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GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
P. O. BOX 621  
HONOLULU, HAWAII 96809

Ref. LM-GYT

Mr. Gary Gill, Director  
Office of Environmental Quality Control  
220 South King Street, 4th Floor  
Honolulu, HI 96813

June 8, 1995

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Chairperson  
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95 JUN -9 11:46 AM  
OFFICE OF ENVIRONMENTAL  
QUALITY CONTROL

Dear Mr. Gill:

Subject: **Negative Declaration for Deletion of Flume Right-of-Way at  
Kulaimano Homesteads, South Hilo, Hawai'i  
Tax Map Key:3rd/2-8-06:07  
Applicant: Michael B. and Keiko G. Shewmaker**

In accordance with the requirements of Chapter 343, Hawai'i Revised Statutes, and Chapter 200 of Title 11, Administrative Rules, a Final Environmental Assessment has been prepared for the subject deletion of flume right-of-way.

Notice of availability of the Draft Environmental Assessment for the project was published in the March 23, 1995 OEQC Bulletin. No comments were received during the 30-day comment period.

As the proposing agency, we are forwarding herewith, one copy of the OEQC Bulletin Publication form and four copies of the Final Environmental Assessment. We have determined that there will be no significant impacts as a result of the project and, therefore, are filing the Final Environmental Assessment as a negative declaration. We respectfully request that public notice of the Final Environmental Assessment be published in the next scheduled OEQC Bulletin.

Very truly yours,

*Gilbert S. Coloma-Agaran*  
MICHAEL D. WILSON

c: Hawai'i Land Board Member  
Land Management Administrator  
Hawai'i District Land Office  
Mr. & Mrs. Michael Shewmaker

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1995-06-23-HI-FAA - Shewmaker Deletion of Flume Right-of-way  
JUN 23 1995

## Final Environmental Assessment

### 1. INTRODUCTION

This document is being submitted in support of dissolution of the "flume rights of way" in favor of the State of Hawaii, situate at Kulaimano, S. Hilo, Hawaii, TMK: 3-2-8-6-7. This Environmental Assessment Statement is being submitted to the Department of Land and Natural Resources, State of Hawaii (hereinafter referred to as "DLNR") by Michael B. and Keiko G. Shewmaker, husband and wife, residing at 42 Wiliwili Street, Hilo, Hawaii 96720 (hereinafter referred to as "applicants"), and the owners of the parcel of real property, TMK 3-2-8-6-7 which the "flume right of way" crosses.

This Final Environmental Assessment follows publication of a Draft Environmental Assessment in the Office of Environmental Quality Control Bulletin March 23, 1995. There were no negative comments to this Draft Environmental Assessment and it was given a negative declaration.

This process was initiated following a letter dated May 9, 1994, requesting the removal of the flume rights of way. This letter was addressed to the Department of Land and Natural Resources, the Approving Agency. The letter was forwarded to various other State of Hawaii and County of Hawaii Departments for their consultation and input.

### 2. PROJECT SUMMARY

Applicants are the owners of a parcel of vacant agricultural land measuring 10.13 acres situate at Kulaimano, South Hilo, Hawaii, TMK: 3-2-8-6-7. A copy of the tax map which includes this parcel is attached hereto as Exhibit "A"; subject parcel is highlighted in yellow on the map, the "flume rights of way" are marked in green on the map. Applicants would like to remove the "flume rights of way".

### 3. CONSULTING AGENCIES

#### County of Hawaii

##### Planning Department

Virginia Goldstein, Planning Director, responded that the Department has no objections to the deletion of the flume rights of way.

##### Public Works Department

The Public Works Department responded in writing that they had "no comments" on this matter.

Department of Water Supply

William Sewake responded for the Department that water is available to the property via a 4" main which follows the homestead road on the northern boundary of the property. Use will be limited to one 5/8" meter for no more than 600 gallons of water per day to each existing parcel.

State of Hawaii

Office of Hawaiian Affairs

The Office approved the application as submitted.

Department of Hawaiian Home Lands

The Department responded that the matter was "not applicable".

Department of Health

The Department responded that the matter was "not applicable".

Office of State Planning

Harold Masumoto, State Planning Director, responded that the Office has no objections to eliminating the flume easements.

Department of Agriculture

The Department had no response to this matter.

Department of Land and Natural Resources

Water and Land Development Division

The Division responded that the matter was "not applicable."

Historic Preservation Division

Since no land altering was to take place under the proposal, the Division responded that they had no concern regarding this matter.

Office of Conservation and Environmental Affairs

The Office determined that the property is not located in the Conservation District and is therefore "not applicable."

Forestry and Wildlife Division

Na Ala Hele Trails Program

The program determined that the project contains no trails or accesses listed on the Na Ala Hele inventory. It was noted, however, that the Pepeekeo Homestead Road on the northern boundary of the subject property is listed on the Na Ala Hele inventory. The Na Ala Hele survey is still in progress.

Applicants were informed that all of the governmental agencies copied with this application have reviewed the request and have expressed no objections to the proposed removal of the "flume rights of way".

4. Technical Characteristics:

The subject property consists of 10.13 acres land formerly used for sugar cane cultivation. Approximately seventeen years ago the ownership changed and since that time the owners cultivated various crops including taro and root ginger. Currently most of the property is planted in dracaena.

The flume which formerly bisected the property was used to float cut sugar cane to the Hilo Coast Processing Company which is approximately 1.5 miles downslope and Hamakua direction of the subject property. It is unclear just when this flume was built but it is certain that it existed at the time the Kulaimano Homesteads were granted in 1919. Attached as Exhibit "B" is a copy of Land Patent #7261 which includes a map of the subject property and shows "excepting and reserving therefrom rights-of-way 15 feet wide across this lot for the flumes".

The flumes were abandoned and dismantled in the 1950's. At the time the flume was removed a roadway was created for use in hauling cane. In 1974 Hilo Coast Processing Company formalized an easement for roadway purposes with the owners of the properties between the Mamalahoa Highway and the sea (five parcels). This roadway runs where the flume ran formerly. All rights to this easement expired December 31, 1991. The roadway still exists although in great disrepair.

Note that the portion of the "flume rights of way" marked in green and yellow denote the location of the flume feeder line from Waiaama Stream. No indication of where this feeder line was constructed is visible today. This portion of the land has been cultivated for many years since the removal of the flume.

There are no structures on the subject parcel and it does not appear that there have ever been any improvements. Hawaii Electric Light Company services the property via lines which run along the Pepeekeo Homestead Road which borders the property to the north. Water is available via a 4" main which runs along this road as well.

The topography of the property is dominated by a ridge which bisects the property on an east- west (mauka to makai) axis. The terrain slopes gradually to the road to the north and Waiama stream to the south. Deep soil predominates throughout the property mixed with some aggregate.

Vegetation consists of cultivated dracaena and california and honohono grasses. The property is somewhat overgrown. Some palm grass and sugar cane appears in spots.

No covenants, easements or restrictions apply to the subject property other than the "Flume Rights of Way" that are the subject of this application.

The applicants do not intend to remove the roadway. The applicants and their neighbors do occasionally use the roadway as a convenient way to access portions of their properties that would be harder to access without the roadway. The purpose is the removal of the "flume rights of way". No physical changes to the property or the roadway are planned.

5. Socio-Economic Characteristics:

There are no economic impacts to the surrounding community since no action is anticipated other than the removal of the "flume rights of way". There is a homestead road which runs parallel to this road between the Mamalahoa Highway and the sea approximately 500 feet to the north of the "flume rights of way". This road services all the surrounding properties and provides for utility access.

The applicants intend to fence the subject property to provide an enclosure for livestock. This will continue the productive agricultural use of the property. As the applicants are not personally active 'farmers', it is likely that the property, once fenced, will be leased for pasture. This may assist local residents who have been hard hit by the closure of the nearby Hilo Coast Processing Company sugar mill.

6. Environmental Characteristics:

The environmental concerns regarding the proposed removal of the flume easements are negligible. No construction is involved in this action. There will be no land movement and the roadway which exists where the flume formerly existed will remain.

**7. Summary of Impacts on Environment**

No negative impact on the environment as a result of this action is anticipated. The agricultural use of the property may increase somewhat as the applicants attempt to improve on the current use of the property. The property is underutilized at present.

Since applicants intend to convert the property to pasture there should be an improvement in the appearance of the property. Cattle grazing is an approved use of agriculturally zoned property and is consistent with the County of Hawaii Code.

The applicants intend to construct a home on the property at some point in the future. The home will meet all County Building Codes and Restrictions and will not present a significant environmental impact.

Over the long term the result of this action should be to simply dissolve an obsolete right of way with little or no consequence to the environment.

**8. Determination**

Notice of availability of the Draft Environmental Assessment was published in the March 23, 1995 edition of the OEQC Bulletin.

There were no comment or concerns received during the 30-day review period, thus it has been determined that there is no significant impact as a result of the deletion of the Flume Rights of Way to the applicants. Therefore, this Final Environmental Assessment is being filed as a negative declaration.