

JOHN WAIHEE
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

RECORDED

'94 MAR 29 09:45

OFC. OF
QUALITY

STATE OF HAWAII

DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

LAND USE COMMISSION

Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

March 29, 1994

Mr. Bruce Anderson
Acting Director
Office of Environmental
Quality Control
Central Pacific Plaza
220 South King Street, 4th Fl.
Honolulu, Hawaii 96813

Dear Mr. Anderson:

Subject: LUC Docket No. A93-698/Charles P. Booth et. al.

At its meeting of March 23, 1994, the Land Use Commission issued a negative declaration for the final Environmental Assessment (EA) prepared for the subject docket.

In accordance with Section 343-5(c), HRS, we are filing four copies of the final EA and one copy of the Document for Publication form. The Commission's Order on the negative declaration determination will be sent to you at a later date under separate cover.

Should you have any questions, please feel free to call me or Bert Saruwatari of our office at 587-3822.

Sincerely,

A handwritten signature in cursive script, appearing to read "Esther Ueda".

ESTHER UEDA
Executive Officer

EU:th

Encl.

cc: OSP (w/o encl.)
City & County of Honolulu
Planning Dept. (w/o encl.)
Shah Bento, Esq. (w/o encl.)

1994-04-23-DA-FA-Booth-

APR 23 1994

Bruffey Reclassification of Land

LAND USE COMMISSION
STATE OF HAWAII

MAR 16 4 24 PM '94

FINAL ENVIRONMENTAL ASSESSMENT

15,384.915 square foot portion of TMK: (1) 6-1-02-002

MAR 23 3 57 PM '94
LAND USE COMMISSION
STATE OF HAWAII

Applicants

**Charles P. and Sandra E. Booth
Edward D. and Sharon L. Bruffey**

Agent

**Ashford & Wriston
Suite 1400 Alii Place
1099 Alakea Street
Honolulu, Hawaii 96813**

MARCH 16, 1994

FINAL ENVIRONMENTAL ASSESSMENT
15,384.915 square foot portion of TMK: (1) 6-1-02-002

0014769.WP

FINAL ENVIRONMENTAL ASSESSMENT

Charles P. and Sandra E. Booth
Edward D. and Sharon L. Bruffey

TABLE OF CONTENTS

I.	PURPOSE.	1
II.	GENERAL INFORMATION.	2
III.	DESCRIPTION OF THE ACTION'S TECHNICAL, ECONOMIC, SOCIAL AND ENVIRONMENTAL CHARACTERISTICS.	2
	A. TECHNICAL CHARACTERISTICS - Summary of Proposed Action.	2
	B. SOCIO-ECONOMIC AND ENVIRONMENTAL CHARACTERISTICS.	5
IV.	SUMMARY DESCRIPTION OF AFFECTED ENVIRONMENT.	5
V.	IDENTIFICATION AND SUMMARY OF MAJOR IMPACTS AND ALTERNATIVES CONSIDERED.	7
VI.	PROPOSED MITIGATION MEASURES.	8
VII.	IDENTIFICATION OF AGENCIES CONSULTED DURING THE PREPARATION OF THE FINAL ENVIRONMENTAL ASSESSMENT.	8
VIII.	DETERMINATION.	9

FINAL ENVIRONMENTAL ASSESSMENT

Charles P. and Sandra E. Booth
Edward D. and Sharon L. Bruffey

I. PURPOSE.

This final environmental assessment ("EA") has been prepared to support a petition filed by Charles P. and Sandra E. Booth and Edward D. and Sharon L. Bruffey ("Applicants") for a State Land Use District Boundary Amendment to reclassify approximately 15,384.915 square feet ("Subject Property") of an approximately 1,795 acre parcel of land, identified as TMK: (1) 6-1-02-002 from Conservation District to Agricultural District (*see*, Land Use Commission Docket No. A93-698) A Location Map and a Tax Map identifying the general location of the Subject Property are attached hereto as Exhibit "A" and Exhibit "B", respectively. A Plot Plan showing the boundaries of the Subject Property is attached hereto as Amended Exhibit "C".

This EA is intended to comply with Chapter 343, Hawaii Revised Statutes ("HRS"), and the Environmental Impact Statement Rules promulgated by Chapter 200 of Title 11 of the Hawaii Administrative Rule, Department of Health. The purposes of this document are to provide information to public officials and members of the community regarding the nature of the proposed action requested by the Applicants, to assess existing environmental conditions of the Subject Property, to evaluate the potential environmental effects, if any, of the proposed action and to present mitigating actions for those effects, if necessary, and to consider alternative actions.

Comments received during the 30-day review period of the Draft Environmental Assessment and Applicants' responses thereto are appended at Exhibit "G".

II. GENERAL INFORMATION.

Applicants:	Charles P. Booth Sandra E. Booth Edward D. Bruffey Sharon L. Bruffey
Approving Agency:	State Land Use Commission
Recorded Fee Owner:	Attractions Hawaii, a Hawaii partnership
Agent for Applicants:	Ashford & Wriston Suite 1400, Alii Place 1099 Alakea Street Honolulu, Hawaii 96813
State Land Use Classification:	Conservation District Subzone "G"
County Zoning:	Preservation (P-1) Restricted Agricultural District (AG-1) Special Management Area

III. DESCRIPTION OF THE ACTION'S TECHNICAL, ECONOMIC, SOCIAL AND ENVIRONMENTAL CHARACTERISTICS.

A. TECHNICAL CHARACTERISTICS - Summary of Proposed Action.

The Applicants have petitioned the State of Hawaii Land Use Commission for a reclassification of the Subject Property from its Conservation District classification to Agricultural District. Such reclassification is needed by the Applicants to permit them to establish two dwelling units on their adjoining lot.

Applicants are the current owners of a residential lot ("Applicants' Lot") in the North Shore Heights Subdivision in Pupukea, District of Waialua, City and County of Honolulu, State of Hawaii, as set forth on Exhibit "D", attached hereto. The Applicants' Lot overlooks Waimea Valley and is immediately adjacent to the Subject Property. The Applicants' Lot carries the current State land use classification "Agricultural District," and is zoned for county purposes as "Country District." A Boundary Interpretation Map for the Applicants' Lot is attached hereto as Exhibit "E", and a Plot Plan showing the proposed resulting lot and identifying the Subject Property is attached hereto as Amended Exhibit "F".

The Applicants' Lot is currently 1.647 acres, more or less. Although two structures are located on the Applicants' Lot, one of the structures is an ancillary structure used for outdoor recreation and plant propagation.

The Applicants are related to each other, Mrs. Booth being the sister of Mrs. Bruffey. The two families of the Applicants currently are not permitted to reside in two dwelling units on the Applicants' Lot. The current housing market in the state precludes either of the Applicants' families from acquiring a separate single family dwelling at another location.

Attractions Hawaii, a Hawaii partnership, is the current owner of Waimea Falls Park and the Subject Property. Pursuant to a letter dated March 3, 1993 signed by Attractions Hawaii, Applicants obtained a right to acquire the Subject Property. As stated in the letter, Attractions

Hawaii is "prepared to sell and convey" to the Applicants the land needed to increase Applicants' Lot size to two acres.

In order for Applicants to complete their acquisition of the Subject Parcel and effect their purpose, they intend to initiate the appropriate zoning, consolidation, and subdivision procedures at the County level. Should the State Land Use Commission approve their boundary amendment, Applicants respectfully submit that they intend to follow guidance received from the County with respect to its procedures.

On July 1, 1992, Applicant's wrote to the City and County, Department of Land Utilization for guidance. The Department of Land Utilization responded on July 24, 1992. In summary, the Subject Property must have its zoning changed to Country District subsequent to the approved amendment to the State Land Use Boundary. The two portions of land (Applicants' Lot and the Subject Property) must be approved by the County for consolidation through a subdivision application or a Conditional Use Permit for joint use. Based upon information and belief, Applicants understand that County zoning, consolidation and subdivision procedures cannot be commenced until the State Land Use Boundary Amendment proceeding has been concluded.

Should the State Land Use Boundary Amendment be approved from Country to Agricultural, Applicants do not believe that, in keeping with the change from its current designation, subdivision approval from the Department of Land and Natural Resources (DLNR),

State of Hawaii, will be required. If necessary, however, the Applicants will coordinate their efforts with the DLNR, as appropriate to ensure that all requirements for subdivision, if any, are met.

B. SOCIO-ECONOMIC AND ENVIRONMENTAL CHARACTERISTICS.

Reclassification of the Subject Property will not have any impact on the social or impact on the immediate community or the community at large. The Applicants do not intend to develop, alter or otherwise engage in any use of the Subject Property. Neither the reclassification sought nor the resulting establishment by the Applicants of two dwelling units on the Applicants' Lot will add additional population to the community, or alter the aesthetics, pollution, traffic congestion, noise levels, water quality or any other aspect of the environment. In this respect, the Applicants' two families are already both living at the Applicants' Lot and are part of the immediate community and community at large.

IV. SUMMARY DESCRIPTION OF AFFECTED ENVIRONMENT.

The Subject Property is a miniscule portion of the Waimea Falls Park lands in Waimea on the North Shore of the Island of Oahu. Travelling across the Subject Property from the Applicants' Lot, the land drops off steeply into Waimea Valley. Because of the topography and steeply sloping terrain of the Subject Property, the land lies idle and is covered by eucalyptus and ironwood trees resistant to erosion. Water drains directly into Waimea Valley off of the Subject Property, so the Subject Property is not subject to flooding.

Because of the steep grade and the rugged terrain of the Subject Property, it is Applicants' belief that there are no significant archaeological, historic, or agricultural sites or lands on the Subject Property.

The surrounding areas are comprised partly of the residential North Shore Heights Subdivision community and the Waimea Falls Park grounds.

Applicants have no desire to develop the Subject Property. Applicants have made it clear that the Subject Property is currently not being used. Applicants recognize the importance of Conservation land to the State of Hawaii and its people, as protected by the State Land Use Commission. Out of an abundance of respect for the current designation of this land and the seriousness with which the Land Use Commission performs its responsibilities, Applicants have referred to the topography of the land for its general unsuitability for development, although none is contemplated. The topography of the Subject Property is likewise referred to for its general nature as an area not currently being used and upon which there are currently no archaeological, historic, or agricultural sites or lands of importance to the State of Hawaii classifications.

Applicants note that both the Land Study Bureau Study and the Soil Conservation Service study indicate uses suitable for grazing and pasture. Additionally, the Subject Property carries the subzone classification "G" under Title 13, Ch. 2, § 13-2-14, Conservation Districts,

Department of Land and Natural Resources. Subzone "G" borders encompass lands suitable for farming, flower gardening, operation of nurseries or orchards, and grazing.

While recognizing that there are potential agricultural uses on the land in spite of its topography, Applicants have no desire to in any way obscure from the Commission's view the primary benefit to be derived from their acquisition of the Subject Property. Applicants simply submit to the discretion and authority of the Commission with respect to the limitations it wishes to place on the use of property that may formerly have been designated "Conservation."

V. IDENTIFICATION AND SUMMARY OF MAJOR IMPACTS AND ALTERNATIVES CONSIDERED.

The proposed action is merely a "paper" change to permit the Applicants to properly establish two dwelling units on the Applicants' Lot. No change will be made to the existing use or condition of the Subject Property. Indeed, the Applicants are willing to condition any deed they receive for or subsequently grant including the Subject Property on a restrictive covenant prohibiting the development of the Subject Property. Consequently, the proposed action has no impact, minor or major, on the Subject Property.

Two alternatives were considered; a "no action" alternative and a conservation district use permit ("CDUP") alternative. Neither the "no action" alternative nor the CDUP alternative would allow the Applicants to establish two dwelling units on the Applicants' Lot. For these reasons, those two alternatives were rejected.

VI. PROPOSED MITIGATION MEASURES.

Since there will be no impacts of the proposed reclassification, no mitigation measures are planned.

VII. IDENTIFICATION OF AGENCIES CONSULTED DURING THE PREPARATION OF THE FINAL ENVIRONMENTAL ASSESSMENT.

Petitioners have consulted with the following agencies and organizations in the preparation of this environmental assessment in accordance with the requirements of Hawaii Administrative Rules § 11-200-9(a):

Attractions Hawaii
Davies Pacific Center
841 Bishop Street
Suite 1050
Honolulu, Hawaii 96813

Department of Land
and Natural Resources
1151 Punchbowl Street
Honolulu, Hawaii 96813

Office of Environmental
Quality Control
State of Hawaii
220 South King Street
4th Floor
Honolulu, Hawaii 96813

Office of State Planning
250 South Hotel Street
4th Floor
Honolulu, Hawaii 96813

City and County of Honolulu
Building Department
650 South King Street
Honolulu, Hawaii 96813

City and County of Honolulu
Department of General Planning
650 South King Street
Honolulu, Hawaii 96813

City and County of Honolulu
Planning Commission
650 South King Street
Honolulu, Hawaii 96813

City and County of Honolulu
Department of Land Utilization
650 South King Street
Honolulu, Hawaii 96813

City and County of Honolulu
Board of Water Supply
630 South Beretania Street
Honolulu, Hawaii 96813

City and County of Honolulu
Department of Public Works
650 South King Street
Honolulu, Hawaii 96813

Honorable Frank F. Fasi
Mayor
City and County of Honolulu
Honolulu Hale
530 South King Street
Honolulu, Hawaii 96813"

VIII. DETERMINATION.

Under the provisions of Chapter 200, Title 11, of the Hawaii Administrative Rules prepared by the State Department of Health, and based on the analysis contained herein, the proposed action will not have any substantial adverse environmental or ecological effect.

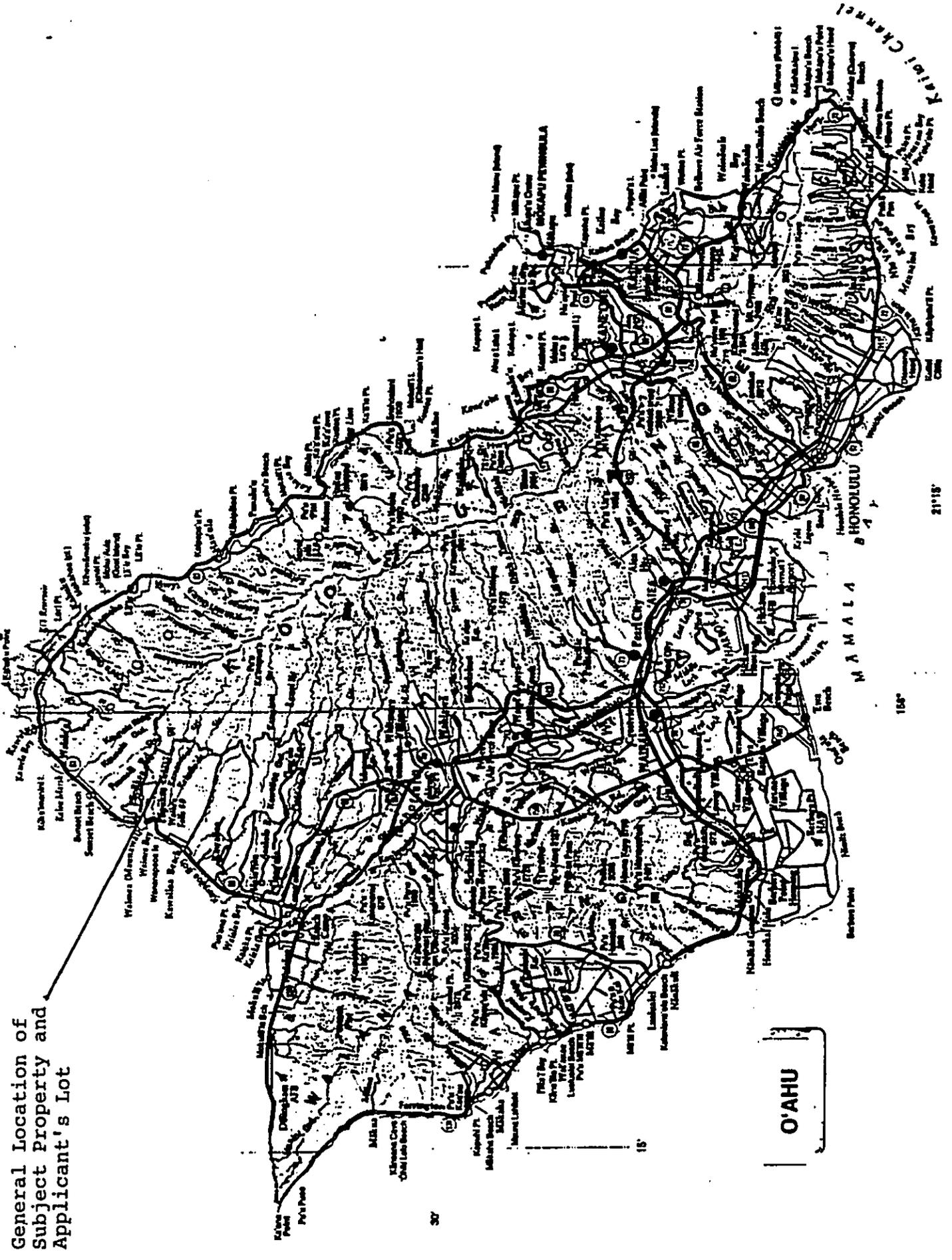
FINAL ENVIRONMENTAL ASSESSMENT

Charles P. and Sandra E. Booth
Edward D. and Sharon L. Bruffey

LIST OF EXHIBITS

<u>Exhibit "A"</u>	Location Map
<u>Exhibit "B"</u>	Tax Map - Subject Property
<u>Amended Exhibit "C"</u>	Subject Property Plot Plan
<u>Exhibit "D"</u>	Tax Map - Applicants' Lot
<u>Exhibit "E"</u>	Boundary Interpretation Map - Applicants' Lot
<u>Amended Exhibit "F"</u>	Plot Plan
<u>Exhibit "G"</u>	Comments on Draft Environmental Assessment and Applicants' Responses

EXHIBITS

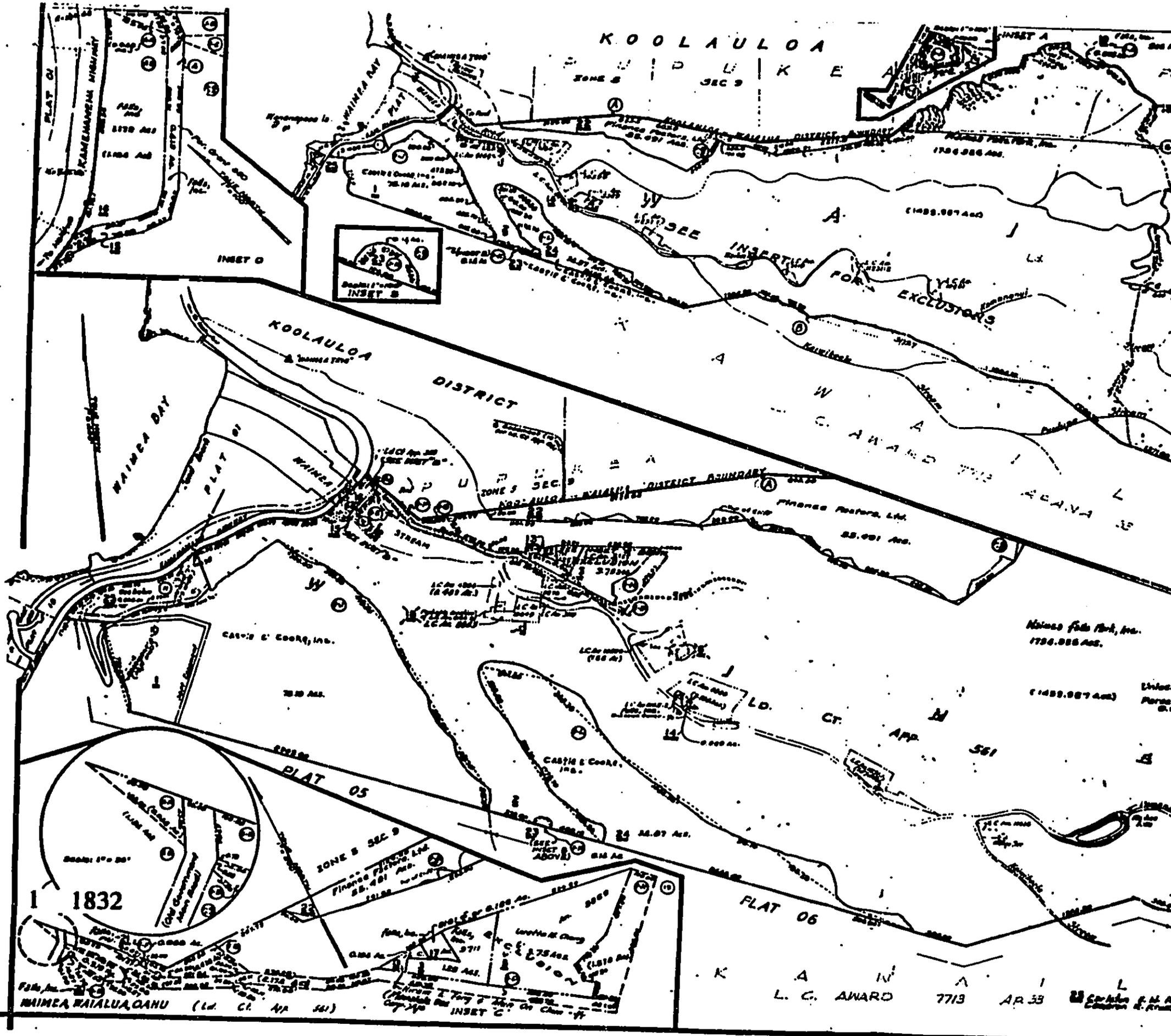


General Location of Subject Property and Applicant's Lot

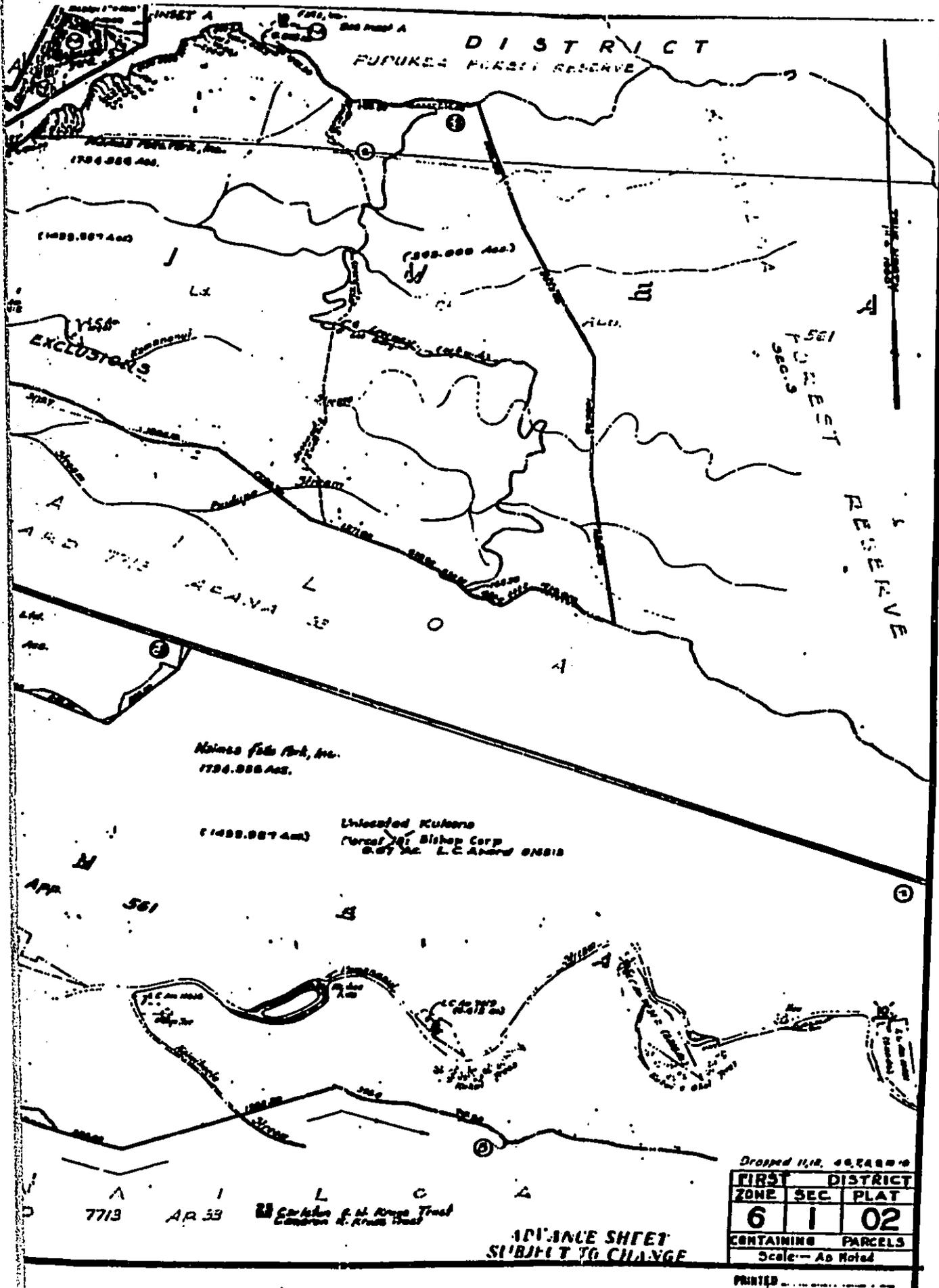
O'AHU

EXHIBIT "A"

DOCUMENT CAPTURED AS RECEIVED



DOCUMENT CAPTURED AS RECEIVED



Subject Property

Haines Falls Park, Inc.
1794.986 Acs.

1489.987 Acs. Unlocated Kulkono Forest
Bishop Corp
2302.000 Acs. L.C. Award 01813

7713 AP 33
Carter & St. Louis Trust
Carter & St. Louis Trust

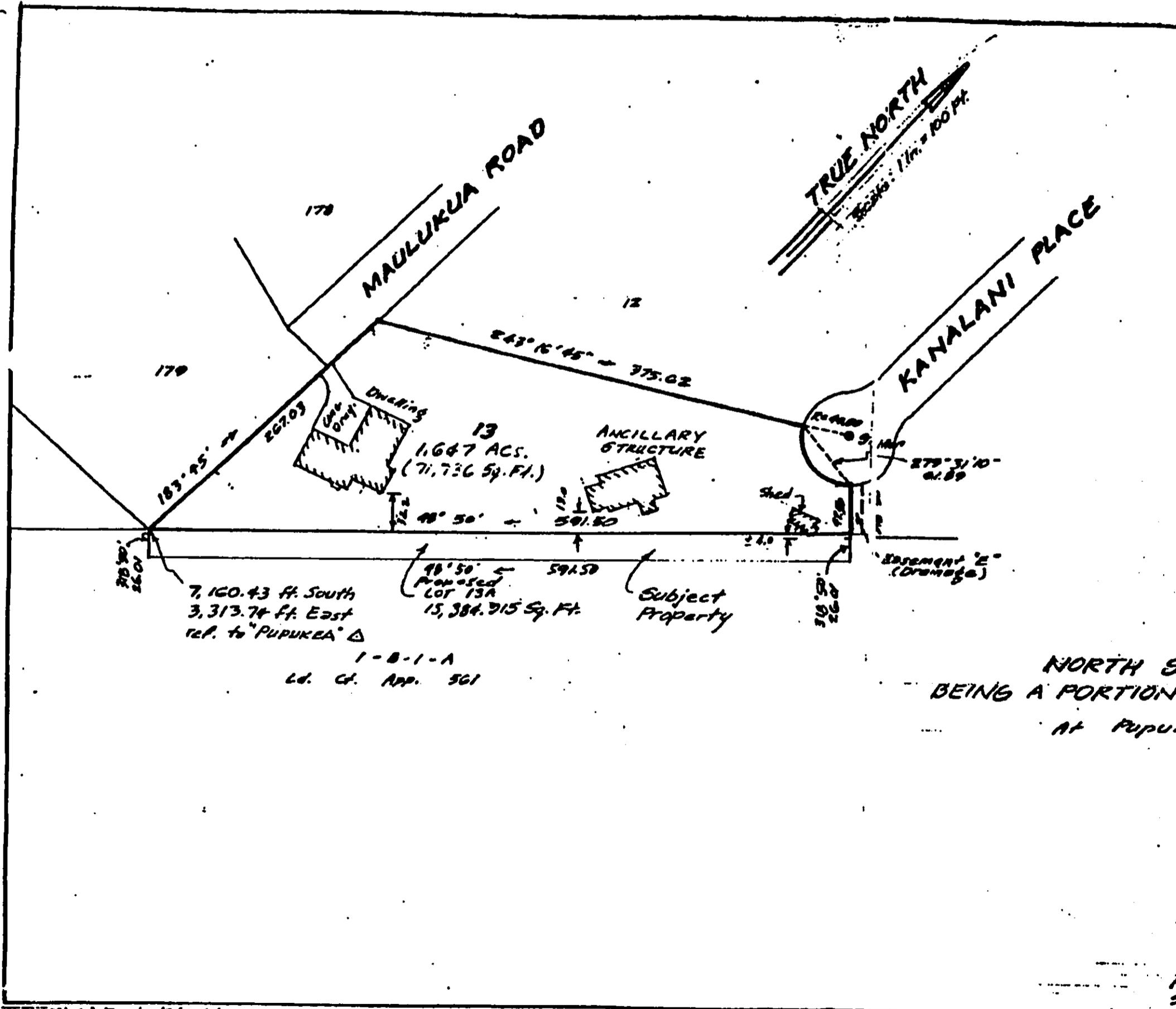
ADVANCE SHEET
SUBJECT TO CHANGE

Dropped 11/2, 48, 7488-9

FIRST DISTRICT	
ZONE	PLAT
6	02
CONTAINING PARCELS	
Scale: - As Noted	

PRINTED

DOCUMENT CAPTURED AS RECEIVED



7,160.43 ft. South
3,313.74 ft. East
rel. to "PUPUKEA" Δ

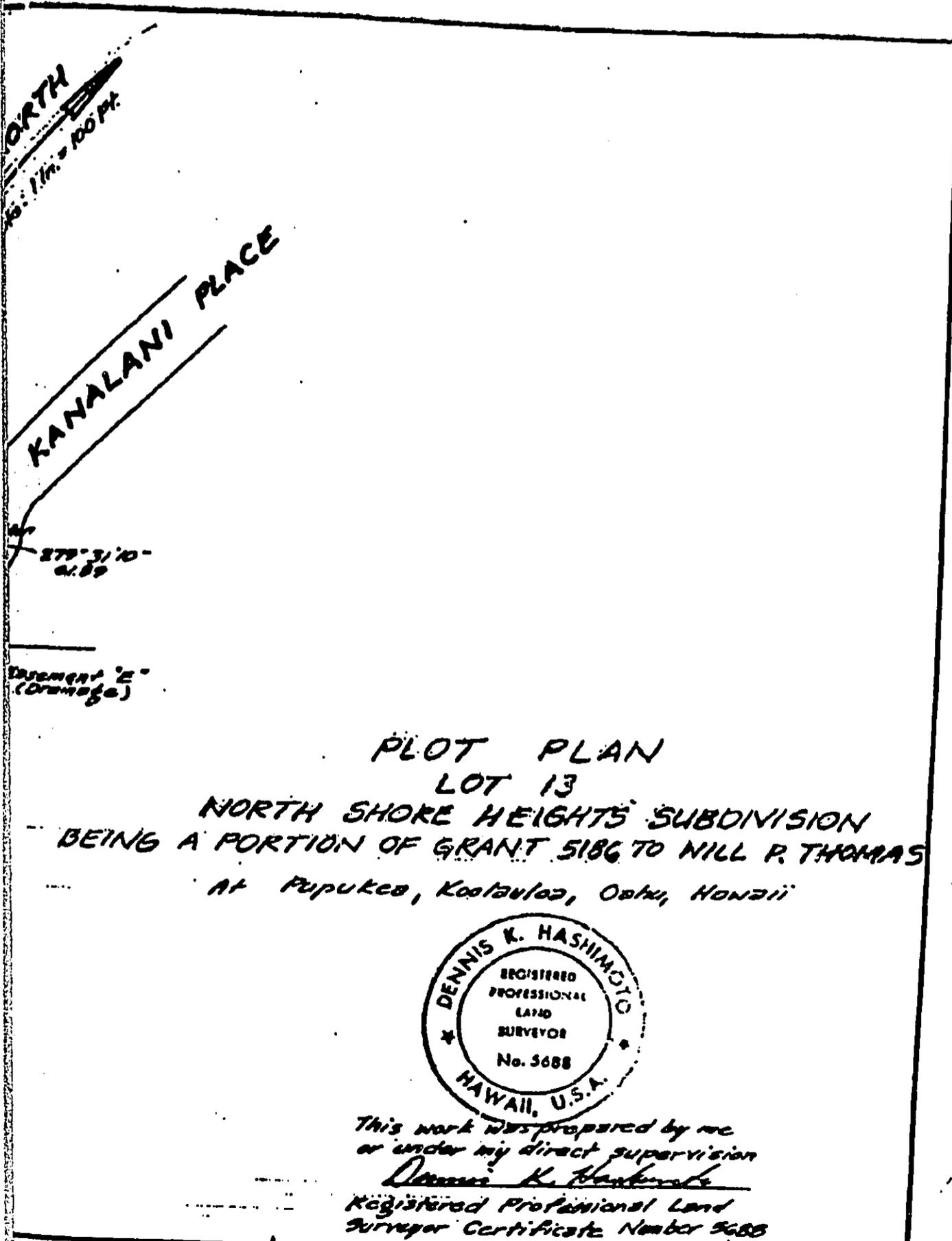
48° 50' ← 591.50
Proposed Lot 13A
15,384.915 Sq. Ft.

Subject Property

1-B-1-A
Ld. Ct. App. 561

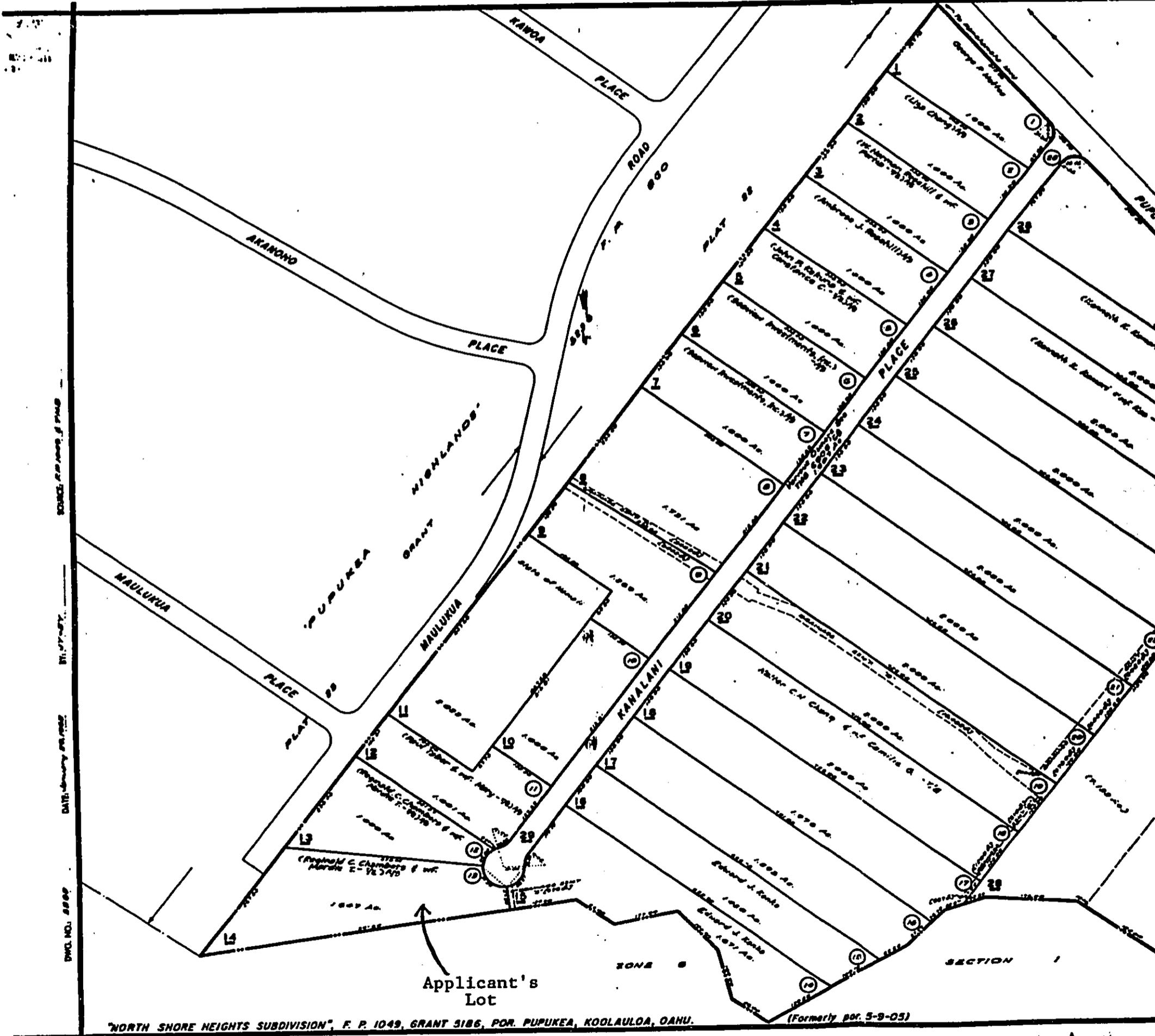
NORTH S
BEING A PORTION
AT PUPU

DOCUMENT CAPTURED AS RECEIVED



Amended Exhibit "C"

DOCUMENT CAPTURED AS RECEIVED



DATE: January 19, 1952
DWC NO. 8889

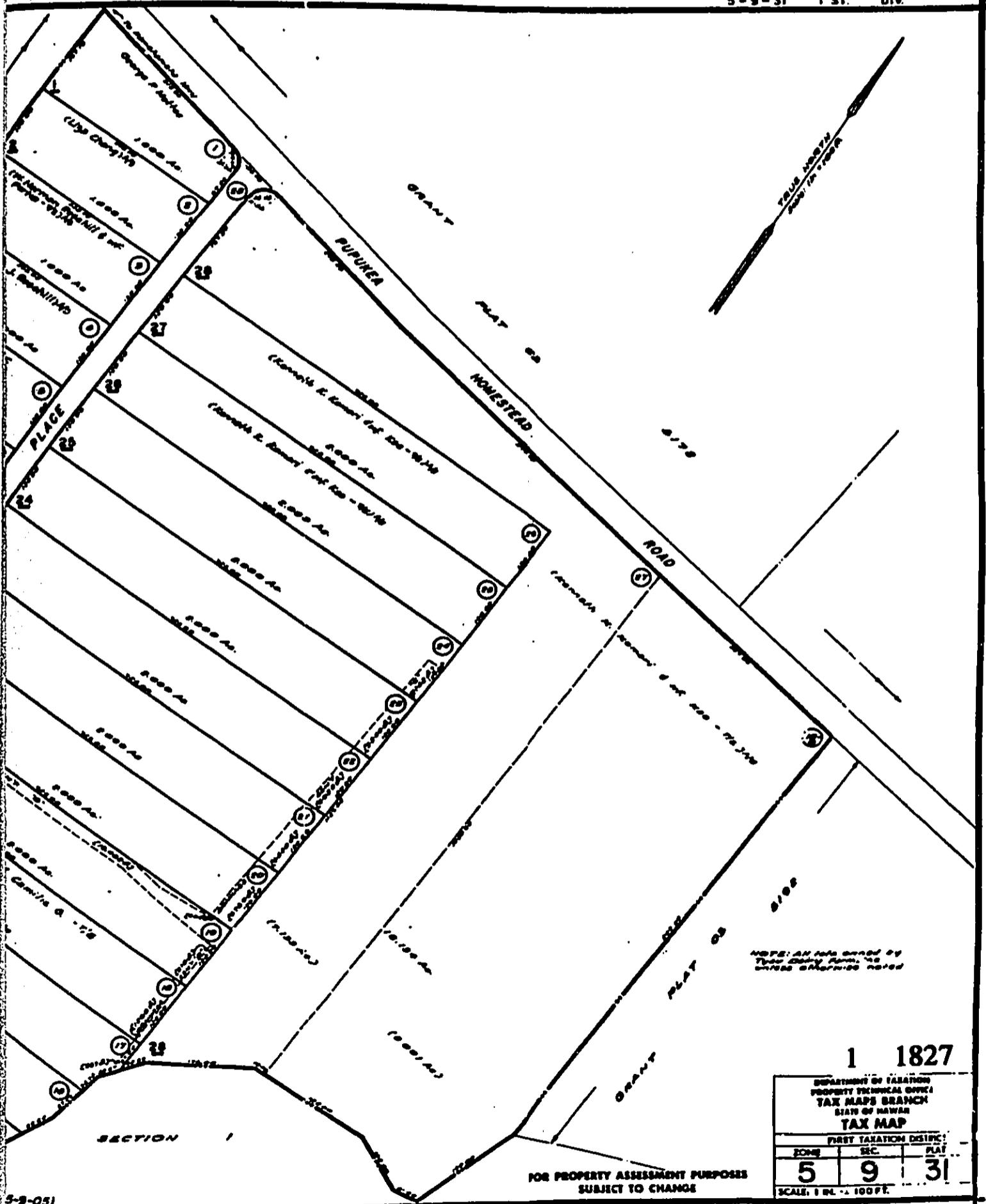
Applicant's Lot

"NORTH SHORE HEIGHTS SUBDIVISION", F. P. 1049, GRANT 3186, POR. PUPUKOA, KOOLAULOA, OAHU.

(Formerly por. 5-9-05)

DOCUMENT CAPTURED AS RECEIVED

5-9-31 1 ST. DIV.



1 1827

DEPARTMENT OF LANDS AND SURVEY
PROPERTY TECHNICAL OFFICE
TAX MAPS BRANCH
STATE OF HAWAII
TAX MAP

FIRST TAXATION DISPIC		
ZONE	SEC.	PLAT
5	9	31

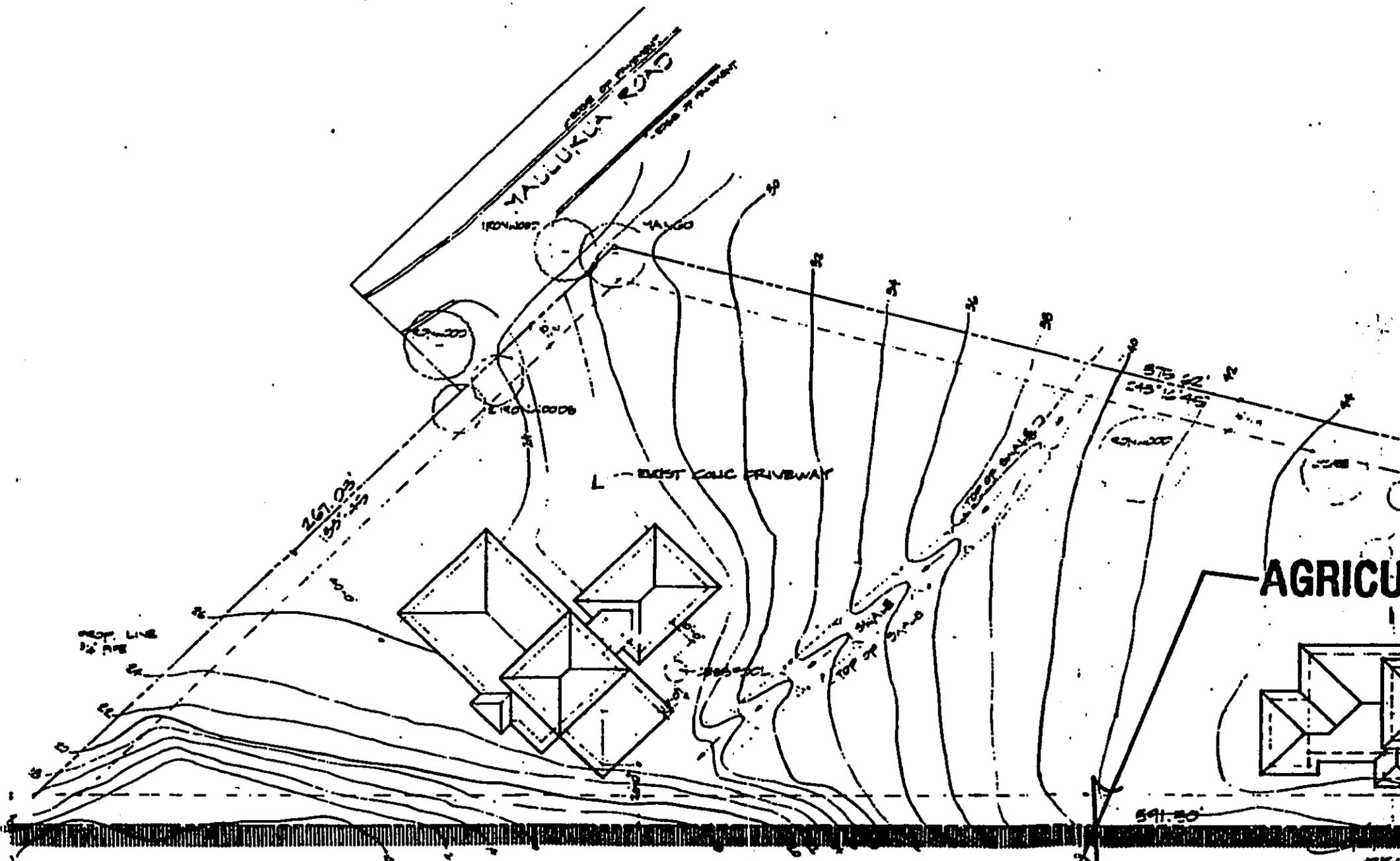
SCALE: 1 IN. = 100 FT.

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

EXHIBIT "D"

DOCUMENT CAPTURED AS RECEIVED

MR & MRS THX BRUFFEY



SITE PLAN CASE: 20-0

CONSERVATION

DOCUMENT CAPTURED AS RECEIVED

The boundary as located, named and delineated is hereby certified as the actual Land Use District Boundary adopted by the State Land Use Commission, Honolulu, Hawaii.

TX BRUFFEY

APR 29 1992 by [Signature]
Date Executive Officer

INFORMATION

OWNER: TX BRUFFEY - 038-7300
TRK: 0-1-0114
ADDRESS: 81-814 MAULUKUA RD
PUNAHOU, HAWAII 96712
ZONING: C (COUNTRY)
LOT AREA: 1.647 ACRES

92 17

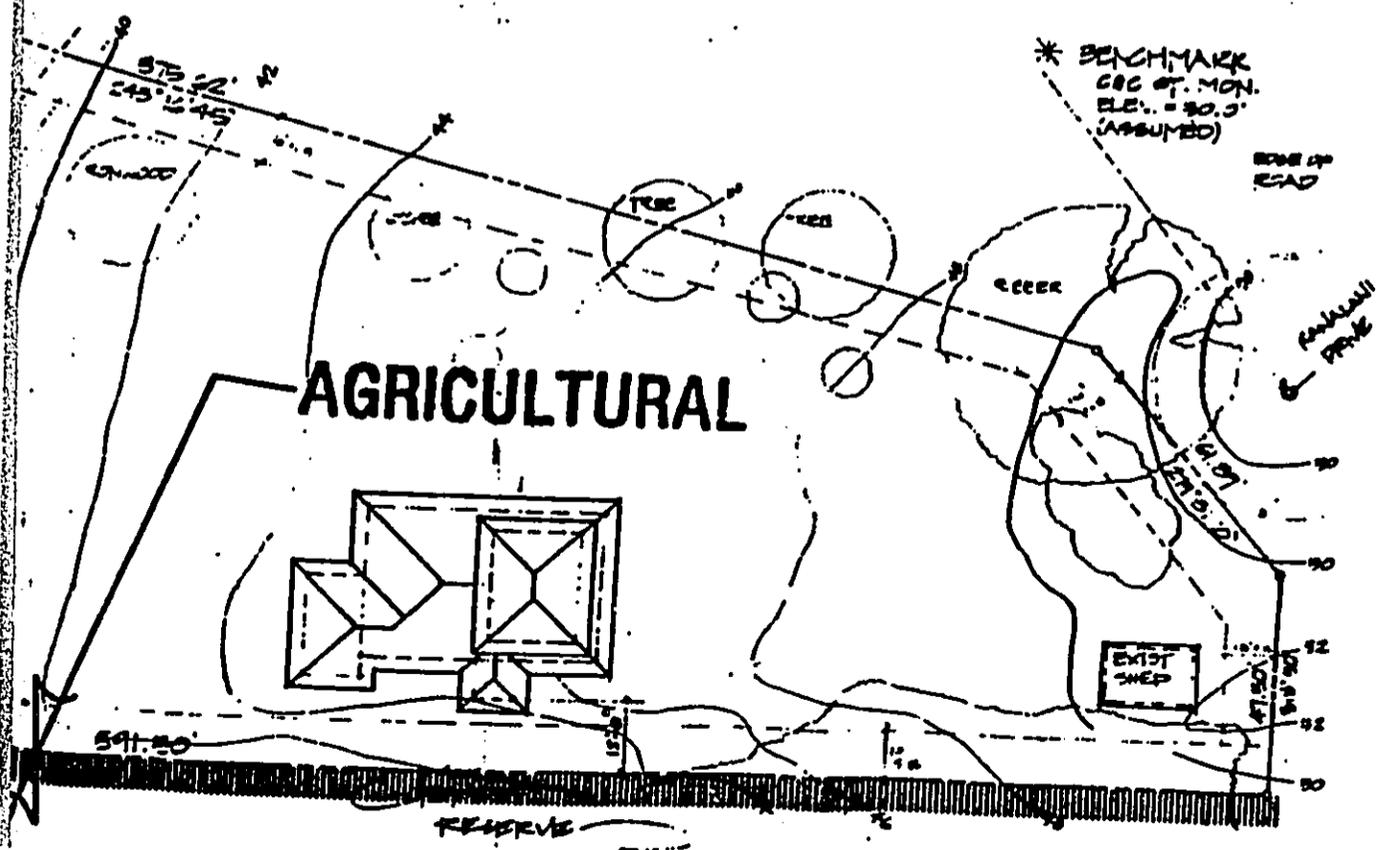
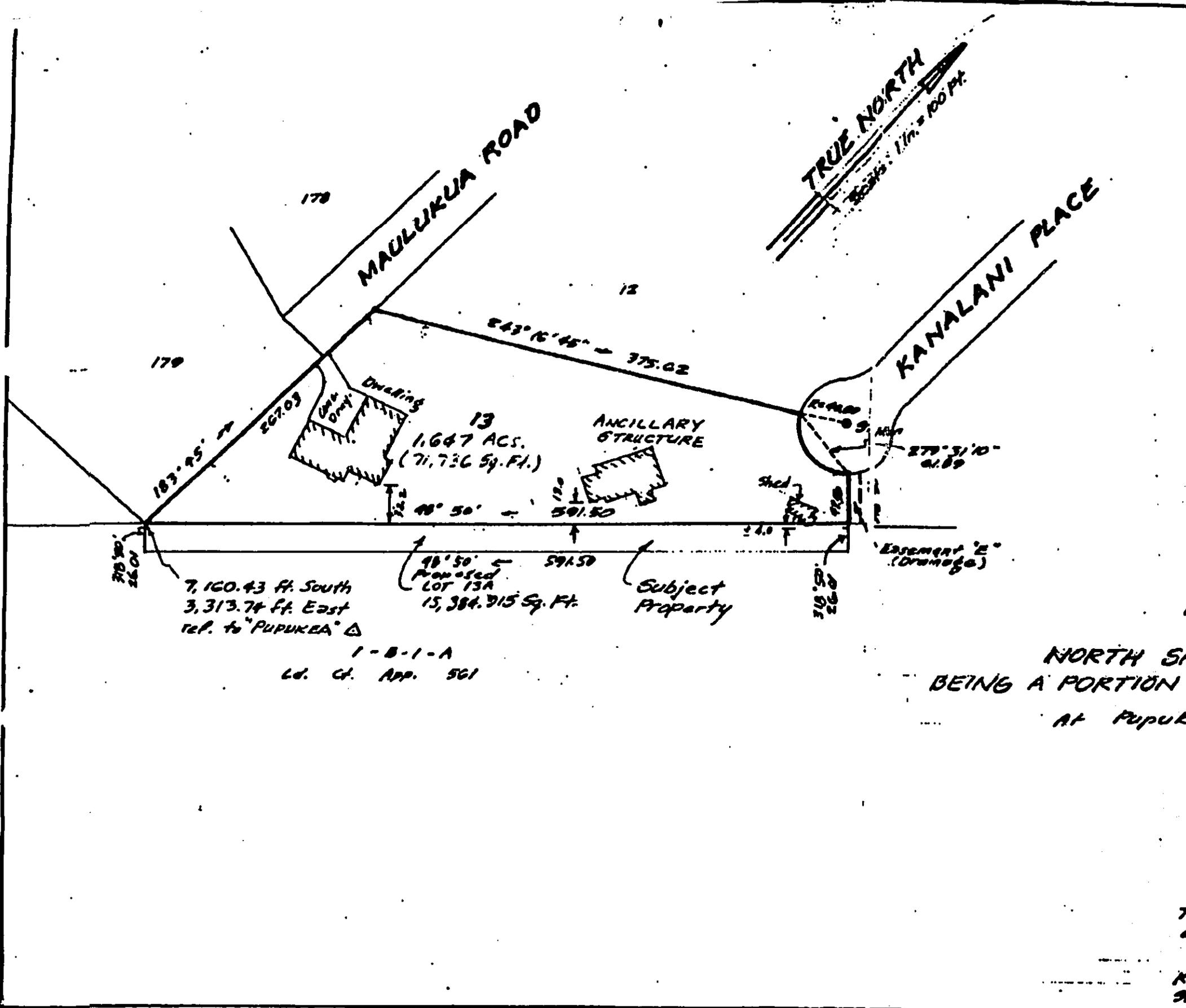


EXHIBIT "E"

DOCUMENT CAPTURED AS RECEIVED

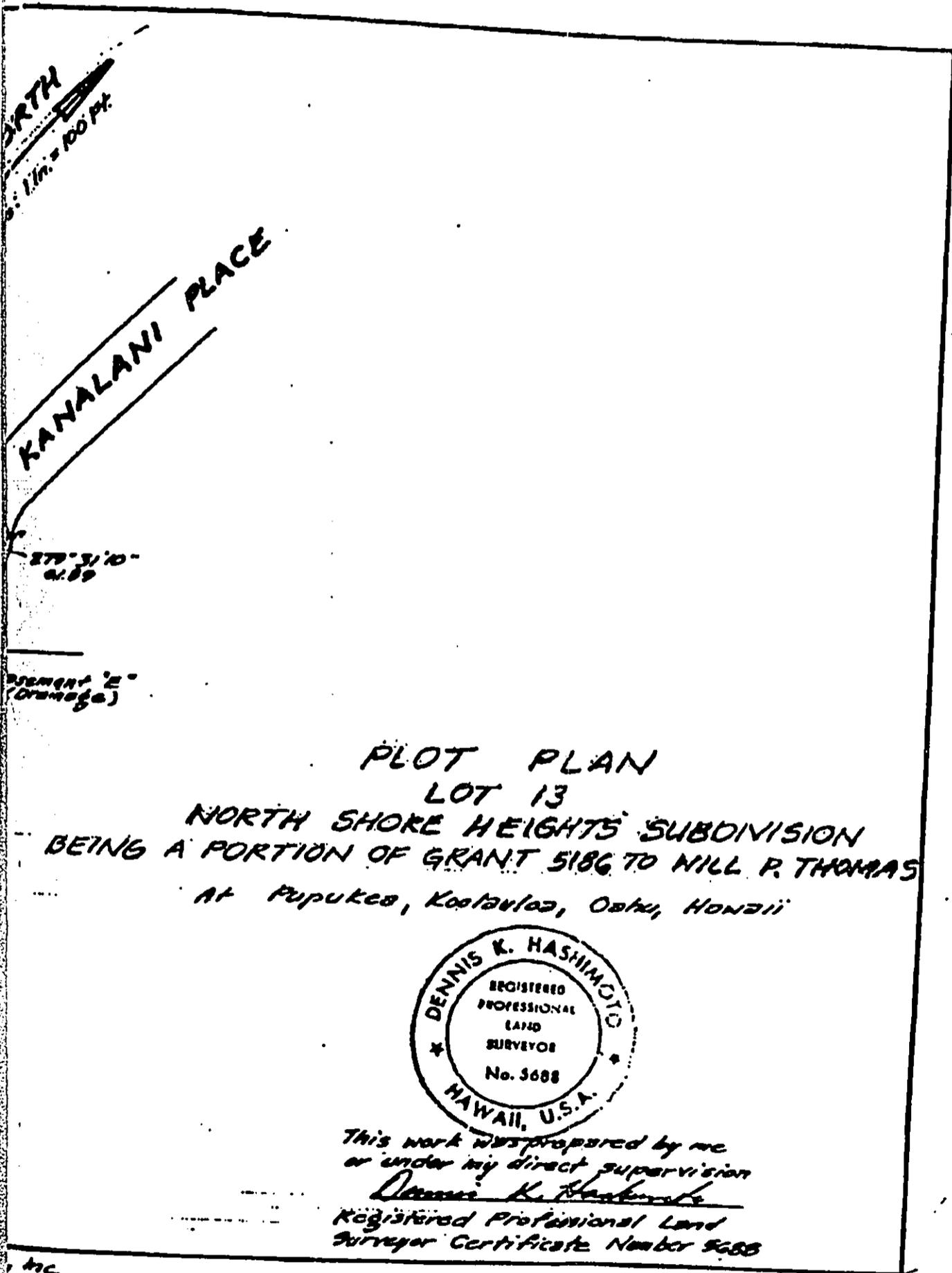


Field Book No. 14

DINS Surveying & Mapping, Inc.
 P.O. Box 25636 Honolulu, Hawaii 96826

NORTH SP
 BEING A PORTION
 AT PUPUK

DOCUMENT CAPTURED AS RECEIVED



PLOT PLAN
 LOT 13
 NORTH SHORE HEIGHTS SUBDIVISION
 BEING A PORTION OF GRANT 5186 TO WILL P. THOMAS
 AT Pupukea, Koolauloa, Oahu, Hawaii



This work was prepared by me
 or under my direct supervision
Dennis K. Hashimoto
 Registered Professional Land
 Surveyor Certificate Number 5688

Amended Exhibit "F"

MC
 011 9856

JN 55081
 T.M.K.: 5-7-31:14
 6-1-02:02

DEPARTMENT OF PUBLIC WORKS
CITY AND COUNTY OF HONOLULU
650 SOUTH KING STREET
HONOLULU, HAWAII 96813

DEC 3 1993

FRANK F. FASI
MAYOR



C. MICHAEL STREET
DIRECTOR AND CHIEF ENGINEER
KENNETH SPRAGUE
DEPUTY DIRECTOR

ENV 93-246

November 29, 1993

Mr. Shah J. Bento
Ashford & Wriston
P.O. Box 131
Honolulu, HI 96810

Dear Mr. Bento:

Subject: Draft Environmental Assessment (DEA)
Petition for District Boundary Amendment
TMK: 6-1-2-2: Por. and 5-9-31-14

We have reviewed the subject DEA and have no comments to offer at this time.

Should you have any questions, please contact Mr. Alex Ho, Environmental Engineer, at 523-4150.

Very truly yours,


C. MICHAEL STREET
Director and Chief Engineer

EXHIBIT G

ASHFORD & WRISTON

ATTORNEYS AT LAW

A. James Winston, Jr.*
Albert H. Ogawa**
Galen C. K. Leong
Wayne Nasser**
Douglas W. MacDougal*
John A. Lockwood*

Cuyler E. Shaw*
Michael W. Gibson
Robert Bruce Graham, Jr.
Rosemary T. Fazio
Diane S. Kishimoto
Paul S. Aoki

Francis P. Hogan
James K. Mee
Lorin B. Hirano
Kirk W. Caldwell
Marjorie C. Y. Au
Paul R. Goto

Katharine P. Lloyd
Owen H. Matsunaga
Charles A. Price
Keith M. Yamane
Cynthia K. Chung

Mary Beth H. Wong
Alan J. Ata
Gianni K. C. Ching
Bruce D. Heneman
Paul D. Fredrick**
Lemuel A. Carlos

Shah J. Bento
Ronda K. Kent
Todd K. Apo
COUNSEL
Adrian W. Rosehill
Dennis A. Krueger

OF COUNSEL
Clinton R. Asmundo*
John J. Hsu**
*Honolulu, Hawaii
**Honolulu, Hawaii

March 16, 1994

Mr. C. Michael Street
Director and Chief Engineer
Department of Public Works
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Re: *Draft Environmental Assessment (DEA), Petition for District Boundary
Amendment, TMK: 6-1-2-2; Por. and 5-9-31-14*

Dear Mr. Street:

This letter acknowledges your statement of "no comments" dated November 29, 1993. Thank you very much for reviewing our DEA and providing us with your position on this matter. If you have any questions, please contact me at 539-0417.

Yours truly,

ASHFORD & WRISTON

By 
Shah J. Bento

SJB:met

0068211.WP

EXHIBIT G

HONOLULU OFFICE
Mailing Address:
Post Office Box 131
Honolulu, HI 96810

Street Address:
Alii Place, Suite 1400
1099 Alakea Street
Honolulu, HI 96813

Telephone:
(808) 539-0400
Facsimile:
(808) 533-4945

KAPOLEI OFFICE
1001 Kamokila Blvd.
Suite 310
Kapolei, HI 96707

Telephone:
(808) 539-0400
Facsimile:
(808) 674-0993

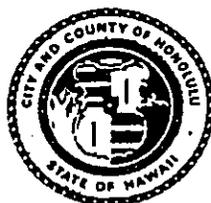
KAILUA-KONA OFFICE
Kuakini Tower, Suite 208
75-5722 Kuakini Hwy.
Kailua-Kona, HI 96740

Telephone:
(808) 329-7706
Facsimile:
(808) 329-7528

File

DEPARTMENT OF LAND UTILIZATION
CITY AND COUNTY OF HONOLULU

850 SOUTH KING STREET
HONOLULU, HAWAII 96813 • (808) 523-4432



FRANK F. FASI
MAYOR

JAN 22 1994
DONALD A. CLEGG
DIRECTOR

LORETTA K.C. CHEE
DEPUTY DIRECTOR

93-09213 (ASK)

January 21, 1994

Mr. Shah J. Bento
Ashford & Wriston
P. O. Box 131
Honolulu, Hawaii 96810

Dear Mr. Bento:

Environmental Assessment (EA)
Proposed State Land Use District Boundary Amendment
Tax Map Keys: 5-9-31: 14, 6-1-02: portion of 02

This responds to your November 19, 1993 letter requesting comments on the above-named document.

- 1) The applicant proposes a State Land Use Boundary Amendment to reclassify approximately 15,384 square feet (portion of Tax Map Key 6-1-2: 2) from Conservation District to Agricultural District. The purpose of this change is to allow the applicant increased residential density rather than to establish an agricultural use for the property. We note that the topography of the subject property is extremely steep and does not appear to be suitable for agricultural use even if that were the intent. As such, we do not believe that the proposed boundary change is appropriate.
- 2) At the time the applicant purchased parcel 14 of Tax Map Key 5-9-31, they were aware that the zoning code allowed no more than one dwelling unit. In spite of this, a second unit was built and on March 30, 1992 the applicant was cited for construction of a second dwelling unit without the required building permits and in violation of the Land Use Ordinance (LUO). (This violation was subsequently corrected.) The hardship of being limited to one dwelling unit is self-imposed and should not be recognized.
- 3) The proposal will essentially allow the owners to double the density of the lot. We are concerned with the precedent this proposal will set for other lots in the vicinity as well as the impacts this will have on infrastructure.

EXHIBIT G

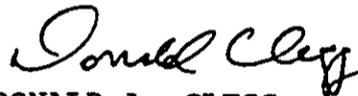
Mr. Shah J. Bento
Page 2
January 21, 1994

- 4) A guideline established by Section 5.30 (c) of the Land Use Ordinance states that lands within the Country District should be within the State-designated Urban District. A request for a zone change to Country District would generally be contrary to this policy. Note: Our records indicate that the current Country zoning for parcel 15 and surrounding subdivision was established to recognize the existing one acre lots.
- 5) The EA should clarify that the reclassification will not, by itself, satisfy zoning requirements to allow a second dwelling unit. In addition to the State Land Use Boundary amendment, the applicant must obtain a zone change to Country District, and a consolidation with parcel 14 of Tax Map Key 5-9-31 through either a subdivision or Conditional Use Permit. Aside from the State Land Use Boundary Amendment, these permits and approvals are administered by this department.

Based on the above, our Department cannot support the proposed State Land Use District Boundary Amendment or a future request for a zone change to Country District.

If you have any questions, please contact Ardis Shaw-Kim of our staff at 527-5349.

Very truly yours,



DONALD A. CLEGG
Director of Land Utilization

DAC:ak

G:booth2.ask
A:booth.as6

EXHIBIT G

ASHFORD & WRISTON

ATTORNEYS AT LAW

A. James Wriston, Jr.*
Albert H. Ogasawa*
Galen C. K. Leong
Wayne Nasser*
Douglas W. MacDougal*
John A. Lockwood*

Cuyler E. Shaw*
Michael W. Gibson
Robert Bruce Granam, Jr.
Rosemary T. Fazio
Diane S. Kishimoto
Paul S. Aoki

Francis P. Hogan
James K. Mee
Lorin B. Hirano
Kirk W. Caldwell
Marjorie C. Y. Au
Paul R. Goto

Katharine P. Lloyd
Owen H. Matsunaga
Charles A. Price
Keith M. Yamamine
Cynthia K. Ching

Mary Bern M. Wong
Alan J. Ma
Glenn K. C. Ching
Bruce D. Heneman
Paul D. Friedrich**
Lemuel A. Carlos

Shan J. Benio
Ronda K. Kent
Todd K. Apo
COUNSEL
Adrian W. Rosehill
Dennis A. Krueger

OF COUNSEL
Clyde P. Johnson*
John J. O'Shea*
*Attorneys at Law
**Attorneys at Law

March 16, 1994

Mr. Donald A. Clegg
Director of Land Utilization
Department of Land Utilization
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Re: *Environmental Assessment (EA), Proposed State Land Use District Boundary Amendment, Tax Map Keys: 5-9-31: 14, 6-1-02: portion of 02*

Dear Mr. Clegg:

Thank you for your letter of January 21, 1994, and comments with respect to our ongoing action at the State Land Use Commission. We note that, in large part, your comments appear to reflect a position on our Petition rather than the Draft Environmental Assessment. Our Draft Environmental Assessment simply assesses the potential environmental effects, if any, of proposed development pursuant to Section 11-200-12, Title 11, Chapter 200, Hawaii Administrative Rules, Department of Health. The environmental assessment is directed at assisting the State Land Use Commission in its compliance with the requirements of the State Office of Environmental Quality Control and the Department of Health.

Given the above, we have examined your letter for commentary relevant to the Land Use Commission's determination of significant environmental effect, which determination is to be made at the upcoming Action Meeting scheduled for March 23, 1994. Our responses follow.

With respect to paragraph 1) of your letter, we reserve the right to respond during the contested case proceedings on the Petition before the Hearing Officer and through the presentation of argument and evidence. We note now that the plan as proposed by Mr. and Mrs. Booth and Mr. and Mrs. Bruffey, if accepted, would not change the residential density above that which is permitted under zoning rules currently in effect at the County level.

0068211.WP

EXHIBIT G

HONOLULU OFFICE
Mailing Address:
Post Office Box 131
Honolulu, HI 96810

Street Address:
Alii Place, Suite 1400
1099 Alakea Street
Honolulu, HI 96813

Telephone:
(808) 539-0400
Facsimile:
(808) 533-4945

KAPOLEI OFFICE
1001 Kamokila Blvd.
Suite 310
Kapolei, HI 96707

Telephone:
(808) 539-0400
Facsimile:
(808) 674-0993

KAILUA-KONA OFFICE
Kuakini Tower, Suite 208
75-5722 Kuakini Hwy.
Kailua-Kona, HI 96740

Telephone:
(808) 329-7706
Facsimile:
(808) 329-7528

Mr. Donald A. Clegg
March 16, 1994
Page 2

With respect to paragraph 2) of your letter, we reserve the right to respond during the contested case proceedings on the Petition before the Hearing Officer and through the presentation of argument and evidence. We believe that Mr. and Mrs. Booth, Mr. and Mrs. Bruffey, and their families occupy an unenviable position and will adequately assess the hardship that they are undergoing. We respectfully submit that such hardship is being felt in a very real way, whether recognized or not.

In response to paragraph 3) of your letter, we reserve the right to respond during contested case proceedings on the Petition before the Hearing Officer and through the presentation of argument and evidence. We note again that, if the Applicants' plan is approved, there will be no "doubling" of density, but an increase of acreage that would allow for the maintenance of a residence in keeping with current zoning rules. In response to the statement that there will be "other impacts . . . on infrastructure", we respectfully submit that no development is being proposed for the Subject Parcel in any way. Thus, there can be no impact on the infrastructure. Moreover, although no water usage is contemplated, the letter received from Mr. Kazu Hayashida, Manager and Chief Engineer, Board of Water Supply, City and County of Honolulu, states that "the existing water system is adequate to accommodate the proposed Land Use Boundary Amendment."

In response to paragraph 4) of your letter, we reserve the right to respond during the contested case proceedings on the Petition before the Hearing Officer and through the presentation of argument and evidence. We believe that the actions you discuss do not fall within the State Land Use Commission's purview and to that degree would address these matters at the County level at the appropriate time.

With response to paragraph 5), we reserve the right to respond during the contested case proceedings before the Hearing Officer and through the presentation of argument and evidence. In the spirit of cooperation, we have included in our Final Environmental Assessment a discussion of the anticipated zone change and subdivision actions at the County level. We would emphasize that insofar as the environmental impact is concerned, Mr. and Mrs. Booth and Mr. and Mrs. Bruffey have already gone on the record as being willing to condition any deed of the Subject Parcel they receive or subsequently grant on a restrictive covenant prohibiting the development of the subject property. Consequently, our proposed action has no impact, minor or major, on the Subject Parcel or the areas around it.

Mr. Donald A. Clegg
March 16, 1994
Page 3

We enclose for your convenience a copy of our Final Environmental Assessment. We look forward to participating with you in the formal hearing proceedings and in resolving and allaying your concerns with respect to our proposal. If we can in any way be of assistance to you in understanding our proposal, please feel free to contact us at 539-0417.

Yours truly,

ASHFORD & WRISTON

By 
Shah I. Bertó

SJB:met
Enclosure

0068211.WP

EXHIBIT G

JOHN WAIHEE
GOVERNOR



ESTHER UEDA
EXECUTIVE OFFICER

STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

December 29, 1993

Douglas W. MacDougal, Esq.
Ashford & Wriston
Alii Place, Suite 1400
1099 Alakea Street
Honolulu, Hawaii 96813

Dear Mr. MacDougal:

Subject: LUC Docket No. A93-698/Charles P. Booth, Sandra E. Booth, Edward D. Bruffey, and Sharon L. Bruffey, TMK No.: 6-1-02: 2 (por.)

We have reviewed the draft Environmental Assessment (EA) prepared for the subject docket, and have the following comments:

- 1) The final EA should state that the subject property is located within the Special Management Area (SMA) of the City & County of Honolulu.
- 2) We suggest that the Conservation District subzone designation of the subject property be included in the final EA.

We have no further comments to offer at this time. We appreciate the opportunity to comment on this matter.

Should you have any questions, please call me or Bert Saruwatari of our office at 587-3822.

Sincerely,

A handwritten signature in cursive script, appearing to read "Esther Ueda".

ESTHER UEDA
Executive Officer

EU:f1

EXHIBIT G

ASHFORD & WRISTON

ATTORNEYS AT LAW

A James Wriston, Jr.*
Albert H. Ogawa**
Galen C. K. Leong
Wayne Nasser**
Douglas W. MacDougal*
John A. Lockwood*

Covler E. Shaw*
Michael W. Gibson
Robert Bruce Graham, Jr.
Rosemary T. Fazio
Diane S. Kishimoto
Paul S. Aoki

Francis P. Hogan
James K. Mee
Lorin B. Hirano
Kirk W. Caldwell
Marjorie C.Y. Au
Paul R. Goto

Katharine P. Lloyd
Owen H. Matsunaga
Charles A. Price
Keith M. Yamamine
Cynthia K. Ching

Mary Beth M. Wong
Alan J. Ma
Gerrit K. C. Ching
Bruce D. Hieneman
Paul D. Fredrick**
Lemuel A. Carlos

Shah J. Bento
Ronda K. Kent
Todd K. Abo
COUNSEL
Adrian W. Rosehill
Dennis A. Krueger

OF COUNSEL
Clinton R. Ashford*
John Johnson**
*State Counselor
**Licensed in California
and Hawaii

March 16, 1994

Ms. Esther Ueda
Executive Officer
Land Use Commission
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813

Re: *LUC Docket No. A93-698/ Final Environmental Assessment; Response to letter dated December 29, 1993*

Dear Ms. Ueda:

Thank you for reviewing and commenting with respect to our Draft Environmental Assessment prepared for the subject docket. We have taken steps to include in our Final Environmental Assessment the fact that the subject property is located within the Special Management Area of the City and County of Honolulu pursuant to Chapter 25, of the Revised Ordinances of Honolulu. In addition, pursuant to your request, we have determined in consultation with the Department of Land and Natural Resources, that the Conservation District Subzone for the Subject Parcel is General "G". This designation will be included in our Final Environmental Assessment. We will be responding to your comments with respect to the Petition and First Amended Petition by separate letter and plan to address your concerns by amendment when the Petition action is officially opened.

Again, thank you very much for your review and comments on this matter. We hope that this will assist you in your determination of environmental effect at the Land Use Commission Action Meeting scheduled for March 23, 1994. Please call me at 539-0417 if there is any further information that you require.

Yours truly,

ASHFORD & WRISTON

By 
Shah J. Bento

SJB:met

0068211.WP

EXHIBIT G

HONOLULU OFFICE
Mailing Address:
Post Office Box 131
Honolulu, HI 96810

Street Address:
Alii Place, Suite 1400
1099 Alakea Street
Honolulu, HI 96813

Telephone:
(808) 539-0400
Facsimile:
(808) 533-4945

KAPOLEI OFFICE
1001 Kamokila Blvd.
Suite 310
Kapolei, HI 96707

Telephone:
(808) 539-0400
Facsimile:
(808) 674-0993

KAILUA-KONA OFFICE
Kuakini Tower, Suite 208
75-5722 Kuakini Hwy.
Kailua-Kona, HI 96740

Telephone:
(808) 329-7706
Facsimile:
(808) 329-7528

OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

HONOLULU, HAWAII 96813 • AREA CODE 808 • 523-4141



FRANK F. FASI
MAYOR

November 23, 1993

NOV 24 1993

Douglas W. MacDougal, Esq.
Owen H. Matsunaga, Esq.
Shah J. Bento, Esq.
Ashford and Wriston
Alii Place, Suite 1400
1099 Alakea Street
Honolulu, Hawaii 96813

Gentlemen:

Thank you for sending me a copy of your petition for a land use boundary change for 15,384 square feet of land from Conservation to Agricultural use on property identified as Tax Map Key: 6-1-02: 2.

The City and County of Honolulu has no authority over Conservation lands; thus, your petition is appropriately addressed to the State Land Use Commission.

You must be successful in obtaining the boundary amendment before the County gets involved. The Department of Land Utilization (DLU) will process the request for the zoning change from P-1 Preservation District to Country District. The DLU indicates that this adjustment does not appear to be a major significant request; however, the paper work must be processed because that is the law.

I recognize this can be a lengthy and sometimes complex process for something that seems rather minor. Needless to say, besides infringing on the County's rights to control its own lands, this is another reason why I have advocated abolishing the State Land Use Commission.

Warm personal regards.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Fasi", is written over a horizontal line.

FFF:ea

* This is a rank understatement!

EXHIBIT G

ASHFORD & WRISTON

ATTORNEYS AT LAW

A. James Wriston, Jr.*
Albert H. Ogawa*
Garen C. K. Leong
Wayne Nasser*
Douglas W. MacDougal*
John A. Lockwood*

Cuyler E. Shaw*
Michael W. Gibson
Robert Bruce Graham, Jr.
Rosemary T. Fazo
Diane S. Kishimoto
Paul S. Adams

Francis P. Hogan
James K. Mee
Lorin B. Hirano
Kirk W. Caldwell
Marjorie C. Y. Au
Paul R. Goto

Katharine P. Lloyd
Owen H. Matsunaga
Charles A. Price
Keith M. Yonamine
Cynthia K. Ching

Mary Beth M. Wong
Alan J. Ma
Glenn K. C. Chung
Bruce D. Hereman
Paul D. Fredrick**
Lemuel A. Carlos

Shah J. Bento
Ronda K. Kent
Todd K. Ago
COUNSEL
Agran W. Rosehill
Dennis A. Krueger

OF COUNSEL
Clinton R. Asstford*
John Judinsky*
*State Commission
**Counsel in California
and Indiana, Inc.

March 16, 1994

Honorable Frank F. Fasi
Mayor
City and County of Honolulu
Honolulu Hale
530 South King Street
Honolulu, Hawaii 96813

Re: *Application of Charles P. and Sandra E. Booth and Edward E. and Sharon L. Bruffey to the Land Use Commission for a Boundary Change for 15,384 square feet of land*

Dear Mayor Fasi:

Thank you for responding to our Petition for a Land Use Boundary Change in your letter of November 23, 1993. Your encouragement has been very helpful to us as we pursue this action through the State and County levels. We are most appreciative of your mentioning to us, that from the DLU's indication, the adjustment does not appear to be a major significant request, but the paperwork must be processed because that is the law. Again, thank you for taking time out for us and expressing concern over our situation.

Yours truly,

ASHFORD & WRISTON

By 
Shah J. Bento

SJB:met

0068211.WP

EXHIBIT G

HONOLULU OFFICE
Mailing Address:
Post Office Box 131
Honolulu, HI 96810

Street Address:
Aili Place, Suite 1400
1099 Alakea Street
Honolulu, HI 96813

Telephone:
(808) 539-0400
Facsimile:
(808) 533-4945

KAPOLEI OFFICE
1001 Kamokila Blvd.
Suite 310
Kapolei, HI 96707

Telephone:
(808) 539-0400
Facsimile:
(808) 674-0993

KAILUA-KONA OFFICE
Kuakini Tower, Suite 208
75-5722 Kuakini Hwy.
Kailua-Kona, HI 96740

Telephone:
(808) 329-7706
Facsimile:
(808) 329-7528

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU

630 SOUTH BERETANIA STREET

HONOLULU HAWAII 96843



January 4, 1994

FRANK F. PASI, Mayor

WALTER O. WATSON, Jr., Chairman
MAURICE H. HAYASHIDA, Vice Chairman
SISTER M. DAVENPORT, Director
JOHN W. ANDERSON, Jr.
REX D. JOHNSON
MELISSA T. LUM

KAZU HAYASHIDA
Manager and Chief Engineer

Mr. Shah J. Bento
Ashford & Wriston
P. O. Box 131
Honolulu, Hawaii 96810

Dear Mr. Bento:

Subject: Your Letter of November 19, 1993 Regarding the Petition for District Boundary Amendment and Draft Environmental Assessment (DEA) for Mr. and Mrs. Charles P. Booth and Mr. and Mrs. Edward D. Bruffey, TMK: 6-1-02: Por. 2 and 5-9-31: 14, Kanalani Place

Thank you for the opportunity to review the proposed boundary amendment and DEA for the Booth and Bruffey property.

We have the following comments:

1. The existing water system is adequate to accommodate the proposed State land use boundary amendment.
2. There is a 1-1/2-inch meter currently serving TMK: 5-9-31: 14. There are three meters, one 3-inch and two 5/8-inch meters currently serving TMK: 6-1-02: 2.
3. The availability of water will be determined when the building permit application is submitted for our review and approval. If water is made available, the applicant is required to pay our Water System Facilities Charges for source-transmission and daily storage.
4. Wastewater disposal into the ground should be coordinated with the State Department of Health to insure protection of underlying groundwater resources from potential contamination.

If you have any questions, please contact Barry Usagawa at 527-5235.

Very truly yours,

KAZU HAYASHIDA
Manager and Chief Engineer

EXHIBIT G

ASHFORD & WRISTON

ATTORNEYS AT LAW

A James Wriston Jr.*
Albert H. Ogawa*
Galen C. K. Leong
Wayne Nasser**
Douglas W. MacDougal*
John A. Lockwood*

Clyde E. Shaw*
Michael W. Gibson
Robert Bruce Graham Jr.
Rosemary T. Fazio
Diane S. Kishimoto
Paul S. Aoki

Francis P. Hogan
James K. Mee
Lorin B. Hirano
Kirk W. Caswell
Mahone C.Y. Au
Paul R. Goto

Katherine P. Lloyd
Owen H. Matsunaga
Charles A. Price
Keith M. Yonamine
Cynthia K. Ching

Mary Beth M. Wong
Alan J. Ma
Glenn K. C. Ching
Bruce D. Heneman
Paul D. Friedrich**
Lemuel A. Carico

Shah J. Bento
Ronda K. Kent
Todd K. Aoo
COUNSEL
Adrian W. Rosenbl
Dennis A. Krueger

OF COUNSEL
Clinton B. Ayers*
John J. O'Neil*
*A Law Corporation
**A Law Corporation

March 16, 1994

Mr. Kazu Hayashida
Manager and Chief Engineer
Board of Water Supply
City and County of Honolulu
630 South Beretania Street
Honolulu, Hawaii 96843

Re: *Draft Environmental Assessment for Mr. and Mrs. Charles P. Booth and Mr. and Mrs. Edward D. Bruffey*

Dear Mr. Hayashida:

Thank you very much for reviewing our Draft Environmental Assessment for the Booth and Bruffey property. We understand that the existing water system is adequate to accommodate the proposed State Land Use Boundary Amendment. We also understand that water availability and wastewater disposal would have to be coordinated should there be any development of the property. Mr. and Mrs. Booth and Mr. and Mrs. Bruffey have indicated that they will take the property subject to restrictive covenants not to develop that area. We wish to inform you that, should our plan be approved, we will not be requiring any further water availability or wastewater disposal services.

Thank you again for your prompt review of our Draft Environmental Assessment and for informing us of your position. Please let us know if you have any questions at 539-0417.

Yours truly,

ASHFORD & WRISTON

By 
Shah J. Bento

SJB:met

0068211.WP

EXHIBIT G

HONOLULU OFFICE
Mailing Address:
Post Office Box 131
Honolulu, HI 96810

Street Address:
Alii Place, Suite 1400
1099 Alakea Street
Honolulu, HI 96813

Telephone:
(808) 539-0400
Facsimile:
(808) 533-4945

KAPOLEI OFFICE
1001 Kamokila Blvd.
Suite 310
Kapolei, HI 96707

Telephone:
(808) 539-0400
Facsimile:
(808) 674-0993

KAILUA-KONA OFFICE
Kuakini Tower, Suite 208
75-5722 Kuakini Hwy.
Kailua-Kona, HI 96740

Telephone
(808) 329-7706
Facsimile
(808) 329-7529



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

P. O. BOX 621
HONOLULU, HAWAII 96809

REF:OCEA:SKK

A&W FILE
DEPARTMENT OF LAND AND NATURAL RESOURCES

DEPUTY
COMMISSIONER
DONALD MANAHE

AGRICULTURE DEVELOPMENT
AND SPAN
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
CONSERVATION AND
ENVIRONMENTAL AFFAIRS
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

DEC 16 1993

File No.: 94-351
Doc. No.: 3872

DEC 17 1993

Mr. Shah J. Bento
Ashford & Wriston
P.O. Box 131
Honolulu, Hawaii 96814

Dear Mr. Bento:

SUBJECT: Draft Environmental Assessment (DEA) for the Booth and Bruffey
Petition for a State Land Use District Boundary Amendment
(Docket No. 93-698), Pupukea, Koolauloa, Oahu,
TMKs: 5-9-31: 14; 6-1-06: por. 2

We have reviewed the DEA information for the subject boundary amendment transmitted by your letters dated November 19 and 30, 1993, and have the following comments:

The subject property is presently located within the General "G" subzone of the Conservation District and subject to the Conservation regulations of Chapter 183-41, Hawaii Revised Statutes, as amended, and Title 13, Chapter 2, Hawaii Administrative Rules.

In its present designation, the subdivision of this property would require that a Conservation District Use Application (CDUA) be filed with this Department and approved by the Board of Land and Natural Resources (Board). It should be noted that the Board generally discourages the subdivision of Conservation District land for the expressed purpose of increased development. Section III.A. TECHNICAL CHARACTERISTICS, should be revised to include some discussion on this issue.

Although we have no position with respect to the proposed reclassification at this time, we question the proposed Agricultural District designation of this property which remains idle "Because of the topography and steeply sloping terrain..." (p.4).

We will forward our Historic Preservation Division comments as they become available.

EXHIBIT G

Mr. S. Bento

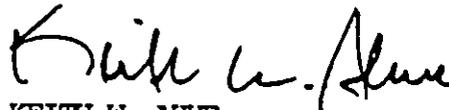
-2-

File No.: 94-351

We have no other comments to offer at this time. Thank you for the opportunity to comment on this matter.

Please feel free to contact Steve Tagawa at our Office of Conservation and Environmental Affairs, at 587-0377, should you have any questions.

Very truly yours,


KEITH W. AHUE

cc: Esther Ueda, LUC

EXHIBIT G

ASHFORD & WRISTON

ATTORNEYS AT LAW

A. James Wriston, Jr.*
Albert H. Ogawa*
Galen C. K. Leong
Wayne Nasser**
Douglas W. MacDougal*
John A. Lockwood*

Cuyler E. Shaw*
Michael W. Gibson
Robert Bruce Graham, Jr.
Rosemary T. Fazio
Diane S. Kishimoto
Paul S. Aoki

Francis P. Hogan
James K. Mee
Lorin B. Hirano
Kira W. Calowell
Marjorie C.Y. Au
Paul R. Goto

Katherine P. Lloyd
Owen H. Matsunaga
Charles A. Price
Keith M. Yonamine
Cynthia K. Ching

Mary Beth M. Wong
Alan J. Ma
Glenn K. C. Chung
Bruce D. Hieheman
Paul D. Fredrick**
Lemuel A. Carlos

Shah J. Bento
Ronda K. Kent
Todd K. Abo
COUNSEL
Astran W. Rosewell
Dennis A. Krueger

OF COUNSEL
Clinton R. Johnson*
John Johnson**
*Alaia Corporation
**Licensed in California
and Washington

March 16, 1994

Mr. Keith W. Ahue
Chairperson
Department of Land and Natural Resources
P. O. Box 621
Honolulu, Hawaii 96809

Re: *Draft Environmental Assessment (DEA) for the Booth and Bruffey Petition for a State Land Use District Boundary Amendment (Docket No. 93-698)*

Dear Mr. Ahue:

Thank you for reviewing our Draft Environmental Assessment. We have taken steps to include in our Final Environmental Assessment a discussion of the subdivision process. We understand that you have no position with respect to the proposed reclassification at this time, and respectfully submit that we will address your concerns over the Agricultural District designation of this property at the appropriate time during the formal Petition proceedings. For your information, your Historic Preservation Division has not commented on our Draft Environmental Assessment.

Thank you again for taking the time to review our Draft Environmental Assessment. Please feel free to contact me at 539-0417 should you have any questions.

Yours truly,

ASHFORD & WRISTON

By 
Shah J. Bento

SJB:met

0068211.WP

EXHIBIT G

HONOLULU OFFICE
Mailing Address:
Post Office Box 131
Honolulu, HI 96810

Street Address:
Aiihi Place, Suite 1400
1099 Alahea Street
Honolulu, HI 96813

Telephone:
(808) 539-0400
Facsimile:
(808) 533-4945

KAPOLEI OFFICE
1001 Kamokila Blvd.
Suite 310
Kapolei, HI 96707

Telephone:
(808) 539-0400
Facsimile:
(808) 674-0993

KAILUA-KONA OFFICE
Kuakini Tower, Suite 208
75-5722 Kuakini Hwy.
Kailua-Kona, HI 96740

Telephone:
(808) 329-7706
Facsimile:
(808) 329-7529

JOHN WAIHEE
GOVERNOR



BRIAN J. J. CHOY
Director

STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
220 SOUTH KING STREET
FOURTH FLOOR
HONOLULU, HAWAII 96813
TELEPHONE (808) 586-4185

DEC
1 1993

November 26, 1993

Shah J. Bento
Ashford and Wriston
P.O. Box 131
Honolulu, HI 96810

Dear Mr. Bento:

Thank you for the opportunity to review the document:

Mr. and Mrs. Charles P. Booth and Mr. and Mrs. Edward D. Bruffey- Petition for District Boundary Amendment and Draft Environmental Assessment, North Shore, Honolulu, Hawaii; Tax Map Keys: 6-1-2-2 (portion) and 5-9-31-14.

We have no comments at this time.

Sincerely,

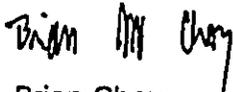

Brian Choy

EXHIBIT G

ASHFORD & WRISTON

ATTORNEYS AT LAW

A. James Wriston, Jr.*
Albert H. Ogawa**
Galen C. K. Leong
Wayne Nasser**
Douglas W. MacDougal**
John A. Lockwood**

Cuyler E. Shaw*
Michael W. Gibson
Robert Bruce Graham, Jr.
Rosemary T. Fazio
Diane S. Kishimoto
Paul S. Aoki

Francis P. Hogan
James K. Mee
Lorin B. Hirano
Kirk W. Caldwell
Maryjane C. Y. Au
Paul R. Goto

Katharine P. Lloyd
Owen H. Matsunaga
Charles A. Price
Keith M. Yoramane
Cynthia K. Ching

Mary Beth M. Wong
Alan J. Ma
Glenn K. C. Chung
Bruce D. Heneman
Paul D. Fredrick**
Lemuel A. Carlos

Shah J. Bento
Ronca K. Kent
Todd K. Apo
COUNSEL
Adrian W. Rosehill
Dennis A. Krueger

OF COUNSEL
Clinton R. Ashford**
John J. Jursky**
**A Law Corporation
**A Corporation in California
and other states

March 16, 1994

Mr. Brian Choy
Director
Office of Environmental Quality Control
220 South King Street, 4th Floor
Honolulu, Hawaii 96813

Re: *Draft Environmental Assessment for Mr. and Mrs. Charles P. Booth and Mr. and Mrs. Edward D. Bruffey*

Dear Mr. Choy:

Thank you very much for taking the time to review and comment on our Draft Environmental Assessment. We understand that your office has no comments at this time. If you have any questions, please feel free to call me at 539-0417.

Yours truly,

ASHFORD & WRISTON

By 
Shah J. Bento

SJB:met

0068211.WP

EXHIBIT G

HONOLULU OFFICE
Mailing Address:
Post Office Box 131
Honolulu, HI 96810

Street Address:
Alii Place, Suite 1400
1099 Alakea Street
Honolulu, HI 96813

Telephone:
(808) 539-0400
Facsimile:
(808) 533-4945

KAPOLEI OFFICE
1001 Kamokila Blvd.
Suite 310
Kapolei, HI 96707

Telephone:
(808) 539-0400
Facsimile:
(808) 674-0993

KAILUA-KONA OFFICE
Kuakini Tower, Suite 208
75-5722 Kuakini Hwy.
Kailua-Kona, HI 96740

Telephone:
(808) 329-7706
Facsimile:
(808) 329-7528

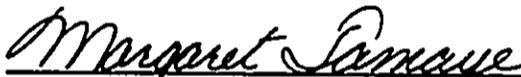
VERIFICATION

STATE OF HAWAII)
) SS.
CITY AND COUNTY OF HONOLULU)

SHAH J. BENTO, being first duly sworn, deposes and says: That he is an attorney for the Applicants named in the above proceeding, that the Applicants are absent or for some cause unable to sign, that he has read the foregoing Final Environmental Assessment, and he knows the contents thereof; and that to the best of his information and belief the same are true.


SHAH J. BENTO

Subscribed and sworn to before me this
16th day of March, 1994.


Notary Public, State of Hawaii

My commission expires: 1/30/95

LS.