

JOHN WAIHEE
GOVERNOR OF HAWAII



1377
WILLIAM W. PATY, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

RECEIVED STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

P. O. BOX 621

'90 JUN -8 A9:27 HONOLULU, HAWAII 96809

OFC. OF ENVIRONMENTAL
QUALITY CONTROL

JUN 7 1990

FILE: KA-4/30/90-2383
DOC.: 8183E

DEPUTIES
KEITH W. AHUE
MANABU TAGOMORI
RUSSELL N. FUKUMOTO
AQUACULTURE DEVELOPMENT
PROGRAM
AQUATIC RESOURCES
CONSERVATION AND
ENVIRONMENTAL AFFAIRS
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
PROGRAM
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

MEMORANDUM

TO: The Honorable Marvin T. Miura, Director
Office of Environmental Quality Control

FROM: William W. Paty, Chairperson
Board of Land and Natural Resources

SUBJECT: CDUA KA-4/30/90-2383, for a Single-family Residence at
Haena, Kauai; TMK 5-8-12: 12

The above-mentioned Chapter 343 Document was reviewed and a negative declaration was declared based upon the environmental assessment provided with the CDUA.

Please feel free to call me or Jay Lembeck of our Office of Conservation and Environmental Affairs, at 8-7837, if you have any questions.


WILLIAM W. PATY

Enclosure

132

1990-06-23-KA-FBA

February 1983

Hong Reservoir CDU# FILE COPY

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

DEPARTMENT MASTER APPLICATION FORM

FOR DLNR USE ONLY

Reviewed by _____
Date _____
Accepted by _____
Date _____
Docket/File No. _____
180-Day Exp. _____
EIS Required _____
PH Required _____
Board Approved _____
Disapproved _____
Well No. _____

(Print or Type)

I. LANDOWNER/WATER SOURCE OWNER
(If State land, to be filled in by Government Agency in control of property)

Name Don Karleen
c/o Walton D. Y. Hong
Address P. O. Box 1727
Lihue, HI 96766

Telephone No. 245-4757

SIGNATURE [Signature]

Date _____

II. APPLICANT (Water Use, omit if applicant is landowner)¹

Name _____

Address _____

Telephone No. _____

Interest in Property _____

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

*SIGNATURE _____

Date _____

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

III. TYPE OF PERMIT(S) APPLYING FOR

- () A. State Lands
- (X) B. Conservation District Use
- () C. Withdraw Water From A Ground Water Control Area
- () D. Supply Water From A Ground Water Control Area
- () E. Well Drilling/Modification

IV. WELL OR LAND PARCEL LOCATION REQUESTED

District Haena

Island Kauai

County Kauai

Tax Map Key 5-8-12-12

Area of Parcel 6,606 sq. ft.

(Indicate in acres or sq. ft.)

Term (if lease) _____

RECEIVED
DLNR
OCEANA
1990 APR 30 PM 1:28

V. ENVIRONMENTAL REQUIREMENTS

An environmental impact assessment of the proposed use is attached hereto as Appendix "A" and made a part hereof, showing the following:

(1) Identification of Applicant:

Don Karleen
c/o Walton D. Y. Hong
P. O. Box 1727
Lihue, HI 96766
Tel. 245-4757

(2) Identification of Approving Agency:

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

(3) Identification of Agencies Consulted:

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

Planning Department
County of Kauai
4280 Rice Street
Lihue, HI 96766

(4) General description of action's characteristics:

(a) Technical: The subject site is a beachfront lot at Haena, Island of Kauai, State of Hawaii, more particularly identified as Kauai Tax Map Key: 5-8-12-12. A shoreline survey, certified on February 12, 1990 by the Board of Land and Natural Resources, indicates a total land area of 6,606 square feet.

The Applicant proposes to construct a 3-bedroom, 3-bath single family residence on the subject site. The residence will have a total living area of approximately 1900 square feet.

The surrounding neighborhood is primarily of residential character and consists of small single family

lots, some of which have been built upon. Further to the west along Kuhio Highway is the Hanalei Colony Resort condominium project and Charo's Restaurant.

(b) Economic: The proposed residence will cost approximately \$190,000. Due to the limited nature of the proposed action, there will not be significant economic benefits resulting from the proposed use, other than the economic benefits in the form of wages and payments for materials to the persons involved in the construction of the residence.

(c) Social: The proposed use will be a residence, which will result in a marginal increase in the population of the area.

(d) Environmental: The environmental characteristics of the proposed action are as follows:

(1) Flora and Fauna: There are no endangered or threatened species of flora or fauna at the site of the proposed action. Existing vegetation consists of grasses and ironwood trees. The site has already been cleared as a result of a foundation permit granted by the County of Kauai on the misunderstanding that the site was classified "Urban" by the Land Use Commission, and the proposed use will not result in the removal of any additional vegetation.

(2) Drainage: As the site is located on the shoreline, the existing drainage pattern is into the ocean. The proposed action will not affect this drainage pattern.

(3) Erosion: The site is presently uncovered, and erosion may occur in the event of heavy rains. The proposed use would control and mitigate any potential erosion problems.

(4) Historical and Archaeological: The proposed residence and detached garage on the site covered a major portion of the lot. As the trenches for the foundation and footings were already dug at the time the Applicant was informed of the County of Kauai's error in issuing the foundation permit, any historical or archaeological remains would probably have already been compromised.

However, no remains or artifacts were uncovered during the course of digging the trenches for the

foundation and footings. A site visit was made after work was stopped by the Applicant by Nancy McMahon of the Historic Sites Section, and the Applicant was advised that she did not feel that the site contained any historical or archaeological significance.

(5) Visual: The Federal Insurance Rate Maps (FIRM) of March 4, 1987, indicate that the subject site lies within the VE or Coastal High Hazard flood zone, with a base flood elevation of 21 feet mean sea level. Due to the federal flood insurance requirements that the lowest framing member of the structure be above 21 feet MSL, the height of the proposed dwelling is 25 feet from grade and 20 feet from base flood elevation.

While the structure will block views of the ocean from Kuhio Highway, there are no lots to the right of the site, which permits ocean views from the highway. Further, view corridors between the site and the neighboring lot to the left also permit ocean views.

The proposed structure is designed to also minimize visual impact, employing natural materials such as wood siding and shake roof.

(6) Sewage disposal: Sewerage will be disposed of through a private waste water facility (i.e., cesspool/septic tank) in conformity with the requirements of the State Department of Health. This, coupled with the natural filtering action of the sand and soil, will avoid adverse environmental impacts to the shoreline and ocean waters.

(5) Summary Description of the Affected Environment: The proposed residence is located on real property identified as Kauai Tax Map Key: 5-8-12-12. A copy of the tax map is attached hereto as Exhibit "A", which shows the location of subject site at Haena, Kauai, Hawaii.

Also attached hereto as Exhibit "B" is a copy of the shoreline certification, showing the lot configuration and dimensions in greater detail.

The site is a beach lot, between the shoreline and Kuhio Highway. Having been erroneously advised by the County of Kauai that the site was within the "Urban" land use district and having obtained a foundation permit for the proposed structure, the site was cleared of the several ironwood trees on the lot.

Although irregularly shaped, the lot is capable of sustaining a single family residence meeting all applicable setbacks and health requirements.

Neighboring lots already contain single family residences, so that the proposed use is not novel to the area.

(6) Identification and summary of major impacts and alternatives considered: As the site has previously been cleared and trenches dug, the proposed use under the circumstances will not result in any significant adverse environmental and historical/archaeological impacts.

The construction of the proposed single family dwelling on the lot is identical to the uses found on the neighboring lots, and will not significantly impact the public agencies to provide required urban services.

Other than for a single family dwelling, the subject site is not conducive to any other use. The size does not permit agricultural activities to be undertaken thereon. Any retail or commercial type of use would be incompatible with the neighborhood.

A do-nothing alternative is also not feasible. Given the cost of the Applicant to acquire the subject site, a do-nothing alternative would be tantamount to condemnation. The Applicant does not believe that the site is large enough to merit government acquisition for park or public purposes.

(7) Proposed Mitigation Measures: Proposed mitigation measures will include the use of wood and other natural materials in the construction of the residence, the use of earthen tone colors, shake roof, and landscaping. All of the foregoing will mitigate any visual impact of the proposed action.

(8) Determination: Based on the foregoing, it is recommended that a finding that the proposed action will not result in any significant adverse environmental and ecological impacts be adopted, and that an environmental impact statement not be required of the Applicant for the proposed action.

(9) Findings and Reasons Supporting Determination: The proposed action will be used for a single family residence, which appears to be the only reasonable use given

the size and configuration of the lot and the characteristics of the surrounding neighborhood.

As the lot has already been cleared of ironwood trees and trenched for the footings and foundation, no adverse environmental or historical/archaeological impacts are anticipated.

The only impact of the proposed use would be visual, which can be mitigated through use of natural materials and earthen tone colors.

(10) Agencies to be Consulted: As a recommendation of negative declaration is proposed, no other agency need to be consulted for preparation of an environmental impact statement.

VI. BACKGROUND INFORMATION

The Applicant purchased the subject property in February of 1990. Prior to his purchasing the property, reasonable inquiry was made of the Seller and the Seller's broker as to the zoning of the site and the required permitting process.

The Applicant was shown several letters from the County Planning Director, Tom Shigemoto, stating that the subject property was within the State Land Use "Urban" District and zoned "Open" by the County. Based on those letters and representations of the Seller's broker, the Applicant purchased the property.

Prior to the closing of escrow, the Applicant also applied for a building permit for the construction of the proposed single family dwelling. A foundation permit for the proposed structure was issued by the County of Kauai on or about April 6, 1990, and work on the foundation was started. A copy of the foundation permit, issued by the County of Kauai, is attached hereto as Exhibit "C".

The Applicant had also obtained approval for the proposed use from the State Department of Health. A copy of the Department of Health's approval is attached hereto as Exhibit "D".

The Applicant first learned that the subject lot was not within the "Urban", but within the "Conservation", District on or about April 10, 1990, when he was asked to

cease work by a State enforcement officer. Work was immediately stopped on the site at that time.

Prior to beginning work, the site contained a few ironwood trees and beach vegetation found in the area. This vegetation was cleared and the lot grubbed in preparation for the construction. The clearing and grubbing was done under contract with a licensed tree trimming and hauling contractor, and the vegetation has been disposed off of the site by that firm.

At the time work was stopped, the site contained a number of trenches for the footings and foundation of the structure, and concrete was scheduled for pouring the very next day. The Applicant has backfilled the trenches with similar sand/dirt material which was removed from the site originally, to remove an attractive nuisance and potentially dangerous condition.

VII. SUMMARY OF PROPOSED USE

The Applicant proposes to construct a 3-bedroom, 3-bath, single family residence, with attached garage, on the subject site. The residence be two stories of living area, oriented towards the ocean, and will have approximately 1900 square feet of living area.

The Applicant was erroneously advised by the County of Kauai Planning Department that the subject site was contained within the "Urban" land use district and zoned "Open" under the County's Comprehensive Zoning Ordinance. Based on that advice, the Applicant acquired the property, developed plans for the proposed structure, applied for a building permit, and was issued a foundation permit for the house by the County of Kauai.

The Applicant began construction of the foundation with a crew which the Applicant brought over from the mainland to assist him in the construction. The construction progressed to the point where the foundation footings was ready to be poured with concrete when the Applicant was informed by the Department of Land and Natural Resources that the site was contained within the "Conservation" land use district.

The Applicant thereupon ceased work on the house, except to take steps to secure the site and backfill the trenches to avoid a dangerous condition.

This application was thereupon submitted for a CDUA permit for the proposed single family residence previously approved by the County of Kauai.

INFORMATION REQUIRED FOR ALL USES

I. Description of Parcel

(A) Existing structures and use. The subject parcel is presently vacant.

(B) Existing utilities. The subject parcel is served by municipal water, and has electricity and telephone available.

(C) Existing access. Access to the site is from the abutting Kuhio Highway.

(D) Existing vegetation. The site, in reliance upon the foundation permit issued by the County of Kauai, has been cleared for construction of the proposed dwelling. Consequently, there is no existing vegetation on the lot except for sparse grasses and weeds.

(E) Topography. The lot is relatively flat, with a slope at the shoreline to the ocean.

(F) Shoreline. The shoreline fronting the subject parcel is a sandy beach.

(G) Existing covenants, easements, restrictions. The Applicant is not aware of any existing covenants, easements or restrictions which materially affect the subject property or its use.

(H) Historic sites affected. The Applicant is not aware of any historical significance of the subject parcel.

II. Activity Proposed, Purpose and Operations Conducted

As indicated previously, the Applicant proposes to construct a 3-bedroom, 3-bath, single family residence on the subject parcel.

The purpose of the proposed use is to provide a vacation home for the Applicant's family and his friends and guests.

III. Commencement Date: The Applicant will recommence work as soon as all necessary governmental approvals have been

obtained.

Completion Date: Within nine (9) months of the
recommencement of work.

IV. Type of Use Requested:

The Applicant is requesting a Conditional Use Permit in the "Limited (L)" Subzone.

The area of the proposed use is approximately 1900 square feet.

The nearest landmark to the site is Charo's Restaurant and the Hanalei Bay Colony Resort, which is approximately 1,000 feet to the west.

The Conservation District Subzone is "Limited (L)".

The County of Kauai General Plan Designation is "Open".

V. Filing Fee:

The filing fee of \$50.00 is enclosed herewith.

INFORMATION REQUIRED FOR CONDITIONAL USE

I. Plans:

A. Area Plan: Exhibit "A", attached hereto, shows the area where the subject property is located.

The names and addresses of abutting property owners, and the tax map keys of their respective parcels, to the best of Applicant's knowledge, are as follows:

5-08-12-02 Jacquleen B. Fant, et al.
P. O. Box 504
Lihue, HI 96766

5-08-02-03 Lester B. Robinson, et al.
P. O. Box 106
Makaweli, HI 96769

B. Site Plan: Exhibit "E", submitted herewith, is a site plan, showing the proposed residence on the subject lot.

C. Construction Plan: See Exhibit "E", submitted herewith.

D. Maintenance Plan: Not Applicable

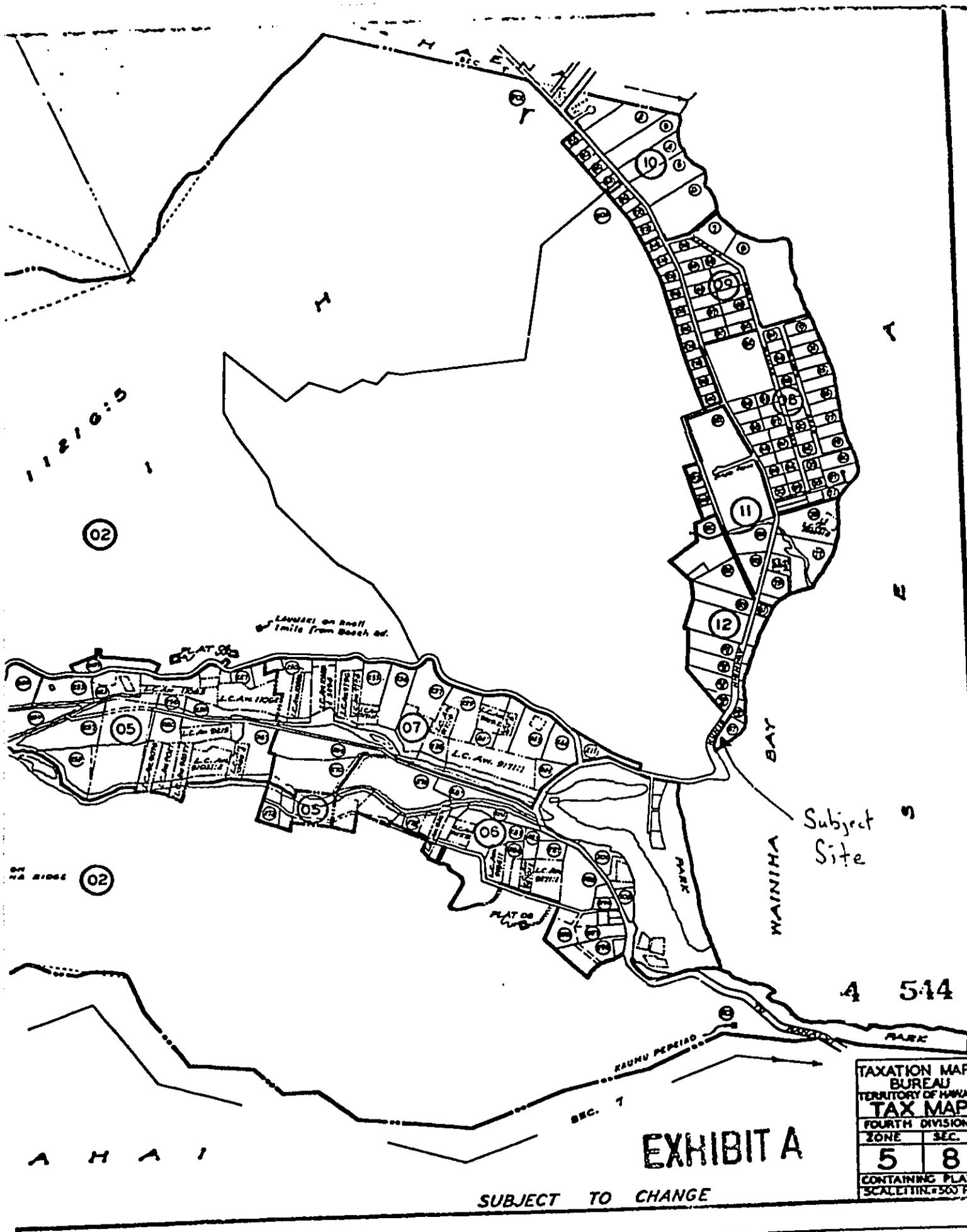
E. Management Plan: Not Applicable

F. Historic or Archaeological Site Plan: Not Applicable.

II. Subzone Objective:

The subject parcel is located within the "Limited (L)" subzone. The objective of this subzone is to "limit uses where natural conditions suggest constraints on human activities."

Given the circumstances of a small beachlot between the shoreline and the highway in a residential-like neighborhood, the natural conditions do not suggest constraints on the proposed single-family residential use.



TAXATION MAPS
BUREAU
TERRITORY OF HAWAII
TAX MAP
FOURTH DIVISION

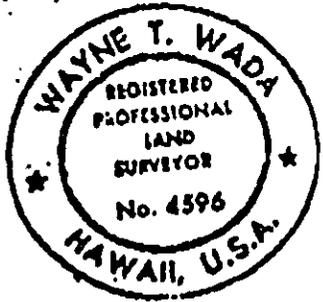
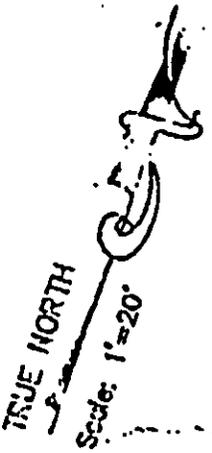
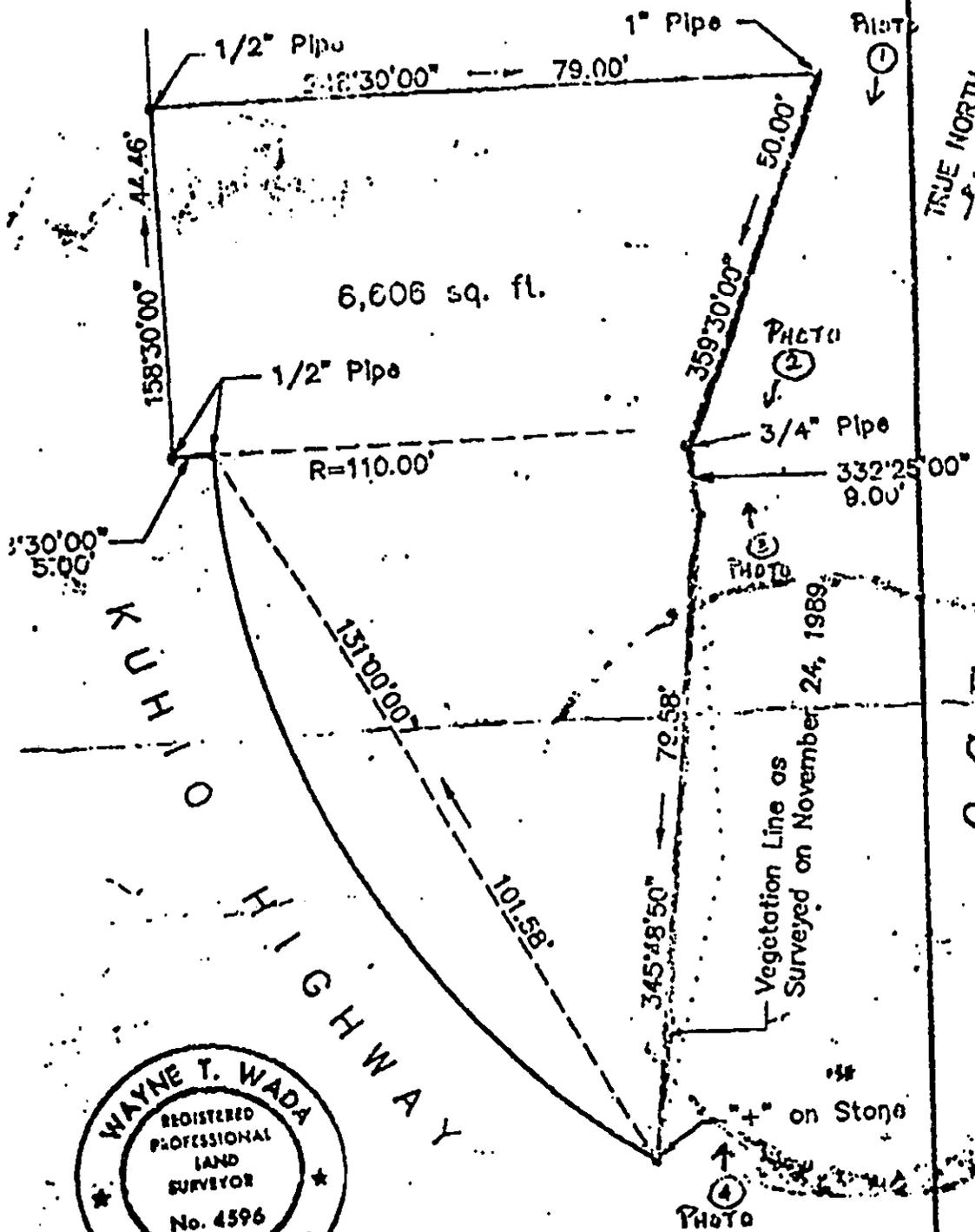
ZONE	SEC.
5	8

CONTAINING PLATS
SCALE 1/4" = 50' FT.

EXHIBIT A

SUBJECT TO CHANGE

L.T. 87-A-2
IRENE C. JERVES



This work was prepared by me
or under my supervision

Wayne T. Wada
Signature

SHORELINE SURVEY
PORTIONS OF WAINIHA HUI LAND
WAINIHA, HANALEI, KAUAI, HAWAII
Tax Map Key: 5-8-12: 12
Owner: Don Karleen

EXHIBIT B

The surveying was located and certified and
 confirmed as being
 correct and true
 the actual boundaries of
 the land shown on this map
 were confirmed as being
 correct and true
 on November 24, 1989
 PER: T. J. 1990
Wayne T. Wada
 Registered Professional Land Surveyor
 No. 4596
 Hawaii, U.S.A.

COUNTY OF KAUAI
DEPARTMENT OF PUBLIC WORKS
BUILDING DIVISION

2-1004-701
FOUNDATION ONLY

BUILDING PERMIT APPLICATION

IMPORTANT - Complete ALL items. Mark boxes where applicable.

1. LOCATION OF BUILDING	JOB ADDRESS Kuhio Highway	ZONE 5	SEC 8	PLAT 12	PARCEL 12	LOT NO	DISTRICT Hanalei
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12. TYPE AND COST OF BUILDING

A. TYPE OF IMPROVEMENT

1 (X) NEW BUILDING

2 () ADDITION (IF RESIDENTIAL, ENTER NUMBER OF NEW HOUSING UNITS ADDED, IF ANY, IN PART C, 13)

3 () ALTERATION (SEE 9 ABOVE)

4 () REPAIR, REPLACEMENT

5 () DEMOLITION (IF MULTIFAMILY RESIDENTIAL, ENTER NUMBER OF UNITS IN BUILDING IN PART C, 13)

6 () MOVING (RELOCATION)

7 (X) FOUNDATION ONLY

8 () FENCE FOUNDATION ONLY

9 () OTHER

C. PROPOSED USE FOR "DEMOLITION" MOST RECENT USE

RESIDENTIAL

12 (X) ONE FAMILY

13 () TWO OR MORE FAMILY - ENTER NUMBER OF UNITS

14 () TRANSIENT HOTEL, MOTEL, OR DORMITORY - ENTER NUMBER OF UNITS

15 () GARAGE

16 () CARPORT

17 () OTHER - SPECIFY

NONRESIDENTIAL

18 () AMUSEMENT, RECREATIONAL

19 () CHURCH, OTHER RELIGIOUS

20 () INDUSTRIAL

21 () PARKING GARAGE

22 () SERVICE STATION, REPAIR GARAGE

23 () HOSPITAL, INSTITUTIONAL

24 () OFFICE, BANK, PROFESSIONAL

25 () PUBLIC UTILITY

26 () SCHOOL, LIBRARY, OTHER EDUCATIONAL

27 () STORES, MERCANTILE

28 () TANKS, TOWERS

29 () OTHER - SPECIFY

B. OWNERSHIP

10 (X) PRIVATE (INDIVIDUAL, CORPORATION, NON-PROFIT INSTITUTION, ETC.)

11 () PUBLIC FEDERAL, STATE, OR LOCAL GOVERNMENT

D. ESTIMATED VALUE \$

13. SELECTED CHARACTERISTICS OF BUILDING - FOR NEW BUILDINGS AND ADDITIONS, COMPLETE PARTS E - J, FOR DEMOLITION, COMPLETE ONLY PART H, FOR ALL OTHER SKIP TO IV.

E. PRINCIPAL TYPE OF FRAME

30 () MASONRY (WALL BEARING)

31 (X) WOOD FRAME

32 () STRUCTURAL STEEL

33 () REINFORCED CONCRETE

34 () OTHER - SPECIFY

G. TYPE OF MECHANICAL

38 () WILL THERE BE CENTRAL AIR CONDITIONING?

39 () WILL THERE BE AN ELEVATOR?

40 ()

H. NUMBER OF OFF-STREET PARKING SPACES

44 () ENCLOSED

45 (X) OUTDOORS 4

J. RESIDENTIAL BUILDINGS ONLY

46 (X) NUMBER OF BEDROOMS 4

47 (X) NUMBER OF BATH 3

48 () BATHROOMS (PARTIAL)

F. TYPE OF SEWAGE DISPOSAL

35 (X) PUBLIC OR PRIVATE COMPANY

36 () INDIVIDUAL (SEPT. TANK, ETC.)

41 (X) NUMBER OF STORIES 2

42 () TOTAL SQUARE FEET OF FLOOR AREA, BASED ON EXTERIOR DIMENSIONS

43 (X) TOTAL LAND AREA

FLOOD ZONE

IV. IDENTIFICATION

54-75	NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE NO
OWNER	Don Karleen	4005 Cory St. Soquel, CA	95073	408-724-3923
PLAN MAKER	Island Homes	Princeville Ctr #205	96722	808-826-7311
CONTRACTOR	Don Karleen	4005 Cory St. Soquel, CA	85073	408-724-3923

I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE ABOVE IS CORRECT AND AGREE TO COMPLY WITH ALL KAUAI COUNTY ORDINANCES AND STATE LAWS REGULATING BUILDING CONSTRUCTION.

Don Karleen SIGNATURE (OWNER OR APPLICANT) 3/6/90 DATE

APPROVAL OF OTHER AGENCIES:

Paul Anichini DEPARTMENT OF WATER DATE 4-5-90

Ross K. Fernandez PLANNING DEPARTMENT DATE 4-5-90

N/A - J. Nakahara HEALTH DEPARTMENT DATE 4-6-90

FIRE DEPARTMENT DATE

PERMISSION IS HEREBY GIVEN TO DO WORK ACCORDING TO CONDITIONS HEREON AND ACCORDING TO APPROVED PLANS AND SPECIFICATIONS.

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 120 DAYS, OR IF CONSTRUCTION OR WORK SUSPENDED OR ABANDONED FOR A PERIOD OF 120 DAYS AT ANY TIME AFTER WORK IS COMMENCED.

SEPARATE PERMITS MUST BE OBTAINED FOR SIGN, ELECTRICAL, PLUMBING AND GAS.

DIVISION OF ENGINEERING DATE FOR BUILDING OFFICIAL DATE

POST PERMIT PLACARD ON SITE OF WORK

FEE RECEIVED: PERMIT FEE \$ PERMIT NO.

EXHIBIT

JOHN WAINES
GOVERNOR OF HAWAII



JOHN C. LEWIN, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HAWAII 96801

In reply, please refer to:
EPH80

October 27, 1989

Mr. Magdi Latif
P.O. Box 759
Kilauea, Kauai, HI 96754

Dear Mr. Latif:

Subject: Individual Wastewater System at
05-6098 Kuhio Highway
Wainiha, Kauai
TMK: 5-8-12: 12

Plans for a septic tank serving a dwelling located at Wainiha, Kauai, have been reviewed by the Department. The plans have indicated that the project is in compliance with all applicable sections of Title 11, Chapter 62, Hawaii Administrative Rules, Wastewater Systems. Therefore, approval to construct the subject septic tank system is hereby granted.

In addition to the plans approval, please be informed that in accordance with Section 11-62-31(e), Hawaii Administrative Rules, Department of Health, "Wastewater Systems," prior to operation, the septic tank must be inspected and approved in writing by the Director. Therefore, it is your responsibility to inform the Department of the completion of the unit such that arrangements can be made to conduct a final inspection of it. Arrangements for a final inspection can be made by contacting the Wastewater Branch at 543-8298. Please allow between 7 to 10 working days for our engineers to make the necessary arrangements for this inspection. It is recommended that the unit and the disposal field not be covered or buried prior to the final inspection.

If you should have any questions, please contact the Wastewater Branch at telephone 543-8298.

Sincerely,

JAMES K. IKEDA, ACTING CHIEF
Environmental Management Division

I.J/ep
cc: DHO, Kauai (w/plans)
Mr. Fred G. Snyder

EXHIBIT 3

Appendix "A"
ENVIRONMENTAL IMPACT ASSESSMENT
FOR
SINGLE FAMILY DWELLING
AT
HAENA, ISLAND OF KAUAI, STATE OF HAWAII
TAX MAP KEY: 5-8-12-12

The following is an environmental impact assessment on a proposed single family residence on real property situated at Haena, Island of Kauai, State of Hawaii, more particularly identified as Kauai Tax Map Key: 5-8-12-12.

(1) Identification of Applicant:

Don Karleen
c/o Walton D. Y. Hong
P. O. Box 1727
Lihue, HI 96766
Tel. 245-4757

(2) Identification of Approving Agency:

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

(3) Identification of Agencies Consulted:

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

Planning Department
County of Kauai
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Lihue, HI 96766

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(b) Economic: The proposed residence will cost approximately \$190,000. Due to the limited nature of the proposed action, there will not be significant economic benefits resulting from the proposed use, other than the economic benefits in the form of wages and payments for materials to the persons involved in the construction of the residence.

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(2) Drainage: As the site is located on the shoreline, the existing drainage pattern is into the ocean. The proposed action will not affect this drainage pattern.

(3) Erosion: The site is presently uncovered, and erosion may occur in the event of heavy rains. The proposed use would control and mitigate any potential erosion problems.

(4) Historical and Archaeological: The proposed residence and detached garage on the site covered a major portion of the lot. As the trenches for the foundation and footings were already dug at the time the Applicant was informed of the County of Kauai's error in issuing the

foundation permit, any historical or archaeological remains would probably have already been compromised.

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While the structure will block views of the ocean from Kuhio Highway, there are no lots to the right of the site, which permits ocean views from the highway. Further, view corridors between the site and the neighboring lot to the left also permit ocean views.

The proposed structure is designed to also minimize visual impact, employing natural materials such as wood siding and shake roof.

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Although irregularly shaped, the lot is capable of sustaining a single family residence meeting all applicable setbacks and health requirements.

Neighboring lots already contain single family residences, so that the proposed use is not novel to the area.

(6) Identification and summary of major impacts and alternatives considered: As the site has previously been cleared and trenches dug, the proposed use under the circumstances will not result in any significant adverse environmental and historical/archaeological impacts.

The construction of the proposed single family dwelling on the lot is identical to the uses found on the neighboring lots, and will not significantly impact the public agencies to provide required urban services.

Other than for a single family dwelling, the subject site is not conducive to any other use. The size does not permit agricultural activities to be undertaken thereon. Any retail or commercial type of use would be incompatible with the neighborhood.

A do-nothing alternative is also not feasible. Given the cost of the Applicant to acquire the subject site, a do-nothing alternative would be tantamount to condemnation. The Applicant does not believe that the site is large enough to merit government acquisition for park or public purposes.

(7) Proposed Mitigation Measures: Proposed mitigation measures will include the use of wood and other natural materials in the construction of the residence, the use of earthen tone colors, shake roof, and landscaping. All of the foregoing will mitigate any visual impact of the proposed action.

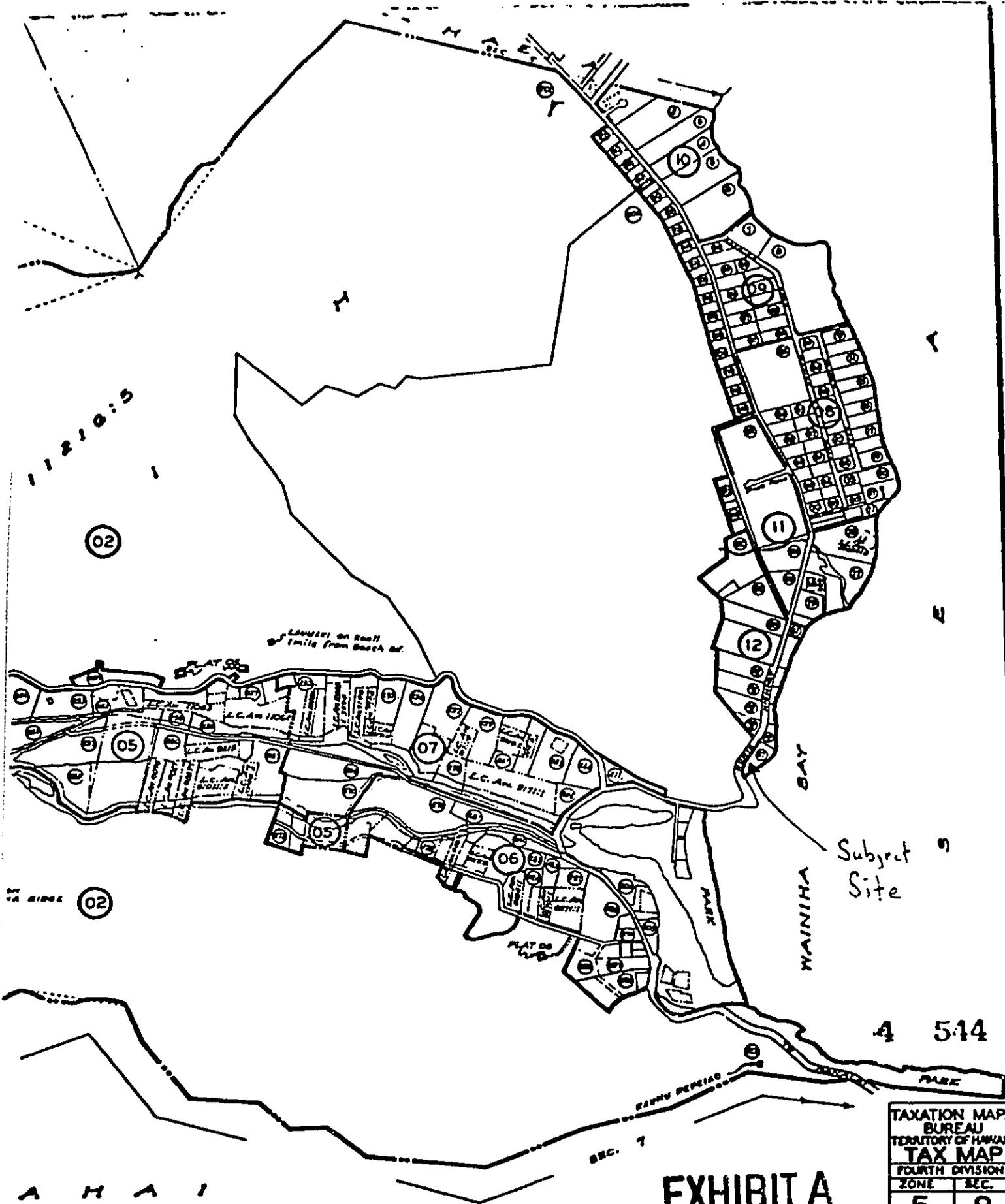
(8) Determination: Based on the foregoing, it is recommended that a finding that the proposed action will not result in any significant adverse environmental and ecological impacts be adopted, and that an environmental impact statement not be required of the Applicant for the proposed action.

(9) Findings and Reasons Supporting Determination: The proposed action will be used for a single family residence, which appears to be the only reasonable use given the size and configuration of the lot and the characteristics of the surrounding neighborhood.

As the lot has already been cleared of ironwood trees and trenched for the footings and foundation, no adverse environmental or historical/archaeological impacts are anticipated.

The only impact of the proposed use would be visual, which can be mitigated through use of natural materials and earthen tone colors.

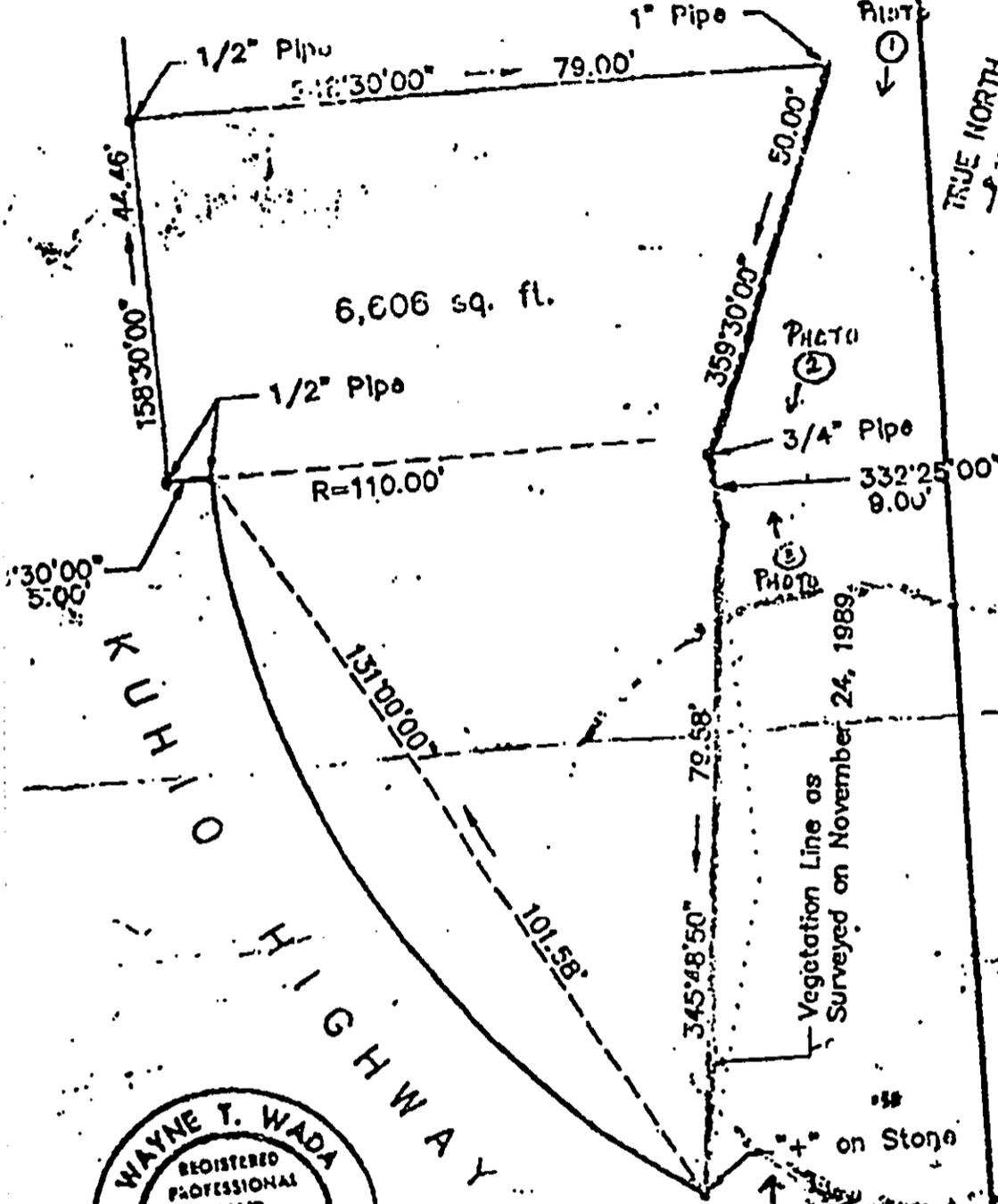
(10) Agencies to be Consulted: As a recommendation of negative declaration is proposed, no other agency need to be consulted for preparation of an environmental impact statement.



SUBJECT TO CHANGE

TAXATION MAPS	
BUREAU	
TERRITORY OF HAWAII	
TAX MAP	
FOURTH DIVISION	
ZONE	SEC.
5	8
CONTAINING PLATS	
SCALE 1" = 500' FT.	

L.T. 87-4-2
IRLENE C. JERVES



This work was prepared by me
or under my supervision

Wayne T. Wada
SIGNATURE

SHORELINE SURVEY
PORTIONS OF WAINIHA HUI LAND
WAINIHA, HANALEI, KAUAI, HAWAII
Tax Map Key: 5-8-12: 12
Owner: Don Karleen

EXHIBIT B

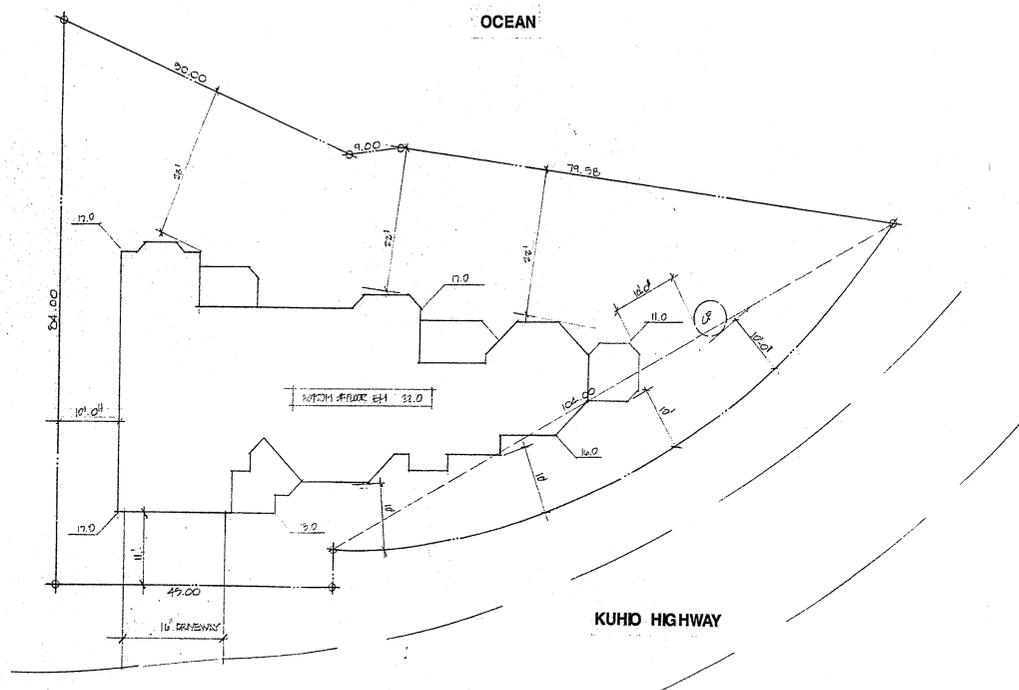
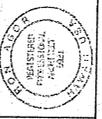
The shoreline as located and certified and delineated for this purpose confirmed as being the actual shoreline as of 11/24/89
Wayne T. Wada
Professional Land Surveyor
No. 4596
Hawaii, U.S.A.

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REVISIONS	BY

This work was prepared by me
 or under my direct supervision
 and I am a duly Licensed
 Professional Engineer
 in the State of Florida
 License No. 12345
 Date: 10/10/10



SITE PLAN 1/10/10 N

KARLEEN RESIDENCE

318 S. 16th St.
 Ft. Lauderdale, FL 33304

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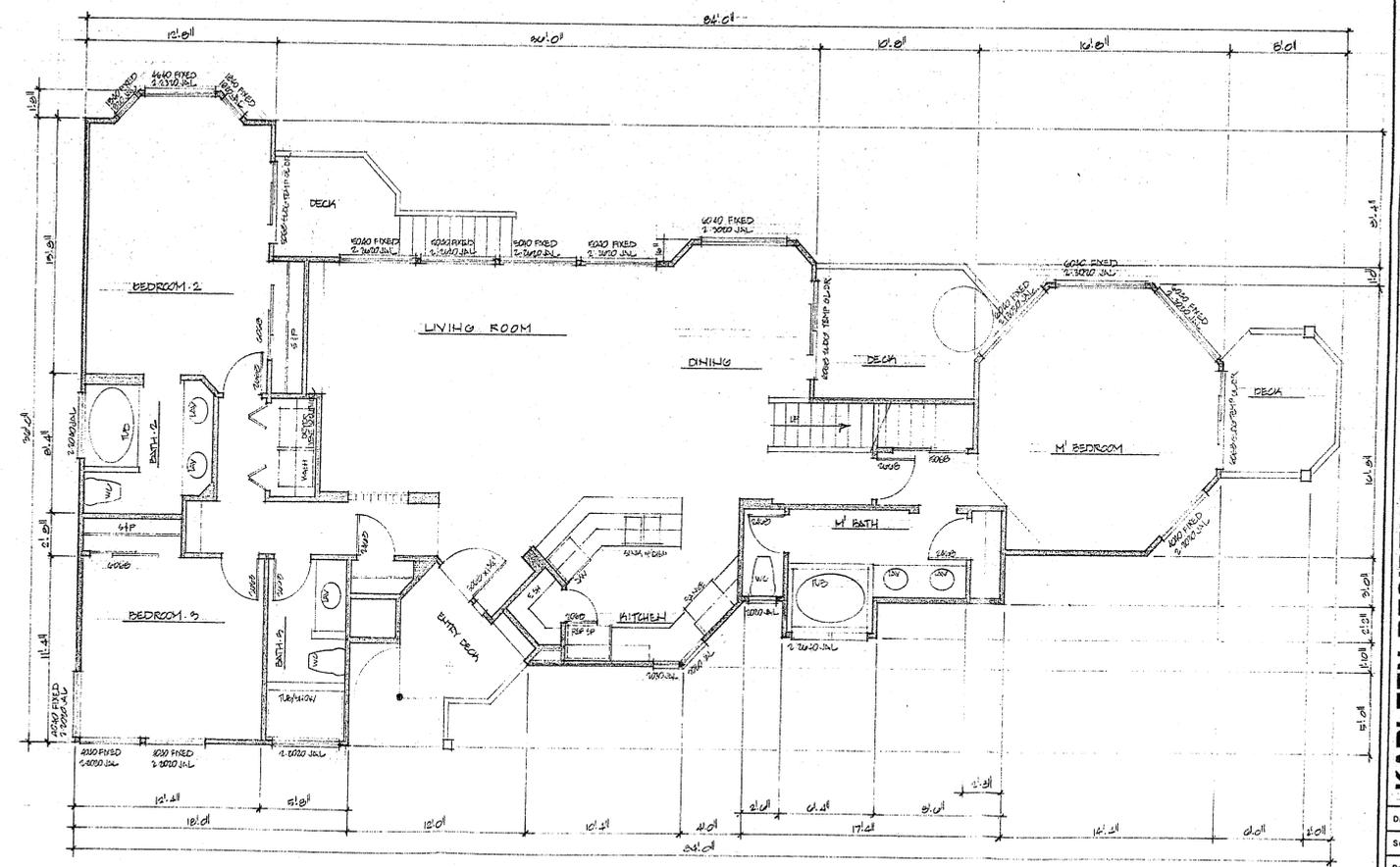
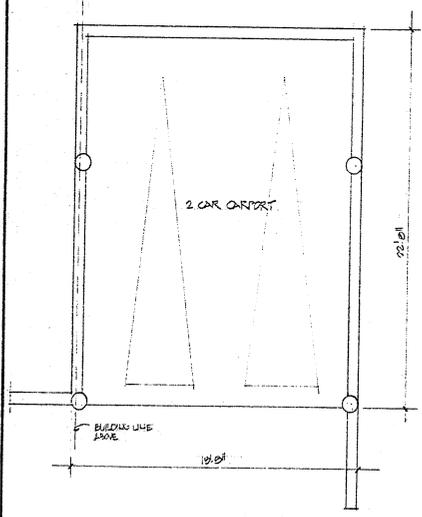
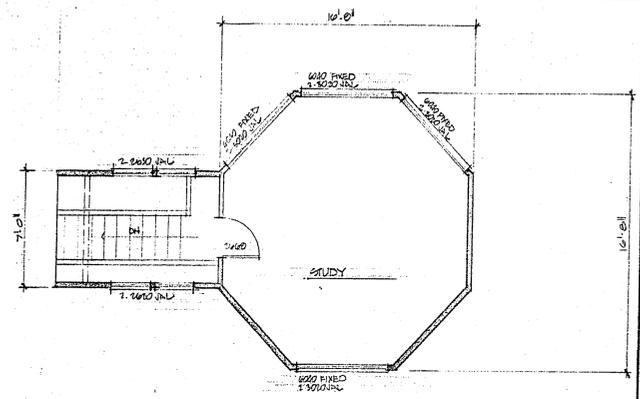
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REVISIONS BY

NO.	DESCRIPTION	DATE	BY

THIS WORK WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED ARCHITECT IN THE STATE OF WASHINGTON.



KARLEEN RESIDENCE

THIS IS 18-12-12
WASHINGTON, HANNAH

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