JOHN WAIHEE



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

P. O. BOX 621

HONOLULU, HAWAII 96809

DEC 11 1991 DEC 13 A9:00

Ref:LM-MS

OFC. OF ENVIRONMENT OUALITY CONTROL

WILLIAM W. PATY, CHAIRPERSON BOARD OF LAND AND NATURAL RESOURCES

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AQUACULTURE DEVELOPMENT
PROGRAM
AQUATIC RESOURCES
CONSERVATION AND
ENVIRONMENTAL AFFAIRS
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
PROGRAM
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

Refer to: MA-91:475

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

Dear Mr. Choy:

Subject:

Notice of Determination/Negative Declaration for Robert E. Williams, Honopou-Hoolawa, Hamakualoa, Makawao, Maui, Tax Map Key 2-9-03:08

We are submitting a completed Form #91-1 together with four (4) copies of an environmental assessment with negative declaration for the subject applicant. The following information is provided in support of this determination:

Name of Accepting Agency:

State of Hawaii Department of Land and Natural Resources Division of Land Management 1151 Punchbowl Street, Room 220 Honolulu, HI 96813

Preparing Applicant:

Robert E. Williams P. O. Box 349 Puunene, Maui, HI 96734 Mr. Brian Choy Page 2

2. Brief Description of the Proposed Action:

Mr. Robert E. Williams has applied for the direct sale of an easement over State-owned lands in order to acquire a legal access to his fee property. The subject parcel is encumbered under a revocable permit, R. P. No. S-6709, to Kenneth Redstone for agricultural purposes. A twelve (12)-foot-wide path will be cleared for either a dirt or gravel access road. No trees will be bulldozed, only grass and shrubs cleared. A fence and a gate will be constructed. The fence will run the full length of the easement. No historic sites were observed on a walk through, visual inspection.

3. Determination:

We have determined that a negative declaration is appropriate and an Environmental Impact Statement is not required.

4. Reason for Supporting Determination:

The proposed use poses no known significant, short- or long-term adverse impacts, which cannot be mitigated. No endangered or threatened species will be affected. The significance of anticipated environmental impacts has been adequately evaluated and disclosed within the environmental assessment.

5. Agencies Consulted in the Preparation of the Environmental Assessment:

Department of Land and Natural Resources

WILLIAM W. PARY

Encs.

cc Maui District Land Board Member Maui District Land Office

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Williams Honox	ou - Hool	awa Regi	euct for
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February 1983

STATE OF HAWAII
DEPARTMENT OF LAND AND NA

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FOR DLNR USE OF	NLY
Reviewed by	
Date	
Accepted by Date	
Docket/File No.	
180-Day Exp.	
EIS Required	
PH Required	**************************************
Board Approved	
Disapproved	
Well No.	

P. O. BOX 621 HCNOLULU, HAWAII 96809 DEPARTMENT MASTER APPLICATION FO		: 25	Accepted by Date Docket/File No. 180-Day Exp. EIS Required PH Required Board Approved Disapproved Wall No.	
I. LANDOWNER/WATER SOURCE OWNER (If State land, to be filled in by Government Agency in control of property) Name Address	II.	APPLICANT is landown Name Address	(Water Use, om her) Rassy + V Pob 349 Purmens, H	
Telephone No. SIGNATURE Date		(Indicate written e	n Property Ko interest in prop vidence of this	erty; submit interest)
II. TYPE OF PERMIT(S) APPLYING FOR A. State Lands \ease.) 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	•	*If for a Agency or by an auti WELL OR L/ District Island County	•	thership, ist be signed ON REQUESTED
·	•	Area of Pa	rcel 42-0e	> >9. Fd

MASTER AFFLICATION FORM Rev. 2/89

Contract Company

V. Environmental Requirements

COMMONANT TERM TELL TRANSPORTED TO THE TRANSPORT

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 minigation 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)

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ENVIRONMENTAL REQUIREMENTS

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1. (applicant) Robert Williams, 5 year owner of property 2-9-03-25.

2.

3. Agencies Involved: DLNR and East Maui Irrigation

4. Technical: Access roadway 12 ft. wide extending from the old gov't roadway to my parcel #25. The roadway will either be fenced and with gates to keep out the

tourists in the area and or the drive will have gates and lined with palk trees.

Economic: The obvious benefits to me are that I will gain a legal access to my property with which I can apply for loans, permits and insurances.

Social: An essement to the landlocked \$40 would make

available the parcel to the public for lease.

Environmental: No change. Aside from the planting of palms to line the road.

- The included map documents use area. No trees are in the way and a minimum of slope needs to be cut into.
- There will be no major impacts other than access. The grading required is cutting into the slope for approximately 40 to 60 feet sideways to the slope and a cut about 32 inches deep. The slope of the road for runoff will be continuous with the run of the hill.
- 7. Any loosened soil moved by rain will remain on the property held with primary rock.

The impact will be unnoticeable or negative and based on the onsite inspection an RIS will not be necessary.

There will be a minimum cut and grade thru a grassy area.

10.

VI. In summary I propose to grade an access roadway following a state survey.

- I. Description of Parcel
- A. No structures
- B. No utilities
- C. (see maps)
- D. Vegatation is grass some shrubbs and no trees.
- E. Ares has a slight slope sideways to the proposed roadway.
- F. Not along the shore.
- G. Ken Redstone , revocable permit # 6709 gen. arig.
- H. No historic sites in the area as could be seen from a walkthrough visual inspection.

INFORMATION REQUIRED FOR ALL USES

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- 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 sewarage).
- 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. <u>Description</u>: Describe the activity proposed, its purpose and all operations to be conducted. (Use additional sheets as necessary).

		e conducted. (Use additional sheets as necessary).
II.	Count	encement date: 5AN 92 ACGSS ESSEMENT ONly
		letion Date: FGG 92
IY.	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
		Accessory Use (accessory to a permitted use): DLNR Title 13. Chapter 2, Section; Subzone
	3.	Occasional Use: Subzone
	4.	Temporary Variance: Subzone
	E	Conditional Hear Subrana

Area of Proposed Use	(Indicate in acres or sq. ft.)
	(Indicate in acres or sq. ft.)

Name & Distance of Nearest Town or Landmark

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

- Enclose \$50.00. All fees shall be in the form of cash, certified or cashier's check, and payable to the State of Hawaii.
- 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).
 - Area Plan: Area plan should include but not be limited to relation-ship of proposed uses to existing and future uses in abutting parcels; identification of major existing facilities; names and addresses of adjacent property owners.
 - 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.
 - 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; readways, including widths; offstreet parking area; existing and proposed drainage; proposed utilities and other improvements; revegetation plans; drainage plans including erosion sadimentation controls; and grading, tranching, filling, dredging or soil disposal. 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
 - ways not maintained by a public agency, plans for maintenance shall
 - Management Plans: For any appropriate use of animal, plant, or mineral resources, management plans are required.
 - 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).

: .

DOCUMENT FOR PUBLICATION IN THE OROC BULLETIN

Date:// Prepared by:
The document is a (check all that apply)
Chapter 205A Document () Negative Declaration () Chapter 343 Document () BIS Preparation Notice () NEPA Document () Draft BIS () Final EIS () Acceptance Notice ()
Is the document a supplemental EIS? Yes () No (🏏
Title of Proposed Action or Project: ACGS Exement
Locations Island Maci District Halko
Type of Action (check one): Applicant (>) Agency ()
Name of Proposing Applicant or Agency:
Name of Contact: Address: City: State: Zip Code: Phone: ()
City: State: Zip Code:
PAGRES (/
Name of Preparer or Consultant:
Address:
Address: City: State: Zip Code: Phone: ()
Accepting Authority: DLNG
Estimated Project Cost: Document Preparation Costs
Federal Funds 3 Neg Dec/EA \$ State Funds \$ Draft MIS \$
State Funds \$ Draft EIS & Sup Draft EIS \$
Private Funds \$ 2000 Sup Final EIS \$
TOTAL 8 2 ~~~
EA Trigger (check all that apply)
(V) Use of State or County Lands or Funds
() 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
For answers to any question on Page 10 or 11.
please contact the Office of Environmental
Quality Control at (808) 548-6915. [OEQC Porm 89-01 (1/

	ing the Reclassification of Conservation Lands on or Modification of Helicopter Facilities
Published in the OEGC	the Proposed Action or Project which will be Bulletin (limit of 500 words or less): OLD RE FOR TOADWRY ENSEMBLY ONLY. CO ROLD WILL BE RULL DOZED IN AS INDICATED
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[OEQC Form 89-01 (1/89) Page 2 of 2]

ROADWAY EASEMENT REQUEST

Oct 20,1991

I, Robert Williams would like to request an "entry way" or "roadway easement" onto my property TMK 2-9-03-25

My reason for the request is that currently I have a month to month agreement with E.M.I. E.M.I. granted me an easement with the condition that I pursue a permanent easement from the state.

Since Hawaii state law reads that no parcel may be landlocked I must have an old easement agreement on file somewhere. However I have retained an attorney to examine the records at the Bureau of Conveyances on Oahu. He has reported back to me that all the records prior to the tax sale when Edmund Ling bought the property are missing or not to be found where they should be. Edmund Ling sold the property to me without an easement. To look into the record books further would cost quite a bit of money.

Edmund Ling sold the property to me without an easement. To look into the record books further would cost quite a bit of money.

Looking at the maps however there is only two logical ways to enter the property and one way that would only cross land owned by just one party that being the state. Any prior easements must have traversed very close to the exact place where I am currently interested in certains.

Interested in gaining access.

I would like to say that I have been in communication with the management at E.M.I. who have inspected the proposed new easement and have informed me that the actual roadway would be quite easy to construct. If the actual survey which will be taken "measures up" as we have calculated most of the existing roadway currently in the will be taken "measures".

in use will still be utilized.

Here I would like to define my request for a roadway essement by enclosing two TMK maps both of the same property but with two different drawings sketched in. The map marked exhibit "A" is the one I received from EMI with my essement papers. This map has marked the roadway essement on the left side of the EMI property. According to EMI management it appears that there is enough room between their properties for a roadway to my property crossing only state land. Map marked Exhibit "B" has marked with my proposed route.

Also the land agent here on Maui has mentioned that the state may be interested in acquiring an easement onto their percel #40 which is currently landlocked. I will be interested in sharing the costs of the joint easement. I would like the state to have

done the survey and appraisal.

Please review this request for a parmament easement and if you have any questions I will be glad to answer them.

Mahalo
Pull Villiam

Robert Williams