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GOVERNOR OF HAWAII

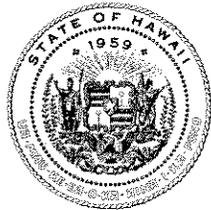
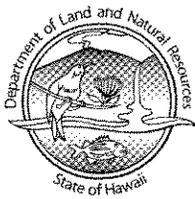
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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

MEMORANDUM

DEC 23 2008

TO: Katherine P. Kealoha, Director
Environmental Health
Office of Environmental Quality Control

FROM: Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

SUBJECT: Final Environmental Assessment (FEA)/Finding of No Significant Impact,
Conservation District Use Application HA-3474

The Department has reviewed Conservation District Use Application HA-3484 and the Final Environmental Assessment (FEA) for the proposed Joseph Residence at Laupāhoehoe, North Hilo, Hawai'i, TMK (3) 3-6-002:039. The Draft Environmental Assessment (DEA) for CDUA HA-3484 was published in OEQC's September 23, 2008 *Environmental Notice*.

The FEA is being submitted to OEQC. We have determined that this project will not have significant environmental effects, and have therefore issued a FONSI. The FONSI does not constitute approval of the CDUA; authority to grant or deny the final permit lies with the Board of Land and Natural Resources.

Please publish this notice in OEQC's upcoming January 8, 2009 *Environmental Notice*. We have enclosed two hard copies of the FEA and one digital. The OEQC Bulletin Publication Form and Project Summary have also been emailed to your office. Comments on the draft EA were sought from relevant agencies and the public, and were included in the FEA.

Please contact Michael Cain of our Office of Conservation and Coastal Lands staff at 587-0380 if you have any questions on this matter.

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OFFICE OF CONSERVATION AND COASTAL LANDS

**FINAL ENVIRONMENTAL ASSESSMENT
AND ANTICIPATED FINDING OF NO SIGNIFICANT IMPACT**

LEE JOSEPH SINGLE-FAMILY RESIDENCE

Tax Map Key (3) 3-6-002:039
Laupahoehoe Point, Island of Hawaii

December 11, 2008

Prepared for:

Hawaii State Department of Land and Natural Resources
Office of Conservation and Coastal Land
P.O. Box 621
Honolulu, HI 96809

Prepared By:

All Aina Services
P.O. Box 291
Laupahoehoe, HI 96764

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1. Introduction

1.1 Purpose

Lee Joseph is proposing to build a one story, three bedroom, two bath residence and a two car garage with laundry on approximately 3.149 acres of land in the district of North Hilo, Island of Hawaii. The property, Tax Map Key (3)3-6-002:039, is situated approximately twenty-two miles north of Hilo at Laupahoehoe Point. The property lies within the State Land Use Conservation District, thus triggers environmental requirements for the preparation of an Environmental Assessment (EA), in compliance with Chapter 343, Hawaii Revised Statutes.

1.2 Identification of Applicant

The applicant is Lee Joseph whose address is P.O. Box 672, Kilauea, Hawaii 96754.

1.3 Identification of Approving Agency

The State of Hawaii Department of Land and Natural Resources, Office of Conservation and Coastal Land, P.O. Box 621, Honolulu, HI 96809

1.4 Identification of Adjacent Property Owners

(3)3-6-002:2025

Fred Branco

Lavaina & Charles Lindsey

Mrs. A L Moses & Fred W Pratt

663 Waianuenue Ave.

Hilo, HI 96720

(3)3-6-002:001

Michael Bradley

P.O. Box 223

Hawaii National Park, HI 96718

(3)3-6-002:002

Fred Pratt

Margaret Wright

Fred Branco

Marilyn Carlsmith

P.O. Box 42

Laupahoehoe, HI 96764

Merrill/Maxine Carlsmith TR

69865 Meadow View Rd

Sisters, OR 97759

The square footage of all these are calculated from the exterior of the wall.

Compatibility Provisions ensure compatibility with surrounding environs. All structures have been designed in accordance with standard conditions, including:

Landscaping-screening structures

Color of paint and surface of structures and roof will be earth tones or compatible with the surrounding area

State Department of Health individual wastewater system has been designed and engineered by Atlas Engineering

Grading and contouring are kept to a minimum with consideration of slope. All structures will be connected or best alternative.

All construction will be in accordance with grading code shoreline requirements

Residence will have one kitchen

The landscape plan is low impact. The grading and grubbing will only remove what is necessary to prepare the house and garage site. The existing plants and the natural beauty of the site will become the landscaping. One palm tree will be removed and approximately one acre around the house site will be mowed. Any plants needed will be taken from the existing native plants on the property as per Dr. Laura Brezinsky's recommendations in her Botanical Survey, Appendix C. Mr. Joseph does not plan any agricultural activities on the property.

1.6 Listing of Permits and Approvals

County of Hawaii

Department of Public Works

Approval-Project Construction Plans

Planning Department

Plan Approval

Department of Health

Wastewater System

1.7 Land Use Designations

The subject property is situated within the State Land Use Conservation District. The County General Plan Land Use Pattern Allocation Guide Map (LUPAG) designates this area as Urban Low Density on the inland side and Open towards the ocean. DLNR classification is Subzone: Resource.

1.8 Agency and Public Consultation

The following public and private agencies and individuals were consulted during the preparation of this environmental assessment:

State of Hawaii, Department of Land and Natural Resources, Office of Conservation and Coastal Lands

State of Hawaii, Department of Land and Natural Resources, Historic Preservation District

U.S. Fish and Wildlife Service

County of Hawaii Police Department
County of Hawaii Department of Public Works
County of Hawaii Civil Defense
Sierra Club Hawaii
Dr. Laura Brezinsky
Kawaihona Poy
Lisa Barton

2. Environmental Setting

2.1 Physical Environment

2.1.1 Geology and Hazards

Environmental Setting

The project area is located on the lower northeastern slopes of Mauna Kea and consists of the Hamakua volcanic series (Stems and Macdonald, 1946). The Hamakua volcanic series consists mainly of basaltic lava flows.

The volcanic hazard as assessed by the United States Geological Survey for the project area is “8” on a scale of ascending risk 9 to 1 (Heliker, 1990). Zone “8” includes the lower slopes of Mauna Kea which has not been affected by lava flows for the past 10,000 years.

The island of Hawaii is one of the most seismically active areas in the world and has experienced more than twenty large earthquakes (magnitude 6 or larger) over the past 166 years (Wyss and Koyanagi, 1992). Magnitude 6 earthquakes can be expected to cause structural damage to non-reinforced buildings. The Building Code rating for the entire island of Hawaii is seismic Zone 4 which has the highest risk for seismic activity.

Impacts

The proposed project will not expose the Joseph residence or the general public to any hazard risk that does not already exist. The volcanic hazard risk is relatively low and the same as any other alternative site that could be utilized for the same purpose.

2.1.2 Soils

Environmental Setting

The USDA Soil Conservation Services Soil Survey of the Island of Hawaii classifies the soil of the subject property as mixed alluvial land, 3 to 15 percent slopes (MT). The drainage class is considered “well drained”, with no frequency of ponding. This soil has a capability subclass rating of 6w, which indicates limitations that reduce the choice of plants, require very careful management, or both.

Impacts

Mr. Joseph plans to have as little impact on the land as possible. The house site sits on a naturally occurring semi-flat plateau with little native vegetation. This may be seen in the photograph in the Botanical Survey, Appendix C. This will allow construction to take place with no damage to native species and a minimum of grading and grubbing. The amount of soil to be cleared is expected to be approximately 64 cubic feet, thus no permit will be required. The excavated soil will be spread around the building site..

2.1.3 Climate

Environmental Setting

Hawaii’s climate is generally characterized as mild with uniform temperatures, moderate humidity, and two identifiable seasons. The “summer” season, between May and October, is generally warmer and drier. The “winter” season, between October and April, is cooler and wetter. The project area is situated along the windward side of the island of Hawaii which is exposed to northeasterly trade winds that cause relatively high rainfall (over 100 inches annually). The average monthly minimum temperature along the Hamakua coast ranges from the mid 60’s to 70 degrees Fahrenheit while the average monthly maximum temperature ranges from the mid 70’s to the mid 80’s. (University of Hawaii Press, 1983)

Impacts

Climatic conditions will not have a significant impact on the proposed project.

2.1.4 Hydrology and Drainage

Environmental Setting

The project area is designated Zone X (Areas determined to be outside the 500 year flood plain) on the Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency.

Impacts and Mitigation Measures

The property is on a grade which will provide natural drainage. The proposed dwelling location is relatively flat, and will require only minimal excavation. In addition, during the construction phase of the project, several methods to avoid erosion will be prepared and implemented if necessary. These methods include erecting silt curtains along the property boundaries to retain runoff on site and placing a gravel blanket at the entry to the site in order to allow vehicle access and filter runoff.

2.1.5 Flora and Fauna

Environmental Setting

A Botanical Survey was conducted by Dr. Laura Brezinsky. See Appendix C.

Fauna and avifauna observed on the project parcel by Lisa Barton, long time resident and community leader, include mongoose, cardinal, barred dove, spotted dove and mynah bird. Feral cats, pigs, and rodents are also common to the area. Although not observed on the property, it is possible that the endemic Hawaiian Hawk, or I'o, may forage in the area.

Impacts

No listed candidate or proposed endangered animal or plant species are likely to inhabit this area, according to Dr. Brezinsky and confirmed by telephone, (808) 443-2300 with the U.S. Fish and Wildlife Service on March 10, 2008 at 9:40 a.m.

2.1.6 Air Quality

Environmental Setting

Pollutants derived from the volcanic emissions from the ongoing Kilauea eruption affect the subject area. In general, however the ambient air quality of the project area meets all federal and state standards as evidenced by its designation as an "attainment" area by the State Department of Health, Clean Air Branch.

Impacts and Mitigation Measures

The proposed project should have no substantial impact to the air quality.

2.1.7 Noise

Environmental Setting

Existing noise levels are typical of a rural setting. The project site is not situated in close proximity to any significant noise generators such as airports or industrial activity.

Impacts and Mitigation Measures

Temporary noise impacts will occur from construction activities of the project and are unavoidable. However, the neighboring homes are around a bend in the road or higher up on a cliff, set at a 90 degree angle and at least 1000 feet away.

2.1.8 Scenic and Open Space Resources

The North Hilo District is blessed with open space and scenic vistas in a rural-agricultural setting. Laupahoehoe Point is one of the most outstanding of these areas, and is a natural beauty site listed in the Hawaii County General Plan.

Impacts

The proposed project will have some visual impact, since a residence will be built on currently vacant land. Due to the secluded setting of the building site, there will be no visual obstruction of the ocean view to any existing house or to the Laupahoehoe Point Park in the far distance.

2.2 Social, Cultural, and Economic Setting

2.2.1 Socio-Economic Characteristics

Setting

Hawaii County's population increased by over 22,000 persons between April, 2000 and July, 2006. The North Hilo and Hamakua districts have experienced a low population growth rate in comparison. North Hilo experienced a loss of 77 persons from the year 2000 to the year 2005. Hamakua district experienced an increase of 88 persons during the same time period (County of Hawaii, Department of Research and Development). The North Hilo district and the rest of the east Hawaii communities are adjusting to the loss of the sugar industry in the mid 1990's. A total of 700 direct jobs were lost and approximately 20,000 acres of land were removed from production. Although a substantial portion of the former sugar acreage has been planted with eucalyptus trees, the number of jobs generated by the tree farming is substantially less (about 100 jobs) than the amount lost with the sugar industry. Agriculture activities that continue include ranching, macadamia nuts, and other diversified crops.

Impacts

The proposed project will not have a substantial impact on the socio-economic character of the region, other than providing short term construction jobs.

2.2.2 Adjacent Land Uses

Existing Setting

The project area is located off the end of Laupahoehoe Point Road. Adjacent and nearby properties include vacant land, single family residences and Laupahoehoe Point Park.

Impacts

No substantial impact to scenery is expected, as the proposed residence will not be seen from any other residences or from Laupahoehoe Park. The residence will be compatible with surrounding areas and the design and construction will be sensitive to the site. All construction and landscaping will be low profile and suitable to other projects in the community.

2.3 Public Facilities and Services

2.3.1 Roads and Traffic

Setting

The public roadway providing access to the proposed site is Laupahoehoe Point Road, which is east off of Hawaii Belt Road (Hwy 19). The access road to the subject parcel is the crossroad just outside the boundary of Laupahoehoe Park to the right, locally referred to as Old Branco Road or Old Sugar Mill Road.

Impacts

The addition of a single family's traffic to the area should impose no substantial impact.

2.3.2 Water

Existing Setting

Domestic water will be provided by way of an extension from the existing county water line located at the head of the access road, approximately 800 feet north of the project site. The County of Hawaii Department of Water Supply has confirmed that water is currently available for a meter on site, although further engineering may be required. This utility will be brought in along the utility

easement as per Appendix D.

Impact

The proposed project will not have a significant impact on the existing Department of Water Supply sources.

2.3.3 Wastewater

Existing Setting

The project area is not served by a municipal wastewater treatment facility. Sewage will be handled with an individual wastewater system, approved by the State Department of Health, located twenty feet (mauka) behind the residence.

Impacts

The on-site cesspool has been engineered as per Appendix C, and will be constructed in accordance with the requirements of the State Department of Health.

2.3.4 Electricity and Telephone

Existing Setting

Power will be provided by HELCO with an extension from the existing electrical service at the head of the access road, approximately 800 feet to the north of the project site. HELCO has confirmed the availability of this utility given the proper engineering. Purchase of telephone line rights are required, but the service is available, and can be brought in along the utility easement as per Appendix D.

Impacts

The proposed project will not have any impact on the existing capacity of these services.

2.3.5 Solid Waste

Existing Setting

The nearest county solid waste transfer station to the subject property is located in Laupahoehoe. The nearest landfill is approximately 22 miles southeast of the site, in Hilo.

Impacts and Mitigation Measures

The proposed project will generate building waste during the construction phase. The contractor will be required to dispose of that waste in compliance with the requirements of the Department of Environmental Management.

2.3.6 Protective Services

Existing Setting

Protective services including fire, police, and rescue are located in Laupahoehoe. Medical services are located in Honokaa, about 20 miles away and Hilo, about 29 miles.

Impacts

The proposed project will not create an additional burden on the existing protective service providers.

2.3.7 Recreational Facilities

Existing Setting

The proposed residence is located approximately 300' from the shoreline. Traditionally, this area has been used for fishing, surfing, and opihi picking. Laupahoehoe Point Park has a boat ramp, pavilion and picnic facilities.

Impacts

As the old sugar mill access road is not owned by Mr. Joseph, nor the shoreline area, fishing, surfing and opihi picking will not be impacted at Laupahoehoe Point.

2.4 Archaeology, Historic and Cultural Resources

Setting

In July of 2008, the proposed site was inspected for archaeological resources by Morgan Davis, an archaeologist with the State Historic Preservation Division. She found only modern remains of construction less than 50 years old, making these features (two stacked rock walls and a cement Easter-Island style house decoration identical to those on the neighboring property) out of the Division's jurisdiction. In a letter of July 25, 2008, SHPD stated that "no historic properties will be affected by this project". In a letter of October 31, 2008, SHPD recommended that "the proposed location for the house is acceptable providing the tree line between the property and the viewplane between it and the point is

maintained.” The Joseph property is not listed as a historic property in the Hawaii Register or the National Register of Historic Places.

In order to determine the traditional cultural value of the parcel as to whether it supported any traditional gathering uses, traditional cultural sites, or any other important cultural symbolic associations, pertinent published information was reviewed. “A Plan for the North Hilo District,” by Lum, Miyamoto and Associates, Inc., AIA, cites Richard Mortemore, a Laupahoehoe resident, regarding early Laupahoehoe. The following quote describes the town in those early times. “According to some authorities, settlement of Hawaiians may have existed as early as 1490 in the Laupahoehoe area. Actual records show that missionaries stopped overnight at this village as early as 1780. The boat landing at Laupahoehoe had long been a welcome stop to voyagers moving along the Hamakua coast. Laupahoehoe was a home to several of the ruling chiefs of Hawaii. Umi, son of Liloa, lived in Waipunalei until he left to defeat his brother, Hakau, at Waipio. After Umi became the ruler of Hawaii, he returned to Laupahoehoe and caused his enemy Paiea to be killed and sacrificed to his god at the Heiau at Waipunalei. Kamehameha I spent much time at the village of Laupahoehoe. It was upon his return to Laupahoehoe after attacking peaceful villages along the Puna coast, that he made the Law of Mamalahoe, or Splintered Paddle. This was the law which made robbery or murder punishable by death.” Besides being a significant stopping place for travelers since ancient times, Laupahoehoe has been an important center for Hawaii County in this century. About the turn of the century, Laupahoehoe was a thriving community with numerous immigrants arriving at the harbor from all over the world to settle on the Hamakua coast. Sugar growing and processing was a major industry, but coffee was also grown and milled. Laupahoehoe was a transportation center as well as an agricultural center early in this century. Mule trains brought sugar from the entire Hamakua area to be loaded onto steamers at the harbor and shipped to the mill at Waimea. A bustling community around the turn of the century, Laupahoehoe had many hotels, restaurants, a theater, tailors, a blacksmith, photographer and apartments. With the advent of the railroad, less activity was seen in Laupahoehoe Point, and merchants began moving businesses out of the valley. In 1946, the tsunami hit Hawaii, ending coastal railroad service. Laupahoehoe Point lost 24 residents; many were students and teachers. Many homes were demolished, including teachers’ cottages. Although the main school building survived, the school was moved to higher ground. The population today is around 30 residents.

Interviewed for this assessment was native Hawaiian Kawaihona Poy. She was born at Laupahoehoe Point in 1930 and has lived there all her life. She noted that the traditional use of this area was centered on marine resources, including fishing, (her father was an avid fisherman), opihi, sea urchin, sea cucumber and limu. According to Mrs. Poy, there do not appear to be any biological, geological or other resources on the Joseph parcel which are important for traditional gathering. Also interviewed was Lisa Barton, long time resident, community

leader and administrator of the Laupahoehoe Train Museum. She noted that presently this area is used for fishing, surfing and opihi picking and Laupahoehoe Point Park provides a boat ramp, pavilion and picnic facilities.

Mitigation Measures

No impacts to archaeological sites or historical sites are anticipated as a result of the proposed residence. Should any archaeological or historical sites be uncovered during construction, all work in the area will stop and the DLNR Historic Officer will be notified immediately. The treatment of any uncovered objects will be conducted in strict compliance with the requirements of the DLNR, SHPD. It is reasonable to conclude that the exercise of native Hawaiian rights related to gathering, access or other customary activities will not be affected, and there will be no adverse effect upon cultural practices or beliefs. As the old sugar mill access road is not owned by Mr. Joseph, nor the shoreline area, fishing, surfing and opihi picking will not be impacted. The proposed residence is at least 1000 feet from Laupahoehoe Point Park and would not be within sight of park users. Mr. Joseph plans to maintain the treeline between his house site and the viewplane as recommended by DLNR, SHPD.

2.5 Consistency with Conservation District/Special Management Rules, Guidelines and Objectives

The purpose of the Conservation District Rules (according to Section 13-5-1 of the Rules) is “to regulate land use in the Conservation District for the purpose of conserving, protecting, and preserving the important natural resources of the State through appropriate management and use to promote their long term sustainability and the public health, safety and welfare”. The DLNR, under HSR Section 13-5-1, established five Subzones within the Conservation District: Protective, Limited, Resource, General and Special. The subject property has been designated Resource Subzone. The objective of this Subzone is “to develop, with proper management, areas to ensure sustained use of the natural resources of those areas”.

Provided the Board of Land and Natural Resources approves a Conservation District Use Permit, identified land uses within the Resource Subzone, as described under Section 13-5-24, includes: a single family residence that conforms to the design standards as outlined in HSR Section 13-5-24 and landscaping, defined as alterations of plant cover, including trees, in an area of more than 10000 square feet.

The proposed Joseph single family residence is consistent with the purpose of the Conservation District in that a single family residence is an identified use in the Resource Subzone and that the resources of the site will be conserved, protected, and preserved after the residence is constructed. As specified in the Rules, the developable area for a single family residence in the Conservation District is limited to a maximum of 5000 square feet. The residence is well within that limit

at a total of 3231 square feet for both residence and garage. The design of the Joseph residence will be sensitive to the site with measures taken to minimize environmental impact. Considering that the entire area of the site is 3.149 acres, (137,170 square feet), the residence will occupy 2.3% (3231 square feet) of the total site. The majority of the site will be left in open space. The site will be more closely maintained and monitored with a residence.

The proposed land use complies with provisions and guidelines contained in Chapter 205A, HRS, entitled "Coastal Zone Management". Single family residences are considered to be an exempt action under the County's Special Management's Area guidelines. The proposed use would be consistent with Chapter 205A because it would not affect public access to recreational areas, historic resources, scenic and open space resources, coastal ecosystems, economic uses, or coastal hazards.

The proposed land use will not cause substantial adverse impact to existing natural resources within the surrounding area, community or region. The construction activities of this single family residence will be confined to the owner's lot and will not have any adverse impact on the natural resources. The design and construction of the residence will be sensitive to the site, with measures taken to minimize environmental impacts. The small area of the residence will minimize the need for extensive grading or contouring of the site. Any disturbed areas will be re-vegetated within 30 days of completion of construction.

The proposed single family dwelling will be compatible with the locality and surrounding areas. The design and construction of the residence will be sensitive to the site. All construction and landscaping will be low profile and suitable and similar to other projects in the surrounding community. The dwelling will be constructed in colors that blend with the environment. The recommendations of Dr. Laura Brezinsky, as per the Botanical Survey, Appendix C, will be used in any adjustments to the natural landscape that might be necessary.

Mr. Joseph wishes to have as little impact on the land as possible. The natural and wild beauty of the site is one of its most appealing attributes. The house site was chosen to enjoy that beauty while preserving the existing natural landscaping. The existing house site vegetation is a weedy, alien grass. (Photo in Botanical Survey, Appendix C). This will allow construction to take place with no damage to native species and a minimum of grading and grubbing. Also, the proposed site is on a relatively low portion of the property and the height of the proposed residence is 23'8", which serves to preserve the rural character of the area. Because the residence will occupy less than 2.3% of the total site, there will be no significant impacts to the open space characteristic of the site.

Subdivision of the land is not applicable to this parcel.

Mr. Joseph's single family residence will not be detrimental to the public health, safety and welfare, as all phases of construction will comply with all appropriate government requirements with regard to environmental and public health concerns. During construction, the contractor will be responsible for general site up-keep and the safety of the workers and the surrounding community.

3. Summary of Potential Adverse Environmental Impacts and Proposed Mitigation Measures

3.1 Short Term Impacts

Construction Activity:

Short term impacts may result from the proposed construction activity including increased noise levels and dust.

Mitigations

Since the construction activity is temporary, minimal impact is expected.

3.2 Long Term Impacts

No sensitive biological, hydrological, archaeological or other resources are present on the parcel and no adverse long-term impacts are expected to result from the proposed project.

4. Alternatives

4.1 No Action

Under the No Action Alternative, the property would remain vacant.

4.2 Alternative Sites

Mr. Joseph has not considered any alternative sites.

5. Determination, Findings, and Reasons for Supporting Determination

5.1 According to the Department of Health Rules (11-200-12), an applicant must determine whether an action may have a significant impact on the environment. The Rules establish "Significance Criteria" to be used as a basis for determining Significant environmental impact. A proposed action may not meet any of the following criteria.

1. Involves an irrevocable commitment to loss or destruction of any natural or cultural resources.

The proposed project involves the construction of a single family home on 3.149 acres of land. The project site is vacant and does not contain any significant natural or cultural resources.

2. Curtails the range of beneficial uses of the environment.

The proposed action will utilize a small portion (2.3%) of a 3.149 acre parcel. No restriction of beneficial uses would occur.

3. Conflicts with the State's long term environmental policies or goals and guidelines as expressed in Chapter 344,HRS; and any revisions thereof and amendments thereto, court decisions, or executive orders.

The proposed action is minor and basically environmentally benign, and thus consistent with all elements of the State's long term environmental policies.

4. Substantially affects the economic or social welfare of the community or state.

The proposed action will not have any substantial effect on the economic or social welfare of the Laupahoehoe community or Hawaii state.

5. Substantially affects public health.

The proposed action will not affect public health and safety in any way.

6. Involves substantial secondary impacts, such as population changes or effects on public facilities.

As the action involves only one single family home, no secondary effects are expected.

7. Involves a substantial degradation of environmental quality.

The action is minor and environmentally benign, and it would thus not contribute to environmental degradation.

8. Substantially affects any rare, threatened or endangered species of flora or fauna or habitat.

The building site itself supports weedy alien grass. No rare, threatened or endangered species of flora or fauna are known to exist on the project site, and none would be affected by any project activities.

9. Has cumulatively considerable effect upon the environment or involves a commitment for larger actions.

The action is not related to other activities in the region in such a way as to produce adverse cumulative effects or involve a commitment for larger actions.

10. Detrimentially affects air or water quality or ambient noise levels.

No substantial effects to air, water or ambient noise would occur.

11. Likely to be damaged as a result of being located in an environmentally sensitive area such as a flood plane, tsunami zone, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal land.

Although the proposed action is located in a zone exposed to tsunami and earthquake hazards there are no reasonable alternatives that would avoid such exposure. The proposed action presents no additional hazard to the public, and the project is not imprudent for the landowner.

12. Substantially affects scenic vistas and viewplanes identified in county or state plans studies.

Although Laupahoehoe Point is listed as a natural beauty site in the Hawaii County General Plan, the secluded setting of the proposed residence prevents any visual obstruction of the ocean and coastline to any existing home or Laupahoehoe Point Park.

13. Requires substantial energy consumption.

The proposed action will require negligible amounts of energy for construction.

5.2 For the reasons above, the Proposed Action 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.

5.3 Findings

Based on the foregoing information presented, it is determined that the proposed Lee Joseph single family residence will not have a significant effect. As such, Finding of No Significant Impact for the proposed action is anticipated.

APPENDIX

Flood Zone Determination.....
Site Plan.....
Floor Plans.....
Elevations.....
Proof of Mailing.....
Agency Letters and Responses.....
Photographs of Property.....
Botanical Survey.....
Cesspool Information.....
Maps (Regional, Area, TMK).....



County of Hawaii
DEPARTMENT OF PUBLIC WORKS
101 Pauahi Street, Suite 7 • Hilo, Hawaii 96720

Flood Zone Determination

Ph.: 961-8327 (Hilo) 327-3530 (Kona)
Fax.: 961-8933 (Hilo) 327-3533 (Kona)

Tax Map Key: 3-6-002.039

Requested By: ALLAINA SERVICES

Company: _____

Address: _____

Phone: _____ Fax: _____

Date: 3/27/08

Signature: Jennifer Rose

Flood Zone is: X

Remarks: _____

Completed by: Jane

Date: MAR 27 2008

Notes:

- 1) A property in Zone X (not within the Special Flood Hazard Area) may be damaged by a flood greater than that predicted on the Flood Insurance Rate Map (FIRM), or from a local drainage problem not shown on the map. The information provided here does not create liability for the County of Hawaii, or any officer or employee thereof, for any damage that results from reliance on this information.
- 2) A copy of the Tax Map Key, with the specific flood designation(s) may be available at the Department of Public Works for a nominal fee.
- 3) Buyers are advised to consult an Architect and/or Engineer or other experts of the buyers' choice if there are additional questions.

County of Hawaii is an Equal Opportunity Provider and Employer

LEGEND

SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD

- ZONE A No base flood elevations determined.
- ZONE AE Base flood elevations determined.
- ZONE AH Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.
- ZONE AO Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE A99 To be protected from 100-year flood by Federal flood protection system under construction; no base elevations determined.
- ZONE V Coastal flood with velocity hazard (wave action); no base flood elevations determined.
- ZONE VE Coastal flood with velocity hazard (wave action); base flood elevations determined.

FLOODWAY AREAS IN ZONE AE

OTHER FLOOD AREAS

ZONE X (shaded) Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood.

OTHER AREAS

ZONE X Areas determined to be outside 500-year flood plain.

ZONE D Areas in which flood hazards are undetermined.

Flood Boundary

Floodway Boundary

Zone D Boundary

Boundary Dividing Special Flood Hazard Zones, and Boundary Dividing Areas of Different Coastal Base Flood Elevations Within Special Flood Hazard Zones.

Base Flood Elevation Line; Elevation in Feet*

Cross Section Line

(EL 987) Base Flood Elevation in Feet Where Uniform Within Zone*

RM7_x Elevation Reference Mark

*Referenced to the National Geodetic Vertical Datum of 1929

NOTES

This map is for use in administering the National Flood Insurance Program; it does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size, or all planimetric features outside Special Flood Hazard Areas.

Areas of special flood hazard (100-year flood) include Zones A, A1-30, AE, AH, AO, A99, V, V1-30 AND VE.

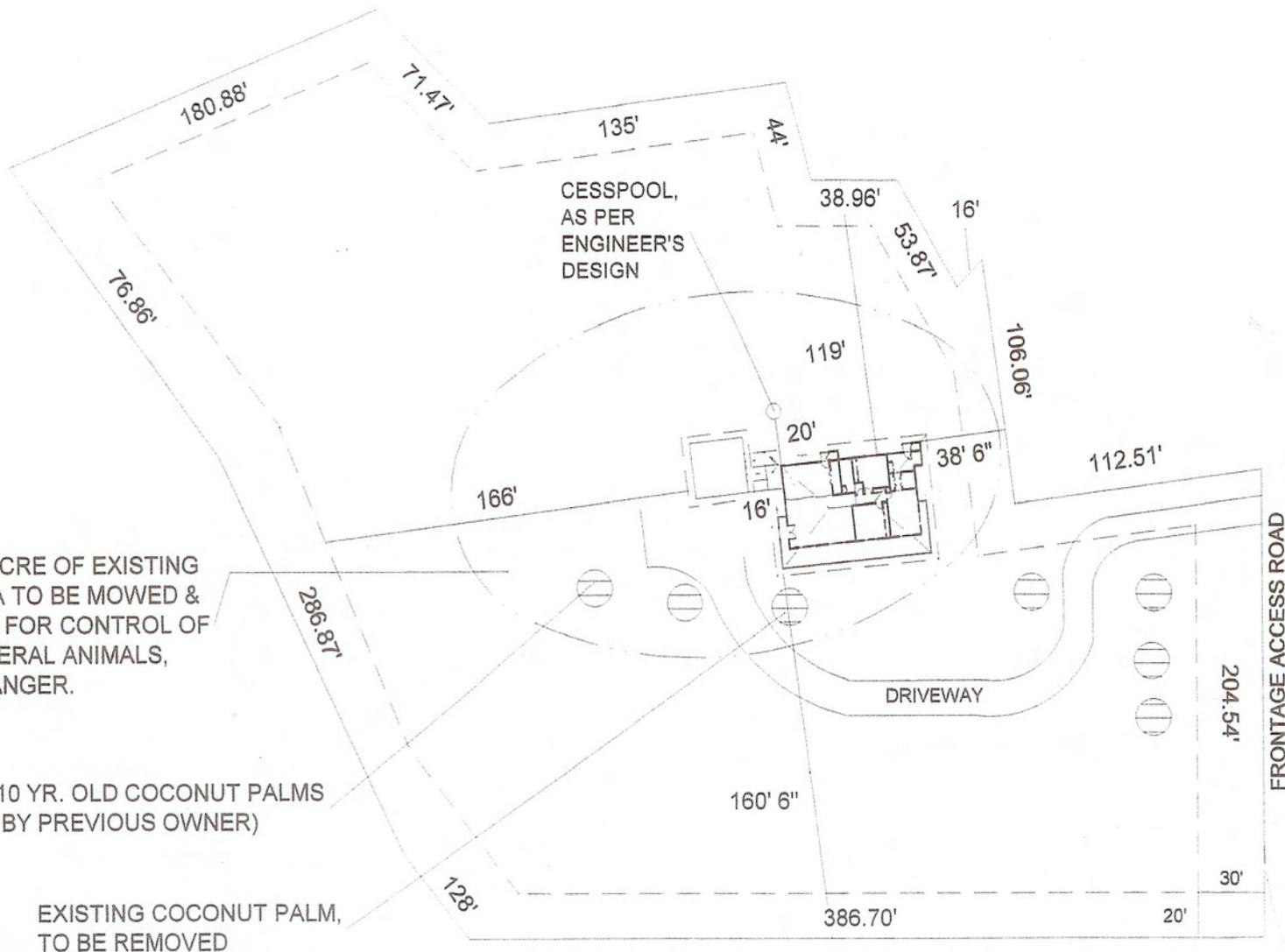
Certain areas not in Special Flood Hazard Areas may be protected by flood control structures.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the Federal Emergency Management Agency.

Floodway widths in some areas may be too narrow to show to scale. Floodway widths are provided in the Flood Insurance Study Report.

Coastal base flood elevations apply only landward of the shoreline.

Elevations reference marks are described in the Flood Insurance Study Report.



APPROX. 1 ACRE OF EXISTING GRASS AREA TO BE MOWED & MAINTAINED FOR CONTROL OF RODENTS, FERAL ANIMALS, AND FIRE DANGER.

EXISTING 10 YR. OLD COCONUT PALMS (PLANTED BY PREVIOUS OWNER)

EXISTING COCONUT PALM, TO BE REMOVED

JOSEPH SITE PLAN, TMK (3) 3-6-002:035

SCALE 1" = 75'

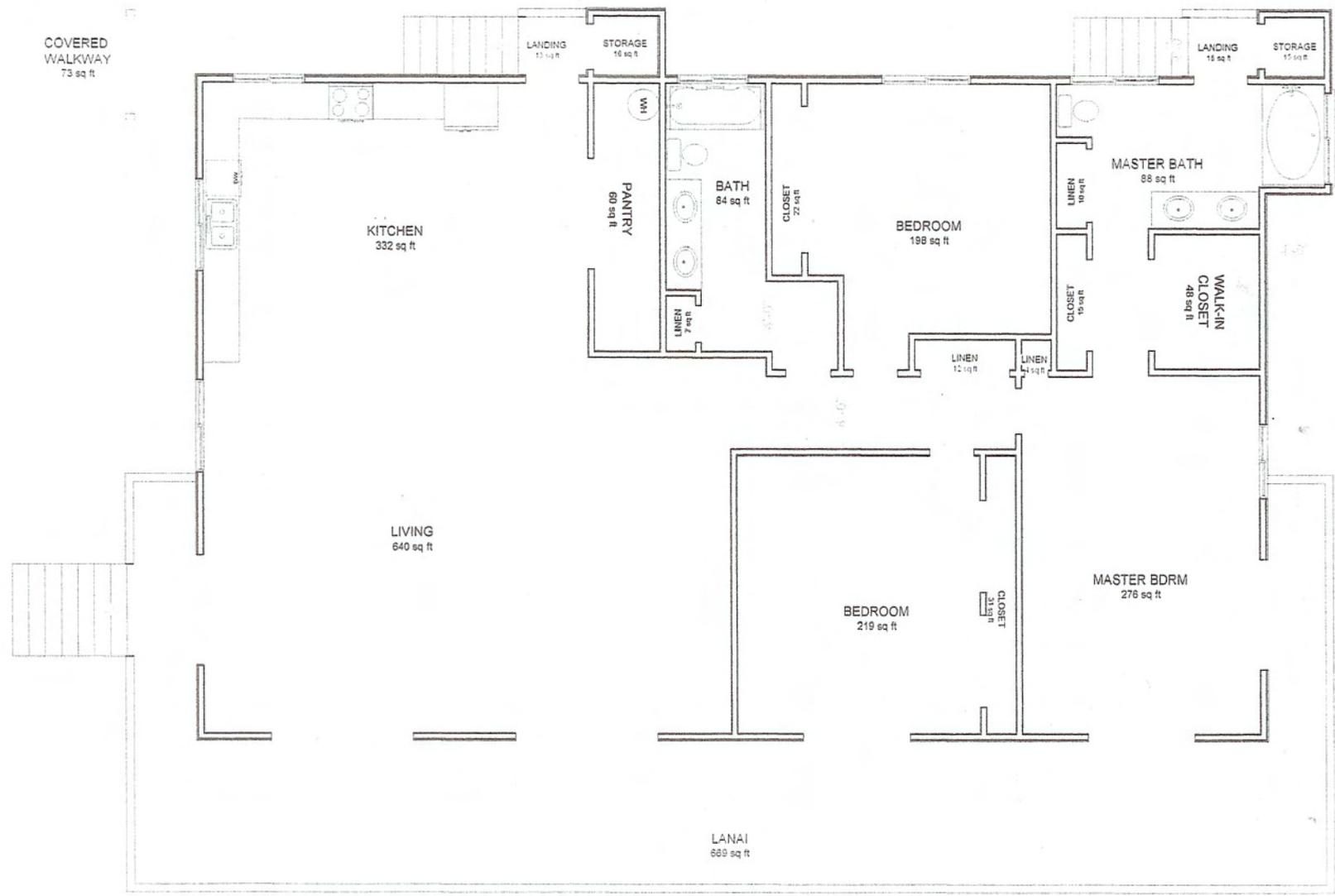


Figure 7

Joseph Single-Family
Residence
Floor Plan

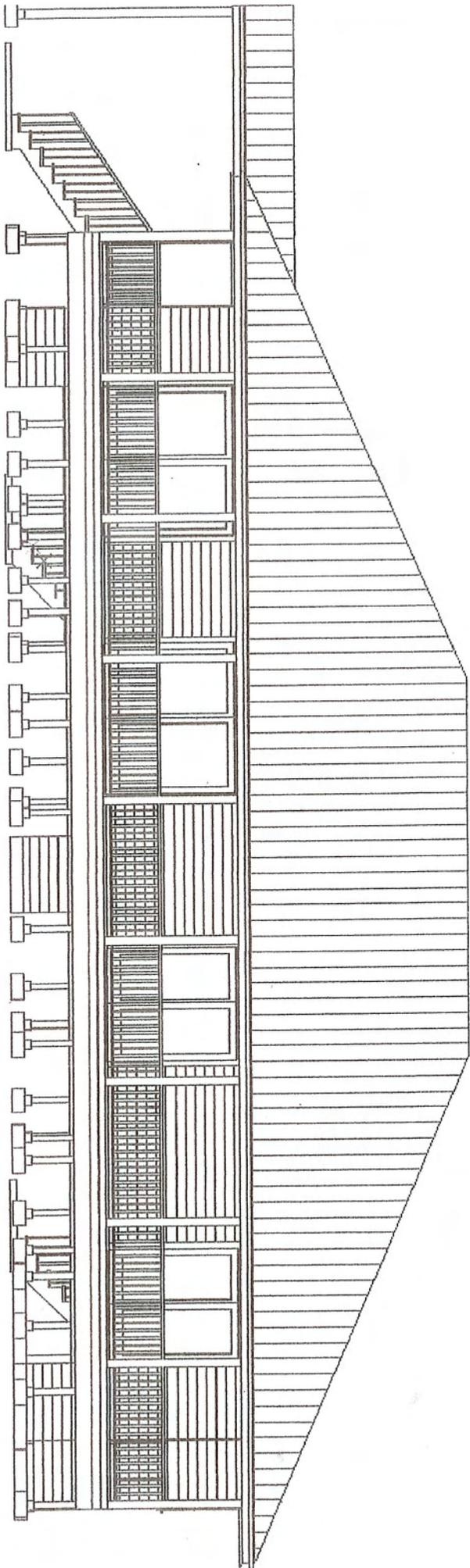


Figure 9

Joseph Single-Family
Residence
Front Elevation

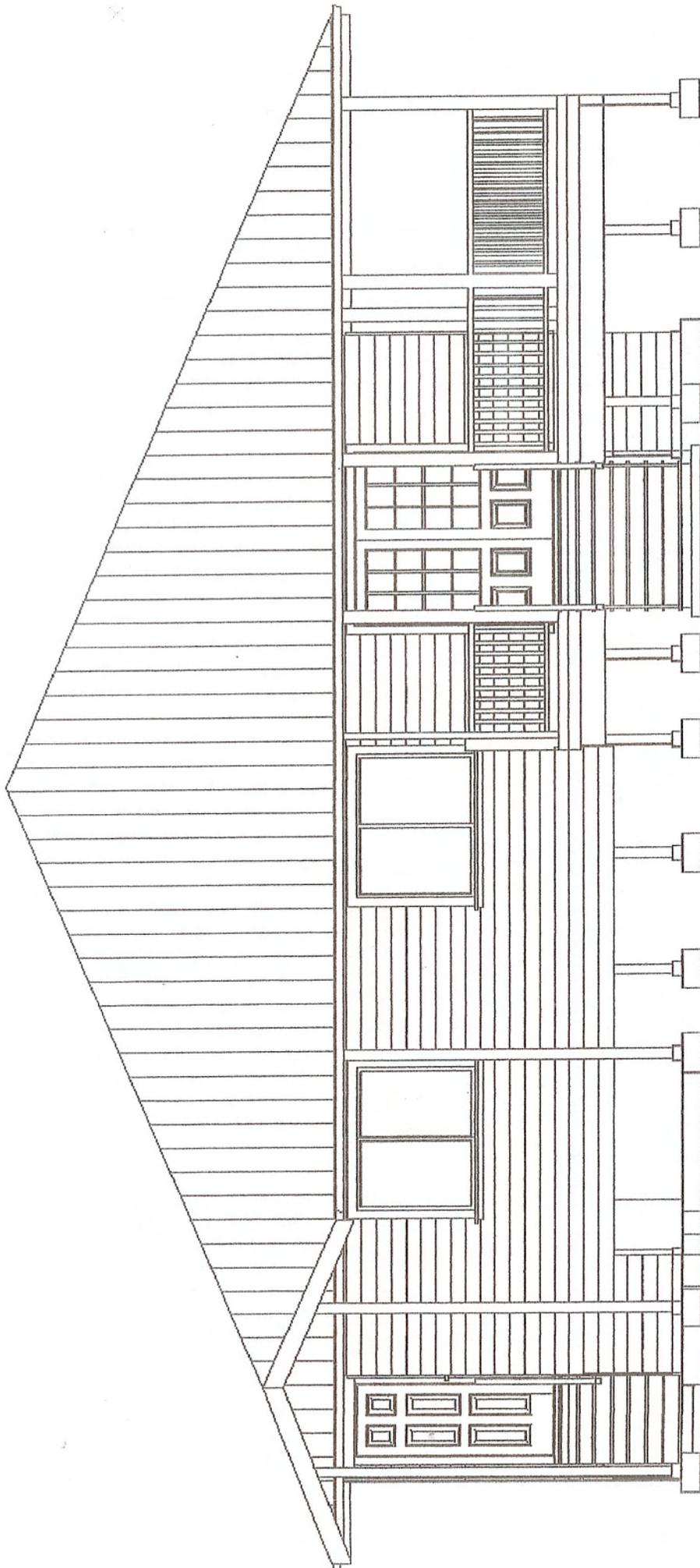


Figure 10
Joseph Single-Family
Residence
Left Elevation

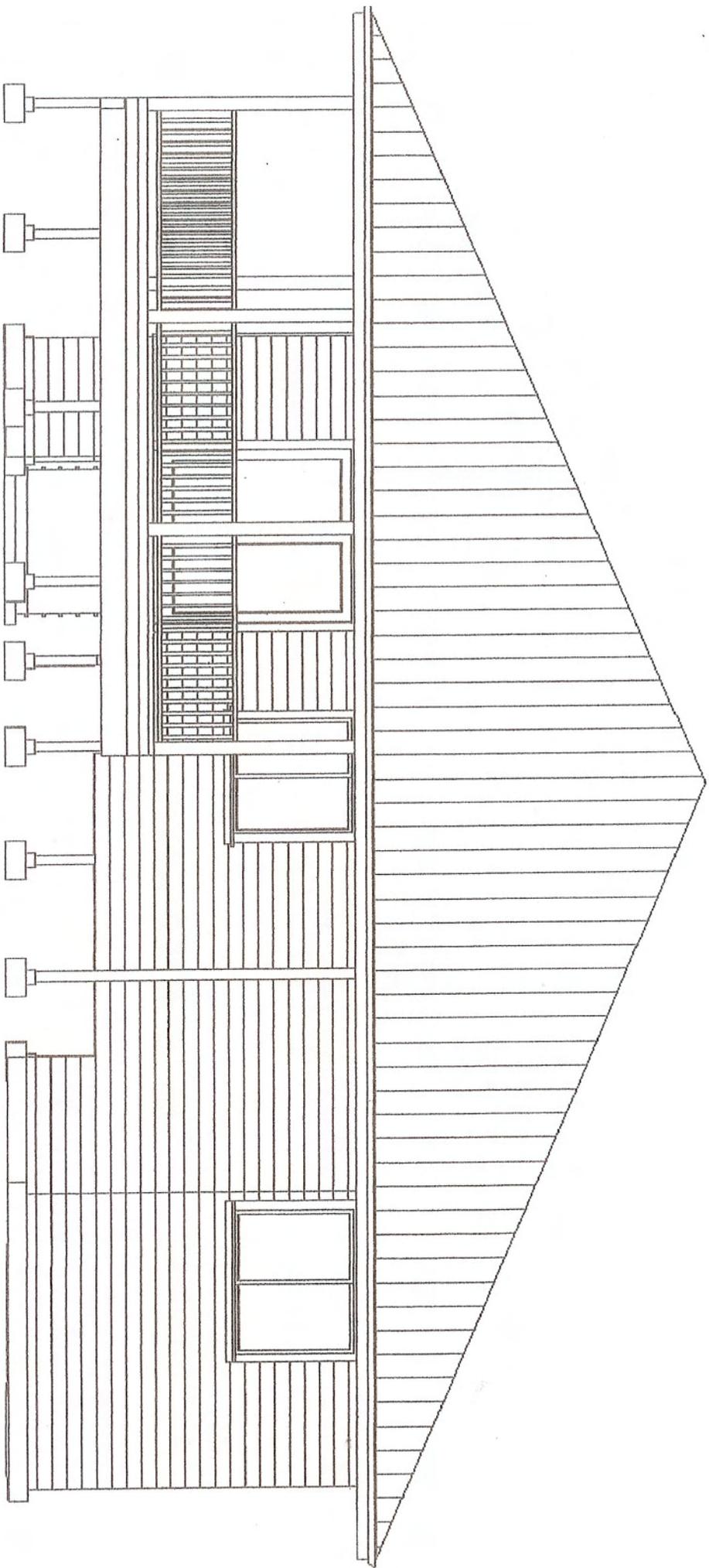


Figure 12

Joseph Single-Family
Residence
Right Elevation

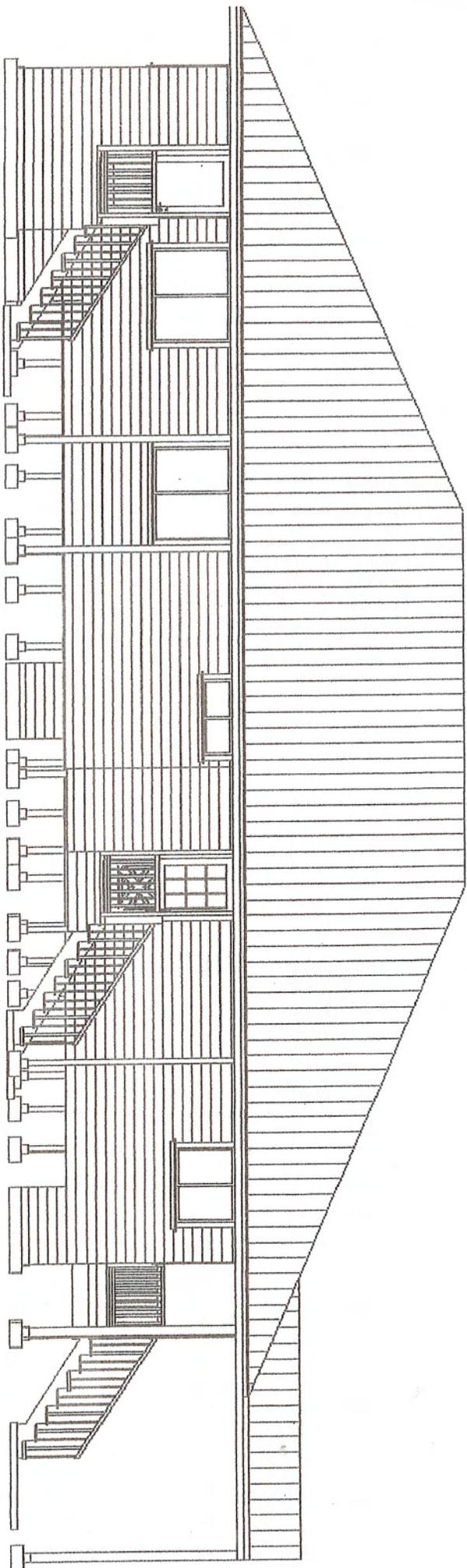


Figure 11

Joseph Single-Family
Residence
Rear Elevation

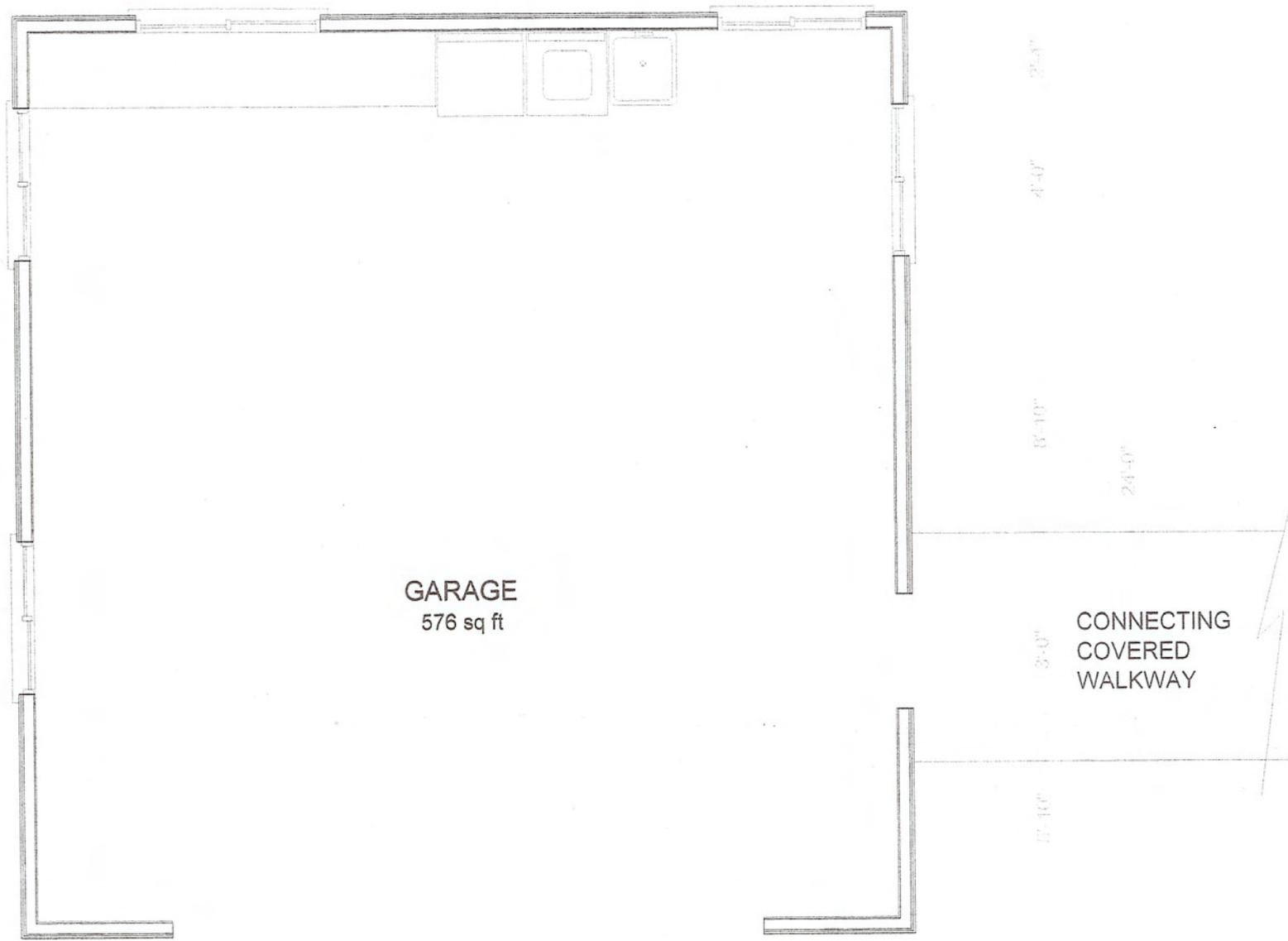


Figure 8

Joseph Single-Family
Residence
Garage Floor Plan

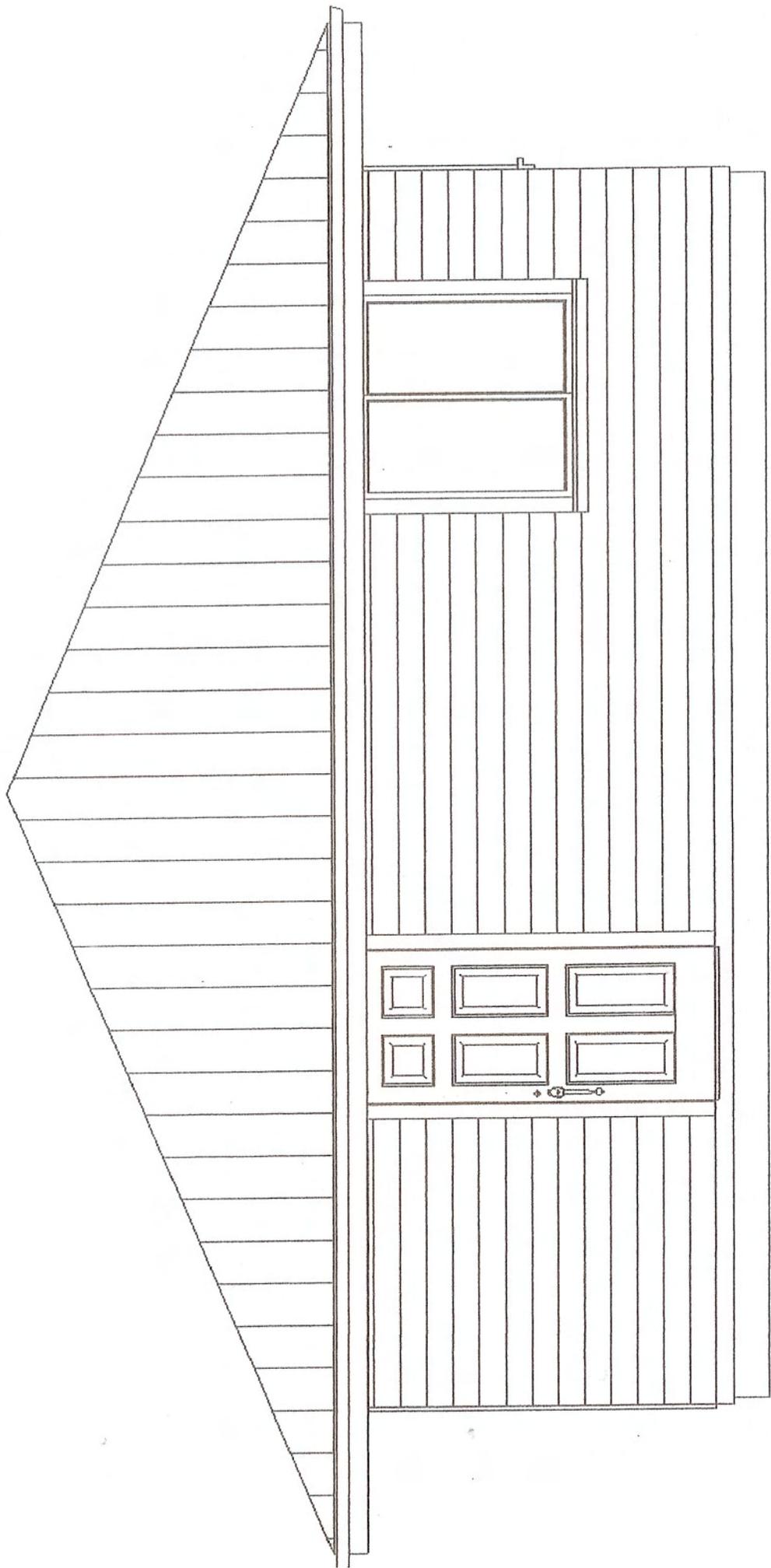


Figure 16
Joseph Single-Family
Residence
Garage Right Elevation

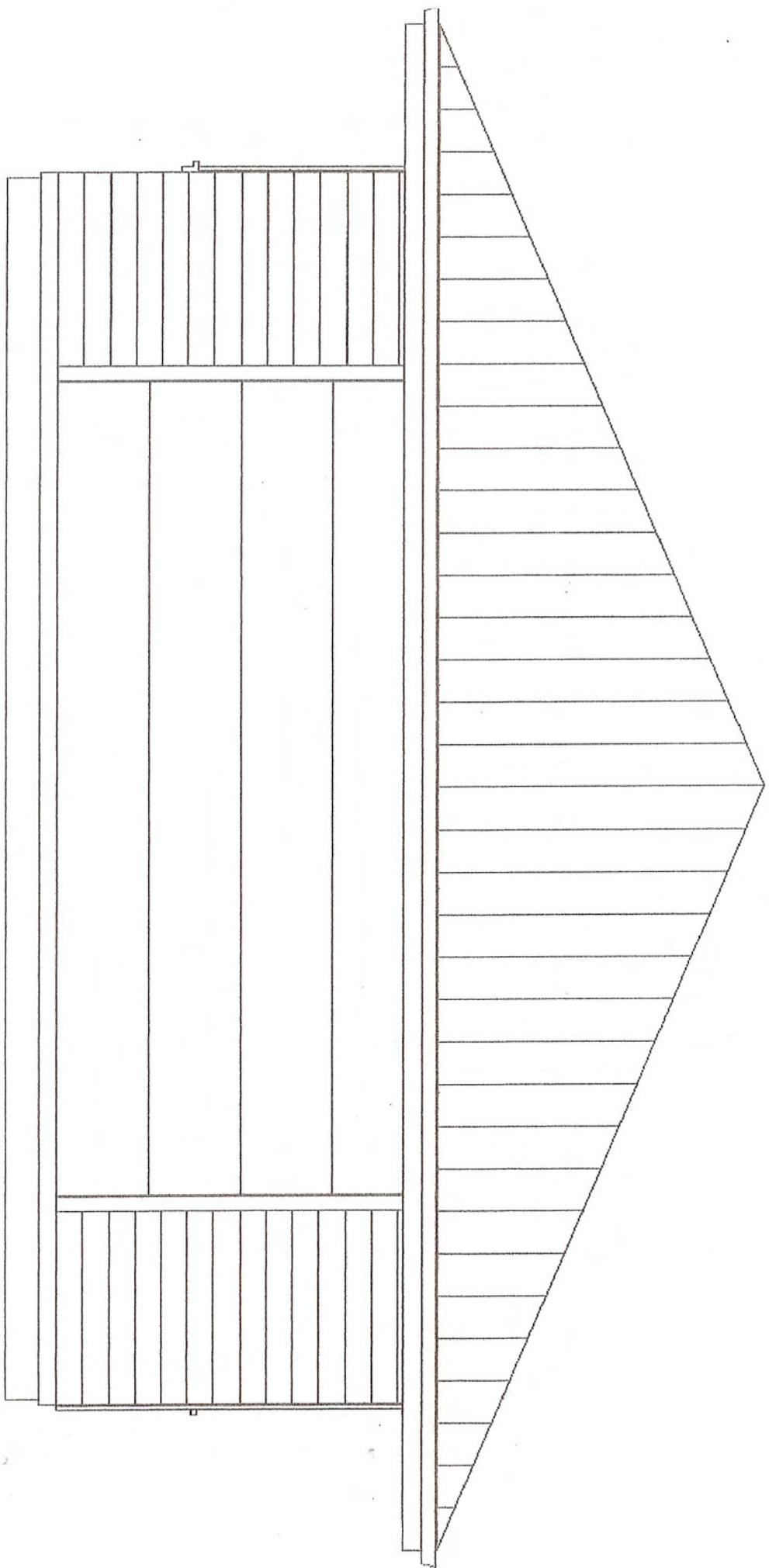


Figure 14

Joseph Single-Family
Residence
Garage Front Elevation

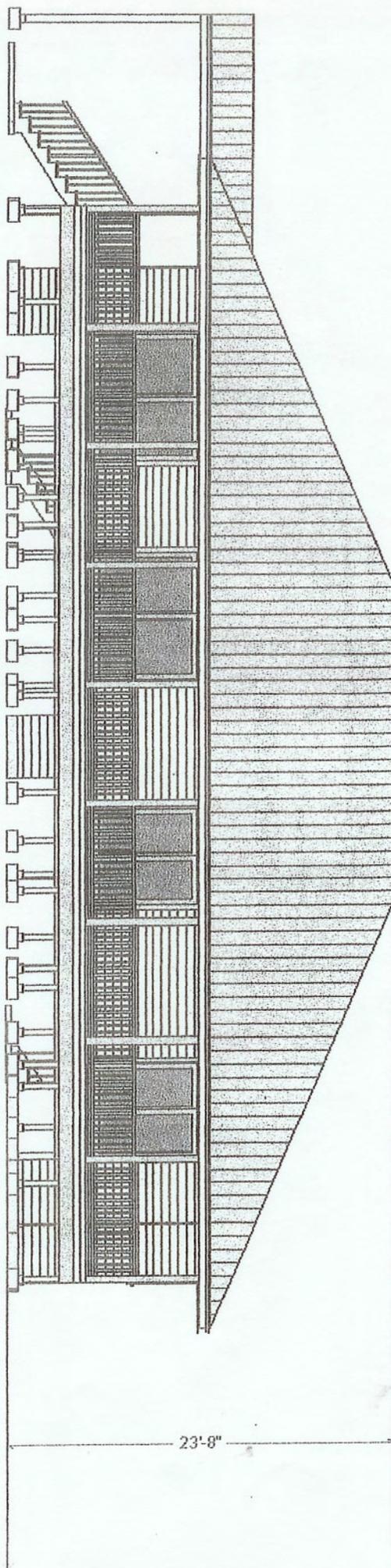
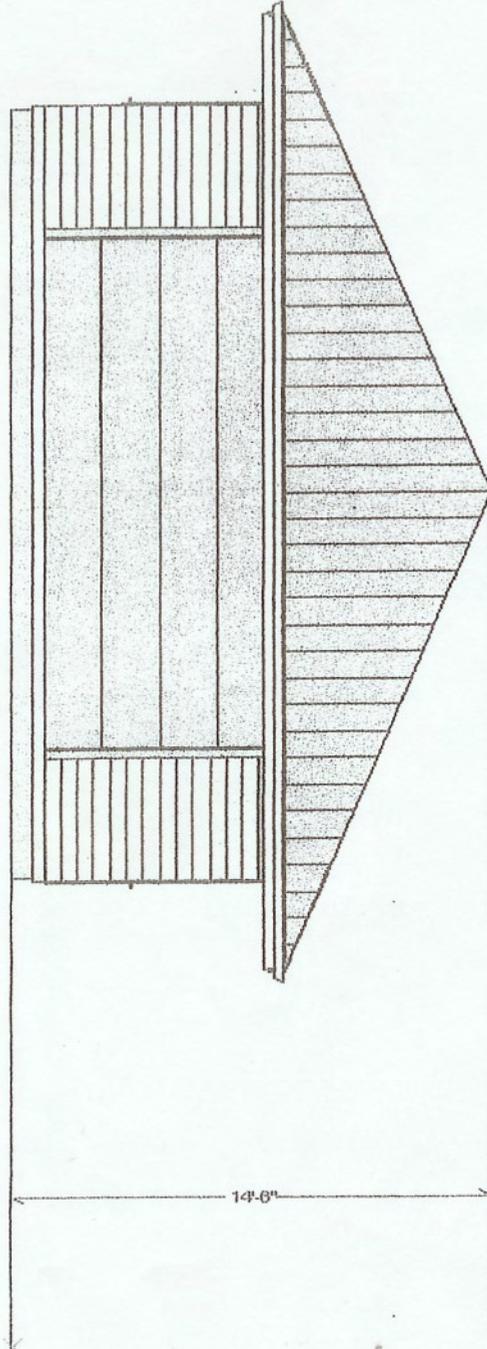


Figure 13
Joseph Single-Family
Residence
House Height

Figure 17



County of Hawaii
Police Department
349 Kapiolani Street
Hilo, HI 96720

April 14, 2008

Applicant: Lee Joseph
TMK: (3) 3-6-002:039
Subject: Environmental Assessment

To Whom It May Concern:

The applicant, after submitting an application for a Conservation District Use Permit, was notified by the Department of Land and Natural Resources that an Environmental Assessment is now required. We are asking for any comments you may have regarding environmental issues associated with the proposed project. Following is a brief description :

Mr. Joseph proposes to build a 2683 square foot, three-bedroom, two-bath residence including a covered walkway, lanai, and a 548 square foot two-car garage with laundry within the State Land Use Conservation District. The property is 3.149 acres, located at Laupahoehoe Point. Minimal grading will take place in order to create pads for the house and garage. The main house will be post and pier foundation, and the garage will be slab on grade. They will be attached by a covered walkway. Other proposed improvements include the extension of utilities (water, electric lines, and communication lines) to the house site, from existing utilities in the area. An individual wastewater system, approved by the State Department of Health, will be installed. The existing access road is gravel and will need no improvement, but a road from the access road to the location of the residence will be required. This will be graded and graveled. Landscaping will be minimal. The residence site will be cleared and mowed while the remaining property will be left natural.

Please respond in writing to this request with any information applicable.

Address all replies to:

All Aina Services
P.O. Box 291
Laupahoehoe, HI 96764

Sincerely,

Jennifer Rosse

County of Hawaii
Department of Water Supply
345 Kekuanaoa St Suite 20
Hilo, HI 96720

April 14, 2008

Applicant: Lee Joseph
TMK: (3) 3-6-002:039
Subject: Environmental Assessment

To Whom It May Concern:

The applicant, after submitting an application for a Conservation District Use Permit, was notified by the Department of Land and Natural Resources that an Environmental Assessment is now required. We are asking for any comments you may have regarding environmental issues associated with the proposed project. Following is a brief description :

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Please respond in writing to this request with any information applicable.

Address all replies to:

All Aina Services
P.O. Box 291
Laupahoehoe, HI 96764

Sincerely,

Jennifer Rosse



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAII 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

May 5, 2008

Ms. Jennifer Rosse
All Aina Services
P. O. Box 291
Laupahoehoe, HI 96764

**PRE-ENVIRONMENTAL ASSESSMENT CONSULTATION
TAX MAP KEY 3-6-002:039**

This is in response to your letter dated April 14, 2008.

Water can be made available from an existing 6-inch waterline within Laupahoehoe Point Road, approximately 350 feet from the property. For your information, there may be an existing 2-inch galvanized iron waterline traversing the property, which was abandoned and is no longer in use.

Water service may be granted upon compliance with following conditions:

1. Installation, by the Department of Water Supply, of a 1-inch service lateral to service a 5/8-inch meter, which shall be restricted to a maximum daily flow of 600 gallons.
2. Remittance of the following charges, which are subject to change, to our Customer Service Section:

FACILITIES CHARGE (FC):

1st service to the parcel, 5/8-inch meter \$1,190.00

SERVICE LATERAL INSTALLATION CHARGE:

Install one meter on Laupahoehoe Point Road, a County road \$2,600.00

Total (Subject to Change) \$3,790.00

3. Due to the property not fronting the Department's waterline, a "Policy and Conditions for Water Service" or Out-of-Bounds agreement must be signed by the applicant.

Should there be any questions, you may contact Mr. Finn McCall of our Water Resources and Planning Branch at 961-8070, extension 255.

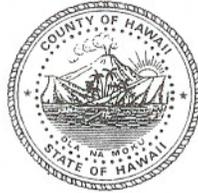
Sincerely yours,


Milton D. Pavao, P.E.
Manager

FM:dfg

... Water brings progress...

Harry Kim
Mayor



Lawrence K. Mahuna
Police Chief

Harry S. Kubojiri
Deputy Police Chief

County of Hawaii

POLICE DEPARTMENT

349 Kapiolani Street • Hilo, Hawai'i 96720-3998
(808) 935-3311 • Fax (808) 961-8865

April 21, 2008

Ms. Jennifer Rosse
All Aina Services
P. O. Box 291
Laupahoehoe, HI 96764

Dear Ms. Rosse:

Subject: Environmental Assessment - Conservation District Use Permit

Staff has reviewed the proposed project and has no comments or concerns.

Sincerely,



DEREK D. PACHECO
ASSISTANT POLICE CHIEF
AREA I OPERATIONS BUREAU

RA:lli

County of Hawaii
Fire Department
25 Aupuni Street
Hilo, HI 96720

April 14, 2008

Applicant: Lee Joseph
TMK: (3) 3-6-002:039
Subject: Environmental Assessment

To Whom It May Concern:

The applicant, after submitting an application for a Conservation District Use Permit, was notified by the Department of Land and Natural Resources that an Environmental Assessment is now required. We are asking for any comments you may have regarding environmental issues associated with the proposed project. Following is a brief description :

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Please respond in writing to this request with any information applicable.

Address all replies to:

All Aina Services
P.O. Box 291
Laupahoehoe, HI 96764

Sincerely,

Jennifer Rosse

Harry Kim
Mayor



Darryl J. Oliveira
Fire Chief

Glen P.I. Honda
Deputy Fire Chief

County of Hawai'i
HAWAII FIRE DEPARTMENT
25 Aupuni Street • Suite 103 • Hilo, Hawai'i 96720
(808) 981-8394 • Fax (808) 981-2037

April 28, 2008

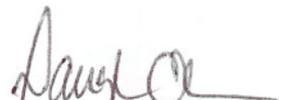
Ms. Jennifer Rosse
All Aina Services
PO Box 291
Laupahoehoe, HI 96764

SUBJECT: ENVIRONMENTAL ASSESSMENT

APPLICANT: LEE, JOSEPH

TMK: (3) 3-6-002:039

We have no comments to offer at this time in reference to the above-mentioned Environmental Assessment.


DARRYL OLIVEIRA
Fire Chief

JCP:lpc



County of Hawaii
Civil Defense
920 Ululani Street
Hilo, HI 96720

April 14, 2008

Applicant: Lee Joseph
TMK: (3) 3-6-002:039
Subject: Environmental Assessment

To Whom It May Concern:

The applicant, after submitting an application for a Conservation District Use Permit, was notified by the Department of Land and Natural Resources that an Environmental Assessment is now required. We are asking for any comments you may have regarding environmental issues associated with the proposed project. Following is a brief description :

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Please respond in writing to this request with any information applicable.

Address all replies to:

All Aina Services
P.O. Box 291
Laupahoehoe, HI 96764

Sincerely,

Jennifer Rosse

*Our agency did not receive a reply from Civil Defense.

County of Hawaii
Civil Defense
920 Ululani Street
Hilo, HI 96720

April 14, 2008

Applicant: Lee Joseph
TMK: (3) 3-6-002:039
Subject: Environmental Assessment

To Whom It May Concern:

The applicant, after submitting an application for a Conservation District Use Permit, was notified by the Department of Land and Natural Resources that an Environmental Assessment is now required. We are asking for any comments you may have regarding environmental issues associated with the proposed project. Following is a brief description :

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Please respond in writing to this request with any information applicable.

Address all replies to:

All Aina Services
P.O. Box 291
Laupahoehoe, HI 96764

Sincerely,

Jennifer Rosse

*Our agency did not receive a reply from Civil Defense.

State of Hawaii
Department of Health
District Health Office
P.O. Box 916
Hilo, HI 96720

April 14, 2008

Applicant: Lee Joseph
TMK: (3) 3-6-002:039
Subject: Environmental Assessment

To Whom It May Concern:

The applicant, after submitting an application for a Conservation District Use Permit, was notified by the Department of Land and Natural Resources that an Environmental Assessment is now required. We are asking for any comments you may have regarding environmental issues associated with the proposed project. Following is a brief description :

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Address all replies to:

All Aina Services
P.O. Box 291
Laupahoehoe, HI 96764

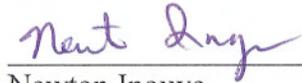
Sincerely,

Jennifer Rosse

Ms. Jennifer Rosse
Page 2
April 24, 2008

The use of individual wastewater systems is allowed. The type and number of individual wastewater systems to be used will be determined by the wastewater rules in effect at the time of building permit application.

Sincerely,



Newton Inouye
Acting District Environmental Health Program Chief

WORD:All Aina Services-Lee Joseph.at



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

DAN DAVIDSON
DEPUTY DIRECTOR - LAND

YVONNE Y. IZU
DEPUTY DIRECTOR - WATER

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

REF.:OCCL:TM

Correspondence: HA 05-117

Lee Joseph
P.O. Box 672
Kilauea, Hawaii 96754

DEC 17 2004

Dear Mr. Joseph,

SUBJECT: Conservation District Inquiry for TMK (3) 3-6-002:039 Located at Lapahoehoe, North Hilo, Island of Hawaii

The Office of Conservation and Coastal Lands (OCCL) is in receipt of your letter dated November 17, 2004 concerning questions you have for subject parcel TMK (3) 3-6-002:039 in regards to the Conservation District.

According to your information, you would like a response to the following questions:

1. Verification of the subzone and restrictions against a dwelling;
2. Potential problems in regards to the past subdivision of the land and the effect it may have on obtaining a permit;
3. Any other potential problems in obtaining a permit.

OCCL notes the subject property appears to lie within the Resource subzone of the Conservation District. Any and all land use within the Conservation District requires the Department or Board of Land and Natural Resources approval.

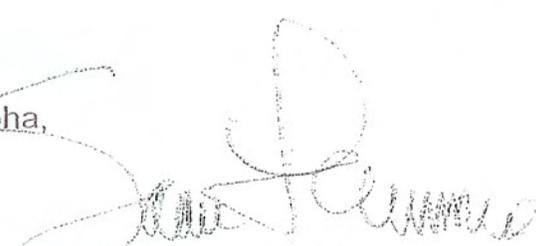
1. Regarding the construction of a Single Family Residence (SFR), pursuant to the Hawaii Administrative Rules, § 13-5-24, R-8, Single Family Residence (D-1), a single family residence is an identified land use which could be applied for provided that it conforms to design standards as outlined in chapter 13-5, HAR. To approve, modify or deny the construction of a SFR shall be at the discretion of the Board of Land and Natural Resources. Therefore this proposed action would require a Board permit.
2. Regarding the past subdivision of land, documentation from the County of Hawaii dated May 5, 1985 signed by the Planning Director has stated that the County

has "determined that there are two (2) pre-existing lots on the parcel identified as TMK: 3-6-02:01." Therefore, the OCCL believes TMK (3) 3-6-002:039 appears to be a legal lot of record.

3. At this time, the OCCL does not foresee any potential problems in processing an acceptable application. However, please remember, to approve, modify or deny the construction of a SFR shall be at the discretion of the Board of Land and Natural Resources.

For your information, you will find Chapter 13-5, Hawaii Administrative Rules and the Conservation District Use Application (CDUA) on our website at www.hawaii.gov/dlnr/occl. Should you have any questions, please feel free to contact Tiger Mills of our Office of Conservation and Coastal Lands at 587-0382.

Aloha,



Samuel J. Lemmo, Administrator
Office of conservation and Coastal Lands

cc: Chairperson
HDLO
County of Hawaii, Department of Planning

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
DEPUTY DIRECTOR

DEAN A. NAKANO
ACTING DEPUTY DIRECTOR - WATER

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

REF:OCCL: MC

Correspondence: HA-06-161

JAN 26 2006

Lee Joseph
PO Box 672
Kilauea HI 96754

SUBJECT: Request for Information, Family Residence
TMK (3) 3-6-002:039, Laupāhoehoe, North Hilo, Hawai`i

Dear Mr. Joseph,

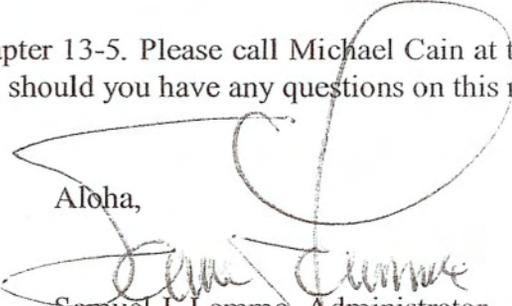
The Department of Land and Natural Resources, Office of Conservation and Coastal Lands (OCCL) is in receipt of your letter, dated January 12, 2006, regarding the above parcel in Laupāhoehoe Village, Hawai`i.

According to departmental records the subject parcel is at least partially located in the Resource Subzone of the Conservation District. I've enclosed a map for reference; the borders shown are for presentational purposes and are only approximations. You should contact the State Land Use Division at (808) 587-2885 to determine the exact boundaries.

According to the Hawai`i Administrative Rules (HAR) §13-5-24, R-8, *Single Family Residence* is an identified use in the Resource Subzone provided that it conforms to the design guidelines outlined in the same chapter, Exhibit 4. The Conservation District Use Application (CDUA) would require a Board Permit and an Environmental Assessment, as outlined in HAR §13-5-34. The final decision as to whether to approve or deny the permit resides with the Board of Land and Natural Resources.

I've enclosed a CDUA and a copy of HAR Chapter 13-5. Please call Michael Cain at the Office of Conservation and Coastal Lands at 587-0048, should you have any questions on this matter.

Aloha,


Samuel J. Lemmo, Administrator

Office of Conservation and Coastal Lands

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

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

April 26, 2008

Jennifer Rosse
All Aina Services
P.O. Box 291
Laupahoe, HI 96764

LOG NO: 2008.1445
DOC NO: 0804MD28
Archaeology

Dear Ms. Rosse:

**SUBJECT: Chapter 6E-42 Historic Preservation Review –
Request for Comment on an application for a Conservation District Use Permit
Laupahoe Ahupua'a, North Hilo District, Island of Hawai'i
TMK: (3) 3-6-002:039**

Thank you for the opportunity to comment on the aforementioned project concerning new construction in a conservation district. We do not have any records of an archaeological review of this parcel or any nearby parcels. Given the historic nature of Laupahoe Point, where this parcel is located, we would like to conduct a field site visit prior to commenting on your application. Please contact Morgan Davis at (808) 981-2979 to schedule a meeting.

Aloha,

A handwritten signature in cursive script, appearing to read "Nancy McMahon".

Nancy McMahon, Archaeology Branch Chief
State Historic Preservation Division

Cc:

Bruce McLure, Director
Department of Public Works
County of Hawaii
75 Aupuni Street
Hilo, HI 96720

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESEERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

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

July 25, 2008

Lori Mikkelson
All Aina Services
PO Box 291
Laupahoehoe, HI 96764

LOG NO: 2008.2633
DOC NO: 0807MD85
Archaeology

Dear Ms. Mikkelson:

**SUBJECT: Chapter 6E-42 Historic Preservation Review –
Request for “No Effect” Letter for the Joseph Lee Property along
an SMA at Laupahoehoe Point
Laupahoehoe Ahupua`a, North Hilo District, Island of Hawai`i
TMK: (3) 3-6-002:039**

Thank you for the opportunity to comment on the aforementioned project, which we received in June 2008. On behalf of Mr. Joseph Lee, owner, you requested a No Effect letter in conjunction with an SMP permit application in order to permit Mr. Lee to build a home on his property.

We determine that **no historic properties will be affected** by this project because:

- Intensive cultivation has altered the land
- Residential development/urbanization has altered the land
- Previous grubbing/grading has altered the land
- An accepted archaeological inventory survey (AIS) found no historic properties
- SHPD previously reviewed this project and mitigation has been completed
- Other: *Site visits by our Hawaii Island Section Assistant Archaeologist Morgan Davis found only modern remains of construction less than 50 years old, making these features (two stacked rock walls and a cement Easter-Island style house decoration identical to those on the neighboring property) out of our jurisdiction.*

Because this property is potentially in the line of sight of the historic district Laupahoehoe Village (“the Point”), we recommend that the trees on the north and northeast portions of the property remain in place; as it is, the proposed house site is not currently visible from the Point.

In the event that historic resources, including human skeletal remains, cultural materials, lava tubes, and/or lava blisters/bubbles are identified during the construction activities, all work needs to cease in the immediate vicinity of the find, the find needs to be protected from additional disturbance, and the State Historic Preservation Division, Hawaii Island Section, needs to be contacted immediately at (808) 981-2979.

Ms. Lori Mikkelson
Page 2

Please contact Morgan Davis at (808) 981-2979 if you have any questions or concerns regarding this letter.

Aloha,

A handwritten signature in cursive script that reads "Nancy A. McMahon". The signature is written in black ink and is positioned above the typed name and title.

Nancy McMahon,
Archaeology and Historic Preservation Manager
State Historic Preservation Division

Cc:

Christopher J. Yuen, Planning Director
County of Hawaii Planning Department
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720-4224

MOKU LOA GROUP
SIERRA CLUB HAWAII
PO BOX 1137
HILO, HI 96721-1137

Aloha Jennifer!

Thanks for including us in your loop. We see no problems with the project being done by Lee Joseph. The maps are very useful!

Mahalo!
Paul Campbell, Chair

MOKU LOA GROUP
SIERRA CLUB HAWAII
PO BOX 1137
HILO, HI 96721-1137

Sierra Club
P.O. Box 10265
Hilo, HI 96721

April 17, 2008

Applicant: Lee Joseph
TMK: (3) 3-6-002:039
Subject: Environmental Assessment

To Whom It May Concern:

The applicant, after submitting an application for a Conservation District Use Permit, was notified by the Department of Land and Natural Resources that an Environmental Assessment is now required. We are asking for any comments you may have regarding environmental issues associated with the proposed project. Following is a brief description :

Mr. Joseph proposes to build a 2683 square foot, three-bedroom, two-bath residence including a covered walkway, lanai, and a 548 square foot two-car garage with laundry within the State Land Use Conservation District. The property is 3.149 acres, located at Laupahoehoe Point. Minimal grading will take place in order to create pads for the house and garage. The main house will be post and pier foundation, and the garage will be slab on grade. They will be attached by a covered walkway. Other proposed improvements include the extension of utilities (water, electric lines, and communication lines) to the house site, from existing utilities in the area. An individual wastewater system, approved by the State Department of Health, will be installed. The existing access road is gravel and will need no improvement, but a road from the access road to the location of the residence will be required. This will be graded and graveled. Landscaping will be minimal. The residence site will be cleared and mowed while the remaining property will be left natural.

Please respond in writing to this request with any information applicable.

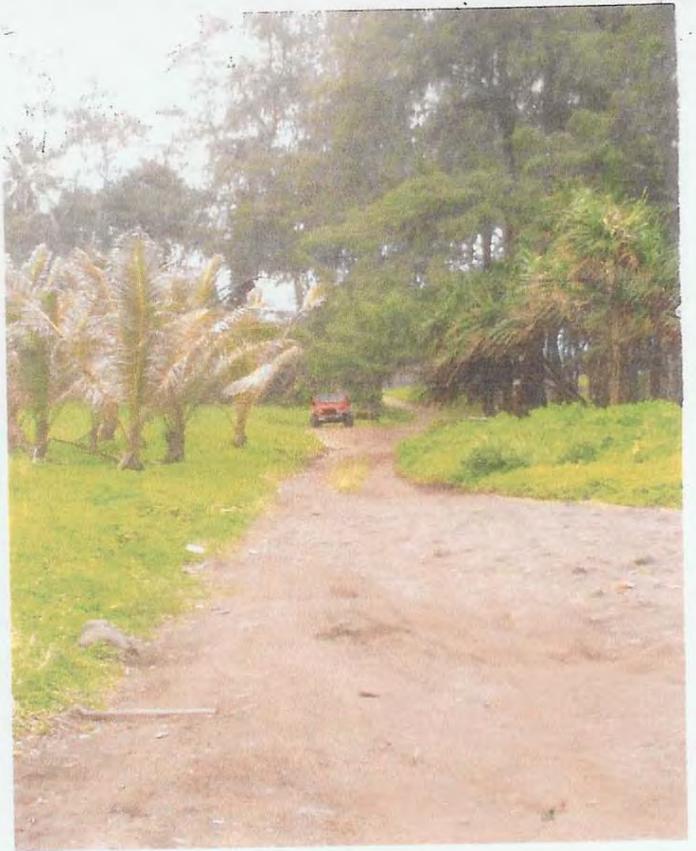
Address all replies to:
All Aina Services
P.O. Box 291
Laupahoehoe, HI 96764

Sincerely,

Jennifer Rosse



View towards proposed house site



Existing access road that runs ocean side of Joseph parcel



Photo from access road to neighboring property adjacent to ocean



Photo from access road to ocean left, away from the Point

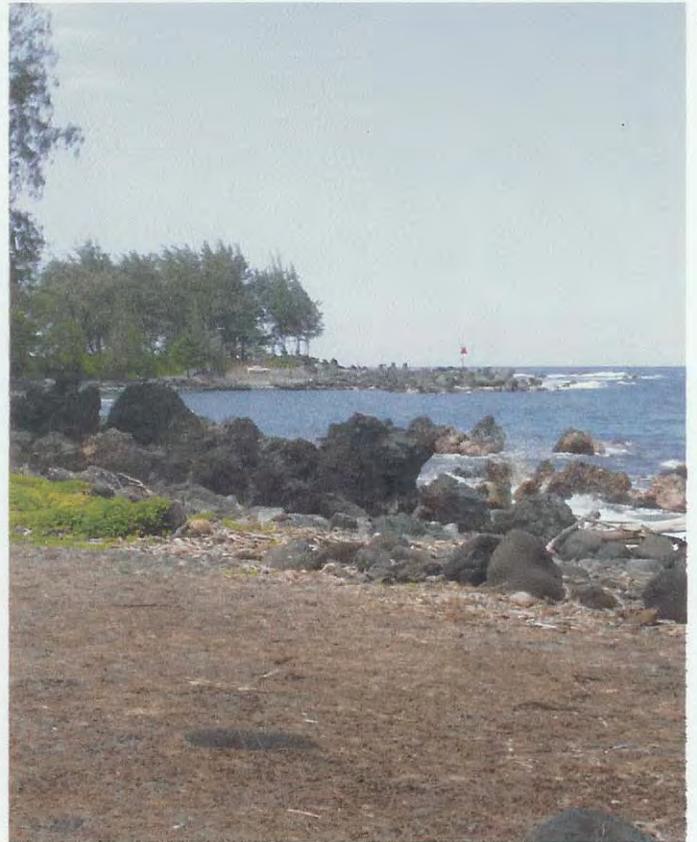


Photo from access road to looking towards the Point



Photo from access road to neighboring property that runs to the ocean

BOTANICAL SURVEY,

TMK (3) 3-6-002:039

Laupahoehoe Point, Hamakua, Island of Hawaii

By Laura Brezinsky, Ph.D

January, 2007

Introduction

This report includes the results of a botanical survey of the described 3.149 parcel, conducted in January, 2007. The survey focuses specifically on the area proposed for development (house site and driveway) that lies within the State Land Use Conservation District (CD) at Laupahoehoe Point, approximately 22 miles north of Hilo.

Purpose

The objectives of the survey were to: 1) describe the vegetation; 2) list all plant species encountered, and 3) identify threatened species, if any. The area was surveyed on foot and GPS tracks were recorded by Laura Brezinsky.

Vegetation Type

Prior to human habitation, the property was most likely covered with native Coastal Mesic forest. Due to the effects of human encroachment, the entire parcel is now predominantly covered by alien taxa. In addition to a wide range of invasive alien species, several noninvasive alien plant species such as Ti (*Cordyline fruticosa*), nonnative hibiscus, chili pepper (*Capsicum frutescens*) and *Dieffenbachia* were also found, further supporting the hypothesis that humans previously developed this area. The area planned for development is now dominated by alien grass and shrubland with few native species remaining (see below). The area across the road from this property is coastal strand habitat and does include some naturally occurring indigenous mesic coastal species such as hala (*Pandanus tectorius*) and naupaka (*Scaevola sericea*). Both of these plant species are relatively fast growing successful native species and would be appropriate as landscape plants on this property.

Vegetation and Flora

Most of this property is covered by weedy vegetation typical of abandoned previously cleared and developed land (see photo). The areas proposed for development has very few large trees is primarily dominated by various grasses and shrubs such as California grass, Palm Grass, Honohono, Sleeping "Grass", Pilau Maile, Sensitive Plant, *Wedelia*, rattlepod and buttonweed with some small shrubs such as Noni, alien hibiscus and angel trumpets (poisonous). The areas surrounding the proposed development site are also covered primarily with invasive weed tree species such as African Tulip, Ironwood, Gunpowder Tree, Melochia, alien fan palms and Octopus Tree. The hala and naupaka help stabilize the sea cliffs and stream banks (*Photo Figure 3*), provide habitat for native invertebrates, and contribute to the scenic values of the Conservation District. A full list of species encountered is included in Table 1, at the end of this report. No rare, threatened or endangered plant species listed by the U.S. Fish and Wildlife Service were observed on or near the property, which appears to have been extensively disturbed. Most of the site in its current condition does not represent suitable habitat for threatened or endangered plant or animal species, and use of the property for a single-family home is unlikely to adversely affect such species.

Threatened and Endangered Species

No threatened or endangered species were seen on or near the property which has apparently been previously developed.

Ecological Threats

By far, the most significant threats to Hawai'i's coastal habitats include human encroachment and the accompanying introduction of invasive plants, animals and diseases. Coastal erosion is part of Hawai'i's natural history and will continue to be part of our future. However, human impact often accelerates this process, especially in areas of steep grade. Specifically, grading and grubbing that result in removal of substantial areas of vegetation should be avoided where erosion could damage marine habitats as well as surrounding property. Ironwood is scattered along the beach and has spread to this property. This species is known to displace native vegetation and contribute to erosion due to shallow rooting resulting in blow-over in high winds. The owner might

consider slowly removing these plants and replacing them with native species (see recommendations below).

In addition to invasive plant species, extensive evidence of feral pigs was noted (see photos).

Recommendations for Restoration of Native Vegetation

Ironwood (*Casuarina equisetifolia*) is scattered along the beach and has spread to this property. Although ironwood is a large tree, it contributes to erosion when it is blown over in strong winds due to shallow rooting habit. In addition, Ironwood competes with native vegetation and is not compatible with any restoration efforts. It is recommended that Ironwood (and other invasive alien plants) be slowly removed and replaced with more appropriate native vegetation as described below. Hala is a native tree species that thrives in coastal wet areas and is found on this property and in adjacent areas. Large Hala trees provide excellent canopy as well as habitat for other native species to prosper. Hala recruits naturally and young sprouts can be collected from under mature trees and easily transplanted. It is suggested that young seedlings be collected from the immediate area to provide the best chance of success. It is important to note that this is a fragile coastal site with a moderate slope. Care must be taken to replace alien trees with fast-growing native vegetation to prevent damaging effects of erosion that could result from tree removal. Other appropriate tree species for this project include; Milo (Ind?), Hau (Ind?) and Kou (which was recently determined to be a native species). All of these species are found in the area, can be readily propagated from seed and provide shade while helping to reduce erosion. Naupaka Kahakai is a fast growing indigenous shrub that is common in this area along the coast and can be propagated quickly by stem cutting. Combining control of alien invasive plants with outplanting of native plants can realistically result in a much higher quality habitat for additional native species to prosper while limiting negative effects of erosion that often accompany coastal development. In general, nonnative food trees such as oranges, tangerines and bananas may be planted and will not negatively impact this area. However, care must be taken to insure that no invasive food trees such as strawberry guava are planted.

It is highly recommended that the owner fence this property using hog wire and remove all feral pigs in order to reduce further damage

**Joseph Single-Family
Residence**
Botanical Survey

Source: Laura Brezinsky, Ph. D

Plant Species Observed on Site:

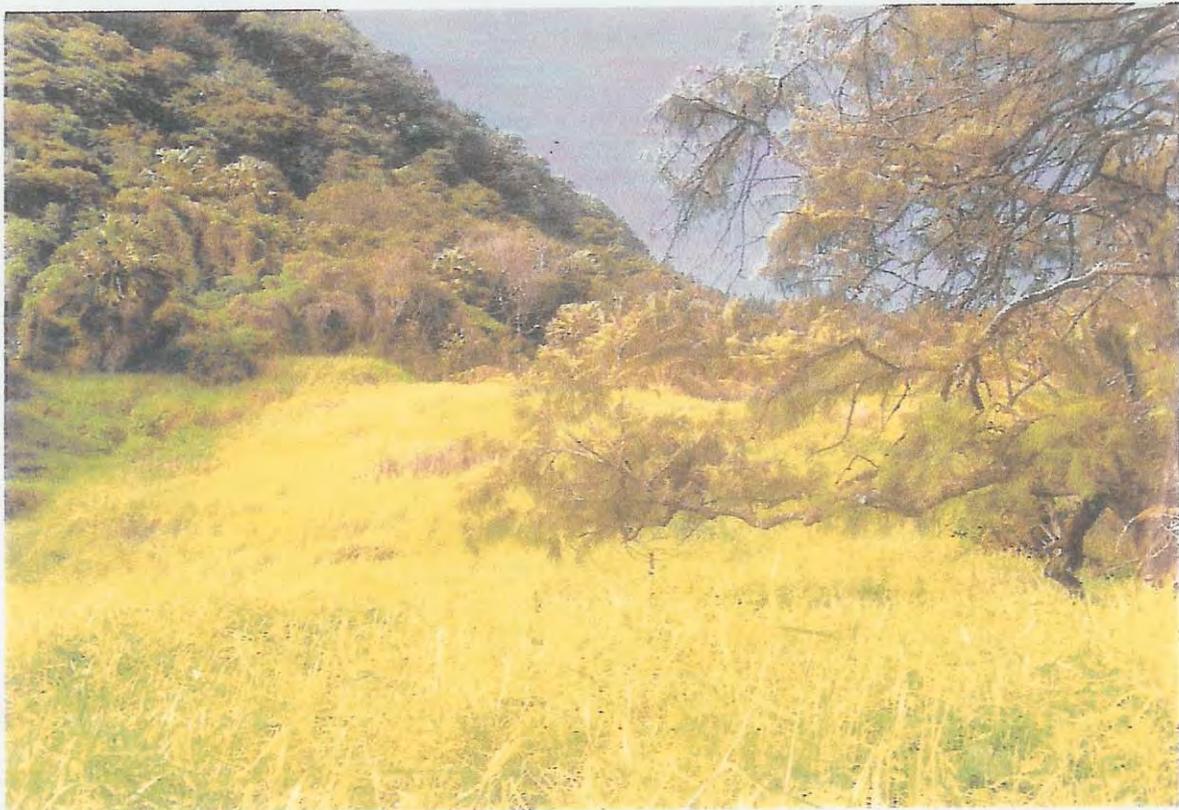
Genus, Species Family, Common and/or Hawaiian Name, Form, Status

Ageratum conyzoides Asteraceae, Maile honohono Herb A (invasive)
Alocasia macrorrhizos Agavaceae, `Ape, Pol (invasive)
Arecaceae spp, Alien Fan Palm, A
Brachiaria mutica Poaceae, California Grass Herb A (invasive)
Canavalia cathartifca, Fabaceae, Maunaloa, A (invasive)
Casuarina sp. Casuarinaceae, Ironwood Tree A (invasive)
Cocos nucifera, Arecaceae, Coconut Palm, Tree, Pol
Coix lacryma-jobi Poaceae, Job's Tears Herb A (invasive)
Commelina diffusa Commelinaceae, Honohono Herb A (invasive)
Cordyline fruticosa Agavaceae, Ti Shrub A
Cyperus papyrus Cyperaceae, Cyperus Herb A
Datura candida Solanaceae, Angel Trumpets, A, poisonous (invasive)
Dieffenbachia spp, Shrub, A
Dissotis rotundifoli, Melastomataceae, A (invasive)
Hedychium sp. Zingiberaceae, White or Yellow Ginger (invasive)
Heliconia spp, Heliconiaceae, A
Kalanchoe pinnata, Crassulaceae, Air Plant A (invasive)
Melochia umbellata Sterculiaceae, Melochia Tree A (invasive)
Mimosa pudica Fabaceae, Sleeping Grass Herb A (invasive)
Morinda citrifolia, Rubeacea, Shrub, Noni, A/pol
Nephrolepis exaltata Nephrolepidaceae, Sword Fern Herb I
Nephrolepis spp Nephrolepidaceae, Alien Sword Fern, Herb A (invasive)
Paederia foetida Rubiaceae, Maile Pilau Vine A
Pandanus tectorius Pandanaceae, Hala Tree I
Philodendron spp, Araceae, Herb, A (invasive)
Phymatosorus grossus Polypodiaceae, Maile Scented Fern Herb A
Pluchea symphytifolia Asteraceae, Sourbush Shrub A (invasive)
Polygala paniculata Polygalaceae, Bubble gum plant Herb A (invasive)
Psidium guajava Myrtaceae, Domestic Guava Tree A (invasive)
Rubus rosifolius Rosaceae, Thimbleberry Herb A (invasive)
Sansevieria, trifasciata, Dracaenaceae, *Mother-in Law's Tongue*, A
Scaevola sericea Goodeniaceae, Beach Naupaka Shrub I
Schflerra actinophylla, Auraliaceae Tree, A (invasive)
Setaria palmifolia, Poaceae, Palm Grass, A (invasive)
Spathodea campanulata Bignoniaceae African Tulip Tree A (invasive)
Trema orientalis Ulmaceae Charcoal Tree Tree A (invasive)
Wedelia trilobata Asteraceae Wedelia Herb A (invasive)

E = Endemic species, I = Indigenous species, A = Alien species, Pol=Polynesian Introduction (biologically alien)

Joseph Single-Family
Residence
Botanical Survey

Source: Laura Brezinsky, Ph. D



View of proposed driveway and house site showing weedy alien vegetation typical of this site



Evidence of Feral Pigs and Resulting Damage

**Joseph Single-Family
Residence**
Botanical Survey

Source: Laura Brezinsky, Ph. D

BOTANICAL SURVEY,
TMK (3) 3-6-002:039
Laupahoehoe Point, Hamakua, Island of Hawaii
By Laura Brezinsky, Ph.D
January, 2007

Introduction

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Vegetation and Flora

Joseph Single-Family

Residence

Botanical Survey

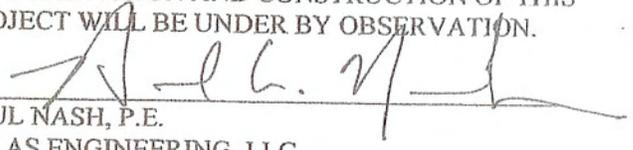
Source: Laura Brezinsky Ph.D

NOTES:

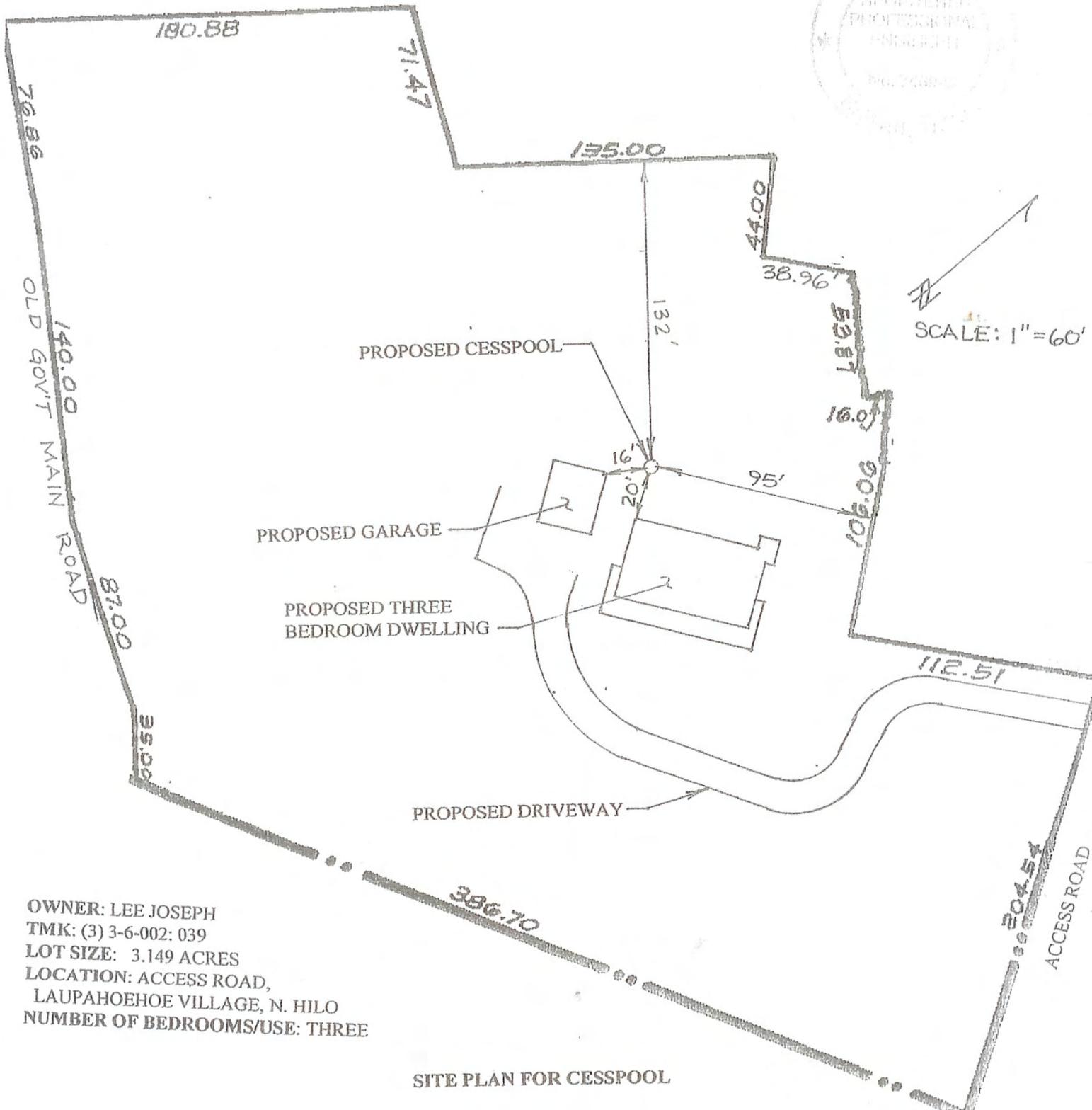
1. Recommended location of the cesspool
2. Final location to be determined in the field
3. MINIMUM separation distances:
Property line: 9'
Building wall line: 5'
Between cesspools: 18'
Ground water: 5'
Stream: 50' Large trees: 10'

FOR CESSPOOL ONLY

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION AND CONSTRUCTION OF THIS PROJECT WILL BE UNDER BY OBSERVATION.

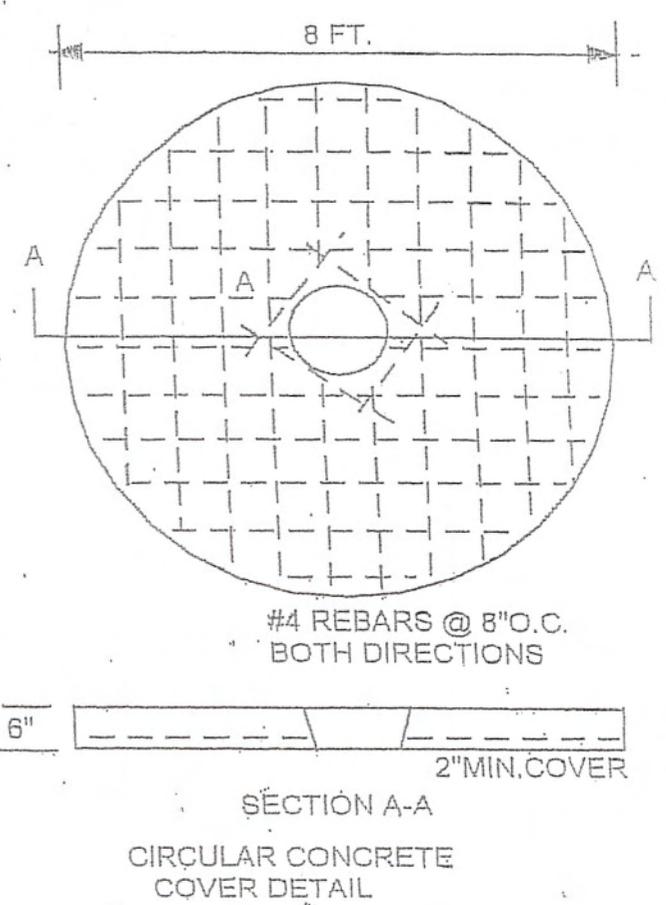
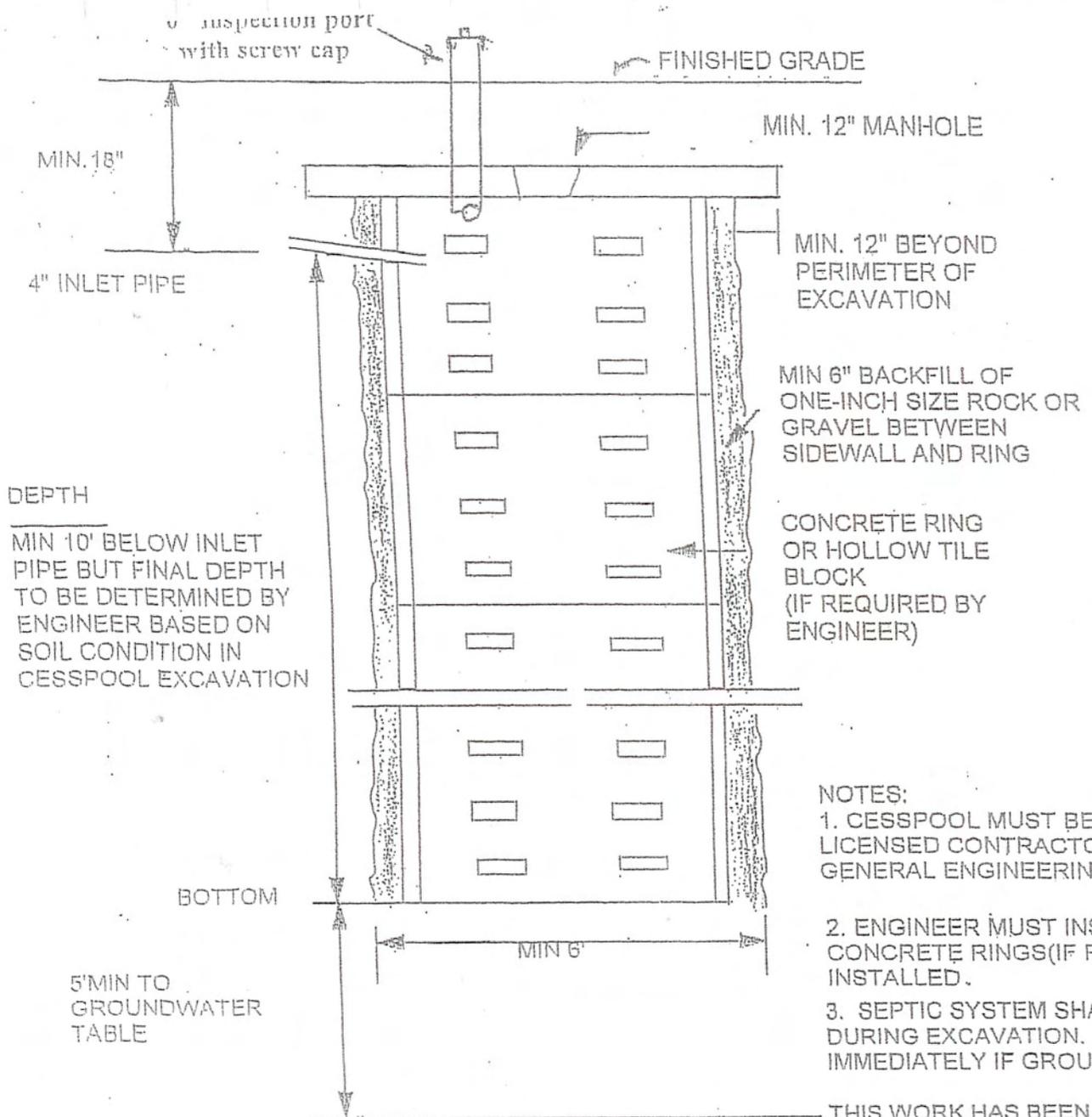


PAUL NASH, P.E.
ATLAS ENGINEERING, LLC
P.O. BOX 11188, HILO, HI 96721
PH: 965-7350 FAX: 965-9531



OWNER: LEE JOSEPH
TMK: (3) 3-6-002: 039
LOT SIZE: 3.149 ACRES
LOCATION: ACCESS ROAD,
LAUPAHOEHOE VILLAGE, N. HILO
NUMBER OF BEDROOMS/USE: THREE

SITE PLAN FOR CESSPOOL

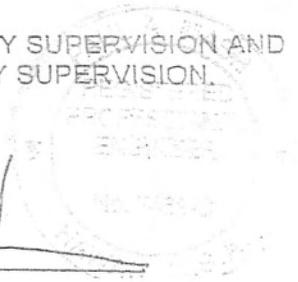


- NOTES:
1. CESSPOOL MUST BE INSTALLED BY EITHER OF THE FOLLOWING LICENSED CONTRACTORS: C-9 CESSPOOL; C-37 PLUMBING ; THE "A" GENERAL ENGINEERING.
 2. ENGINEER MUST INSPECT CESSPOOL EXCAVATION BEFORE CONCRETE RINGS(IF REQUIRED) AND CONCRETE TOP ARE INSTALLED.
 3. SEPTIC SYSTEM SHALL BE REQUIRED IF WATER TABLE IS ENCOUNTERED DURING EXCAVATION. CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY IF GROUNDWATER IS ENCOUNTERED.

THIS WORK HAS BEEN PREPARED BY ME OR UNDER MY SUPERVISION AND CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY SUPERVISION.

CESSPOOL DETAILS
NO SCALE

A. C. M.



DEPARTMENT OF HEALTH - WASTEWATER BRANCH
INDIVIDUAL WASTEWATER SYSTEM (IWS)
APPLICATION INFORMATION SHEET

Please Print or Type

Engineer: Paul A. Nash, P.E.

Owner: Lee Joseph

Owner's Mailing Address: P.O. Box 672

KILAUEA, HI 96754

Project Location: ACCESS ROAD
(Street Address, Subdivision Name and General Area):

LAUPAHOEHOE VILLAGE, N. HILO

Project Tax Map Key (TMK) Number: (3) 3-6-002: 039

Lot Size: 3.149 ACRES

Projected Flow (gallons per day) or Number of Bedrooms: THREE

Proposed Treatment Unit (Manufacturer, Model, Design Capacity):
N/A

Proposed Disposal System: Cesspool

Design Percolation Rate: N/A min/in

Existing IWS on lot: NO YES Type: _____

Existing potable drinking water well within 1,000 ft of the proposed disposal system? NO YES

Existing structure on lot: NO YES Type: _____

LCC upgrade? NO YES

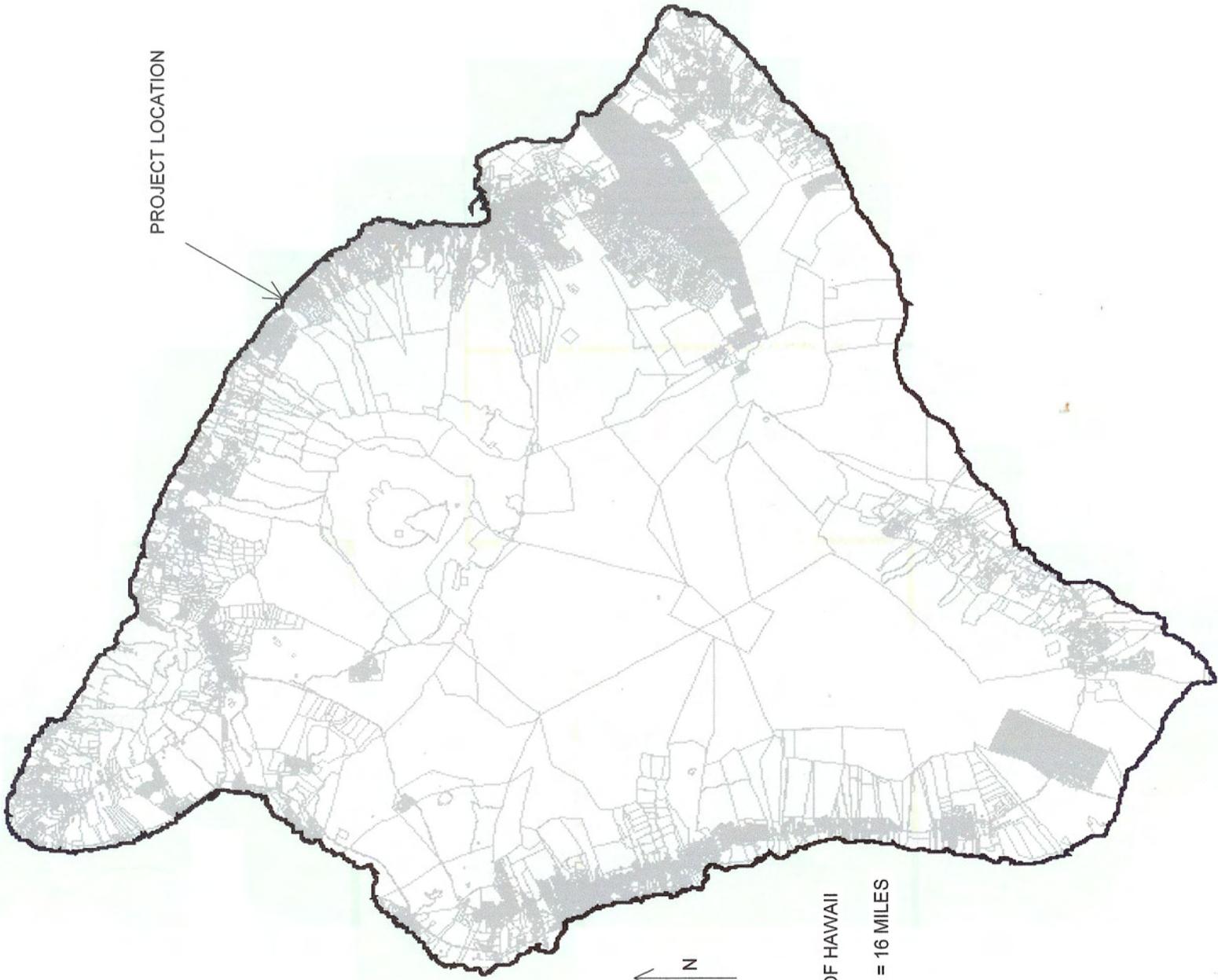
FOR DEPARTMENT USE ONLY:

Date Received: _____ Project Engineer: _____ File No. _____

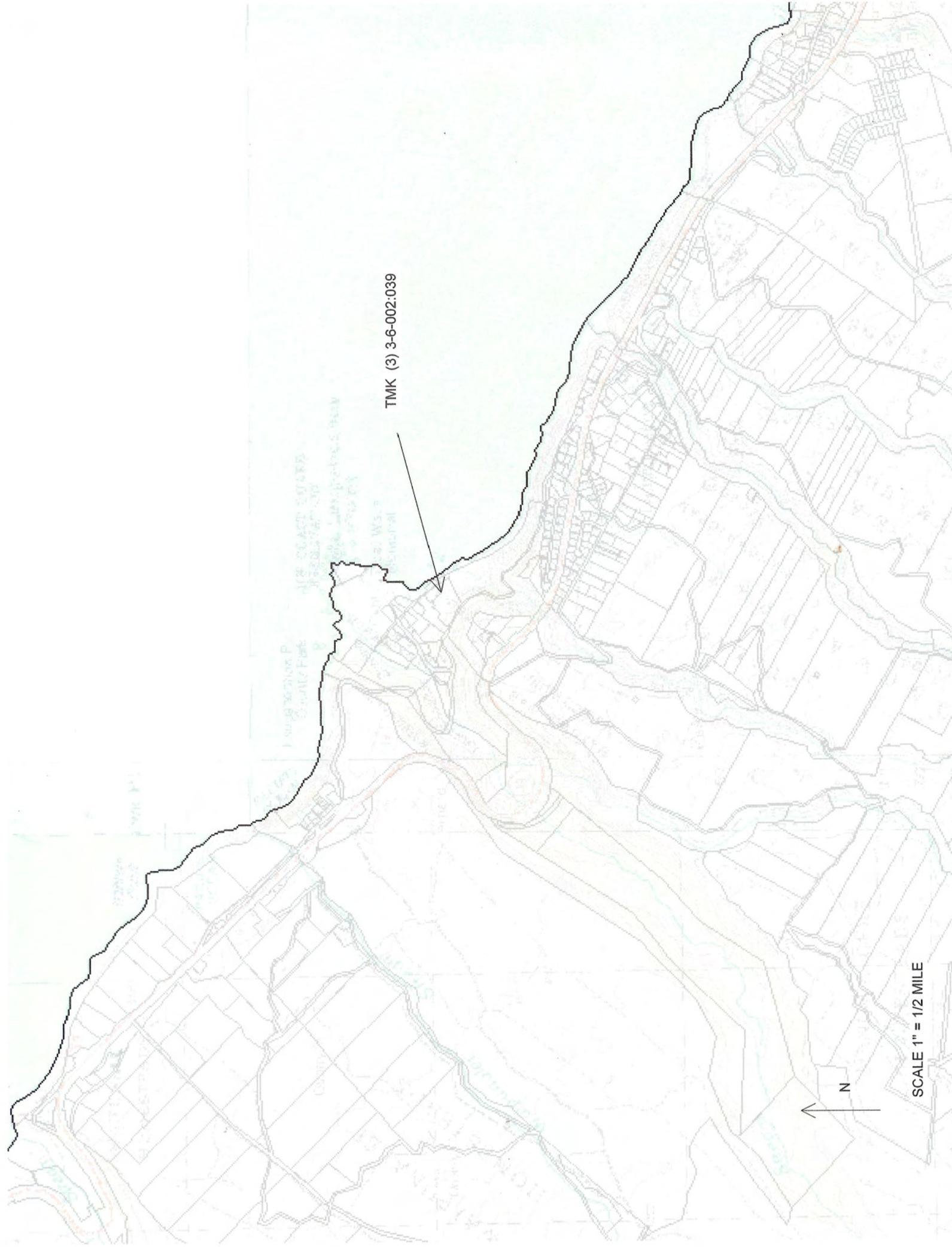
Filing Fee (\$100 _____ \$25 _____) Check Date: _____ Check No. _____

Notes: _____

PROJECT LOCATION



ISLAND OF HAWAII
SCALE 1" = 16 MILES



TMK (3) 3-6-002:039



SCALE 1" = 1/2 MILE

Harry Kim
Mayor



Christopher J. Yuen
Director

Brad Kurokawa, ASLA
LEED® AP
Deputy Director

County of Hawaii
PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-4224
(808) 961-8288 • FAX (808) 961-8742

October 22, 2008

Mr. Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawaii
P.O. Box 621
Honolulu, HI 96809

RECEIVED
OFFICE OF CONSERVATION
& COASTAL LANDS
2008 OCT 21 A 9:48
DEPARTMENT OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

Dear Mr. Lemmo;

**SUBJECT: Request For Comments
Conservation District Use Application (CDUA) HA-3484
Joseph Single Family Dwelling
TMK: (3) 3-6-02:39, Laupahoehoe, North Hilo, Hawaii**

As per your written request, our office has reviewed the Conservation District Use Application (CDUA) HA-3484. The subject property consists of approximately 3.149 acres, is designated as Conservation by the State Land Use Commission and is zoned Agricultural-1 acre minimum lot size (A-1a).

The parcel is located in the Special Management Area (SMA). A Special Management Area Use Permit Assessment Application (SMAA) was submitted to our office on April 15, 2008 for the construction of a single family (farm) dwelling and related improvements on the subject property. By letter dated May 19, 2008, the Planning Director made a determination that the proposed project was exempt, with conditions, from the definition of development. In addition, the requirement for a certified shoreline survey was waived because the location for the proposed single family dwelling was a considerable distance from the shoreline, approximately 150 feet.

Should the Board of Land and Natural Resources issue a Conservation District Use Permit (CDUP), the applicant shall secure all necessary approvals and permits from other affected federal, state, and county agencies as necessary to comply with all applicable laws and regulations.

December 2, 2008

County of Hawaii
Planning Department
101 Pauahi Street, Suite 3
Hilo, HI 96720

SUBJECT: Request for Comments
Conservation District Use Application (CDUA) HA-3484
Joseph Single Family Dwelling
TMK: (3) 3-6-02:39, Laupahoehoe, North Hilo, Hawaii

To Whom It May Concern:

We have reviewed your comment letter of October 22, 2008 to the Office of Conservation and Coastal Lands. If the Board of Land and Natural Resources issues a Conservation District Use Permit, our client will secure all necessary approvals and permits from the affected federal, state, and county agencies as necessary to comply with all applicable laws and regulations.

All Aina Services
P.O. Box 291
Laupahoehoe, HI 96764

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

2008 OCT 21 A 10:52

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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Office of Conservation and Coastal Lands

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

REF:OCCL:MC
FILE NO.: HA-3484

180 Day Expiration Date: March 16, 2009
Suspense Date: 21 Days from stamped date

OCT 15 2008

MEMORANDUM:

To: DLNR Historic Preservation Division
 Forestry and Wildlife
 DOCARE
 Land Division
 State Parks

FROM: Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

SUBJECT: REQUEST FOR COMMENTS
Conservation District Use Application HA-3484
BOARD PERMIT
Single Family Residence

APPLICANT: Joseph

TMKs: (3) 3-6-02:39

LOCATION: Laupāhoehoe, North Hilo, Hawai'i

PUBLIC HEARING: Yes No X

Please contact Michael Cain at 587-0048, should you have any questions on this matter.

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

Comments Attached
 No Comments

Signature

PAUL J. CONRY, ADMINISTRATOR
DIVISION OF FORESTRY AND WILDLIFE

Attachments: *Environmental Assessment*
Conservation District Use Application
Notice of Acceptance

OCT 17 2008

December 2, 2008

State of Hawaii
Department of Land and Natural Resources
Forestry and Wildlife
P.O. Box 621
Honolulu, HI 96809

SUBJECT: Request for Comments
Conservation District Use Application HA-3484
BOARD PERMIT
Single Family Residence

APPLICANT: Lee Joseph

TMK: (3) 3-6-02:39

To Whom It May Concern:

We have reviewed your "no comments" letter to the Office of Conservation and Coastal Lands.

All Aina Services
P.O. Box 291
Laupahoehoe, HI 96764

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
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AQUATIC RESOURCES
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

2008 OCT 16

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Office of Conservation and Coastal Lands

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

REF:OCCL:MC
FILE NO.: HA-3484

180 Day Expiration Date: March 16, 2009
Suspense Date: 21 Days from stamped date

OCT 15 2008

MEMORANDUM:

TO: DLNR Historic Preservation Division
 Forestry and Wildlife
 DOCARE
 Land Division
 State Parks

FROM: Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

SUBJECT: REQUEST FOR COMMENTS
Conservation District Use Application HA-3484
BOARD PERMIT
Single Family Residence

APPLICANT: Joseph

TMKs: (3) 3-6-02:39

LOCATION: Laupāhoehoe, North Hilo, Hawai'i

PUBLIC HEARING: Yes No X

Please contact Michael Cain at 587-0048, should you have any questions on this matter.

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

Comments Attached
 No Comments

Signature

Attachments: *Environmental Assessment*
Conservation District Use Application
Notice of Acceptance

RECEIVED
OFFICE OF CONSERVATION
& COASTAL LANDS
2008 OCT 21 P 3:45
DEPT. OF LAND AND
NATURAL RESOURCES
STATE OF HAWAII

December 2, 2008

State of Hawaii
Department of Land and Natural Resources
Land Division
P.O. Box 621
Honolulu, HI 96809

SUBJECT: Request for Comments
Conservation District Use Application HA-3484
BOARD PERMIT
Single Family Residence

APPLICANT: Lee Joseph

TMK: (3) 3-6-02:39

To Whom It May Concern:

We have reviewed your "no comments" letter to the Office of Conservation and Coastal Lands.

All Aina Services
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Laupahoehoe, HI 96764

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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AND COASTAL LANDS

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

2008 NOV 17 A 8:26

AQUATIC RESOURCES
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LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES LAND & NATURAL RESOURCES
STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

October 31, 2008

Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands
State of Hawaii DLNR
PO Box 621
Honolulu, Hawaii 96809

LOG NO: 2008.4718
DOC NO: 0810MD38
Archaeology

Dear Mr. Lemmo:

**SUBJECT: Chapter 6E-42 Historic Preservation Review –
Request for Comment on a Conservation District Use Application HA-3484 for a
Single Family Residence
Laupahoehoe Ahupua`a, North Hilo District, Island of Hawaii
TMK: (3) 3-6-002:039**

Thank you for the opportunity to comment on the aforementioned project, which we received on October 17, 2008. This property is on the sight line from the historic Laupahoehoe Point. We have previously informed the owner's representative, All Aina Services, that the proposed location for the house is acceptable providing the tree line between the property and the viewplane between it and the point is maintained. They type of tree is not as important from our perspective as the height, which should block the house from the area of the Tsunami Memorial. We determine that **no historic properties will be affected** by this project because:

- Intensive cultivation has altered the land
- Residential development/urbanization has altered the land
- Previous grubbing/grading has altered the land
- An accepted archaeological inventory survey (AIS) found no historic properties
- SHPD previously reviewed this project and mitigation has been completed
- Other: *We have previously conducted a site visit at this parcel and found no historic properties (Log No. 2008.2633, 0807MD85).*

In the event that historic resources, including human skeletal remains, cultural materials, lava tubes, and lava blisters/bubbles are identified during the construction activities, all work needs to cease in the immediate vicinity of the find, the find needs to be protected from additional disturbance, and the State Historic Preservation Division, Hawaii Island Section, needs to be contacted immediately at (808) 933-7650. If you have questions about this letter please contact Morgan Davis at (808) 933-7650.

Aloha,

Nancy McMahon, Deputy SHPO/State Archaeologist
and Historic Preservation Manager
State Historic Preservation Division

December 2, 2008

State of Hawaii
Department of Land and Natural Resources
State Historic Preservation Division
601 Kamokila Boulevard, Room 555
Kapolei, HI 96707

**SUBJECT: Chapter 6E-42 Historic Preservation Review
Conservation District Use Application HA-3484
Single Family Residence
North Hilo District, Island of Hawaii
TMK: (3) 3-6-002:039**

We have reviewed your comment letter of October 31, 2008 to the Office of Conservation and Coastal Lands. Should the application be approved, the tree line between the property and the viewline will be maintained by the applicant. In the event that historic resources, including human skeletal remains, cultural materials, lava tubes, and lava blisters/bubbles are identified during the construction activities, all work will cease in the immediate vicinity of the find, the find will be protected from additional disturbance, and the State Historic Preservation District, Hawaiian Island Section, will be contacted immediately.

**All Aina Services
P.O. Box 291
Laupahoehoe, HI 96764**