

Exhibits Accompanying  
Conservation District Use Permit Application and  
Final Environmental Assessment

TMK: (4) 5-3-001:016

Submitted To: Office of Conservation and Coastal Lands

Applicant: Kalihiwai Investors, LLC

August 27, 2014

## List of Exhibits

- Exhibit 1: Site Development Details
  - A: Site Topographical Map
  - B: Site Plan (including Landscape Plan)
  - C: Site Plan (including Landscape Plan) Dwelling Area Detail
  - D: Dwelling Detailed Floor Plan
- Exhibit 2: Elevations
- Exhibit 3: Preliminary Excavation Schedule
- Exhibit 4: Renderings of Proposed Dwelling Viewed from Kapaka Street
- Exhibit 5: Selected Dwellings Along Kapaka Street
- Exhibit 6: Rainwater Leech Bed and Drip Line Dispersal System
- Exhibit 7: Waste Water System Detail
- Exhibit 8: Community Consultation
  - A: Pre-Assessment Letter
  - B: List of Distributees for Pre-Assessment Letter
  - C: Response Letter from Department of Health
  - D: Response Letter from Kauai Department of Water
  - E: Response Letter from Kauai Office of Environmental Quality
  - F: Response Letter from U.S. Fish and Wildlife Service
  - G: Response Letter from Department of Transportation
  - H: Response Letter from DLNR Division of State Parks
  - I: Response Letter from Mr. Reed
  - J: Petition Submitted by Mr. Reed
  - K: Response Letter from Dr. and Mrs. Ogawa
  - L: Response Letter from Mr. and Mrs. Brewer
  - M: Response Letter from Mrs. Blakely
  - N: Minutes from Princeville Agricultural Subdivision December 2013 Meeting
  - O: Email from Mrs. Bouret
  - P: Email from Ms. Edwards
- Exhibit 9: Public Comment Process with Respect to the Draft EA
  - A: DLNR Division of State Parks Letter
  - B: Applicant Response
  - C: DLNR Division of Forestry and Wildlife Letter
  - D: Applicant Response
  - E: DLNR Kauai District Land Office Letter
  - F: Applicant Response
  - G: DLNR Division of Aquatic Resources Letter
  - H: Applicant Response
- Exhibit 10: County of Kauai SMA Determination Letter

Exhibit 1A: Proposed Site Topographical Map

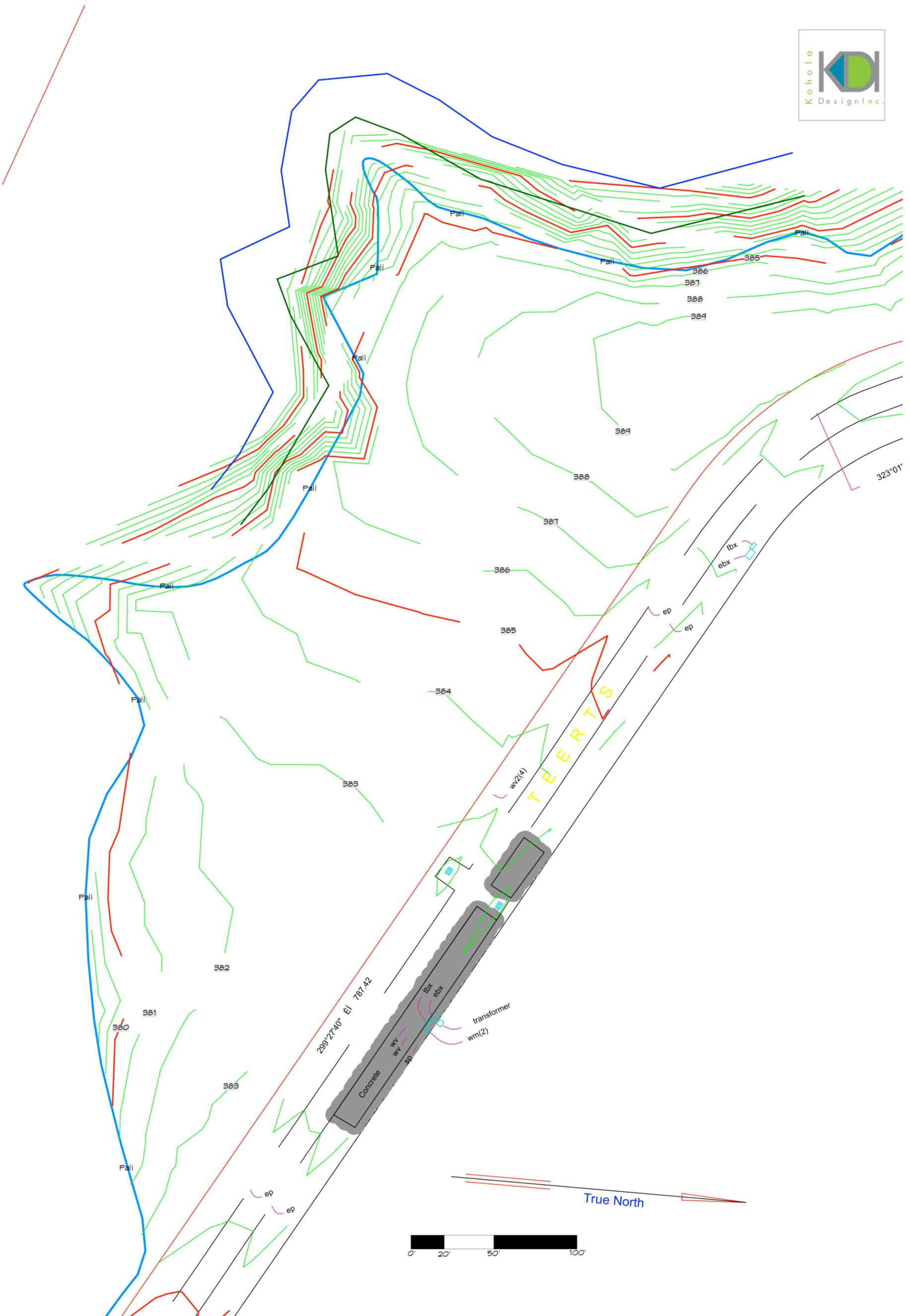
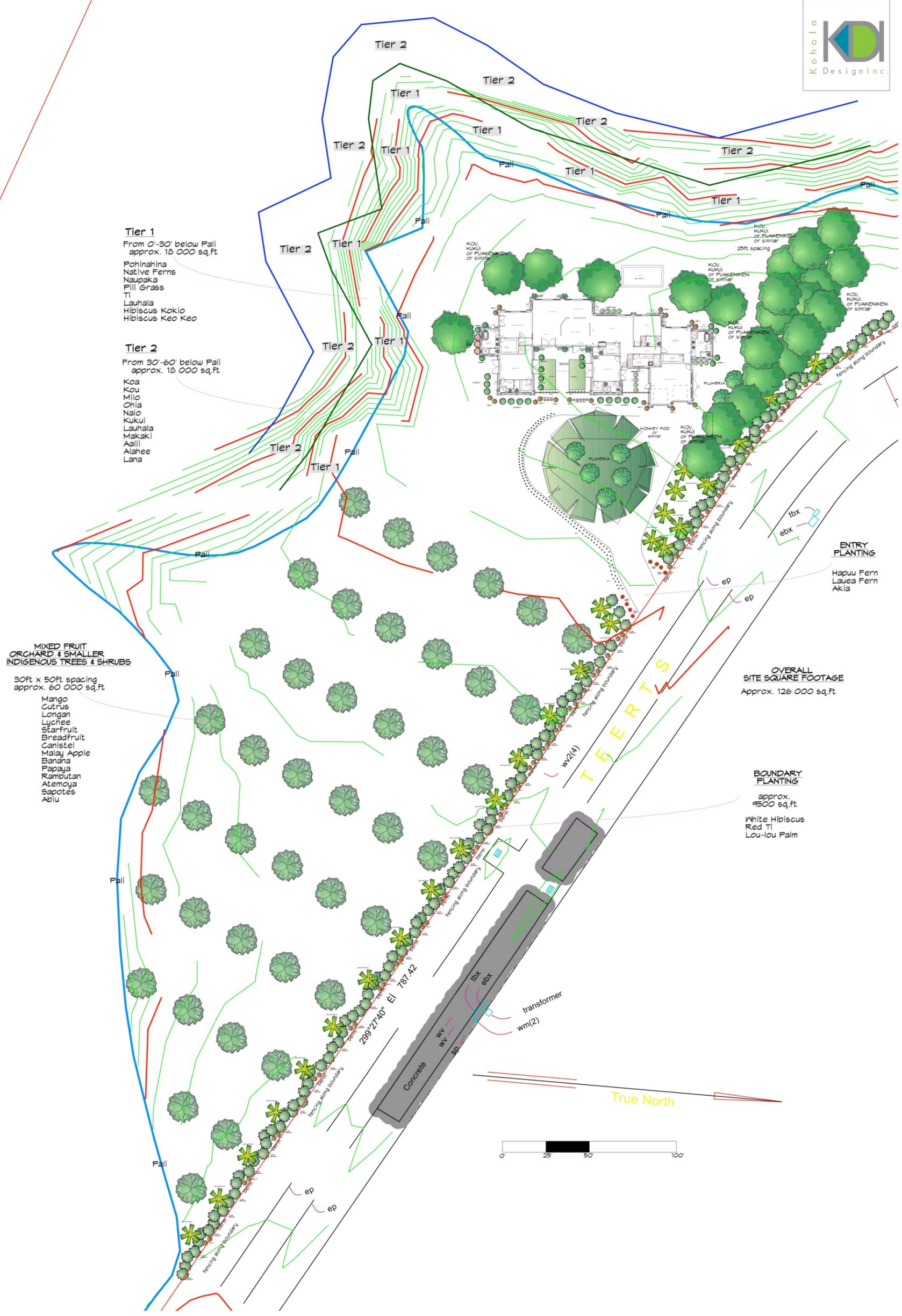


Exhibit 1B: Site Plan (including Landscape Plan)



**Tier 1**  
From 0'-30' below Pali  
approx. 18,000 sq.ft.

- Pohinahina
- Native Ferns
- Naupaka
- Pili Grass
- TI
- Lauhala
- Hibiscus Kokio
- Hibiscus Keo Keo

**Tier 2**  
From 30'-60' below Pali  
approx. 18,000 sq.ft.

- Koa
- Kou
- Milo
- Ohia
- Naiio
- Kukui
- Lauhala
- Makaki
- Aalii
- Alahee
- Lana

**MIXED FRUIT ORCHARD & SMALLER INDIGENOUS TREES & SHRUBS**

- 30ft x 50ft spacing  
approx. 60,000 sq.ft.
- Mango
  - Citrus
  - Longan
  - Lychee
  - Starfruit
  - Breadfruit
  - Canistel
  - Malay Apple
  - Banana
  - Papaya
  - Rambutan
  - Atemoya
  - Sapotes
  - Abiu

**ENTRY PLANTING**

- Hapu Fern
- Lauaea Fern
- Akia

**OVERALL SITE SQUARE FOOTAGE**  
Approx. 126,000 sq.ft.

**BOUNDARY PLANTING**

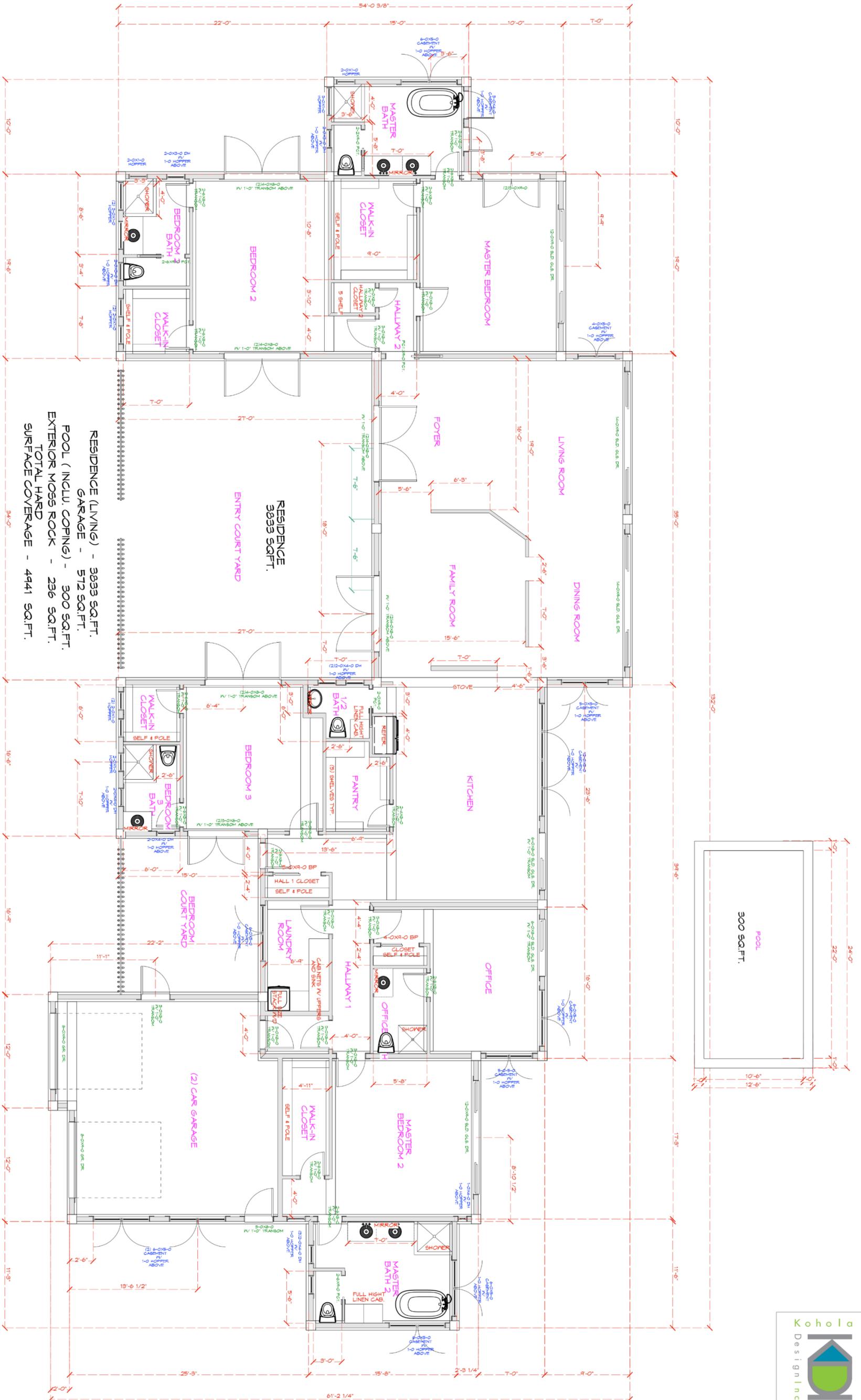
- approx. 9,500 sq.ft.
- White Hibiscus
  - Red TI
  - Lou-lou Palm

True North





Exhibit 1D: Dwelling Detailed Floor Plan





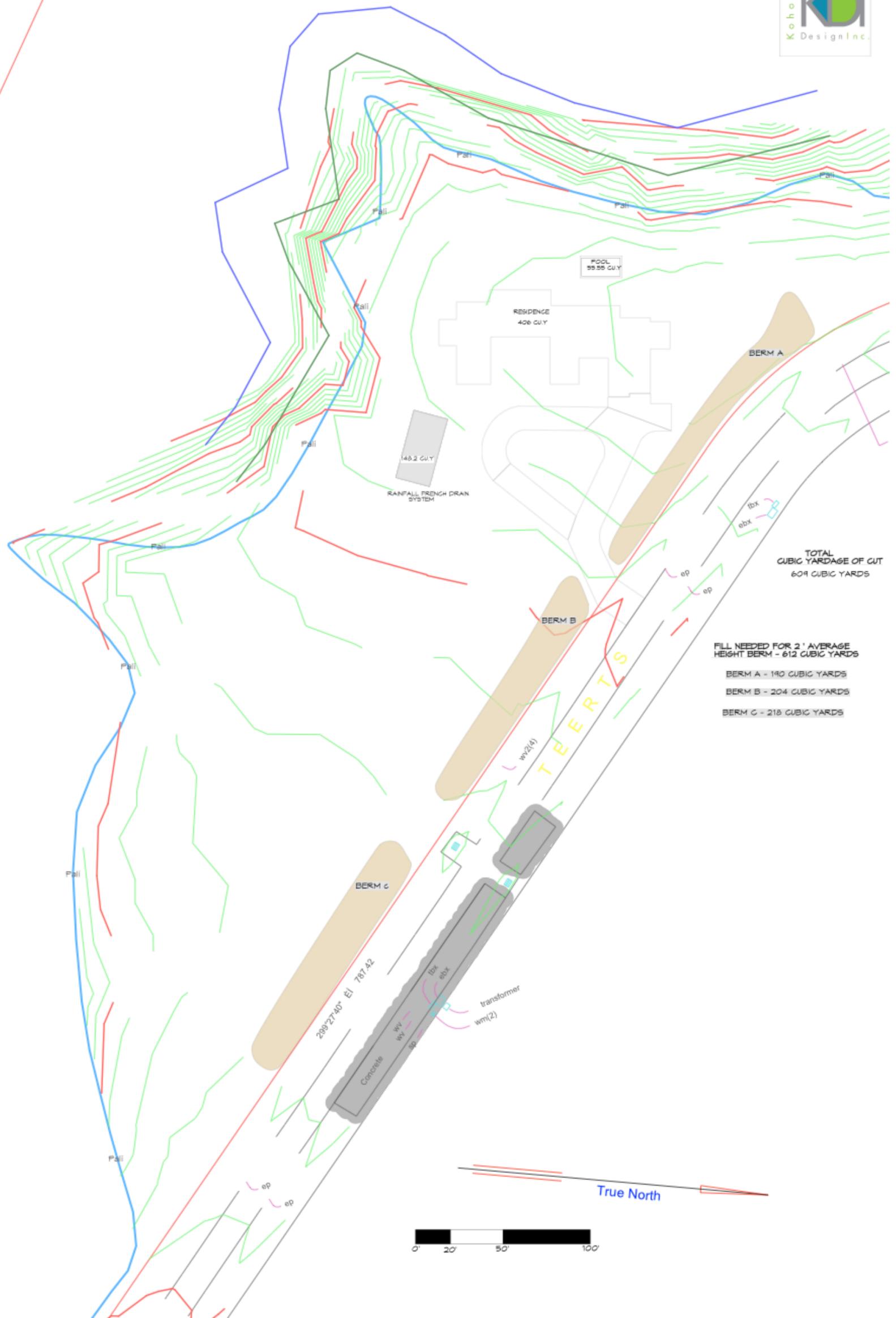


NORTH ELEVATION 1/8" = 1' SCALE



SOUTH ELEVATION 1/8" = 1' SCALE

Exhibit 3: Preliminary Excavation Schedule



TOTAL CUBIC YARDAGE OF CUT  
609 CUBIC YARDS

FILL NEEDED FOR 2' AVERAGE HEIGHT BERM - 612 CUBIC YARDS

- BERM A - 190 CUBIC YARDS
- BERM B - 204 CUBIC YARDS
- BERM C - 218 CUBIC YARDS



True North

Exhibit 4A: Renderings of Proposed Dwelling Viewed from Kapaka Street (View from North)



Exhibit 4B: Renderings of Proposed Dwelling Viewed from Kapaka Street (View from South)



Exhibit 5: Selected Dwellings Along Kapaka Street

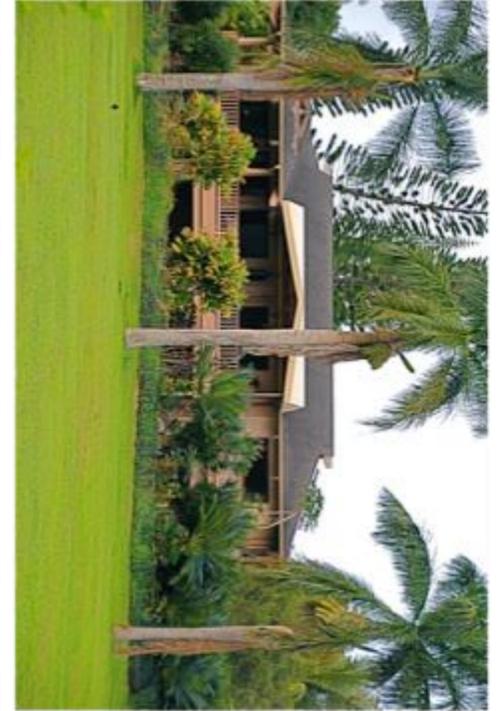
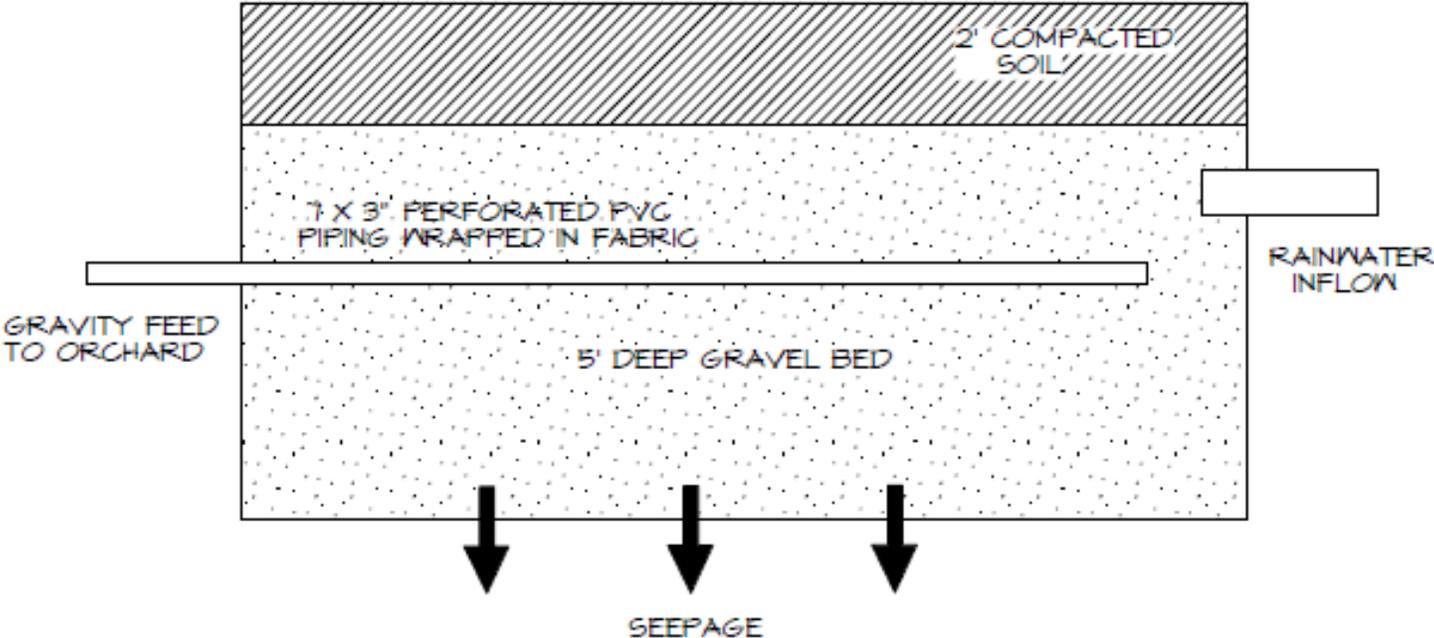
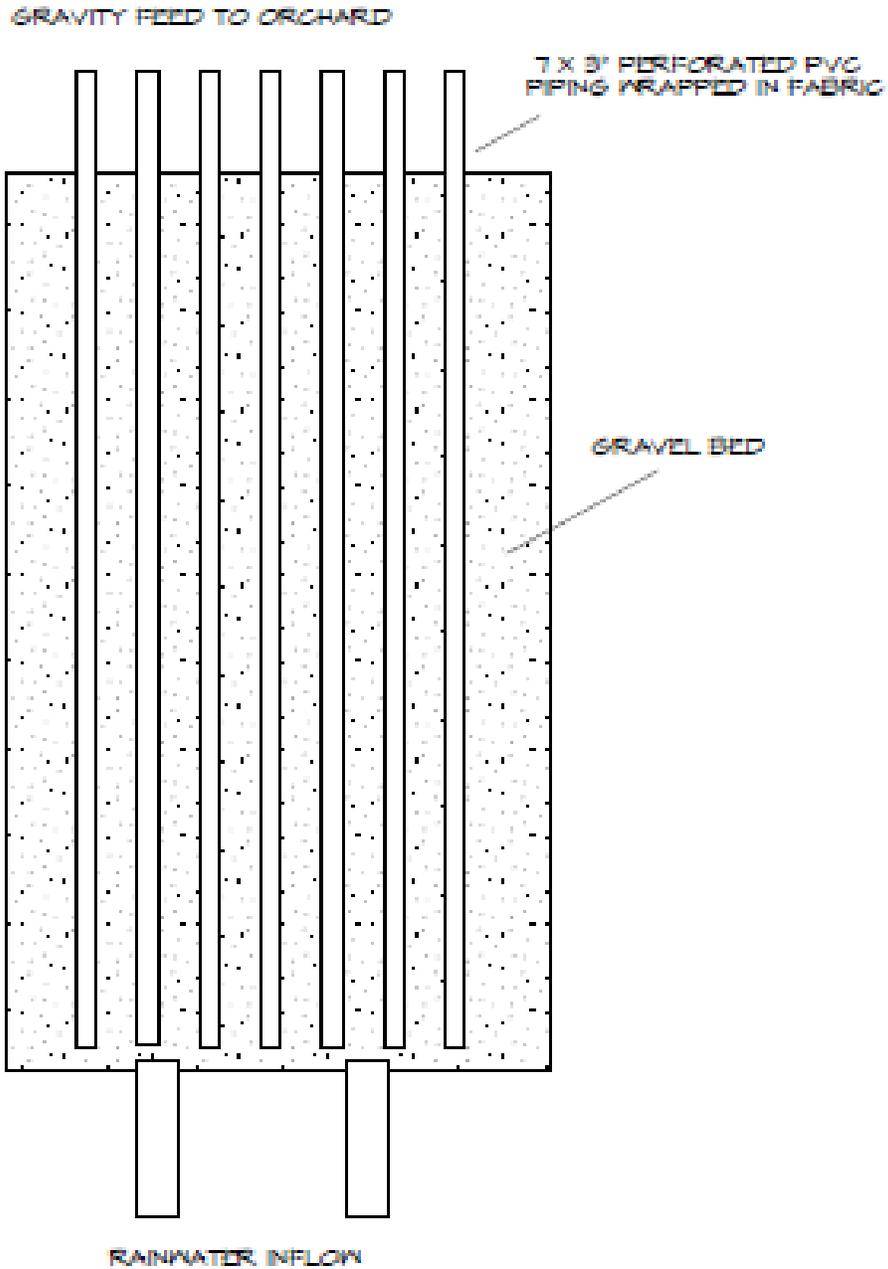


Exhibit 6: Rainwater Leach Bed and Drip Line Dispersal System



CROSS SECTION OF  
RAINFALL FRENCH DRAIN SYSTEM.  
APPROX. 20' X 40' X 5' N.T.S.

Exhibit 6: Rainwater Leach Bed and Drip Line Dispersal System  
(page 2)



PLAN VIEW OF  
RAINFALL FRENCH DRAIN SYSTEM.  
APPROX. 20' X 40' X 5' N.T.S.

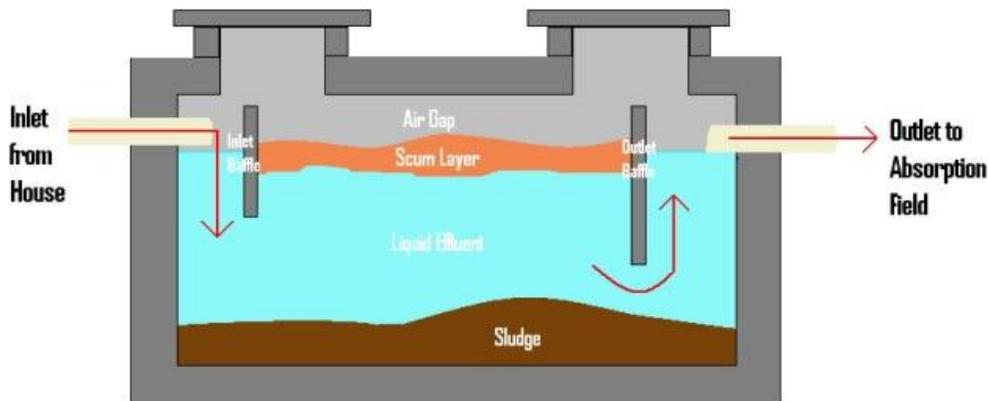
## Exhibit 7: Waste Water System Detail

There are 4 different options for waste water systems that could be installed to service the proposed dwelling. The explanations below are simplified versions of these systems and there are also differences from one system manufacturer to another. In addition, an application can combine processes of different systems. The four alternatives considered here are --

1. Standard below ground septic tank with accompanying leach field.
2. A below ground aerobic system.
3. A below ground anaerobic system.
4. An above ground anaerobic system.

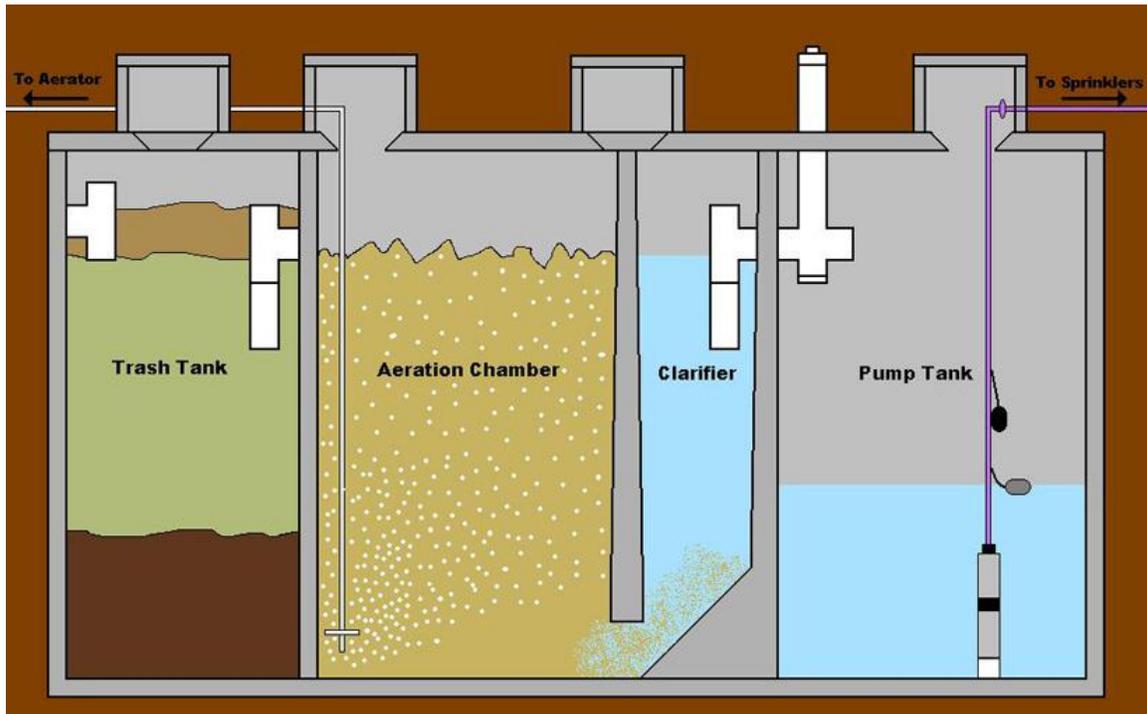
### 1. Standard system.

This system uses a septic tank and the outflow runs to a leach field of appropriate size based upon the percolation tests. A typical leach field would be 20'x 40' in size with five to six runs of baffles to disseminate the outflow. The tank requires roughly a 6'x 10' hole for installation. Preliminary analysis indicates that percolation on site is good and that a standard type septic system would function well.



## 2. Below ground aerobic system.

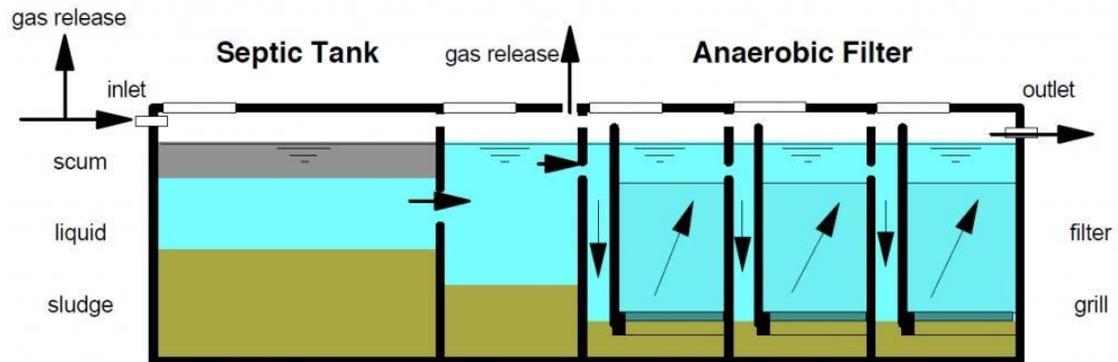
This type of system utilizes a tank with a series of compartments into which air is circulated into the incoming effluent. The effluent is cleaned from compartment to compartment. Chlorination is performed in the last compartment and the water can be used for irrigation. This type of system does require more monitoring than a standard type of system.





3 and 4. Below and above ground anaerobic systems.

These systems are often used when a residence is within 1,000 feet of an aquifer. The effluent is sent through a series of tanks with several gas release valves and it is effectively 'scrubbed' through a filtration system to a point at which it can be safely used for drip irrigation. This system can be installed above or below ground and, depending on the system chosen, would be recommended to be installed in a small structure of roughly 8'x 15'.



## Exhibit 8: Community Consultation

- A: Pre-Assessment Letter
- B: List of Distributees for Pre-Assessment Letter
- C: Response Letter from Department of Public Health
- D: Response Letter from Kauai Department of Water
- E: Response Letter from Kauai Office of Environmental Quality
- F: Response Letter from U.S. Fish and Wildlife Service
- G: Response Letter from Mr. Reed
- F: Petition Submitted by Mr. Reed
- G: Response Letter from Dr. and Mrs. Ogawa
- H: Response Letter from Mr. and Mrs. Brewer
- I: Response Letter from Mrs. Blakely
- K: Email from Mrs. Bouret
- L: Email from Ms. Edwards

*Environmental Planning Solutions, LLC*

November 9, 2013

Dear Consulted Party:

Subject: Pre-Assessment Consultation Regarding Single-Family Dwelling in the  
Conservation District, Tax Map Key No. (4) 5-3-001:016  
4590 Kapaka Street, Princeville, Hawai'i 96722

Kalihiwai Investors, LLC (KI) is the landowner of a 175-acre parcel in Princeville, Kauai. Please see Location Map I. About 147 acres of the parcel is located in the Conservation District as designated by the State Land Use Commission, while approximately 28 acres is in the Agriculture District. KI is proposing to construct a single-family residence in the Conservation District portion of the parcel (under Hawai'i Administrative Rules §13-5-41, only one such residence is allowed). The residence is proposed to be sited in a two-acre open field bordered by Kapaka Street on the west and the Hanalei Valley on the east. Please see Location Map II.

Environmental Planning Solutions, LLC, on behalf of the landowner, is preparing a Hawaii Revised Statutes Chapter 343 Environmental Assessment of the landowner's proposal to construct the single-family dwelling. The Department of Land and Natural Resources Office of Conservation and Coastal Lands (DLNR OCCL) is the approving agency for the Environmental Assessment. If the DLNR OCCL finds that the proposed single-family dwelling would not result in any significant environmental or cultural impact, a Conservation District Use Permit (CDUP) would then be requested from the DLNR OCCL.

As part of the Environmental Assessment, seeking your input in identifying potential environmental and cultural impacts associated with the proposed dwelling. The proposed single-family dwelling would be designed and constructed in accordance with the standards set forth in Title 13, Hawaii Administrative Rules pertaining to the Conservation District single family residences (§13-5-41 dated Dec. 5, 2011). In addition to the proposed dwelling in the Conservation District, KI is contemplating that five farm dwellings will be constructed on the Agricultural District portion of the parcel in the future by way of a condominium property regime project.

To date, an archaeological inventory survey (covering portions of the parcel including the proposed single-family dwelling site) has been completed by KI, and reviewed and approved by the State Historic Preservation Division (SHPD). In addition, a Final Preservation Plan establishing a 7-acre preserve for Po'oku Heiau (located north of the proposed single-family dwelling site) has been accepted by the SHPD. KI is considering transfer of an additional 5.8 acres to the Po'oku Heiau preserve such that the preserve would include almost 13 acres. A native hardwood forestation plan for 11 acres between the Po'oku Heiau preserve and the Kuhio Highway on the parcel is also underway.

*Environmental Planning Solutions, LLC*

In conjunction with this work, we are requesting any written comments and/or information with respect to your area(s) of concern. Please send your written comments to the following by December 9, 2013:

Colette Sakoda  
Environmental Planning Solutions, LLC  
945 Makaiwa Street  
Honolulu, Hawai'i 96816

Please send a copy of your comments to:

Sam Lemmo, Administrator  
Office of Conservation and Coastal Lands  
State of Hawaii Department of Land and Natural Resources  
Kalanimoku Building  
1151 Punchbowl St., Room 131  
Honolulu, Hawai'i 96813

Thank you for participating in the planning stages of this important project. If you have any questions or need clarification, please contact me at (808) 748-1529.

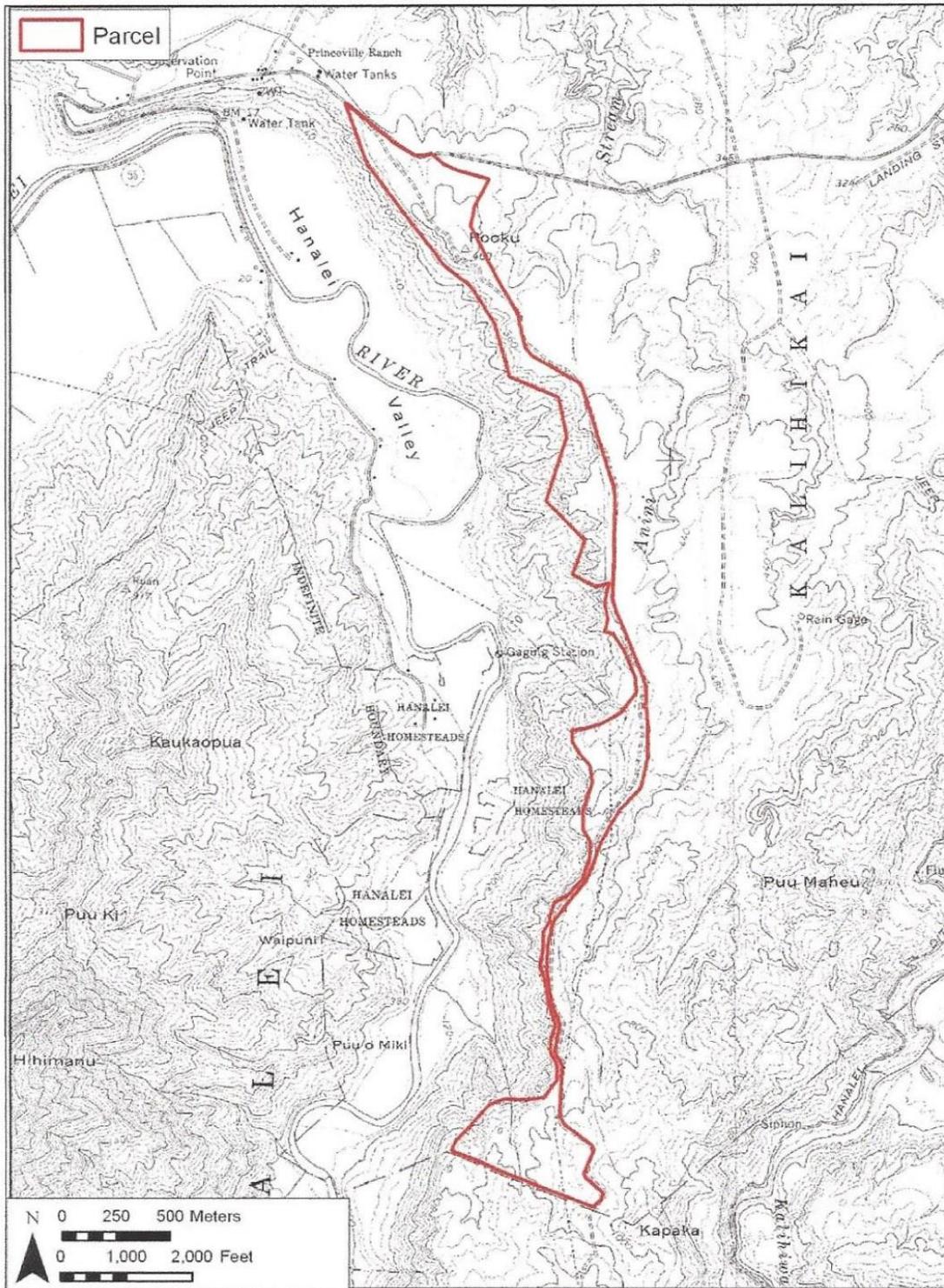
Sincerely,

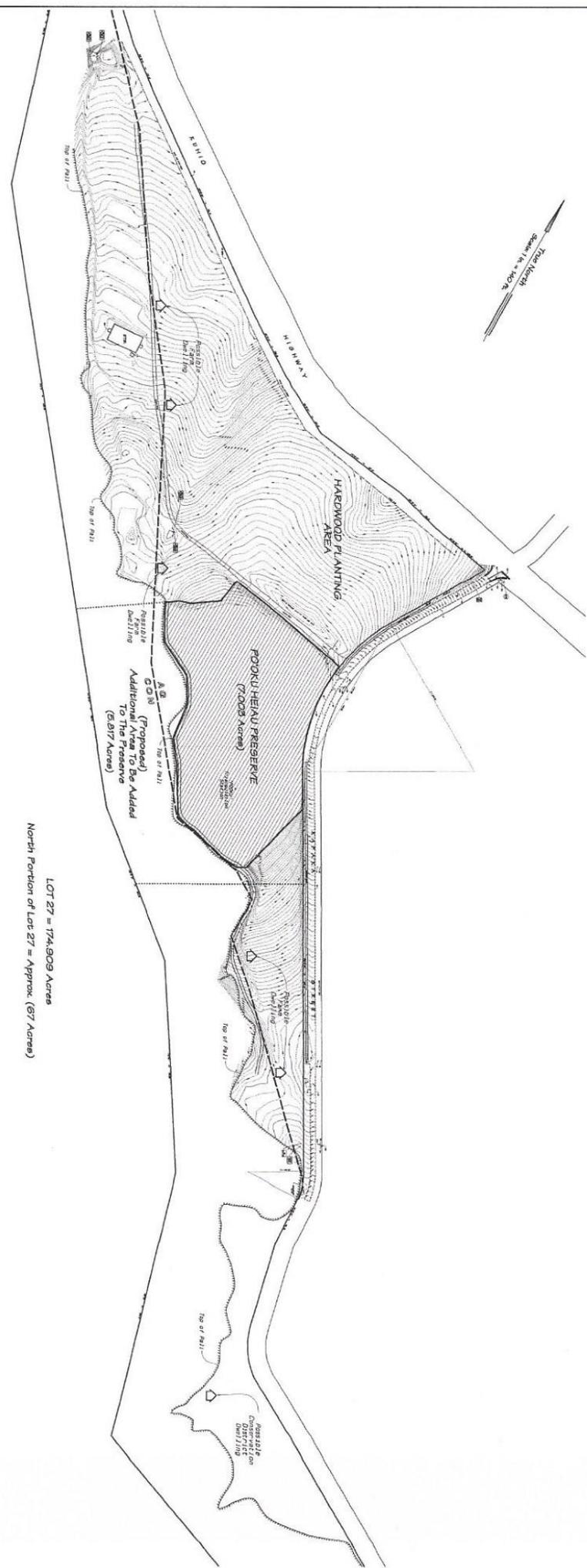


Colette Sakoda  
Principal  
Environmental Planning Solutions, LLC

Enclosure: Location Maps I and II

Location Map I  
1963 US Geological Survey Hanalei Quad Showing Location of the Parcel

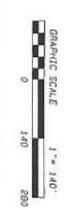




LOT 27 = 174,909 Acres  
 North Portion of Lot 27 = Approx. (67 Acres)

PARCEL 1, TWO 8-9-01

- Notes**
1. Copies of exhibits and certificates referred to by Government Survey, Topographical Division, HONOLULU.
  2. ENCLOSURES (A) & (B) Show all of the proposed and existing boundaries of the North Portion of Lot 27, as shown on the map.



	<p><b>LOCATION OF PROPOSED CONSERVATION DISTRICT DWELLING</b></p> <p>Being the NORTH PORTION OF LOT 27, HANAULI, L. P. 8100, L. C. No. 1525, Areas 2 to 4, Kaulahouli and Portion of the Kaulahouli II to K. C. Mills As Exhibited and Herein, Kaulahouli, Hawaii</p> <p>Proposed for Kaulahouli Investments, LLC</p>
	<p><b>PORTUGAL SURVEYING, LLC</b></p> <p>1641 LAKEMORE BL.        HONOLULU, HAWAII 96813</p>

	Consulted Agency, Group or Individual	Pre-Assessment Letter Sent	Response Received
<b>Federal</b>	U.S. EPA Region 9	√	
	U.S. Fish and Wildlife Service (direct it to Hanalei or Kilauea)	√	√
	U.S. Army Corps of Engineers POD Regulatory Branch	√	
<b>State of Hawaii</b>	USDA NRCS - Kauai	√	
	State of Hawaii DLNR Division of State Parks	√	√
	Department of Health	√	√
	Department of Land & Natural Resources-Honolulu	√	√
	Department of Land & Natural Resources-State Historic Preservation Division	√	
	Department of Transportation - Highways Division	√	√
	Hawaii Department of Agriculture	√	
	Office of Environmental Quality Control	√	√
<b>County of Kauai</b>	Office of Hawaiian Affairs- Kauai	√	
	Department of Planning	√	
	Department of Public Works Engineering Division	√	
	Department of Water	√	√
	Fire Department	√	
<b>Organizations</b>	Police Department	√	
	Kauai Historical Preservation Commission	√	
	Kauai County Historical Preservation Society	√	
<b>Utilities</b>	Princeville at Hanalei Community Association (sent to individual owners)	√	
	Hawaiian Telcom	√	
<b>Princeville Community Owners/Residents</b>	Kauai Island Utilities Cooperative	√	
	Tom & Leona Blankley, Jr.	√	
	Thomas May	√	
	Petrina Britt Blakely	√	√
	Arthur & Nutan Brownstein	√	
	Paul H. Appleblom & Paul Appleblom Jr.	√	
	Matthew Segal	√	
	Ryoichi Ogawa	√	√
	Richard & Sherry Brewer	√	
	Marilou Knight	√	
	Rebecca Williams	√	
	Sand & Weed LLC c/o Bill Liddle	√	
	Patrick & Lona Hallmark	√	
	Winifred Proctor	√	
	Jimit Mehta	√	
	Theodore & Juliana Myers	√	
	Savadge Revocable Trust 1988	√	
	Sam & Bev Watkins	√	
	Dave Garret Family Trust	√	
	Michael Mraz	√	
	Judhvir & Janet Parmar	√	
	Meryl Eisen	√	
	Wendy & Robert Hart	√	
	Miriam Bouret	√	
	Janet & Damon Teves	√	
	Robert Brodie	√	
	Lynn & Sandy Brodie	√	
	Harvey & Paula Cohen	√	
	William Robertson & Lucinda McDonald	√	
	Ken & Shirin Hunt	√	
Helen Savadge & Steve Tyau	√		
Willis & June Savadge	√		
Karvel & Nancy Rose	√		

	Consulted Agency, Group or Individual	Pre-Assessment Letter Sent	Response Received
Princeville Community Owners/Residents	Martin & Alice Bryan	√	
	Paul Bryan	√	
	Jay Harman	√	
	Francesca Bertone	√	
	Jeffrey Walba	√	
	Mark Hershon	√	
	David Klass	√	
	Tom & Rae-Marie May	√	
	Steven Seiden	√	
	Robert & Veronica Leiffring	√	
	Michael & Ilse Dunn	√	
	Kelley & Jon Haneberg	√	
	David & Denise Carswell	√	
	Jennifer & Jim Antony	√	
	David Williams	√	
	Richard & Susan Roth	√	
	Michaëlle Edwards	√	
	Kevin & Ayumi Jones	√	
	Sylvia Hannon	√	
	Wendy & Gerry Pellegrini	√	
	Robert Brodie	√	
	Alexander & Evelyn Brodie	√	
	Charlie Bass	√	
	Hui O Hihimanu Condo	√	
	Priya Vengopal	√	
	Douglas & Beatrice Allen	√	
	Tristan Imboden	√	
	Kelly Johnson	√	
	Harold & Monika Seager	√	
	David & Denise Carswell	√	
	Holt & Cydney Blanchard	√	
	Samuel Chapin	√	
	Janine Lynne	√	
	Jim Gair	√	
	Roy Chambers	√	
	Bob & Lynne Isom	√	
	Kevin & Ayumi Ditimore	√	
	Stuart & Moki Zimmerman	√	
	Brent Bessire	√	
	Sara Schachter	√	
	Jeffrey & Karin Guest	√	
Gene Eidenberg	√		
Anna Chavez	√		
Steve Gross	√		
Howard & Ahava Wills	√		
Temple Illumination	√		
Christar Hovey	√		
Douglas & Valerie West	√		
Michael Taylor	√		
Donna Holevoet	√		
Callaghan Stanny	√		
Timothy Reed		√	



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
3040 UMI STREET  
LIHUE, HAWAII 96766

November 25, 2013

Colette Sakoda, Principal  
Environmental Planning Solutions, LLC  
945 Makaiwa Street  
Honolulu, Hawai'i 96816

Dear Ms. Sakoda:

SUBJECT: Pre-Assessment Consultation Regarding a Single Family Dwelling  
Located at 4590 Kapaka Street, Princeville Hawaii, 96722, Tax Map Key  
Number (4) 5-3-001:016.

We have reviewed the subject proposal submitted and offer the following environmental health concerns for your consideration at this time.

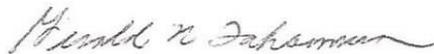
1. The proposed project is possibly located within a thousand (1000) feet of a public drinking water source. Please consult with a surveyor and Princeville Utilities regarding the exact location of the project and the location of the public well. The Wastewater Branch will allow one individual wastewater system containing an aerobic unit for this project. Also, the Wastewater Branch will allow only one system for any part of the lot within a thousand feet of the public well.
2. The property may harbor rodents, which will disperse to the surrounding areas when the site is cleared. In accordance with Title 11, Hawaii Administrative Rules (HAR), Chapter 11-26, "Vector Control", the applicant shall ascertain the presence or absence of rodents on the property. Should the presence of rodents be determined, the applicant shall eradicate the rodents prior to clearing the site.
3. The noise generated during the construction and demolition phases of this project shall not exceed the applicable maximum permissible sound levels as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control", unless a noise permit is obtained from the Hawaii State Department of Health (DOH).

4. Temporary fugitive dust emissions could be emitted when the project site is prepared for construction and when construction activities occur. In accordance with Title 11, HAR, Chapter 11-60.1, "Air Pollution Control", effective control measures for air pollution shall be provided to prevent or minimize any fugitive dust emissions caused by construction work from affecting the surrounding areas. This includes the off-site roadways used to enter/exit the project
5. The construction waste that will be generated by the project shall be disposed of at a solid waste disposal facility that complies with the applicable provisions of Title 11, HAR, Chapter 11-58.1, "Solid Waste Management Control", the open burning of any of these wastes on or off site is prohibited.
6. All land disturbance areas (roads, utilities, house pads, etc.) need to be determined before the Clean Water Branch can comment on the proposed project.

Due to the general nature of the application submitted, we reserve the right to implement future environmental health restrictions when more information is submitted.

Should you have any questions, please call me at 241-3323.

Sincerely,



Gerald N. Takamura, Chief  
District Environmental Health Program - Kauai

GNT/lm



*Water has no substitute..... Conserve it*

December 19, 2013

Ms. Colette Sakoda  
Environmental Planning Solutions, LLC.  
945 Makaiwa Street  
Honolulu, HI 96816

Dear Ms. Sakoda:

Subject: Pre-Assessment Consultation Regarding Single Family Dwelling in the  
Conservation District, TMK: 5-3-01:016, Kapaka Street, Princeville, Kauai

This is in regard to your letter dated November 09, 2013. The following are our  
comments to the proposed single family dwelling on TMK: 5-3-01:016.

Any actual subdivision or development of this area will be dependent on the adequacy of  
the source, storage, and transmission facilities at that time. At the present time, water  
service for the proposed development is not available from the Department of  
Water (DOW).

Prior to the DOW recommending building permit approval, the applicant must complete  
a Waiver and Release Agreement with the DOW agreeing that water service is not  
available from the Department of Water for this development.

If you have any questions, please contact Ms. Regina Flores at (808) 245-5418.

Sincerely,

A handwritten signature in cursive script that reads "Edward Doi".

Edward Doi  
Water Resources and Planning Division

RF:loo  
EA, 5-3-01-016, Single Family Dwelling, Princeville

c: Sam Lemmo, State of Hawaii - DLNR



STATE OF HAWAII  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

Department of Health  
235 South Beretania Street, Suite 702  
Honolulu, Hawai'i 96813  
Telephone (808) 586-4185  
Facsimile (808) 586-4186  
Email: oeqchawaii@doh.hawaii.gov

December 6, 2013

Colette Sakoda, Principal  
Environmental Planning Solutions, LLC  
945 Makaiwa Street  
Honolulu, Hawai'i 96816

Subject: Pre-Assessment Consultation Regarding Single-Family Dwelling in the  
Conservation District, Tax Map Key No. (4) 5-3-001: 016  
Kapaka Street, Princeville, Hawai'i 96722

Dear Ms. Sakoda:

The Office of Environmental Quality Control is in receipt of your November 9, 2013, pre-assessment consultation letter, requesting comments about the proposed single-family dwelling. After review of the letter, OEQC offers these comments:

1. The Hawai'i Revised Statutes Chapter 343 Environmental Assessment is a disclosure document that informs the public and decision makers about a project and its impacts. While the letter mentions only a single-family dwelling on the subject line, the details reveal a total of six dwellings, five of which will be constructed "by way of a condominium property regime..."  
  
The advice is to make sure that the five farm dwellings are revealed at the beginning of the environmental assessment, along with the single-family dwelling. Please also include a detailed discussion of the project; site preparation and construction phase, impacts, mitigation, and full built-out use, impacts, and mitigation.
2. The content requirements of an environmental assessment are specified in §11-200-10, Hawai'i Administrative Rules. Please include discussions on soil stability, erosion, fugitive dust, potable water, stormwater management, wastewater management, solid waste disposal, hazardous materials if relevant, aesthetics/vistas, flooding, etc., during site preparation, construction and post construction.
3. Please include a legible vicinity map and site plan clearly showing the proposed project sites and orientation.

Thank you very much for the opportunity to review you proposed project and provide comments. Please feel free to contact me at (808) 586-4185 if you have further questions.

Sincerely,

  
Herman Tuiolosega  
Acting Director

c: Sam Lemmo, Office of Conservation and Coastal Lands



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Pacific Islands Fish and Wildlife Office  
300 Ala Moana Boulevard, Room 3-122  
Honolulu, Hawai'i 96850

December 9, 2013

In Reply Refer To:  
2014-TA-0056

Colette Sakoda  
Environmental Planning Solutions, LLC  
945 Makaiwa Street  
Honolulu, Hawai'i 96816

Subject: Technical Assistance regarding Single-Family Dwelling in the Conservation District, Tax Map Key No. (4) 5-3-001:016  
4590 Kapaka Street, Princeville, Hawai'i 96722

Dear Ms. Sakoda:

The U.S. Fish and Wildlife Service (Service) received your letter on November 12, 2013, requesting our comments for the preparation of an Environmental Assessment for the proposed construction of a single-family dwelling in a conservation district. We understand the Kalihiwai Investors, LLC (KI) will be submitting this proposal to the Department of Land and Natural Resources Office of Conservation and Coastal Lands for a Conservation District Use Permit.

You requested information as to whether the proposed construction of a single-family dwelling will affect federally listed species or designated critical habitat. We have reviewed the information you provided and pertinent information in our files, including data compiled by the Hawai'i Biodiversity and Mapping Program. Our information indicates the federally endangered Hawaiian duck or koloa (*Anas wyvilliana*) and Hawaiian hoary bat or `ōpe`ape`a (*Lasiurus cinereus semotus*) maybe present in the vicinity. Additionally, the federally threatened Newell's shearwater (*Puffinus auricularis newellii*), endangered Hawaiian petrel (*Pterodroma sandwichensis*), and a candidate for listing, the band-rumped storm-petrel (*Oceanodroma castro*) (collectively referred to as seabirds), may fly over the project area when traversing between the ocean and mountainous breeding colonies. There is no proposed or designated critical habitat located in the area.

### Hawaiian Duck

In addition to utilizing lowland wetlands and estuaries, Hawaiian ducks also utilize mountain streams. Although no mountain streams or wetlands are currently found within the proposed 2 acre-parcel, Hawaiian ducks may fly over the area or stop for a rest. To avoid impacts to the

TAKE PRIDE<sup>®</sup>  
IN AMERICA 

Hawaiian duck, survey the area in the morning, before any ground clearing for any part of the proposed project occurs.

Hawaiian Hoary Bat

The Hawaiian hoary bat roosts in both exotic and native woody vegetation and, while foraging, will leave young unattended in "nursery" trees and shrubs when they forage. If trees or shrubs suitable for bat roosting are cleared during the breeding season, there is a risk that young bats could inadvertently be harmed or killed. To minimize impacts to the endangered Hawaiian hoary bat, woody plants greater than 15 feet (4.6 meters) tall should not be disturbed, removed, or trimmed during the bat birthing and pup rearing season (June 1 through September 15). Site clearing should be timed to avoid disturbance to Hawaiian hoary bats in the project area.

Seabirds

Seabirds, including the Newell's shearwater, Hawaiian petrel, and band-rumped storm-petrel, fly at night and are attracted to artificially-lighted areas resulting in disorientation and subsequent fallout due to exhaustion. Seabirds are also susceptible to collision with objects that protrude above the vegetation layer, such as utility lines, guy-wires, and communication towers. Additionally, once grounded, they are vulnerable to predators and are often struck by vehicles along roadways. To reduce potential impacts to seabirds, we recommend the following minimization measures be incorporated into your final Environmental Assessment:

- Construction activities should only occur during daylight hours. Any increase in the use of nighttime lighting, particularly during peak fallout period (September 15 through December 15), could result in additional seabird injury or mortality.
- If housing development lights cannot be eliminated due to safety or security concerns, then they should be positioned low to the ground, be motion-triggered, and be shielded and/or full cut-off. Effective light shields should be completely opaque, sufficiently large, and positioned so that the bulb is only visible from below.

We appreciate your efforts to conserve listed species. If you have any questions regarding these comments, please contact Joy Browning, Fish and Wildlife Biologist (phone: (808) 792-9400, email: joy\_browning@fws.gov).

Sincerely,

12/9/2013

X Vickie Caraway

---

Vickie Caraway  
Acting Team Manager  
Signed by: U.S. Fish and Wildlife Service

NEIL ABERCROMBIE  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

GLENN M. OKIMOTO  
DIRECTOR

Deputy Directors  
FORD N. FUCHIGAMI  
RANDY GRUNE  
AUDREY HIDANO  
JADINE URASAKI

IN REPLY REFER TO:

STP 8.1383

November 22, 2013

Ms. Colette Sakoda  
Environmental Planning Solutions, LLC  
945 Makaiwa Street  
Honolulu, Hawaii 96816

Dear Ms. Sakoda:

Subject: Kalihiwai Investors, LLC (KI), Single Family Dwelling  
Pre-Assessment Consultation  
TMK: (4) 5-3-001:016

Thank you for requesting the State Department of Transportation's (DOT) review of the subject project. DOT understands KI proposes to construct a single-family residence on the Conservation portion of the parcel and may also construct five (5) farm dwellings on the Agricultural portion of the parcel. Access to the project will be off Kapaka Street.

Given the location and the nature of the project, DOT does not anticipate any significant adverse impacts to the State transportation facilities.

DOT appreciates the opportunity to provide comments. If there are any other questions, please contact Mr. Norren Kato of the DOT Statewide Transportation Planning Office at telephone number (808) 831-7977.

Very truly yours,

A handwritten signature in black ink, appearing to read "Glenn M. Okimoto".

GLENN M. OKIMOTO, Ph.D  
Director of Transportation

c: Sam Lemmo, Department of Land and Natural Resources, Office of Conservation  
and Coastal Lands

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL**  
**RESOURCES**

DIVISION OF STATE PARKS  
POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

November 13, 2013

**WILLIAM J. AILA, JR.**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ESTHER KIA'AINA**  
FIRST DEPUTY

**WILLIAM M. TAM**  
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

Ms. Colette Sakoda, Principal  
Environmental Planning Solutions, LLC  
945 Makaiwa Street  
Honolulu, HI 96816

Dear Ms. Sakoda:

This is to acknowledge receipt of the pre-assessment consultation regarding a proposed single-family dwelling located in Princeville, Kaua'i on TMK: (4) 5-3-001: 016.

We are not aware of any potential environmental or cultural impacts that may be associated with this proposed project. Thank you for the opportunity to review the project in its preliminary phase.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Daniel S. Quinn".

Daniel S. Quinn  
State Parks Administrator

c: Sam Lemmo, OCCL

November 30, 2013

Timothy Reed  
3020 Hibiscus Dr.  
Honolulu, HI 96815

Colette Sakoda  
Environmental Planning Solutions LLC  
945 Makaiwa St.  
Honolulu, HI 96816

RE: Proposed single family dwelling in Conservation District  
TMK (4)5-3-001:016  
4590 Kapaka St., Princeville, HI

Dear Ms. Sakoda:

Thank you for your letter of November 9, 2013, regarding the proposed single family dwelling in the Conservation District, as well as the contemplated five "farm dwellings on the Agricultural District portion of the parcel in the future by way of a condominium property regime project."

Although I am not sure where the home is going to be placed exactly, it is my understanding after reviewing the maps you sent and after speaking to Jim Fields, the owner, that the intended house sight is across the street from my property.

As someone who has enjoyed and made Hanalei a part of my life and intends to build a home and retire in Hanalei, it concerns me and deeply saddens me to think the beautiful green belt that is now seen from above and below the ridge is going to be scarred by this project. This will clearly effect the open space, view planes and corridors, and rural character of the Conservation strip now proposed for development. We are concerned that the dwelling(s) will directly and adversely impact our views, as well as the views of our neighbors. Further, because the Conservation strip is situated directly above Hanalei Valley and River, any development will significantly impact view planes from the valley and highway below.

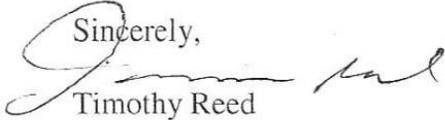
There are clearly other choices on this property that are much better suited for a home that will not be directly on the ridge, near the road, and in the center of a beautiful panoramic view of all of the Hanalei area. This project will clearly effect all of my neighbors on the ridge and those below. Including our tourist guests.

When I purchased my property I never imagined any development would take place directly across the street from us, especially on such a very narrow Conservation zoned strip on the bluff directly above an American Heritage River. It seems inconsistent with the County's CZO policy of maintaining the rural character of Kauai and preserving and

enhancing the natural beauty of our island. It also seems inconsistent with federal and state laws intended to protect, maintain and enhance scenic views and the environment.

While I seriously question the development's compatibility with the policies of Conservation zoning, I would appreciate receiving a more detailed map that shows precisely where the dwelling is proposed to be developed, as well as the contemplated site locations of the five farms dwelling. Thank you for your kind cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Timothy Reed", written in black ink.

Timothy Reed

cc: Sam Lemmo, Administrator, OCCL, DLNR  
William Aila

Sam Lemmo  
OCCL DLNR  
1151 Punchbowl St  
Rm.131  
Honolulu, Hi. 96813

December 4, 2013

Dear Sam Lemmo,

Regarding: Proposed single family dwelling in Conservation District  
TMK (4) 5-3-001:016  
4590 Kapaka St. Princeville, Hi.

Please find enclosed a petition addressed to the DLNR. Please recognize this is a very weak attempt largely due to the short notice to organize a full fledged campaign. A number of organizations are concerned about this potential project that are just looking into this now. However many people that wanted to sign were not able to because of the internet requirement to go through several steps. I hope this can at least indicate to you that there are many people concerned with the choice of placement for this house and would ask the developer to consider some of the other choices he certainly has that set back from the ridge and Kapaka St. Thank you for your consideration.

Sincerely



Tim Reed

cc Colette Sakoda

## PETITION: A petition to Department of Land and Natural Resources - State of Hawaii

To: Department of Land and Natural Resources - State of Hawaii

I would like Stop the further development of visible structures on the Ridgeline of Hanalei Valley. In particular the house being proposed for 4590 Kapaka Street, Princeville, Hawaii 96722. No home or structure should be visible from the lower viewing points. Including the Princeville Lookout and Hanalei Town or Kuhio Ave. Please Think of what the windturbins did to the look of Waimea Valley on the Northshore of Oahu or the Punchbowl obliteration on Oahu. It was allowed because no one stopped it at this point in the permit process. I would like our government officials to not allow any development that will be visible from these lower points. This is urgent and necessary to save a pristine view and treasure for all generations in the future. I hereby petition the DLNR of the State of Hawaii to think of the future and the beauty of Hawaii and not allow this structure for environmental reason most obvious and of grave concern to all of Hawaii and the world for generations to come. I want to stop this permit and others like it in the future and ask the Department of Land and Natural Resources to act on this immediately.

### 42 SIGNATURES

	NAME	COUNTRY	POSTAL CODE	DATE SIGNED
1	Tim Reed	United States	96815	Nov 24, 2013
2	Kenna Kaela Okano Reed	United States	96816	Nov 24, 2013
3	Jess N Dave Cochran	United States	92345	Nov 25, 2013
4	Lindsay Princenthal	United States	96821	Nov 25, 2013
5	Shiree D'Alessandro	United States	11566	Nov 25, 2013
6	Michael Limeri	United States	11566	Nov 25, 2013
7	Margaret Hauptman	United States	90265	Nov 25, 2013
8	Melissa Parker	United States	91344	Nov 25, 2013
9	Cindy Uselman	United States	93063	Nov 25, 2013
10	Jessica Masters	United States	94123	Nov 25, 2013
11	John Diaz	United States	85254	Nov 25, 2013
12	Āna Cartwright	United States	91376	Nov 25, 2013
13	Ann Doyle Ward	United States	11566	Nov 25, 2013
14	Mariko Reed	United States	94103	Nov 25, 2013
15	Shawn Reed	United States	96734	Nov 25, 2013
16	Karen Morrow	United States	91344	Nov 25, 2013
17	Serena Mitnik-Miller	United States	96714	Nov 25, 2013
18	Glenn Sakamoto	United States	90505	Nov 25, 2013
19	Patrick Manasse	United States	10010	Nov 25, 2013

	NAME	COUNTRY	POSTAL CODE	DATE SIGNED
20	Ingrid Bremner	United States	94117	Nov 25, 2013
21	Kom Siksamat	United States	94117	Nov 25, 2013
22	Susan Mitnik	United States	96755	Nov 25, 2013
23	Jodi Diaz	United States	85254	Nov 25, 2013
24	Bonnie Moorhead	United States	91605	Nov 25, 2013
25	Sherry Brewer	United States	96722	Nov 26, 2013
26	Jess Bianchi	United States	94107	Nov 26, 2013
27	Laura Davis	United States	10011	Nov 26, 2013
28	Jasmine Webber	United States	22060	Nov 26, 2013
29	Lauren Valentino	United States	94930	Nov 26, 2013
30	Katherine Rose Sweeney	United States	94160	Nov 26, 2013
31	RJ Claymont	United States	96714	Nov 27, 2013
32	Al Frost	United States	96722	Nov 29, 2013
33	Tina Marie	United States	96815	Nov 30, 2013
34	Vicki Dengler Frost	United States	92024	Nov 30, 2013
35	Jesse Holm	United States	94402	Nov 30, 2013
36	Kris Eastman	United States	80233	Nov 30, 2013
37	Karen Watson	United States	80031	Nov 30, 2013
38	Remy Reed	United States	94112	Nov 30, 2013
39	James Conry	United States	68105	Dec 01, 2013
40	V. Elise Lee	United States	96821	Dec 01, 2013
41	Jacquelynn Patricia Kates	United States	92084	Dec 01, 2013
42	pam princenthal	United States	96821	Dec 02, 2013

December 7, 2013

Colette Sakoda  
Environmental Planning Solutions LLC  
945 Makaiwa St.  
Honolulu, HI 96816

RE: Proposed single family dwelling in Conservation District  
TMK (4)5-3-001:016  
4590 Kapaka St., Princeville, HI

Dear Ms. Sakoda:

We are writing to you regarding the proposed single family dwelling in the Conservation District, as well as the contemplated five "farm dwellings on the Agricultural District portion of the parcel in the future by way of a condominium property regime project."

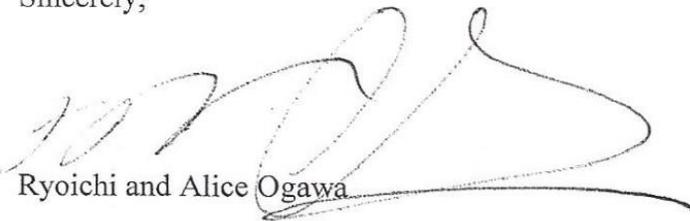
Yesterday we met with the developer and it is our understanding that he plans to build directly across the street from our home.

The main reason we chose to become homeowners on Kapaka Street over 20 years ago was because of its open space, beautiful view and the rural character of the Conservation strip now proposed for development. We are concerned that the dwelling(s) will directly and adversely impact our views, as well as the views of our neighbors. Further, because the Conservation strip is situated directly above Hanalei Valley and River, any development will significantly impact view planes from the valley and highway below.

We never imagined any development would take place directly across the street from us, especially on such a narrow Conservation zoned strip on the bluff directly above an American Heritage River. It seems inconsistent with the County's CZO policy of maintaining the rural character of Kauai and preserving and enhancing the natural beauty of our island. It also seems inconsistent with federal and state laws intended to protect, maintain and enhance scenic views and the environment.

Thank you for your kind cooperation.

Sincerely,

  
Ryoichi and Alice Ogawa

November 30, 2013

Colette Sakoda  
Environmental Planning Solutions LLC  
945 Makaiwa St.  
Honolulu, HI 96816

RE: Proposed single family dwelling in Conservation District  
TMK (4)5-3-001:016  
4590 Kapaka St., Princeville, HI

Dear Ms. Sakoda:

Thank you for your letter of November 9, 2013, regarding the proposed single family dwelling in the Conservation District, as well as the contemplated five "farm dwellings on the Agricultural District portion of the parcel in the future by way of a condominium property regime project."

While it is difficult to determine exactly where the family dwelling (and five farm dwellings) will be sited from the maps you enclosed, I am informed and believe the family dwelling will be situated directly across the street from my home.

As long time homeowners on Kapaka Street, my husband, Richard Brewer and I, have enjoyed the open space, view planes and corridors, and rural character of the Conservation strip now proposed for development. We are concerned that the dwelling(s) will directly and adversely impact our views, as well as the views of our neighbors. Further, because the Conservation strip is situated directly above Hanalei Valley and River, any development will significantly impact view planes from the valley and highway below.

We never imagined any development would take place directly across the street from us, especially on such a narrow Conservation zoned strip on the bluff directly above an American Heritage River. It seems inconsistent with the County's CZO policy of maintaining the rural character of Kauai and preserving and enhancing the natural beauty of our island. It also seems inconsistent with federal and state laws intended to protect, maintain and enhance scenic views and the environment.

While I seriously question the development's compatibility with the policies of Conservation zoning, I would appreciate receiving a more detailed map that shows precisely where the dwelling is proposed to be developed, as well as the contemplated site locations of the five farms dwelling. Thank you for your kind cooperation.

Sincerely,

  
Sherry Brewer

cc: Sam Lemmo, Administrator, OCCL, DLNR

**Douglas and Petrina Blakely 4761C Kapaka St. Princeville, HI 96722  
808-826-9318**

---

December 4, 2013

Colette Sakoda  
Environmental Planning Solutions, LLC  
945 Makaiwa Street  
Honolulu, HI 96816

RE: Pre-assessment Consultation/Dwelling in Conservation District  
4590 Kapaka St, Princeville, HI 96722

Dear Ms. Sakoda,

Thank you for your correspondence regarding the proposed dwellings on the Hanalei side (west side) of Kapaka Street in Princeville Ag. We would first like to thank the developer for the care and courtesy shown the other property owners on Kapaka street during his clearing, grooming and rock wall construction on the properties. The improvements made to the properties have also improved the appearance of the community. We appreciate the thoughtfulness exhibited by the developer over the past couple years and also the preservation of the Heiau for future generations to appreciate.

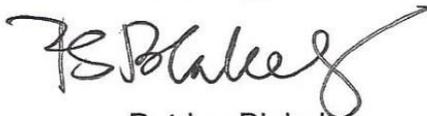
Our concern stems from future development. During the developers careful planning and preparation, construction setbacks were established apparently by the County of Kauai. The setbacks seem responsible and appropriate. We are concerned that as development continues that those setbacks and other limitations will be altered or ignored as has occurred, with impunity, on other Hanalei Ridge projects.

In the late 1980's when CPR projects were established on Kapaka Road, there was to be no building on the Hanalei side (west side) of the road. To date there are no residences on the Hanalei side of the road. All housing was established on the Kilauea side (east side) of the road. Additionally, all homes on the Kilauea side of the road were to be positioned so as "not to be seen" from Kuhio highway when exiting Hanalei and heading towards Princeville. Setbacks were established well behind Kapaka road in order to block any visibility from Hanalei.

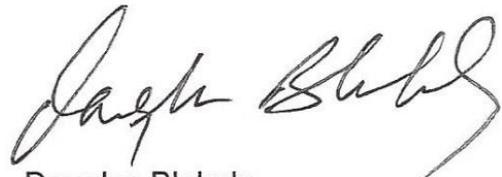
We are concerned that the new farm dwellings that will be build will be of such height or in such a position so as to see the development from the Hanalei highway. Such visibility from Hanalei will change the nature and culture that has been established over past decades. Please understand, we are not opposed to the development. We are simply asking that the development not be given any additional setback relief and that the height of future dwellings be such that it does not change the character of the hillside from the Hanalei view.

Thank you for the opportunity to address this issue.

Sincerely,



Petrina Blakely



Douglas Blakely

cc: Sam Lemmo

Minutes of the Princeville Agricultural Community Association  
December 10, 2013 General Membership Meeting

President Harvey Cohen called the meeting to order at 4:12 PM at the Watkins' movie room. Secretary Sandy Brodie read the minutes of the September 2012 General Membership Meeting which were approved. Treasurer Dave Williams was excused so Sandy gave the following report on his behalf: (i) Community Association General Fund: \$614.88; and Ahonui Place: \$980.50.

**Old Business:** Guest speaker Ray McCormack, State Dept. of Transportation ("DOT"), presented construction plans for the Kuhio Highway/Kapaka Street Intersection improvement Project. The contractor, Goodfellow Construction, is expected to start work late January 2014. Paving contractor Grace Pacific will also be involved. Depending on weather, Project will take from 3 to 6 months to complete. Ray also gave us a "heads up" on future DOT projects that will affect traffic in the Kalihiwai Bridge area. These Projects include albizia tree removal and bank stabilization. Work will be done in daylight hours.

**New Business:** Charlie Bass gave a presentation on the current Princeville Utilities water situation. The large tank on Princeville Ranch will be taken off line in early 2014 for cleaning and interior re-coating. This may put a strain on the remaining system until such time as work is completed. Expect to see notices to conserve water during the tank cleaning. While dangerous PCB's were identified on the surface water in the large tank, to date, no pollutants have been found in any other part of the Princeville Utilities' Water System, including the water lines. Kapaka/Ahonui systems are only remotely connected to the large tank and have not been affected.

**Helicopters:** No report; no problems cited.

**Hunting:** Dave Carswell reported pigs are again in large numbers. Damage has been seen to yards on Kapaka and Ahonui road shoulder. The battle continues.

**Design Review:** Jim Antony reported he is working on Rebecca Williams' home plans. Bill Robertson has volunteered to serve on the Design Review Committee. Harvey proposed a new Design Review fee schedule as follows: New Residence: \$100; Additions and detached structures 1,000 sf or greater: \$100; Other Structures requiring a County Building Permit (including fences, walls, smaller structures): \$50. Motion passed unanimously.

Harvey also advised on the new County permitting requirements for agriculturally zoned properties whereby any additional building permits be accompanied by a "Farm Plan" with accompanying tax statements showing some level of annual income derived from agricultural activity. County believes that this requirement is in compliance with State requirements for agriculturally-zoned properties.

**Development:** Jim Fields gave an updated presentation, complete with maps, on the "West Kapaka Ridge" project. Jim detailed the proposed location of the one (1) home to be built on the 145 acre conservation portion of his Project, which location is directly across Kapaka from the Reed/Hamilton lots. Jim assured the audience his proposed structure would be single story, less than 5,000 sq. ft. total land use of structures, and that architecture and color designs will be such to limit visibility.

As in prior meetings, Mr. Fields asked the group for input on possible use of the balance of the conservation portion of Jim's property. Several ideas were discussed, the least popular being to put the land in hardwood forest which would be an impediment to Kapaka owner's views. It was suggested that a "steering committee" be formed to investigate best use of the land for the community. Michaelle Edwards volunteered to head up such a committee and took names of other volunteers.

There was no further business and the meeting was adjourned at 5:45 PM

The Association is extremely grateful to Sam & Bev Watkins and caretaker Thomas for the generous use of their theater facility for this meeting.

Sandy Brodie, Secretary

**From:** Mimsy Bouret <mimsyheart@gmail.com>

**To:** jfieldskauai <jfieldskauai@aol.com>

**Cc:** William Robertson <williamrobertson1008@gmail.com>; Michaelle Edwards <yogalignkauai@gmail.com>

**Subject:** Kapaka

**Date:** Fri, Dec 13, 2013 11:27 am

---

Aloha Jim,

I know I speak for all of the old neighbors on Kapaka and Ahonui when I say we are so grateful for your philanthropic intentions. Your approach is brilliant and we are committed to coming up with something that will best serve the big picture. Working together with this creative community will surely allow us to offer some delightful solutions for your consideration.

Michaelle has asked for a time that you could walk on the site with our small committee. I understand that you are about to leave on holiday for a few weeks ...so to help us progress, perhaps you could simply show on a map exactly where the "10 acre site" is that you are referring to.

If that is possible for you to do before you depart we could begin with a bit more clarity.

Wishing you a very happy and healthy season with your family.

Warmest aloha to you,

Mimsy

Mimsy Bouret  
808-826-6129

**From:** Michaelle Edwards <yogalignkauai@gmail.com>  
**To:** jfieldskauai <jfieldskauai@aol.com>  
**Subject:** aloha from Michaelle Edwards  
**Date:** Sun, Dec 15, 2013 8:50 pm

---

Hi Jim, I just heard that you could not make out my voice mail so thought I would check in. Like Mimsy, I am so grateful and pleased you are involving the community in deciding what to do with the land. I look forward to meeting with you on the 29th when you return. Yesterday I took a walk by myself on the property and also took a trip down the Burma road to the river. This is a trip I did frequently when my son was small over 18 years ago. The trail has really become overgrown and I can see this would take a tremendous amount of work to connect it to Hanalei as a possible route for the bike trail.

So there is much to discuss but I am certain we can together come up with a plan to use the bluff area as a natural resource to enhance our lives and others.

with aloha, Michaelle Edwards

[www.yogalign.com](http://www.yogalign.com)

## Exhibit 9: Public Comment Process

- A: DLNR Division of State Parks Letter
- B: Applicant Response Letter
- C: DLNR Division of Forestry and Wildlife Letter
- D: Applicant Response Letter
- E: DLNR Kauai District Land Office Letter
- F: Applicant Response Letter
- G: DLNR Division of Aquatic Resources Letter
- H: Applicant Response Letter

54159

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



RECEIVED  
STATE PARKS DIV

14 JUN 18 10:22



WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

JESSE K. SOUKI  
FIRST DEPUTY

WILLIAM M. TAM  
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

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
OFFICE OF CONSERVATION AND COASTAL LANDS  
POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

REF: OCCL: AJR

CDUA KA-3714

180 Day Expiration Date: DECEMBER 9, 2014

**MEMORANDUM:**

TO:

- KDLO
- DOFAW
- SHPD
- DAR

- State Parks
- County of Kaua'i - DPW
- County of Kaua'i - Planning Dept.
- Office of Hawaiian Affairs (OHA)

FROM:

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

SUBJECT: REQUEST FOR COMMENTS - CONSERVATION DISTRICT USE APPLICATION (CDUA) KA-3714 and DRAFT ENVIRONMENTAL ASSESSMENT (D-EA)  
*Fields Single Family Residence*

LOCATION: Hanalei District, Island of Kaua'i

TMK: (4) 5-3-001:016

Please find Conservation District Use Application (CDUA) KA-3714 for the proposed Fields Single Family Residence (SFR) project located on Kapaka Street in the Hanalei District, Island of Kaua'i. We would appreciate a review of the proposal and any comments your agency or office has on the application. Please contact Alex J. Roy of the Office of Conservation and Coastal Lands at 587-0316, should you have any questions on this proposal.

If no response is received by the suspense date of **AUGUST 7, 2014**, we will assume there are no comments.

- Comments Attached
- No Comments

\_\_\_\_\_  
Signature

Attachments: Cover Letter; CDUA KA-3714; D-EA

RECEIVED  
OFFICE OF CONSERVATION  
AND COASTAL LANDS  
JUN 18 2014  
JUN 23 A 9:50  
DEPT. OF LAND & NATURAL RESOURCES  
STATE OF HAWAII

**Kalihiwai Investors, LLC**  
3762 Keli Place  
Princeville, Hawaii 96722

August 11, 2014

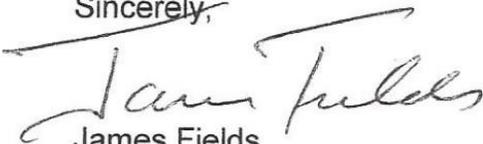
Division of State Parks  
Department of Land & Natural Resources,  
State of Hawai'i  
1151 Punchbowl Street, Room 310  
Honolulu, Hawai'i 96813

Re: DRAFT Environmental Assessment for Single-Family Residence in the Hanalei District, Island of Kauai, Hawaii (tax map key no. (4) 5-3-001:016); Applicant-Kalihiwai Investors, LLC

Dear State Parks Division:

Thank you for your June 23, 2014 response to the State DLNR's Office of Conservation and Coastal Lands concerning the Draft Environmental Assessment ("EA") described above and Conservation District Use Application ("CDUA") KA-3714. The Final EA will note the Division of State Parks had no comments regarding the Draft EA and CDUA KA-3714.

Sincerely,



James Fields

Member/Manager

Kalihiwai Investors, LLC

NEIL ABERCROMBIE  
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

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

JESSE K. SOUKI  
FIRST DEPUTY

WILLIAM M. TAM  
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: AJR

CDUA KA-3714

180 Day Expiration Date: DECEMBER 9, 2014

MEMORANDUM:

JUN 18 2014

From ~~TO:~~  
\_\_\_ KDLO  
 DOFAW  
\_\_\_ SHPD  
\_\_\_ DAR  
\_\_\_ State Parks  
\_\_\_ County of Kaua'i - DPW  
\_\_\_ County of Kaua'i - Planning Dept.  
\_\_\_ Office of Hawaiian Affairs (OHA)

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

SUBJECT: REQUEST FOR COMMENTS - CONSERVATION DISTRICT USE APPLICATION (CDUA) KA-3714 and DRAFT ENVIRONMENTAL ASSESSMENT (D-EA)  
*Fields Single Family Residence*

LOCATION: Hanalei District, Island of Kaua'i

TMK: (4) 5-3-001:016

Please find Conservation District Use Application (CDUA) KA-3714 for the proposed Fields Single Family Residence (SFR) project located on Kapaka Street in the Hanalei District, Island of Kaua'i. We would appreciate a review of the proposal and any comments your agency or office has on the application. Please contact Alex J. Roy of the Office of Conservation and Coastal Lands at 587-0316, should you have any questions on this proposal.

If no response is received by the suspense date of **AUGUST 7, 2014**, we will assume there are no comments.

( ) Comments Attached

No Comments

Signature

Attachments: Cover Letter; CDUA KA-3714; D-EA

**Kalihiwai Investors, LLC**  
3762 Keli Place  
Princeville, Hawaii 96722

August 11, 2014

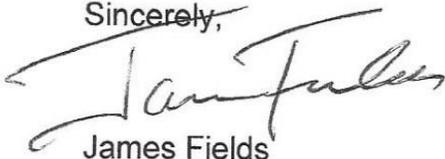
Division of Forestry and Wildlife  
Department of Land & Natural Resources,  
State of Hawai'i  
1151 Punchbowl Street, Room 325  
Honolulu, Hawai'i 96813

Re: DRAFT Environmental Assessment for Single-Family Residence in the Hanalei District, Island of Kauai, Hawaii (tax map key no. (4) 5-3-001:016); Applicant-Kalihiwai Investors, LLC

Dear Division of Forestry and Wildlife:

Thank you for your response to the State DLNR's Office of Conservation and Coastal Lands concerning the Draft Environmental Assessment ("EA") described above and Conservation District Use Application ("CDUA") KA-3714. The Final EA will note the Division of Forestry and Wildlife had no comments regarding the Draft EA and CDUA KA-3714.

Sincerely,



James Fields

Member/Manager  
Kalihiwai Investors, LLC

NEIL ABERCROMBIE  
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

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

JESSE K. SOUKI  
FIRST DEPUTY

WILLIAM M. TAM  
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: AJR

CDUA KA-3714  
180 Day Expiration Date: DECEMBER 9, 2014

**MEMORANDUM:**

TO:

- KDLO
- DOFAW
- SHPD
- DAR

- State Parks
- County of Kaua'i - DPW
- County of Kaua'i - Planning Dept.
- Office of Hawaiian Affairs (OHA)

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

SUBJECT: REQUEST FOR COMMENTS - CONSERVATION DISTRICT USE  
APPLICATION (CDUA) KA-3714 and DRAFT ENVIRONMENTAL  
ASSESSMENT (D-EA)  
*Fields Single Family Residence*

LOCATION: Hanalei District, Island of Kaua'i

TMK: (4) 5-3-001:016

Please find Conservation District Use Application (CDUA) KA-3714 for the proposed Fields Single Family Residence (SFR) project located on Kapaka Street in the Hanalei District, Island of Kaua'i. We would appreciate a review of the proposal and any comments your agency or office has on the application. Please contact Alex J. Roy of the Office of Conservation and Coastal Lands at 587-0316, should you have any questions on this proposal.

If no response is received by the suspense date of **AUGUST 7, 2014**, we will assume there are no comments.

( ) Comments Attached

(X) No Comments

Signature

Attachments: Cover Letter; CDUA KA-3714; D-EA

JUN 18 2014  
RECEIVED  
OFFICE OF CONSERVATION  
AND COASTAL LANDS  
2014 JUN -3 A 10:10  
DEPT. OF LAND & NATURAL RESOURCES  
STATE OF HAWAII

**Kalihiwai Investors, LLC**  
3762 Keli Place  
Princeville, Hawaii 96722

August 13, 2014

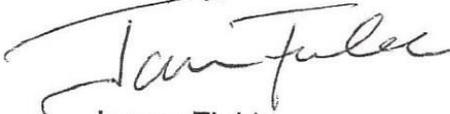
Land Management Division  
Kauai District Land Office  
ATTN: Marvin Mikasa  
Department of Land & Natural Resources,  
State of Hawai'i  
3060 Eiwa Street, Room 208  
Lihu'e, Hawai'i 96766

Re: DRAFT Environmental Assessment for Single-Family Residence in the Hanalei District, Island of Kauai, Hawaii (tax map key no. (4) 5-3-001:016); Applicant-Kalihiwai Investors, LLC

Dear Kauai District Land Office:

Thank you for your response to the State DLNR's Office of Conservation and Coastal Lands concerning the Draft Environmental Assessment ("EA") described above and Conservation District Use Application ("CDUA") KA-3714. The Final EA will note the Kauai District Land Office had no comments regarding the Draft EA and CDUA KA-3714.

Sincerely,



James Fields  
Member/Manager  
Kalihiwai Investors, LLC

NEIL ABERCROMBIE  
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

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

JESSE K. SOUKI  
FIRST DEPUTY

WILLIAM M. TAM  
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: AJR

CDUA KA-3714

180 Day Expiration Date: DECEMBER 9, 2014

**MEMORANDUM:**

TO:

- KDLO
- DOFAW
- SHPD
- DAR

- State Parks
- County of Kaua'i - DPW
- County of Kaua'i - Planning Dept.
- Office of Hawaiian Affairs (OHA)



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

DAR #4986

SUBJECT: REQUEST FOR COMMENTS - CONSERVATION DISTRICT USE APPLICATION (CDUA) KA-3714 and DRAFT ENVIRONMENTAL ASSESSMENT (D-EA)  
*Fields Single Family Residence*

LOCATION: Hanalei District, Island of Kaua'i

TMK: (4) 5-3-001:016

Please find Conservation District Use Application (CDUA) KA-3714 for the proposed Fields Single Family Residence (SFR) project located on Kapaka Street in the Hanalei District, Island of Kaua'i. We would appreciate a review of the proposal and any comments your agency or office has on the application. Please contact Alex J. Roy of the Office of Conservation and Coastal Lands at 587-0316, should you have any questions on this proposal.

If no response is received by the suspense date of **AUGUST 7, 2014**, we will assume there are no comments.

Comments Attached

No Comments

AUG 18 2014

Signature

Attachments: Cover Letter; CDUA KA-3714; D-EA

JK  
DK  
GH

Date: 08-14-2014  
DAR #4986

MEMORANDUM

TO: Frazer McGilvray, Administrator  
DATE: \_\_\_\_\_  
FROM: Jo-Anne Kushima, Aquatic Biologist  
(Kauai biologist out for health reasons)  
SUBJECT: Request for Comments CDUA KA-3714 and DEA  
Fields Single Family Residence

 AUG 18 2014

Comment	Date Request	Receipt	Referral	Due Date
	06-18-14	06-18-14	07-23-14	08-07-14

Requested by: DLNR/OCCL  
Samuel Lemmo  
Alex Roy (Contact Ph 587-0316)

Summary of Proposed Project

Title: Request for Comments CDUA KA-3714 and DEA  
Fields Single Family Residence (SFR)

Project by: Kalihiwai Investors, LLC  
James Fields (Member/Manager Ph. 347-804-8059)

Location: Kapaka Street in the Hanalei District, Kauai State Land Use (SLU)  
Conservation District *Resource Subzone* TMK (4) 5-3-001:016

Brief Description:

The applicant is proposing to construct a single-story, SFR with a Maximum Developable Area of approximately 4,900 square feet. The SFR will include a garage, pool, pool decking, landscaping and some minor agricultural uses (i.e., planting of fruit trees). Previous work by the current landowner includes invasive species removal, minor landscaping of cleared areas, trash and debris removal from previous development and land and resources management. The necessary permits and approvals were granted by DLNR/OCCL under SPA permit KA-13-30 and COR process under KA-12-50, KA-12-232, KA-13-02, and KA-13-69 for the land uses described above.

Over the past 50 years the subject parcel was used for both pasturage/animal husbandry and for nursery operations. Numerous buildings were constructed for those uses. Most of the buildings have been removed by the landowner or destroyed by hurricane Iniki. There is only one (1) 5000 sq. ft. warehouse building still on the parcel and it has been slated for removal in the near future.

Additional uses on the subject parcel include a potable water well and related facilities which is operated by Princeville Utilities, which is a private utility regulated by the Hawaii Public Utilities Commission (PUC).

There are considerable residential and commercial property development on the surrounding area including the Princeville Agricultural Subdivision which has numerous homes located adjacent to and visible from the project area.

Wastewater is being addressed by using an above-ground, self-contained, anaerobic system which processes all wastewater in the above-ground tank and converts it into non-potable water to be used for irrigation and agricultural uses.

There will be limited grading of the project area. The applicant aims to maintain the existing contours and runoff patterns of the site to further limit effects to nearby resources. Additionally, the report states that excavation will include only the areas immediately beneath the proposed dwelling in order to accommodate a post and pier foundation and also excavation of the pool area. There will also be earth moving for the construction of a small berm, located parallel to the roadway for vegetative screening and to enhance the effectiveness of the native planting.

Approximately 1.25 acres located in the southern portion of the project area is being proposed as an orchard area to be used for planting fruit trees and native plants. At the time of the CDUA, no commercial activities were being proposed and the trees and plants proposed for planting in the orchard area will be for personal use only. The breakdown of plants in the "orchard area" is as such; 75% semi dwarf, tropical fruit trees of mixed variety and 25% native trees of comparable size; i.e., Kou, Puakenikeni, and Lau Hala.

Comments:

The Notice of Acceptance and Preliminary Environmental Determination CDUA File No. KA-3714 that was submitted for review and comments states that the proposed construction of a Single Family Residence and associated development is an identified land use in the Conservation District Resource Subzone pursuant to HAR §13-5-24, R-7 (D-1). It also states that development of ~1.25 acres of orchard agriculture is an identified land use in the Conservation District Resources Subzone pursuant to HAR §13-5-23, L-1 (D-1). A required management plan pursuant to HAR §13-5, Exhibit 3 will need to be submitted and will be submitted for processing simultaneously with the permit.

In conformance with Chapter 343, HRS as amended and Chapter 11-200, HAR an EA will be required for the proposed use. A public hearing will not be required for this project. Finally, even though the project area is located outside the County of Kaua'i Special Management Area (SMA) an SMA determination, provided by the county, will be required for the application review.

The applicant must implement Best Management Practices (BMP) during all phases of grading, excavation, earth moving and construction activities associated with the proposed project to assure that there will be no or minimal negative impacts to the surrounding natural resources.

The applicant is reminded that the final decision for approval or denial of the Draft EA rests with the Board of Land and Natural Resources.

Thank you for providing DAR the opportunity to review and comment on the proposed project. Should there be any changes to the project plans, DAR requests the opportunity to review and comment on those changes.

**Kalihiwai Investors, LLC**  
3762 Keli Place  
Princeville, Hawaii 96722

August 26, 2014

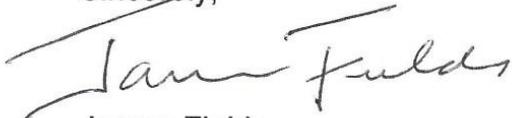
Division of Aquatic Resources  
Department of Land & Natural Resources,  
State of Hawai`i  
1151 Punchbowl Street, Room 330  
Honolulu, Hawai`i 96813

Re: DRAFT Environmental Assessment for Single-Family Residence in the Hanalei District, Island of Kauai, Hawaii (tax map key no. (4) 5-3-001:016); Applicant- Kalihiwai Investors, LLC

Dear Aquatic Resources Division:

Thank you for your August 18, 2014 response to the State DLNR's Office of Conservation and Coastal Lands concerning the Draft Environmental Assessment ("EA") described above and Conservation District Use Application ("CDUA") KA-3714. The Final EA will note the Division of Aquatic Resources comment that the applicant (Kalihiwai Investors, LLC) must implement BMPs during all phases of grading, excavation and earth moving and construction activities associated with the project to assure there will be no or minimal negative impacts to the surrounding natural resources and that the applicant will do so.

Sincerely,



James Fields  
Member/Manager  
Kalihiwai Investors, LLC

Exhibit 10: County of Kauai SMA Determination Letter

**Bernard P. Carvalho, Jr.**  
Mayor



**Michael A. Dahilig**  
Director of Planning

**Nadine K. Nakamura**  
Managing Director

**Dec M. Crowell**  
Deputy Director of Planning

**PLANNING DEPARTMENT**  
**County of Kaua'i, State of Hawai'i**

4444 Rice Street, Suite A-473, Lihue, Hawai'i 96766  
TEL (808) 241-4050 FAX (808) 241-6699

**JUN 10 2014**

Laurel Loo  
Shiramizu Loo & Nakamura  
4357 Rice Street, Ste 201  
Lihue, HI 96766

**RE: Applicability Request for Special Management Area**  
**TMK: (4) 5-3-001:016**

In response to your request concerning the applicability of the Special Management Area regulations to a proposed use on the subject property, the following information is provided:

The proposed project site is not located within the Special Management Area, as such the rules and regulations of the Special Management Area are not applicable to development at the proposed site.

Furthermore, the proposed project site is located within the State Land Use Conservation District. The County of Kauai Planning Department has no regulatory authority of these lands. For development of this site, please contact the State Department of Land and Natural Resources (SHPD), Office of Conservation and Coastal Lands (OCCL).

Please understand that the contents of this letter reflect the regulations and/or requirements that are currently in effect and being administered by this Department. These regulations are subject to change. Additionally, we recommend that you also check with other governmental agencies which may administer regulations and requirements that relate to development on this property and/or the proposed use.

Should you have any questions, please contact Ka`aina Hull of my staff at 241-4059.

Sincerely,

**MICHAEL A. DAHILIG**  
Director of Planning