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 KA-6/7/91-2490 for a Single Family Residence at Haena, Kauai. TK: 5-9-3: 29 (Lot 148)

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

Please feel free to call me or Cathy Tilton of our Office of Conservation and Environmental Affairs, at 548-7837, if you have any questions.
GOODALE RESIDENCE
TMK: 5-9-03:29 LOT:148 HAENA

OWNER: Holbrook W. and Nancy S. Goodale
3429 Hinahina Street
Lihue, Hawaii 96766

REPRESENTATIVE: AGOR/LATHAM Architecture
4374 Kukui Grove, Suite 204
Lihue, Hawaii 96766
(808) 245-4350

PERMITS REQUIRED:
Special Management Area Permit (County of Kauai) (Exempt)
Conservation District Use Permit (State of Hawaii)
Building Permit (County of Kauai)

PROJECT DATA:

<table>
<thead>
<tr>
<th>Description</th>
<th>Area</th>
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<tbody>
<tr>
<td>Land Area</td>
<td>70,453 SF</td>
</tr>
<tr>
<td>Lot Coverage</td>
<td>3,848 SF</td>
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<tr>
<td>Residence</td>
<td>2,148 SF</td>
</tr>
<tr>
<td>Driveway</td>
<td>1,700 SF</td>
</tr>
<tr>
<td>TOTAL</td>
<td>3,848 SF</td>
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<tr>
<td>Living Area</td>
<td>1,940 SF</td>
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<tr>
<td>Deck Area</td>
<td>538 SF</td>
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<tr>
<td>Parking Open Carport</td>
<td>410 SF</td>
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<tr>
<td>Grading</td>
<td>50 CY under bldg.</td>
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<td>Vicinity/Area Map</td>
<td>2</td>
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<tr>
<td>Plans</td>
<td>3 - 10</td>
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<td>Environmental Assessment</td>
<td>Exhibit A</td>
</tr>
<tr>
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<td>Exhibit C</td>
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EXHIBIT-A

ENVIRONMENTAL ASSESSMENT

15 November 1990

PROJECT: Goodale Residence
TMK: 5-9-03:29 Lot 148
Haena, Hawaii

APPLICANTS: Holbrook W. and Nancy S. Goodale
3429 Hinahina Street
Lihue, Hawaii 96766

AUTHORIZED AGENT: AGOR Architecture
4376 Kukui Grove, Suite 204
Lihue, Hawaii 96766
(808) 245-4550

APPROVING AGENCIES: County of Kauai
Department of Land and Natural Resources, State of Hawaii

DESCRIPTION OF PROJECT:

The applicants request a permit to construct a single family dwelling. The structure is two stories with the parking, utility room, and entry on the lower level and the three bedroom, living, dining, kitchen and decks on the upper level. Maximum height is twenty five feet.

The architecture is traditional/Hawaiian style. The exterior will be of stucco and metal roof. Details of columns, railings, posts, window trims and facia shall be Patina Green in color.

The exterior facing walls shall be Patina Green. The wood columns, railings, posts, window trims and facia shall be Patina Green in color.

There is an existing intermittent seasonal stream approximately 15' East of the proposed residence. The stream during its running season is approximately 5 to 6 feet wide. The flow historically remained in the direction and path shown on the site plan.

There exists a ten feet wide concrete driveway off of Kuhio Highway at the westernly front of the site. The driveway was constructed in 1970.
Eight landscape stone walls were built on the site as shown on the site plan. The walls were completed at various times between 1920 through 1970. The walls vary from approximately two to three feet in height and 8 to 10 inches in width.

A continual manicuring and care for the extensive existing landscaping began approximately in the 1920's and is continuing. The existing landscaping consists of grass, hibiscus, Hawaiian cotton, lahala, pantax, bananas, heliconia, schefflers, avocado, ginger, coconut, and palms. No new landscaping will be required.

The site has an abrupt rise in grade from the street of approximately 8-10 feet. The grade then slopes up gently approximately 6 feet in an approximate distance of 80 feet. From there the grade slopes up 20 to 25 percent to the south.

The rain runoff sheet flows over the site down grade from south to north onto the street.

The sewage system will be a private 1,000 gallon septic tank with a leach field. Domestic water will be from a private system. Electrical, telephone and cable will be provided from a power pole/line across the street.

Nancy McMahon has indicated that there are no historical or archaeological significance on this site as recorded by her office.

**GENERAL DESCRIPTION OF THE PROJECT'S TECHNICAL, ECONOMIC, SOCIAL AND ENVIRONMENTAL CHARACTERISTICS.**

The residence and new driveway encompasses approximately 3848 SF. The ground area to be disturbed by construction will be approximately 4000 SF, only 5% of the entire property.

There will be grading under the structure and part of the new driveway of 80 cubic yards. There will be a maximum cut of 8'-0" and maximum fill of 2'-0". The cut and fill will be balanced so no trucking of soil will be required.

The probable construction cost of this project is approximately $300,000.00.

Domestic water shall be from a private system named 'The Wickmans water supply'.

The structure will be used as a private single family residence. No other activities are proposed for the use.

Mitigation measures shall be taken to minimize the disturbances of the existing landscaping, potential dust problems, noise problems and runoff.
There will be a limit of construction area designated in the final site plan. The limit will be no more than 8'-0" away from the proposed building lines and proposed driveway.

Dust control shall be by hosing the potential dust regularly during site construction.

Construction shall take place from 8:00 a.m. to 5:00 p.m. daily. Other than these times, no noise of construction will be taken place.

Removal of vegetation shall be limited to approximately 8' from the proposed structure and driveway. Vegetation of approximately 70' will continue to exist down grade from the proposed structure. This vegetation will be able to absorb most of the potential rain runoffs during construction.

**DETERMINATION**

This project will not adversely affect the environment as outlined below.

1. The site is heavily vegetated with natural ground cover and trees. The area to be disturbed is minimal and will not adversely affect drainage or cause soil erosion.

2. The structure will not adversely affect the existing stream on site as it has adequate set back.

3. The site is heavily landscaped with trees and ground cover such that visibility of the residence will be minimal from the street. Architecturally the residence blends into the existing environment.

4. Rare, threatened or endangered species of animals or plants, or habitat will not be affected.

5. There are no public facilities adjacent to the site that will be affected. The project will not have substantial secondary impacts, such as population changes, heavier traffic, or noise pollution.

6. The residence will be a private single family dwelling. Therefore, it will not impact the surrounding area socially.

7. The project will not adversely affect the economics of the area. The construction cost is not overwhelming nor is it substandard for the area.

8. Sewer and water shall be of private systems on site.
SUBZONE CONSISTENCY:

This project is not inconsistent with the objective of the Conservation District Subzone as stated in Title 13, Chapter 2, Section 13-2-12.

The property is not susceptible to floods, and is not undergoing major erosion damage.

The health and welfare of the public is not threatened by this development because of tsunami, flooding or volcanic activities.

The building site has a general slope of less than 40%.

CONCLUSION:

Premised upon this data and the scope of the project, the applicants request that an environmental impact statement not be required.

Should you require further information, please call my office at 245-6883.

Respectfully submitted,

Ron Agor
Architect
STREET NAME: Kealoalae Spring
ISLAND: Kauai
DIVERSION STRUCTURE NAME: None
DIVERSION SYSTEM NAME: The Wichman Family's water system

A. DIVERSION WORKS OPERATOR
   Firm name: The Wichman Family
   Contact person: Charles R. Wichman, Jr.
   Address: P.O. Box 753
             Hanalei, Kauai, Hawaii
   Zip: 96714  Phone: (808) 826-5147

B. OWNER OF DIVERSION WORKS SITE
   Firm name: Charles R. Wichman, Jr.
   Contact person: Charles R. Wichman, Jr.
   Address: P.O. Box 753
             Hanalei, Kauai, Hawaii
   Zip: 96714  Phone: (808) 826-5147

C. STREAM DIVERSION LOCATION
   Tax Map Key: 5-22-1-3/Lot 152 Town, Place, District: He'eia, Kauai, Hawaii
   Attach USGS "Quad" map (scale 1:24,000), tax map, or other map showing the diversion location.
   (Also attached map showing point of stream diversion and Water Use Area)

D. STREAM DATA
   Streamflow at diversion site: □ Perennial (water is always flowing) □ Intermittent (channel is sometimes dry)
   Is streamflow gaged? □ Yes □ No
   If yes, provide gage name, and show location on map. Name: _________
   Average flow before diversion: unknown □ mgd □ gpm □ cfs

E. DIVERSION STRUCTURE DATA
   Year constructed: 1928  Elevation (feet): 120 feet
   Diversion structure type: □ Concrete □ Wood □ Pipe □ Other (specify): Pipe sewer
   Diverted flow: □ Controlled □ Uncontrolled
   Divertible capacity: unknown □ mgd □ gpm □ cfs
   Submit an "as-built" drawing and dated photograph of the diversion works, if available.

   (continued over)

Notes:
(1) Water Use Exhibit showing diversion location and Water Use Area.
(2) Photographs (2)
(3) List of names of water users.

References: Hawaii Revised Statutes, Chapter 176
                   Hawaii Administrative Rules, Chapters 12-62 to 12-171.
F. DECLARATION OF WATER USE

NOTE: The purpose of the Declaration of Water Use is to obtain information necessary for the management of the State's water resources. The declaration does not confer a legal right to water or its use.

Location and name of measurement point (show on location map): Measurement made at holding tank.

Water use data are recorded: □ Continuously □ Daily □ Other: Not recorded at all.

Method of measurement (check box and describe below): □ Weir □ Rating curve □ Other: Previously.

Description: Time needed to fill one foot of the cement holding tank.

Quantity of Use (Report gaged or estimated monthly water use from the diversion described on the reverse side of this form, for the calendar years 1966 through 1967):

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<td>ANNUAL</td>
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NOTE: Past use is estimated from current use.

Typical times of usage: 24 hours/day, year-round.

Type of Use (check all category boxes that apply and provide additional information as indicated):

<table>
<thead>
<tr>
<th>Category</th>
<th>Additional Information</th>
</tr>
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<tbody>
<tr>
<td>□ Municipal (including resorts, hotels, businesses)</td>
<td></td>
</tr>
<tr>
<td>□ Domestic (resorts serving 20 people or less)</td>
<td></td>
</tr>
<tr>
<td>□ Irrigation</td>
<td>Number of service connections: Six</td>
</tr>
<tr>
<td>□ Other</td>
<td></td>
</tr>
</tbody>
</table>

Location of Use (Specify the location of water use, relative to the diversion, and indicate on location map. If water is used by others, obtain a list of their names and addresses):

I declare that the contents of the above Declaration of Water Use are, to the best of my knowledge and belief, true, correct, and complete.

Water User's Signature: [Signature]
Printed Name: [Name]
Firm or Title (Diversion Operator, etc.): [Title]

Date: 5-25-69

SHEET 2 EXHIBIT B
WATER USE EXHIBIT

Names and Addresses of Water Users of Kawaialoha Spring
Waimakua, Ha'ena, Kauai
TMR: 5-9-113

1. Holbrook W. and Nancy S. Goodale
   3429 Hinahina Street
   Lihue, Kauai, Hawaii 96766
   Number of Connections: Two
   Lot Nos. 147 and 148

2. Frederick Bruce and Lorita Wichman
   P. O. Box 297
   Hanalei, Kauai, Hawaii 96714
   Number of Connections: One
   Lot No. 150

   P. O. Box 753
   Hanalei, Hawaii 96714
   and
   Charles R. and Jeanne R. Wichman
   123 Kalaiopua Place
   Honolulu, Hawaii 96822
   Number of Connections: Three
   Lot No. 149
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That on this 28th day of November, 1989, NANCY S. GOODALE, wife of Holbrook W. Goodale, hereinafter called the "Grantor", for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration to the Grantor paid by NANCY S. GOODALE and HOLBROOK W. GOODALE, Trustees of The Nancy S. Goodale Trust dated 28 November 1989, both of whose residence and post office address is 3425 Hinahina Street, Lihue, Kauai, Hawaii 96766, hereinafter called the "Grantee", the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto the Grantee all of Grantor's undivided SIX PERCENT (6%) interest in that certain real property more particularly described in Exhibit A attached hereto and made a part hereof, subject to the encumbrances noted therein.

TOGETHER WITH all and singular the buildings, improvements, rights, tenements, hereditaments, easements, privileges and appurtenances thereunto belonging or appertaining or held and enjoyed in connection therewith.

X8932873
Lot 148, Haena Hui
TO HAVE AND TO HOLD the same unto the Grantee, IN
TRUST, with full power to sell, convey, transfer, or otherwise
dispose of at public or private sale, grant or exercise options
to purchase, exchange, encumber, abandon, manage, improve,
repair, insure, partition, mortgage, pledge, lease or grant
easements for any term (within or beyond the period permitted
by law or the duration of said Trust), in fee simple, forever,
without the necessity of producing the Trust Agreement. No
person dealing with the Grantee as said Trustees in relation to
said premises, or to whom said premises or any part thereof
shall be conveyed, contracted to be sold, leased or mortgaged
by said Trustees shall be obliged to see to the application of
any purchase money, rent, or money borrowed or advanced on said
premises, or be obliged to see that the terms of said trust
have been complied with, or be obliged to inquire into the
necessity or expediency of any act of said Trustees, or be
obliged or privileged to inquire into any of the terms of said
trust agreement; and every deed, agreement of sale, mortgage,
lease or other instrument executed by said Trustees in relation
to said real estate shall be conclusive evidence in favor of
every person relying upon or claiming under any such
conveyance, lease or other instrument that: (a) at the time of
the delivery thereof the trust created by the trust agreement
referred to herein was in full force and effect; (b) such
conveyance or other instrument was executed in accordance with
the trusts, conditions and limitations contained in said trust
agreement or in some amendment thereof and binding upon all
beneficiaries thereunder; (c) said Trustees were duly
authorized and empowered to execute and deliver every such
deed, agreement of sale, lease, mortgage or other instrument;
and, (d) if the conveyance is made to a successor or successors
in trust, that such successor or successors in trust have been
properly appointed and are fully vested with all the title,
estates, rights, powers, authorities, duties and obligations of
its, his or their predecessor in trust.

AND the Grantor does hereby covenant with the Grantee
that the Grantor is lawfully seised in fee simple of said
granted premises and that the said premises are free and clear
of all encumbrances except as aforesaid, and except for
assessments for real property taxes not yet by law required to
be paid. And the Grantor further covenants and agrees that the
Grantor has good right to sell and convey the said premises in
the manner aforesaid; that the Grantor will WARRANT AND DEFEND
the same unto the Grantee against the lawful claims and demands
of all persons, except as aforesaid.

IT IS MUTUALLY AGREED that the terms "Grantor" and
"Grantee", as and when used hereinabove or hereinbelow shall
mean and include the masculine or feminine, the singular or
plural number, individuals, associations, trusts, corpora-
tions or partnerships, and their and each of their respective

X8932873

2.

Lot 148, Haena Hui
successors in interest, heirs, executors, personal representatives, administrators and permitted assigns, according to the context thereof, and that if these presents shall be signed by two or more grantors, or by two or more grantees, all covenants of such parties shall be and for all purposes deemed to be joint and several.

IN WITNESS WHEREOF, the Grantor has executed these presents on the day and year first above written.

[Signature]

NANCY S. GOODALE

X8932873 3. Lot 148, Haena Hui