in the completion of this Phase I Environmental Site Assessment.

- 1.1 **Review of BICC Environmental Site Assessment** - this report was reviewed for all information relating to the subject property and for information on the database search of environmental issues in the vicinity of the property.
- 1.2 **Review of Updated Environmental Database Information** - since the databases of environmental information are updated periodically, a new search was performed to assist in the identification of any additional information that may have been entered in the year since the original search.
- 1.3 **Detailed Site Inspection** - An inspection was performed of the subject property to look for the possibility of any spills of hazardous materials or any hazardous materials storage on the property. This inspection included an inventory of materials stored on the property.

3.0 RESULTS OF SITE ASSESSMENT

3.1 Review of BICC ESA

A complete Phase I Environmental Site Assessment was performed of the Big Island Country Club in April of 2001 by the RM Towill Corporation. This report did not identify any significant adverse environmental conditions associated with the golf course operations or any properties in the vicinity of the property.

There were a few findings of minor adverse environmental conditions in the Maintenance Yard of the Big Island Country Club, those included:

- There are several above ground fuel storage tanks in a lined, bermed area in the maintenance yard. There is a small area of spilled fuel by the fuel dispenser.
- There is a considerable amount of construction material, old equipment, vehicles, and other debris staged around the subject properties. Some of this equipment may be usable, however most is trash and would require disposal to restore the site to its natural site.
- There is an empty pesticide container in a small basin used for washing vehicles. It was unknown whether this empty container was blown into the basin or if a full container was dumped into the hole.

Kauai Environmental, Inc.

The only one of the items listed in the RMTC report that deals with the subject property is the report of the equipment, vehicles, and construction material staged on the property. Additional details on this staged material is included in the section on the Site Inspection. All other conditions listed for the Big Island Country Club Maintenance Yard area in areas that are unlikely to affect the subject property.

3.2 Update of Environmental Database Search

As a part of the normal ASTM Environmental Site Assessment process, databases of environmental information is searched for information related to the subject property and nearby properties. The types of environmental information that is searched is the presence of underground storage tanks, leaking tanks, spills of hazardous chemicals, clean up activities, and the presence of generators of hazardous wastes. These databases are updated every few months, therefore ASTM requires these databases be searched again if the ESA report is more than 90 days old.

A new search of the environmental databases did not find any additional environmental information for the subject property or for any property within a mile of the site.

3.3 Site Inspection

On April 2, 2002, David Gerow of Kauai Environmental performed a detailed inspection of the subject property. The property boundaries were pointed out to the inspector at the time of the inspection by Ed Rapoza, the prospective buyer of the property.

The site inspection included a visual survey of the property and surrounding areas to identify the presence of any hazardous materials or evidence of spills or dumping of any hazardous chemicals. Then, an inventory was taken of all materials stored on the property to assist in the identification of any adverse environmental conditions.

An inspection of the property revealed several items that may be considered hazardous materials that were stored on the property. These included approximately 12 pallets of used golf cart batteries, eight drums of motor oil, abandoned vehicles that may be leaking oil and other fluids to the surrounding grounds, a parts washing operation in the mechanics shop, and three sections of asbestos concrete pipe. The area around the oil drums and the mechanics shop contained stained soils that indicated spills of chemical products, mostly oils. The total area of stained soils was approximately 100 - 150 square feet.

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An inventory of the stored materials indicated that the following materials were stored on the site at the time of the inspection:

- Several abandoned vehicles, including six trucks, several golf carts, several pieces of lawn maintenance and excavation equipment.
- A variety of auto parts, such as, tires, metal frame members, and wheels.
- 12 pallets of used lead-acid batteries. There are approximately 150 - 200 batteries on the subject property. Most are intact, but a couple looked as if they may be leaking their contents to the surrounding soils.
- Fencing materials, including: plastic poles and cross members.
- Irrigation and water piping. There are hundreds of 16 foot lengths of plastic piping in 9 and 16 inch diameters. There are also numerous coils of flexible plastic pipes.
- There are several piles of general trash and debris.
- There is a small maintenance shop on the property that is used by the country club for equipment servicing. The shop is located inside of a shipping container with a concrete slab for a working area. The container was locked, but the work area was generally clean with the exception of stained soils on the edge where oils or cleaning solvents were dumped.
- There are numerous empty wooden pallets stacked in several piles.

These stored items take up nearly all of the subject property with only a small area near the entrance to the site that is free of debris.

4.0 CONCLUSIONS AND RECOMMENDATIONS

A limited Phase I Environmental Site Assessment was performed on a small parcel of land adjacent to the Big Island Country Club in the Pu'uanahulu area of the Island of Hawaii. This assessment was performed to identify the presence of any adverse environmental condition that may affect the usability of the land or represent environmental liability to the owner of the property.

This assessment included an inspection of the property, a review of environmental databases of information related to the area surrounding the property, and a review of previous studies performed at the Big Island Country Club.

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The major findings of this Environmental Site Assessment include:

- The subject property is currently being used for storage of equipment from the Big Island Country Club. Some of this equipment contains hazardous chemicals such as oils, fuels, and solvents, however most is general construction materials, abandoned vehicles, and trash.
- There is approximately 100 - 150 square feet of stained soils from spilled oils and cleaning fluids. The depth of contamination is likely to be less than 6 inches in most areas, representing at most three cubic yards of petroleum contaminated soils.
- Environmental conditions identified on the BICC, such as the fuel storage area and the pesticide mixing area are unlikely to affect the subject property due to the distance to these areas and controls in place around those facilities.
- There were no additional adverse environmental conditions identified on the subject property or on nearby properties than those identified in a previous assessment of the Big Island Country Club.

Kauai Environmental recommends the following measures be taken to manage the identified environmental conditions:

- All materials should be removed from the subject property prior to sale, or after the sale by funds placed in escrow as a condition of sale. This equipment should be removed in a manner that does not spill any oils, fuels, or other chemicals from the materials.
- All chemicals and chemical containers should be carefully removed for reuse or for disposal in accordance with federal and local regulations.
- The stained soils should be remediated either by excavation or by in-situ bio-remediation. If excavation is used, the stained areas should be dug up to a clean layer and confirmation sampling may be used to ensure that the area is below approved contamination action levels. The excavated materials should be disposed of at an approved disposal facility. Additional sampling and analysis of the soils may be required prior to disposal. If the material is to be remediated in place, then the surface soils should be tilled to a depth of approximately one foot, then the area fertilized, watered, and vegetated to allow the oils to break down by biological action. This method should break down the hydrocarbons within six months or a year.

APPENDIX 4

CORRESPONDENCE WITH BIG ISLAND COUNTRY CLUB

August 3, 2000

Noriko Saiga
President
Big Island Country Club
P. O. Box 1690
Kailua-Kona, Hi 96745

Dear Ms. Saiga,

Subject: County Roadway Parcel, Interest in Acquisition,
TMK: 371-005-020, 027, 062, Puuanahulu, North Kona, Island
of Hawaii

The owners of the above three referenced properties (being Mr. and Mrs. Rapoza, Robinsen and Handgis) have recently applied to the County of Hawaii for purchase of the county roadway parcel that bisects these parcels. The only other party serviced by the roadway is Big Island Country Club. As you are aware the roadway provides access to your maintenance base yard, although your employees are actually utilizing another roadway that crosses parcel 062. You have recently provided an insurance indemnity for the use of roadway by your employees and we thank you.

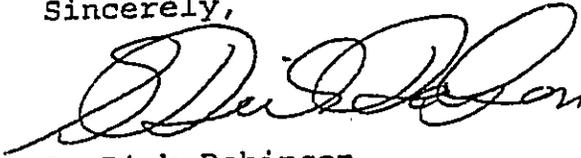
In our application to the County of Hawaii for the purchase of the roadway parcel we have been asked to determine if you have a continuing interest in maintaining the present alignment of the roadway. Or if we could offer you a perpetual easement over a newly created roadway that will be identified as an easement rather than a separate roadway parcel. The easement will be of the same width (25 feet) as the existing roadway parcel and provide you access for your maintenance base yard.

If you consent to our acquisition of the roadway parcel provided you receive a perpetual easement for the maintenance base yard please sign your acknowledgement in the space provided below and return the original of this letter to me in the enclosed, addressed and stamped envelope.

Page 2
August 3, 2000
Noriko Saiga
Big Island Country Club Estates

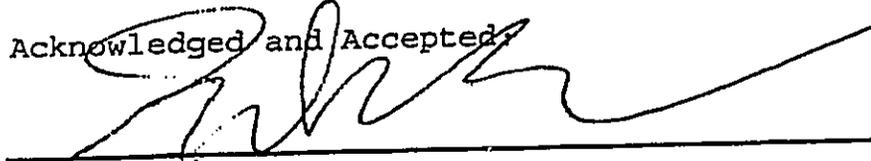
Thank you for you assistance.

Sincerely,



G. Rick Robinson
P. O. Box 430
Kealakekua, Hi 96750

Acknowledged and Accepted:



sep 1, 00
Date

Noriko Saiga
Big Island Country Club Estates

Cc: Sidney Fuke

November 14, 2000

Noriko Saiga, President
Big Island Country Club
Post Office Box 1690
Kailua-Kona, Hawaii 96745

Re: County Roadway Parcel
TMK (3) 7-1-005:020, 027, 062, Pu'uanahulu, North Kona, Island of Hawaii

Dear Ms. Saiga:

As previously expressed in our letter dated August 3, 2000, the undersigned parties ("Owners") who respectively own the above-referenced properties are in the process of acquiring a County of Hawaii roadway parcel that bisects those properties and that provides legal access to property owned by Big Island Country Club Estates ("BICCE").

You have indicated that BICCE is not interested in acquiring any interest in the County roadway parcel as long as BICCE is provided with a perpetual easement over one or more of Owners' properties for access to BICCE's maintenance baseyard. The Owners have expressed their agreement to providing such an easement.

Accordingly, this is to reflect the terms of our agreement, which are as follows:

1. BICCE will formally indicate to the County of Hawaii that it has no interest in acquiring the County roadway parcel and will forbear on any action to acquire that parcel, contingent upon Owners' written agreement to provide BICCE with an easement over Owners' properties to BICCE's maintenance baseyard.
2. In consideration of BICCE's waiver of its opportunity to acquire the County roadway parcel and forbearance on any attempt to acquire such parcel, Owners agree herein to provide BICCE with a perpetual access easement to BICCE's maintenance baseyard, provided that:
 - (1) The easement width shall be twenty-five (25) feet;
 - (2) The location of the easement shall be acceptable to BICCE; and
 - (3) The grant of easement shall be presented to BICCE for review and approval within thirty (30) calendar days after Owners' acquisition of the County roadway parcel receives final County of Hawaii approval and shall be recorded with the Bureau of Conveyances, State of Hawaii, within fifteen (15) calendar days after the approval or execution of the grant of

easement by BICCE.

- 3. Based upon the terms above, BICCE consents to Owners acquisition of the County roadway parcel.

Upon signing below, Owners and BICCE acknowledge that this letter constitutes a binding agreement between the parties that shall inure to their successors in interest, if any, and further, that such agreement cannot be modified unless the parties do so in writing.

If this reflects your understanding and acceptance on the terms of our agreement, please sign in the appropriate space below. In view of your being out of state, it is acceptable to us to have facsimile copies of this letter signed by the parties and in counterparts, if necessary.

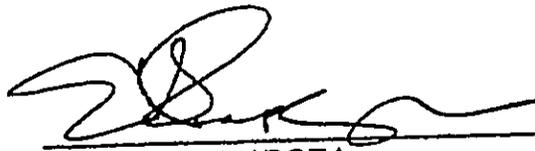
Sincerely,

OWNERS

BIG ISLAND COUNTRY CLUB ESTATES

By _____
 NORIKO SAIGA
 Its President

Dated: _____



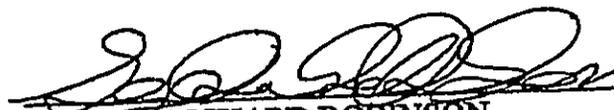
 EDWARD J. RAPOZA



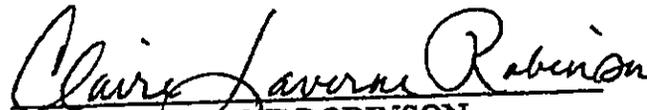
 RHONDALL K. RAPOZA

Tax Map Key: (3) 7-1-005: ~~027~~-020-062

Dated: 12-20-00



 GEORGE RICHARD ROBINSON



 CLAIRE LAVERNE ROBINSON

Tax Map Key: (3) 7-1-005: ~~027~~-020-062

Dated: 12-20-00

Noriko Saiga, President
Big Island Country Club
November 8, 2000
Page 3



GEORGE J. HANDGIS



SHARRON J. HANDGIS

Tax Map Key: (3) 7-1-005; 020806L

Dated: 12-20-00