

JOHN WAIHEE
GOVERNOR



FILE COPY

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

October 30, 1992

Mr. William Paty
Department of Land and Natural Resources
P. O. Box 621
Honolulu, Hawaii 96809

Attn: Mr. Glenn Taguchi

Dear Mr. Paty,

SUBJECT: LALAMILO ACQUISITION OF AN ABANDONED PIPELINE EASEMENT

The Draft Environmental Assessment (EA) for the above project was submitted to our office on August 5, 1992 for publication in the August 23, 1992 OEQC Bulletin. Pursuant to Act 241, SLH 1992, your agency (or the applicant) is required to respond in writing to any comments received during the review period and prepare a Final EA. This document must then be submitted to our office with a determination letter (either a Negative Declaration determination or an Environmental Impact Statement Preparation Notice determination). Notice of this determination will then be published in the OEQC Bulletin.

It has been more than two months since the Draft EA notice for this project was published in the Bulletin. Thus, please submit the Final EA or notify our office of the status of this project as soon as possible. If you have any questions about the Draft EA/Final EA process, please contact our staff at 586-4185. Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Brian J. J. Choy".

Brian J. J. Choy
Director

1992-08-23-HI-PEA-Lalamilo acquisition of abandon Pipeline
Easement

AUG 23 1992

ENVIRONMENTAL ASSESSMENT

Prepared in Conjunction with

APPLICATION TO PURCHASE
ABANDONED PIPELINE EASEMENT "D-1" (1,808± square feet)

by

MARYL DEVELOPMENT, INC.

TAX MAP KEY: (3) 6-6-01:74 (56.566± acres)
(formerly a portion of 38)

WAIKOLOA AND LALAMILO, WAIMEA, SOUTH KOHALA
ISLAND AND COUNTY OF HAWAII, STATE OF HAWAII

Prepared by:

STEVEN S.C. LIM
CASE & LYNCH
460 Kilauea Avenue
Hilo, Hawaii 96720
Telephone: (808) 961-6611

I. IDENTIFICATION OF APPLICANT

Applicant: MARYL DEVELOPMENT, INC.
75-5751 Kuakini Highway
Kailua-Kona, Hawaii 96740

Applicant's Interest: Fee owner of property surrounding
abandoned pipeline easement D-1
(1,808± square feet)

Attorney for Applicant: STEVEN S.C. LIM
Case & Lynch
460 Kilauea Avenue
Hilo, Hawaii 96720
Telephone: (808) 961-6611

II. DESCRIPTION OF PROPOSAL AND STATEMENT OF OBJECTIVES

The project site is located at Waikoloa and Lalamilo, Waimea, Kohala, Hawaii, and is currently vacant and unused. The site is located within Tax Map Key: (3) 6-6-01:74 (56.566± acres), (formerly a portion of 38), which is owned by the applicant (See Exhibit "A" - Location Map). The easement "D-1" proposed to be purchased by direct sale consists of approximately 1,808 square feet and is more particularly described by the metes and bounds description attached hereto and incorporated in Exhibit "B".

The Applicant wishes to purchase by direct sale the subject remnant and consolidate it with parcel 74 of TMK: (3) 6-6-01 for development as a portion of a proposed 44-lot subdivision. The subject abandoned pipeline easement "D-1" is bounded on all sides by lands owned by the Applicant. It does

not abut any other private property and is landlocked within parcel 74. The extremely narrow nature of the pipeline easement virtually makes it unbuildable as a "stand-alone" parcel and as such is of no value to any individual or entity other than the Applicant.

The Applicant's visual inspection of the easement area has disclosed no improvements or pipeline systems within the "D-1" easement alignment. The Applicant has also confirmed both with the prior fee owner, the Richard Smart Trust, and the County of Hawaii Department of Water Supply that there are no existing or planned public or private pipeline systems located within the "D-1" easement alignment or the remainder of parcel 38.

Therefore, the Applicant respectfully requests that the State of Hawaii sell the remnant property to the Applicant.

III. DESCRIPTION OF THE AFFECTED ENVIRONMENT

The subject easement alignment and the surrounding parcel 38 is shown on Exhibit "A". The Applicant's property surrounding the subject easement alignment is currently proposed for development into approximately 44 one-acre lots and subdivision roadway system.

Due to the property's historical use as pasture and grazing lands, there are no known significant archaeological or historic sites located within or near to the subject pipeline easement "D-1". As shown by the map attached hereto as Exhibit

"C", which is an excerpted portion of the Archaeological Inventory Survey of Sandalwood Estates performed by Chiniago, Inc., there are no sites located in proximity to the subject easement alignment.

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

A. Technical Characteristics

The proposed action's technical characteristics include a ground survey of the subject pipeline easement "D-1" and the adjoining private property to be used in a formal consolidation of the easement remnant with the surrounding parcel 74. There may also be a field inspection by a real estate appraiser appointed by the State for the purpose of establishing a dollar value for the subject easement alignment remnant.

B. Economic Characteristics

The purchase of the abandoned pipeline easement remnant by the Applicant will have a negligible effect on the economic status of the State of Hawaii. The consolidation of the subject easement with the Applicant's adjoining parcel will have little economic impact on the actual dollar value of said property. The cost of the application and survey fees will also have minimal affect on the area's economy.

C. Social Characteristics

Due to the small size (1,808± square feet) and relatively isolated nature of the abandoned pipeline easement

"D-1", there are no broad social characteristics which will be affected. The area has been typically a rural ranching area and the consolidation of the pipeline easement with the Applicant's adjoining property is anticipated to have no adverse social impacts on the area.

D. Environmental Characteristics

The actual survey work required to consolidate the subject pipeline easement "D-1" with the Applicant's adjoining parcel will have a temporary and very minor impact on the environment as a result of noise and marking of property corners with paint, pipes, flagging and laths. The residual and visible result of the survey will be boundary corner monuments marked on the ground. There will be no adverse impacts to the quality of the air, ground, or sub-surface material.

There are no known archaeological features in close proximity to the site and therefore the Applicant anticipates no adverse impacts on the cultural and historical resources of the area.

Viewplanes from the existing Kamuela-Mahukona Road will not be affected by the sale of the subject pipeline easement.

The subject property is not located within the Special Management Area designated by the County of Hawaii, and will not impede public access to the shoreline.

E. Agencies Consulted

County of Hawaii

Department of Public Works

Department of Water Supply

Planning Department

State of Hawaii

Office of State Planning

Department of Hawaiian Home Lands

Department of Land and Natural Resources

Division of Water Resource Management

Historic Preservation Division

V. IDENTIFICATION OF MAJOR IMPACTS AND ALTERNATIVES CONSIDERED

No major impacts are anticipated. The alternative of "no action" would not serve the public interest. The action will not involve an irrevocable commitment of any important lands or ecological resources of the State of Hawaii.

VI. PROPOSED MITIGATION MEASURES


Since there are no major impacts anticipated, no mitigative measures are proposed.

VIII. CONCLUSION

Based on the foregoing assessment, the Applicant Maryl Development, Inc., respectfully requests that the Board of Land and Natural Resources allow the proposed direct sale to the

Applicant of the abandoned pipeline easement "D-1" located at
Waikoloa and Lalamilo, Waimea, Hawaii.

DATED: Hilo, Hawaii, _____.



STEVEN S.C. LIM
Attorney for Applicant
Maryl Development, Inc.

sscl 090391 16342-1 3574b

EASEMENT "D-1"

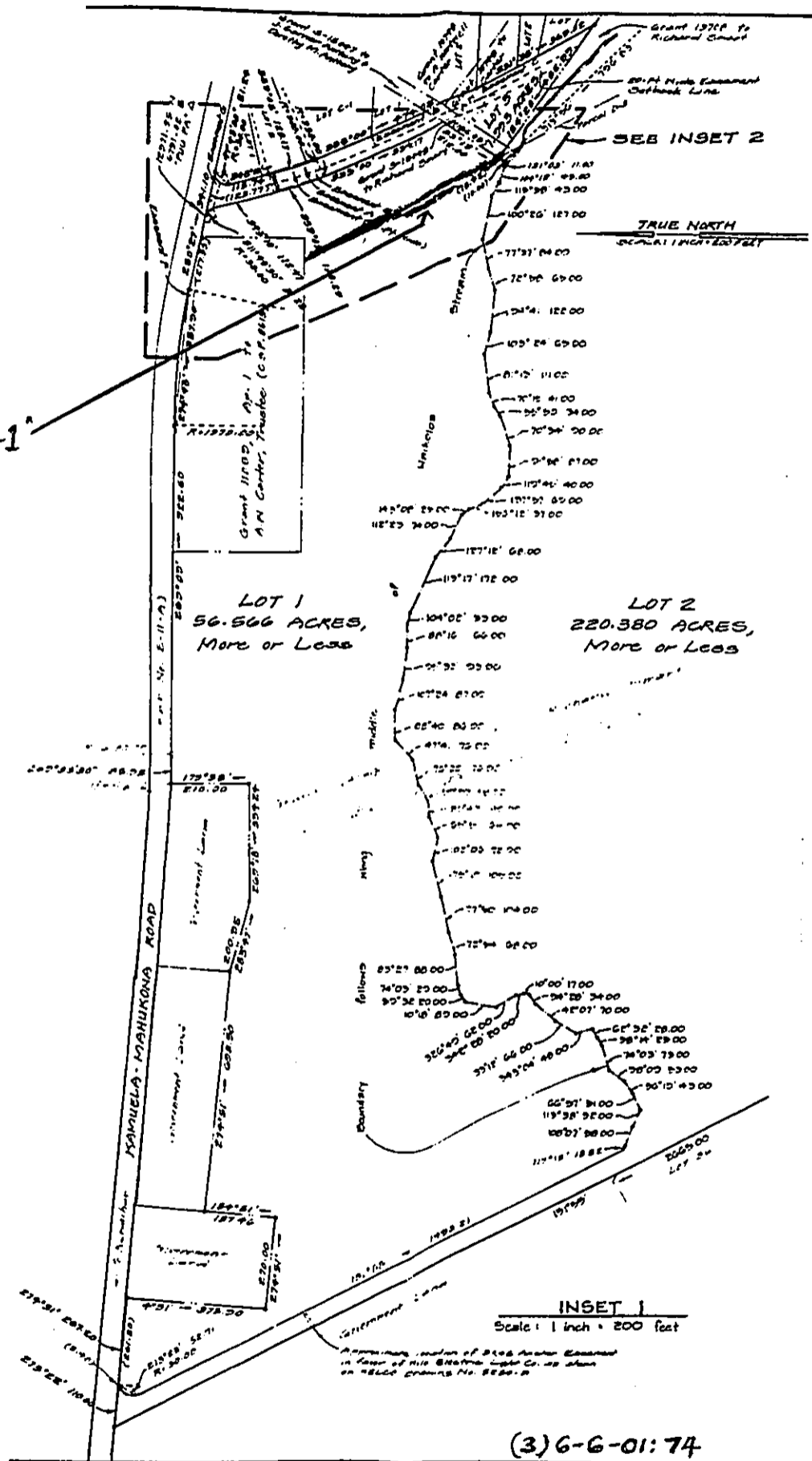


EXHIBIT "A"

PARCEL D-1

Being a strip of land three (3.00) feet wide, extending 1.50 feet on each side of the following described centerline:

Beginning at the southeast end of this easement and on Course 23 of the hereinabove described Parcel G, the true azimuth and distance to the end of said Course 23 being 33° 12' 14.80 feet, thence running by azimuths measured clockwise from true South:

1. 148° 17' 30" 37.07 feet;
2. 149° 55' 30" 165.69 feet;
3. 149° 03' 152.50 feet;
4. 149° 24' 247.38 feet to the south boundary of Grant 11059, Apana 1 to A. W. Carter, Trustee, and containing an area of 1,808 square feet.

EXHIBIT "B"