MEMORANDUM

TO: Office of Environmental Quality Control

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

SUBJECT: Document for Publication in the OEQC Bulletin - Environmental Assessment for Conservation District Use Application for a Single Family Residence at Haena, Kauai

The above-mentioned Chapter 343 Document was reviewed, and a negative declaration was declared based upon the environmental assessment provided with the CDUA. Please call me or Don Horiuchi of our Office of Conservation and Environmental Affairs, at 548-7837, if you have any questions.

WILLIAM W. PATY
STATE OF HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
P. O. BOX 621
HONOLULU, HAWAI'I 96809

DEPARTMENT MASTER APPLICATION FORM

(Print or Type)

I. LANDOWNER/WATER SOURCE OWNER
   (If State land, to be filled in by Government Agency in control of property)
   Name ____________
   Address ____________
   ____________
   ____________
   Telephone No. ____________
   SIGNATURE ____________
   Date ____________

II. APPLICANT (Water Use, omit if applicant is landowner)
   Name ____________
   Address ____________
   Telephone No. ____________
   SIGNATURE ____________
   Date ____________
   Interest in Property (Indicate interest in property; submit written evidence of this interest)

III. TYPE OF PERMIT(S) APPLYING FOR
   ( ) A. State Lands
   (x) B. Conservation District Use
   ( ) C. Withdraw Water From A Ground Water Control Area
   ( ) D. Supply Water From A Ground Water Control Area
   ( ) E. Well Drilling/Modification

IV. WELL OR LAND PARCEL LOCATION REQUESTED
   District ____________
   Island ____________
   County ____________
   Tax Map Key ____________
   Area of Parcel ____________
   Term (if lease) ____________
V. Environmental Requirements

Pursuant to Chapter 343, Hawaii Revised Statutes, and in accordance with Title 11, Chapter 200, Environmental Impact Statement Rules for applicant actions, an Environmental assessment of the proposed use must be attached. The Environmental assessment shall include, but not be limited to the following:

1. Identification of applicant or proposing agency;
2. Identification of approving agency, if applicable;
3. Identification of agencies consulted in making assessment;
4. General description of the action's technical, economic, social, and environmental characteristics;
5. Summary description of the affected environment, including suitable and adequate location and site maps;
6. Identification and summary of major impacts and alternatives considered, if any;
7. Proposed mitigation measures, if any;
8. Determination;
9. Findings and reasons supporting determination; and
10. Agencies to be consulted in the preparation of the EIS, if applicable.

VI. Summary of Proposed Use (what is proposed)
V. Environmental Requirements

(1) Identification of applicant or proposing agency:

Brian Krone
P. O. Box 22367
Carmel, CA 93922
(408) 624-1118

(2) Identification of approving agency:

Department of Land and Natural Resources.

(3) Identification of agencies consulted in making assessment:

Not applicable

(4) General description of the actions technical, economic, social and environmental characteristics.

Technical characteristics - The proposed action is to construct a single family, one story residence. The parcel is classified in a VE zone (coastal flood with velocity hazard) by the Federal Emergence Management Agency and as such the main structure will be raised above the flood elevation. Any walls enclosing a limited storage area below the flood elevation will be of break away construction. The structure will be designed to withstand the prescribed lateral loads for for flooding by an engineer licensed by the state of Hawaii. The septic system shall be designed and installed by an engineer licensed in Hawaii and familiar with these conditions. The site will be kept moist during construction to prevent any dust nuisance and revegetated after construction to prevent any soil erosion.
Economic Characteristics - The short term economic benefits are those associated with building, the construction dollars expended. The long term economic benefits are the increased value of the property due to its development and the increased tax revenue generated.

Social Characteristics - The development of a single family residence, on an existing, long standing vacant house lot, does not detract from the present rural characteristic of the area.

Environmental Characteristics - The site on the North Shore of Kauai is a rural residential area. The parcel has been a lot of record since the Haena Hui Partition of 1967 and is adjacent to two large parcels of 390 and 230 acres to the south, which are currently pasture land. The proposed structure is consistent with present use in the area -- see area plan for location of other single family dwellings nearby. Access to the lot is by way of a 400 foot private road "G" off of Kuhio Highway (a Government Road).

(5) Summary description of the affected environment including suitable and adequate location and site maps;

The lot itself is level, mowed pasture with no obstructions except for one avocado tree - see site map. The proposed dwelling is 3,000 square feet or 17% of the lot, and the paving covers 675 square feet or 4% of the lot. Total coverage is 3,675 square feet or 21% of the lot.
(6) Identification and summary of major impacts and alternatives considered, if any.

A new residence will have some visual impact, but the house design is one that will easily blend with the area. Traffic on Road G, which is a private road jointly owned by all abutting properties, will be increased by the construction activity for the short term; and by one new residence in the long term.

(7) Proposed mitigating measures, if any.

Adequate landscaping will be installed to soften any visual impact. Property owners will be contacted and asked to jointly improve Road "G".

✓ (8) Determination - Not Applicable

✓ (9) Findings and reasons supporting determination - Not Applicable.

✓ (10) Agencies to be consulted in the preparation of the EIS - Not Applicable.

VI. Summary of Proposed Use (what is proposed)

To construct a single family, one story residence.
INFORMATION REQUIRED FOR ALL USES

I. Description of Parcel

A. Existing structures/Use. (Attach description or map).

B. Existing utilities. (If available, indicate size and location on map. Include electricity, water, telephone, drainage, and sewerage).

C. Existing access. (Provide map showing roadways, trails, if any. Give street name. Indicate width, type of paving and ownership).

D. Vegetation. (Describe or provide map showing location and types of vegetation. Indicate if rare native plants are present).

E. Topography; if ocean area, give depths. (Submit contour maps for ocean areas and areas where slopes are 40% or more. Contour maps will also be required for uses involving tall structures, gravity flow and other special cases).

F. If shoreline area, describe shoreline. (Indicate if shoreline is sandy, muddy, rocky, etc. Indicate cliffs, reefs, or other features such as access to shoreline).

G. Existing covenants, easements, restrictions. (If State lands, indicate present encumbrances.).

H. Historic sites affected. (If applicable, attach map and descriptions).

II. Description: Describe the activity proposed, its purpose and all operations to be conducted. (Use additional sheets as necessary).

III. Commencement Date: within 1 yr of permit issuance
Completion Date: within 3 yrs of permit issuance

IV. TYPE OF USE REQUESTED (Mark where appropriate) (Please refer to Title 13, Chapter 2)

1. Permitted Use (exception occasional use); DLNR Title 13, Chapter 2, Section ____; Subzone ____.

2. Accessory Use (accessory to a permitted use); DLNR Title 13, Chapter 2, Section ____; Subzone ____.

3. Occasional Use: Subzone _____.

4. Temporary Variance: Subzone _____.

5. Conditional Use: Subzone (L)_.

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INFORMATION REQUIRED FOR ALL USES

I. Description of Parcel

A. Existing Structures/Use -- Vacant

B. Existing Utilities -- None presently. Water and Power available at Kuhio Highway.

C. Existing Access -- from Kuhio Highway (a government road) down a private Hui Road "G". Which is a road of roughly 400 feet with each abutting property sharing an equal one ninth interest in the road.

D. Vegetation -- pasture grass with one avocado tree -- see site plan.

E. Topography -- flat.

F. Not a shoreline area -- not applicable.

G. Existing covenants, easements, restrictions -- None other than conservation zone restrictions and Hui Road "G" right of way.

H. Historic sites affected. -- None.

II. Description: Describe the activity proposed, its purpose and all operations to be conducted.

To build and inhabit a single family, one story dwelling.
Area of Proposed Use: 1,000 sq. ft. (Indicate in acres or sq. ft.)

Name & Distance of Nearest Town or Landmark: Hanalei, 3 miles

Boundary Interpretation (If the area is within 40 feet of the boundary of the Conservation District, include map showing interpretation of the boundary by the State Land Use Commission).

Conservation District Subzone: 
County General Plan Designation: 

V. FILING FEE

1. Enclose $50.00. All fees shall be in the form of cash, certified or cashier's check, and payable to the State of Hawaii.

2. If use is commercial, as defined, submit additional public hearing fee of $50.00.

INFORMATION REQUIRED FOR CONDITIONAL USE ONLY

I. Plans: (All plans should include north arrow and graphic scale).

A. Area Plan: Area plan should include but not be limited to relationship of proposed uses to existing and future uses in abutting parcels; identification of major existing facilities; names and addresses of adjacent property owners.

B. Site Plan: Site plan (maps) should include, but not be limited to, dimensions and shape of lot; metes and bounds, including easements and their use; existing features, including vegetation, water area, roads, and utilities.

C. Construction Plan: Construction plans should include, but not be limited to, existing and proposed changes in contours; all buildings and structures with indicated use and critical dimensions (including floor plans); open space and recreation areas; landscaping, including buffers; roadways, including widths; offstreet parking area; existing and proposed drainage; proposed utilities and other improvements; revegetation plans; drainage plans including erosion sedimentation controls; and grading, trenching, filling, dredging or soil disposal.

D. Maintenance Plans: For all uses involving power transmission, fuel lines, drainage systems, unmanned communication facilities and roadways not maintained by a public agency, plans for maintenance shall be included.

E. Management Plans: For any appropriate use of animal, plant, or mineral resources, management plans are required.

F. Historic or Archaeological Site Plan: Where there exists historic or archaeological sites on the State or Federal Register, a plan must be submitted including a survey of the site(s); significant features; protection, salvage, or restoration plans.

II. Subzone Objective: Demonstrate that the intended use is consistent with the objective of the subject Conservation District Subzone (as stated in Title 13, Chapter 2).
All of that certain parcel of land (portion of the Ahupuaa of Haena, Royal Patent Number 3596, Land Commission Award Number 10,613, Apana 6 to Abner Paki) situate, lying and being at the Southerly end of Road "G" an on the Northwest boundary of Lot 201 of Wainiha Hui Land (Equity No. 109) at Haena, Halelea, Kauai, State of Hawaii, being LOT NUMBER 60 of the "HAENA HUI PARTITION", and thus bounded and described as follows:

Beginning at the Southeast corner of this parcel of land, on the Northwest boundary of Lot 201 of Wainiha Hui Land (Equity No. 109), being also the Southwest corner of Lot 61, the coordinates of which referred to Government Survey Triangulation Station "NIHA 2" being 791.79 feet South and 4,955.01 feet West, and running by azimuths measured clockwise from true South:

1. 49° 09' 132.93 feet along Lot 201 of Wainiha Hui Land (Equity No. 109);
2. 180° 11' 30" 72.17 feet along remainder of the Ahupuaa of Haena (Lot 71);
3. 107° 30' 94.00 feet along remainder of the Ahupuaa of Haena (Lot 71);
4. 180° 11' 30" 58.18 feet along remainder of the Ahupuaa of Haena (Lot 59);
5. 270° 11' 30" 190.00 feet along remainder of the Ahupuaa of Haena (Lot 59 and Road "G");
6. 0° 11' 30" 71.03 feet along remainder of the Ahupuaa of Haena (Lot 61) to the point of beginning and containing an area of 17,973 square feet, more or less.

Together with an undivided one-ninth (1/9) interest in Road "G" hereinafter described:

All of that certain parcel of land (portion of the Ahupuaa of Haena, Royal Patent Number 3596, Land Commission Award Number 10,613, Apana 6 to Abner Paki) situate, lying and being at the Southeast side of Road "A" at Haena, Halelea, Kauai, State of Hawaii, being ROAD "G" of the "HAENA HUI PARTITION", and thus bounded and described as follows:

EXHIBIT A
ADJACENT PROPERTY OWNERS:

TMK: 4-5-9-2-57
Mahuiki, Rachael
P.O. Box 93
Hanalei, HI 96714

TMK: 4-5-9-2-65
Faye, Alexander L Jr.
7495 Alder Ct.
Pleasanton CA 94566

TMK: 4-5-9-1-21
Langwith, Berry F
P.O. Box 999
Los Altos CA 94022

TMK: 4-5-8-2-3
Robinson, Lester B
P.O. Box 106
Makaweli, HI 96769
Subzone Objective: This subzone objective (L) is intended to limit the use of land susceptible to inundation by tsunami and flooding.

My intended use is consistent with the limited (L) subzone objective for the following reasons:

• the lowest supporting beam member of the proposed structure is above flood elevation

• My use will not contribute to flood waters.

• The sandy soil at this location percolates well and flood waters would dissipate quickly.
DOCUMENT FOR PUBLICATION IN THE OEQC BULLETIN

Date: 2/12/91  Prepared by: Brian Krone

The document is a (check all that apply)

- Chapter 205A Document
- Chapter 343 Document (X)
- NEPA Document
- Negative Declaration
- EIS Preparation Notice
- Draft EIS
- Final EIS
- Acceptance Notice

Is the document a supplemental EIS? Yes ( ) No (X)

Title of Proposed Action or Project:
Arone Residence  TM#: 5-6-7-56 Lot 60 Haena Kauai

Location: Island Kauai  District Hanalei

Type of Action (check one): Applicant (X)  Agency ( )

Name of Proposing Applicant or Agency: Brian Arone
Name of Contact: Brian Arone
Address: P O Box 22367
City: Carmel  State: CA  Zip Code: 93923
Phone: (408) 624 - 1118

Name of Preparer or Consultant: Brian Arone
Name of Contact: Brian Arone
Address: P O Box 22367
City: Carmel  State: CA  Zip Code: 93923
Phone: (408) 624 - 1118

Accepting Authority: DLNR

Estimated Project Cost:
- Federal Funds $0
- State Funds $0
- County Funds $0
- Private Funds $200,000
- TOTAL $200,000

Document Preparation Cost:
- Neg Dec/EA $0
- Draft EIS $0
- Sup Draft EIS $0
- Sup Final EIS $0
- TOTAL $0

EA Trigger (check all that apply)
- Use of State or County Lands or Funds (X)
- Use of Conservation District Lands
- Use of Shoreline Setback Area
- Use of Historic Site or District
- Use of Lands in the Waikiki Special District
- Use Requiring an Amendment to a County General Plan

NOTE: For answers to any question on Page 10 or 11, please contact the Office of Environmental Quality Control at (808) 548-6915.

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( ) Use Requiring the Reclassification of Conservation Lands
( ) Construction or Modification of Helicopter Facilities
( ) Other

Brief Description of the Proposed Action or Project which will be
Published in the OEQC Bulletin (limit of 500 words or less):
To build a single family, one story residence.

(Continue on another sheet if necessary)

Tax Map Key(s):  3-9-21A  Lat. 60 Haena Hui

FOR OEQC USE ONLY

Date of Submission:
Date of Publication:
Last Day for Consulted
Party Request:
Comment Period Ends:
Acceptance Date:
Publication Date of
Acceptance:

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