

Vandertuin Single  
Family Residence

STATE OF HAWAII  
Department of Land and Natural Resources  
Land Division  
Planning Branch  
Honolulu, Hawaii

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July 27, 1998

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OFFICE OF ENVIRONMENTAL  
QUALITY CONTROL

REF:PB:LT

File No.: HA-2894

Mr. Gary Gill, Director  
Office of Environmental Quality Control  
236 S. Beretania St., Suite 702  
Honolulu, Hawaii 96813

Daer Mr. Gill:

**SUBJECT: Finding of No Significant Impact (FONSI) for Vandertuin  
Single Family Residence, TMK: 3-2-04: 39, North Hilo,  
Hawaii**

The Department of Land and Natural Resources has reviewed the comments received during the 30-day public comment period which began on June 23, 1998. We have determined that this project will not have significant environmental impacts and have issued a FONSI. Please publish this notice in the August 8, 1998 OEQC Bulletin.

Enclosed is a completed OEQC Bulletin Publication Form and four copies of the final EA. The Consultant informs us that he E-Mailed the summary of the proposed action to your office.

Please call Lauren Tanaka at 587-0385 if you have questions.

Aloha,



Dean Uchida, Administrator

Enclosures

88

1998-08-08-HI-FEA-Vandertuin

AUG 8 1998

**FILE COPY**

*Single Family Residence*

FINAL ENVIRONMENTAL ASSESSMENT  
AND FINDING OF NO SIGNIFICANT IMPACT

Conservation District Use Application  
Construction of a Single Family Dwelling

PIHA HOMESTEADS, NORTH HILO, ISLAND OF  
HAWAII

APPROVING AGENCY: STATE OF HAWAII,  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
OFFICE OF CONSERVATION & ENVIRONMENTAL AFFAIRS

P.O. BOX 621  
HONOLULU, HAWAII 96809

JULY, 1998

PREPARED BY:  
BRIAN T. NISHIMURA, PLANNING  
CONSULTANT  
101 AUPUNI ST. SUITE 217,  
HILO, HAWAII 96720

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**APPENDIX B - REPRODUCTION OF COMMENTS AND RESPONSES MADE DURING  
THE DRAFT ENVIRONMENTAL ASSESSMENT REVIEW PERIOD**

## **1. INTRODUCTION**

### **1.1 Purpose**

Peter and Carol Vandertuin are submitting a Conservation District Use Application to construct a single family dwelling and related improvements within the State Land Use Conservation District. The subject property is a 1.407 acre parcel located within the Piha Homesteads, North Hilo, Island of Hawaii, Tax Map Key No. (3) 3-2-04: 39. The proposed use of Conservation District land triggers the environmental review process specified in Chapter 343, (HRS) and the purpose of this Environmental Assessment is to comply with those requirements.

### **1.2 Identification of Applicant**

Peter and Carol Vandertuin are the owners of the subject property and are the applicants for the Conservation District Use Permit. The mailing address for Peter and Carol Vandertuin is Parsons Road, P.O. Box 892, Wilmington, Vermont 05363.

### **1.3 Identification of Approving Agency**

In accordance with Chapter 343, HRS, the Department of Land and Natural Resources (DLNR) is the appropriate accepting authority of the Environmental Assessment.

### **1.4 Agency and Public Consultation**

The following agencies were consulted during the preparation of this environmental assessment:

United States Fish and Wildlife Services, Division of Ecological Services  
State of Hawaii, Department of Land and Natural Resources, Historic Preservation  
Division and Division of Forestry and Wildlife  
State of Hawaii, Department of Health  
State of Hawaii, Department of Transportation  
State of Hawaii, Office of Hawaiian Affairs  
County of Hawaii, Planning Department  
County of Hawaii, Department of Public Works  
County of Hawaii, Police Department  
County of Hawaii, Department of Water Supply  
County of Hawaii, Fire Department

### **1.5 Technical Description**

The subject property is a 1.407 acre parcel located within the Piha Homesteads, North Hilo, Island of Hawaii, Tax Map Key No. (3) 3-2-04: 39. (See Figure 1 - Vicinity Map) The property is situated at an elevation of approximately 1,150 feet above sea level, approximately 1,400 feet west (mauka) of the Hawaii Belt Road (SR 19). Access to the property from the Hawaii Belt Road is provided by the Piha-Kahuku Road, Stone Road, and finally Cross Road. The Piha-Kahuku Road, Stone Road and Cross Road are homestead roads.

The subject property is situated on a ridge above Waikaumalo Stream. The deed of the property defines the northern boundary as "a point at the top of Waikaumalo Gulch; thence along the top of Waikaumalo Gulch in all its windings." The northern boundary of the property, along the top of Waikaumalo Gulch, is the highest point on the property. The remainder of the property gently slopes down to Cross Road (away from Waikaumalo Stream) which serves as the southern boundary of the property.

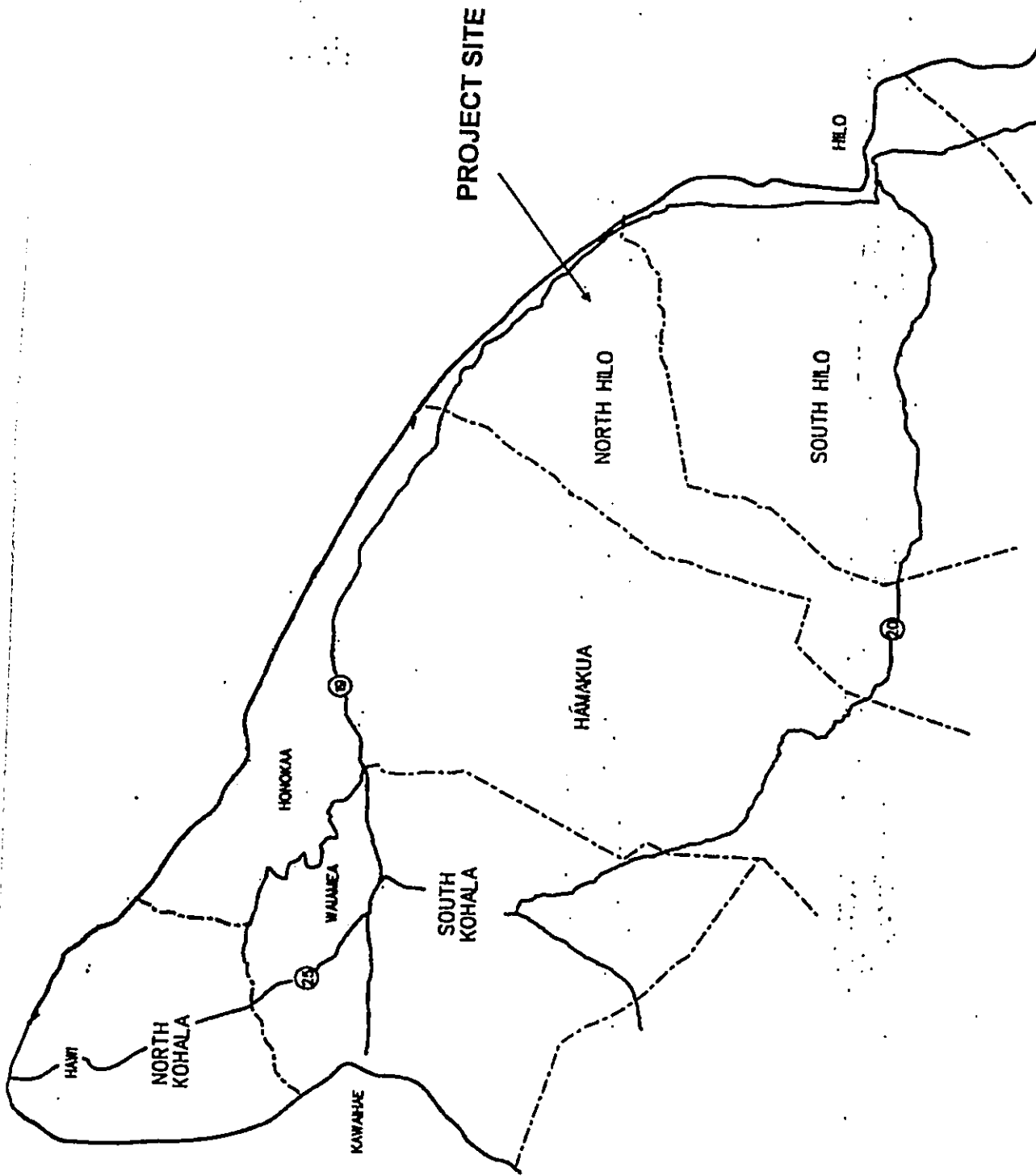
The property has been previously utilized for growing sugarcane and for grazing cattle. There is no active use of the subject property at this time. Land clearing and grading activity will be limited to the areas affected by the construction activity and will total less than 10,000 square feet.

The proposed improvements will include a 3-bedroom 1 and 1/2 bath dwelling with approximately 1,700 square feet of living area including an enclosed carport and unfinished basement; a picnic pavilion with 640 square feet under roof; a driveway access; a water tank; and, a cesspool. (See Figure 2 - Site Plan)

#### **1.6 Land Use Designations**

The subject area is designated as Conservation on the County General Plan Land Use Pattern Allocation Guide Map. The State Land Use designation of the subject area is Conservation and the County Zoning designation is Agricultural with a minimum lot size of twenty acres (A-20a). The project is not situated within the Special Management Area (SMA). The proposed construction of a single family dwelling and accessory structures requires a Conservation District Use Permit with approval from the Board of Land and Natural Resources (BLNR)

**FIGURE 1 - VICINITY MAP**



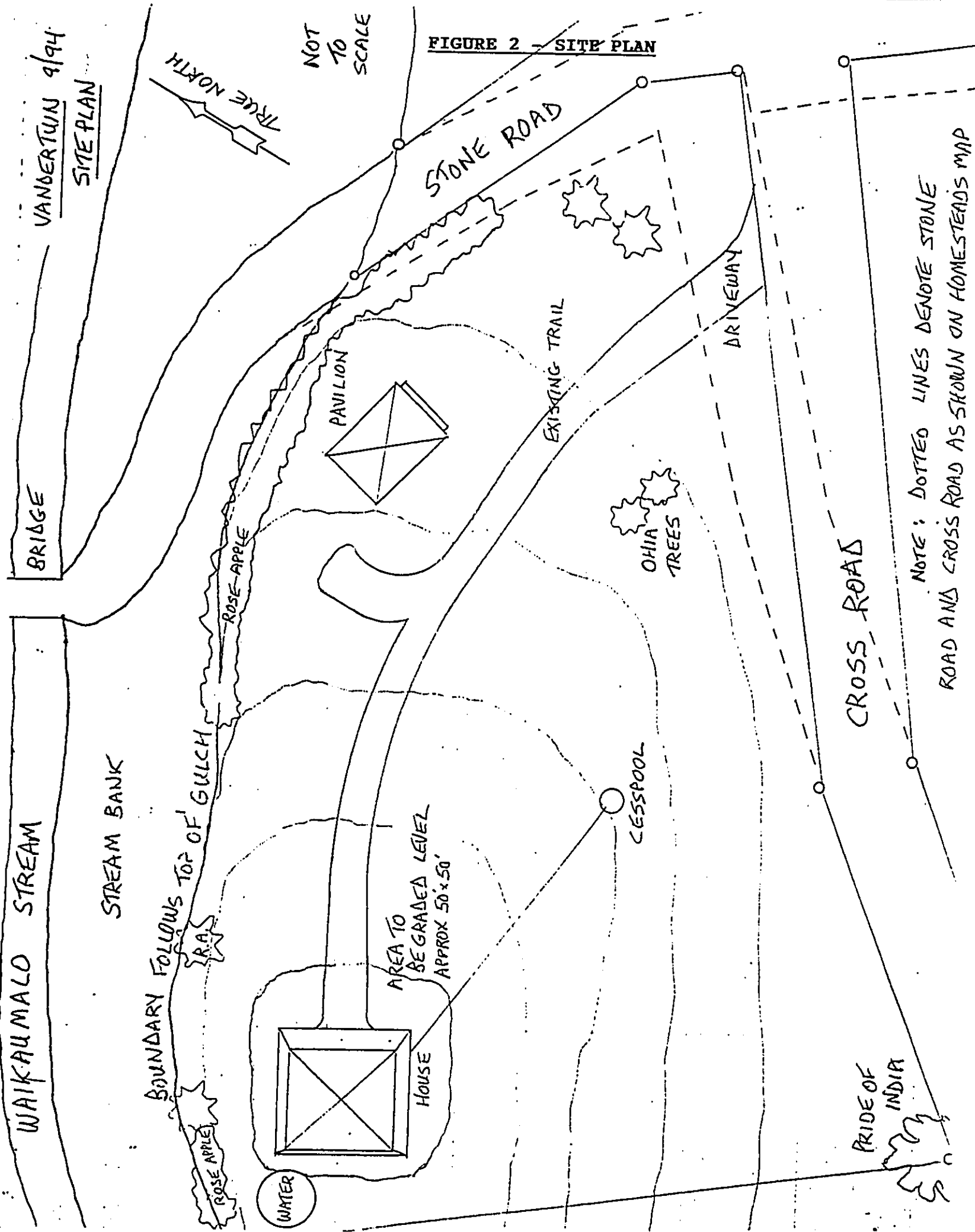


FIGURE 2 - SITE PLAN

NOTE: DOTTED LINES DENOTE STONE ROAD AND CROSS ROAD AS SHOWN ON HOMESTEADS MAP



## **2. ENVIRONMENTAL SETTING**

### **2.1 Physical Environment**

#### **2.1.1 Geology and Hazards**

The project area is located on the lower eastern slopes of Mauna Kea and consists of the Hamakua volcanic series. These lava flows are chiefly basaltic with layers of Pahala ash. (Sterns and Macdonald, 1946). The Pahala ash on Mauna Kea, not covered by subsequent lava flows, represents an accumulation of ash over a long period of time.

The Island of Hawaii is susceptible to four main types of natural hazards including tsunami, volcanism, seismic activity, and hurricanes. The subject area is not within a tsunami inundation area and is in a region where the risk of volcanic eruption is classified by the United States Geological Survey as Lava Flow Hazard Zone 8, on a scale of ascending risk 9 to 1. The zone 8 designation includes the lower slopes of Mauna Kea, most of which have not been affected by lava flows for the past 10,000 years. (Heliker, 1990)

With respect to seismic activity, the entire island is in the Zone III category of the Uniform Building Code which requires public and certain types of private buildings to meet structural design standards for earthquake resistance. The Building Code also requires all new construction to withstand high winds.

#### **2.1.2 Soils**

Soils of the subject area are classified as part of the Kaiwiki Soil Series which consists of well drained silty clay loams with varying slopes ranging from gentle to steep. These soils formed in a series of layers of volcanic ash and are situated in upland areas ranging from 800 to 1,500 feet. Permeability is rapid, runoff is medium, and the erosion hazard is moderate. (U.S.D.A. Soil Conservation Service, 1973)

Although there are some engineering limitations associated with the Kaiwiki Soil Series, these soils have been utilized for the construction of single family dwellings in other areas without posing any significant problems.

#### **2.1.3 Climate**

The project site is located on the "windward" side of the island of Hawaii, exposed to northeasterly trade winds which causes relatively high rainfall (approximately 150 inches annually). (University of Hawaii, 1983) The resulting landscape characterizing the entire Hilo-Hamakua coast, is lush vegetation interspersed with numerous streams and waterfalls that drain from the slopes of Mauna Kea down to the Pacific Ocean. Average temperature of the project area ranges between 65 - 85 degrees Fahrenheit.

#### 2.1.4 Hydrology and Drainage

The site lies in an area that is generally characterized as having basal groundwater floating on salt water. The aquifer system underlying this section of the North Hilo district is estimated to have a sustainable yield of approximately 150 million gallons per day. (Hawaii Department of Water Supply, 1991)

Soils of the subject area do not present major drainage problems. As required by the Storm Drainage Standards (Hawaii County Department of Public Works 1970), increases in runoff determined to be due to development of a proposed site, including but not limited to buildings, paved roads and parking areas and more intensive use, must be disposed of by on-site and not directed toward any adjacent properties. The proposed project will adhere to all State and County drainage regulations.

The Federal Emergency Management Agency classifies flood hazard zones on a Flood Insurance Rate Map (FIRM). The FIRM map has designated the project area to be within Flood Zone "X" which includes areas determined to be outside the 500 year flood plain.

#### 2.1.5 Flora and Fauna

The subject area is situated within a vegetation zone described as a "closed guava forest with shrubs". (University of Hawaii, 1983) This vegetation zone is generally found below an elevation of 1,500 feet with rainfall in excess of 60 inches. Characteristic plants in this vegetation zone include guava, Boston fern, Hilo grass, basket grass, false staghorn fern, kukui and hala. The vegetation zone describes potential vegetation that is predicted based on climate and plant species known to be present in that area. The predominant species found on the subject property include rose apple, waiwi, broomsedge, false staghorn fern, Boston fern and Hilo grass. Given the prior use of the subject property for growing sugar cane and grazing, it is highly unlikely that any federally endangered, threatened, or candidate species can be found on the site.

Mammals expected to be found in the project area include mongoose, feral cats and dogs and several varieties of mice and rats. Several introduced birds including the cardinal spotted dove, myna, house finch and Japanese white-eye are common in the area.

The U.S. Fish and Wildlife Service has indicated that the federally endangered Hawaiian hawk (*Buteo solitarius*) and federally endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*) are known to the general vicinity and may occur intermittently at the project site as they transit through the area. However, the proposed project is not likely to adversely affect the referenced species because of the project's location and limited scale of disturbance.

### 2.1.6 Air Quality

The prevailing trade winds generally provide for excellent air movement in the region. This factor, coupled with the low density of development in the area, results in generally excellent air quality.

### 2.1.7 Water Quality

The Waikamalo Stream is situated north of the subject property. The Hawaii Stream Assessment, conducted from 1988 to 1990, inventoried and assessed Hawaii's streams for their aquatic, riparian, cultural and recreational resources. Based on data gathered in these four resource categories, assessment committees ranked stream resources as outstanding, substantial, moderate, limited or unknown. Waikamalo Stream received the following rankings in the respective resource categories: aquatic - limited, riparian - substantial, cultural - unknown, and recreational - substantial. The U.S. Fish and Wildlife Service expressed concern for other fish and wildlife resources that may be affected by the proposed project including impacts to stream resources resulting from sediment runoff into the Waikamalo Stream and potential contamination by construction-related products, such as fuels.

The proposed project will have little or no direct, indirect or cumulative effects on Waikamalo Stream inasmuch as no activity is proposed within the stream corridor. All project generated runoff will be contained on site and will not be directed to the stream. Potential construction related impacts can be mitigated through careful construction management practices to avoid potential contamination. In addition, the individual wastewater system will be located more than 100 feet from the stream and will comply with the State Department of Health requirements.

### 2.1.8 Noise

Ambient noise levels in the project area are very low and reflect the rural-agricultural character of the North Hilo district. Temporary noise impacts will occur from the construction of the single family dwelling and are unavoidable. These impacts, however, are minimal and will not create any adverse impacts to the surrounding area..

### 2.1.9 Scenic Resources

The proposed improvements will consist of a modest dwelling with approximately 1,700 square feet of living area and a picnic pavilion with 640 square feet under roof. These improvements will not adversely affect the open space and scenic vistas of the North Hilo district and the Piha Homesteads area in particular. Land clearing will be kept to a minimum and most of the on-site vegetation, including those along the perimeter of the property, will be maintained.

## 2.2 Social, Cultural and Economic Setting

### **2.2.1 Socio-Economic Characteristics**

The North Hilo district has the smallest population on the island with a 1990 population of 1,541 persons. Population in the district has been declining for more than fifty years and that trend is not likely to change in the near future. The district lost its primary employer when the Hamakua Sugar Company ceased operations in 1994. Since that time, no other major employer has emerged to take the place of the sugar company.

The proposed project is situated near the community of Ninole which is located along State Highway 19 approximately 19 miles Northwest of the city of Hilo. Hilo is the largest city and leading commercial center on the island of Hawaii with a 1990 population of 37,808. Hilo airport and Hilo Harbor provide regional air and ocean transportation services for the eastern half of the island. Hilo also serves as the seat of County government and administrative center for other governmental services including the campus of the University of Hawaii at Hilo.

The project site is situated approximately 5 miles southeast of Laupahoehoe. The Laupahoehoe community is the primary urban center in the North Hilo district and includes most of the community facilities serving the district. Police, fire, emergency medical, solid waste transfer station, elementary, intermediate and the high school facilities are situated in Laupahoehoe.

### **2.2.2 Adjacent Land Uses**

The project site is situated in the midst of an area that was previously cultivated in sugar cane. Sugar operations shut down in 1994 and most of these former sugar lands remain fallow. Other land uses in the area include grazing, dispersed home sites and radio communication towers.

## **2.3 Public Facilities and Services**

### **2.3.1 Roads**

Immediate access is provided by Cross Road which is described by the County Department of Public Works as, "an unmaintained 'paper' homestead road". The County Department of Public Works does not claim ownership of this roadway. There is a difference of opinion, however, regarding the ownership of homestead roads among various governmental agencies. For the purposes of the subject application, the available access is merely being described without attempting to resolve the ownership issue. Cross Road is shown to be 30 feet wide on the survey map of the subject property. Cross Road is unpaved and can be described as a 4-wheel drive jeep road.

Stone Road is the connecting road to Cross Road and has a 30 foot wide right-of-way with a gravel surface of approximately 12 feet. The steeper sections of Stone Road are paved. The Piha-Kahuku Homestead Road is the connecting road to Stone Road and has

a 30 foot wide right-of-way and a paved surface approximately 14 feet wide. The Piha-Kahuku Homestead Road connects to the Mamalahoa Highway (State Highway 19) which is the primary transportation link between Hilo and all of the communities along the North Hilo-Hamakua coast.

### **2.3.2 Water System**

The subject property is not served by the County's water system. Water for the residence will be provided by a rain catchment system.

### **2.3.3 Protective Services**

The County Fire Department and the County Police Department have district stations situated in the community of Laupahoehoe approximately 5 miles northwest of the subject property.

### **2.3.4 Wastewater**

There is no municipal wastewater system serving the subject area. A individual wastewater disposal system meeting with the approval of the State Department of Health will be installed to serve the single family dwelling.

## **2.4 Archaeology, Historic and Cultural Resources**

The State Department of Land and Natural Resources, Historic Preservation Division, provided the following comments on the proposed project, "We have no records of historic sites in this immediate area. Your letter indicates that the 1.407 acre subject property, which is located with the State Land Use Conservation District, was previously used for sugarcane cultivation and cattle pasture. Based on this information we believe that it is unlikely that any significant historic sites would remain."

The Historic Preservation Division further stated that, "On current evidence we believe that the proposed project will have 'no effect' on significant historic sites."

**3. SUMMARY OF POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS AND PROPOSED MITIGATION MEASURES**

**3.1 Soil Erosion and Runoff**

**Impacts:** The project site is situated on a ridge adjacent to Waikaumalo gulch and stream. Land clearing, grading and construction of the single family dwelling may generate soil erosion and runoff problems unless construction activity and improvements are properly managed.

**Mitigation:** The proposed project will adhere to all State and County drainage, land clearing and grading regulations. Land clearing and grading will be kept to a minimum and will be limited to the area required for the driveway and the structures.

**3.2 Scenic Resources**

**Impacts:** The North Hilo District and the Piha Homesteads area, in particular, are blessed with beautiful open vistas of Mauna Kea and the Pacific Ocean, lush vegetation within the gulches and beautiful streams and waterfalls. Construction of a single family dwelling and related improvements have the potential of adversely affecting these scenic resources.

**Mitigation:** The proposed improvements will consist of a modest dwelling with approximately 1,700 square feet of living area and a picnic pavilion with 640 square feet under roof. Land clearing will be kept to a minimum and most of the on-site vegetation, including those along the perimeter of the property, will be maintained. As such, the proposed improvements will not adversely affect the open space and scenic resources of the area.

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#### **4. ALTERNATIVES**

##### **4.1 No Action**

The only alternative available to the applicant's proposal to build a single family dwelling on the subject property is the no action alternative. The applicants' acquired the subject property with the intent of utilizing it for the construction of a single family dwelling. The no action alternative would not result in a desirable use of the applicant's property.

## **5. DETERMINATION, FINDINGS AND REASONS FOR SUPPORTING DETERMINATION**

### **5.1 Significance Criteria**

According to the Department of Health Rules (11-200-12), an applicant or agency must determine whether an action may have a significant impact on the environment, including all phases of the project, its expected consequences both primary and secondary, its cumulative impact with other projects, and its short and long-term effects. In making the determination, the Rules establish "Significance Criteria" to be used as a basis for identifying whether significant environmental impact will occur. According to the Rules, an action shall be determined to have a significant impact on the environment if it meets any one of the following thirteen criteria.

- 1. Involves an irrevocable commitment to loss or destruction of any natural or cultural resources.**

The proposed project involves the construction of a new single family dwelling and related improvements within the State Conservation District General subzone. The proposed improvements will consist of a modest dwelling with approximately 1,700 square feet of living area and a picnic pavilion with 640 square feet under roof. The property has been previously utilized for growing sugarcane and for grazing cattle. There is no active use of the subject property at this time. Land clearing and grading will be kept to a minimum and most of the on-site vegetation, including those along the perimeter of the property, will be maintained. The proposed project will adhere to all State and County drainage, land clearing and grading regulations. As such, the proposed improvements will not involve an irrevocable commitment to loss or destruction of any natural or cultural resources.

- 2. Curtails the range of beneficial uses of the environment.**

The proposed construction of a single family dwelling and related improvements will utilize less than 10,000 square feet of a parcel 1.407 acres in size. The relatively small scale of the land disturbance will not adversely affect any natural resources nor will it curtail the range of beneficial uses of the environment.

- 3. Conflicts with the State's long-term environmental policies or goals and guidelines as expressed in Chapter 344, HRS; and any revisions thereof and amendments thereto, court decisions, or executive orders.**

The proposed development is consistent with the Environmental Policies established in Chapter 344, HRS, and the National Environmental Policy Act.

- 4. Substantially affects the economic or social welfare of the community or state.**



The proposed project will not have a substantial impact on the economic and social welfare of the North Hilo community. The impact of adding one single family dwelling to a district which covers an area of 277 square miles with a 1990 population of 1,569 people will be miniscule.

**5. Substantially affects public health**

The proposed project will not have a substantial impact on public health. All State Department of Health requirements relating to the construction of a single family dwelling will be complied with.

**6. Involves substantial secondary impacts, such as population changes or effects on public facilities.**

The proposed project will not have any substantial secondary impacts due to the nature and scale of the proposed project.

**7. Involves a substantial degradation of environmental quality.**

The proposed project is situated on a parcel that has been previously utilized for growing sugarcane and for grazing cattle. All developmental impacts will be contained on site and will be minimized by limiting the area of disturbance and maintaining most of the on-site vegetation. As such, the proposed construction of a single family dwelling will not involve a substantial degradation of environmental quality.

**8. Is individually limited but cumulatively has considerable effect on the environment, or involves a commitment for larger actions.**

The subject request is for one single family dwelling. Although other parcels in the surrounding area may submit similar applications for a Conservation District Use Permit, each application will be considered on its own merits. The granting of the subject request will not involve a commitment for any future actions.

**9. Substantially affects a rare, threatened or endangered species or its habitat.**

Although the federally endangered Hawaiian hawk (*Buteo solitarius*) and federally endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*) are known to the general vicinity, the limited nature and scale of the proposed project is such that no substantial adverse effects are anticipated to these species or their habitat.

**10. Detrimentially affects air or water quality or ambient noise levels.**

Short term impacts will result from the proposed construction activity including increased noise levels, dust and exhaust from machinery involved in the construction of the single family dwelling. Given the relative short construction time period and

the sparse development of surrounding properties, the potential impacts of these construction activities should be minimal.

11. **Affects or is likely to suffer damage by being located in an environmentally sensitive area, such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, freshwater, or coastal waters.**

The proposed project is not situated within nor will it affect an environmentally sensitive area such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, freshwater, or coastal waters. Although the northern boundary of the property is situated along the top of Waikaumalo Gulch, no construction activity is proposed within the Waikaumalo Stream corridor. All project generated runoff will be contained on site and will not be directed to the stream. In addition, the individual wastewater system will be located more than 100 feet from the stream and will comply with the State Department of Health requirements.

12. **Substantially affects scenic vistas and view planes identified in county or state plans or studies.**

The proposed project will not affect any scenic vistas or view planes identified in county or state plans or studies. The visual impact of the proposed project will be mitigated by keeping land clearing to a minimum and maintaining most of the on-site vegetation, especially those along the perimeter of the property.

13. **Requires substantial energy consumption.**

The proposed project will not require substantial energy consumption.

## **5.2 Findings**

On the basis of the foregoing information presented, it is determined that the proposed development of a single family dwelling and related improvements on the subject property will not have a significant effect. As such, a determination of a Finding of No Significant Impact for the proposed action is appropriate.

## **5.3 Reasons Supporting Determination**

The nature and scale of the proposed action are such that no significant environmental effects are anticipated. Potential impacts, if any, can be mitigated through sensitive site planning and architectural design, careful construction methods and compliance with all governmental requirements including those of the State Department of Health and the County Department of Public Works.

## REFERENCES

Hawaii State DLNR, Commission on Water Resource Management by National Park Service, *Hawaii Stream Assessment*. December, 1990.

Heliker, Christina, U.S. Geological Survey, *Volcanic and Seismic Hazards on the Island of Hawaii*, U.S. Government Printing Office, 1990

Kon, Megumi, Inc., *Hawaii County Water Use and Development Plan*, County of Hawaii, Department of Water Supply, 1991

University of Hawaii, Department of Geography, *Atlas of Hawaii*, University Press of Hawaii, 1983

United States Department of Agriculture, Soil Conservation Service, *Soil Survey of the Island of Hawaii*, Washington D.C., 1973

Stearns, H.T. and Macdonald G.A., *Geology and Ground-Water Resources of the Island of Hawaii*, *Bulletin 9* Hawaii Division of Hydrography, Advertiser Publishing Co., Ltd. Honolulu 1946

**APPENDIX A - REPRODUCTION OF COMMENTS AND RESPONSES MADE  
DURING THE PRE-ASSESSMENT CONSULTATION PERIOD**

1. State of Hawaii, Department of Land and Natural Resources, Historic Preservation Division, February 20, 1998.  
Response: Brian T. Nishimura, March 10, 1998
2. State of Hawaii, Department of Land and Natural Resources, Division of Forestry and Wildlife, February 10, 1998.  
Response: Brian T. Nishimura, March 10, 1998
3. State of Hawaii, Office of Hawaiian Affairs, February 12, 1998.  
Response: Brian T. Nishimura, March 10, 1998
4. State of Hawaii, Department of Transportation, February 13, 1998.  
Response: Brian T. Nishimura, March 10, 1998
5. County of Hawaii, Planning Department, February 23, 1998.  
Response: Brian T. Nishimura, March 10, 1998
6. County of Hawaii, Police Department, February 18, 1998.  
Response: Brian T. Nishimura, March 10, 1998
7. County of Hawaii, Department of Public Works, Engineering Division, February 18, 1998.  
Response: Brian T. Nishimura, March 8, 1998
8. U.S. Department of Interior, Fish and Wildlife Service, March 23, 1998.  
Response: Brian T. Nishimura, July 16, 1998

BENJAMIN J. CAYETANO  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION  
33 SOUTH KING STREET, 6TH FLOOR  
HONOLULU, HAWAII 96813

MICHAEL D. WILSON, CHAIRPERSON  
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February 20, 1998

Mr. Brian T. Nishimura, Planning Consultant  
101 Aupuni Street, Suite 217  
Hilo, Hawaii 96720

LOG NO: 21050 ✓  
DOC NO: 9802PM03

Dear Mr. Aupuni:

**SUBJECT: Pre-Environmental Assessment Consultation Conservation  
District Use Application for a Single Family Dwelling and  
Related Improvements (Peter and Carol Vandertuin)  
Piha Homesteads, North Hilo, Hawaii Island  
TMK: 3-2-04:39**

Thank you for your letter of February 6, 1998 and the opportunity to review and comment on the proposed construction of a single family dwelling and related improvements on the subject property.

We have no records of historic sites in this immediate area. Your letter indicates that the 1.407 acre subject property, which is located with the State Land Use Conservation District, was previously used for sugarcane cultivation and cattle pasture. Based on this information we believe that it is unlikely that any significant historic sites would remain.

On current evidence we believe that the proposed project will have "no effect" on significant historic sites.

If you should have any questions please contact Patrick McCoy (587-0006).

Aloha,

A handwritten signature in cursive script, appearing to read "Don Hibbard".

DON HIBBARD, Administrator  
State Historic Preservation Division

PM:amk

**BRIAN T. NISHIMURA, PLANNING CONSULTANT**

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Suite 217  
Hilo, Hawaii 96720  
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March 10, 1998

Don Hibbard, Administrator  
State Historic Preservation Division  
State of Hawaii  
Department of Land and Natural Resources  
33 South King St. 6th Floor  
Honolulu, Hawaii 96813

Subject: Preliminary Comments -Pre-Environmental Assessment  
Single Family Dwelling  
Piha Homesteads, North Hilo, Hawaii  
TMK: (3) 3-2-04: 39

This is to acknowledge receipt of your letter dated February 20, 1998, responding to my request for preliminary comments on the preparation of a draft Environmental Assessment (EA) for the above-described project. Thank you for providing preliminary comments prior to the preparation of the draft EA. Your assistance in this matter is appreciated.

Sincerely,

  
BRIAN T. NISHIMURA, Planning Consultant

c. Peter and Carol Vandertuin

BENJAMIN J. CAYETANO  
GOVERNOR OF HAWAII



MICHAEL D. WILSON  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

DEPUTY  
GILBERT S. COLOMA-AGARAN

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813

February 10, 1998

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

Mr. Brian T. Nishimura  
Planning Consultant  
101 Aupuni Street, Suite 217  
Hilo, Hawaii 96720

Subject: Request for Comments: Pre-Environmental Assessment Consultation

We have reviewed the information provided for Peter and Carol Vandertuin regarding pre-environmental assessment consultation to construct a single family dwelling and related improvements within the State Land Use Conservation District, identified as General subzone. The property is 1.407 acre parcel located within the Piha Homesteads, North Hilo, Island of Hawaii, Tax Map Key No. (3) 3-2-04:39. The property has been previously used for growing sugarcane and for grazing cattle.

The Department of Land and Natural Resources, Division of Forestry and Wildlife has no objections to the proposed improvements on General subzone within Conservation District as indicated by your letter dated February 6, 1998. Furthermore, we anticipate no further notification or consultation on the proposed project.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael G. Buck".

Michael G. Buck  
Administrator

Copy: DOFAW, Hawaii District

**BRIAN T. NISHIMURA, PLANNING CONSULTANT**

101 Aupuni Street  
Suite 217  
Hilo, Hawaii 96720  
Phone: (808) 935-7692 Fax: (808) 935-6126

---

March 10, 1998

Michael G. Buck, Administrator  
Division of Forestry and Wildlife  
State of Hawaii  
Department of Land and Natural Resources  
1151 Punchbowl St.  
Honolulu, Hawaii 96813

Subject: Preliminary Comments -Pre-Environmental Assessment  
Single Family Dwelling  
Piha Homesteads, North Hilo, Hawaii  
TMK: (3) 3-2-04: 39

This is to acknowledge receipt of your letter dated February 10, 1998, responding to my request for preliminary comments on the preparation of a draft Environmental Assessment (EA) for the above-described project. Thank you for providing preliminary comments prior to the preparation of the draft EA. Your assistance in this matter is appreciated.

Sincerely,



BRIAN T. NISHIMURA, Planning Consultant

c. Peter and Carol Vandertuin



PHONE (808) 594-1888

FAX (808) 594-1865



**STATE OF HAWAII**  
**OFFICE OF HAWAIIAN AFFAIRS**  
711 KAPI'OLANI BOULEVARD, SUITE 500  
HONOLULU, HAWAII 96813

Febraury 12, 1998

Brian T. Nishimura  
101 Aupuni Street, Suite 217  
Hilo, Hawaii 96720

DOC NO: EIS-146

Subject: Pre-Environmental Assessment Consultation for the Vandertuin Single  
Family Residence, Piha Homesteads, Island of Hawaii (TMK: 3-2-04:39).

Dear Mr. Nishimura:

Thank you very much for your letter informing us of the upcoming Draft Environmental Assessment for the above-referenced project. Peter and Carol Vandertuin propose to construct a 1,700 square foot single family dwelling located on a 1.407 acres parcel of land within the State Land Use Conservation District.


The Office of Hawaiian Affairs' (OHA's) main areas of concern for developments within a Conservation District include, but are not limited to, soil erosion, runoff, potential adverse impacts to archaeological/cultural resources, public access, endangered and threatened species, native wildlife habitats, and visual resources.

At this time OHA has no objections to the proposed project. However, OHA intends to thoroughly review the Draft Environmental Assessment when it becomes available for public review.

Please contact Colin Kippen, Land and Natural Resources Division Officer, or Richard Stook, EIS Planner at 594-1755, should you have any questions regarding this matter.

Sincerely yours,

  
Randal Ogata  
Administrator

  
Colin Kippen, Division Officer,  
Land and Natural Resources

cc: Board of Trustees  
CAC, Island of Hawaii

**BRIAN T. NISHIMURA, PLANNING CONSULTANT**

101 Aupuni Street  
Suite 217  
Hilo, Hawaii 96720  
Phone: (808) 935-7692 Fax: (808) 935-6126

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March 10, 1998

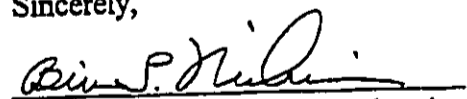
Colin Kippen, Division Officer  
Land and Natural Resources  
State of Hawaii  
Office of Hawaiian Affairs  
711 Kapiolani Blvd. Suite 500  
Honolulu, Hawaii 96813

Subject: Preliminary Comments -Pre-Environmental Assessment  
Single Family Dwelling  
Piha Homesteads, North Hilo, Hawaii  
TMK: (3) 3-2-04: 39

This is to acknowledge receipt of your letter dated February 12, 1998, responding to my request for preliminary comments on the preparation of a draft Environmental Assessment (EA) for the above-described project. Your concerns regarding soil erosion, runoff, potential adverse impacts to archaeological/cultural resources, public access, endangered and threatened species, native wildlife habitats, and visual resources have been duly noted and addressed in the draft EA.

Thank you for providing preliminary comments prior to the preparation of the draft EA. Your assistance in this matter is appreciated.

Sincerely,



**BRIAN T. NISHIMURA, Planning Consultant**

c. Peter and Carol Vandertuin

BENJAMIN J. CAYETANO  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

KAZU HAYASHIDA  
DIRECTOR  
DEPUTY DIRECTORS  
BRIAN K. MINAAI  
GLENN M. OKIMOTO

IN REPLY REFER TO:  
STP 8.8403

February 13, 1998

Mr. Brian T. Nishimura  
Planning Consultant  
101 Aupuni Street, Suite 217  
Hilo, Hawaii 96720

Dear Mr. Nishimura:

Subject: Request for Comments  
Pre-Environmental Assessment Consultation  
1.047 Acre Parcel, Piha Homesteads, North Hilo  
TMK: 3-2-04: 39

Thank you for your transmittal of February 6, 1998, requesting comments for the proposed single family dwelling and related improvements.

The proposal is not anticipated to affect our State highway facilities.

Thank you for the opportunity to comment.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kazu Hayashida".

KAZU HAYASHIDA  
Director of Transportation

**BRIAN T. NISHIMURA, PLANNING CONSULTANT**

101 Aupuni Street  
Suite 217  
Hilo, Hawaii 96720  
Phone: (808) 935-7692 Fax: (808) 935-6126

---

March 10, 1998

Kazu Hayashida, Director  
State of Hawaii  
Department of Transportation  
869 Punchbowl Street  
Honolulu, Hawaii 96813-5097

Subject: Preliminary Comments -Pre-Environmental Assessment  
Single Family Dwelling  
Piha Homesteads, North Hilo, Hawaii  
TMK: (3) 3-2-04: 39

This is to acknowledge receipt of your letter dated February 13, 1998, responding to my request for preliminary comments on the preparation of a draft Environmental Assessment (EA) for the above-described project. Thank you for providing preliminary comments prior to the preparation of the draft EA. Your assistance in this matter is appreciated.

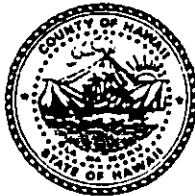
Sincerely,



**BRIAN T. NISHIMURA, Planning Consultant**

c. Peter and Carol Vandertuin

Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director

Russell Kokubun  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 • Fax (808) 961-8742

February 23, 1998

Mr. Brian T. Nishimura  
Planning Consultant  
101 Aupuni Street, Suite 217  
Hilo, HI 96720

Dear Mr. Nishimura:

Request for Comments: Pre-Environmental Assessment Consultation  
Proposed Conservation District Use Application (CDUA)  
for Single Family Dwelling & Related Improvements  
Applicant: Peter & Carol Vandertuin  
Piha & Upper Maulua Homesteads, N. Hilo, Hawaii Island  
TMK: 3-2-04: 39

Thank you for requesting our participation to comment on the above project proposal to construct a single family dwelling. Since the project will be located in the state "Conservation" district, the principal permitting jurisdiction is with the State of Hawaii - Board of Land & Natural Resources. Therefore, the comments we are providing only concern general information about the parcel.

#### Land Use Determinations:

- State Land Use: "Conservation" & Forest Reserve
- County Zoning: Agricultural - twenty acres (A-20a)  
A farm dwelling is a permitted use in the county's agricultural district, according to the county Zoning Code, Secs. 25-5-72(a)(9) and (10). One farm dwelling is permitted pursuant to Sec. 25-5-77(b). Additional farm dwellings may be permitted consistent with the conditions required by Sec. 25-5-77(c).  
Area & Height Requirements. According to the tax map, parcel 39 has two front yards that abut the Homestead Road and two side yards.

Mr. Brian T. Nishimura  
Page 2  
February 23, 1998

Front Yard Setback: 30 feet, measure from property line to  
building wall line;  
Side Yard Setback: 20 feet, measure from property line to  
building wall line;  
Main Building Height limit: 35 feet;  
Accessory Building Height Limit: 20 feet

- Hawaii County General Plan Land Use Designation: Conservation, Extensive & Intensive Agriculture.

Further notification or consultation will not be needed for this project; however, for the county's records on this parcel we will need a copy of the final decision on the CDUA application.

Sincerely,



*f* VIRGINIA GOLDSTEIN  
Planning Director

EML\RK:jkg  
f:\wp60\earl\letters\lbttn.eml

**BRIAN T. NISHIMURA, PLANNING CONSULTANT**

101 Aupuni Street  
Suite 217  
Hilo, Hawaii 96720  
Phone: (808) 935-7692 Fax: (808) 935-6126

---

March 10, 1998

Virginia Goldstein, Director  
County of Hawaii  
Planning Department  
25 Aupuni Street  
Hilo, Hawaii 96720

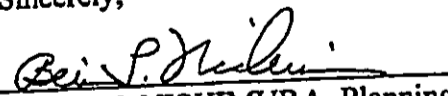
Subject: Preliminary Comments -Pre-Environmental Assessment  
Single Family Dwelling  
Piha Homesteads, North Hilo, Hawaii  
TMK: (3) 3-2-04: 39

This is to acknowledge receipt of your letter dated February 23, 1998, responding to my request for preliminary comments on the preparation of a draft Environmental Assessment (EA) for the above-described project. Thank you for providing the information regarding the land use designations and requirements affecting the subject property.

One of the elements of the Conservation District Use Application (CDUA) is compliance with the County's Special Management Area (SMA) requirements. Please verify that the subject property is not situated within the County's SMA and therefore, not subject to the SMA requirements. Your determination on this matter must be submitted to the Department of Land and Natural Resources at least 30 days prior to Board's action on the CDUA.

Thank you for providing preliminary comments prior to the preparation of the draft EA. Your assistance in this matter is greatly appreciated.

Sincerely,

  
BRIAN T. NISHIMURA, Planning Consultant

c. Peter and Carol Vandertuin

Stephen K. Yamashiro  
Mayor



Wayne G. Carvalho  
Police Chief

James S. Correa  
Deputy Police Chief

County of Hawaii  
POLICE DEPARTMENT

349 Kapiolani Street • Hilo, Hawaii 96720-3998  
(808) 935-3311 • Fax (808) 961-2702

February 18, 1998

Mr. Brian T. Nishimura  
Planning Consultant  
101 Aupuni Street, Suite 217  
Hilo, Hawaii 96720

Dear Mr. Nishimura:

SUBJECT: PRE-ENVIRONMENTAL ASSESSMENT CONSULTATION  
REQUEST FOR COMMENTS

This responds to your letter of February 6, 1998, soliciting comments on the proposed single family dwelling and related improvements.

We do not foresee any adverse effects should the application be granted.

Thank you for the opportunity to comment.

Sincerely,

WAYNE G. CARVALHO  
POLICE CHIEF

  
JAMES S. CORREA  
DEPUTY POLICE CHIEF  
ACTING POLICE CHIEF

EWR:lk



**BRIAN T. NISHIMURA, PLANNING CONSULTANT**

101 Aupuni Street  
Suite 217  
Hilo, Hawaii 96720  
Phone: (808) 935-7692 Fax: (808) 935-6126

---

March 10, 1998

James S. Correa, Deputy Police Chief  
County of Hawaii  
Police Department  
349 Kapiolani St.  
Hilo, Hawaii 96720-2702

Subject: Preliminary Comments -Pre-Environmental Assessment  
Single Family Dwelling  
Piha Homesteads, North Hilo, Hawaii  
TMK: (3) 3-2-04: 39

This is to acknowledge receipt of your letter dated February 18, 1998, responding to my request for preliminary comments on the preparation of a draft Environmental Assessment (EA) for the above-described project. Thank you for providing preliminary comments prior to the preparation of the draft EA. Your assistance in this matter is appreciated.

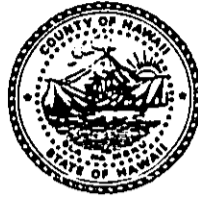
Sincerely,



BRIAN T. NISHIMURA, Planning Consultant

c. Peter and Carol Vandertuin

Stephen K. Yamashiro  
*Mayor*



Donna Fay K. Kiyosaki  
*Chief Engineer*

Jiro A. Sumada  
*Deputy Chief Engineer*

**County of Hawaii**  
**DEPARTMENT OF PUBLIC WORKS**  
25 Aupuni Street, Room 202 • Hilo, Hawaii 96720-4252  
(808) 961-8321 • Fax (808) 961-8630

February 18, 1998

BRIAN T NISHIMURA PLANNING CONSULTANT  
101 AUPUNI STREET SUITE 217  
HILO HAWAII 96720

**SUBJECT: PRE-ENVIRONMENTAL ASSESSMENT**  
Conservation District Use Application  
Peter and Carol Vandertuin  
Piha Homesteads, North Hilo, Hawaii  
TMK: 3 / 3-2-04: 39


We acknowledge receipt of your letter concerning the subject matter, and provide you with our comments as follows:

1. Any building construction shall conform to all requirements of code and statutes of the County of Hawaii.
2. All development generated runoff shall be disposed on site and shall not be directed toward any adjacent properties.
3. All earthwork and grading shall be in conformance with Chapter 10, Erosion and Sediment Control, of the Hawaii County Code.
4. Access to the subject property is through an unmaintained "paper" homestead road. The County does not claim ownership on this roadway.
5. Any construction within known watercourses shall be in conformance with Chapter 27, Flood Control, of the Hawaii County Code. The subject properties are found within Flood Zone "X", according to the Flood Insurance Rate Map dated September 16, 1988.

DRAFT EA  
February 18, 1998  
Page 2 of 2

6. We do not need further notification or consultation on the proposed project.

Should there be any questions concerning this matter, please feel free to contact Mr. Casey Yanagihara in our Engineering Division at (808)961-8327.

  
Galen M. Kuba, Division Chief  
Engineering Division

CKY

**BRIAN T. NISHIMURA, PLANNING CONSULTANT**

101 Aupuni Street  
Suite 217  
Hilo, Hawaii 96720  
Phone: (808) 935-7692 Fax: (808) 935-6126

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March 10, 1998

Galen M. Kuba, Division Chief  
Engineering Division  
County of Hawaii  
Department of Public Works  
25 Aupuni St. Room 202  
Hilo, Hawaii 96720-4252

Subject: Preliminary Comments -Pre-Environmental Assessment  
Single Family Dwelling  
Piha Homesteads, North Hilo, Hawaii  
TMK: (3) 3-2-04: 39

This is to acknowledge receipt of your letter dated February 18, 1998, providing preliminary comments on the preparation of a draft Environmental Assessment (EA) for the above-described project. Thank you for identifying the applicable code requirements for the proposed project. This information will be provided to the applicant and will be utilized during the implementation of the proposed project.

Thank you for providing preliminary comments prior to the preparation of the draft EA. Your assistance in this matter is appreciated.

Sincerely,

  
\_\_\_\_\_  
BRIAN T. NISHIMURA, Planning Consultant

c. Peter and Carol Vandertuin



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
PACIFIC ISLANDS ECOREGION  
300 ALA MOANA BOULEVARD, ROOM 3108  
BOX 50088  
HONOLULU, HAWAII 96850  
PHONE: (808) 541-3441 FAX: (808) 541-3470

In Reply Refer To: JMC

MAR 23 1998

Brian T. Nishimura  
Planning Consultant  
101 Aupuni St.  
Hilo, Hawaii 96720

RE: Proposed Home Construction and Improvements, Piha Homesteads, North Hilo, Hawaii.

Dear Mr. Nishimura:

The U.S. Fish and Wildlife Service (Service) has reviewed your request for comments on proposed home construction and improvements at Piha Homesteads, North Hilo, Hawaii. The project sponsors are Peter and Carol Vandertuin, and it is our understanding that your company is representing the Vandertuins in the preparation of an Environmental Assessment (EA) for the proposed project. The proposed project is to construct a single family dwelling and related improvements within a State Land Use Conservation District. The Service offers the following comments for your consideration in the preparation of the EA.

The Service has reviewed the provided information as well as other information contained in our files. To the best of our knowledge, there are no wetlands or federally endangered, threatened, or candidate species directly within the project site. However, the federally endangered Hawaiian hawk (*Buteo solitarius*) is known from a sighting made approximately 0.5 kilometers (km) east of the project site and the federally endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*) has been spotted approximately 2 km upslope. Therefore, these species may occur intermittently at the project site as they transit through the area. The Service recommends that potential project-related impacts to federally listed species be addressed in the draft EA.

Service concerns for other fish and wildlife resources that may be affected by the proposed project include impacts to stream resources resulting from sediment runoff into the Waikaumalo Stream and potential contamination by construction-related products, such as fuels. The Service recommends that these concerns also be addressed in the draft EA.

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Page 2, Proposed Home Construction and Improvements, Piha Homesteads, North Hilo, Hawaii

The Service appreciates the opportunity to comment. If you have questions regarding these comments, please contact Fish and Wildlife Biologist Mick Castillo at (808) 541-3441.

Sincerely,

*Brooks Harper*

Brooks Harper  
Field Supervisor  
Ecological Services

**BRIAN T. NISHIMURA, PLANNING CONSULTANT**

101 Aupuni Street  
Suite 217  
Hilo, Hawaii 96720  
Phone: (808) 935-7692 Fax: (808) 935-6126

---

July 16, 1998

Mr. Brooks Harper, Field Supervisor  
Division of Ecological Services  
U.S. Fish and Wildlife Services  
300 Ala Moana Blvd., P.O. Box 50088  
Honolulu, HI. 96850

Subject: Preliminary Comments  
Proposed Home Construction and Improvements  
Piha Homesteads, North Hilo, Hawaii

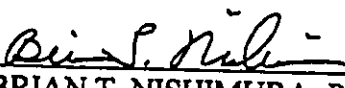
This is to acknowledge receipt of your letter dated March 23, 1998, providing preliminary comments on the preparation of a draft Environmental Assessment (EA) for the above-described project. Unfortunately, your letter was received after the draft EA had been prepared and submitted to the Department of Land and Natural Resources. Your comments and letter will be included in the Final EA being prepared at this time.

The presence of the federally endangered Hawaiian hawk (*Buteo solitarius*) and federally endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*) are acknowledged in the EA. However, the proposed project is not likely to adversely affect the referenced species because of the project's location and limited scale of disturbance. Less than 10,000 square feet of the 1.4 acre parcel will be disturbed and most of the existing vegetation will be preserved.

Your concern for other fish and wildlife resources that may be affected by the proposed project including impacts to stream resources resulting from sediment runoff into the Waikaumalo Stream and potential contamination by construction-related products, such as fuels has been noted in the EA. The proposed project will have little or no direct, indirect or cumulative effects on Waikaumalo Stream inasmuch as no activity is proposed within the stream corridor. All project generated runoff will be contained on site and will not be directed to the stream. Potential construction related impacts can be mitigated through careful construction management practices to avoid potential contamination. In addition, the individual wastewater system will be located more than 100 feet from the stream and will comply with the State Department of Health requirements.

Thank you for providing your comments for the proposed project. Your assistance in this matter is greatly appreciated.

Sincerely,

  
BRIAN T. NISHIMURA, Planning Consultant



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**APPENDIX B - REPRODUCTION OF COMMENTS AND RESPONSES MADE  
DURING THE DRAFT ENVIRONMENTAL ASSESSMENT REVIEW PERIOD**

1. State of Hawaii, Office of Environmental Quality Control, June 22, 1998.  
Response: Brian T. Nishimura, July 16, 1998
  
3. State of Hawaii, Department of Land and Natural Resources, Division of Land Management, May 26, 1998.  
Response: Brian T. Nishimura, July 14, 1998
  
3. County of Hawaii, Department of Public Works, Engineering Division, May 22, 1998.  
Response: Brian T. Nishimura, July 14, 1998
  
4. County of Hawaii, Department of Water Supply, May 29, 1998.  
Response: Brian T. Nishimura, July 14, 1998

BENJAMIN J. CAYETANO  
GOVERNOR



GARY GILL  
DIRECTOR

STATE OF HAWAII  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

236 SOUTH BERETANIA STREET  
SUITE 702  
HONOLULU, HAWAII 96813  
TELEPHONE (808) 586-4185  
FACSIMILE (808) 586-4185

June 22, 1998

Mr. Peter Vandertuin and Ms. Carol Vandertuin  
P.O. Box 892  
Wilmington, Vermont 05363

Dear Mr. Vandertuin and Ms. Vandertuin:

We submit for your response the following comments on a draft environmental assessment (DEA) for a "Conservation District Use Application for a Single Family Dwelling, Piha Homesteads, TMK (3)3-2-04:39, North Hilo, Island of [Hawai'i]."

1. **TOPOGRAPHIC MAP AND PHOTOGRAPHS:** Please provide a topographic map showing elevation isoclines for the project area, especially with respect to the siting of the residence above Waikaumalo Stream. This will enable the reader to more readily discern drainage pathways. Also, please provide photographs of the site.
2. **VISUAL IMPACTS:** Please discuss the visual impacts of the proposed project. Please also provide elevation plans for the proposed structures.
3. **WAIKAUMALO STREAM:** Other than showing its location, the DEA does not specifically discuss the Waikaumalo Stream. Please discuss the direct, indirect and cumulative effects of the project to the Waikaumalo Stream, its biological resources, and its water quality.
4. **DETAILED DISCUSSION OF THE THIRTEEN SIGNIFICANCE CRITERIA IN RELATION TO THE PROJECT:** Please discuss each of the thirteen significance criteria (see Section 11-200-12, Hawai'i Administrative Rules) as they relate to the project. A sample discussion is enclosed for your information.

Please submit copies of this letter, your response to it and other comment letters to the Department of Land and Natural Resources, for their inclusion in the final environmental assessment and notice of determination for this project.

If there are any questions, please call Les Segundo of my staff at 586-4185.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gary Gill".

GARY GILL  
Director

- c:  Ms. Lauren Tanaka, Department of Land and Natural Resources  
 Mr. Brian T. Nishimura, Planning Consultant

**BRIAN T. NISHIMURA, PLANNING CONSULTANT**

101 Aupuni Street  
Suite 217  
Hilo, Hawaii 96720  
Phone: (808) 935-7692 Fax: (808) 935-6126

---

July 16, 1998

Mr. Gary Gill, Director  
Office of Environmental Quality Control  
235 South Beretania St., Ste. 702  
Honolulu, Hawaii 96813

Subject: Conservation District Use Permit Application  
#HA-2894, Peter and Carol Vandertuin  
Single Family Dwelling  
Piha Homesteads, North Hilo, Hawaii  
TMK: (3) 3-2-04: 39

Dear Mr. Gill:

This is in response to your comments dated June 22, 1998, regarding the above-described matter. Your comments are addressed as follows:

1. The applicant does not have a topographic map of the subject property. Please find enclosed a copy of a U.S.G.S. topographic map of the general area. Also attached are photographs of the subject area. The Final Environmental Assessment (EA) will include a more detailed description of the property in relation to the Waikaumalo Stream as follows: The deed of the subject property defines the northern boundary as, "a point at the top of Waikaumalo Gulch; thence along the top of Waikaumalo Gulch in all its windings". The northern boundary of the property, along the top of Waikaumalo Gulch, is the highest point on the property. The remainder of the property gently slopes down to Cross Road (away from Waikaumalo Stream) which serves as the southern boundary of the property.
2. The visual impacts of the proposed project are discussed in section 2.1.9 Scenic Resources and section 3.2 in the Draft EA. The visual impact of the proposed project will be mitigated by keeping land clearing to a minimum and maintaining most of the on-site vegetation, especially those along the perimeter of the property. Elevation plans for the proposed structures are attached.
3. The Final EA will include a more detailed description of Waikaumalo Stream and a discussion of the direct, indirect and cumulative effects of the project to the stream. The Hawaii Stream Assessment, conducted from 1988 to 1990, inventoried and assessed Hawaii's streams for their aquatic, riparian, cultural and recreational resources. Based on

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data gathered in these four resource categories, assessment committees ranked stream resources as outstanding, substantial, moderate, limited or unknown. Waikamalo Stream received the following rankings in the respective resource categories: aquatic - limited, riparian - substantial, cultural - unknown, and recreational - substantial. The proposed project will have little or no direct, indirect or cumulative effects on Waikamalo Stream inasmuch as no activity is proposed within the stream corridor. All project generated runoff will be contained on site and will not be directed to the stream. In addition, the individual wastewater system will be located more than 100 feet from the stream and will comply with the State Department of Health requirements.

4. The Final Environmental Assessment will discuss the findings and reasons for supporting the FONSI determination based on all 13 significant criteria listed in Section 11-200-12 of the EIS rules.

Thank you for your comments to the Draft Environmental Assessment for the proposed project. Should you have any questions regarding this matter, please do not hesitate to call me.

Sincerely,

  
Brian T. Nishimura, Planning Consultant

BENJAMIN J. CAYSTANO  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF LAND MANAGEMENT  
P.O. BOX 936  
HILO, HAWAII 96721-0936

APPLICABLE DEVELOPMENT  
PROGRAM  
AGRICULTURAL RESOURCES  
CONSERVATION AND  
ENVIRONMENTAL AFFAIRS  
RESTORATION AND  
RESOURCES ENFORCEMENT  
COMPLIANCE  
FOUNDED AND MAINTAINED  
LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

May 26, 1998

TO: Lauren Tanaka  
THRU: Charlene Unoki  
FROM: Harry Yada *[Signature]*  
SUBJECT: Request for Comments - CDUP Application #HA - 2894  
Applicant - Peter and Carol Vandertuin

MAY 27 9 15 AM '98

Under both the Technical Description and Roads sections, there is a reference to Cross Road being a "paper road" to which the County claims no ownership. In recent determinations by the County of Hawaii, the claim of no ownership may be inaccurate. The applicant should confer with both the Department of Public Works and the Corporation Counsel on the issue of jurisdiction over this road as that position may have changed.

Should you have any questions please contact Harry Yada at the Hawaii District Land Office at 974-6203.

**BRIAN T. NISHIMURA, PLANNING CONSULTANT**

101 Aupuni Street  
Suite 217  
Hilo, Hawaii 96720  
Phone: (808) 935-7692 Fax: (808) 935-6126

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July 14, 1998

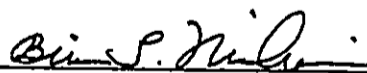
Mr. Harry Yada  
Department of Land and Natural Resources  
Division of Land Management  
P.O. Box 936  
Hilo, Hawaii 96721-0935

Subject: Conservation District Use Permit Application  
#HA-2894, Peter and Carol Vandertuin  
Single Family Dwelling  
Piha Homesteads, North Hilo, Hawaii  
TMK: (3) 3-2-04: 39

This is in response to your memorandum dated May 26, 1998, providing comments on the above described matter. As suggested, I have conferred with both the Department of Public Works and Corporation Counsel's office regarding the jurisdiction of homestead roads. Please be advised that there appears to be a difference of opinion regarding the jurisdictional issue within the County and it is not clear what the "official" position is. The Environmental Assessment will be revised to acknowledge that the jurisdictional issue with regard to homestead roads is unresolved at this time. For the purposes of the subject application, however, we are merely describing the available access to the property and not trying to establish ownership and maintenance responsibility.

Thank you for providing your comments regarding the subject request. Your assistance in this matter is appreciated.

Sincerely,

  
BRIAN T. NISHIMURA, Planning Consultant

Stephen K. Yamaahiro  
Mayor



Donna Fay K. Kiyosaki  
Chief Engineer

Jiro A. Sumada  
Deputy Chief Engineer

**County of Hawaii**  
**DEPARTMENT OF PUBLIC WORKS**  
25 Aupuni Street, Room 202 • Hilo, Hawaii 96720-4252  
(808) 961-8321 • Fax (808) 961-8630

May 22, 1998

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION PLANNING BRANCH  
P O BOX 621  
HONOLULU HAWAII 96809

Attention: Lauren Tanaka


**SUBJECT: CONSERVATION DISTRICT USE PERMIT APPLICATION**  
#HA-2894, Peter and Carol Vandertuin  
Piha Homesteads, North Hilo, Hawaii  
TMK: 3 / 3-2-04: 39

RECEIVED  
DIVISION OF  
LAND AND NATURAL RESOURCES  
MAY 26 8 44 AM '98

We acknowledge receipt of your letter concerning the subject matter, and provide you with our comments as follows:

1. Any building construction shall conform to all requirements of code and statutes of the County of Hawaii.
2. All earthwork and grading shall be in conformance with Chapter 10, Erosion and Sediment Control, of the Hawaii County Code.
3. As stated in our letter (dated February 18, 1998) to Brian T. Nishimura, Planning Consultant, access to the subject property is through an unmaintained homestead road to which the County does not claim ownership. The Draft Environmental Assessment report is in error and should reflect this.

Should there be any questions concerning this matter, please feel free to contact Mr. Casey Yanagihara in our Engineering Division at (808)961-8327.

  
Galen M. Kuba, Division Chief  
Engineering Division

CKY

**BRIAN T. NISHIMURA, PLANNING CONSULTANT**

101 Aupuni Street  
Suite 217  
Hilo, Hawaii 96720  
Phone: (808) 935-7692 Fax: (808) 935-6126

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July 14, 1998

Galen M. Kuba, Division Chief  
Engineering Division  
County of Hawaii  
Department of Public Works  
25 Aupuni St. Room 202  
Hilo, Hawaii 96720-4252

Subject: Conservation District Use Permit Application  
#HA-2894, Peter and Carol Vandertuin  
Single Family Dwelling  
Piha Homesteads, North Hilo, Hawaii  
TMK: (3) 3-2-04: 39

This is in response to your letter dated May 22, 1998, providing comments on the above described matter. The applicant will be advised that any building construction, earthwork and grading must comply with the applicable code requirements of the County of Hawaii.

With regard to comment no. 3, pertaining to access and ownership of the homestead roads, we acknowledge that there are differences of opinion on this issue. The Environmental Assessment will be revised to recognize these differences. For the purposes of the subject application, however, we are merely describing the available access to the property and not trying to establish ownership and maintenance responsibility.

Thank you for providing your comments regarding the subject request. Your assistance in this matter is appreciated.

Sincerely,

  
\_\_\_\_\_  
BRIAN T. NISHIMURA, Planning Consultant



LD



**DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII**

25 AUPUNI STREET • HILO, HAWAII 96720

TELEPHONE (808) 961-8660 • FAX (808) 961-8657

May 29, 1998

Mr. Michael D. Wilson, Chairperson  
State of Hawaii  
Board of Land and Natural Resources  
P.O. Box 621  
Honolulu, HI 96809

JUN 3 12 55 PM '98  
RECEIVED  
DIVISION OF  
LAND MANAGEMENT

CONSERVATION DISTRICT USE PERMIT APPLICATION # HA-2894  
CONSTRUCTION OF A SINGLE FAMILY RESIDENCE AND ASSOCIATED IMPROVEMENTS  
TAX MAP KEY: 3-2-004:039

We have reviewed the subject application and have no objections to it in light of the following information.

The parcel cited does not have an existing water service as it is beyond the service limits of the Department's existing water system facility. The Department's nearest facility is a four (4)-inch pipeline over 10,000 feet away on the Pahia Kahuku Road. In addition, the application states that water will be provided by rain catchment.

If you have any questions, please contact our Water Resources and Planning Branch at 961-8660.

Milton D. Pavao, P.E.  
Manager

BCM:gms

copy - Mr. Brian T. Nishimura  
Mr. Peter and Ms. Carol Vandertuin

DEPT. OF LAND  
& NATURAL RESOURCES  
STATE OF HAWAII

98 JUN 3 10:39

RECEIVED

*... Water brings progress...*

**BRIAN T. NISHIMURA, PLANNING CONSULTANT**

101 Aupuni Street  
Suite 217  
Hilo, Hawaii 96720  
Phone: (808) 935-7692 Fax: (808) 935-6126

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July 14, 1998

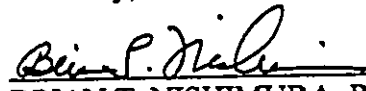
Mr. Milton Pavao, Manager  
Department of Water Supply  
County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

Subject: Conservation District Use Permit Application  
#HA-2894, Peter and Carol Vandertuin  
Single Family Dwelling  
Piha Homesteads, North Hilo, Hawaii  
TMK: (3) 3-2-04: 39

This is to acknowledge receipt of your letter dated May 29, 1998, providing comments regarding the above-described application. Your letter will be included in the Final Environmental Assessment prepared for the proposed project.

Thank you very much for your assistance and cooperation in providing comments on the subject application.

Sincerely,



BRIAN T. NISHIMURA, Planning Consultant