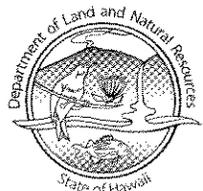


LINDA LINGLE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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

DAN DAVIDSON
DEPUTY DIRECTOR - LAND

ERNEST Y.W. LAU
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:DH

FILE NO: CDUA KA-3373

Acceptance Date: August 31, 2006
180-Day Exp. Date: February 27, 2007

MEMORANDUM

DEC 13 2006

TO: Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control

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

SUBJECT: CDUA KA-3373 for the Proposed Joining of Two Structures into One Single Family Residence (SFR) located in the Haena District, Island of Kauai, Subject Parcel TMK: (4) 5-9-002:040

The Department has reviewed the CDUA KA-3373, and the Final Environmental Assessment (FEA) for the Irons proposed joining of two structures into one Single Family Residence (SFR), located in Haena District, Island of Kauai, Subject Parcel TMK: (4) 5-9-002:040. The Draft Environmental Assessment (DEA) was published in OEQC's September 23, 2006 Environmental Notice for the subject project. 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. Please publish this notice in OEQC's upcoming December 23, 2006 Environmental Notice.

We have enclosed four copies of the FEA for the project. The OEQC Bulletin Publication Form is attached. Comments on the draft EA were sought from relevant agencies and the public, and were included in the FEA.

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

Enclosures

c: Randy Vitousek

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DEC 13 11:59
OFFICE OF ENVIRONMENTAL
QUALITY CONTROL

2006-12-23- KA- FEA- IRONS ATF SINGLE - FAMILY DWELLING

DEC 23 2006

FILE COPY

2006 NOV 21 A 10:47

DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

FINAL ENVIRONMENTAL ASSESSMENT

FOR

CONSOLIDATION OF TWO RESIDENCES WITHIN THE STATE LAND USE CONSERVATION DISTRICT TO ONE SINGLE-FAMILY RESIDENCE

AT

HAENA (HAENA HUI LANDS), HALELEA, KAUAI, HAWAII

TAX MAP KEY NO.: (4) 5-9-002-040

November 2006

2006 DEC 11 A 9:46

DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

STATE OF HAWAII
DEPARTMENT OF LAND & NATURAL RESOURCES

Applicant: Constance, Jason, and Kaulana Irons
c/o Cades Schutte, LLP
Hualalai Center, Suite B-303
75-170 Hualalai Road
Kailua-Kona, Hawai'i 96740

Accepting Authority: Hawai'i State Department of Land and Natural Resources
P. O. Box 621
Honolulu, Hawai'i 96809

Class of Action: Use of Land in Conservation District

DEPT. OF ENVIRONMENTAL QUALITY CONTRACTS

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**1002-10-09-KA-FA-01-000
DRAFTING
SINGLE-FAMILY**

The following constitutes the final environmental assessment for the proposed construction of a single-family dwelling within the State Land Use Conservation District, on real property which is part of the Haena Hui Lands situated at Haena, Halelea, Island and County of Kaua'i, State of Hawai'i, more particularly identified as Kaua'i Tax Map Key No.: 5-9-002-040, the total area of which is 9,812 square feet.

(1) Identification of Applicants:

Jason and Kaulana Irons, husband and wife, and Connie Irons, mother of Jason
P. O. Box 149
Hanalei, Hawai'i 96714
Telephone: (808) 826-0294; (808) 524-5644

(2) Identification of Approving Agency:

Board of Land and Natural Resources
State of Hawai'i
P. O. Box 621
Honolulu, Hawai'i 96808

(3) Identification of Agencies Consulted:

County of Kaua'i
Planning Department

State of Hawai'i
Department of Land and Natural Resources:
Office of Conservation and Coastal Lands
Division of Forestry and Wildlife
Historic Preservation Division
Kaua'i District Land Office
Engineering Division

Department of Health
Office of Hawai'ian Affairs
Office of Environmental Quality Control

Private
Hanalei-Haena Community Association

Copies of communications received in response to the Draft Environmental Assessment are attached hereto in Appendix 1. A total of 8 responses were received, 2 with no comments attached. These comments and the responses to them are contained in Appendix 1. Various places in the EA have been modified to reflect the comments received; additional or modified text is denoted by double underlines, as in this paragraph.

(4) Required Permits and Approvals

County of Kaua'i
Special Management Area Permit or Exemption
Plan Approval and Building Permits

State of Hawai'i
Conservation District Use Permit

(4) General Description of Action's Characteristics:

(a) Technical: The subject property, Kaua'i Tax Map Key No.: 5-9-002-040 consists of 9,812 square feet, more or less (hereinafter the "Property"). A map of the Island of Kaua'i, showing the approximate area of the affected Property on which the proposed use would occur, is attached hereto as Exhibit "1" and incorporated herewith. Also attached, as Exhibit "2," is a tax map depicting the Property.

The entire Property is classified by the State Land Use Commission as Conservation.

Applicants propose to combine two dwelling structures currently situated on the Property into one single-family residence (SFR) on the Property, consisting of approximately 3,493 square feet as shown on the site plan of the Property, which is attached hereto as Exhibit "3." The SFR will consist of four bedrooms, three bathrooms, one kitchen, a study, living room, family room, laundry area, a ground floor gym, and upstairs lanai. One of the two prior existing dwellings was constructed without proper permits by previous owners over thirty years ago. The Irons, a family of three generations, including grandmother Connie Irons, her son Jason and his wife Kaulana Irons, and their children, ages 10, 8, and 2 have been living on the property for over 15 years. Kaulana Irons and her children are of native Hawai'ian ancestry. The family has elected to combine the two structures into one SFR so that the family can stay together in a single home that complies with applicable state conservation district rules. The Irons family plans to continue living on the Property and has no intention of using their home as a vacation rental. The dwellings are and will remain accessible by private roadway from the Kuhio Highway right-of-way. The dwelling will be served by the existing water meter, electricity and telephone lines.

The property will be served by a new septic system, to replace the outdated cesspool. The proposed new septic system, also known as an Individual Wastewater System (IWS), will be located underground at the site of the former garage, in an area previously disturbed. The existing cesspool serving the two structures is located underground between the two structures. That cesspool will be pumped and abandoned and the consolidated SFR structure will sit on top of the former cesspool site.

The landscaping, which has been maintained by Applicants since acquiring the Property, consists of grass lawn, coconut palms, hibiscus, ti plants, ferns, and roses.

To develop the proposed residence, Applicants must obtain a conservation district use permit from Department of Land and Natural Resources with plan approval.

(b) Economic Impacts: The cost of the proposed action, consolidating the two dwelling structures (**Exhibit "4"**) and installing the septic tank (**Exhibit "6"**), is estimated at \$34,000. The cost of this project will provide some immediate economic benefits to the community. The architect who has prepared the building design, and the contractors, subcontractors and suppliers who will be or have been involved in supplying the labor, materials and supplies for the construction, are persons who are in business on Kaua'i.

At present, the Irons pay approximately \$1,700 per year in real property tax. The proposed improvements of the Property may further increase its valuation for real property tax purposes, which provides a benefit to the County of Kaua'i whose operations are dependent upon the valuation of properties on the island.

There is no negative economic impact that will result from consolidating the two residential structures into one conforming SFR.

(c) Social Impacts: The proposed dwelling is intended for use by Applicants and their three minor children, two of whom currently attend Kaua'i public school and the other, who is a toddler, will enroll in Kaua'i public school within a few years.

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

(1) Flora. The Property does not appear to contain any threatened or endangered species of flora or fauna. Threatened and endangered species in this part of Kaua'i are generally found in upland native forests, on steep cliffs, etc., and are not likely to be found in the highly disturbed vegetation of house lots, pastures and farms.

When Applicants acquired the Property in 1989, plants growing there consisted of grass, ti plants, ferns, hibiscus, coconut palms, and other shrubs and trees that are essentially the same as the landscaping currently on the Property. The Irons family planted rows of rose bushes along the makai fence boundary of the Property. They maintain the plants which were on site when they purchased the Property.

Applicants do not propose to remove any existing trees or otherwise alter the vegetation on the Property.

(2) Fauna. The Property does not appear to contain any threatened or endangered species of fauna, including birds. Because it derives direct access from Kuhio Highway, and is surrounded by other properties that have been developed for residential purposes, it is not suitable habitat for endangered fauna.

(3) Drainage. The property is relatively flat. Applicants have never known water to flow across it but note that rainfall is readily absorbed into the sandy loam soil.

Applicants are aware that the project site is within Special Flood Hazard Areas designated as Zone AE with base flood elevations at 23 feet MSL. Applicants will comply with the National Flood Insurance Program design requirements and other rules, regulations, and ordinances. As shown by the attached site plan, the SFR will be elevated so that the finished floor is elevated above the base flood elevation. See attached Engineering Site Plan and Elevation Certificates for both dwellings at Exhibit "5" and FIRM Map at Exhibit "7."

(4) Soils, Slope, and Erosion. The soils in the area are described as "Kolokolo extremely stony clay loam (KUL)." This series of soil is typically "well-drained, consisting of a top layer of very dark grayish brown fine clay loam above dark brown loam." Permeability is described as being moderate and can be subject to damaging overflow with annual rainfall ranging between 60-150 inches.

Building plans for connecting the structures will be designed and stamped by a licensed architect working with a licensed structural engineer who oversees and stamps the architect's work.

(5) Historical and Archaeological Impacts. Per the attached Archaeology Report prepared by Rechtman Consulting, LLC, there is a chance that portions of the buried precontact midden deposit and/or traditional Hawai'ian burials may be located below the surface. Exhibit "8." However, Applicants dug the footings under their own house on the Property and encountered no artifacts, structures, or bones. If any inadvertent discovery of cultural or human remains occurs during the move of the house or construction of the septic system, Applicants and/or their contractors will cease work immediately and contact the State Historic Preservation Division, which will determine the appropriate mitigation.

Rechtman Consulting, LLC has submitted an archaeological monitoring plan to the State Historic Preservation Division which calls for an archaeologist to be present to monitor all ground disturbing activities. A copy of the monitoring plan is attached hereto as Appendix 2.

(6) Visual Impacts. The proposed use may result in a reduced visual impact because a single house on the lot presents a different view and feel to an observer than two separate dwelling structures. The Property is located a distance back from the Kuhio Highway corridor off of a private roadway so it is only seen by neighbors in the immediate vicinity.

(7) Recreational. The Property is near a county beach park but located on a private road not designated as a public access to the shoreline. No adverse impacts on local recreation are anticipated as a result of the proposed project.

(8) Scenic. The Kaua'i County General Plan identifies Kuhio Highway on Kaua'i's north shore as a Scenic Roadway Corridor from which views to ocean and mountain and scenic bridges are to be protected. The proposed house is located down a private drive off of Kuhio

Highway, outside the view plane of anyone traveling along the highway. The proposed residence should have no material impact on the scenic quality of the neighborhood. The home is entirely surrounded by other private residences and is located off of Kuhio Highway. If anything, consolidating the two structures into one should have a beneficial impact on the scenic quality of the neighborhood as it will result in a less crowded appearance.

(9) Cultural Impact Assessment. The Property is currently occupied by two residential structures and has been for over 30 years. No cultural resources or gathering areas are present. There is no indication that the Property served as the site for religious or cultural purposes.

Any cultural remains or features discovered during construction will be dealt with appropriately and in accordance with the law and permit conditions.

(10) Wastewater Treatment and Disposal. All wastewater generated by the proposed single-family use will be handled through the proposed IWS. See Exhibit "6" for a site plan detailing the locations of utilities.

(11) Construction. The construction of the proposed dwelling is expected to take approximately three months. All building materials, contractor and subcontractor vehicles and equipment will be placed on site.

(12) Traffic Impact. No substantial additional traffic impact post-construction is expected to occur once Applicants and their children already occupy the residential structures. There are currently three cars in the household, as there have been for several years. The children are too young at this time to drive.

(13) Water. The Property currently has one water meter for potable water from the Department of Water, County of Kaua'i.

(14) Solid Waste. Residential solid waste is picked up once a week by crews of the Department of Public Works, County of Kaua'i, provided that the residence is located on an improved public road. Solid waste generated during the construction phase will be removed by the professional crews involved with the construction.

(15) Utilities. The Property is currently served by electrical and telephone utilities. Applicants propose to eliminate the existing cesspool and substitute a new septic system to improve wastewater treatment. With the removal of one kitchen as shown in the site plan at Exhibit 3, it is possible that the house will use less electricity and water. No other changes are anticipated with respect to these utilities.

(16) Rainfall. According to the Atlas of Hawaii, (3rd ed., 1998, p. 56), average annual rainfall in this area is about 80 inches.

(17) Streams. The Property is near but does not adjoin any streams. No impact is expected to result from the proposed construction of the dwelling,

(e) Summary Description of the Affected Environment: Applicants' proposal would allow them to continue to reside on the Property. Along the private roadway where the homes are currently located, there are several existing dwellings, including some with guest houses, tennis courts, barns, and breezeways connecting structures.

The Property is within the Limited Subzone of the Conservation District in which SFRs are permitted (so long as they conform to applicable County regulations adopted pursuant to the National Flood Insurance Program). In the County of Kaua'i, for properties which are within identified flood constraint areas, all construction is required to meet such standards as are intended to protect the Property on which construction is proposed and to limit the risk of damage to other properties. The design of the proposed residence meets the Single Family Residential Standards that were adopted by the Board of Land and Natural Resources pursuant to Chapter 13-5, Hawai'i Administrative Rules, entitled "Conservation District."

(f) Identification and Summary of Major Impacts and Alternatives Considered: There are no major environmental, social, or economic impacts associated with the consolidation of the two existing smaller residential structures into one conforming structure. Possible considerations include the impact of the construction process itself and the waste that will likely be generated in that process. The burden falls mostly, if not entirely, on Applicants who must pay the expense of reconstructing their already functional home to comply with Conservation District Rules. This will mean moving the unpermitted structure to attach it to the permitted residence and altering the locations of underground utilities. Ultimately, all three generations of the Irons family will then share one roof rather than allowing Jason, Connie and their children, as well as grandmother Connie Irons, to enjoy the privacy afforded by the prior arrangement of two separate cottages.

One alternative to reconstructing the dwelling into a SFR would be to leave the Property in its present condition with two separate residences. This would be easier on the Irons family, generate less waste, and cost less.

The alternative, in strictest conformity with conservation district rules, would be to tear down the unpermitted dwelling in which Jason, Kaulana and their children now reside and which was built on the Property by previous owners in the 1970's and improved after a fire destroyed the home in 2002. This alternative would be extremely harsh and overly punitive. The Irons family would strongly prefer to stay together in Haena and maintain their home, even at the cost of combining the two structures. The Irons family has lived on the North Shore of Kaua'i for decades and to force them to relocate would be an unjust application of the conservation district rules.

(g) Proposed Mitigation Measures: The completed dwelling will meet the standards established in Exhibit "4" to Chapter 13-5, Hawai'i Administrative Rules, "Conservation District," the intent of which standards is to ensure proper integration of dwellings within the environs.

(h) Determination: Based upon the foregoing, it is requested that a finding that the proposed action to construct a single-family dwelling shall not result in any significant adverse environmental or ecological impacts, be adopted, and that an environmental impact statement shall not be required of Applicants for the proposed action.

(i) Findings and Reasons Supporting Determination: As the foregoing description and assessment indicates, the proposed use of the Property for single-family dwelling purposes will not result in any significant adverse environmental or ecological impacts.

(1) Does not involve an irrevocable commitment to loss or destruction of any natural or cultural resources. No cultural findings or human burials have been discovered or are likely to be present. If any inadvertent discovery of burials or human remains occur during construction, Applicants will develop a burial treatment plan and submit a report on archaeological monitoring and burial documentation work to the State Historic Preservation Division for review and approval.

No rare, threatened or endangered species or habitat for such is present. In this case, the natural resources of the Property are its beauty and location in Haena. The proposed construction and use of the Property will not destroy its beauty but it will allow Applicants continued reasonable use of their Property in conformity with applicable Conservation District rules.

(2) Does not curtail the range of beneficial uses of the environment. The proposed use of the Property to support a single-family dwelling will not curtail or impinge upon the use of the environment or of public resources.

(3) Does not conflict with the State's long-term environmental policies or goals and guidelines as expressed in Chapter 344, Hawai'i Revised Statutes, as amended from time to time, court decisions, or executive orders. One of the policies set forth in Chapter 344, Hawai'i Revised Statutes, is conservation of natural resources by ensuring protection from pollution, preservation or augmentation of natural resources, safeguarding of the State's unique natural environmental characteristics to foster and promote the general welfare, creation and maintenance of conditions under which humanity and nature can exist in productive harmony, and the fulfillment of the social, economic and other requirements of the people of Hawai'i.

One of the single most recognized rights in the United States is the right to the reasonable use of private property. Whether a person owns or rents a place, that place is "home," and people understandably crave and seek the shelter and comfort that their "homes" provide. The right to reasonable use of property, especially for human occupancy, is consistent with the State's policy of meeting the needs of humanity.

So long as the improvements meet the standards for residences within the Limited Subzone of the Conservation District, the proposed use and construction will be consistent with existing uses in the area, will allow reasonable use of Applicants' Property, and can reasonably support a finding that there are no significant impacts.

The balance between “using” a private piece of property and the public interest in preservation of the beautiful places is to ensure that proper mitigation occurs. Most of the mitigation within the Limited Subzone is covered by the standards imposed by the Board of Land and Natural Resources for construction of dwellings. Mitigation, to protect other properties and people, also is in place under the construction standards for properties that are identified on the National Flood Rate Insurance Maps.

(4) Does not substantially affect the economic or social welfare of the community or State. Applicants’ continued use of their Property for their residence will not harm the economic or social welfare of the community or State.

(5) Does not substantially affect public health. Any waste generated by the proposed use of the Property will be disposed of through the improved septic system and, as before, by county solid waste pick-up services. The use and occupancy of a single-family dwelling has no negative impact on public health.

(6) Does not involve substantial secondary impacts, such as population changes, or effects on public facilities. The public facilities in the area include Kuhio Highway (a State roadway), which will not suffer substantial effects because of the consolidation of two dwelling structures for the use of Applicants and their children.

(7) Does not involve a substantial degradation of environmental quality. Because the proposed structure involves only a reconfiguration of a SFR to house the same family that already lives there, no substantial degradation of the quality of the environment is reasonably anticipated.

(8) While individually limited, will not cumulatively have considerable effect on the environment nor involve a commitment for larger actions. The proposed use is not part of a larger development of the Property. Applicants want to bring their house into compliance with Conservation District Rules and have no further plans for the Property. There will not be any cumulative impact on the environment resulting from what has been proposed.

(9) Does not substantially affect a rare, threatened, or endangered species or its habitat. The Property and surrounding parcels are located just off of Kuhio Highway. While the area is not characterized as a heavily populated area, it is sufficiently surrounded by other single-family homes and near to visitor attractions at beaches and caves. The Property does not host any rare, threatened, or endangered plants or animals that would be affected by the reconfiguration of this house.

(10) Does not detrimentally affect air or water quality or ambient noise levels. Single-family use does not ordinarily generate pollutants or impacts capable of changing air or water quality or ambient noise levels. Noise levels during construction are regulated and controlled by the Department of Health of the State of Hawai‘i, which prohibits construction activity before

and after specified hours of the day. No air pollution will be generated from the proposed use, and water quality will be maintained by the improved septic system.

(11) Does not affect nor is likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, freshwater or coastal water. The Property is located within a tsunami inundation zone. Mitigative measures intended to reduce damage from tsunamis are in place under the Flood Ordinance of the County of Kaua'i, which sets standards for construction of improvements.

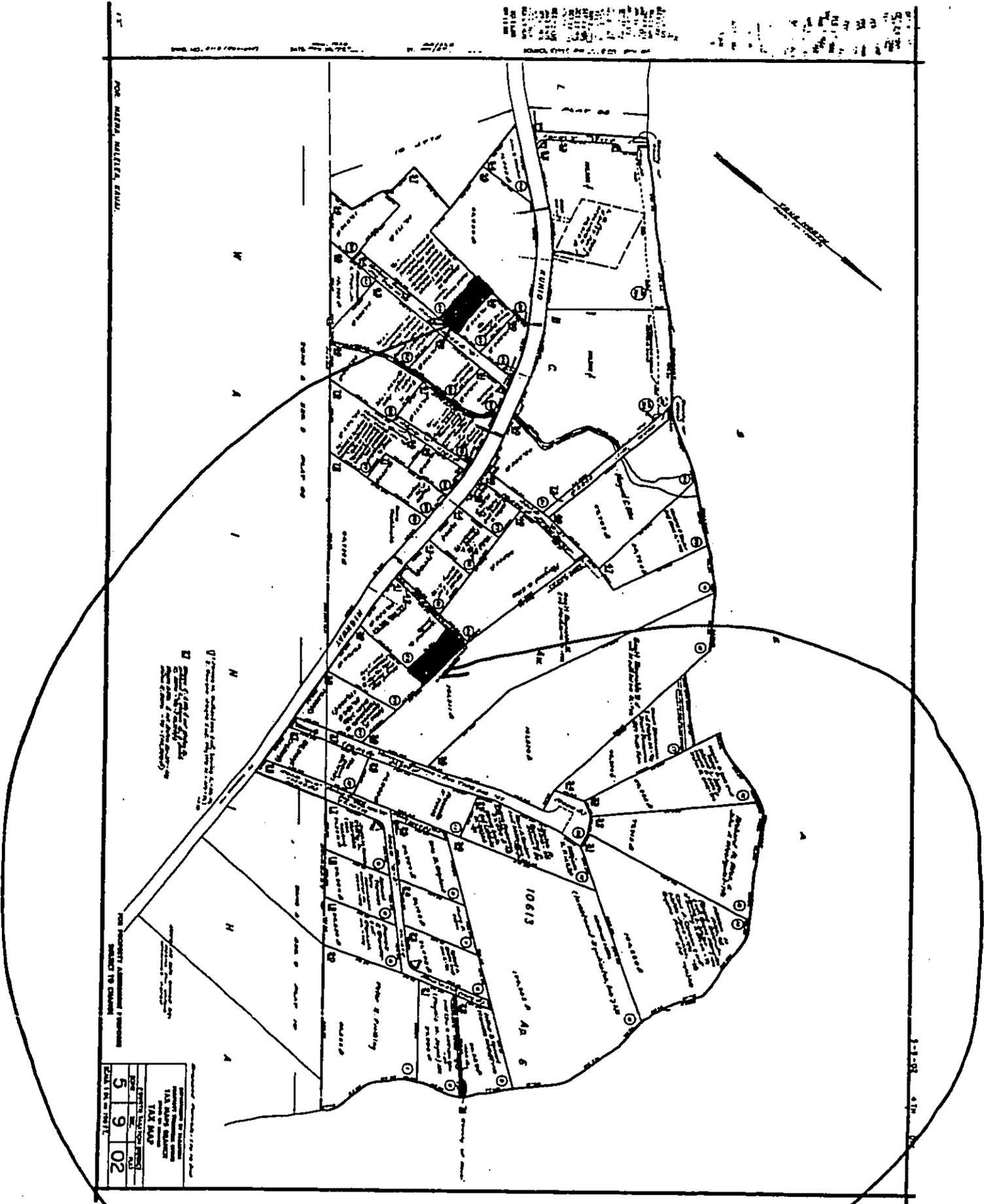
(12) Does not substantially affect scenic vistas and view planes identified in county or state plans or studies. The Property is located some distance back from the Kuhio Highway and is not visible from the Highway. There are already similar homes immediately surrounding the Property so the reconfiguration of the single-family structure in the place where two structures have already existed for over 30 years will not impact the scenic quality of the neighborhood. Given the distance of the Property from the highway, the Property will not interfere with the Kaua'i General Plan, adopted in April 2000, which designates all of the lands adjacent to Kuhio Highway as part of the "Scenic Roadway Corridors."

(13) Does not require substantial energy consumption. The single-family use of the proposed dwelling will require energy usage comparable to, and no greater than, those of other island households. If anything, the consolidation of the two structures may reduce household energy consumption.

(j) Agencies consulted: Applicants are in consultation with the Department of Land and Natural Resources and the Planning Department of the County of Kaua'i. Requirements for additional or further consultations as may be recommended by the Office of Environmental Quality Control shall be followed.

Because the proposed construction and use are consistent with the existing condition of the Property, the policy of the Board of Land and Natural Resources, and Chapter 13-5 of the Hawai'i Administrative Rules, Applicants request a negative declaration.

DOCUMENT CAPTURED AS RECEIVED



TMK: 5-9-2:40 IRONS
TMK: 5-9-2:58 OCHWAT

EXHIBIT 2

PROPOSED SINGLE FAMILY RESIDENTIAL (SFR) PROJECT

Consult HAR, Chapter 13-5, Exhibit 4 entitled "Single Family Residential Standards"

Estimated cost of development (not including cost of land) \$ _____

Maximum Height of proposed residence from base level 22'-1" feet

Building Setbacks Front 35' feet Back 15' feet

Side 15' feet Side 15' feet

If shoreline parcel or area, indicate the setback from the certified shoreline _____ feet

Total number of floors in structure, including subterranean floors, lofts, porte cochere, mezzanines and garages _____

2

Total Floor Area (include second story area, garage, decks) 3,493 sq. ft.

3,493

Total Floor Area **excluded** from the Maximum Developable Area (MDA) _____ sq. ft.
(Floor areas excluded from the MDA must be highlighted on preliminary construction plans.)

-

	Existing (sq. ft.)	New proposed (sq. ft.)	Total (sq. ft.)
TMK Area	<u>7,812</u>	N/A	<u>7,812</u>
Building(s)	<u>3,493</u>	-	<u>3,493</u>
Paved area(s)	<u>0</u>	<u>0</u>	<u>0</u>
Landscaped area(s)	<u>6,319</u>	<u>0</u>	<u>6,319</u>
Unimproved area(s)	<u>0</u>	<u>0</u>	<u>0</u>
Grand Total (should equal TMK area)			<u>9,812</u>

Is any grading proposed? _____ Yes No

If yes, complete the following

Amount of cut	Cu. yds.	Maximum height of cut slope	ft.
Amount of fill	Cu. yds.	Maximum height of fill slope	ft.
Amount of import or export soil	Cu. yds.	Location of disposal site	

Are utility extensions for the following needed to serve the project?

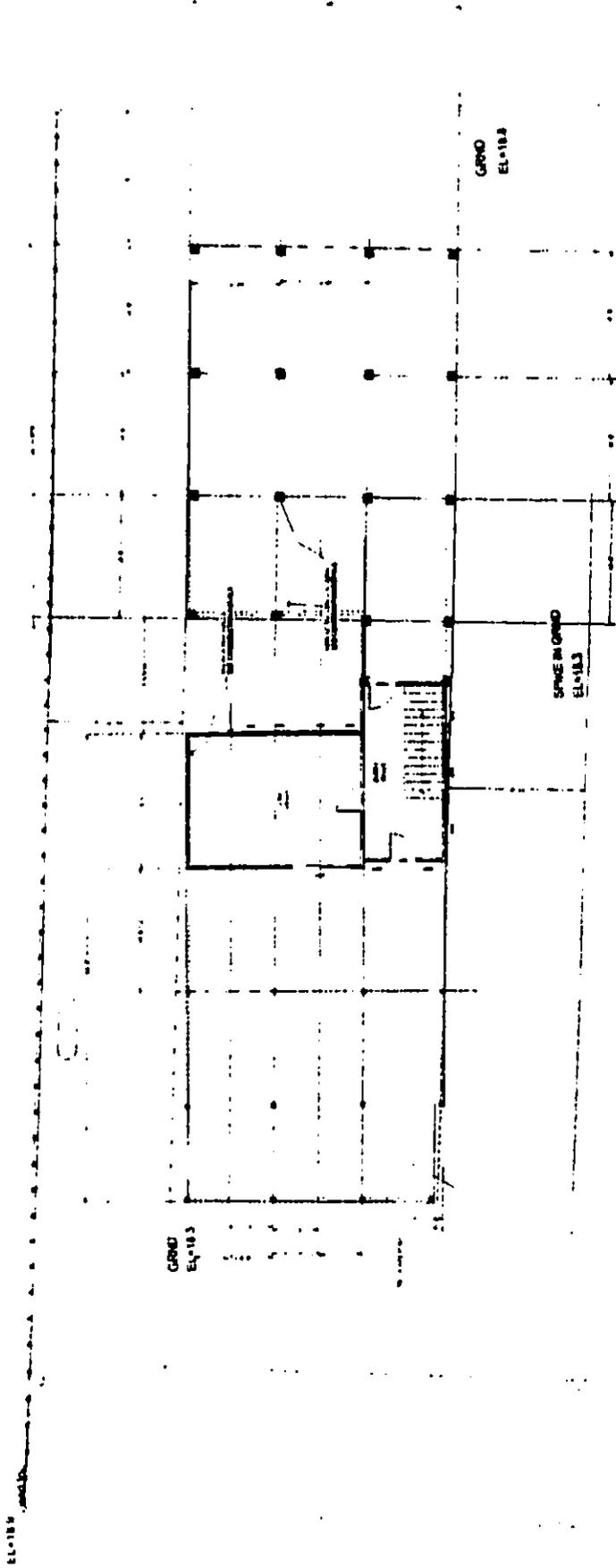
Water _____ Yes No Electric _____ Yes No

Sewer _____ Yes No Telephone _____ Yes No

Does the project include removal of trees or other vegetation? _____ Yes No
If yes, indicate the number, type and size. _____

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LOT 24; 9912 sq. ft.



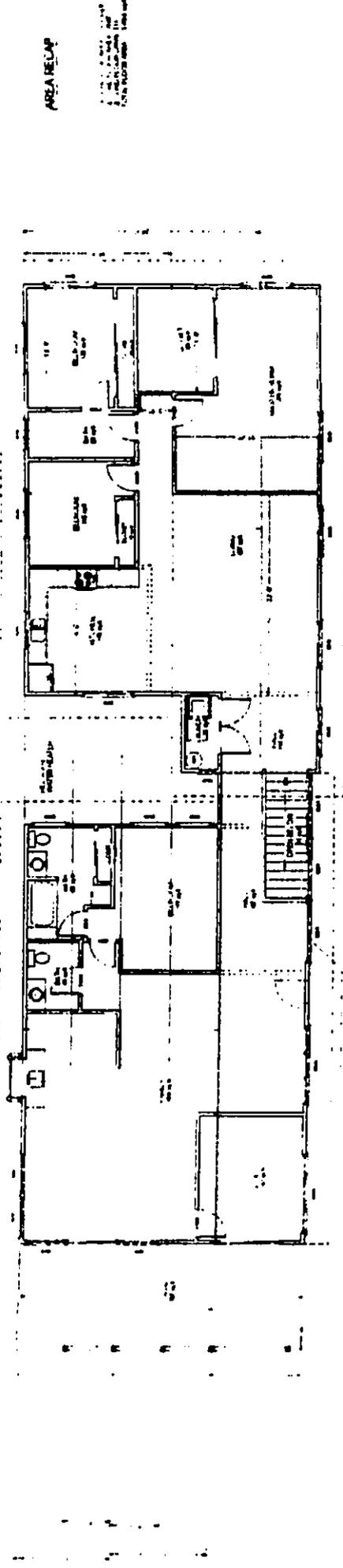
NEW SITE PLAN

SCALE 1"=20'-0"

MATTHEW SCHALLER, ARCHITECT INC.
P.O. BOX 120, HANAIEI, HAWAII 96714
808 826-4699; FAX 808 826-9697

IRONS RESIDENCE
TMK [4] 5-9-002:040

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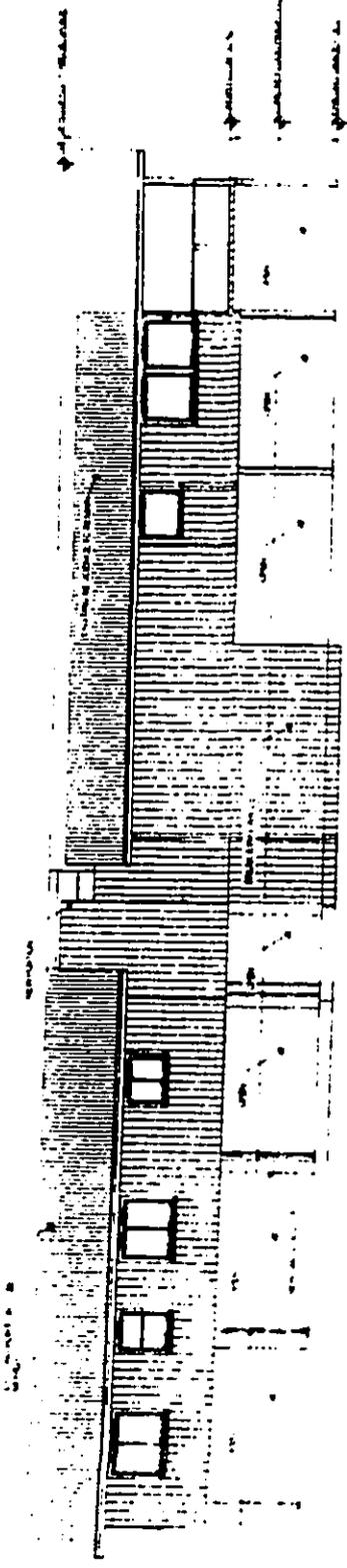


NEW FLOOR PLAN

SCALE 1/16"=1'-0"

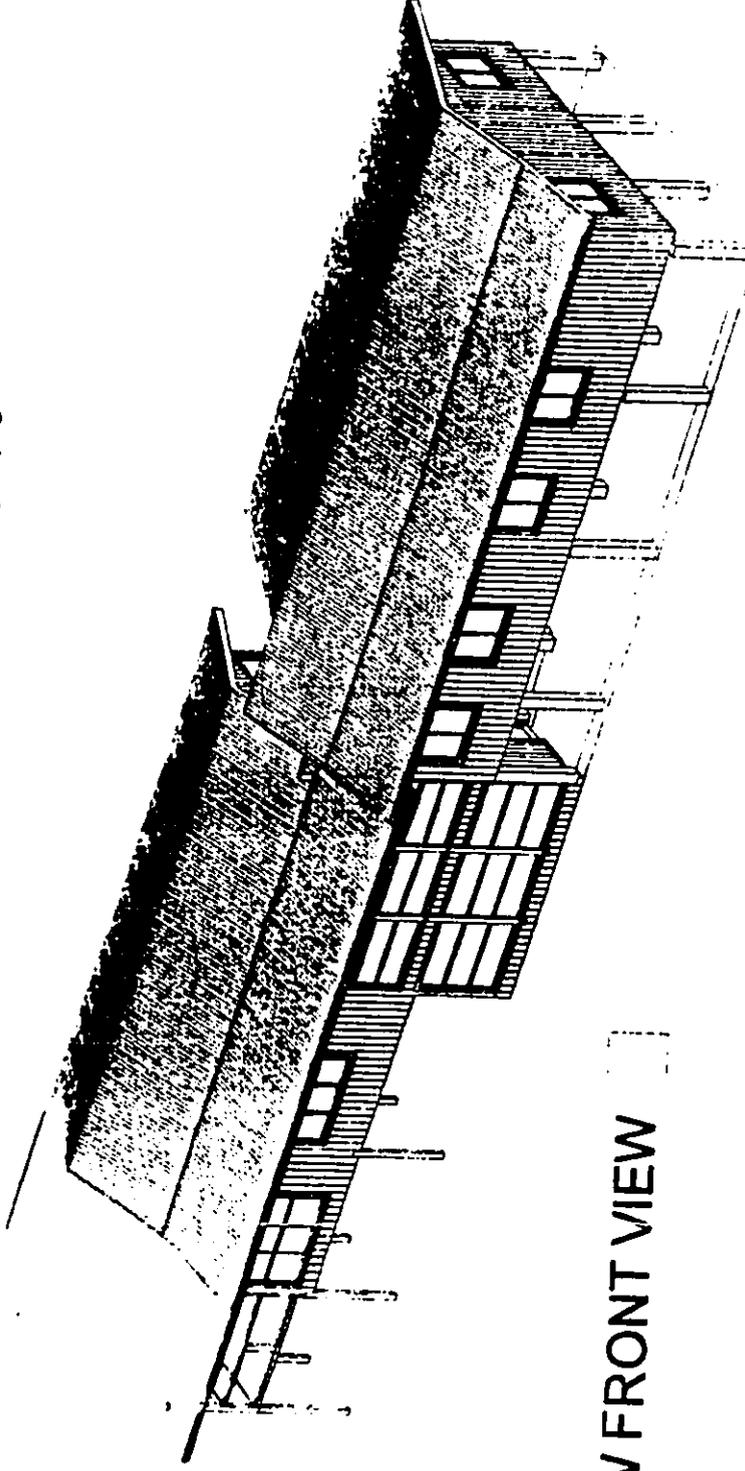
MATTHEW SCHALLER, ARCHITECT INC.
P.O. BOX 120, HANAIEI, HAWAII 96714
808 826-4699; FAX 808 826-9697

IRONS RESIDENCE
TMK [4] 5-9-002:040



NEW REAR ELEVATION

SCALE 1/16"=1'-0"



NEW FRONT VIEW

MATTHEW SCHALLER, ARCHITECT INC.
P.O. BOX 120, HANAIEI, HAWAII 96714
808 826-4699; FAX 808 826-9697

IRONS RESIDENCE
TMK [4] 5-9-002:040

KIKIAOLA CONSTRUCTION COMPANY

Builders, Historical Restoration Specialists, Electricians, Drafting Services, Property Maintenance
Site Work, Structure Moving and Lifting, Heavy Equipment Services
Contractor's License Number BC-20520

PROPOSAL and ACCEPTANCE

September 14, 2004

Proposal # 4110

OWNER / PURCHASER

Job Name: Irons Haena Relocation	Name: Jason Irons
Job Address: 7608 Kuhio Highway Haena	Address: P.O. Box 831 Hanalei, HI 96714
TMK: 5-9-02:40	Phone: 635-3934 Email: mkaulana@yahoo.com
Job Contact: Connie Irons	Architect:

Kikiaola Construction Company, Limited is pleased to submit this proposal to furnish labor, equipment and materials to complete in a good workmanlike and substantial manner the work described below:

A. Job:

Relocate existing house on said lot. Move house from existing location approximately 20 feet to a new foundation. We are only doing the layout for the new foundation and the relocating of house. Owner is responsible for any and all foundation work necessary for the move. Owner is responsible for the unsecuring of the house from its present foundation and the reconnecting of the house to the new foundation. Owner is responsible for the disconnecting of all existing utilities, water, septic and the reconnection. Owner is also responsible to remove any decks and stairs prior to the move.

All work to be completed in a substantial workmanlike manner according to specifications submitted, or per standard practice. Any alteration or deviation from the above specifications shall be done in writing and upon execution of a written change order, and may become an extra charge over and above the proposed fee.

Contractor warrants that it has used its best efforts to discover any hidden conditions in preparing this proposal. However, any hidden conditions not reasonably discovered in preparation of this proposal which will in anyway interfere with the safe and satisfactory completion of the work will be corrected at additional expense to the Owner. Contractor will submit a Change Order documenting the reasonable costs of repairing such hidden defects prior to continuing work.

C:\Documents and Settings\jwatt\My Documents\Temporary Internet Files\KIKIA\Proposal-Irons 4110.doc

P.O. Box 849 • 9250 Kaunualii Highway • Waimea, Kauai Hawaii 96796
Telephone 808 338-0021 Fax 808 338-1427

EXHIBIT 4

Irons Haena RelocationCrichton
Job 4110
September 14, 2004

B. Conditions

1. See Scope of Work for additional conditions and information.
2. General excise tax included.
3. Owner is responsible for all permits required.
4. OPTION: Owner may deduct up to \$560.00 if owners transport beams from Hanalei Bridge to Haena, and back. Actual amount to be determined after beams are moved.

C. Fee and Payment Schedule

We propose to furnish the services described herein for the sum of Twenty Thousand One Hundred Twelve Dollars and Ninety Nine Cents (\$20,112.99). This amount to be paid as follows:

- | | |
|--|------------|
| 10% Upon Acceptance of this proposal | \$2,011.30 |
| 50% To begin job | |
| 30% After house is moved into place prior to setting house down on foundation | |
| 10% After setting house on foundation, the removal of the moving equipment and the job is complete | |

If payments are not made according to these terms, a service charge of 1-1/2 percent per month (18% annually) will be charged.

Final Payment constituting the entire unpaid balance of the Contract Sum, shall be made by Owner to the Contractor when:

1. the Contractor has fully performed the Contract to move the house.

D. Job Duration

Job to begin within 30 days of proposal acceptance

Job duration approximately seven working days

Time is of the essence in this agreement, however, the contract duration shall be extended due to uncontrollable circumstances, such as strikes, reasonable delays in material availability, weather, accidents caused by others, changes in Job specifications and / or scope, changes or conditions imposed by utility companies or governmental agencies, or hidden defects.

E. Job Completion

Job shall be considered complete upon approval by permitting agency, or in cases where a permit is not required or obtained, upon approval by Owner/Purchaser, provided that such approval shall not be unreasonably withheld. Substantial performance of Job in a workmanlike manner shall be considered sufficient grounds for Contractor to require payment by Purchaser.

Irons Haena Relocation Crichton
Job 4110
September 14, 2004

F. Independent Contractor

Kikiaola Construction Company, Ltd is a Hawaii corporation licensed to do business as a General and Electrical Contractor.

G. Insurance

Owner shall carry property damage and general liability insurance for the premises as it deems reasonable and necessary.

Contractor shall provide workers compensation, vehicle, and general liability insurance for its employees, vehicles and services, and as it may apply, for damages incurred by Contractor's employees. Contractor shall provide Owner with certificates of insurance.

H. Arbitration

If any dispute arises under the terms of this agreement, the parties agree to select a mutually agreeable neutral third party to help them mediate it. If the mediation is deemed unsuccessful, the parties agree that the dispute shall be directly submitted to binding arbitration under the rules issued by the American Arbitration Association. The decision of the arbitrator shall be final.

Any costs and fees (other than respective attorney's fees) associated with mediation and arbitration shall be shared by the parties. Each party shall pay their own attorney's fees associated with arbitration or litigation.

I. Provisions

Any provision in this agreement found to be invalid shall have no effect on the validity of the remaining provisions.

All agreements between the parties related to Job are incorporated in this proposal. Any modification to the proposal or agreement thereto, shall be in writing and agreed upon, evidenced by each party's signature thereon affixed.

This proposal is respectfully submitted by Kikiaola Construction Company, Ltd. and is withdrawn if not accepted within Thirty (30) days.

CONTRACTOR,
Kikiaola Construction Company, Ltd.

Michael A. Faye, President

Date

Acceptance of Proposal:

The above scope, specifications, schedule, terms and conditions are satisfactory and are hereby accepted. You are authorized to proceed with the Job. I agree to pay for all the services according to the contract terms.

OWNER / PURCHASER

By

Date

Its:

Scope of Work
Job #4110

Irons

September 14, 2004

Summary

Move existing house approximately 15 feet back and 5 feet over.

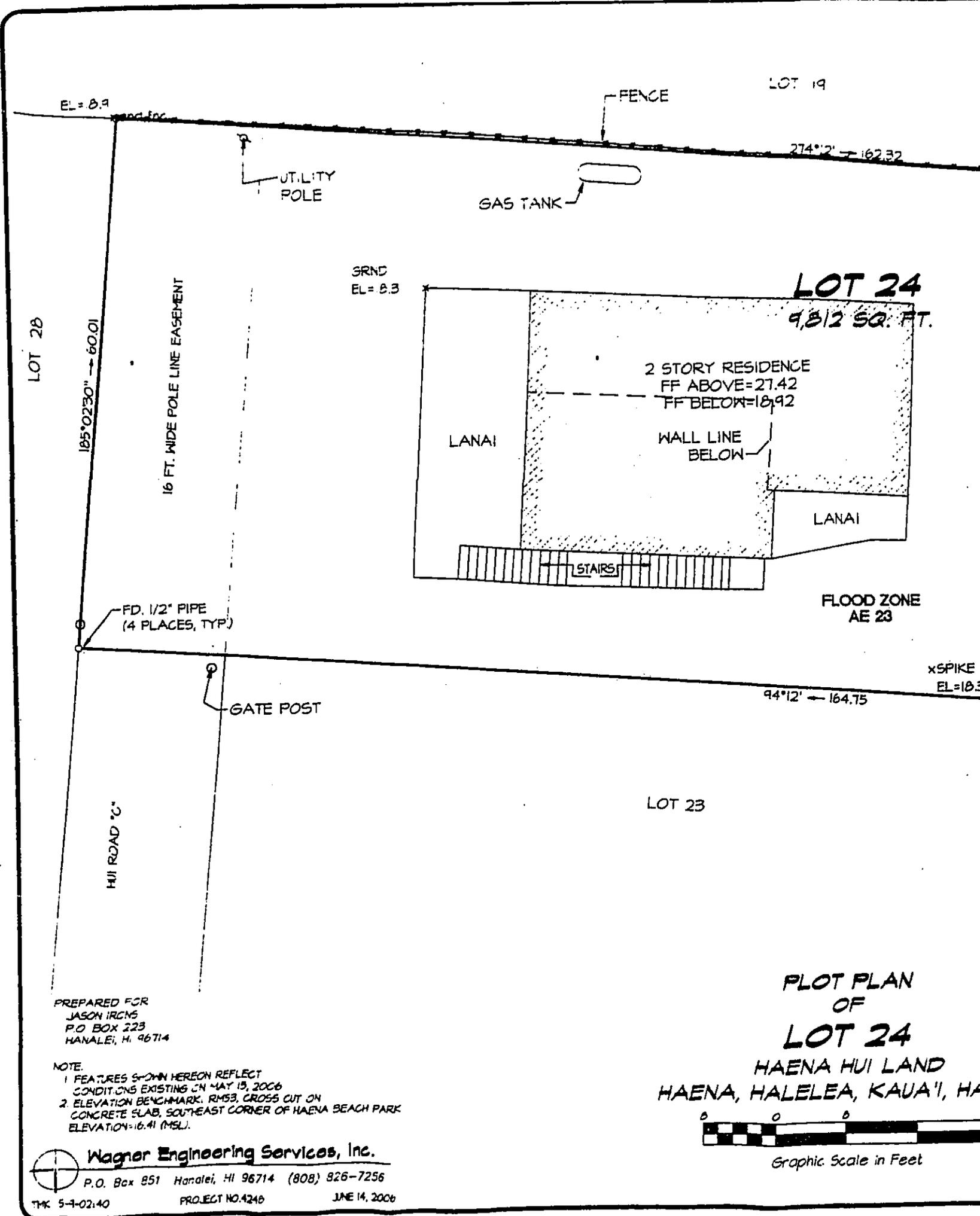
Details

Phase	Description of Work	Budge
100	Phase Description 1. Layout for the new location of the foundation. 2. Move the existing house from the existing foundation to the new foundation, approximately 20 feet.	
1330	Layout 1. Layout new location for building. Owner to confirm corners, building orientation and height. 2. Height of the building after the move should be the same as it is before the move.	\$386.10
2000	Site Work 1. By owner	\$0.00
2005	Mobilize / De-Mobilize Equipment 1. Haul Moving Equipment to Site 2. Remove from site when pau	\$10,140.36
2100	Move Structure 1. Move existing house from its present location to the new foundation approximately 20 feet.	\$8,062.53
2210	Clear and Grub: 1. By Owner	\$0.00
2280	Termite Control 1. By owner	\$0.00
2700	Septic System By Owner	\$0.00

Irons
Job No. 4110

Structure Move
September 14, 2004

3315	Concrete Footings Poured in Place 1. By owner	\$0.00
4200	CMU Columns 1. New foundation by owner	\$0.00
5000	Metals and Fasteners 1. Nails 2. Construction Hardware 3. All materials to secure house to the new foundation are to be supplied and installed by the owner.	\$0.00
6116	Decks and Railings 1. Decks and railing to be removed by owner before the move and replaced by owner after the move.	\$0.00
6118	Stair Framing 1. Removed by owner and replaced by owner	\$0.00
9900	Painting 1. Any necessary painting needed after the move will be the owners responsibly	\$0.00
15415	Plumbing 1. Disconnect and reconnect by owner	\$0.00
16000	Electrical 1. Disconnect and reconnect by owner	\$0.00
9000	Job Overhead 1. Supervision	\$720.72
9100	General Excise Tax	\$803.28
	Total	\$20,112.99

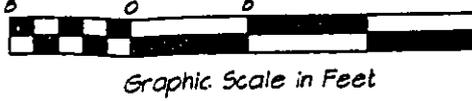


PREPARED FOR
 JASON IRCNS
 P.O. BOX 223
 HANALEI, HI 96714

NOTE:
 1. FEATURES SHOWN HEREON REFLECT
 CONDITIONS EXISTING ON MAY 13, 2006
 2. ELEVATION BENCHMARK: RM53, CROSS CUT ON
 CONCRETE SLAB, SOUTHEAST CORNER OF HAENA BEACH PARK
 ELEVATION=16.41 (MSL).

Wagner Engineering Services, Inc.
 P.O. Box 851 Hanalei, HI 96714 (808) 826-7256
 TMK 5-4-02:40 PROJECT NO. 4246 JUNE 14, 2006

**PLOT PLAN
 OF
 LOT 24
 HAENA HUI LAND
 HAENA, HALELEA, KAUA'I, HA**



19

74°2' → 162.32

LOT 24
812 SQ. FT.

E



FLOOD ZONE
AE 23

STAIRS

1 STORY RESIDENCE
FF=22.51

LANAI

GRND
EL=16.8

xSPIKE IN GRND
EL=18.3

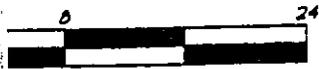
→ 164.75

TRUE NORTH
Scale: 1/8 INCH = 1 FOOT

02°45' ← 60.02

LOT 22

LOT PLAN
OF
LOT 24
IA HUI LAND
LEA, KAUA'I, HAWAII



Graphic Scale in Feet



THIS MAP WAS PREPARED BY ME OR
UNDER MY SUPERVISION

Ronald J. Wagner
RONALD J. WAGNER
Licensed Professional Land Surveyor
Certificate No. 5074 EX. 4/30/08

EXHIBIT

Dwelling #1
2-Story

FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

O.M.B. No. 3067-0077
Expires December 31, 2005

ELEVATION CERTIFICATE

Important: Read the instructions on pages 1 - 7.

Project No: 4248

SECTION A - PROPERTY OWNER INFORMATION			For Insurance Company Use:
BUILDING OWNER'S NAME 05-7608-A KUHIO HIGHWAY LLC		Policy Number	
BUILDING STREET ADDRESS (Including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO. 5-7608 A KUHIO HIGHWAY		Company NAIC Number	
CITY HAENA, HANAIEI	STATE HI	ZIP CODE 96714	
PROPERTY DESCRIPTION (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOT 24, TMK: (4) 5-9-02:40			
BUILDING USE (e.g., Residential, Non-residential, Addition, Accessory, etc. Use a Comments area, if necessary.) RESIDENTIAL			
LATITUDE/LONGITUDE (OPTIONAL) (##° - ##' - ##.###" or ##.#####")		HORIZONTAL DATUM: SOURCE: <input type="checkbox"/> GPS (Type): _____ <input type="checkbox"/> NAD 1927 <input type="checkbox"/> NAD 1983 <input type="checkbox"/> USGS Quad Map <input type="checkbox"/> Other: _____	

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

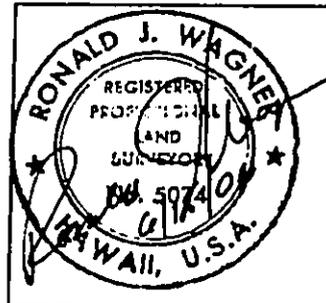
B1. NFIP COMMUNITY NAME & COMMUNITY NUMBER HAENA 150002		B2. COUNTY NAME KAUAI	B3. STATE HAWAII
B4. MAP AND PANEL NUMBER 0035	B5. SUFFIX E	B6. FIRM INDEX DATE 09/18/05	B7. FIRM PANEL EFFECTIVE/REVISED DATE 09/18/05
B8. FLOOD ZONE(S) AE		B9. BASE FLOOD ELEVATION(S) (Zone AO, use depth of flooding) 23	

- B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in B9.
 FIS Profile FIRM Community Determined Other (Describe): _____
 B11. Indicate the elevation datum used for the BFE in B9: NGVD 1929 NAVD 1988 Other (Describe): _____
 B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? Yes No Designation Data

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

- C1. Building elevations are based on: Construction Drawings* Building Under Construction* Finished Construction
 *A new Elevation Certificate will be required when construction of the building is complete.
 C2. Building Diagram Number 0 (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)
 C3. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO
 Complete items C3-a-i below according to the building diagram specified in item C2. State the datum used. If the datum is different from the datum used for the BFE in Section B, convert the datum to that used for the BFE. Show field measurements and datum conversion calculation. Use the space provided or the Comments area of Section D or Section G, as appropriate, to document the datum conversion.
 Datum _____ Conversion/Comments _____
 Elevation reference mark used RM 53 Does the elevation reference mark used appear on the FIRM? Yes No
 a) Top of bottom floor (including basement or enclosure) 18.9 ft.(m)
 b) Top of next higher floor 27.4 ft.(m)
 c) Bottom of lowest horizontal structural member (V zones only) N/A. ft.(m)
 d) Attached garage (top of slab) N/A. ft.(m)
 e) Lowest elevation of machinery and/or equipment servicing the building (Describe in a Comments area) 18.9 ft.(m)
 f) Lowest adjacent (finished) grade (LAG) 18.3 ft.(m)
 g) Highest adjacent (finished) grade (HAG) 18.3 ft.(m)
 h) No. of permanent openings (flood vents) within 1 ft. above adjacent grade 0
 i) Total area of all permanent openings (flood vents) in C3.h 0 sq. in. (sq. cm)

License Number, Embossed Seal, Signature, and Date



SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information.
 I certify that the information in Sections A, B, and C on this certificate represents my best efforts to interpret the data available.
 I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME	RONALD J. WAGNER	LICENSE NUMBER	# 5074
TITLE	PRESIDENT	COMPANY NAME	WAGNER ENGINEERING SERVICES, INC.
ADDRESS	P.O. BOX 851	CITY	HANAIEI, KAUAI
		STATE	HI
		ZIP CODE	96714
SIGNATURE	<i>Ronald J. Wagner</i>	DATE	6/15/06
		TELEPHONE	(808) 826-7256 EXT. 111

IMPORTANT: In these spaces, copy the corresponding information from Section A.			For Insurance Company Use:	
BUILDING STREET ADDRESS (including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO.			Policy Number	
CITY	STATE	ZIP CODE	Company NAIC Number	

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

COMMENTS
WASHER, DRYER IN LOWER ENCLOSURE

Check here if attachments

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zone AO and Zone A (without BFE), complete items E1 through E4. If the Elevation Certificate is intended for use as supporting information for a LOMA or LOMR-F, Section C must be completed.

- E1. Building Diagram Number __ (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)
- E2. The top of the bottom floor (including basement or enclosure) of the building is __ ft.(m) __ in.(cm) above or below (check one) the highest adjacent grade. (Use natural grade, if available).
- E3. For Building Diagrams 6-8 with openings (see page 7), the next higher floor or elevated floor (elevation b) of the building is __ ft.(m) __ in.(cm) above the highest adjacent grade. Complete items C3.h and C3.i on front of form.
- E4. The top of the platform of machinery and/or equipment servicing the building is __ ft.(m) __ in.(cm) above or below (check one) the highest adjacent grade. (Use natural grade, if available).
- E5. For Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?
 Yes No Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, C (Items C3.h and C3.i only), and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. *The statements in Sections A, B, C, and E are correct to the best of my knowledge.*

PROPERTY OWNER'S OR OWNER'S AUTHORIZED REPRESENTATIVE'S NAME _____

ADDRESS	CITY	STATE	ZIP CODE
SIGNATURE	DATE	TELEPHONE	
COMMENTS			

Check here if attachments

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below.

- G1. The information in Section C was taken from other documentation that has been signed and embossed by a licensed surveyor, engineer, or architect who is authorized by state or local law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. The following information (Items G4-G9) is provided for community floodplain management purposes.

G4. PERMIT NUMBER	G5. DATE PERMIT ISSUED	G6. DATE CERTIFICATE OF COMPLIANCE/OCCUPANCY ISSUED
-------------------	------------------------	---

G7. This permit has been issued for: New Construction Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building is: _____ ft.(m) Datum: _____

G9. BFE or (in Zone AO) depth of flooding at the building site is: _____ ft.(m) Datum: _____

LOCAL OFFICIAL'S NAME	TITLE
COMMUNITY NAME	TELEPHONE
SIGNATURE	DATE
COMMENTS	

Check here if attachments

Dwelling #2
1-Story

FEDERAL EMERGENCY MANAGEMENT AGENCY
NATIONAL FLOOD INSURANCE PROGRAM

O.M.B. No. 3067-0077
Expires December 31, 2005

ELEVATION CERTIFICATE

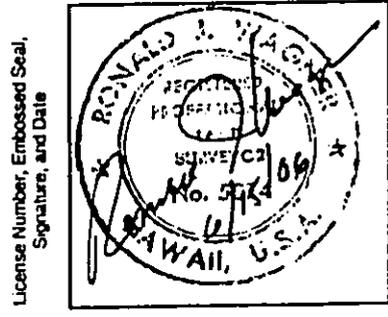
Project No: 4248

Important: Read the instructions on pages 1-7.

SECTION A - PROPERTY OWNER INFORMATION			For Insurance Company Use:	
BUILDING OWNER'S NAME 05-7608-A KUHIO HIGHWAY LLC			Policy Number	
BUILDING STREET ADDRESS (Including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO. 5-7608 A KUHIO HIGHWAY			Company NAIC Number	
CITY HAENA, HANAIEI	STATE HI	ZIP CODE 96714		
PROPERTY DESCRIPTION (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) LOT 24, TMK: (4) 5-8-02:40				
BUILDING USE (e.g., Residential, Non-residential, Addition, Accessory, etc. Use a Comments area, if necessary.) RESIDENTIAL				
LATITUDE/LONGITUDE (OPTIONAL) (##°-##'-##.###" or ##.####")		HORIZONTAL DATUM: <input type="checkbox"/> NAD 1927 <input type="checkbox"/> NAD 1983	SOURCE: <input type="checkbox"/> GPS (Type): _____ <input type="checkbox"/> USGS Quad Map <input type="checkbox"/> Other: _____	

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP COMMUNITY NAME & COMMUNITY NUMBER HAENA 15002		B2. COUNTY NAME KAUAI		B3. STATE HAWAII	
B4. MAP AND PANEL NUMBER 0035	B5. SUFFIX E	B6. FIRM INDEX DATE 09/18/05	B7. FIRM PANEL EFFECTIVE/REVISED DATE 09/18/05	B8. FLOOD ZONE(S) AE	B9. BASE FLOOD ELEVATION(S) (Zone AO, use depth of flooding) 23
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in B9. <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other (Describe): _____					
B11. Indicate the elevation datum used for the BFE in B9: <input checked="" type="checkbox"/> NGVD 1929 <input type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other (Describe): _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date _____					

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)	
C1. Building elevations are based on: <input type="checkbox"/> Construction Drawings* <input type="checkbox"/> Building Under Construction* <input checked="" type="checkbox"/> Finished Construction *A new Elevation Certificate will be required when construction of the building is complete.	
C2. Building Diagram Number 5 (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)	
C3. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO Complete items C3.-a-i below according to the building diagram specified in item C2. State the datum used. If the datum is different from the datum used for the BFE in Section B, convert the datum to that used for the BFE. Show field measurements and datum conversion calculation. Use the space provided or the Comments area of Section D or Section G, as appropriate, to document the datum conversion. Datum _____ Conversion/Comments _____	
Elevation reference mark used RM 53 Does the elevation reference mark used appear on the FIRM? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> a) Top of bottom floor (including basement or enclosure)	22.5 ft.(m)
<input type="checkbox"/> b) Top of next higher floor	N/A. ft.(m)
<input type="checkbox"/> c) Bottom of lowest horizontal structural member (V zones only)	N/A. ft.(m)
<input type="checkbox"/> d) Attached garage (top of slab)	N/A. ft.(m)
<input type="checkbox"/> e) Lowest elevation of machinery and/or equipment servicing the building (Describe in a Comments area)	N/A. ft.(m)
<input type="checkbox"/> f) Lowest adjacent (finished) grade (LAG)	15.8 ft.(m)
<input type="checkbox"/> g) Highest adjacent (finished) grade (HAG)	18.6 ft.(m)
<input type="checkbox"/> h) No. of permanent openings (flood vents) within 1 ft. above adjacent grade	N/A
<input type="checkbox"/> i) Total area of all permanent openings (flood vents) in C3.h	N/A sq. in. (sq. cm)



SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION				
This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information in Sections A, B, and C on this certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.				
CERTIFIER'S NAME	RONALD J. WAGNER	LICENSE NUMBER	# 5074	
TITLE	PRESIDENT	COMPANY NAME	WAGNER ENGINEERING SERVICES, INC.	
ADDRESS	P.O. BOX 851	CITY	STATE	ZIP CODE
		HANAIEI, KAUAI	HI	96714
SIGNATURE	<i>Ronald J. Wagner</i>	DATE	TELEPHONE	
		6/15/06	(808) 826-7256	EXT. 111

IMPORTANT: In these spaces, copy the corresponding information from Section A.			For Insurance Company Use:
BUILDING STREET ADDRESS (including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO.			Policy Number
CITY	STATE	ZIP CODE	Company NAIC Number

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner.

COMMENTS

Check here if attachments

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zone AO and Zone A (without BFE), complete items E1 through E4. If the Elevation Certificate is intended for use as supporting information for a LOMA or LOMR-F, Section C must be completed.

- E1. Building Diagram Number __ (Select the building diagram most similar to the building for which this certificate is being completed – see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)
- E2. The top of the bottom floor (including basement or enclosure) of the building is __ ft.(m) __ in.(cm) above or below (check one) the highest adjacent grade. (Use natural grade, if available).
- E3. For Building Diagrams 6-8 with openings (see page 7), the next higher floor or elevated floor (elevation b) of the building is __ ft.(m) __ in.(cm) above the highest adjacent grade. Complete items C3.h and C3.i on front of form.
- E4. The top of the platform of machinery and/or equipment servicing the building is __ ft.(m) __ in.(cm) above or below (check one) the highest adjacent grade. (Use natural grade, if available).
- E5. For Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?
 Yes No Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, C (Items C3.h and C3.i only), and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. *The statements in Sections A, B, C, and E are correct to the best of my knowledge.*

PROPERTY OWNER'S OR OWNER'S AUTHORIZED REPRESENTATIVE'S NAME

ADDRESS	CITY	STATE	ZIP CODE
SIGNATURE	DATE	TELEPHONE	
COMMENTS			

Check here if attachments

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below.

- G1. The information in Section C was taken from other documentation that has been signed and embossed by a licensed surveyor, engineer, or architect who is authorized by state or local law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. The following information (Items G4-G9) is provided for community floodplain management purposes.

G4. PERMIT NUMBER	G5. DATE PERMIT ISSUED	G6. DATE CERTIFICATE OF COMPLIANCE/OCCUPANCY ISSUED
-------------------	------------------------	---

G7. This permit has been issued for: New Construction Substantial Improvement

G8. Elevation of as-built lowest floor (including basement) of the building is:

_____. ____ft.(m) Datum: _____
 _____ft.(m) Datum: _____

G9. BFE or (in Zone AO) depth of flooding at the building site is:

LOCAL OFFICIAL'S NAME	TITLE
COMMUNITY NAME	TELEPHONE
SIGNATURE	DATE
COMMENTS	

Check here if attachments

Operation and Maintenance

Instructions for Septic Tank

1. Septic tank shall be inspected on a regular basis by opening the access cover and checking the sludge or scum near the outlet pipe.
2. The septic tank shall be cleaned out either with suction of the floating drum pump or with three (3) inches of the bottom of the outlet pipe or by sludge boxes within six (6) inches of the bottom of the outlet pipe.
3. Cleaning the septic tank will consist of pumping of the contents into a tank truck and hauling to a State Health Department approved point of disposal. The sludge shall be washed or incinerated after pumping. At least 2 inch depth of residual sludge shall be left in tank for seeding purposes.
4. A septic tank should not be entered by anyone unless proper safety procedures are followed. There is a potential hazard of explosion of gases and asphyxiation of persons. Precautions are not listed.
5. Chemicals or disinfectants do not improve the operation of septic tanks and are not recommended. Ordinary chemicals used in the household in small quantities will not adversely affect the operation of the septic tank.
6. Paper towels, newspaper, wrapping paper, rags and sticks should not be flushed down the septic tank. They will not decompose and will lead to clogging of the pipes.
7. Improper operation and maintenance of the septic tank will lead to early failure of the disposal system by clogging the piping and adjacent soil. This will result in septic tank overflows and disposal system flooding. Complete replacement of the disposal system may be then required.
8. Garbage disposals should not be installed in house nor should chemical agents be used to help with biological activities. If garbage disposal is installed then septic tank will require more frequent pumping to remove solids.

Installation Instructions for Septic Tank

1. Excavate to proper depth and one foot over the bottom tank can be placed. Do not excavate around the tank.
2. Tanks can be installed using existing materials except the bottom. Backfill material should be compacted around tank. Backfill should be done as follows: For tank with two feet of water in both chambers of tank place backfill around tank in eight inch layers compacting each layer. You need one and one half feet of material compacted around tank. You can use a 12 inch plate, tamping each layer. For tank with another two feet of water (totaling four feet of water in tank) then add four more eight inch lifts around tank compacting every eight inch lift. Totaling three feet of backfill material around tank. Add more water until water level is equal to that of the flow line on the bottom of the outlet pipe in second chamber of tank. Add rest of backfill around tank inlet and outlet pipes while backfilling. When covering top of tank and around risers, place twelve inches of backfill material over top of tank then compact. Continue backfilling in eight inch increments and compact until reaching ground. Water can be left in tanks to allow for a rapid build up of bacteria colonies, which will allow for immediate competition between the bacteria established in the water or, at the request of the engineer, tank can be pumped out by contractor.
3. If materials that were excavated are sandy then the material mixed with soil should be used to backfill material on sides of tank. Do not use material that will be placed against tank walls.
4. If tank is to be installed in high ground water the tank should first be water coated with an approved waterproof coating on the exterior of the tank. When excavating for tank in high ground water you should over excavate the bottom of the hole by a minimum of 4" so that pea gravel can be placed on the bottom of hole so that the tank can be installed level. When the tank is being covered into the hole, water from the hole can be pumped into the tank to help settle the tank to the bottom. Once the tank is set level, it can be backfilled as described above using pea gravel or sand so proper compaction can be achieved. After the tank has been backfilled the water inside the tank can be pumped out leaving approximately 6" in bottom, this will leave any sediment on the bottom of the tank that might have entered the tank during the installation of the tank. Pumping sediment or debris into any storm drain receptacles is prohibited, only clean water is acceptable.

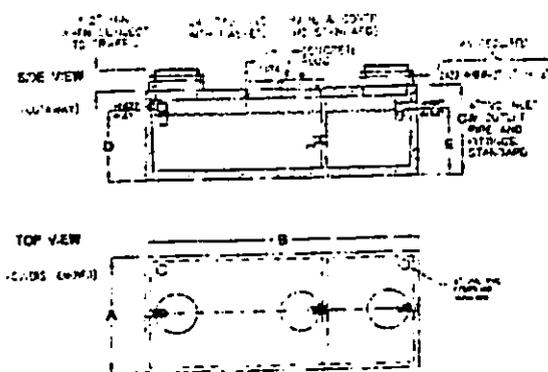
Installation

1. Install...
2. Do not...
3. Do not...

GENERAL NOTES

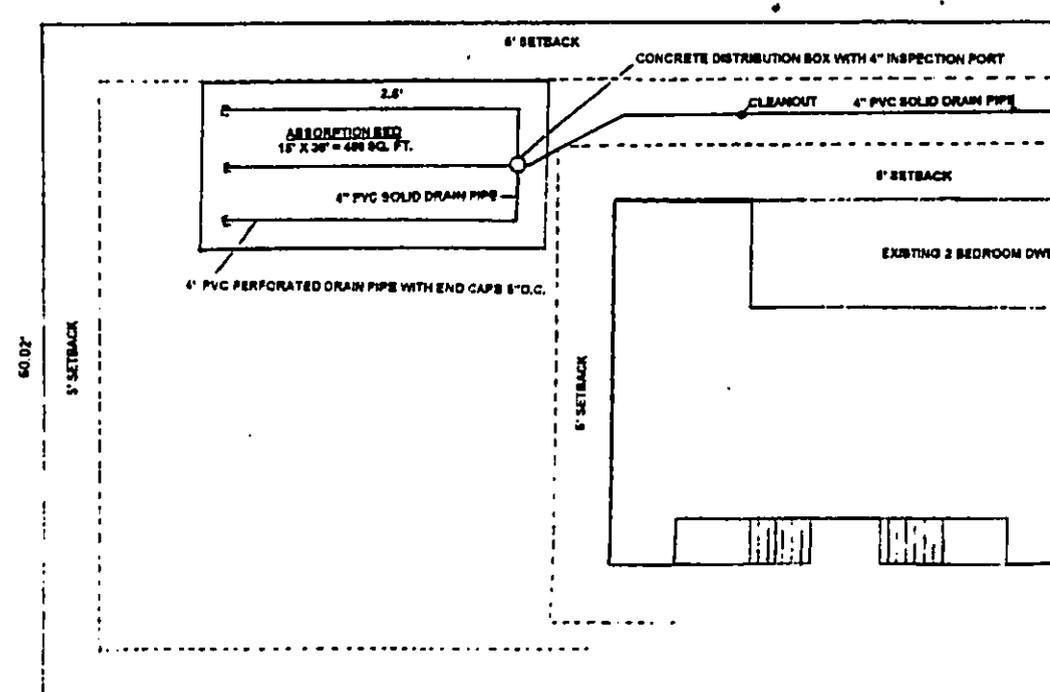
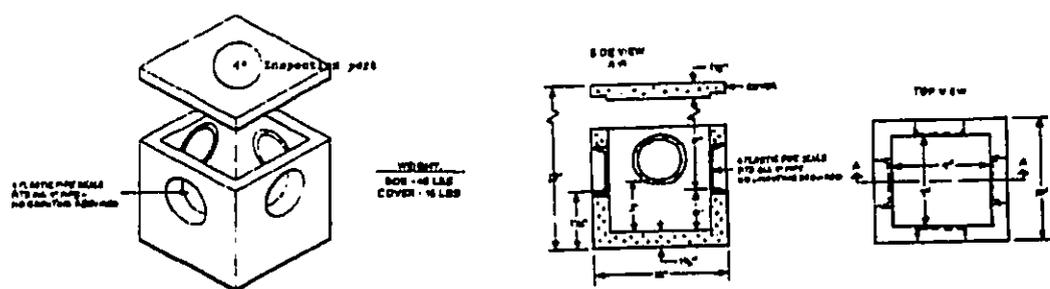
1. All Department...
2. The provider...
3. Grease washed...
4. Eng contractor...
5. All...
6. No...
7. If the approval...
8. If approved...

HJ1000-HJ1500 GALLON SEPTIC TANKS-HAWAII



NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	SEPTIC TANK	1	EA	1000.00	1000.00
2	INSPECTION PORT	1	EA	50.00	50.00
3	4" PVC SOLID DRAIN PIPE	10	LF	10.00	100.00
4	4" PVC PERFORATED DRAIN PIPE	10	LF	10.00	100.00
5	CONCRETE DISTRIBUTION BOX	1	EA	100.00	100.00
6	4" PVC SOLID DRAIN PIPE	10	LF	10.00	100.00
7	4" PVC PERFORATED DRAIN PIPE	10	LF	10.00	100.00
8	CONCRETE DISTRIBUTION BOX	1	EA	100.00	100.00
9	4" PVC SOLID DRAIN PIPE	10	LF	10.00	100.00
10	4" PVC PERFORATED DRAIN PIPE	10	LF	10.00	100.00
11	CONCRETE DISTRIBUTION BOX	1	EA	100.00	100.00
12	4" PVC SOLID DRAIN PIPE	10	LF	10.00	100.00
13	4" PVC PERFORATED DRAIN PIPE	10	LF	10.00	100.00
14	CONCRETE DISTRIBUTION BOX	1	EA	100.00	100.00
15	4" PVC SOLID DRAIN PIPE	10	LF	10.00	100.00
16	4" PVC PERFORATED DRAIN PIPE	10	LF	10.00	100.00
17	CONCRETE DISTRIBUTION BOX	1	EA	100.00	100.00
18	4" PVC SOLID DRAIN PIPE	10	LF	10.00	100.00
19	4" PVC PERFORATED DRAIN PIPE	10	LF	10.00	100.00
20	CONCRETE DISTRIBUTION BOX	1	EA	100.00	100.00

RESIDENTIAL DISTRIBUTION BOX
MODEL 301



PLOT PLAN & PROPOSED SCALE

Septic Tank

Septic tank shall be installed in accordance with the following requirements, except where the bottom of the tank is excavated by 4 inches below the existing ground level. The tank shall be installed on a compacted subgrade.

Backfill should be placed in the chambers of the tank and backfill should be placed in the trench around the tank. The backfill should be placed in the trench around the tank to a depth of three feet above the top of the tank. The backfill should be placed in the trench around the tank to a depth of three feet above the top of the tank.

The tank should first be water tested. When excavating the bottom of the tank, the contractor shall excavate to the bottom of the tank and backfill with sand to the bottom of the tank. Once the sand is backfilled, the water inside the tank should be tested.

Installation Instruction for Individual Wastewater System

1. Install solid sewer drain pipe from house to septic tank with minimum of 1/4" per foot fall. Install solid sewer drain pipe from septic tank to distribution box with minimum of 1/8" per foot fall. Install solid header pipe from distribution box and perforated pipe to absorption bed level.
2. Once absorption bed has been excavated, backfill and compact bottom of excavation area to provide a compacted bottom for absorption bed. If material is not compacted, then use sand or crushed stone for subgrade.
3. Install distribution box grade. Then place drain rock to grade. Trench for perforated pipe and lay pipe in trench and place rock half way up around sides of perforated pipe while maintaining pipe level. The slope for wastewater to be distributed evenly throughout the absorption bed. After pipe has been bedded to distribution box, recheck pipe elevation then cover pipe with remaining rock so that there is 2" of drain rock over pipe. Then place bedrock or fabric over drain rock and backfill.

GENERAL NOTES:

1. All work shall conform to the building codes, standards of the industries, Department of Health, Uniformed Plumbing Codes, and other related laws.
2. The installation indicates the general scope of work and intent. Contractor to provide verification at the job site for any adjustments and to inform the engineer of said changes in writing before changes are made.
3. Grave shall be 4" to not bigger than 1 1/2" in size with no fines or it should be washed rock. No crushed coral or limestone will be accepted.
4. Engineer's drawing hereon does not indicate underground lines, and as such, contractor shall inspect for the area for said underground lines.
5. All work shall be guaranteed for 1 year after completion by contractor.
6. No trees or shrubs shall be planted within 10' of septic tank or absorption bed.
7. If contractor wants to supply alternate materials other than what is specified on the approved plans, then the contractor must obtain permission in writing from design engineer and provide any product information to design engineer regarding any alternate products, i.e. structures, calculation, certification or UPC approval listing or materials safety data.
8. If septic tank is installed in ground water then the design engineer must approve any septic tank for hydraulic load structural calculations prior to tank being installed.

PROJECT DESIGN DATA

1. Location: 1214 ALAUPAKA PLACE, HONOLULU, HAWAII 96816-2212
No Trees Zone: (2) Lanes
2. Proposed Use: RESIDENTIAL
Number of Bedrooms: 5
Total Daily Flow (DPD): 1200 GPD
3. Septic Tank: 1150 GALLON PRECAST CONCRETE
Type: Character 22
Total Volume: 1150 GALLONS
4. Disposal System: PERFORATED PIPE
Required Rate: 1.5 GPD
Time for water to fall 1 inch: 1.5
Required absorption area: 350 sq. ft.
Table 1: Value of Septic Tank Practices
Example: 5 x 70 sq. ft. = 350 sq. ft. needed

Required length of each trench 2 feet wide: 350
OR
Required depth of 4 ft diameter seepage pit: 350
Below inlet pipe

Soil Conditions: 1" to 6" brown sand to 36" sand with broken coral, good permeability

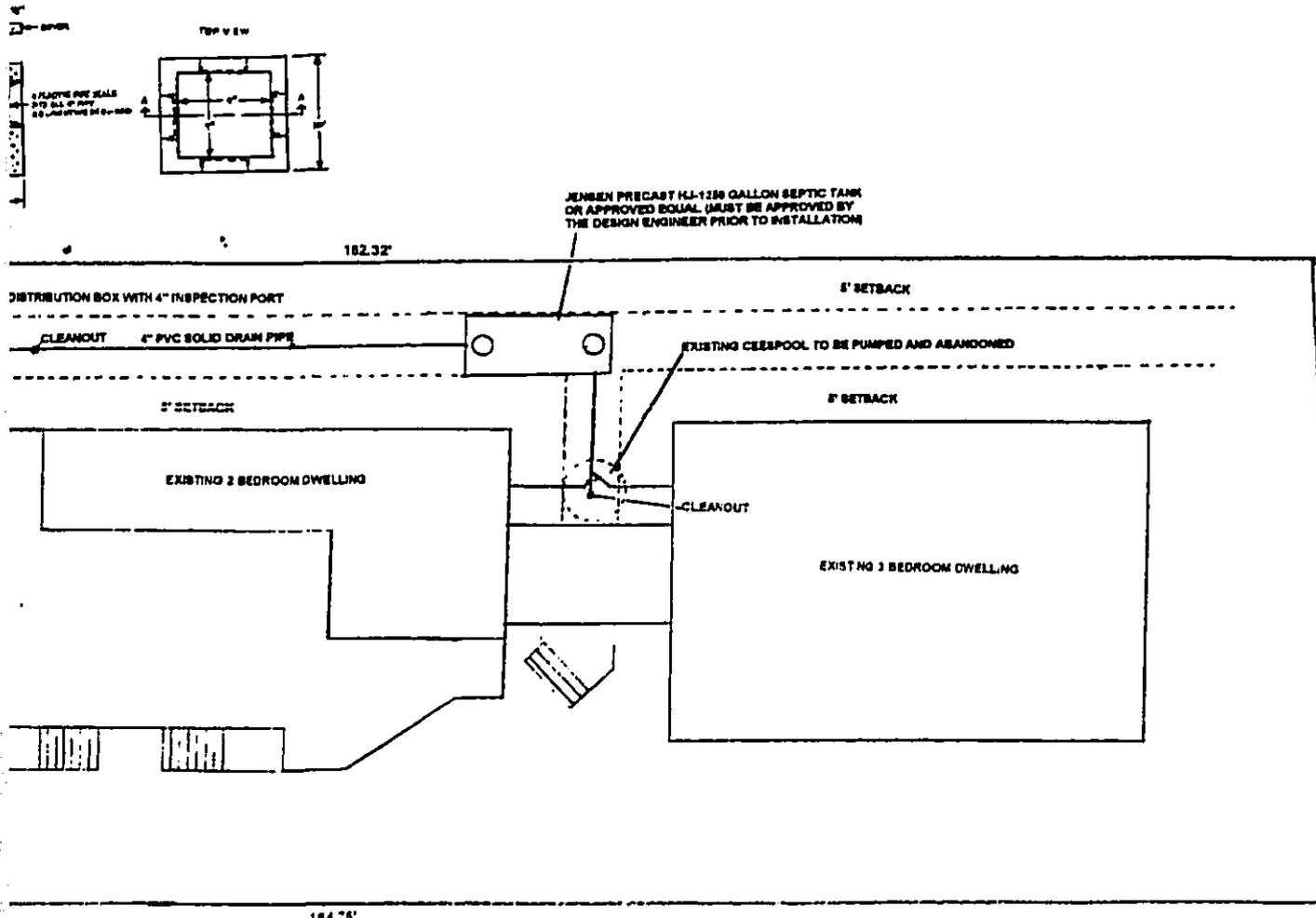
GENERAL NOTES:

1. Plan must be approved in writing by State of Hawaii Department of Health prior to commencement of construction.
2. The contractor shall locate and protect all existing utilities, whether or not shown on the plans. Any cost incurred by damages to existing utilities will be borne by contractor.
3. The contractor shall notify the engineer not later than 48 hours prior to commencement of excavation for W.S.

Absorption Area Req: 5 x 70 sq. ft. = 350 sq. ft. needed for City & County Code

Absorption Bed Being Provided: 15' x 30' = 450 sq. feet

For 1250 gallon septic tank contact James J. Cormack Tele: (808) 599-7799



PLOT PLAN & PROPOSED SEPTIC SYSTEM
SCALE 1/8" = 1'

REVISED

EXHIBIT 6

JAMES J. CORMACK & ASSOCIATES CONSULTING SERVICES, INC
1214 ALAUPAKA PLACE, HONOLULU, HAWAII 96816-2212
TELEPHONE: (808) 633-5975 FAX: (808) 599-7700
EMAIL: jmcormack@yaho.com

CONSTANCE IRONS
5-7668 A KUHIO HWY.
HAENA, HAWAII 96714
TMK: (4)-5-8-001:040

Date	2-16-06
Scale	AS NOTED
Drawn	JIMCORMACK
Job	140
Sheet	NWS-1

JAMES J. CORNICK & ASSOCIATES CONSULTING SERVICES, INC.
1214 ALA AUPAKA PLACE, HONOLULU, HAWAII 96818
TELEPHONE: (808) 833-5925 FAX: (808) 599-7788
E-MAIL: jimcornick@yahoo.com

February 10, 2005

Proposal to design an Individual Wastewater System
Project Location: 5-7608 A Kuhio Hwy., Haena, Hawaii 96714
Owners Mailing Address: P.O. Box 233, Hanalei, Hawaii 96714
Owner: Constance Irons TMK: (4)-5-9-002:040

Engineering fees to design an gravity flow wastewater system using a septic tank and an absorption bed for a 5 bedroom residential house to meet City & County of Oahu requirements. **Fees \$1,000.00**

Fees Include:

- a. Percolation test
- b. Drawings and application for submittal to Wastewater Branch for approval
- c. Itemized bid for materials and installation
- d. Final inspection and report to Wastewater branch on completion of installation

Items needed to be supplied by owner:

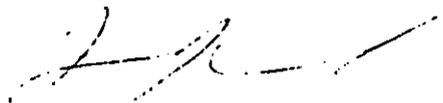
- a. TMK (Tax Map Key)
- b. Plot plan showing building location stamped by an engineer or architect
- c. Floor plan showing how many bedrooms stamped by engineer or architect

Payment Schedule

100% payment \$1,000.00 required prior to any work listed above commencing
Payment received 2/05/05 cash

Please make check out to James J. Cornick

Mahalo,



James J. Cornick

EXHIBIT 6

JAMES J. CORNICK & ASSOCIATES CONSULTING SERVICES, INC.

1214 ALA AUPAKA PLACE, HONOLULU, HAWAII 96818

TELEPHONE: (808) 833-5925 FAX: (808) 599-7788

E-MAIL: jimcomick@yahoo.com

February 10, 2005

Contents of Package

1. Application for wastewater permit
2. Receipt for engineering deposit
3. Itemized bid for wastewater system materials & installation
4. Two sets of plans

If any of the items listed above are not in package please call and I will provide the missing items to you immediately.

Mahalo, for the opportunity to work for you.

JAMES J. CORNICK & ASSOCIATES, CONSULTING SERVICES, INC.

1214 Ala Aupaka Place, Aiea, Hawaii 96818

Telephone: 833-5925 Fax: 599-7788

E-mail: jimcomick@yahoo.com

February 10, 2005

INDIVIDUAL WASTEWATER SYSTEM

OWNER: Constance Irons

OWNERS MAILING ADDRESS: P.O. Box 233, Hanalei, Hawaii 96714

PROJECT LOCATION: 5-7608 A Kuhio Hwy., Haena, Hawaii 96714

TMK: (4)-5-9-002:040

**INDIVIDUAL WASTEWATER SYSTEM
APPLICATION INFORMATION SHEET**
Please Print or Type
Incomplete forms will result in delayed reviews

Engineer: Donald Manuel P.E.

Owners: Constance Irons

TMK: (4)-5-9-002:040

Owner's Mailing Address: P.O. Box 233, Hanalei, Hawaii 96714

Contact Person (if different from owner) and Address: James J. Comick, 1214 Ala
Aupaka Place, Honolulu, Hawaii 96818-2232 (808) 833-5925 Fax: 599-7788

Project Location (street address, subdivision, & general.) 5-7608 A Kuhio Hwy.,
Haena, Hawaii 96714

Lot Size: 9,812 sq. ft.

Zoning: residential

Project flow or Number of Bedrooms: 5 Bdms. 1000 GPD

Proposed Treatment Unit (manufacture, model, capacity): Quality Precast Products,
Inc.(1) JS-1250 gallon, 1250 gallon capacity

Proposed Disposal System: gravity flow septic system with absorption bed

Percolation Rate: 1 minutes / 1"

Existing IWS on the Lot: No Yes **Type:** to be pumped and abandoned

FOR DEPARTMENT USE ONLY

Date Received: _____

Project Engineer: _____

File Number: _____

Notes: _____

**OWNER'S CERTIFICATION FORM
SUBJECT: IWS System**

INDIVIDUAL WASTEWATER SYSTEM FOR: Constance Irons

PROJECT LOCATION: 5-7608 A Kuhio Hwy., Haena, Hawaii 96714

TAX MAP KEY: (4)-5-9-002:040

OWNERS MAILING ADDRESS: P.O. Box 233, Hanalei, Hawaii 96714

I Constance Irons, hereby certify that I am the owner(s) of the subject property and that I have read the following and shall comply with all provisions. Failure to comply with any or all of the provisions can lead to imposition of the penalties and remedies as provided for in Administration Rule, Title 11, Chapter 62, Section 11-62-42, Penalties and remedies.

1. I certify that as the owner(s) of the individual Wastewater System (IWS) serving the subject property, the IWS will be inspected, operated and maintained in accordance with The operation and maintenance manual developed by my IWS design engineer. (Sec.11-62-31.1(e)(2).

Furthermore, if an aerobic unit is utilized for wastewater treatment, an active service contract for the proper operation and maintenance shall be maintained at all times. (Sec.11-62-33.1(b)(3).

2. I understand and shall comply with the provision of Sec.11-62-08(g) which requires that the IWS be constructed by a licensed contractor.

Furthermore, the licensed contractor information form shall be completed and submitted to the Department prior to final inspection.

3. I understand and shall comply with the provisions of Sec.11-62-31.1 (f) which states that the IWS must be inspected and approved of by the Department prior to use.

Furthermore, I shall instruct and require my contractor to leave uncovered for inspection, various parts of the IWS system. These parts include manholes/access openings, distribution boxes, end of trenches to visually see gravel, pipe and geotextile fabrics used and/or seepage pit openings. I understand that I will be required to re-expose these areas if at the time of inspection they are not visible.

Page Two
Owner's Certification Form

4. I understand and shall comply with the provisions of Sec. 11-62-31.1(e)(2) which requires me to certify upon sale or transfer of the subject property, that the appropriate transfer or sales documents and provisions shall bind the new owner's to the operation and maintenance provisions referenced in item 1 above.

5. I understand and shall submit any and all changes made to my IWS plans to the Department (Sec. 11-62-08(b) for review and approval. Changes to the approved IWS plans that need to be submitted to the Department include but are not limited to the following-changes in location of any component of the wastewater system, changes in the dwelling/buildings location or size and changes in the design engineered for the IWS.

Signed: _____ Date: _____
Constance Irons

Site Evaluation/Percolation Test

Date/Time: January 23, 2005 10:00 am
 Test Performed By: Jim Cornick
 Property Owners: Constance Irons
 Tax Map Key: (4)-5-9-002:040
 Elevation: 8 ft.
 Depth to Groundwater: 7 ft.
 Depth to Bedrock (if observed): n/a ft.
 Diameter of Hole: 12" ins.
 Depth of Hole Bottom: 3 ft. below grade

Soil Conditions

<u>Depth below grade</u>	<u>(Color, Texture, Other)</u>
<u>1" to 8"</u>	<u>brown loam top soil</u>
<u>8" to 36"</u>	<u>sand with broken coral good permeability</u>

Percolation Readings

Time 12 in of water to seep away: 12 mins. (first trial reading)
 Time 12 in of water to seep away: 12 mins. (second trial reading)
 For percolation tests in sandy soils, record time intervals and water drops at least every 10 minutes for at least 1 hour.

For percolation tests in non-sandy soils, presoak the test hole for at least 4 hours. Record time intervals and water drops at least every 10 minutes for 1 hour; or if the time for the first 6 inches to seep away is greater than 30 minutes, record time intervals and water drops at least every 30 minutes for 4 hours or until 2 successive drops do not vary more than 1/16 inch.

<u>Time Intervals</u>	<u>Drops in Inches</u>	<u>Time Intervals</u>	<u>Drops in Inches</u>
<u>10 min.</u>	<u>10"</u>	<u>10 min.</u>	<u>10"</u>
<u>10 min.</u>	<u>10"</u>	<u>10 min.</u>	<u>10"</u>
<u>10 min.</u>	<u>10"</u>	<u>10 min.</u>	<u>10"</u>
<u>10 min.</u>	<u>10"</u>	<u>10 min.</u>	<u>10"</u>
<u>10 min.</u>	<u>10"</u>	<u>10 min.</u>	<u>10"</u>

Percolation Rate (time/final water level drop): 1 mins/1"

As the engineer responsible for gathering and providing site information and percolation test results, I attest to the fact that above site information is accurate and that the site evaluation was conducted in accordance with the provisions of Chapter 11-62, "Wastewater Systems" and the results were acceptable.

 Engineer's Signature/Stamp Date

PROJECT DESIGN DATA

1. Location
UIC line (below) (Above)
No Pass Zone (no) (yes)

2. Projected flow

Number of Bedrooms: 5 bedrooms
Total Daily Flow, GPD: 1000 GPD

3. Septic Tank (Hawaii Administrative Rules,
Title II, Chapter 62, Section 33.1 (A)(2)
Total Gallons: 1250 gallon tank required

4. Disposal System
Percolation Rate (observed) (Estimated)
(Time for water to fall 1 inch): 1 min. /1"
Required absorption area, sq. ft.
(Table 1, Manual of Septic Tank Practices): based on 1 min. at 70 sq. ft. per
bedrm. Example 5 x 70 sq. ft = 350 sq. ft. needed

Required length of leach trench 2 feet wide: n/a
OR
Required depth of 8 ft. diameter seepage pit
Below inlet pipe n/a

Soil Conditions : 1" to 8" brown loam 8" to 36" sand with broken coral good permeability

GENERAL NOTES:

1. Plan must be approved in writing by State of Hawaii Department of Health prior to commencement of construction.

2. The contractor shall locate and protect all existing utilities whether or not shown on the plans, any cost incurred by damages to existing utilities will be borne by contractor.

3. The contractor shall notify the engineer not later than 48 hours prior to commencement of excavation for I.W.S.

Absorption Area Req: 5 x 70 sq. ft. = 350 sq. ft. needed for City & County Code

Absorption Bed Being Provided: 15' x 30' = 450 sq. feet.

For 1250 gallon septic tank contact James J. Cornick Tele: (808) 599-7799

JAMES J. CORNICK & ASSOCIATES CONSULTING SERVICES, INC.

33 South King Street, Honolulu, Hawaii 96813, Suite 517

Telephone: (808) 833-5925 Fax: (808) 599-7788

E-Mail: jimcornick@yahoo.com

February 10, 2005

Proposal for Individual Wastewater System Materials

Owner: Constance Irons TMK: (4)-5-9-002:040

Owners: Mailing Address: P.O. Box 233, Hanalei, Hawaii 96714

Project Location: 5-7608 A Kuhio Hwy., Haena, Hawaii 96714

Materials needed for installation

(1) JS-1250 gallon concrete septic tank		\$3,475.00
(1) Concrete distribution box		\$ 125.00
(80') 4" PVC SDR 35 solid drain pipe	\$1.26 per ft.	\$ 100.80
(75') 4" PVC SDR 35 perforated drain pipe	\$1.36 per ft.	\$ 102.00
(2) 4" PVC SDR 35 90 degree bends	\$9.95 ea.	\$ 29.85
(2) 4" PVC SDR 35 cleanouts assemblies	\$11.95 ea.	\$ 23.90
(2) 4" PVC SDR 35 combination y's	\$14.95 ea.	\$ 29.90
(3) 4" PVC SDR 35 45 degree bends	\$7.95 ea.	\$ 23.85
(3) 4" PVC SDR 35 end caps	\$3.25 ea.	\$ 9.75
(2) 4" Femco rubber adaptor bushings	\$6.95 ea.	\$ 13.90
(450) Square feet geotextile filter fabric	\$.20 per sq. ft.	\$ 90.00
(23) Tons # 3 A Course drain rock	\$107.00 per ton	\$2,461.00
Total for materials listed above		\$6,464.95

Delivery to job site

\$1,625.00

Pre-excavated hole to be done by others

Note: James J. Cornick & Associates Consulting Services, Inc. has to be able to back up to within 2' of the hole to and have 27' over head clearance to be able to swing boom out over center of hole to set tank. If James J. Cornick & Associates Consulting Services, Inc. crane truck can not set tank under the conditions mentioned above it will be the responsibility of the general contractor or persons ordering the tank to have another crane come set the tank. **The cost for the additional crane will also be the responsibility of the general contractor or person ordering the tank.**

Total for items listed above without tax **\$8,089.95**

Tax for materials, delivery @ 4.166% **337.03**

Total for materials, delivery, with tax **\$8,426.98**

Installation to be done by a licensed contractor **\$5,500.00**

Total for materials, delivery and installation

\$13,926.98

Payment Schedule

James J. Cornick & Associates Consulting Services, Inc. will require a 50% deposit for materials, balance for materials due on delivery. Allow 30 days for delivery once deposit has been received.

If you have any further questions or need additional information please contact Jim Cornick, at (808) 599-7799. Thank you for choosing James J. Cornick & Associates Consulting Services, Inc. as your wastewater material supplier.

· Mahalo,

James J. Cornick & Associates
Consulting Services, Inc.



By: James J. Cornick
President

Operation and Maintenance Instructions for Septic Tank

1. Septic tank shall be inspected on a yearly basis by opening the access cover and checking the sludge or scum near the outlet pipe.

2. The septic tank shall be cleaned out either: (a) the bottom of the floating scum mat is within three (3) inches of the bottom of the outlet pipe: or (b) sludge comes within six (6) inches of the bottom of the outlet pipe.

3. Cleaning the septic tank will consist of pumping of the contents into a tank truck and hauling it to a State Health Department approved point of disposal. The septic tank should not be washed or disinfected after pumping. A three (3) inch depth of residual sludge shall be left in tank for seeding purposes.

4. A septic tank should not be entered by anyone unless proper safety procedures are followed. There is a potential hazard of explosion of gases and/or asphyxiation of personnel if precautions are not taken.

5. Chemicals or disinfectants do not improve the operation of septic tanks and are not recommended. Ordinary chemicals used in the household in small quantities will not adversely affect the operation of the septic tank.

6. Paper towels, newspaper, wrapping paper, rags and sticks should not be flushed down the septic tank. They will not decompose and will lead to clogging of the pipes.

7. Improper operation and maintenance of the septic tank will lead to early failure of the disposal system by clogging the piping and adjacent soil. This will result in septic tank overflows and disposal system flooding. Complete replacement of the disposal system may be then required.

8. Garbage disposals should not be installed in house nor should chemical agents be used to help with biological activities. If garbage disposal is installed then septic tank will require more frequent pumping to remove solids.

Installation Instructions for Septic Tank

1. Excavate 1' over in length and one foot over in width so tank can be lowered into hole without knocking dirt in under the tank.

2. Tanks can be installed using existing materials **except** if the bottom is rocky. If bottom is rocky then tank hole depth must then be over excavated by 4" so the rocky material can be covered by a minimum of four inches of pea gravel, sand, or S4C type materials. Then rock **can not** create a pressure point under the tank.

3. If materials that were excavated are rocky then the materials listed above should be used for backfill material on sides of tank also. No rocky material shall be placed against tank walls.

4. Fill tanks with water prior to compacting around tanks. **Backfill should be done as follows:** Fill tank with two feet of water in both chambers of tank, place backfill around tank in eight inch lifts compacting each lift until you reach one and one half feet of material compacted around tank. You can use a vibra plate, jumping jack or ramex. Fill tank with another two feet of water totaling four feet of water in tank, then add four more eight inch lifts around tank compacting every eight inch lift, now totaling three feet of backfill material around tank. Add more water until water level is equal to that of the flow line or to the bottom of the outlet tee in second chamber of tank. Add rest of backfill around tank inlet and outlet pipes while back filling. When covering top of tank and around risers, place twelve inches of backfill material over top of tank then compact. Continue back filling in eight inch increments and compact until reaching grade. Water can be left in tanks to allow for a rapid build up of bacteria colonies, which will allow for immediate competition between the bacteria established in the water or, at the request of the engineer, tank can be pumped out by contractor.

5. **If tank is to be installed in high ground water** the tank should first be water coated with an approved waterproof coating on the exterior of the tank. When excavating for tank in high ground water you should over excavate the bottom of the hole by a minimum of 4" so that pea gravel can be placed on the bottom of hole so that the tank can be installed level. When the tank is being lowered into the hole, water from the hole can be pumped into the tank to help settle the tank to the bottom. Once the tank is set level it can be backfilled as described above using pea gravel or sand so proper compaction can be achieved. After the tank has been backfilled the water inside the tank can be pumped out leaving approximately 6" in bottom, this will leave any sediment on the bottom of the tank that might have entered the tank during the installation of the tank. Pumping sediment or debris into any storm drain receptacles is prohibited, only clean water is acceptable.

Installation Instruction for Individual Wastewater System

1. Install solid sewer drain pipe from house to septic tank with minimum of 1/4" per foot fall. Install solid sewer drain pipe from septic tank to distribution box with minimum of 1/8" per ft. fall. Install solid header pipe from distribution box and perforated drain pipe in absorption bed level.

2. Once absorption bed has been excavated keep equipment out of excavated area to avoid re-compacting bottom of absorption bed. If material is re-compacted then rake bottom of absorption bed to disturb surface.

3. Install distribution box at grade. Then place drain rock to grade. Trench for perforated pipe and lay pipe in trench and place rock half way up around sides of perforated pipe while maintaining pipe level. This allows for wastewater to be distributed evenly throughout the absorption bed. After pipe has been bedded to drain rock recheck pipe elevation then cover pipe with remaining rock so that there is 2' of drain rock over pipe. Then place geotextile filter fabric over drain rock and backfill.

GENERAL NOTES:

1. All work shall conform to the building codes, standards of the industries Department of Health, Uniformed Plumbing Codes, and other related items.

2. The installation indicates the overall scope of work and intent, contractor to provide verification at the job site for any adjustments and to inform the engineer of said changes in writing before changes are made.

3. Gravel shall be 3/4" to not bigger than 1 1/2" in size with no fines or it should be a washed rock. No crushed coral or limestone will be accepted.

4. Engineer's drawing herewith does not indicate underground lines, and as such, contractor shall inspect or tone the area for said underground lines.

5. All work shall be guaranteed for 1 year after completion by contractor.

6. No trees or shrubs shall be planted within 10' of septic tank or absorption bed.

7. If contractor wants to supply alternate materials other than what is specified on the approved plans then the contractor must obtain permission in writing from design engineer and provide any product information to design engineer regarding any alternate products. ie. structural calculation, certification or UPC approval listing or materials safety data.

8. If septic tank is installed in ground water then the design engineer must approved any septic tank for hydraulic load structural calculations prior to tank being installed.

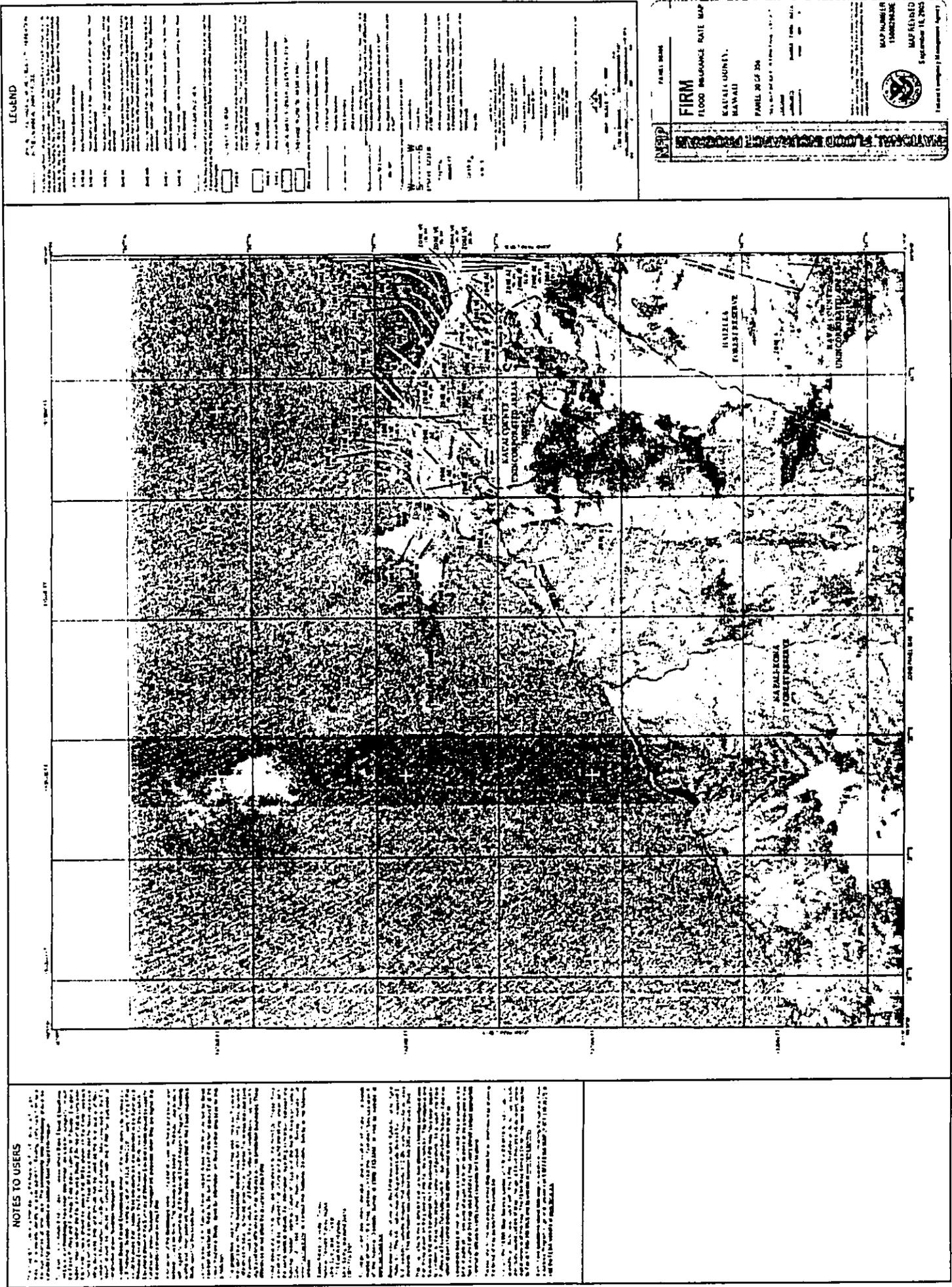


EXHIBIT 7

DOCUMENT CAPTURED AS RECEIVED

RECHTMAN CONSULTING, LLC

1101 Box 4149 Kona, Hawaii 96740-0710
phone: (808) 960-7630 fax: (808) 443-0065
e-mail: bob@rechtmanconsulting.com
ARCHAEOLOGICAL, CULTURAL, AND HISTORICAL STUDIES

May 4, 2006

Roy A. Vitousek, III, Esq.
Cades Schutte, Kona Office
75-170 Hualalai Road, Suite 303
Kailua-Kona, Hawaii 96740

Dear Randy:

At the request of Jocelyn Garovoy of your office, Rechtman Consulting, LLC conducted an archaeological field inspection and background study for a land parcel (TMK:(4) 5-9-02:040) comprising 9,812 square feet located in Hā'ena Ahupua'a, Halele'a District, Island of Kaua'i. The objectives of this investigation were to identify any known archaeological resources within the parcel boundary and to evaluate the potential for encountering such resources during any subsequent ground-altering activities. To this end, a field inspection of the subject property was conducted, and a detailed archival background investigation of the general project area was undertaken. This letter report is intended to accompany an After-the-Fact Conservation District Use Application to combine the two existing structures on the parcel into one single-family residence. It is understood that this proposed action would result in ground-altering activities associated with the placement of new foundation elements and a septic tank.

As indicated, the project area is located in Hā'ena Ahupua'a, Halele'a District, Island of Kaua'i. Hā'ena is a relatively small *ahupua'a*, encompassing only 7.7 square kilometers on the north shore of Kaua'i. The *ahupua'a* has a long coastal strip (almost 5 kilometers), but does not extend inland (*mauka*) for nearly as great a distance. Two streams, Limahuli Stream and Mānoa Stream, flow through Hā'ena year round. The coastal areas of the *ahupua'a* are characterized by dune and stabilized dune formations with alluvial benches adjacent to the major drainages.

The study parcel is situated just back from the coast on the north side of Kuhio Highway, in the Hā'ena Point vicinity (Figure 1). On April 8, 2006, Robert B. Rechtman, Ph.D. visually inspected the subject parcel, which is fairly level and appears fully developed and landscaped with a predominantly sandy substrate (Figures 2 and 3). There were no surface indications of archaeological resources observed on the parcel.

A brief archaeological and culture-historical background for the area is as follows. Bennett (1931) conducted early archaeological research on Kaua'i. He recorded three sites in Hā'ena Ahupua'a, all in the Ke'e area. The first archaeological research focusing on the district of Halele'a, and more specifically Hā'ena Ahupua'a, commenced in 1972 (Earle 1973, 1978). In that year, Earle conducted a district-wide survey of Hawaiian agricultural features. He also recorded substantial site complexes along coastal Limahuli Stream and in the upper Mānoa River Valley. As his research was oriented toward gaining an understanding of the relationship between increasing sociopolitical complexity and the managerial opportunities provided by intensive agricultural irrigation systems, he did not undertake major excavations or survey near the Hā'ena Point area.

Substantial subsurface investigations were carried out for the Hā'ena State Park from Limahuli Stream to Ke'e Beach (Griffin et al. 1977; Hammatt and Meeker 1979; Hammatt et al. 1978; Yent 1980). This work identified and documented a significant coastal midden deposit (interpreted as temporary habitation) that may represent the earliest sites on Kaua'i's north coast, circa AD 900 (Hammatt et al. 1978). The use of the term *may* is intentional as this early date is based on volcanic glass hydration rind dating, which has produced questionable results for Hawaiian source materials. That research also indicated that the intensive use of irrigated agricultural fields began after AD 1200 (Hammatt et al. 1978) based on more secure radiocarbon dates.

Closer to the current study area, there have been numerous archaeological investigations at small parcels in the vicinity of Hā'ena Point (Table 1). Cumulatively these studies have documented a buried midden deposit associated with temporary habitation (SIHP Site 50-30-01-1809) that extends throughout the area, albeit intermittently. This deposit has been buried by as much as 140 centimeters of sand on different parcels on Hā'ena Point, and contains faunal material from extirpated avifauna. Radiocarbon dates place the occupation associated with this deposit to between A.D. 1385 and 1500 (Hammatt and Schideler 1989a). As others point out, Hā'ena is "one big archaeological site" and may "hold the key to understanding earliest Tahitian or Marquesan colonization in Hawaii" (Griffin et al. 1977:2).

Studies on Hā'ena Point have also led to the discovery of over 66 individual burials on ten different parcels (including parcels adjacent to the current study parcel). Clearly this suggests that the Hā'ena Point sand deposits were used for interment purposes and that there is a possibility of also encountering subsurface burials in the current study area.

Table 1. Previous archaeological studies in the vicinity of the current study area.

<i>Study Citation</i>	<i>TMK Parcel Number*</i>	<i>Type of Study</i>
Denham and Kennedy (1993)	34	Monitoring
Folk (1990)	48	Reconnaissance
Hammatt (1980)	22	Reconnaissance
Hammatt (1984a)	22	Inventory
Hammatt (1984b)	22	Subsurface testing
Hammatt (1989)	34	Reconnaissance
Hammatt and Schideler (1989a)	34	Data recovery
Hammatt and Schideler (1989b)	31	Monitoring
Hammatt and Schideler (1989c)	35	Data Recovery
Hammatt and Schideler (1998)	50	Inventory
Kennedy (1989)	51	Inventory
Kruse (1994)	20	Monitoring
McMahon (1988)	41	Inadvertent burial discovery
McMahon (1996)	52	Inadvertent burial discovery
Moore and Kennedy (1995)	52	Inventory
Rechtman (1994)	31	Monitoring
Rechtman (2000)	66, 67	Inventory Survey
Rechtman (2003)	68	Inadvertent burial discovery
Rechtman and Clark (2002)	69, 70	Inventory Survey
Soldo and Dixon (1994)	36	Monitoring

* All TMK parcel numbers are preceded by 5-9-02.

In 1995, Carol Silva prepared *A Historical and Cultural Report of Hā'ena State Park; Hulele'a, Kaua'i*; (Silva 1995). This report documents the traditional and historical significance of Hā'ena within the context of the Halele'a District, Kaua'i, and all of the Hawaiian Islands. Oral traditions indicate that Hā'ena was an important center of ancient *hula* (Joesting 1984). Pele herself was drawn to Hā'ena by the drumming of the chief Lohiau at his *halau* at Ke'e (Emerson 1915). Historical records describe how

during the conquest of the Hawaiian Islands by Kamehameha I, the ruling chief of Kaua'i (Kaumuali'i) avoided personal defeat through a peaceable transfer of power. He established a will that left Kaua'i to Kamehameha upon Kaumuali'i's death. Although subject to Kamehameha during the remainder of his life, Kaumuali'i retained leadership over the island. Kamehameha died five years before Kaumuali'i.

Upon Kaumuali'i's death in 1824 his agreement to Kamehameha was honored, rather than the traditional reassignment of lands to local chiefs, the O'ahu powers selected and installed Kaumuali'i's nephew (Kahalaia) as the new chief of Kaua'i. The O'ahu chief Kalanimoku was sent to Kaua'i to inform the local chiefs. The local chiefs rebelled, and a bloody one-sided battle ensued. Well-armed and well-trained warriors were sent to Kaua'i from O'ahu and Maui to support Kalanimoku. The ill-prepared farmers of Kaua'i were easily defeated, and Kaua'i came under the direct rule of the young king (Kamehameha III). Kaikiohewa was appointed governor and the lands were re-divided with the best tracts going to the "loafers and hangers-on (*palaualelo*) of O'ahu and Maui" (Kamakau 1992:269). "Thus, the old order of political power on Kaua'i is dissolved and displaced by a new society of *konohiki* (land managers) who descend from O'ahu and Maui lines" (Silva 1995:4).

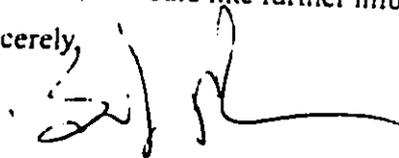
This sociopolitical transformation was affirmed and codified by the *Māhele* of 1848. The *ahupua'a* of Hā'ena was awarded (LCAw. 10613) to Abner Paki husband of L. Konia, a granddaughter of Kamehameha I. In addition, there were 23 *kuleana* awards granted in Hā'ena for both *lo'i* and houselots; but the current study area was not one of them. Paki apparently was given the *ahupua'a* during the Kaikiohewa division of lands, post 1824. Paki controlled Hā'ena's fresh water supply, the produce from his 12 *kō'ele* (tenant-worked farms), the gathered mountain and ocean resources, and all octopuses from the coastal waters. In 1837, Kekela'akalaniwahikapua'a (E. Kekela) was appointed by Paki as the *konohiki* of Hā'ena to oversee his interests. Kekela was Paki's aunt and Kamehameha I's sister-in-law, and had resided on Kaua'i (in Lumaha'i Ahupua'a-near Hā'ena) since 1810. Many of the *kuleana* claims were from individuals who were given land by Kekela, who herself claimed land (LCAw. 7949) in the Limahuli area. Figure 4 shows the general locations of the *kuleana* awards and the locations of archaeologically recorded pondfield, habitation, ceremonial, and burial areas in coastal Hā'ena.

Paki died in 1855 and Konia in 1857. Bernice Pauahi Bishop, their only child, inherited their lands and in 1858 Hā'ena was sold to W. H. Pease. Although traditional farming lands become incorporated into a growing cattle industry, the taro *lo'i* along Limahuli and Mānoa streams and the sweet potato plots along the coastal plain remained productive into the twentieth century (Handy 1940). By the turn of the twentieth century this portion of Hā'ena was divided into the Hā'ena Hui house lots. Parcel 40 was originally Hui Lot 24 and changed ownership several times prior to its purchase by the current owner in 1989.

Given the specific archaeological and general historical background of the area, it is likely that portions of the buried Precontact midden deposit (SIHP Site 50-30-02-1809) are extant within the parcel boundary. It is also possible that traditional Hawaiian burials might be encountered if additional subsurface development activity occurs. Therefore it is recommended that an archaeological monitoring plan be developed and a state-permitted archaeological monitor be present during any future subsurface development activity.

Thank you for the continued opportunity to provide you with our services. Should you have any questions, or would like further information please feel free to contact me.

Sincerely,



Bob Rechtman, Ph.D.
Principal Archaeologist

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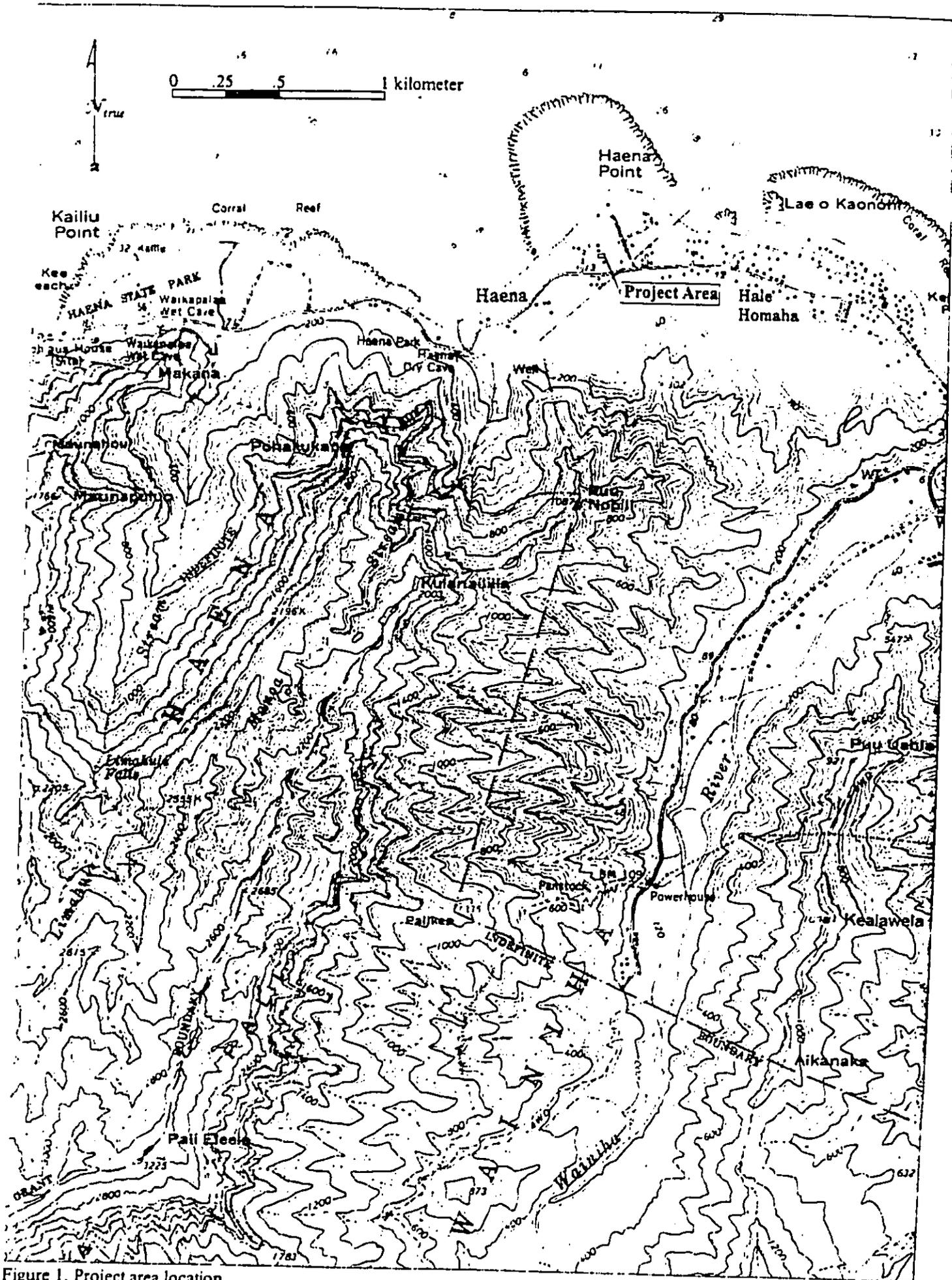


Figure 1. Project area location.



Figure 2. Area between the two existing structures where new construction is proposed.



Figure 3. Area where new septic tank will be located.

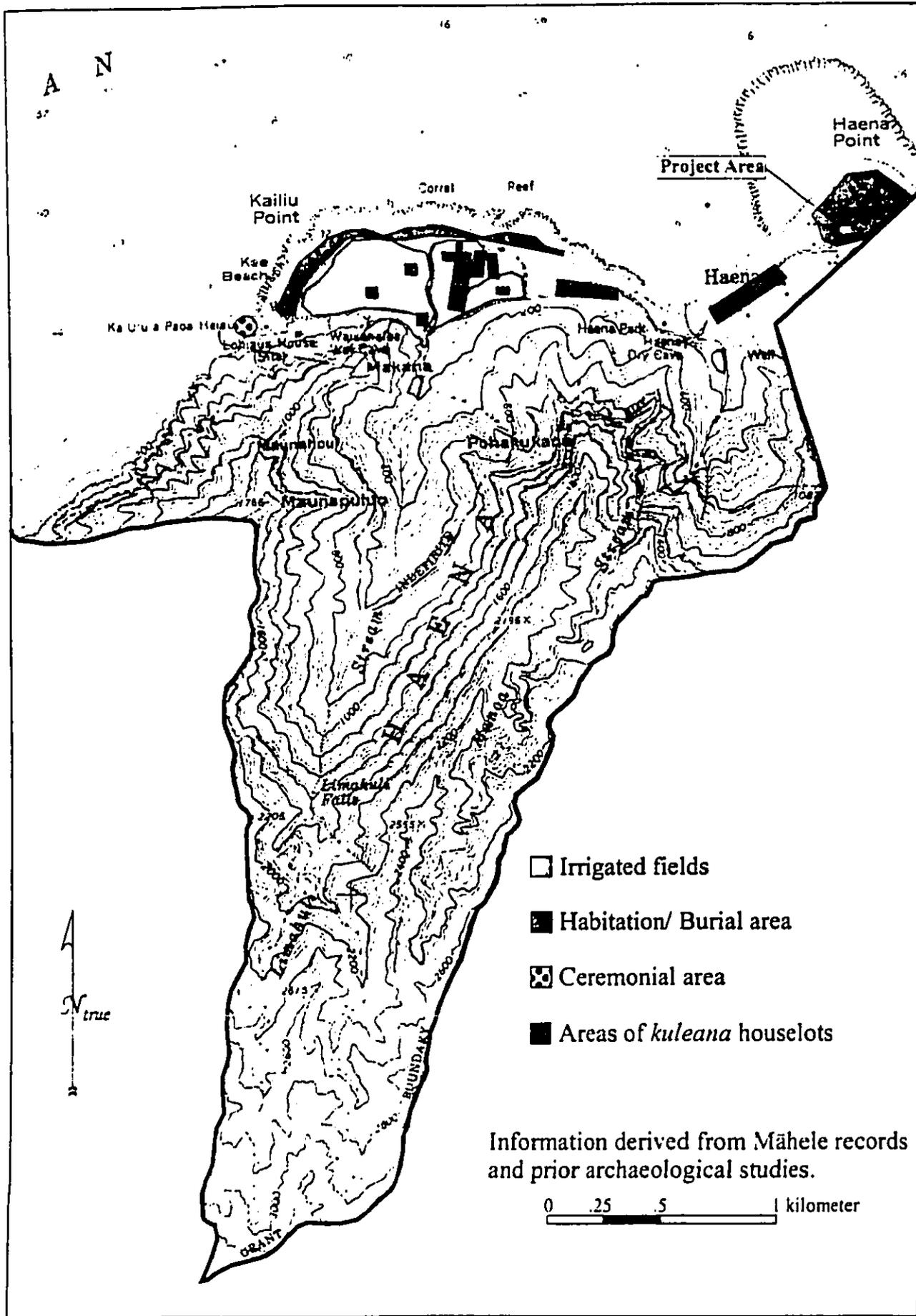


Figure 4. Hā'ena Ahupua'a showing general coastal site locations.

**CONSOLIDATION OF TWO RESIDENCES WITHIN THE
STATE LAND USE CONSERVATION DISTRICT TO
ONE SINGLE-FAMILY RESIDENCE**

APPENDIX 1

**COMMENT LETTERS IN RESPONSE TO DRAFT EA
AND RESPONSES**

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
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 - LAND
DEAN HAKANO
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
DNR FIELDNO
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

RECEIVED
CONSERVATION
LANDS

2006 SEP 21 A 11:01

REF:OCCL:DH

FILE NO: CDUA KA-3373

Acceptance Date: August 31, 2006
180-Day Exp. Date: February 27, 2007
SUSPENSE DATE: 21 Days from
stamped date

MEMORANDUM:

SEP - 7 2006

TO: Division of Forestry and Wildlife, Historic Preservation Division, Kauai District
Land Office, Division of Conservation and Resources Enforcement

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

SUBJECT: Conservation District Use Application (CDUA) KA-3373 for Jason, Kaulana,
and Constance Irons Request to Join two Separate Single Family Residence's
(SFR) into One SFR Structure

APPLICANT: Roy Vitousek, Cades Schutte, 75-170 Hualalai Road, Suite 303, Kailua Kona,
Hawaii 96740

TMK: (4) 5-9-002:040

LOCATION: Haena District, Island of Kauai

PUBLIC HEARING: YES NO

Please contact Dawn Hegger at 587-0380, 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
Date 9/11/2006

Attachment(s)

DLNR KDLO RCVD

SEP 8 '06

PM12:52:08

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
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
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DEAN NAKANO
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
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HISTORIC PRESERVATION
KAIKOOLOAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

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MEMORANDUM:

SEP - 7 2006

TO: Division of Forestry and Wildlife, Historic Preservation Division, Kauai District
Land Office, Division of Conservation and Resources Enforcement

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

SUBJECT: Conservation District Use Application (CDUA) KA-3373 for Jason, Kaulana,
and Constance Irons Request to Join two Separate Single Family Residence's
(SFR) into One SFR Structure

APPLICANT: Roy Vitousek, Cades Schutte, 75-170 Hualalai Road, Suite 303, Kailua Kona,
Hawaii 96740

TMK: (4) 5-9-002:040

LOCATION: Haena District, Island of Kauai

PUBLIC HEARING: YES NO

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII
RECEIVED
DIVISION OF CONSERVATION
AND COASTAL LANDS
SEP - 8 A 10:56

Please contact Dawn Hegger at 587-0380, 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

Attachment(s)

Paul J. Conry
Signature
PAUL J. CONRY, ADMINISTRATOR
Date
DIVISION OF FORESTRY AND WILDLIFE

SEP - 7 2006

-DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

FILE No.:CDUA KA-3373
Ref.: OCCL:DH
Kauai.50

COMMENTS

- (X) We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone AE. The National Flood Insurance Program does regulate developments within AE as indicated in bold letters below.
- () Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Zone ____.
- () Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is ____.
- (X) Please note that the project site must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- () Mr. Robert Sumimoto at (808) 523-4254 or Mr. Mario Siu Li at (808) 523-4247 of the City and County of Honolulu, Department of Planning and Permitting.
 - () Mr. Kelly Gomes at (808) 961-8327 (Hilo) or Mr. Kiran Emler at (808) 327-3530 (Kona) of the County of Hawaii, Department of Public Works.
 - () Mr. Francis Cerizo at (808) 270-7771 of the County of Maui, Department of Planning.
 - (X) Mr. Mario Antonio at (808) 241-6620 of the County of Kauai, Department of Public Works.
- () The applicant should include project water demands and infrastructure required to meet water demands. Please note that the implementation of any State-sponsored projects requiring water service from the Honolulu Board of Water Supply system must first obtain water allocation credits from the Engineering Division before it can receive a building permit and/or water meter.
 - () The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.
 - () Additional Comments: _____

 - () Other: _____

Should you have any questions, please call Ms. Alyson Yim of the Planning Branch at 587-0259.

Signed: Eric T. Hirono
ERIC T. HIRONO, CHIEF ENGINEER

Date: 7/13/06

November 17, 2006

Roy A. Vitousek III
 Direct Line: (808) 329-5811
 Direct Fax: (808) 326-1175
 E-mail: rvitousek@ca-des.com

Eric Hirano, Chief Engineer
 State of Hawaii
 Department of Land and Natural Resources
 1151 Punchbowl Street, Room 221
 Honolulu, Hawaii 96813

Re: CDUA: KA-3373; Conservation District Use Application for Irons
 Family to Join Two Structures into One Single Family Residence;
 TMK (4) 5-9-002:040, Haena, Kauai

Dear Mr. Hirano:

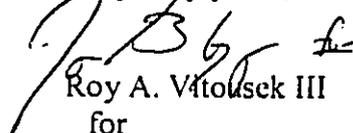
This office represents the Irons family with respect to the above-referenced CDUA. We have received your comment letter dated September 13, 2006. Thank you for your review of the Irons' plans.

The Irons have applied for an after-the-fact CDUA to consolidate the two existing adjacent structures on their property into one single family residence to bring their home into compliance with applicable Conservation District rules.

The Irons understand that their home is located in Flood Zone AE with a base flood elevation of 23 feet above MSL. For this reason, as depicted by the site plans submitted with the CDUA, they have worked with their architect to be sure that the finished floor elevation will be 27.42 feet above MSL. The Irons have lived on this property in Haena for over fifteen (15) years and understand the inherent natural hazards of living in a flood zone. Their design plans have been submitted to the Kauai County Planning Department for review and comment. The applicant will adhere to national and county flood standards in the construction of these improvements.

If you have additional comments or concerns, please contact me.

Very truly yours,



Roy A. Vitousek III
 for

CADES SCHUTTE
 A Limited Liability Law Partnership

cc: Samuel J. Lemmo/OCCL
 Irons Family

C S

PHONE (808) 594-1888

FAX (808) 594-1865



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

2006 SEP 29 A 10:36
DEPARTMENT OF LAND AND NATURAL RESOURCES
STATE OF HAWAII

HRD06/2702

September 25, 2006

Samuel J. Lemmo, Administrator
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
P.O. Box 621
Honolulu, Hawai'i 96809

RE: Conservation District Use Application KA-3373, Jason, Kaulana, and Constance Irons; Haena, Kauai; 5-9-002:040

Dear Mr. Lemmo,

The Office of Hawaiian Affairs (OHA) is in receipt of your September 7, 2006 request for comments regarding the above referenced Conservation District Use Application (CDUA). OHA does not object at this time to a finding of no significant impact for the proposed project, nor to the issuance of the CDUA.

We appreciate that the applicant has prepared an archaeology report and understands the legal duty to cease work and contact the State Historic Preservation Division should any cultural or human remains be discovered. We also appreciate that the current cesspool system will be replaced by a more environmentally friendly septic system. We request, however, that to the extent possible, the septic system be built on previously disturbed areas of the property, such as the site of the former cesspool.

Thank you for the opportunity to comment. If you have any further questions or concerns please contact Koa Kaulukukui at (808) 594-0244 or koalanik@oha.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Clyde W. Nāmu'o".

Clyde W. Nāmu'o
Administrator

eades-schutte

a limited liability law partnership

November 7 2006

Roy A. Vitousek III
Direct Line: (808) 329-5811
Direct Fax: (808) 326-1175
E-mail: rv.vitousek@eades.com

Clyde Namu'o, Administrator
State of Hawai'i
Office of Hawaiian Affairs
711 Kapiolani Boulevard, Suite 500
Honolulu, Hawai'i 96813

Re: CDUA: KA-3373; Conservation District Use Application for Irons
Family to Join Two Structures into One Single Family Residence;
TMK (4) 5-9-002:040, Haena, Kauai

Dear Mr. Namu'o:

This office represents the Irons family with respect to the above-referenced CDUA. We received your comment letter dated September 25, 2006. Thank you for your review of the applicants' plans. We thought OHA might be interested to know that there are three generations of Irons family members living on this subject property in Haena: Constance Irons, her son Jason and his wife Kaulana Irons, and Kaulana and Jason's children. Kaulana and her children are native Hawaiian.

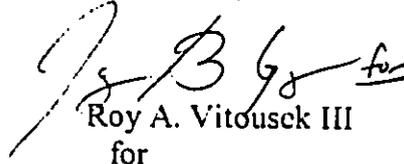
The applicants plan to have an archaeologist on site during any ground-disturbing activity and will stop work and contact the State Historic Preservation Division if any cultural or human remains are discovered. Unfortunately, it would be impossible to locate the septic system at the site of the former cesspool, as the cesspool sits underground in the space between the two existing structures. In order to bring the structures into compliance with Conservation District rules, the applicants plan to join the two structures into one single-family residence (SFR). When the structures are consolidated, the SFR itself is will be sit on top of the site of the former cesspool.

To minimize ground disturbance, the applicants plan to place the new septic system at the site of the former garage, which was torn down several months ago. This is also a previously disturbed area of the property. In any case, an archaeological monitoring plan is being prepared by Dr. Rechtman and submitted to SHPD. The plan calls for an archaeologist to be present to monitor ground-disturbing work.

Clyde Namu'o
November 7 2006
Page 2

If you have additional comments or concerns, please contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "R. Vitousek III" with a flourish at the end.

Roy A. Vitousek III

for

CADES SCHUTTE

A Limited Liability Law Partnership

cc: Samuel J. Lemmo/OCCL

lmanageDB:676852.1

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

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

ROBERT K. MASUDA
DEPUTY DIRECTOR - LAND

DEAN NAKANO
ACTING DEPUTY DIRECTOR - WATER

DEPARTMENT OF LAND AND NATURAL RESOURCES
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

2006 SEP - 2 P 12: 50

DEPT. OF LAND AND NATURAL RESOURCES
STATE OF HAWAII

September 26, 2006

Mr. Sam Lemmo, Administrator
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
P.O. Box 621
Honolulu, Hawai'i 96809

LOG NO: 2006.3202
DOC NO: 0609NM21
Archaeology

Dear Mr. Lemmo:

**SUBJECT: Chapter 6E-11 Historic Preservation Review [State/Jason, Kualana and Constance Irons] –
CDUA KA- 3373 for Request to Join two Separate Single Family Residence's into One SFR
Ha'ena Ahupua'a, Hanalei District, Island of Kaua'i
TMK: (4) 5-9-002: 040**

The aforementioned project is for a joining two single family residences into one. Based on the recommendation of the consultant archaeologist letter report (Appendix O – Rechtman Consulting, Rechtman, 2006) of this application, site 50-30-02-1809 – a cultural deposit with human burials is in the project area. Therefore, in order to mitigate adverse impact to this site we recommend the following condition be attached to this permit:

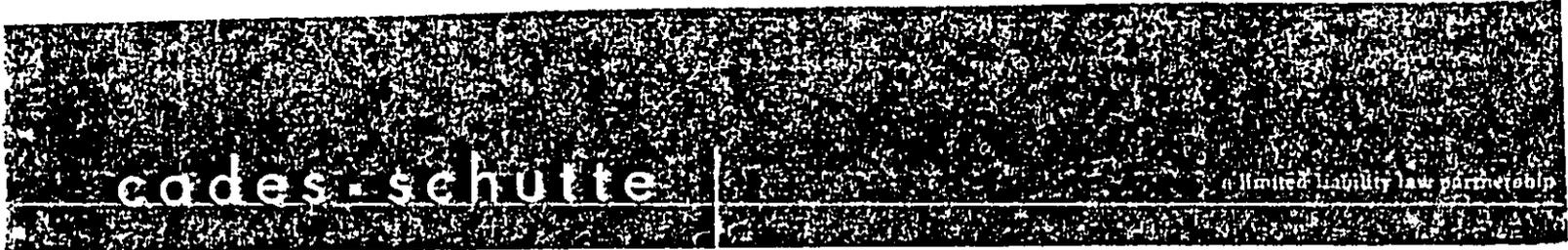
1.) Archaeological monitoring shall take place during all subsurface construction work due to the high probability of finding human burials. An archaeological monitoring plan shall be submitted in accordance with HAR 13-279 for review and approval by our office. A burial treatment plan shall be prepared and approved for burial discoveries encountered during the project. In addition, consultation with the appropriate ethnic groups, the procedures outlined in Chapter 6E-43 shall be followed. It is necessary for the treatment plan to be prepared after consultation with native Hawaiians, such as the Kaua'i Island Burial Council and the Office of Hawaiian Affairs.

Aloha,


Melanie Chinen, Administrator
State Historic Preservation Division

NM:gvf

C: KIBC



November 7, 2006

Roy A. Vitousek III
Direct Line: (808) 329-5811
Direct Fax: (808) 326-1175
E-mail: rvitousek@cades.com

Melanie Chinen
State of Hawaii
Department of Land and Natural Resources
State Historic Preservation Division
691 Kamokila Boulevard, Room 555
Kapolei, Hawaii 96707

Re: CDUA: KA-3373; Conservation District Use Application for Irons
Family to Join Two Structures into One Single Family Residence;
TMK (4) 5-9-002:040, Haena, Kauai

Dear Ms. Chinen:

This office represents the Irons family with respect to the above-referenced CDUA. We have received your comment letter dated September 26, 2006. Thank you for your review of the applicants' plans.

The applicants plan to have an archaeologist on site during any ground-disturbing activity and will stop work and contact the State Historic Preservation Division if any cultural or human remains are discovered.

An archaeological monitoring plan is being prepared by Dr. Robert Rechtman and will be submitted to your office in the next few weeks. The monitoring plan calls for an archaeologist to be present to monitor ground-disturbing work. If burials are encountered during any of the work on the property, the applicants will prepare a burial treatment plan in consultation with the Kauai Island Burial Council and the Office of Hawaiian Affairs.

If you have additional comments or concerns, please contact me.

Very truly yours,

Roy A. Vitousek III

for

CADES SCHUTTE

A Limited Liability Law Partnership

cc: Samuel J. Lemmo/OCCL
Dr. Robert Rechtman

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LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
235 SOUTH BERETANIA STREET
SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 586-4185
FACSIMILE (808) 586-4186
E-mail: oeqc@health.state.hi.us

GENEVIEVE SALMONSON
DIRECTOR

RECEIVED

'06 OCT 20 08:19

DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

October 11, 2006

Mr. Peter Young, Chair
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawai'i 96809

Dear Mr. Young:

Subject: Draft Environmental Assessment for the Irons Single Family Residence

Thank you for the opportunity to review the subject document. We have the following comments.

1. The applicant should consult with adjacent landowners.
2. The applicant should consult with the Department of Health concerning the new septic system.
3. The applicant should provide a list of all permits that are required.
4. Please print on both sides of the pages in the final document to reduce bulk and save on paper.

Should you have any questions, please call Jeyan Thirugnanam at 586-4185.

Sincerely,

Genevieve Salmonson
Genevieve Salmonson
Director

c: Irons

2006 OCT 20 04:49
DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

10/11/06

November 7, 2006

Roy A. Vitousek III
Direct Line: (808) 329-5811
Direct Fax: (808) 326-1175
E-mail: rvitousek@cades.com

Genevieve Salmonson, Director
State of Hawaii
Office of Environmental Quality Control
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

Re: CDUA: KA-3373; Conservation District Use Application for Irons
Family to Join Two Structures into One Single Family Residence;
TMK (4) 5-9-002:040, Haena, Kauai

Dear Ms. Salmonson:

This office represents the Irons family with respect to the above-referenced CDUA. We have received your comment letter dated October 11, 2006. Thank you for your review of the Irons' plans.

The applicants have talked with their neighbors about the proposed consolidation of the two structures on their property. None of the neighbors have expressed any objections to the proposal.

The Office of Conservation and Coastal Lands submitted a copy of the CDUA and Draft EA to the Department of Health. The DOH has responded with comments which will be addressed by return letter and in the final EA. The applicants will comply with all applicable DOH wastewater standards.

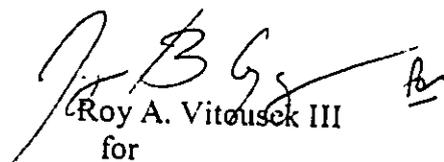
The Final EA will list those permits, approvals, and exemptions required for the proposed residence. These include: a CDUA; a Special Management Area Exemption and approval regarding flood safety standards from Kauai County Planning Department and Department of Public Works; approval from the Department of Health for the proposed septic system; and approval from the State Historic Preservation Division of the archaeological monitoring plan.

This office will make efforts to print the Final EA on double-sided pages to save on paper.

Genevieve Salmonson
November 7, 2006
Page 2

If you have additional comments or concerns, please contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Roy A. Vitousek III". The signature is stylized and includes a small flourish at the end.

Roy A. Vitousek III

for

CADES SCHUTTE

A Limited Liability Law Partnership

cc: Samuel J. Lemmo, OCCL

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LINDA LINGLE
GOVERNOR OF HAWAII



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

CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

2006 OCT 17 A 12:49

In reply, please refer to:

EPO-06-162

NATURAL RESOURCES
STATE OF HAWAII

October 13, 2006

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

Dear Mr. Lemmo:

SUBJECT: CDUA: KA-3373
Conservation District Use Application (CDUA) for Jason, Kaulana, and
Constance Irons Request to Join Two Separate Single Family Residences (SFR)
into One Structure
Haena District, Kauai, Hawaii
TMK: (4) 5-9-002: 040

Thank you for allowing us to review and comment on the subject document. The document was routed to the various branches of the Environmental Health Administration. We have the following Wastewater Branch comments.

Wastewater Branch

We have reviewed the subject application which is an after-the-fact permit for the construction of a single family residence in Hanalei, Kauai.

The subject project is located in the Critical Wastewater Disposal Area (CWDA) as determined by the Kauai County Wastewater Advisory Committee where no new cesspools will be allowed.

Information we are able to obtain shows that the County building permit application No. 02-2291 was revoked on September 9, 2002. Information available also shows that there are two existing dwellings in the property.

The Department does not object to the CDUA as it is proposed to install a new individual wastewater system (IWS) serving a single-family dwelling. However, we are concerned that the issuance of an after-the-fact permit will result in non compliance with our wastewater rules. In

Mr. Lemmo
October 13, 2006
Page 2

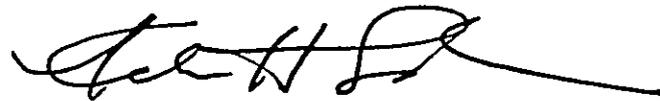
particular the following items must be complied with before the exiting structures are in compliance with our wastewater rules: 1) The current wastewater disposal ("cesspool") must be abandoned and a new treatment IWS meeting our current wastewater rules must be installed; 2) The new IWS can only serve a maximum of five (5) bedrooms or bedroom-like rooms; 3) Only one IWS will be allowed in the property; 4) Plans for the new IWS shall be submitted to the Wastewater Branch for review and approval before any construction begins. In addition, the new IWS shall be approved in writing before being placed into service.

All wastewater plans must conform to applicable provisions of the Department of Health's Administrative Rules, Chapter 11-62, "Wastewater System." We reserve the right to review the detailed wastewater plans for conformance to applicable rules. Should you have any questions, please contact the Planning & Design Section of the Wastewater Branch at (808) 586-4294.

We strongly recommend that you review all of the Standard Comments on our website: www.state.hi.us/health/environmental/env-planning/landuse/landuse.html. Any comments specifically applicable to this project should be adhered to.

If there are any questions about these comments please contact Jiakai Liu with the Environmental Planning Office at (808) 586-4346.

Sincerely,



KELVIN H. SUNADA, MANAGER
Environmental Planning Office

c: EPO
WWB
EH-Kauai

codes-schutte

A Limited Liability Law Partnership

November 7, 2006

Roy A. Vitousek III
Direct Line: (808) 329-5811
Direct Fax: (808) 326-1175
E-mail: rvitousek@codes.com

Kelvin H. Sunada, Manager
Department of Health
Environmental Planning Office
State of Hawaii
P. O. Box 3378
Honolulu, Hawaii 96801-3378

Re: CDUA: KA-3373; Conservation District Use Application for Irons
Family to Join Two Structures into One Single Family Residence;
TMK (4) 5-9-002:040, Haena, Kauai

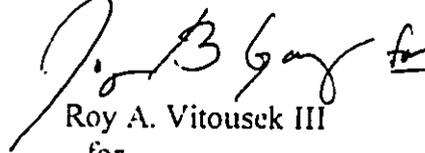
Dear Mr. Sunada:

This office represents the Irons family with respect to the above-referenced CDUA. We received your comment letter dated October 13, 2006. Thank you for your review of the Irons' plans and your attention to the proposed new septic system.

As illustrated in the attached plans that are also attached to the CDUA as Exhibit "R" and to the Draft EA as Exhibit 6, the applicants plan to "pump and abandon" the existing cesspool on their property. The proposed consolidated single family residence will contain only four (4) bedrooms, as depicted on the plans attached to the CDUA and Draft EA. Installation of only one individual wastewater system is proposed by the applicants. The proposed IWS was designed by James J. Cornick & Associates Engineering firm and will comply with applicable provisions of the Department of Health Administrative Rules. The design specifications of that system are attached for your reference.

If you have additional comments or concerns, please contact me.

Very truly yours,



Roy A. Vitousek III

for

CADES SCHUTTE

A Limited Liability Law Partnership

cc: Samuel J. Lemmo/OCCL
lmanageDB:676675 1

JAMES J. CORNICK & ASSOCIATES CONSULTING SERVICES, INC.
1214 ALA AUPAKA PLACE, HONOLULU, HAWAII 96818
TELEPHONE: (808) 833-5925 FAX: (808) 599-7788
E-MAIL: jimcornick@yahoo.com

February 10, 2005

Proposal to design an Individual Wastewater System
Project Location: 5-7608 A Kuhio Hwy., Haena, Hawaii 96714
Owners Mailing Address: P.O. Box 233, Hanalei, Hawaii 96714
Owner: Constance Irons **TMK:** (4)-5-9-002:040

Engineering fees to design an gravity flow wastewater system using a septic tank and an absorption bed for a 5 bedroom residential house to meet City & County of Oahu requirements. **Fees \$1,000.00**

Fees Include:

- a. Percolation test
- b. Drawings and application for submittal to Wastewater Branch for approval
- c. Itemized bid for materials and installation
- d. Final inspection and report to Wastewater branch on completion of installation

Items needed to be supplied by owner:

- a. TMK (Tax Map Key)
- b. Plot plan showing building location stamped by an engineer or architect
- c. Floor plan showing how many bedrooms stamped by engineer or architect

Payment Schedule

100% payment \$1,000.00 required prior to any work listed above commencing
Payment received 2/05/05 cash

Please make check out to James J. Cornick

Mahalo,



James J. Cornick

EXHIBIT R

JAMES J. CORNICK & ASSOCIATES CONSULTING SERVICES, INC.
1214 ALA AUPAKA PLACE, HONOLULU, HAWAII 96818
TELEPHONE: (808) 833-5925 FAX: (808) 599-7788
E-MAIL: jimcomick@yahoo.com

February 10, 2005

Contents of Package

1. Application for wastewater permit
2. Receipt for engineering deposit
3. Itemized bid for wastewater system materials & installation
4. Two sets of plans

If any of the items listed above are not in package please call and I will provide the missing items to you immediately.

Mahalo, for the opportunity to work for you.

JAMES J. CORNICK & ASSOCIATES, CONSULTING SERVICES, INC.

1214 Ala Aupaka Place, Aiea, Hawaii 96818

Telephone: 833-5925 Fax: 599-7788

E-mail: jimcomick@yahoo.com

February 10, 2005

INDIVIDUAL WASTEWATER SYSTEM

OWNER: Constance Irons

OWNERS MAILING ADDRESS: P.O. Box 233, Hanalei, Hawaii 96714

PROJECT LOCATION: 5-7608 A Kuhio Hwy., Haena, Hawaii 96714

TMK: (4)-5-9-002:040

**INDIVIDUAL WASTEWATER SYSTEM
APPLICATION INFORMATION SHEET**

Please Print or Type
Incomplete forms will result in delayed reviews

Engineer: Donald Manuel P.E.

Owners: Constance Irons

TMK: (4)-5-9-002:040

Owner's Mailing Address: P.O. Box 233, Hanalei, Hawaii 96714

Contact Person (if different from owner) and Address: James J. Cornick, 1214 Ala
Aupaka Place, Honolulu, Hawaii 96818-2232 (808) 833-5925 Fax: 599-7788

Project Location (street address, subdivision, & general,) 5-7608 A Kuhio Hwy.,
Haena, Hawaii 96714

Lot Size: 9,812 sq. ft.

Zoning: residential

Project flow or Number of Bedrooms: 5 Bdrms. 1000 GPD

Proposed Treatment Unit (manufacture, model, capacity): Quality Precast Products,
Inc.(1) JS-1250 gallon, 1250 gallon capacity

Proposed Disposal System: gravity flow septic system with absorption bed

Percolation Rate: 1 minutes / 1"

Existing IWS on the Lot: No _____ Yes Type: to be pumped and abandoned

FOR DEPARTMENT USE ONLY

Date Received: _____

Project Engineer: _____

File Number: _____

Notes: _____

OWNER'S CERTIFICATION FORM
SUBJECT: IWS System

INDIVIDUAL WASTEWATER SYSTEM FOR: Constance Irons

PROJECT LOCATION: 5-7608 A Kuhio Hwy., Haena, Hawaii 96714

TAX MAP KEY: (4)-5-9-002:040

OWNERS MAILING ADDRESS: P.O. Box 233, Hanalei, Hawaii 96714

I Constance Irons, hereby certify that I am the owner(s) of the subject property and that I have read the following and shall comply with all provisions. Failure to comply with any or all of the provisions can lead to imposition of the penalties and remedies as provided for in Administration Rule, Title 11, Chapter 62, Section 11-62-42, Penalties and remedies.

1. I certify that as the owner(s) of the individual Wastewater System (IWS) serving the subject property, the IWS will be inspected, operated and maintained in accordance with The operation and maintenance manual developed by my IWS design engineer. (Sec.11-62-31.1(e)(2).

Furthermore, if an aerobic unit is utilized for wastewater treatment, an active service contract for the proper operation and maintenance shall be maintained at all times. (Sec.11-62-33.1(b)(3).

2. I understand and shall comply with the provision of Sec.11-62-08(g) which requires that the IWS be constructed by a licensed contractor.

Furthermore, the licensed contractor information form shall be completed and submitted to the Department prior to final inspection.

3. I understand and shall comply with the provisions of Sec.11-62-31.1 (f) which states that the IWS must be inspected and approved of by the Department prior to use.

Furthermore, I shall instruct and require my contractor to leave uncovered for inspection, various parts of the IWS system. These parts include manholes/access openings, distribution boxes, end of trenches to visually see gravel, pipe and geotextile fabrics used and/or seepage pit openings. I understand that I will be required to re-expose these areas if at the time of inspection they are not visible.

Page Two
Owner's Certification Form

4. I understand and shall comply with the provisions of Sec. 11-62-31.1(e)(2) which requires me to certify upon sale or transfer of the subject property, that the appropriate transfer or sales documents and provisions shall bind the new owner's to the operation and maintenance provisions referenced in item 1 above.

5. I understand and shall submit any and all changes made to my IWS plans to the Department (Sec. 11-62-08(b) for review and approval. Changes to the approved IWS plans that need to be submitted to the Department include but are not limited to the following-changes in location of any component of the wastewater system, changes in the dwelling/buildings location or size and changes in the design engineered for the IWS.

Signed: _____ Date: _____
Constance Irons

PROJECT DESIGN DATA

1. Location
UIC line (below) (Above)
No Pass Zone (no) (yes)

2. Projected flow

Number of Bedrooms: 5 bedrooms
Total Daily Flow, GPD: 1000 GPD

3. Septic Tank (Hawaii Administrative Rules,
Title II, Chapter 62, Section 33.1 (A)(2)
Total Gallons: 1250 gallon tank required

4. Disposal System
Percolation Rate (observed) (Estimated)
(Time for water to fall 1 inch): 1 min. /1"
Required absorption area, sq. ft.
(Table 1, Manual of Septic Tank Practices): based on 1 min. at 70 sq. ft. per
bedrm. Example 5 x 70 sq. ft = 350 sq. ft. needed

Required length of leach trench 2 feet wide: n/a
OR
Required depth of 8 ft. diameter seepage pit
Below inlet pipe n/a

Soil Conditions : 1" to 8" brown loam 8" to 36" sand with broken coral good permeability

GENERAL NOTES:

1. Plan must be approved in writing by State of Hawaii Department of Health prior to commencement of construction.

2. The contractor shall locate and protect all existing utilities whether or not shown on the plans, any cost incurred by damages to existing utilities will be borne by contractor.

3. The contractor shall notify the engineer not later than 48 hours prior to commencement of excavation for I.W.S.

Absorption Area Req: 5 x 70 sq. ft. = 350 sq. ft. needed for City & County Code

Absorption Bed Being Provided: 15' x 30' = 450 sq. feet.

For 1250 gallon septic tank contact James J. Cornick Tele: (808) 599-7799

JAMES J. CORNICK & ASSOCIATES CONSULTING SERVICES, INC.

33 South King Street, Honolulu, Hawaii 96813, Suite 517

Telephone: (808) 833-5925 Fax: (808) 599-7788

E-Mail: jimcornick@yahoo.com

February 10, 2005

Proposal for Individual Wastewater System Materials

Owner: Constance Irons TMK: (4)-5-9-002:040

Owners: Mailing Address: P.O. Box 233, Hanalei, Hawaii 96714

Project Location: 5-7608 A Kuhio Hwy., Haena, Hawaii 96714

Materials needed for installation

(1) JS-1250 gallon concrete septic tank		\$3,475.00
(1) Concrete distribution box		\$ 125.00
(80') 4" PVC SDR 35 solid drain pipe	\$1.26 per ft.	\$ 100.80
(75') 4" PVC SDR 35 perforated drain pipe	\$1.36 per ft.	\$ 102.00
(2) 4" PVC SDR 35 90 degree bends	\$9.95 ea.	\$ 29.85
(2) 4" PVC SDR 35 cleanouts assemblies	\$11.95 ea.	\$ 23.90
(2) 4" PVC SDR 35 combination y's	\$14.95 ea.	\$ 29.90
(3) 4" PVC SDR 35 45 degree bends	\$7.95 ea.	\$ 23.85
(3) 4" PVC SDR 35 end caps	\$3.25 ea.	\$ 9.75
(2) 4" Fernco rubber adaptor bushings	\$6.95 ea.	\$ 13.90
(450) Square feet geotextile filter fabric	\$.20 per sq. ft.	\$ 90.00
(23) Tons # 3 A Course drain rock	\$107.00 per ton	\$2,461.00
Total for materials listed above		\$6,464.95

Delivery to job site

\$1,625.00

Pre-excavated hole to be done by others

Note: James J. Cornick & Associates Consulting Services, Inc. has to be able to back up to within 2' of the hole to and have 27' over head clearance to be able to swing boom out over center of hole to set tank. If James J. Cornick & Associates Consulting Services, Inc. crane truck can not set tank under the conditions mentioned above it will be the responsibility of the general contractor or persons ordering the tank to have another crane come set the tank. **The cost for the additional crane will also be the responsibility of the general contractor or person ordering the tank.**

Total for items listed above without tax **\$8,089.95**

Tax for materials, delivery @ 4.166% **337.03**

Total for materials, delivery, with tax **\$8,426.98**

Installation to be done by a licensed contractor **\$5,500.00**

Total for materials, delivery and installation

\$13,926.98

Payment Schedule

James J. Cornick & Associates Consulting Services, Inc. will require a 50% deposit for materials, balance for materials due on delivery. Allow 30 days for delivery once deposit has been received.

If you have any further questions or need additional information please contact Jim Cornick, at (808) 599-7799. Thank you for choosing James J. Cornick & Associates Consulting Services, Inc. as your wastewater material supplier.

Mahalo,

James J. Cornick & Associates
Consulting Services, Inc.



By: James J. Cornick
President

Operation and Maintenance Instructions for Septic Tank

1. Septic tank shall be inspected on a yearly basis by opening the access cover and checking the sludge or scum near the outlet pipe.

2. The septic tank shall be cleaned out either: (a) the bottom of the floating scum mat is within three (3) inches of the bottom of the outlet pipe: or (b) sludge comes within six (6) inches of the bottom of the outlet pipe.

3. Cleaning the septic tank will consist of pumping of the contents into a tank truck and hauling it to a State Health Department approved point of disposal. The septic tank should not be washed or disinfected after pumping. A three (3) inch depth of residual sludge shall be left in tank for seeding purposes.

4. A septic tank should not be entered by anyone unless proper safety procedures are followed. There is a potential hazard of explosion of gases and/or asphyxiation of personnel if precautions are not taken.

5. Chemicals or disinfectants do not improve the operation of septic tanks and are not recommended. Ordinary chemicals used in the household in small quantities will not adversely affect the operation of the septic tank.

6. Paper towels, newspaper, wrapping paper, rags and sticks should not be flushed down the septic tank. They will not decompose and will lead to clogging of the pipes.

7. Improper operation and maintenance of the septic tank will lead to early failure of the disposal system by clogging the piping and adjacent soil. This will result in septic tank overflows and disposal system flooding. Complete replacement of the disposal system may be then required.

8. Garbage disposals should not be installed in house nor should chemical agents be used to help with biological activities. If garbage disposal is installed then septic tank will require more frequent pumping to remove solids.

Installation Instructions for Septic Tank

1. Excavate 1' over in length and one foot over in width so tank can be lowered into hole without knocking dirt in under the tank.

2. Tanks can be installed using existing materials **except** if the bottom is rocky. If bottom is rocky then tank hole depth must then be over excavated by 4" so the rocky material can be covered by a minimum of four inches of pea gravel, sand, or S4C type materials. Then rock **can not** create a pressure point under the tank.

3. If materials that were excavated are rocky then the materials listed above should be used for backfill material on sides of tank also. No rocky material shall be placed against tank walls.

4. Fill tanks with water prior to compacting around tanks. **Backfill should be done as follows:** Fill tank with two feet of water in both chambers of tank, place backfill around tank in eight inch lifts compacting each lift until you reach one and one half feet of material compacted around tank. You can use a vibra plate, jumping jack or ramex. Fill tank with another two feet of water totaling four feet of water in tank, then add four more eight inch lifts around tank compacting every eight inch lift, now totaling three feet of backfill material around tank. Add more water until water level is equal to that of the flow line or to the bottom of the outlet tee in second chamber of tank. Add rest of backfill around tank inlet and outlet pipes while back filling. When covering top of tank and around risers, place twelve inches of backfill material over top of tank then compact. Continue back filling in eight inch increments and compact until reaching grade. Water can be left in tanks to allow for a rapid build up of bacteria colonies, which will allow for immediate competition between the bacteria established in the water or, at the request of the engineer, tank can be pumped out by contractor.

5. If tank is to be installed in high ground water the tank should first be water coated with an approved waterproof coating on the exterior of the tank. When excavating for tank in high ground water you should over excavate the bottom of the hole by a minimum of 4" so that pea gravel can be placed on the bottom of hole so that the tank can be installed level. When the tank is being lowered into the hole, water from the hole can be pumped into the tank to help settle the tank to the bottom. Once the tank is set level it can be backfilled as described above using pea gravel or sand so proper compaction can be achieved. After the tank has been backfilled the water inside the tank can be pumped out leaving approximately 6" in bottom, this will leave any sediment on the bottom of the tank that might have entered the tank during the installation of the tank. Pumping sediment or debris into any storm drain receptacles is prohibited, only clean water is acceptable.

Installation Instruction for Individual Wastewater System

1. Install solid sewer drain pipe from house to septic tank with minimum of 1/4" per foot fall. Install solid sewer drain pipe from septic tank to distribution box with minimum of 1/8" per ft. fall. Install solid header pipe from distribution box and perforated drain pipe in absorption bed level.

2. Once absorption bed has been excavated keep equipment out of excavated area to avoid re-compacting bottom of absorption bed. If material is re-compacted then rake bottom of absorption bed to disturb surface.

3. Install distribution box at grade. Then place drain rock to grade. Trench for perforated pipe and lay pipe in trench and place rock half way up around sides of perforated pipe while maintaining pipe level. This allows for wastewater to be distributed evenly throughout the absorption bed. After pipe has been bedded to drain rock recheck pipe elevation then cover pipe with remaining rock so that there is 2' of drain rock over pipe. Then place geotextile filter fabric over drain rock and backfill.

GENERAL NOTES:

1. All work shall conform to the building codes, standards of the industries Department of Health, Uniformed Plumbing Codes, and other related items.

2. The installation indicates the overall scope of work and intent, contractor to provide verification at the job site for any adjustments and to inform the engineer of said changes in writing before changes are made.

3. Gravel shall be 3/4" to not bigger than 1 1/2" in size with no fines or it should be a washed rock. No crushed coral or limestone will be accepted.

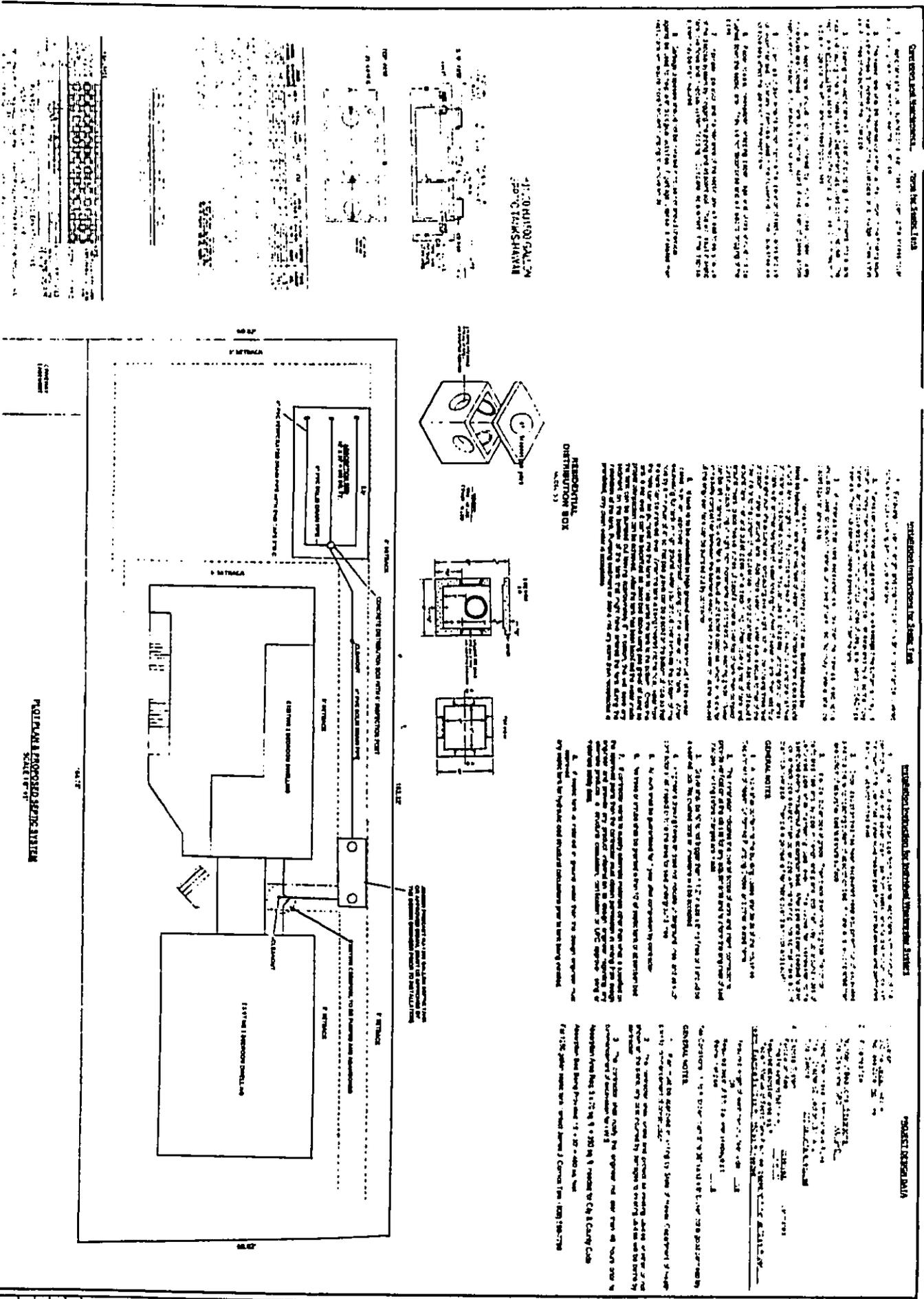
4. Engineer's drawing herewith does not indicate underground lines, and as such, contractor shall inspect or tone the area for said underground lines.

5. All work shall be guaranteed for 1 year after completion by contractor.

6. No trees or shrubs shall be planted within 10' of septic tank or absorption bed.

7. If contractor wants to supply alternate materials other than what is specified on the approved plans then the contractor must obtain permission in writing from design engineer and provide any product information to design engineer regarding any alternate products. ie. structural calculation, certification or UPC approval listing or materials safety data.

8. If septic tank is installed in ground water then the design engineer must approved any septic tank for hydraulic load structural calculations prior to tank being installed.



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EXHIBIT R



Hanalei-Ha'ena Community Association
Post Office Box 789
Hanalei, HI 96714

2006 OCT 23 A 10:49

DEPARTMENT OF LAND & NATURAL RESOURCES
STATE OF HAWAII

October 20, 2006

Board of Land & Natural Resources
PO Box 621
Honolulu, HI 96808

Attention: Dawn Hegger

RE: After-the-Fact Conservation District Use Permit for Irons Single Family Residence
(TMK 4-5-9-002:040)

Dear Ms. Hegger,

The Hanalei-Ha'ena Community Association submits for your consideration the following comments on the proposed Conservation District Use Permit application for the property located at TMK 4-5-9-002:040.

1. The restriction against short-term, transient vacation rentals in the Conservation District should be explicitly stated as a condition of any permit approval and should be aggressively enforced by the DLNR.

The restriction against vacation rentals is a particular concern in regard to this application, as the applicant states in Section IX of the Conservation District Use Application Form, that: "No short-term or vacation rental of the Property will occur *so long as Applicants own and occupy the Property*" [emphasis added]. The italicized portion of this statement clearly undermines the intended prohibition against the use of the property as a vacation rental by future owners of the property. In fact, should the BLNR issue a Use Permit for this property without explicitly stating that both present and future owners of the property are required to abide by the restriction against vacation rentals, future owners of the property could argue that the BLNR's silence in responding to the applicant's caveat should be construed as tacit acknowledgement that the prohibition was meant to apply only to the present owners.

Therefore, we request that any Conservation District Use Permit approval for this property explicitly state, and require as a deed restriction that runs with the property in perpetuity, that no short-term, transient vacation rentals will be allowed on the property. Further, strong penalties for violation of this requirement, including

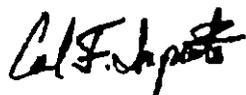
10/23/2008 10:10 000204410 KODJ001 FILE 02

revocation of the Conservation District Use Permit and removal of all structures allowed under such Permit, should be included in the permit approval conditions for this property and all other Conservation District Use Permit approvals.

2. The County of Kauai's "Open District" zoning designation is similar to the State's "Conservation District" designation. In the Open District, lot coverage is restricted to 10% of the parcel size. We recommend that lot coverage in the Conservation District be restricted to 10% (subject to a minimum square footage of allowable lot coverage), consistent with County zoning and with the Conservation District's primary purpose of natural resource protection.
3. As a matter of principle, the Hanalei-Ha'ena Community Association strongly disapproves of after-the-fact permits, except in the most-exceptional of circumstances, as such permits encourage the construction of illegal structures in the knowledge that there will be minimal negative land use or monetary consequences for failing to follow the law. We urge the BLNR to adopt this principle as well.
4. Finally, we are concerned that structures elevated to meet Flood Ordinance requirements are very frequently enclosed to create one or more (illegal) dwelling unit(s) below the permitted, elevated structure. Absent strong sanctions, property owners have little economic incentive to comply with the requirements imposed by the flood ordinances.

Therefore, if the BLNR approves this application for a Conservation District Use Permit, we ask that the restrictions against enclosure and use of the area below the permitted dwelling unit be clearly stated as conditions of the permit, along with strong penalties for violation of this condition, which should include revocation of the permit and removal of all structures that have been allowed under the permit. These requirements should be included in all other approvals of Conservation District Use Permits as well.

Thank you for the opportunity to comment on this application.



Carl F. Imparato
President
Hanalei-Ha'ena Community Association

codes + schutte

a limited liability law partnership

November 7, 2006

Roy A. Vitousek III
Direct Line: (808) 329-5811
Direct Fax: (808) 326-1175
E-mail: rv.vitousek@codes.com

Carl F. Imparato, President
Hanalei-Ha'ena Community Association
P.O. Box 789
Hanalei, Hawaii 96714

Re: After the Fact Conservation District Use Application for Irons Single Family Residence, TMK (4) 5-9-002:040, Haena, Kauai

Dear Mr. Imparato:

This office represents the Irons family with respect to the above-referenced CDUA. We have received your comment letter dated October 20, 2006. Thank you for your review of the applicants' plans.

The Irons family has lived in Haena on this property for over fifteen years, and has no plans to use their property as a short term vacation rental. Rather it is the home for three generations of Irons family. The applicants have every intention of complying with applicable covenants and restrictions in their Haena neighborhood.

The Irons occupy a small lot in Haena Hui lands of just under ten thousand square feet. There are several of these smaller lots in Haena that were created in the mid-1960's and have been expressly grandfathered in the Conservation District pursuant to a 2005 amendment of applicable Conservation District Rules. It is infeasible for three adults and three children to share a single family residence that occupies only ten percent of their property.

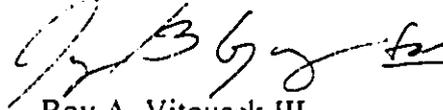
There have been two dwelling structures on the applicants' property since the 1970's. The Irons are now seeking to satisfy DLNR regulations at significant expense by consolidating the two structures into one structure to comply with Conservation District Rules.

Finally, as illustrated in the site plan submitted with the CDUA, the applicant's residence will be elevated in compliance with national and local flood standards. This is likely to be an express condition if the CDUA is approved, and the Irons will comply with all conditions of the permit as well as all local and national flood insurance standards.

Carl F. Imparato
November 7, 2006
Page 2

If you have additional comments or concerns, please contact me.

Very truly yours,



Roy A. Vitousek III
for

CADES SCHUTTE
A Limited Liability Law Partnership

cc: Samuel J. Lemmo/OCCL

lmanageDB:676864.t

**CONSOLIDATION OF TWO RESIDENCES WITHIN THE
STATE LAND USE CONSERVATION DISTRICT TO
ONE SINGLE-FAMILY RESIDENCE**

APPENDIX 2

ARCHAEOLOGICAL MONITORING PLAN

Prepared by

Rechtman Consulting, LLC

November 2006

RC-0451

Archaeological Monitoring Plan for Subsurface
Development Activities Associated with the
Modification of an Existing Single-Family
Residence at Hā'ena Point
(TMK: 4-5-9-02:040)

Hā'ena Ahupua'a
Halele'a District
Island of Kaua'i



PREPARED BY:

Robert B. Rechtman, Ph.D.

PREPARED FOR:

Constance Irons
05-7608A Kuhio Highway LLC
P.O. Box 149
Hanalei, HI 96714

November 2006

RECHTMAN CONSULTING, LLC

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ARCHAEOLOGICAL, CULTURAL, AND HISTORICAL STUDIES

Archaeological Monitoring Plan for Subsurface
Development Activities Associated with the
Modification of an Existing Single-Family
Residence at Hā'ena Point
(TMK: 4-5-9-02:040)

Hā'ena Ahupua'a
Halele'a District
Island of Kaua'i

 RECHTMAN CONSULTING

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INTRODUCTION

Rechtman Consulting, LLC has prepared this archaeological monitoring plan at the request Jocelyn Garovoy of Cades Schutte, on behalf of their client 05-7608A Kuhio Highway LLC (the Irons Family). This plan details the procedures that will be followed during the monitoring of ground-disturbing activities associated the remodeling of a single-family residence situated on a 9,812 square foot parcel located in Hā'ena Ahupua'a, Halele'a District, Island of Kaua'i (TMK:4-5-9-02:040) (Figures 1 and 2). An archaeological field inspection (Rechtman 2006) was conducted of the current study parcel, which concluded that it is likely that portions of the buried Precontact midden deposit (SIHP Site 50-30-02-1809) are extant within the parcel boundary; and that it is also possible that traditional Hawaiian burials might be encountered if subsurface development activity occurs. As such it was determined that development activities might have an effect on as of yet unknown archaeological resources, thus the requirement for archaeological monitoring. This archaeological monitoring plan adheres to procedures outlined in Hawai'i Administrative Rules 13§13-279 *Rules Governing Minimal Standards for Archaeological Monitoring Studies and Reports*.

BACKGROUND STUDIES

There have been numerous archaeological investigations at small parcels in and around Hā'ena Point in the vicinity of the current study parcel (Table 1). Cumulatively these studies have documented a buried midden deposit associated with temporary habitation (SIHP Site 50-30-01-1809) that extends throughout the area, albeit intermittently. This deposit has been buried by as much as 140 centimeters of sand on different parcels on Hā'ena Point, and contains faunal material from extirpated avifauna. Radiocarbon dates place the occupation associated with this deposit to between A.D. 1385 and 1500 (Hammatt and Schideler 1989b). As others point out, Hā'ena is "one big archaeological site" and may "hold the key to understanding earliest Tahitian or Marquesan colonization in Hawaii" (Griffin et al. 1977:2). Studies on Hā'ena Point have also led to the discovery of over 60 individual burials on seven different parcels. Clearly this suggests that the Hā'ena Point sand deposits were used for interment purposes and that there is a possibility of encountering subsurface burials in the current study area.

In 1995, Carol Silva prepared *A Historical and Cultural Report of Hā'ena State Park; Halele'a, Kaua'i*; (Silva 1995). This report documents the traditional and historical significance of Hā'ena within the context of the Halele'a District, Kaua'i, and all of the Hawaiian Islands. Oral traditions indicate that Hā'ena was an important center of ancient *hula* (Joesting 1984). Pele herself was drawn to Hā'ena by the drumming of the chief Lohiau at his *halau* at Ke'e (Emerson 1915). Historical records describe how during the conquest of the Hawaiian Islands by Kamehameha I, the ruling chief of Kaua'i (Kaumuali'i) avoided personal defeat through a peaceable transfer of power. He established a will that left Kaua'i to Kamehameha upon Kaumuali'i's death. Although subject to Kamehameha during the remainder of his life, Kaumuali'i retained leadership over the island. Kamehameha died five years before Kaumuali'i.

Upon Kaumuali'i's death in 1824 his agreement to Kamehameha was honored, rather than the traditional reassignment of lands to local chiefs, the O'ahu powers selected and installed Kaumuali'i's nephew (Kahalaia) as the new chief of Kaua'i. The O'ahu chief Kalanimoku was sent to Kaua'i to inform the local chiefs. The local chiefs rebelled, and a bloody one-sided battle ensued. Well-armed and well-trained warriors were sent to Kaua'i from O'ahu and Maui to support Kalanimoku. The ill-prepared farmers of Kaua'i were easily defeated, and Kaua'i came under the direct rule of the young king (Kamehameha III). Kaikiohewa was appointed governor and the lands were re-divided with the best tracts going to the "loafers and hangers-on (*palaualelo*) of O'ahu and Maui" (Kamakau 1992:269). "Thus, the old order of political power on Kaua'i is dissolved and displaced by a new society of *konohiki* (land managers) who descend from O'ahu and Maui lines" (Silva 1995:4).

This sociopolitical transformation was affirmed and codified by the *Māhele* of 1848. The *ahupua'a* of Hā'ena was awarded (LCAw. 10613) to Abner Paki husband of L. Konia, a granddaughter of Kamehameha I. In addition, there were 23 *kuleana* awards granted in Hā'ena for both *lo'i* and houselots; but the current study area was not one of them. Paki apparently was given the *ahupua'a* during the Kaikiohewa division of lands, post 1824. Paki controlled Hā'ena's fresh water supply, the produce from his 12 *kō'ele* (tenant-worked farms), the gathered mountain and ocean resources, and all octopuses from the coastal waters. In 1837, Kekela'akalaniwahikapa'a (E. Kekela) was appointed by Paki as the *konohiki* of Hā'ena to oversee his interests. Kekela was Paki's aunt and Kamehameha I's sister-in-law, and had resided on Kaua'i (in Lumaha'i Ahupua'a-near Hā'ena) since 1810. Many of the *kuleana* claims were from individuals who were given land by Kekela, who herself claimed land (LCAw. 7949) in the Limahuli area.

Paki died in 1855 and Konia in 1857. Bernice Pauahi Bishop, their only child, inherited their lands and in 1858 Hā'ena was sold to W. H. Pease. Although traditional farming lands become incorporated into a growing cattle industry, the taro *lo'i* along Limahuli and Mānoa streams and the sweet potato plots along the coastal plain remained productive into the twentieth century (Handy 1940). By the turn of the twentieth century this portion of Hā'ena was divided into the Hā'ena Hui house lots. Parcel 40 was originally Hā'ena Hui Lot 24. Figure 3 shows the general locations of the *kuleana* awards and the locations of archaeologically recorded pondfield, habitation, ceremonial, and burial areas in coastal Hā'ena.

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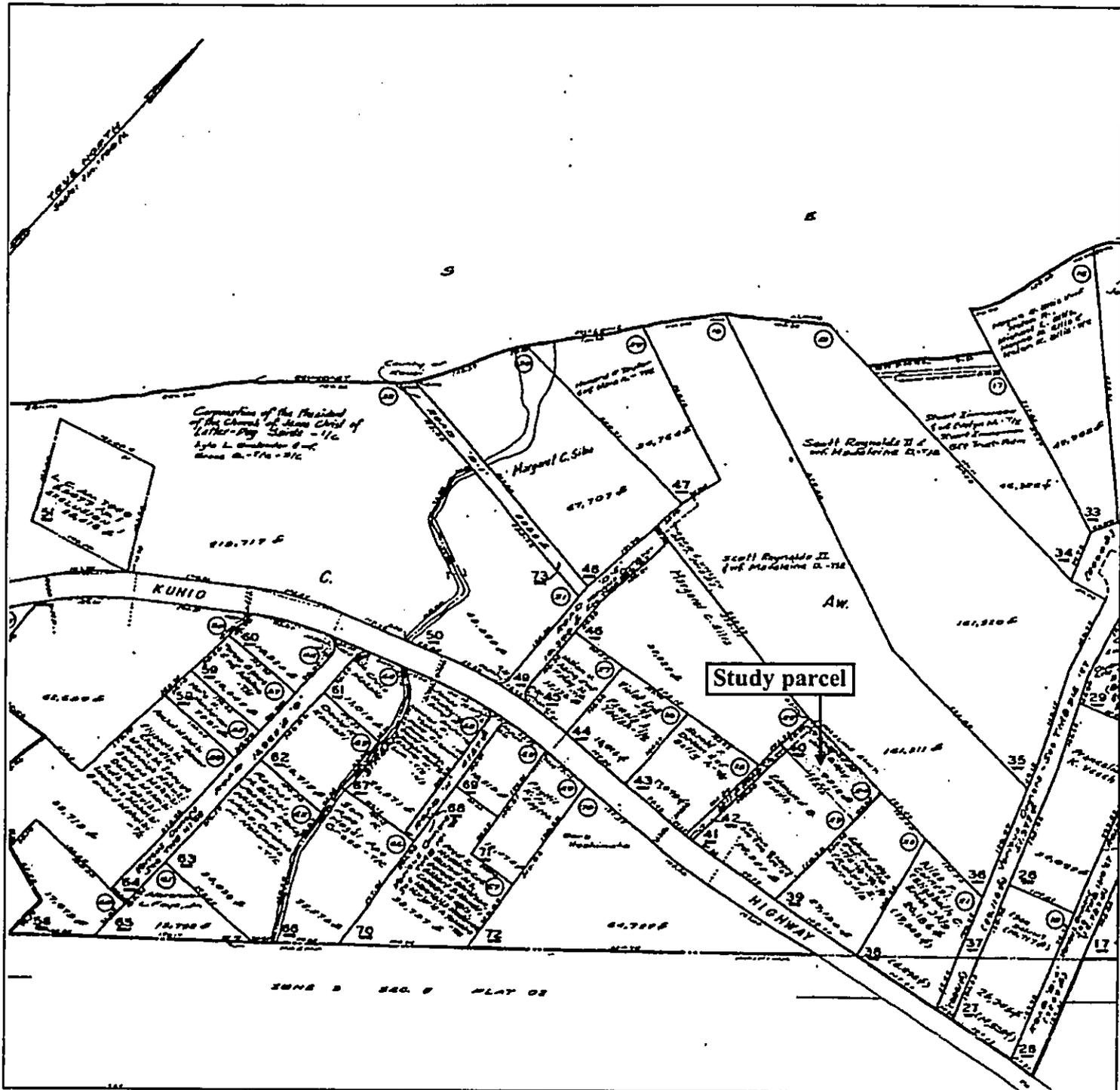


Figure 2. Portion of TMK:4-5-9-2 showing study parcel (59).

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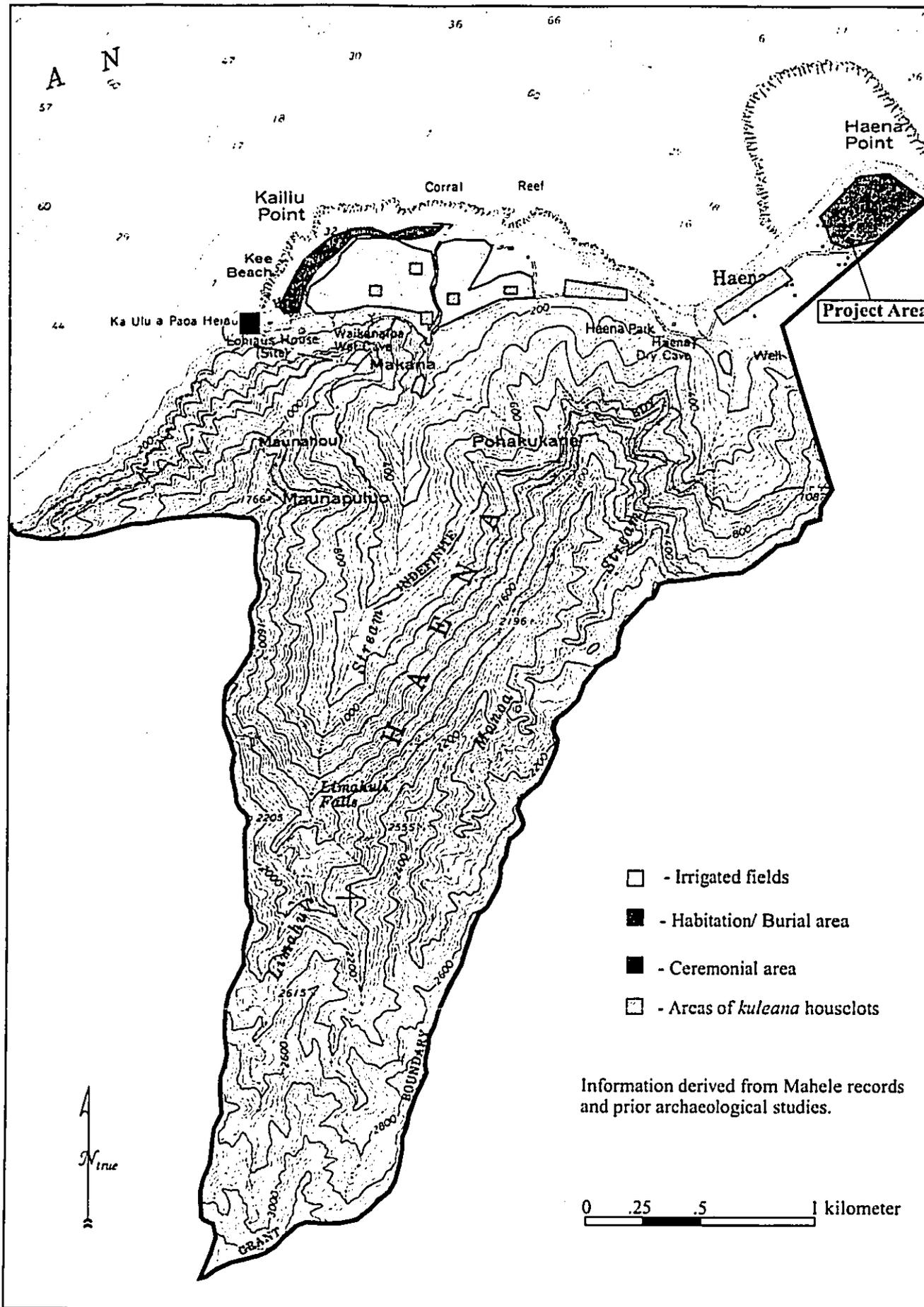


Figure 3. Hā'ena Ahupua'a showing general coastal site locations.

Table 1. Previous archaeological studies in the vicinity of the current study area.

<i>Study Citation</i>	<i>TMK Parcel Number*</i>	<i>Type of Study</i>
Denham and Kennedy (1993)	34	Monitoring
Folk (1990)	48	Reconnaissance
Hammatt (1980)	22	Reconnaissance
Hammatt (1984a)	22	Inventory
Hammatt (1984b)	22	Subsurface testing
Hammatt (1989)	34	Reconnaissance
Hammatt and Schideler (1989a)	31	Monitoring
Hammatt and Schideler (1989b)	34	Data recovery
Hammatt and Schideler (1989c)	35	Data Recovery
Hammatt and Schideler (1998)	50	Inventory
Kennedy (1989)	51	Inventory
Kruse (1994)	20	Monitoring
McElroy (2003)	65	Inventory
McMahon (1988)	41	Inadvertent burial discovery
McMahon (1996)	52	Inadvertent burial discovery
Moore and Kennedy (1995)	52	Inventory
Rechtman (1994)	31	Monitoring
Rechtman (2000)	66, 67	Inventory
Rechtman (2004a)	68	Monitoring/Burial Treatment
Rechtman (2004b)	58	Inventory
Rechtman (2006)	59	Inventory
Rechtman and Clark (2002)	69, 70	Inventory
Soldo and Dixon (1994)	36	Monitoring

* All TMK parcel numbers are preceded by 5-9-02.

ANTICIPATED REMAINS

Based on the results of the prior archaeological studies discussed above, which have been conducted in the vicinity of the current parcel, the possibility does exist for encountering buried cultural deposits and human remains.

COORDINATION OF EFFORTS

Prior to ground-disturbing activities, an archaeological monitor will meet with the construction team to discuss the procedures for monitoring. It will be explained that monitoring archaeologists have the authority to halt excavation activities in the event that cultural resource is encountered. If cultural resources identified during monitoring are deemed significant, Rechtman Consulting, LLC will immediately notify DLNR-SHPD and coordinate consultation as appropriate with any groups or organizations. Additionally DLNR-SHPD will be notified in writing upon the on-set and completion of the monitoring activities.

FIELD METHODS

An archaeological monitor will be present during all ground-disturbing activities. All exposed soil will be inspected and the stratigraphic profiles of any excavated trenches will be examined. This practice will be followed in an effort to identify previously undiscovered and undisturbed cultural deposits, features, artifacts, and human skeletal material. If any such resources are encountered the monitor will initiate the following procedures:

Intact Cultural Deposits

If intact cultural deposits are discovered during monitoring, an assessment will be made as to their integrity and significance. If deemed significant, and the deposit is likely to be further impacted by demolition activities, work in the affected area will be curtailed, and an appropriate mitigation strategy developed in consultation with DLNR-SHPD.

Cultural Features

Subsurface cultural features observed will be fully described, drawn, and photographed. Provenience information will also be recorded and related to an established project datum ensuring accurate horizontal and vertical placement. The limits of the feature will be defined, if possible without further excavation, and any associations natural or cultural (including surrounding soil) will be noted. Where appropriate samples for further analyses will be collected.

Artifacts

Artifacts observed in the removed soil would be collected and general provenience recorded. The precise locations of any items found in situ will be recorded and the items collected. Any observed association would also be documented.

Human Skeletal Remains

Given the project area setting, it is possible that human skeletal remains could be discovered during the monitoring. If such material is encountered the procedures for the inadvertent discovery of human skeletal remains outlined in HRS §§6E-43 will be followed. Ground-disturbing activity in the immediate area of the discovery will be halted, the remains stabilized, and the appropriate authorities contacted. If the skeletal material is determined to be historic or Precontact (as opposed to recent), Rechtman Consulting, LLC will direct the applicant to seek DLNR-SHPD guidance on how to proceed with the discovery. If the remains are determined to be recent, the Kaua'i County Police Department will be contacted.

TREATMENT OF RECOVERED REMAINS

All recovered material will be temporarily stored within a secure location on the current study parcel. The collected items will be recorded in a field catalog, and upon completion of the monitoring fieldwork the disposition of the items will be as follows:

Cultural Material

Artifacts from intact contexts will be analyzed; those recovered from fill will simply be cataloged. Analyzed items will be cleaned, weighed, measured, and illustrated (if appropriate). Analysis will include formal description and functional interpretation.

Recovered Samples

All recovered samples (soil, charcoal, etc.) will be initially processed in the Rechtman Consulting, LLC laboratory before being dispersed to the appropriate institutions for detailed analysis.

Human Skeletal Remains

If DLNR-SHPD determines that the removal of buried Native Hawaiian human remains is an appropriate course of action, then a treatment/reburial plan will be developed in consultation with DLNR-SHPD Burials Program. Such treatment might include reburial without further analysis, or reburial following analysis. If osteological analysis is deemed appropriate, the analysis will comply with Hawai'i Administrative Rules 13§13-300.

REPORTING

Following completion of the monitoring a final monitoring report will be prepared and submitted to DLNR-SHPD for review. This report will follow the specifications contained in HAR 13§13-279-5. If any human skeletal remains are recovered and analyzed as part of the monitoring project they will be addressed in the final monitoring report following procedures contained in HAR 13§13-300. The final monitoring report will be submitted to DLNR-SHPD within 180 days of completion of the monitoring fieldwork.

CURATION OF RECOVERED ITEMS

Any material recovered during the project will be temporarily stored at the Rechtman Consulting, LLC curation facility for a period of no more than one year following submission of the final monitoring report, during which time arrangements will be made for permanent curation in consultation with the landowner and DLNR-SHPD.

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