



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

LAND DIVISION  
P.O. BOX 621  
HONOLULU, HAWAII 96809  
JAN 10 2001

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OFFICE OF ENVIRONMENTAL  
QUALITY CONTROL File No.: Cдуа HA-3002

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

Ref.:PB:EAH

MEMORANDUM

To: Genevieve Salmonson, Director  
Office of Environmental Quality Control

From: Dean Y. Uchida, Administrator *[Signature]*

Subject: Negative Determination and Finding Of No Significant Impact: Final Environmental Assessment by Mary and David Carroll For a Single-Family Residence with Accessory and Related Improvements At Kaalaiki and Hokukano, Kau, County of Hawaii, TMK 3<sup>rd</sup> 9-5-16:36

The Department of Land and Natural Resources, Land Division, has reviewed the comments received during the 30-day public comment period, which began on September 23, 2000 and the subject EA. The project road and house would be constructed on a previously graded historic lava flow. Coastal marine food gathering is practiced in the project shoreline area. Significant archeological resources, including: trail, platform, mound, habitation and possible burial sites, occur on the property. According to the applicant, work will only be conducted on the previously graded areas over 800 feet from the shoreline and, therefore, will not impact cultural resources at the subject location.

We have determined that the subject project will not have significant environmental effects and hereby issue a Finding of no Significant Impact (FONSI) for the subject EA. Please publish notice of this in the January 23, 2001 OEQC Environmental Notice. ✓

We have enclosed a completed OEQC Publication Form and four copies of the final EA. My staff will e-mail a completed publication form to your office shortly. Please contact Eric Hill of our planning staff at 587-0380 if you have any questions.

c. Hawaii Board Member

2

JAN 23 2001

**FILE COPY**

2001-01-23- HI- FEA- Carroll

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*FINAL ENVIRONMENTAL ASSESSMENT*

**(SINGLE FAMILY RESIDENCE)**  
**OF MARY & A. DAVID CARROLL**

Lot B-2, a portion of Grant 2370 to Noa Malailua at Kaalaiki and  
a portion of Government Lands by Exchange Deed at Hokukano  
District of Ka'u, Hawaii  
TMK: (3) 9-5-16:36 (portion)

**Prepared for:**  
Mary and A. David Carroll

**Prepared by:**  
Steven S.C. Lim  
Carlsmith Ball  
121 Waianuenue Avenue  
Hilo, Hawaii 96720  
Telephone: (808) 935-6644

**December, 2000**



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION  
P O BOX 621  
HONOLULU, HAWAII 96809  
JAN 10 2001

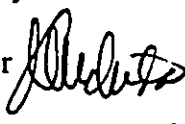
AQUACULTURE DEVELOPMENT  
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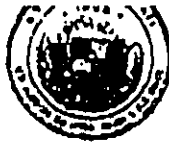
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We have enclosed a completed OEQC Publication Form and four copies of the final EA. My staff will e-mail a completed publication form to your office shortly. Please contact Eric Hill of our planning staff at 587-0380 if you have any questions.

c. Hawaii Board Member

BERNARD J. CAYetano  
GOVERNOR OF HAWAII



TIMOTHY E. JOHNS, CHAIRPERSON  
COMMISSION ON WATER RESOURCES MANAGEMENT

DEPUTIES  
JANET E. HAWELU  
JANET K. HIRAIWA

STATE OF HAWAII

RECEIVED  
HISTORIC PRESERVATION DIVISION

DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
Keolu Building, Room 555  
801 KAMOHAKU BOULEVARD  
KAPOLA, HAWAII 96702

NOV -9 P2:54

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
LAND  
STATE PARKS  
WATER RESOURCE MANAGEMENT

2001 JAN -3 A 8:57

November 3, 2000

Steven S.C. Lim  
Carlsmith Ball  
75-1000 Henry Street, Suite 209  
Kailua-Kona, Hawaii 96745

LOG NO: 26418 ✓  
DOC NO: 0010ms04

Dear Mr. Lim:

**SUBJECT:** Historic Preservation Comments on Proposed Single Family Residence  
Hokukano and Kaaiaiki, Ka'u, Hawaii Island  
TMK: (3)9-5-16:36

Thank you for the opportunity to review this project, and accompanying Historic Preservation Division staff archaeologist Marc Smith on the July 19, 2000 site inspection.

It is our understanding that your client wishes to build a single family residence in the parcel on a previously graded house pad. The site inspection confirmed the house pad and access road are located at the northwest (*mauka*) margin of the parcel, at an elevation of approximately 80 feet above sea level. The access road and pad, which are located on the leading edge of an *a'a* lava flow, have been graded in the past. The southeast (*makai*) edge of the graded house site drops off steeply to a level *pahoehoe* flow that continues on to the shoreline, approximately 850 feet away.

There are known significant archaeological sites located in the parcel. These include the government beach trail running along the coast, platforms and mounds adjacent to the trail, and habitation sites near Kawa springs located just north of the parcel along the shoreline. Before approving any additional land altering activity in the parcel, we would recommend an archaeological inventory of the parcel.

We believe a house could be constructed on the existing house pad on the condition that there is no additional grading work conducted off the existing pad and access road. If your client agrees to the above condition, then the proposed action will have "no effect" on significant historic sites. In the future, if the parcel is developed, an archaeological inventory survey would be requested by our office prior to any permit approvals. If you have further questions please call Pat McCoy at 692-8029 (Honolulu), or Marc Smith at 933-0482 (Hilo).

Aloha,

DON HIBBARD, Administrator  
State Historic Preservation Division

MS:jk

c: Virginia Goldstein, County of Hawaii Planning Department

Post-it Fax Note	7671	Date	12/01	# of pages	1
To	ENG Hill	From			
Co./Dept.		Co.			
Phone #		Phone #			
Fax #		Fax #			

EXHIBIT 15  
DLNR-SHPD LETTER

# CARLSMITH BALL LLP

ATTORNEYS AT LAW  
A LIMITED LIABILITY LAW PARTNERSHIP

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COMMISSION

2000 DEC 20 A 9:56

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DEC  
2000

December 19, 2000

Dean Uchida  
Administrator  
Department of Land & Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96809

HA-3002

Re: Conservation District Use Application HA-2981-B  
Applicant: Mary & A. David Carroll  
Lot B-2, portions of Grant 2370 and Government Land by Exchange Deed  
Kaalaiiki and Hokukano, District of Kau  
Tax Map Key: (3) 9-5-16:36 (portion)

Dear Mr. Uchida:

Enclosed for transmittal to the Office of Environmental Quality Control for publication in its January 8, 2001 OEQC Bulletin, are eight (8) copies of the Final Environmental Assessment for the above-referenced Conservation District Use Permit Application HA-2981-B.

The FEA has been amended to incorporate comments and concerns received during the comment period. In addition, the FEA has been amended to incorporate your Department's request for additional information as follows:

1. Location of the natural springs: Three to four fresh water springs (approximately 3 feet in diameter) are located along the extreme northern portion of the Property, approximately 2,500 feet north of the proposed single-family dwelling site. The location of the natural springs is noted on the site plan (see Exhibit 9, to FEA).
2. Water well: The Applicants may seek the Commission on Water Resource Management's ("CWRM") approval for the construction of a water well to be located below the bluff in the area of the proposed single-family residence

approximately 2,700 feet south from the natural springs. Given the distance between the proposed well and the natural springs, the Applicants anticipate no adverse impact. The CWRM informs that there are no standards relating to buffer areas between the location of the private water well and the natural springs. Although preliminary discussions with CWRM staff indicate that pursuant to the Hawaii Well Construction and Pumping Installation guidelines, any production well should be located 1,000 feet from the septic tank, the Department of Health, Wastewater Division indicates that this buffer area may not be applicable, provided that the Applicants install an aerobic septic unit adjacent to the private water well.

3. Grading: Given the existing flat topography, minimal grading will occur at the location of the proposed house pad which was previously graded by the prior property owner and within the preexisting cindered roadway. In addition, the natural sloping topography of the area of the proposed man-made reflection pond requires minimal grading.
4. Traditional and customary uses: The Applicants consulted with area residents regarding traditional and customary native Hawaiian practices and other valued cultural, historical or natural resources of the ahupuaa during two community meetings conducted on November 12, 2000 on site at the subject Property, and on November 14, 2000 at the Naalehu Community Center. Area resident Simbralynn Kanakaole Esperon stated that since the Property was sacred land, the *Ala Kahakai* does not run through the Subject Property, and is located mauka along the Hawaii Belt Road. Area resident Raymond Dedman stated that the ahupuaa was used as a navigational training area and is a historical war site. Abel Lui stated that opihi, limu, fish and other coastal strand resources are gathered by Native Hawaiians. It was further contended that the previously graded house pad is located over a burial site which had been covered by historical lava flows. Known traditional and customary native Hawaiian practices and other valued cultural, historical or natural resources on the Property are located at the shoreline area, such as opihi and limu picking and shoreline fishing, and will be recognized and continued by the Applicants.
5. Ala Kahakai trail: The Ala Kahakai follows an approximately 175-mile portion of the prehistoric *ala loa* roughly parallel to the seacoast extending from 'Upolu Point down the west coast of the island around Ka Lae (South Point), to the east boundary of Hawaii Volcano National Park at the site of the former ancient shoreline temple know as Waha'ula Heiau, which was covered by lava flows in the 1990's. This "conceptual alignment of the Ala Kahakai" encompasses the entire coastline of the Kau district. Although the Property is located along the

Dean Uchida  
December 19, 2000  
Page 3

“theoretical trail route within the study area”, the Property has not been identified as a significant cultural site or resource in the *Ala Kahakai, National Trail Study and Final Environmental Impact Statement*, prepared by the Department of the Interior, National Park Service, Pacific West Region (January, 1998). In addition, the Applicants consulted with area residents during two community meetings conducted on November 12, 2000 on site at the subject Property, and on November 14, 2000 at the Naalehu Community Center. Area resident Simbralynn Kanakaole Esperon stated that since the Property was sacred land, the *Ala Kahakai* does not run through the Subject Property, and is located mauka of the Hawaii Belt Road.

6. South wing: The proposed residential structure is designed to approximate a Nepalese theme as envisioned by the Applicant. The **attached** south wing living area on the south side of the proposed development is designed to provide a separate, but **connected living area** for family and guests of the Applicants and will not be used for any caretaker's cottage or rental use. The south wing complies with Section 13-5-41, HAR and “Single-Family Residential Standards”, dated September 6, 1994, attached as Exhibit 4 to Chapter 13-5, “Conservation District”, Hawaii Administrative Rules.

Should you have any questions, please feel free to contact me. Thank you for your assistance.

Very truly yours,

  
STEVEN S.C. LIM

SSL:KYL  
xc: Mr. and Mrs. Carroll

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## SUMMARY

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**Applicants/Owners:** Mary & A. David Carroll

**Property Location:** Coastal property located approximately two miles north of Honuapo Park (Whittington Beach Park), at Kaalaiki and Hokukano, District of Kau, Island, County and State of Hawaii

**Tax Map Key and Parcel Size:** 9-5-16:36 (portion); Lot B-2  
47.425 acres

**Approving Agency:** Department of Land & Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96813

**Consultant:** Steven S. C. Lim  
Carlsmith Ball  
121 Waianuenu Avenue  
Hilo, Hawaii 96720  
Telephone: 935-6644

**Proposed Action:** Applicants Mary & A. David Carroll seek approval to construct a two-story, single-family residential dwelling and related accessory use improvements (man-made reflection pond, graveled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre of the 47.425-acre coastal property ("Property") located approximately two miles north of Honuapo Park (Whittington Beach Park), at Kaalaiki and Hokukano, District of Kau, Island, County and State of Hawaii ("Project Area"). The Property is within the State Land Use Conservation District, Resource or (R) subzone along the coastal area of the Property (makai of the Government Beach Trail), and General or (G) subzone (mauka of the Government Beach Trail). The Project Area is located within the County Special Management Area ("SMA") (makai of the Hawaii Belt Road) and is zoned "Open". The Project Area is accessed via the Hawaii Belt Road.

**Determination:** The proposed action is expected to have no significant impact on the environment, therefore, a Finding of No Significant Impact ("FONSI") is anticipated, subject to the provisions of Section 11-200-9, Hawaii Administrative Rules.

**Agencies Consulted**

State of Hawaii

- Department of Land & Natural Resources, Historic Preservation & Land Management Divisions
- Department of Health
- State Land Use Commission
- Office of Environmental & Quality Control

County of Hawaii

- Planning Department
- Department of Water Supply
- Department of Public Works
- Fire Department
- Police Department
- Civil Defense Agency

Federal Agencies

- U.S. Fish & Wildlife Services

## 1.0 INTRODUCTION

### 1.1 Identification of Applicants and Ownership

The Applicants are Mary and A. David Carroll, husband and wife, residents of Bryn Mawr, Pennsylvania, whose mailing address is 603 Winsford Road, Bryn Mawr, Pennsylvania 19010-3617. The Applicants are the fee owners of the Property involved in the subject project, being Lot B-2, a portion of Grant 2370 to Noa Malailua at Kaalaiki, and a portion of Government Lands by Exchange Deed at Hokukano, District of Kau, Island, County and State of Hawaii, more particularly identified as tax map key parcel: (3) 9-5-16:36 (portion) (see, Exhibit 1-Location Map; Exhibit 2-Tax Map). The Applicants' ownership of the Property is evidenced by the Warranty Deed, dated April 22, 1996, recorded at the Bureau of Conveyances of the State of Hawaii on April 26, 1996, as Document No. 96-057223 (see, Exhibit 3-Warranty Deed; MLS real property tax information; Schedules A and B Title Policy issued by Title Guaranty of Hawaii, dated April 26, 1996.

### 1.2 Identification of Approving Agency

This environmental assessment is being submitted in conjunction with an application to the Board of Land & Natural Resources for a Conservation District Use Application ("CDUA"), in accordance with Sections 13-5-13, 13-5-14, 13-5-24(c), 13-5-25(a), 13-5-34, and 13-5-41 of the Department of Land and Natural Resources ("DLNR") Administrative Rules. The approving agency for this environmental assessment is the Department of Land & Natural Resources.

### 1.3 Identification of Agencies Consulted in Making Assessment

The following agencies provided assistance or information in preparing this assessment:

#### State Agencies

- DLNR, State Historic Preservation and Land Management Divisions
- Department of Health
- State Land Use Commission

#### County Agencies

- Planning Department
- Department of Water Supply
- Department of Public Works
- Fire Department
- Police Department
- Civil Defense Agency

Federal Agency

- U.S. Fish & Wildlife Services

**2.0 PROJECT DESCRIPTION****2.1 Location**

The 47.425-acre unimproved oceanfront property is located approximately two miles north of Honuapo Park (Whittington Beach Park), at Kaalaiki and Hokukano, District of Kau, Island, County and State of Hawaii, and is designated by TMK No.:(3) 9-5-16:portion of 36; Lot B-2 (see, Exhibit 1-Location Map; Exhibit 2-Tax Map). The Property is flanked along its northern and southern boundaries by vacant State of Hawaii lands, on the southwest boundary by a privately owned vacant parcel, and along the eastern shoreline by the Pacific Ocean.

The Property is classified "Conservation" by the State Land Use Commission. The coastal area of the Property (makai of the Government Beach Trail) is designated within the Resource or (R) subzone, and the area mauka of the Government Beach Trail is designated within the General or (G) subzone. Hawaii County zoning for the Property is "Open". The Land Use Pattern Allocation Guide (LUPAG) Map designation is "Open" and "Extensive Agricultural." The Property is also located within the County of Hawaii's Special Management Area (SMA) which runs along the Hawaii Belt Road.

**2.2 Existing Uses and Activities**

The oceanfront Property is an unimproved "L-shaped" parcel, which is characterized by a gradual slope of predominantly historical pahoehoe lava flow which covers the entire area makai of the Government Beach Trail and abuts a later a'a lava flow to the west in the southwestern portion of the Property. Remains of cattle fencing and rockwall border the Property's northwestern and northern boundaries. Three to four fresh water springs (approximately 3 feet in diameter) are located along the extreme northern portion of the Property. The County of Hawaii recognizes a mauka-makai and lateral public access approximately 15 feet wide along the pedestrian Government Beach Trail which traverses laterally across the Property. Other four-wheel drive routes exist on the Property (see, Exhibit 4-Site Photographs).

## **2.3 Permits Issued for the Project**

### **2.3.1 Pre-existing Lot Determination**

On July 11, 1997, the Planning Department determined that the Government Beach Trail which traverses the parcel subdivides the subject property into two (2) separate legal lots of records. The Planning Director's letter and certified map were recorded in the Bureau of Conveyances of the State of Hawaii on July 24, 1997, as Document No. 97-097715 (see, Exhibit 5-Pre-existing lot determination).

### **2.3.2 Consolidation and/or Resubdivision**

Final subdivision approval (No. 7208) for the proposed subdivision of Lot B into Lot B-1 (1.929 acres) and Lot B-2 (47.425 acres) was granted on January 7, 2000 (see, Exhibit 6-Final Subdivision approval letter). The proposed action concerns Lot B-2.

### **2.3.3 Conservation District Use Permit No. HA-2923**

On July 27, 1999, the Department of Land & Natural Resources granted a departmental permit (CDUP No. HA-2923) for the consolidation and resubdivision of Lot B into Lot B-1 and Lot B-2 (see, Exhibit 7-CDUP).

### **2.3.4 Special Management Area Exemption**

Pursuant to Planning Commission Rules 9-4-(10)C and 9-10G, the Planning Director by letter dated September 1, 1999, determined that the proposed construction of the single-family dwelling and related accessory use improvements are exempt from the definition of "development", and declared that the Proposed Action is exempt from the SMA Rules (see, Exhibit 8-SMA exemption).

### **2.3.5 Shoreline Setback Area Determination and Shoreline Survey Waiver**

Pursuant to Planning Commission Rule 9-10B(8) and Planning Department Rule 11-45(c), the Planning Director by letter dated September 1, 1999, waived the requirement for submission of a certified shoreline survey because the dwelling's proposed site location approximately 824 feet inland from the shoreline clearly exceeds the mandatory minimum 40-foot shoreline setback requirement (see, Exhibit 8-SMA exemption letter.)

## 2.4 Surrounding Uses and Activities

The surrounding land areas are characterized by privately owned vacant lots of comparable size which are similarly classified "Conservation" by the State Land Use Commission, zoned "Open" under the Hawaii County Zoning Code (Chapter 25, Hawaii County Code), designated "Open" and "Extensive Agricultural" on the General Plan Land Use Pattern Allocation Guide (LUPAG) Map of the County of Hawaii, and is located within the County of Hawaii's Special Management Areas (SMA). The Property is flanked along its northern and southern boundaries by vacant State of Hawaii lands, on the southwest boundary by a privately owned vacant parcel, and along the eastern shoreline by the Pacific Ocean.

## 2.5 Proposed Uses and Activities

The Applicants are seeking a State Conservation District Use Permit for the purpose of constructing a two-story, single-family residential dwelling and related accessory use improvements (man-made reflection pond, graveled driveway, private water catchment and wastewater treatment systems), and landscaping (see, Exhibit 9-Site Plans).

For purposes of this assessment, the improvements being proposed by the Applicant will be called either the "Project" or the "Proposed Action", and the Conservation District land on which the Project is proposed will be called the "Project Area" or "Property."

- A. **Single-Family Dwelling:** Construction of a new two-story, single-family residential dwelling on concrete flooring, with approximately 3,150 square feet in living area, patio of approximately 400 square feet, and garage and storage area of approximately 455 square feet, as permitted land uses within the Resource (R) subzone under Section 13-5-24(c), HAR, General (G) subzone under Section 13-5-25(a), HAR. The house pad of the proposed single-family dwelling was previously graded by the prior owner of the Property. The Applicants also propose to construct a private water catchment system comprised of a 10,000-gallon water tank (16 ft. in diameter by 6 ft. in height), a private wastewater treatment system meeting all applicable County and State regulations, a 711 sq. ft. man-made reflection pond and an approximately 12,800 sq. ft. graveled driveway within the preexisting cindered roadway. Because of the natural contours of the proposed location of the man-made reflection pond, minimal grading will occur. The catchment system will provide water for the man-made reflection pond. Maintenance and cleaning of the pond will occur quarterly. The proposed improvements will be sited along the northwestern boundary of the Property, on the mauka portion of the Property, approximately 824 lineal feet from the shoreline. The attached south wing living area on the

south side of the proposed development is designed to provide a separate, but connected living area for family and guests of the Applicants and will not be used for any caretaker's cottage or rental use.

- *R-8 Single Family Residence*: A single-family residence that conforms to design standards as outlined in this chapter. (D-1).

The proposed improvements comply with Section 13-5-41, HAR and "Single-Family Residential Standards", dated September 6, 1994, attached as Exhibit 4 to Chapter 13-5, "Conservation District", Hawaii Administrative Rules as set forth below:

<u>Single-Family Residential Standards</u>	<u>Project Dimensions</u>
Minimum Lot Size: 10,000 square feet	Lot Size: 47.425 acres
Minimum Setbacks: Front: 25 feet Sides: 25 feet Back: 25 feet	Front: 300 feet Sides: 45 feet (mauka) Back: 700 feet (makai)
Maximum Developable Area: 5,000 square feet	Developable Area: 4,892 square feet • Main living area: 3,150 square feet • Patio: 400 square feet • Garage/storage area: 455 square feet • Water tank area: 176 square feet • Man-made pond: 711 square feet
Maximum Height limit: 25 feet	Maximum Height: 24 feet
Compatibility Provisions Landscaping	Landscaping will emphasize a naturally occurring plant community consisting of xeriscape plants that are drought resistant and native plants that are heat and drought tolerant.
Color/surface of structures	Neutral colors and materials such as wood, stone and slate will be used on the exterior of the dwelling to harmonize with the existing physical environment.
Water collection system	Construction of a private water catchment system comprised of a 10,000-gallon water tank (16 ft. in diameter by 6 ft. in height)

Single-Family Residential StandardsProject Dimensions

Wastewater treatment system

Construction of a private wastewater treatment system meeting all applicable County and State regulations.

Minimum grading/contouring of property

The site of the proposed dwelling had been previously graded by the prior property owner. Given the existing flat topography, the dwelling will be sited with minimal grading/contouring and will occupy approximately 3/4-acre.

Connecting structures

All structures are connected.

Building/grading code, shoreline setback compliance

Applicants will comply with all building/grading code requirements. The Planning Director by letter dated September 1, 1999, waived the requirement for submission of a certified shoreline survey because the dwelling's proposed site location approximately 824 feet inland from the shoreline clearly exceeds the mandatory minimum 40-foot shoreline setback requirement.

One kitchen

The dwelling has only one kitchen.

B. Landscaping Improvements: Planting of small shrubbery and ground cover, and shade trees around the perimeter of the residential dwelling as permitted land uses within the Resource (R) subzone under Section 13-5-24(c), HAR, and General (G) subzone under Section 13-5-25(a), HAR. The landscaping will improve upon the beauty of the Property by replacing existing weed species and will emphasize a naturally-occurring plant community consisting of xeriscape plants that are drought resistant and native plants that are heat and drought tolerant. Plant species being considered are pohinahina, 'akia, hinahina kukahakai, ma'o, naupaka kahakai, nehe, wililwili, 'ilima, a'ali'i and 'ulei. The final landscaping plan, which will depend in part on the availability of planting materials at the time of construction, will be submitted during construction plan approval. The man-made pond will be approximately 711 sq. ft. in area (see, Exhibit 9-Site Plan), and constructed within an existing hole dug by the prior owner.

- *R-5 Landscaping*: Landscaping, defined as alternation of plant cover, including trees, in an area of more than ten thousand square feet (C-1).



## 2.6 Timetable for Development

The Applicants propose to begin work on the proposed improvements within three months of receipt of all required permits from the State and County. It is anticipated that these improvements be completed within one year of commencement of construction.

## 3.0 ENVIRONMENTAL SETTING, IMPACTS & MITIGATION MEASURES

### 3.1 Physical Characteristics

#### 3.1.1 Physiography and Soils

*Setting.* The elevation of the Property ranges from sea level to approximately 100 feet above mean sea level. The topography of the Property is dominated by billowy pahoehoe basalt outcrops. The overall slope of the Property is approximately 0 to 6%.

Three to four fresh water springs (approximately 3 feet in diameter) are located along the extreme northern portion of the Property, approximately 2,500 feet north of the proposed single-family dwelling site.

The soils on the Property are classified by the United States Department of Agriculture, Soil Conservation Services, Soil Survey Report as "rLW" or "Lava Flows, Pahoehoe", which is a miscellaneous land type. This lava has a predominate billowy and smooth surface, although it can be rough and broken, and has no soil covering.

The Land Study Bureau Overall Master Productivity Rating classifies the soil within the Property as "E", or "Very Poor", in agricultural productivity, and the State of Hawaii, Department of Agriculture's Land of Importance to the State of Hawaii ("ALISH"), which lists all of the land in Hawaii with agricultural significance does not classify the area as being "Prime", "Unique" or "Other Important Agricultural Lands".

*Impacts and Mitigation.* The area of the proposed house site was previously graded by the prior owner of the Property. Therefore, although minor changes to the land form will result from the construction of the single-family residential dwelling and related accessory use improvements, no significant adverse impacts are expected. The proposed action would not result in loss of any valuable agricultural lands, since the soils on the Property are poor, and the Property has not been in active agricultural use.

### 3.1.2 Natural Hazards

#### *Setting.*

***Flood and Coastal Hazards.*** The shoreline characteristics of the Property and adjoining oceanfront properties are predominantly historical Pahoehoe flows. The shoreline fronting the Property is characterized by a general gradual slope to the sea. The coastal area of the Property (makai of the Government Beach Trail) is within the "VE-22 feet" (coastal floodplain with base flood elevations of 22 feet) and "AE-22" (base flood elevation of 22 feet), and the area of the Property mauka of the Government Beach Trail is within the "X" or outside the 500-year flood plain, per the U.S. Corps of Engineers Flood Insurance Rate Maps (FIRM) (see Exhibit 11, Flood Zone Map).

The County of Hawaii Civil Defense Agency recognizes that the shoreline along the Property is located within the Hawaii County Civil Defense Agency's evacuation area for hazards to tsunami and possible surges from hurricanes.

***Volcanic and Earthquake Hazards.*** According to the United States Geological Survey maps, the Property is located within Lava Flow Hazard Zone 3, on a scale of ascending risk 9 to 1. Zone 3 areas include the areas north of the upper east rift zone and both north and south of the southwest rift zone. Less than 5% of the area has been covered with lava in historical times. The Building Code designates the entire island of Hawaii in Earthquake Zone 3 and contains certain structural requirements to address the relative seismic hazards.

***Impacts and Mitigation.*** Although the Property is located within the coastal high hazard area, there is no tsunami data for the Project Area, and the shoreline along the Property has remained stable during seasonal coastal storms. In addition, the placement of the proposed improvements is sufficiently inland and elevated from the shoreline. Although the Property is located in the area flanked by Kilauea volcano, and is subject to down sloping lava flows, the degree of risk to human life is minimal.

### 3.1.3 Flora/Fauna

***Setting.*** A turtle habitat area is located to the north of the subject property. Rick Warshauer of the U.S. Fish & Wildlife Services has verbally indicated that the location of the proposed improvements would not have any adverse impact to the turtle habitat. The Hawaiian Hawk (I'o) and Owl (Puueo) have been sighted within the area during winter months. Surveys conducted by Bishop Museum in 1997 and area informants indicate that the current status of the Hawaiian *Megalagrion* damselflies species/

subspecies may exist in remote sections of Puna or upslope Kau, as well as on the Property. No other animal or plant species listed by the U.S. Fish & Wildlife Services as threatened or endangered, proposed, or a candidate species or "species of concern" occur on the Property or immediate vicinity. Known vegetation within the Property consists of a variety of shrub and ground cover. The predominant species include koa haole, kiawe, guinea grass, ilima, milo and naupaka shrub. The a'a lava outcrop is bare of vegetation. Known occupied fauna within the Property consists predominantly of lowland urban birds, such as common mynah, house sparrow, house finch, zebra dove, yellow-billed cardinal and Japanese white-eye. Mammal species which are expected to occur in the Property include mongoose, feral cat, mouse and rat. These are common species which are found throughout the island.

*Impacts and Mitigation.* Due to its location at the mauka end of the Property on the preexisting graded area, the proposed design and location of the residential dwelling and related accessory use improvements would not disrupt any existing wildlife on the site and will not involve the degradation of the springs ecosystem.

#### 3.1.4 Historical/Archaeological Resources

*Setting.* The Property is not among those listed as historic properties in the Hawaii Register, has not been determined to be eligible for inclusion in the National Register of Historic Places. Although area informants have claimed otherwise, the Property is not profiled as a significant cultural and/or historical site in the General Plan within the Kau district.

Several archaeological studies have been conducted within the ahupua'a of Ka'alaiki. An archaeological field inspection conducted by Paul H. Rosendahl, Ph.D., Inc., on August 10, 1995, assessed that archaeological remains identified in the northern portion of the Property mauka and makai of the Government Beach Road might be significant solely for information value, and archaeological remains consisting of at least nine structures clustered around the freshwater springs identified at the extreme northern end of the Property are potentially significant.

A site visit of the property was conducted on July 19, 2000 by Marc Smith of the DLNR's Historic Preservation Division. By letter dated November 3, 2000, DLNR has given written clearance for development of the proposed house site without further studies. DLNR has also directed that no further development occur on the remaining makai portion of the Property without further archaeological survey of the area (see Exhibit 15, DLNR-SHPD letter).

The Ala Kahakai follows an approximately 175-mile portion of the prehistoric *ala loa* roughly parallel to the seacoast extending from 'Upolu Point down the west coast of

the island around Ka Lae (South Point), to the east boundary of Hawaii Volcano National Park at the site of the former ancient shoreline temple know as Waha'ula Heiau, which was covered by lava flows in the 1990's. This "conceptual alignment of the Ala Kahakai" encompasses the entire coastline of the Kau district. Although the Property is located along the "theoretical trail route within the study area", the Property has not been identified as a significant cultural site or resource in the *Ala Kahakai, National Trail Study and Final Environmental Impact Statement*, prepared by the Department of the Interior, National Park Service, Pacific West Region (January, 1998).

The County of Hawaii recognizes a mauka-makai and lateral public access that runs through the Property along the pedestrian Government Beach Trail, starting from the Hawaii Belt Road and gradually traversing diagonally (south of the Property) starting at the Honuapo and Hionaa ahupua'as, and laterally along the Hokukano, Kaalaiki and Hilea Nui ahupua'as. The Government Beach Trail traverses laterally along the shoreline on the Property and is approximately 15 feet wide. Other four-wheel drive routes exist on the Property.

The Applicants consulted with area residents regarding traditional and customary native Hawaiian practices and other valued cultural, historical or natural resources of the ahupuaa during two community meetings conducted on November 12, 2000 on site at the subject Property, and on November 14, 2000 at the Naalehu Community Center. Area resident Simbralynn Kanakaole Esperon stated that since the Property was sacred land, the *Ala Kahakai* does not run through the Subject Property, and is located mauka along the Hawaii Belt Road. Area resident Raymond Dedman stated that the ahupuaa was used as a navigational training area and is a historical war site. Abel Lui stated that opihi, limu, fish and other coastal strand resources are gathered by Native Hawaiians. It was further contended that the previously graded house pad is located over a burial site which had been covered by historical lava flows. Known traditional and customary native Hawaiian practices and other valued cultural, historical or natural resources on the Property are located at the shoreline area, such as opihi and limu picking and shoreline fishing, and will be recognized and continued by the Applicants.

*Impacts and Mitigation.* Although archaeological sites on the Property have been identified, these sites are not among those listed as historic properties in the Hawaii State Register of Historic Places, and have not been determined to be eligible for inclusion in the National Register of Historic Places. The DLNR's Historic Preservation Division has given a verbal clearance for development of the proposed house site, and has directed that no further development should occur on the remaining portion of the Property without further archaeological survey of the area. In addition, although the Property is located along the Ala Kahakai "theoretical trail route," the

Property has not been identified as a significant cultural site or resource in the *Ala Kahakai, National Trail Study and Final Environmental Impact Statement*, and this finding has been supported by comments from area residents. If the Ala Kahakai exists within the Property, it is probably located along the alignment of the existing Government Beach Trail. Due to the location of the proposed house site away from these resources, the Applicants anticipate no adverse impacts to the resources as a result of implementing the proposed action. Therefore, other than the mitigative measures that would be monitored by DLNR, there is no other reasonable action to be taken to preserve these resources.

### 3.1.5 Air and Noise Quality

#### *Setting.*

*Air.* The air quality in the Kau district is largely affected by air pollutants from natural rather than vehicular sources. The most predominant source of natural pollutants is from the Kilauea volcano's east rift eruption located northwest of the Property. Emissions from the ongoing eruption can be seen in the form of a volcanic haze which intermittently blankets the area. Vehicular exhaust is a lesser source of air pollutants.

*Noise.* The noise generated in the vicinity of the Project Area is associated with existing vehicular sources along the Hawaii Belt Road. Other noises in the Project Area come from natural sources (ocean and wind) and wildlife.

*Impacts and Mitigation.* Minor short-term increase in noise level may be experienced during construction of the residential dwelling and related improvements, however, these noises will be confined to normal daylight hours. Since there are no neighbors residing in the vicinity of the Project Area, these are no substantial impact upon the noise quality anticipated by the proposed Project.

### 3.1.6 Scenic and Open Space Resources

*Setting.* The Property is located along a stretch of highway that presently has no development along it and has remained in its natural condition. The present landscape of the Project Area is characterized by gradually sloping terrain and scrub grasslands of no particular outstanding aesthetic value. The Property is not listed as a distinctive and identifiable land form distinguished as landmarks or as having a frontyard vista of distinctive feature as identified in the General Plan within the Kau District.

*Impacts and Mitigation.* The Property's gradually sloping terrain along with the proposed design and location of the residential dwelling and related accessory use improvements will ensure that the development is compatible with the visual

environment and will have minimal impact upon the public's view to and along the shoreline.

### **3.1.7 Coastal Resources**

*Setting.* The rocky shoreline of the Property and adjoining oceanfront properties are characterized by predominantly historical Pahoehoe flows that slope to the sea. The proposed development will not involve a degradation of the coastal ecosystem since the proposed improvements will be sited along the northwestern boundary of the Property away from the shoreline.

The County of Hawaii recognizes a mauka-makai and lateral public access that runs through the Property along the pedestrian Government Beach Trail, starting from the Hawaii Belt Road and gradually traversing diagonally (south of the Property) starting at the Honuapo and Hionaa ahupua'as, and laterally along the Hokukano, Kaalaiki and Hilea Nui ahupua'as. The Government Beach Trail traverses laterally along the shoreline on the Property and is approximately 15 feet wide. Other four-wheel drive routes exist on the Property.

*Impacts and Mitigation.* The Project does not involve any direct or chemical modifications to the nearshore environment. Therefore, there should be no physical disruption of the existing habitat, and more importantly, no changes that would affect the amount of wave energy striking the shoreline. The Applicants will employ standard precautions in conducting the construction of the residential dwelling and accessory use improvements. In addition, pedestrian access to the coastal shoreline for opihi and limu picking and shoreline fishing within the Project Area will not be curtailed since lateral pedestrian public shoreline access to the shoreline is secured along the coastline and will be recognized and allowed by the Applicants.

## **3.2 Socio-economic Considerations**

The Project should generate minor improvements to the economy resulting from construction related jobs for the proposed improvements.

## **3.3 Public Facilities**

### **3.3.1 Access**

*Setting.* Access to the Property is provided from the Hawaii Belt Road, a State owned and maintained two-lane paved roadway, having a 26-foot roadway surface in a 60-foot right-of-way. A 15-foot wide roadway and utility easement is located along the southwestern boundary and provides access to adjoining parcel Lot B-1.

*Impacts and Mitigation.* The Proposed Action is not anticipated to create any substantial adverse impact upon access.

### 3.3.2 Water Resources

*Setting.* The nearest County of Hawaii municipal water system is provided by the Naalehu Well, approximately 4.3 miles from the Project Area. Therefore, no municipal water system is available to the Project Area. Potable water will be drawn from a private water catchment system comprised of a 10,000 gallon water tank, approximately (16 ft. in diameter by 6 ft. in height). As noted on Plate 6 of the "Water-Resources Investigations Report 95-4212", Station "12.15" (Sea Mountain) is the closest active rain-gaging station and mean annual rainfall data to the Property. From the available and current climatological data for Station "12.15", the annual precipitation for the years 1996 and 1997 were 53.69 inches and 39.71 inches, respectively. The following variables and formulas which were used to predict the amount of available water for potable and emergency uses on the Property supports the private rain water catchment system.

- An average family (4 people) requires 50 gallons/person/day (gpd) = total of 200 gpd
- Proposed roof area of single-family dwelling = 3,000 square feet
- One cubic foot of water = 7.48 gallons
- Median rainfall (years 1996/1997) = 47" of rainfall/year or 4' of rainfall/year
- 4' rainfall/year x 3,000 sq. ft. dwelling x 7.48 gallons/cub. ft. = 89,760 gallons/year
- 89,750 gallons/365 days in a year = 246 gpd
- 246 gpd/family of 4 = 62 gpd
- 62 gpd less 50 gpd (minimum need) = 12 gpd (in excess)

As an alternative, the Applicants, in times of low rainfall may order backup potable water from private water hauling services at an approximate cost of \$150.00 per 4,000 gallons.

The Applicants may also seek the Commission on Water Resource Management's ("CWRM") approval for the construction of a water well to be located below the bluff in the area of the proposed single-family residence. Preliminary discussion with CWRM staff indicates that pursuant to the Hawaii Well Construction and Pumping Installation guidelines, any production well should be located 1,000 feet from the septic tank. The CRWM further informs that there are no standards relating to buffer areas between the location of the water well and the natural springs.

*Impacts and Mitigation.* Since there is no municipal water service to the Project Area, there will be no adverse impact upon the municipal system by reason of the Proposed Action. Based on area climatological data, the Property receives sufficient rainfall to support a water catchment system to store and supply water for potable and emergency

uses. Backup potable water is readily available through any number of water hauling operators, or the construction of a private water well system as approved by the CWRM. Coastal resources will not be affected as the location of the water well will be located over 500 feet from the shoreline.

### **3.3.3 Utilities**

*Setting.* Electrical and telephone service entries are located fronting Hawaii Belt Road, at the mauka end of the Property, and the Project Area is serviced by Hawaii Electric Light Company and Verizon.

*Impacts and Mitigation.* There is no anticipated adverse impact upon electrical and telephone utility services by reason of the Proposed Action since service entries are available to the Property.

### **3.3.4 Police and Fire Protection**

*Setting.* Police and fire protection services are provided from the Naalehu police and fire stations located approximately five miles south of the Property. Emergency medical services are available at the Kau Hospital in Pahala, approximately eight miles north of the Property.

*Impacts and Mitigation.* The Proposed Action is not anticipated to increase the demand for police and fire services which are available within the Project Area.

## **4.0 RELATIONSHIP OF THE PROPOSED ACTION TO LAND USE PLANS, POLICIES AND CONTROLS FOR THE AFFECTED AREA**

### **4.1 Chapter 205, Hawaii Revised Statutes, State Land Use Law**

All lands within the State have been classified into one of our land use districts: Urban, Rural, Agricultural and Conservation, by the State Land Use Commission, pursuant to Chapter 205, HRS. The coastal area of the Property (makai of the Government Beach Trail) is designated within the Resource or (R) subzone, and the area mauka of the Government Beach Trail is designated within the General or (G) subzone (see Exhibit 10-Conservation Subzone map).

Section 205-2(e), HRS, provides that Conservation District shall include:

areas necessary for protecting watersheds and water sources;  
preserving scenic and historic area; providing park lands, wilderness,  
and beach reserves; conserving endemic plants, fish and wildlife;



preventing floods and soil erosion; forestry; open space area whose existing openness; natural condition, or present state of use, if retained, would enhance the present or potential value of abutting or surrounding communities or would maintain or enhance the conservation of natural or scenic resources; areas of value for recreational purposes; other related activities; and other permitted uses not detrimental to a multiple use conservation concept.

Lands located within the State Land Use Conservation Districts are administered by DLNR, pursuant to Chapter 183C, HRS.

#### **4.2 State Administrative Rules Governing Land Uses within Conservation Districts, Section 13-5-13, Hawaii Administrative Rules**

Title 13 of the Hawaii Administrative Rules ("HAR"), for the Department of Land and Natural Resources, under Subtitle 1, Chapter 5, regulates land uses within the Conservation District. The rules establish five subzones within the Conservation District: the *Protective (P)*, *Limited (L)*, *Resource (R)*, *General (G)* and *Specific* subzones. All land within the Conservation District has been designated within one of the five subzones by BLNR. The coastal area of the Property (makai of the Government Beach Trail) is designated within the Resource or (R) subzone, and the area mauka of the Government Beach Trail is designated within the General or (G) subzone.

Section 13-5-13, HAR, provides that the objective of the Resource (R) subzone "is to develop, with proper management, areas to ensure sustained use of the natural resources of those area." Section 13-5-14, HAR, provides that the objective of the General (G) subzone "is to designate open space where specific conservation uses may not be defined, but where urban use would be premature." Further, all identified land uses listed for the Resource (R) subzone (Section 13-5-24, HAR) also apply to the General (G) subzone under Section 13-5-25, HAR.

The improvements proposed in the Project are permitted land uses within the Resource (R) and General (G) subzones, under Sections 13-5-24 and 25, HAR.

#### **4.3 Hawaii State Plan, Chapter 266, Hawaii Revised Statutes**

The Hawaii State Plan, Chapter 226, HRS, establishes a set of goals, objectives and policies to serve as long-range guidelines for the growth and development of the State. The following sections of the Hawaii State Plan contain guidelines that are relevant to the Proposed Action.

Section 226-11. Objective and policies for the physical environment - scenic, natural beauty, and historic resources.

*Objectives:* Prudent use of Hawaii's land-based, shoreline, and marine resources.

Effective protection of Hawaii's unique and fragile environmental resources.

*Policies:* Exercise an overall conservation ethic in the use of Hawaii's natural resources.

Take into account the physical attributes of areas when planning and designing activities and facilities.

Manage natural resources and environs to encourage their beneficial and multiple use without generating costly or irreparable environmental damages.

*Analysis:* The proposed action has been designed to harmonize with the existing physical environment. No changes in the shoreline or topography are envisioned. Pedestrian access along the shoreline will not be curtailed since lateral pedestrian public shoreline access to the shoreline is secured along the coastline. The residential dwelling's proposed site location approximately 824 feet inland from the shoreline will exceed the mandatory minimum 40-foot shoreline setback requirement and therefore will not generating costly or irreparable environmental damages.

Section 226-12. Objective and policies for the physical environment - scenic, natural beauty, and historic resources.

*Objective:* Planning for the State's physical environment shall be directed towards achievement of the objective of enhancement of Hawaii's scenic assets, natural beauty, and multiple-cultural/historic resources.

*Policies:* Promote the preservation of views and vistas to enhance the visual and aesthetic enjoyment of mountains, oceans, scenic landscapes and other natural features.

Encourage the design of development and activities that complement the natural beauty of the islands.

*Analysis:* The Proposed Action is proposed on approximately 3/4-acre of the 47.425-acre parcel, and the remaining portion of the Property will continue to remain in its natural condition. In addition, the proposed design and location of the residential dwelling and related accessory use improvements will ensure that the development is compatible with the visual environment thus minimizing the public's view to and along the shoreline.

#### 4.4 Hawaii County General Plan

The Hawaii County General Plan is a policy document for the long range comprehensive development of all land within the County of Hawaii. The plan contains goals, policies and standards, as well as, a set of land use maps, designated as the General Plan Land Use Pattern Allocation Guide ("LUPAG") maps, showing the location of desired land uses.

The LUPAG map designates the Property along the shoreline as "Open," and the remaining portion of the Property as "Extensive Agricultural." The Open designation includes parks and historic sites, and the Extensive Agricultural designation includes pasture and range lands. The Proposed Action does not conflict with the General Plan designations since the Project Area encompasses approximately 3/4-acre of the 47.425-acre parcel, which will be sited along the northwestern boundary of the Property within the "Extensive Agricultural" designation.

#### 4.5 Hawaii County Zoning

The Property is zoned under the Hawaii County Zoning Code (Chapter 25, Hawaii County Code) as "Open" and "Conservation."

#### 4.6 County Special Management Area

The Property is located within the Special Management Area ("SMA") which runs along the Hawaii Belt Road, as defined in Chapter 205A, HRS, and Rule 9 of the County of Hawaii Planning Commission Rules.

Rule 9-4(10)B provides that "Development" does not include the following uses, activities or operations:

- "(i) Construction of a single-family residence that is not part of a larger development"

Rule 9-4(10)C provides that: "Any proposed use, activity, or operation listed in paragraph B shall be deemed to be 'Development' until the Director has determined it to be exempted from the definition of 'development.'"

Pursuant to Planning Commission Rules 9-4(10)C and 9-10G, the Planning Director by letter dated September 1, 1999, determined that the proposed construction of the single-family dwelling and related accessory use improvements are exempt from the

definition of “development”, and declared that the Proposed Action is exempt from the SMA Rules (see, Exhibit 8-SMA exemption letter).

#### **4.7 Shoreline Setback Area**

The shoreline area of the Property is located within the 40-foot shoreline setback area as defined by Rule 8 of the County of Hawaii Planning Commission Rules. By letter dated September 1, 1999, the Planning Director acknowledged that the dwelling’s proposed site location approximately 824 inland from the shoreline will exceed the mandatory minimum 40-foot shoreline setback requirement (see, Exhibit 8-SMA exemption letter).

#### **4.8 Environmental Impact Statement.**

Section 343-5(a)(2), HRS, provides that any use that is proposed within any land classified as Conservation District land by the State Land Use Commission under Chapter 205, is subject to the Environmental Impact Statement law, Chapter 343, HRS.

Section 343-5(c), HRS, provides that applicants proposing actions subject to Chapter 343, HRS,

“ . . . shall prepare an environmental assessment of such proposed action at the earliest practicable time to determine whether an environmental impact statement shall be required.”

This environmental assessment has been prepared to fulfill these requirements.

### **5.0 IDENTIFICATION OF MAJOR IMPACTS AND ALTERNATIVES CONSIDERED**

#### **5.1 Major Impacts**

The modest scope of the proposed improvements are not expected to contribute to any economic, social or environmental concerns, or cause adverse environmental impacts, except for minor temporary noise and dust inconveniences during the construction period which can be mitigated by implementation of control measures standard to the industry.

In addition, no major long-term impacts are anticipated as a result of the implementation of Applicants’ proposal, since the proposed single-family residence and accessory use improvements, and landscaping are identified and permitted uses

within the Resource (R) and General (G) subzones, pursuant to Sections 13-5-24 and 25, HAR.

In compliance with County SMA approval, Applicants will site the proposed residential improvements approximately 824 feet inland of the shoreline in excess of the mandatory minimum 40-foot shoreline setback requirement. Applicants will also construct private water catchment system comprised of a 10,000-gallon water tank and wastewater treatment systems meeting with all applicable governmental regulations to further protect against shoreline impacts.

## **5.2 Alternatives to the Proposed Action**

The Applicants have reduced the size of the proposed residence, and related accessory use improvements including the size of the pond and perimeter landscaping as initially envisioned. Under the no-action alternative, the Applicants would abandon the proposed action and the Project Area would remain vacant land. This alternative deprives the Applicants of the reasonable use of their Property. The Applicants also submit that the County would realize no benefit if the Property were left unused or underutilized.

## **6.0 WRITTEN COMMENT AND RESPONSE DURING PRE-ASSESSMENT**

Pre-assessment review was received from the State Department of Land and Natural Resources (see, Exhibit 12, comments and Applicant's responsive letters.)

## **7.0 WRITTEN COMMENTS AND RESPONSES DURING PUBLIC REVIEW PERIOD**

Agency comments on the Draft Environmental Assessment were received from the County of Hawaii Planning Department, the Office of Environmental Quality Control, and the University of Hawaii at Manoa (see, Exhibit 13, agency comments and Applicants' responsive letters).

Comments were received from area residents in the form of a petition. In response, the Applicants notified and invited all individuals listed on the petition to two informational meetings held on November 12, 2000 on site at the subject Property, and on November 14, 2000 at the Naalehu Community Center. Approximately ten individuals attended the informational meeting on November 12, and approximately 25 individuals attended the informational meeting on November 14, (see, Exhibit 14, petition and Applicants' responsive letters).

**8.0 AGENCY ANTICIPATED DETERMINATION AND FINDINGS AND REASONS SUPPORTING ANTICIPATED DETERMINATION**

Based on the information described herein, the Proposed Action will not result in significant social, economic, cultural or environmental impacts. Consequently, a Finding of No Significant Impact ("FONSI") is anticipated, subject to the public review provisions of Section 11-200-9.1, HAR.

In considering the significance of potential environmental effects, the Applicants have considered the sum of effects on the quality of the environment and evaluated the overall cumulative effects of the Proposed Action. The Applicants have considered the expected consequences, both primary and secondary, and the cumulative, as well as, the short- and long-term effects of the Proposed Action. As a result of these considerations, the Applicants have determined that the approval of the Proposed Action will have no significant effect on the environment since:

1. There are no known cultural resources in the area that would involve an irrevocable commitment to loss or destruction of any natural or cultural resources. Although archaeological sites on the Property have been identified, these sites are not listed as historic properties in the Hawaii State Register of Historic Places, and have not been determined to be eligible for inclusion in the National Register of Historic Places. Further, although the Property is located along the Ala Kahakai "theoretical trail route", the Property has not been identified as a significant cultural site or resource in the *Ala Kahakai, National Trail Study and Final Environmental Impact Statement*. The Applicants remain committed to allowing access along the shoreline area of their Property for traditional and customary cultural practices and related shoreline access.
2. The beneficial uses of the environment for recreational and access purposes will not be curtailed since lateral pedestrian public shoreline access to the shoreline is secured along the coastline.
3. The preparation of the environmental assessment is in compliance with Chapter 344, HRS, and the proposed action does not conflict with the short or long term policies, goals and guidelines of Chapter 343, HRS.
4. The economic or social welfare of the community will be positively affected from the creation of construction related jobs. The proposed action should not preclude the development of coastal dependent economic uses and/or public and private facilities.

5. Public health will not be affected since temporary construction activities for the proposed single-family residential dwelling and related accessory use improvements is anticipated to last less than a year and can be properly mitigated through standard construction practices. In addition, the removal of brush and weed from the Property and the replanting of small shrubbery and ground cover will help abate dust problems in the area.
6. The proposed action will not cause substantial secondary impacts, nor adversely affect population changes on public facilities. Access is provided off of Hawaii Belt Road, a State owned and maintained roadway. Electrical and telephone entries are located at the mauka corner of the Property, and the Applicants' propose to draw potable water from a private water catchment system and wastewater disposal will be handled by a private water treatment system to be installed by Applicants in compliance with applicable governmental regulations. There are no additional burdens on public facilities anticipated from the proposed action.
7. The Proposed Action does not involve a substantial degradation of environmental quality as the proposed improvements do not compromise the character of the Property and surrounding area since the Project Area encompasses approximately 3/4-acre of the 47.425-acre parcel and siting of the single-family residential dwelling will be on the previously graded site.
8. The Project Area encompasses 3/4-acre and the remaining portion of the Property will remain consistent in character and size with other undeveloped property in the area, will not burden existing area resources and available public services, and therefore does not have a cumulative effect upon the environment or involve a commitment for larger action.
9. The Hawaiian Hawk (Iʻi) and Owl (Puueo) have been sited within the area during winter months. A turtle habitat area is located to the north of the subject property and the Hawaiian *Megalagrion* damselflies species/subspecies may exist in remote sections of Puna or upslope Kau, as well as on the Property. The proposed design and location of the residential dwelling and related accessory use improvements would not disrupt any existing wildlife on the site and will not involve the degradation of the springs ecosystem. No other animal or plant species listed by the U.S. Fish & Wildlife Services as threatened or endangered, proposed, or a candidate species or "species of concern" occur on the Property or immediate vicinity.
10. The proposed action will not detrimentally affect air or water quality or ambient noise levels since temporary construction activities for the

construction of a proposed single-family residential dwelling is anticipated to last a few months and can be properly mitigated through standard construction practices. Further, the removal of brush and weed from the Property and the replanting of small shrubbery and ground cover will help abate dust problems in the area.

11. Although the Property is located within a "coastal high hazard area" and within the Hawaii County Civil Defense Agency's tsunami evacuation area, there is no tsunami data for the Project Area, and the shoreline along the Property has remained stable during seasonal coastal storms.
12. The Property is not listed as a distinctive and identifiable land form distinguished as landmarks or as having a frontyard vista of distinctive features as identified in the General Plan within the Kau district. The proposed improvements will occur on 3/4-acre of the 47.425-acre parcel and the remaining portion will remain in its natural condition and no substantially impact upon the scenic vistas and viewplanes of surrounding properties is anticipated.
13. No energy consumption will be required for the proposed action.



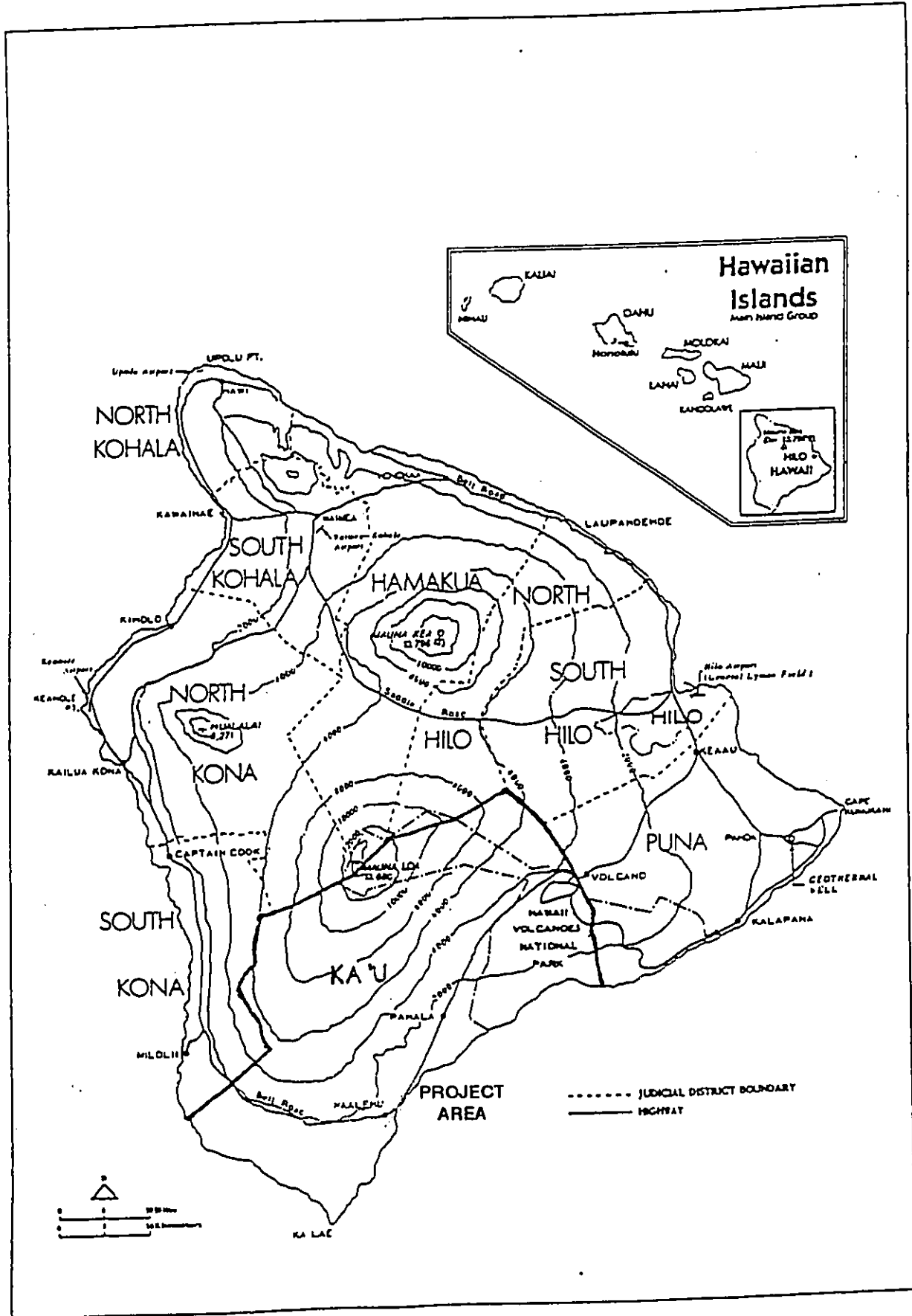
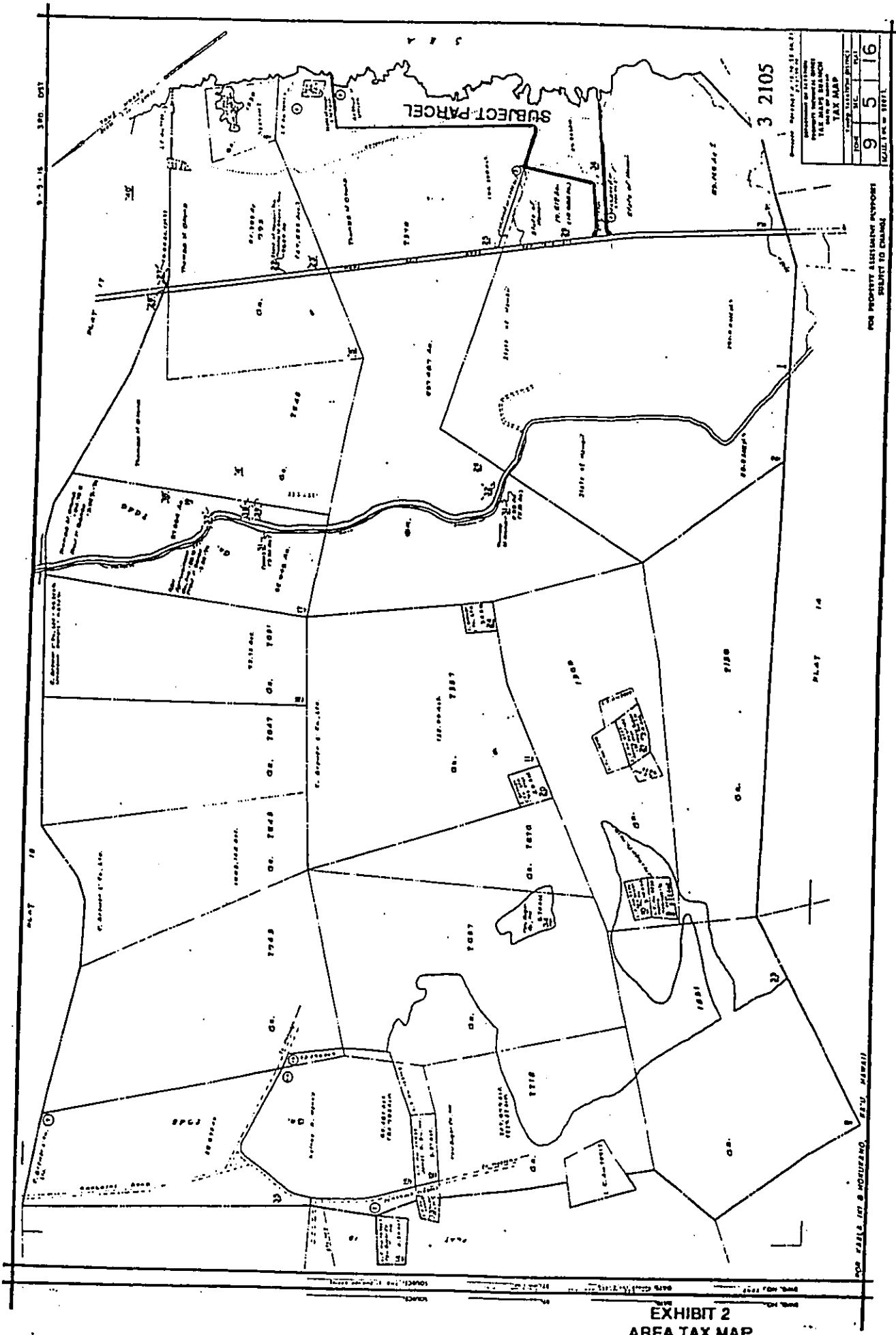


EXHIBIT 1  
 LOCATION MAP



R-154

STATE OF HAWAII  
BUREAU OF CONVEYANCES  
RECORDED

APR 26. 1996 08:03 AM

Doc No(s) 96-057223

/s/ CARL T. WATANABE  
ACTING  
REGISTRAR OF CONVEYANCES  
CONVEYANCE TAX: \$225.00

LAND COURT SYSTEM

REGULAR SYSTEM

Return by: MAIL (X) PICKUP( ) TO:

MARY COLVERT CARROLL  
603 Winsford Road  
Bryn Mawr, PA 19010

TITLE NO.: 139862  
ESCROW NO.: 96-301-0262  
TAMMIE LEE RABARA

*EW/LS*

TITLE OF DOCUMENT:

WARRANTY DEED

PARTIES TO DOCUMENT:

GRANTOR: MARY ANA ULRICH, unmarried, formerly known as Mary Ana Nascimento,  
whose mailing address is 19-4535 Ama'Uma'U Road, Volcano, HI 96785

GRANTEE: A. DAVID CARROLL and MARY COLVERT CARROLL, husband and wife,  
whose mailing address is 603 Winsford Road, Bryn Mawr, PA 19010

TAX MAP KEY (3) 9-5-010-036

rd/vrt/ig95.96/4-23-96

EXHIBIT 3  
WARRANTY DEED

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That MARY ANA ULRICH, single, whose mailing address is 19-4535 Ama'Uma'U Road, Volcano, HI 96785, hereinafter called the "Grantor", for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to the Grantor paid by A. DAVID CARROLL and MARY COLVERT CARROLL, husband and wife, whose mailing address is 603 Winsford Road, Bryn Mawr, PA 19010, hereinafter called the "Grantee", the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto the Grantee all of that certain real property designated on the tax maps of the Third Taxation Division, State of Hawaii, as Tax Map Key 9-5-016-036, more particularly described in Exhibit A attached hereto and made a part hereof, subject to the encumbrances noted therein.

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

TO HAVE AND TO HOLD the same unto the Grantee, as tenants by the entirety, their assigns and the survivor of them, and the heirs, personal representatives, and assigns of the survivor of them, in fee simple forever.

AND THE SAID GRANTOR does hereby covenant with the Grantee that the Grantor is lawfully seised in fee simple of said granted premises and that the said premises are free and clear of all encumbrances except as aforesaid, and except for assessments for real property taxes. And the said Grantor further covenants and agrees that the Grantor has good right to sell and convey the said premises in the manner aforesaid; that the Grantor will WARRANT AND DEFEND the same unto the Grantee against the lawful claims and demands of all persons, except as aforesaid.

IT IS MUTUALLY AGREED that the terms "Grantor" and "Grantee", as and when used hereinabove or hereinbelow shall mean and include the masculine or feminine, the singular or plural number, individuals, associations, trustees, corporations or partnerships, and their and each of their respective successors in interest, heirs, executors, personal representatives, administrators and

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

IN WITNESS WHEREOF, the Grantor has executed these presents on this 22nd  
day of April 1996.

  
MARYANA ULRICH

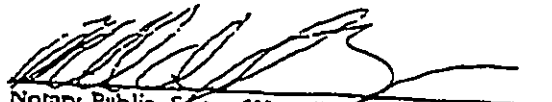
APPROVED AS TO FORM  
CARLSMITH BALL WICHMAN  
CASE & ICHIKI

BY \_\_\_\_\_  
4-19-96

STATE OF HAWAII  
COUNTY OF HAWAII

)  
) ss.  
)

On this 22nd day of April, 1996, before me personally appeared **MARY ANA ULRICH**, to me known (or proved to me on the basis of satisfactory evidence) to be the person described in and who executed the foregoing instrument, and acknowledged to me that she executed the same as her free act and deed.

  
Notary Public, State of Hawaii

My commission expires: 1-21-99

EXHIBIT A

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 2370 to Noa Malailua) situate, lying and being at Kaalaki, Kau, Island and County of Hawaii, State of Hawaii, and thus bounded and described:

Beginning at a pipe at the west corner of this parcel of land and on the southeast side of Hawaii Belt Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "MILL" being 13,092.71 feet south and 8,094.10 feet west and running by azimuths measured clockwise from true South:

- |    |      |     |     |          |   |
|----|------|-----|-----|----------|---|
| 1. | 210° | 22' | 10" | 104.37   | feet along the southeast side of Hawaii Belt Road to a pipe;  |
|    |      |     |     |          | Thence following along the remainder of Grant 2370 to Noa Malailua along a curve to the left having a radius of 60.00 feet, the chord azimuth and distance being: |
| 2. | 358° | 01' | 05" | 60.21    | feet to a pipe;   |
| 3. | 325° | 40' |     | 1,442.35 | feet along the remainder of Grant 2370 to Noa Malailua along a curve to the left having a radius of 60.00 feet, the chord azimuth and distance being:             |
| 4. | 270° | 53' |     | 98.03    | feet to a pipe;   |
| 5. | 216° | 06' |     | 2,403.59 | feet along the remainder of Grant 2370 to Noa Malailua to a pipe;   |
| 6. | 300° | 22' | 10" | 670.00   | feet along the remainder of Grant 2370 to Noa Malailua to a "+" cut in pahoehoe at seashore at highwater mark;  |
|    |      |     |     |          | Thence following along seashore in all its  |

				windings along highwater mark, the direct azimuth and distance between points at highwater mark being:
7.	42°	50'	29"	3,312.27 feet to a "r" cut in pahoehoe;
8.	123°	40'		1,019.83 feet along Government Land to a pipe;
9.	230°	40'		924.00 feet along Government Land to a pipe;
10.	145°	40'		1,018.47 feet along Government Land to the point of beginning and containing an area of 49.365 acres, more or less.

Excepting therefrom and conveyed to the State of Hawaii in EXCHANGE DEED dated December 8, 1975, recorded in Liber 11531 at Page 75, being more particularly described as follows:

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 2370 to Noa Malailua) situats, lying and being at Kaalaiki, District of Ka'u, Island and County of Hawaii, State of Hawaii, and thus bounded and described as per survey of John N. Smith, Registered Professional Surveyor, dated December 26, 1974, to-wit:

Beginning at a pipe at the west corner of this parcel of land, and on the southeast side of Hawaii Belt Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" being 13,092.71 feet south and 8,094.10 feet west and running by azimuths measured clockwise from true South:

1.	210°	22'	10"	104.37	feet along the southeast side of Hawaii Belt Road to a pipe; thence following along the remainder of Grant 2370 to Noa Malailua along a curve to the left having a radius of 60.00 feet, the chord azimuth and distance being:
----	------	-----	-----	--------	---



2.	358°	01'	05"	64.21	feet to a pipe;
3.	325°	40'		1,003.57	feet along the remainder of Grant 2370 to Noa Malailua to a pipe;
4.	50°	40'		60.23	feet along the remainder of Grant 2370 to Noa Malailua to a pipe;
5.	145°	40'		1,018.47	feet along the Government Land to the point of beginning and containing an area of 62,049 square feet, more or less.

BEING THE PREMISES DESCRIBED IN QUITCLAIM DEED

GRANTOR : EULELA LATTIMER ULRICH, Trustee of the  
Residuary Trust under the Will of Arthur  
Henry Ulrich, Deceased, dated January 29, 1979

GRANTEE : MARY ANA ULRICH, unmarried, formerly known as  
MARY ANA NASCIMENTO, as Tenant in Severalty

DATED : April 20, 1994

RECORDED : Document No. 94-071086

SUBJECT HOWEVER TO:

1. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
2. Location of the seaward boundary in accordance with the laws of the State of Hawaii and shoreline setback line in accordance with County regulation and/or ordinance and the effect, if any, upon the area of the land described herein.
3. Government Beach Trail as shown on tax map.
4. Claims arising out of rights customarily and traditionally exercised for subsistence, cultural, religious, access or gathering purposes as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.

END OF EXHIBIT A

3-9-5-16-36

Owner: ULRICH, MARY A / ETAL  
Tax Payer: CARROLL, A DAVID / MARY Tenure: F Semi-Annual Tax: \$79.00  
Tax Bill : 603 WINSFORD RD, BRYN MAWR PA 19010 USA  
Assessed Value Exemption Size Bldgs: 0 Dwellings: 0  
Land: 15,800 0 49.36 acres PITT: 600 Zoning: UNPLAN  
Tot Bldg: 0 0 0 sq ft Use: 0 Nbhod: 9538

--- Sales ---

05/03/94 TRANSD-M \$0 Doc 94-071086  
ULRICH MARY ANA  
04/26/96 DEED \$225,000 Doc 96-057223  
POR R.P. GRANT 2370 = 49.365 AC  
CARROLL, A, DAVID (Tenants By Entirety)  
CARROLL, MARY, COLVERT (Tenants By Entirety)

SCHEDULE A

Premium: \$805.00  
Amount of Insurance: \$225,000.00  
Date of Policy: April 26, 1996 at 8:01 o'clock a.m.  
Policy No.: T70-055578  
TG File No.: 159862

Hawaii Standard Owner's Policy (1991)  
-----

1. Insured

A. DAVID CARROLL and MARY COLVERT CARROLL, husband and wife,  
as Tenants by the Entirety, as Fee Owner

2. Title to the estate, lien or interest insured by this policy  
is vested in

THE NAMED INSURED

3. Estate, lien or interest insured

FEE SIMPLE

4. Description of the real estate with respect to which this  
policy is issued

See Schedule C.

SCHEDULE B

---

All matters set forth in the paragraphs below the caption "Exclusions from Coverage" on the inside cover of this Policy and the following matters are expressly excluded from the coverage of this Policy and the Company will not pay loss or damage, costs, attorney's fees or expenses which arise by reason thereof.

Part I

1. Real Property Taxes have been fully paid up to and including June 30, 1996.  
Tax Key: 9-5-016-036 (3)      Area Assessed: 49.365 acres
2. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
3. Location of the seaward boundary in accordance with the laws of the State of Hawaii and shoreline setback line in accordance with County regulation and/or ordinance and the effect, if any, upon the area of the land described herein.
4. Government Beach Trail as shown on tax map.
5. Claims arising out of rights customarily and traditionally exercised for subsistence, cultural, religious, access or gathering purposes as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.

## SCHEDULE C

The land referred to in this policy is described as follows:

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 2370 to Noa Malailua) situate, lying and being at Kaalaiki, Kau, Island and County of Hawaii, State of Hawaii, and thus bounded and described:

Beginning at a pipe at the west corner of this parcel of land and on the southeast side of Hawaii Belt Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" being 13,092.71 feet south and 8,094.10 feet west and running by azimuths measured clockwise from true South:

- |    |      |     |     |          |   |
|----|------|-----|-----|----------|---|
| 1. | 210° | 22' | 10" | 104.37   | feet along the southeast side of Hawaii Belt Road to a pipe;  |
|    |      |     |     |          | Thence following along the remainder of Grant 2370 to Noa Malailua along a curve to the left having a radius of 60.00 feet, the chord azimuth and distance being: |
| 2. | 358° | 01' | 05" | 64.21    | feet to a pipe;   |
| 3. | 325° | 40' |     | 1,442.35 | feet along the remainder of Grant 2370 to Noa Malailua along a curve to the left having a radius of 60.00 feet, the chord azimuth and distance being:             |
| 4. | 270° | 53' |     | 98.03    | feet to a pipe;   |
| 5. | 216° | 06' |     | 2,403.59 | feet along the remainder of Grant 2370 to Noa   |

SCHEDULE C CONTINUED

					Malailua to a pipe;
6.	300°	22'	10"	670.00	feet along the remainder of Grant 2370 to Noa Malailua to a "+" cut in pahoehoe at seashore at highwater mark;
					Thence following along seashore in all its windings along highwater mar, the direct azimuth and distance between points at highwater mark being:
7.	42°	50'	29"	3,312.27	feet to a "+" cut in pahoehoe;
8.	123°	40'		1,019.83	feet along Government Land to a pipe;
9.	230°	40'		924.00	feet along Government Land to a pipe;
10.	145°	40'		1,018.47	feet along Government Land to the point of beginning and containing an area of 49.365 acres, more or less.

Excepting therefrom and conveyed to the State of Hawaii in EXCHANGE DEED dated December 8, 1975, recorded in Liber 11531 at Page 75, being more particularly described as follows:

All of that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Grant Number 2370 to Noa Malailua) situate, lying and being at Kaalaiki, District of Ka'u, Island and County of Hawaii, State of Hawaii, and thus bounded and described as per survey of John N. Smith, Registered Professional Surveyor, dated December 26, 1974, to-wit:

Beginning at a pipe at the west corner of this parcel of land, and on the southeast side of Hawaii Belt Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "HILL" being 13,092.71 feet south and 8,094.10 feet west and running by azimuths measured clockwise from true South:

SCHEDULE C CONTINUED

1.	210°	22'	10"	104.37	feet along the southeast side of Hawaii Belt Road to a pipe; thence following along the remainder of Grant 2370 to Noa Malailua along a curve to the left having a radius of 60.00 feet, the chord azimuth and distance being:
2.	358°	01'	05"	64.21	feet to a pipe;
3.	325°	40'		1,003.57	feet along the remainder of Grant 2370 to Noa Malailua to a pipe;
4.	50°	40'		60.23	feet along the remainder of Grant 2370 to Noa Malailua to a pipe;
5.	145°	40'		1,018.47	feet along the Government Land to the point of beginning and containing an area of 62,049 square feet, more or less.

BEING THE PREMISES ACQUIRED BY WARRANTY DEED

GRANTOR : MARY ANA ULRICH, unmarried, formerly known as MARY ANA NASCIMENTO

GRANTEE : A. DAVID CARROLL and MARY COLVERT CARROLL, husband and wife, as Tenants by the Entirety

DATED : April 22, 1996

RECORDED : Document No. 96-057223



VIEW OF PROPERTY DRIVEWAY ENTRANCE FROM HAWAII BELT ROAD  
LOOKING IN MAKAI/SOUTHEASTERN DIRECTION



VIEW OF EXISTING DRIVEWAY LOOKING  
MAUKA/NORTHWEST TOWARD HAWAII BELT ROAD

EXHIBIT 4  
SITE PHOTOGRAPHS





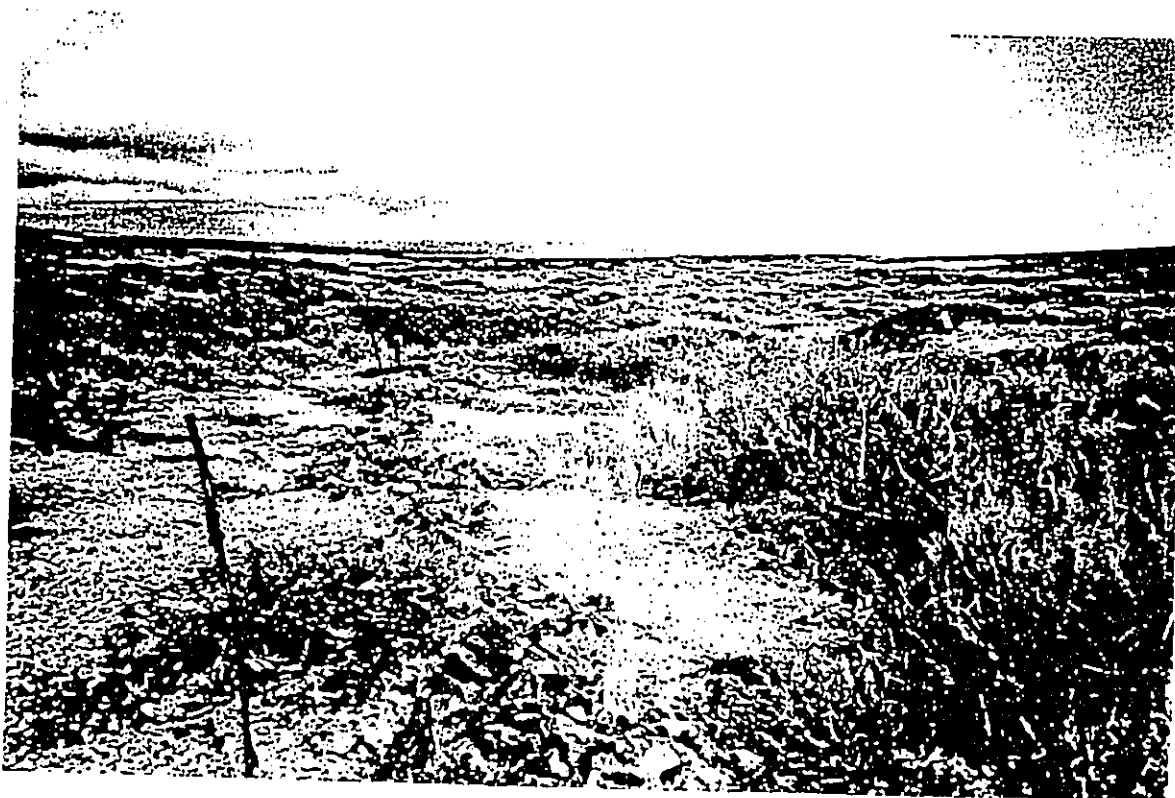
VIEW OF PROPERTY FROM MAKAI/SOUTHERN CORNER  
LOOKING IN THE MAUKA/NORTH DIRECTION



VIEW OF MAUKA PORTION OF THE PROPERTY  
LOOKING IN THE MAKAI/SOUTH DIRECTION



VIEWS OF OLD GOVERNMENT BEACH ROAD NEAR INTERSECTION WITH OLD FENCE BOUNDARY LINE



VIEWS OF OLD GOVERNMENT BEACH ROAD NEAR INTERSECTION WITH OLD FENCE BOUNDARY LINE

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) 961-6288 • Fax (808) 961-9615

July 11, 1997

Steven S.C. Lim, Esq  
Carlsmith Ball Wichman Case & Ichiki  
Attorneys At Law  
PO Box 686  
Hilo, HI 96720

Dear Mr. Lim:

Determination of Pre-Existing Lots  
Kealaiki, Ka'u, Hawaii  
TMK: 9-5-16:36, Lot B

This is to acknowledge receipt of your letters dated June 17 and 23, 1997, containing the documents regarding the subject matter.

Please be advised that we have reviewed the documents submitted, our department records, as well as those of the Real Property Tax Division, and conclude that the Government Beach Trail traversing the parcel subdivides the subject property into two (2) separate legal lots of record.

It is recommended that a modern survey of the two (2) separate lots be done and new deeds recorded, including access, if necessary.

Should you have any questions, please feel free to contact Ed Cheplic of this department.

Sincerely,

  
VIRGINIA GOLDSTEIN  
Planning Director

ETC:lnm  
c:\pre\prec97-3\9-5-16.lim  
Enc.-Certified Map

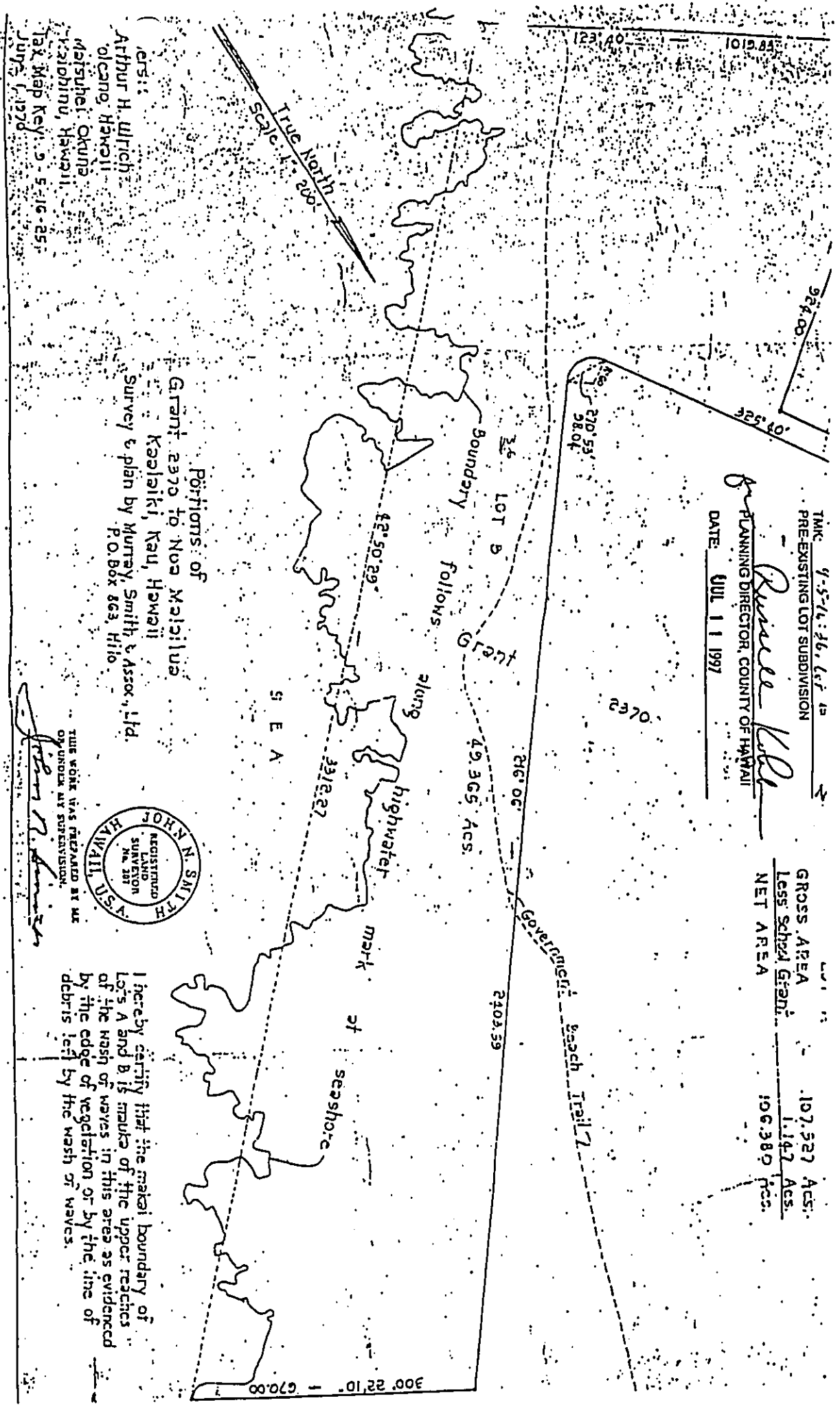
xc: Tax Map Section/Honolulu  
Real Property Tax Division-HILO  
Office of the Corporation Counsel

EXHIBIT 5

T.M.K. 4-5-4:26, Lot 12  
PRE-EXISTING LOT SUBDIVISION

*Russell W. Lee*  
PLANNING DIRECTOR, COUNTY OF HAWAII  
DATE: JUL 11 1997

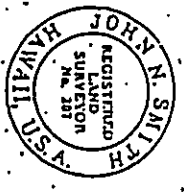
GROSS AREA 107,527 ACS.  
Less School Grant 1,147 ACS.  
NET AREA 106,380 ACS.



Portions of  
Grant 2370 to Nua Malailua  
Kaalaiki, Kau, Hawaii  
Survey to plan by Murray, Smith & Assoc., Ltd.  
P.O. Box 663, Hilo

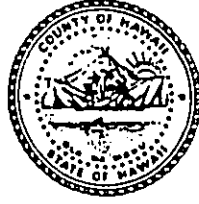
Arthur H. Ulrich  
Matsuhel Okuna  
Kaiobinu, Hawaii  
Tax Map Key 5-5-16-25  
June 1, 1976

THIS WORK WAS PREPARED BY ME  
OR UNDER MY SUPERVISION.  
*John N. Smith*



I hereby certify that the mark boundary of  
Lots A and B is made of the upper reaches  
of the wash of waves in this area as evidenced  
by the edge of vegetation or by the line of  
debris left by the wash of waves.

Stephen K. Yamashiro  
Mayor



RECEIVED JAN 11 1999

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

January 7, 2000

Steven S.C. Lim, Esq.  
Carlsmith Ball  
Attorneys At Law  
121 Waianuenue Avenue  
Hilo, HI 96720

Dear Mr. Lim:

FINAL PLAT MAP  
FINAL SUBDIVISION APPROVAL NO. 7208  
SUBDIVIDERS: CARROLL, Mary & A. David  
Proposed Subdivision of Lot B  
Into Lots B-1 & B-2  
A Portion of Grant 2370,  
A Portion of Government Lands by Exchange Deed  
At Kaalaiki, Ka'u, Island of Hawaii, Hawaii  
TMK: 9-5-016:036 (SUB 99-034)

Please be informed that final subdivision approval for recordation is hereby granted to the final plat map dated September 27, 1999, as attached herewith inasmuch as all requirements of the Subdivision Code, Chapter 23, as modified have been met.

You and the subdividers may wish to consult a surveyor for the preparation of the necessary legal documents and description of the certified final plat map for the purpose of recordation with the State of Hawaii, Bureau of Conveyances.


EXHIBIT 6  
FINAL SUBDIVISION APPROVAL

Steven S.C. Lim, Esq  
Carlsmith Ball  
Page 2  
January 7, 2000

Copies of the certified final plat map are enclosed.

Sincerely,



 VIRGINIA GOLDSTEIN  
Planning Director

ETC:lm

\\0\SUBDIVASUB\Subc2000-1\99034carroll\FNL.doc  
cs.- 2 Certified FPM

xc: Manager, DWS  
Chief Engineer, DPW  
District Environmental Health Program Chief, DOH  
District Engineer, DOT  
Roy Uchida, GIS Analyst w/certified FPM  
Real Property Tax Division - Hilo w/certified FPM  
Mary & A. David Carroll  
Don McIntosh Consulting

REIVED JUL 28 1999



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION  
P.O. BOX 521  
HONOLULU, HAWAII 96809

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

JUL 27 1999

REF:PB:LT

File No.: HA-2923

Steven S.C. Lim, Esq.  
Carlsmith Ball  
121 Waianuenu Avenue  
P.O. Box 686  
Hilo, Hawaii 967201-0686

Dear Mr. Lim:

Subject: Departmental Permit for a Consolidation and  
Resubdivision of TMK: 9-5-16: 36 at Hokuano, Kau,  
Hawaii

I am pleased to inform you that the Chairperson approved the application submitted on behalf of Mary and A. David Carroll for a consolidation and resubdivision of Lot B into Lot B-1 and Lot B-2, subject to the following conditions:

1. The applicant shall comply with all applicable statutes, ordinances, rules, regulations, and conditions of the federal, State and county governments;
2. The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury or death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;
3. The applicant shall provide the Department of Land and Natural Resources (Department) with documentation (e.g., book and page or document number) that the permit approval has been placed in recordable form as a part of the deed instrument(s);
4. The applicant shall provide the Department with a copy of the final subdivision map approved by the County of Hawaii;
5. All representations set forth in the application materials for this project are hereby incorporated as conditions of the permit;

EXHIBIT 7  
CDUP HA-2923



6. Other than the subject consolidation and resubdivision, no land uses, as defined in Section 13-5-2, Hawaii Administrative Rules, are approved by this action;
7. The applicant understands and agrees that this permit does not convey any vested rights or exclusive privileges;
8. In issuing this permit, the Department has relied on the information and data which the applicant has provided in connection with this permit application. If, subsequent to the issuance of the permit, such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings;
9. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the applicant shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;
10. Other terms and conditions as may be prescribed by the Chairperson; and
11. That failure to comply with any of these conditions shall render this Conservation District Use Permit null and void.

Please acknowledge receipt of this Departmental Permit with the above noted conditions by signing both copies in the space provided below. Return one copy within thirty days and retain the other copy. Should you have any questions, please call Lauren Tanaka at 587-0385, Planning Branch of the Land Division.

Aloha,




DEAN UCHIDA, Administrator

Attachment

Receipt Acknowledged

*Mary C. Canou*

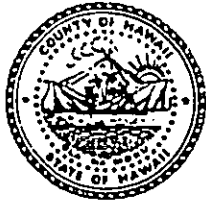
  
Signature

8/4/99  
Date

c: Hawaii Board Member  
Hawaii District Land Office  
County of Hawaii Planning Dept.

RECEIVED SEP - 3 1999

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

September 1, 1999

Mr. Steven S.C. Lim  
Carlsmith Ball - Attorneys at Law  
P.O. Box 686  
Hilo, Hawaii 96721-0686

Dear Mr. Lim:

Special Management Area (SMA) Use Permit Assessment  
Application (SMAA 99-31)  
Applicant: Mary & A. David Carroll (landowners)  
Request: One Single Family Dwelling Development with  
Accessory & Related Improvements in  
SLU (State Land Use): "Conservation" District  
Kalaiki & Hokukano, Ka'u, Hawaii Island  
TMK: 9-5-16: por. 36, Lot B-2 (lot area: 47.5 acs.) (Subd. App. 99-34)

**Findings: Declaration of Exemption from SMA Rules.** Pursuant to Hawaii County Planning Commission SMA Rule 9-4(10)C, the Director has determined that the proposed construction of one single family dwelling with an attached caretaker's quarters and related accessory improvements are exempt from the SMA definition of "development". This project is exempt under Rule 9-4(10)B(i) because it constitutes the construction of a dwelling that is not part of a larger development. In accordance with Rule 9-10G, the Planning Director declares that the proposed dwelling improvements are exempt from the SMA rules and regulations.

**Scope of Exemption.** The exemption is granted for the proposed improvements consistent with the description presented in the SMA assessment application materials, the submitted site plan, and the representations of the applicant's attorney.

EXHIBIT B  
SMA EXEMPTION

Mr. Steven S.C. Lim  
Carlsmith Ball - Attorneys at Law  
Page 2  
September 1, 1999

Building Permit & Flood Zone Requirements. While the proposed construction is exempt from further SMA review it is still subject to all other applicable state and county regulations as well as the Building Permit application process of the County Department of Public Works - Building Division and the Hawaii County Flood Zone flood zone criteria of DPW - Engineering Division.

**Jurisdictional Authority in State Land Use: "Conservation" Districts.** Parcel 05 is located in the SLU "Conservation" district where the County has no administrative zoning jurisdiction. Land use jurisdiction of "Conservation" lands is governed by the State DLNR (Department of Land & Natural Resources).

**Waiver: Submission of Shoreline Survey.** Submission of a shoreline survey is waived pursuant to Planning Commission SMA Rule 9-10B(8) because the proposed dwelling's 600 feet shoreline setback constitutes a considerable distance from the shoreline. According to the applicant and representations from their attorney, the dwelling's proposed site location will be approximately 600 feet inland from the shoreline, a distance that far exceeds the minimum 40 feet shoreline setback of Planning Department Rule 11-5.

**Historical & Archeological Resources.** Consistent with the SMA Historic Resources Policy of Rule 9-6B.2, the applicant is recommended to consult with the SHPD (State Historic Preservation Division) concerning the significance of the archeological and historic resources identified on parcel 36.

Any questions on this matter can be discussed with staff planner, Earl Lucero.  
Ph: 961-8288.

Sincerely,



VIRGINIA GOLDSTEIN  
Planning Director

EML:gp  
f:\wp60\earl\sma\maa9931.eml

Mr. Steven S.C. Lim  
Carlsmith Ball - Attorneys at Law  
Page 3  
September 1, 1999

cc: West HI Planing Office  
Subdivision Section  
SMA Section  
Don Hibbard, DLNR-SHPD

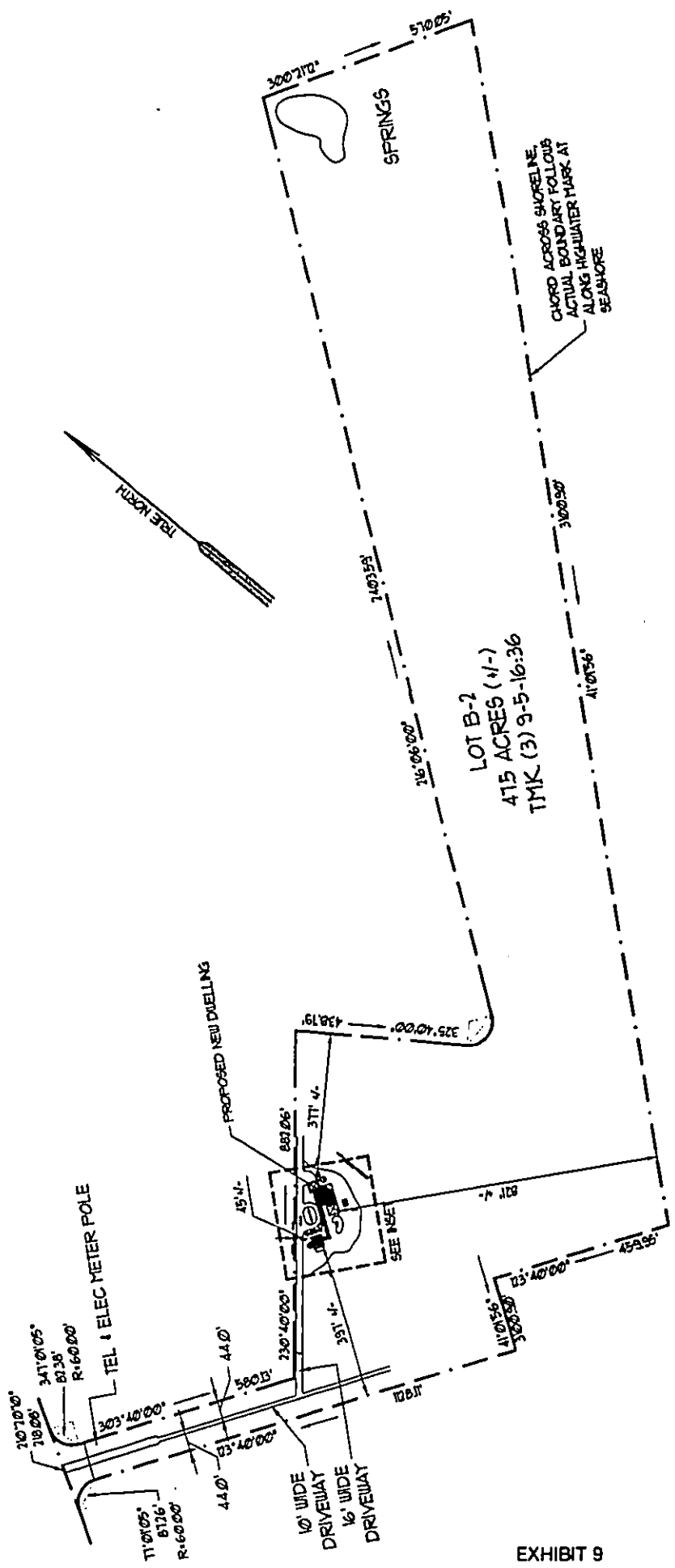
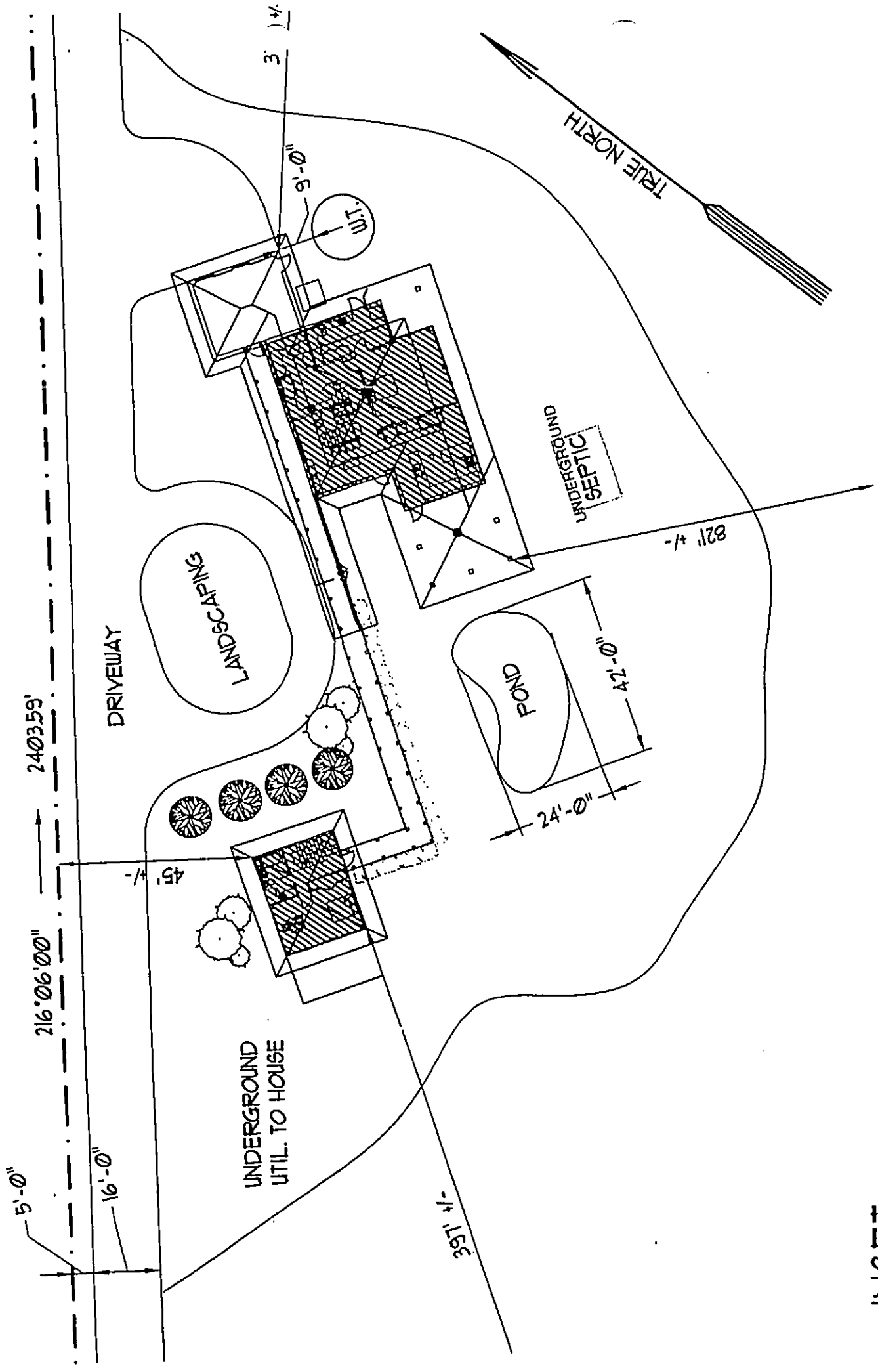
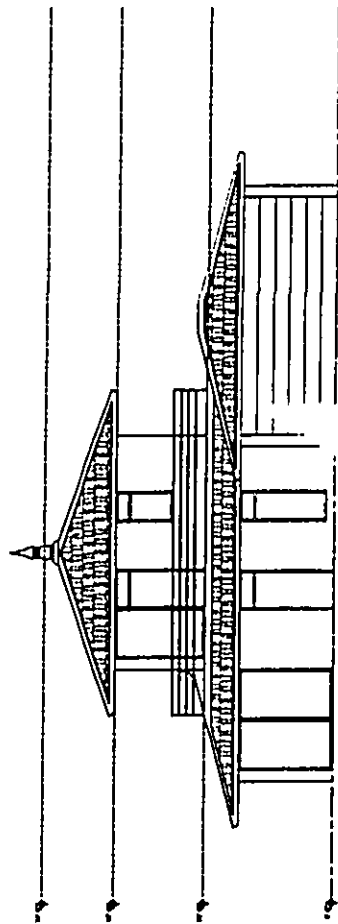
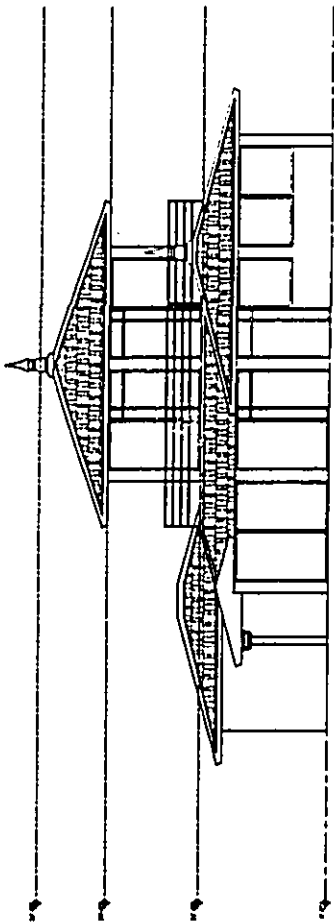
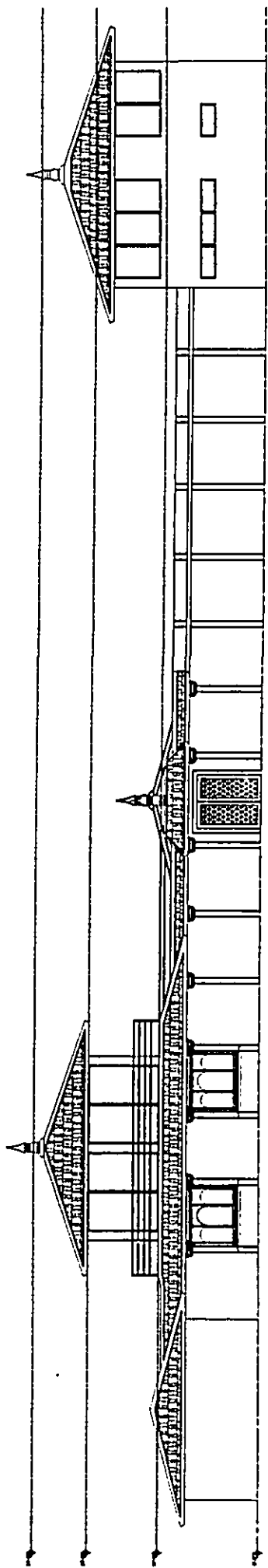
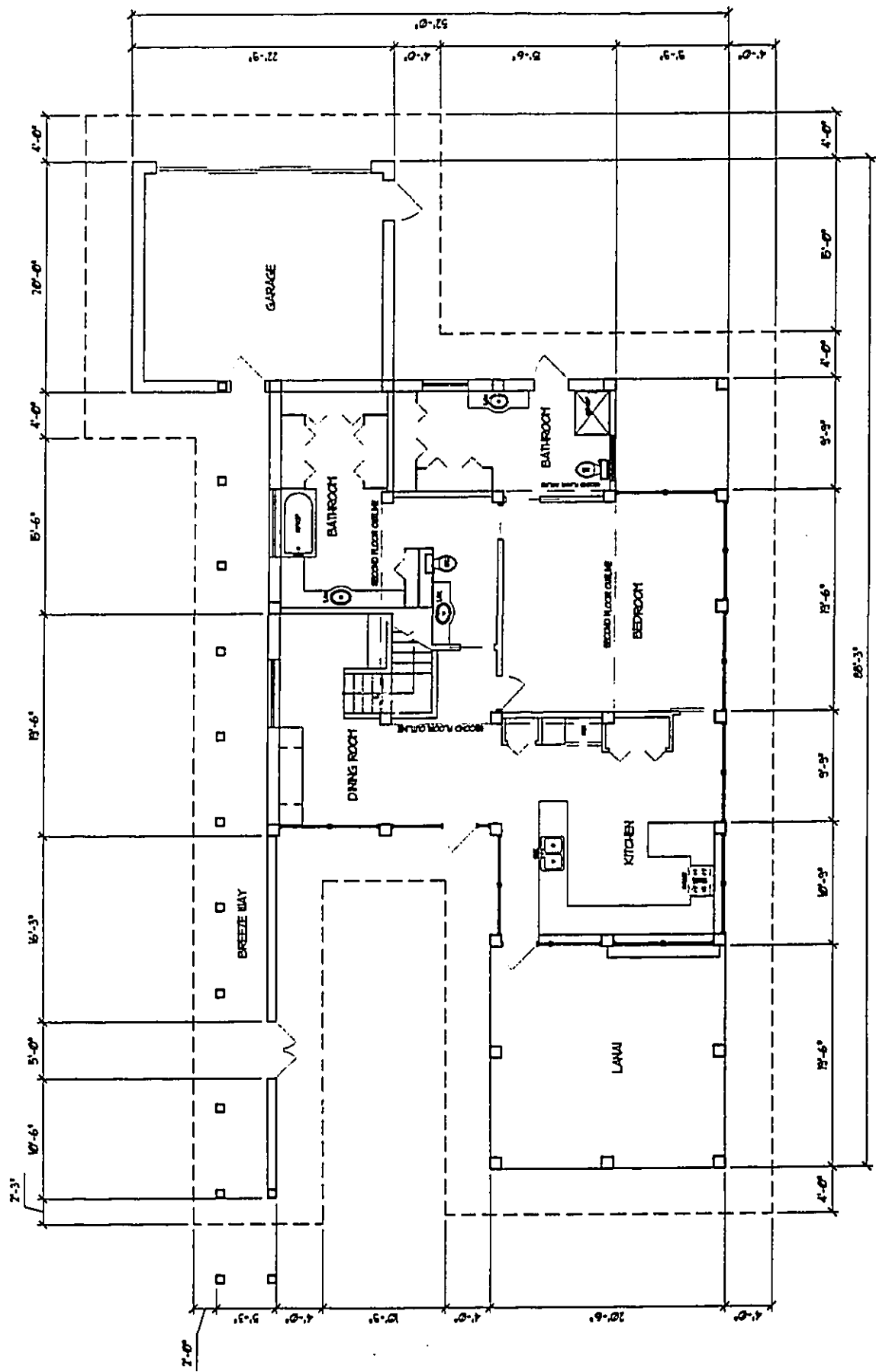


EXHIBIT 9  
SITE PLANS



INSET:  
 SCALE: 1" = 30'-0"

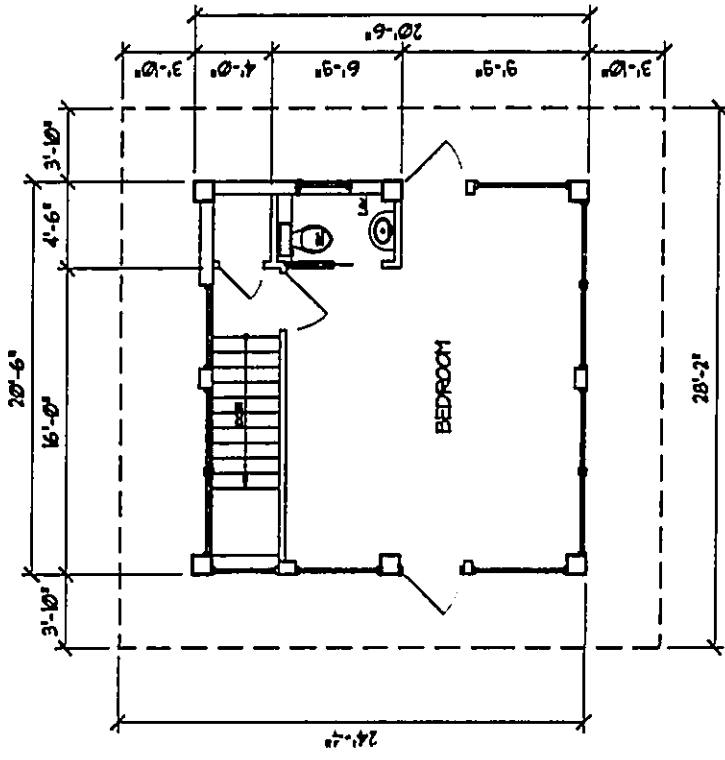




MAIN HOUSE FIRST FLOOR PLAN

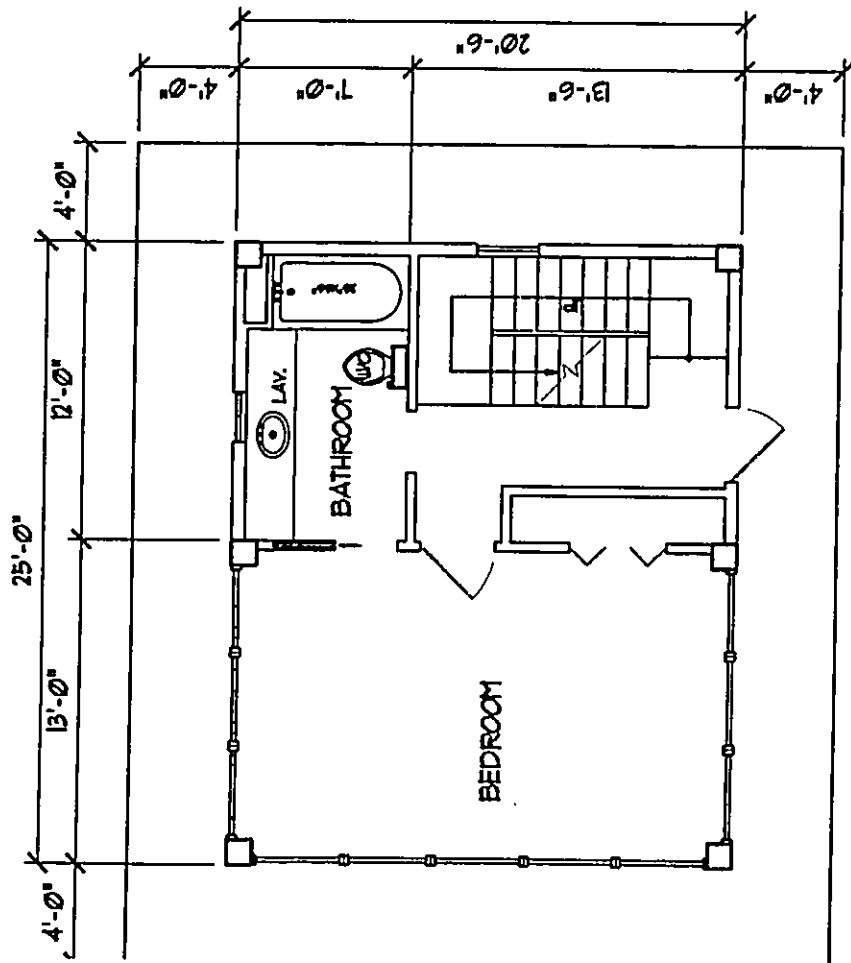
DATE 07-1-87



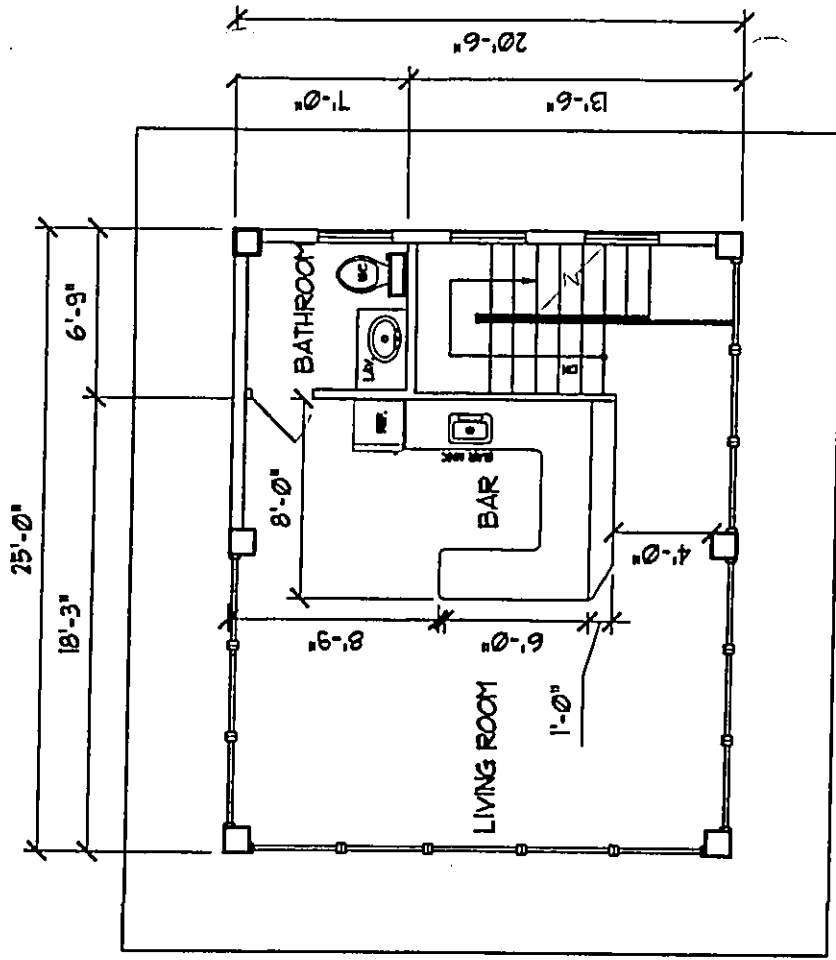


MAIN HOUSE SECOND FLOOR PLAN

02/23/2017



SOUTH WING FIRST FLOOR PLAN  
SCALE: 1" = 10'



SOUTH WING SECOND FLOOR PLAN  
SCALE: 1" = 10'

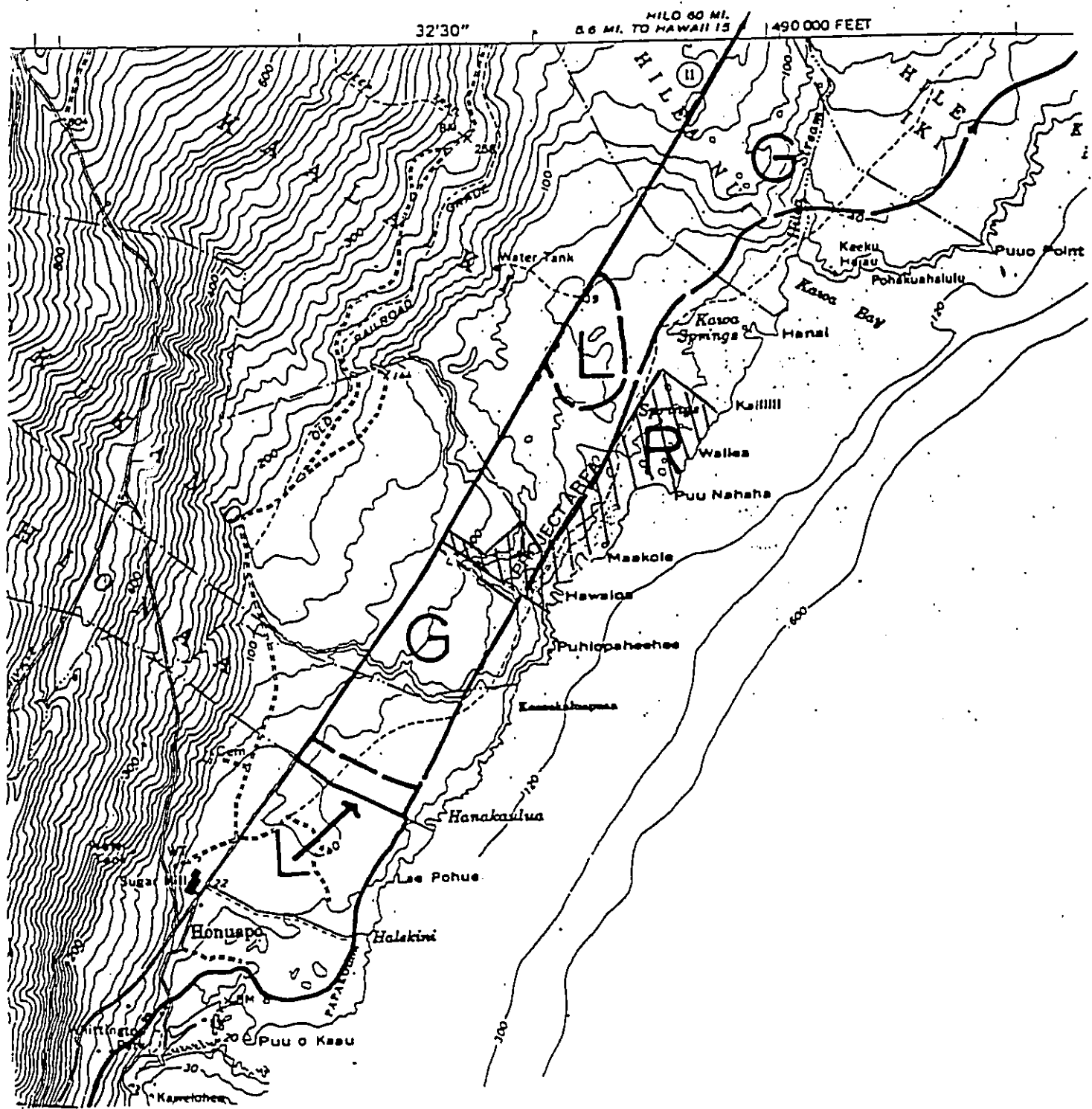
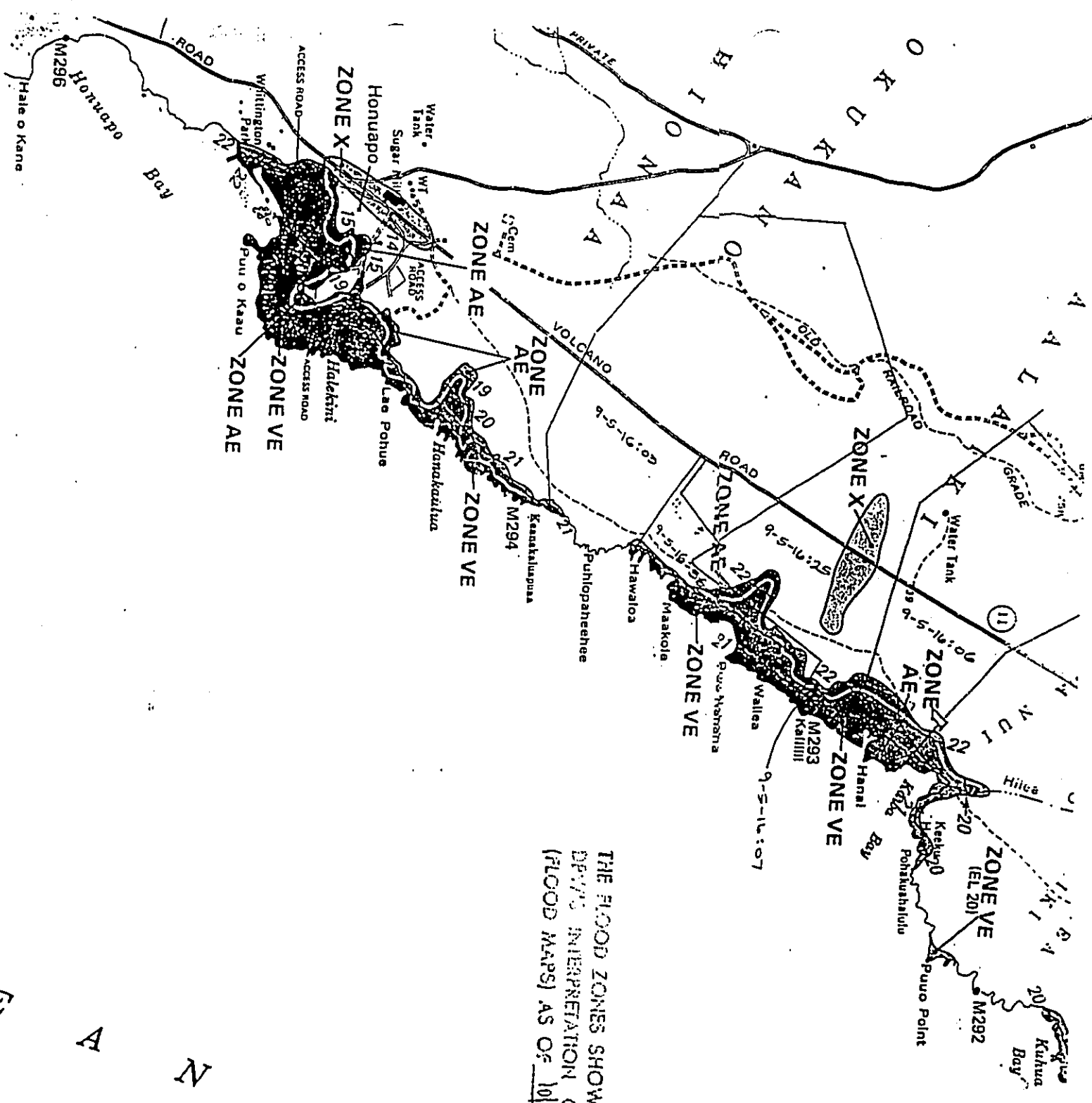


EXHIBIT 10  
CONSERVATION SUBZONE MAP



THE FLOOD ZONES SHOWN REPRESENT  
 DPW'S INTERPRETATION OF THE FIRM  
 (FLOOD MAPS) AS OF 10/6/98

N  
 A  
 E

EXHIBIT 11  
 FLOOD ZONE MAP



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

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

MAY 10 2000

File No.: CDUA HA-2988B

REF.PB:EAH

Mr. Steven S.C. Lim  
Smith Ball  
121 Waianuenu Avenue  
Hilo, Hawaii 96721-0686

Dear Mr. Lim,

Subject: Conservation District Use Application (CDUA) HA-2988, for the Construction of a Single-Family Residence and Related Improvements at Kau, County of Hawaii, TMK(3)9-5-16:36

Thank you very much for taking the time to produce an informative Conservation District Use Application submission for a single-family residence (SFR) and related improvements at Kau, County of Hawaii. However, it does not appear that some issues were addressed during the environmental assessment scoping process. Unfortunately, we are unable to accept your application for processing at this time. Please respond to the issues below in an exhibit to the draft environmental assessment (DEA) submission and revise the DEA and exhibits to reflect your responses to the issues below.

Also, since a public hearing will not be required for the proposed use, we are returning your check for \$450.00 and request that you submit a check in the amount of \$200 made out to the State of Hawaii covering the CDUA application fee.

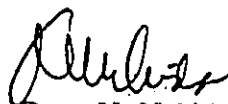
1. Reflection Pond: Is the proposed reflection pond an existing natural feature? If not, please include a site plan covering changes to the natural environment, describe in writing, describe pond maintenance issues in writing and include its area in the calculation of the total area to be developed;
2. Caretaker's Residence: Separate caretakers' residences may not be allowed under Chapter 13-5, HAR. If you wish to include the cottage in your application, please discuss how the cottage is allowed pursuant to Chapter 13-5, HAR;
3. Water Catchment System: Please describe in writing, include a site plan, include its area in the calculation of the total area to be developed and address the seasonal effects of water supply/demand on its capacity to supply water to residents;

EXHIBIT 12  
PRE-ASSESSMENT REVIEW

4. Private Wastewater Treatment System: Please describe in writing, include a site plan, its sq. ft. coverage and discuss the proposed system's capacity;
5. Site Plans: Please indicate the height of all structures; indicate the total square foot coverage for the proposed driveway, include the distance of the proposed driveway from property boundaries; include plans for all proposed grading and grubbing activity; document that the proposed improvements are located outside of the 500 year flood zone; consult with the Department's Division of Historic Preservation and indicate on a map and describe all archeological and historic sites if necessary; indicate on a map known natural lava tube, cave and water features impacted by or near to the proposed improvements; indicate the proposed location of all infrastructure including electrical and telephone lines; indicate the color and material for the outside of proposed walls and roofs of all structures; and provide a more detailed preliminary landscaping plan which includes where what kinds of vegetation will be removed and planted;
6. Roads/Trails: In addition to the government road that you have located in you application as the Conservation District subzone boundary, please attempt to locate the portion of the Ala Kahakai trail which may cross your property. Please consult with the Department of Land and Natural Resources, Division of Forestry and Wildlife, Na Ala Hele program to locate the trail. Please address how the proposed improvements might impact roads or trails at your property; and
7. Public Use/Access: Please describe the physical features and public use at the shoreline and any trespassing issues on your property. Please also locate any mauka to makai access right-of-ways across your property from Hawaii Belt Road, the government road and the Ala Kahakai trail to the shoreline and describe mitigation measures should any right-of-way be impacted by the proposed developments.

Finally, please complete Section XVI of the Conservation District Use Application. Although you referred to the draft environmental assessment, it does not appear that items 1-8 were specifically addressed. Thank you for your cooperation and your attention to these issues. Should you have any questions, please contact Eric Hill of our Land Division's Planning Branch, at 587-0383.

Aloha,



Dean Y. Uchida, Administrator

**CARLSMITH BALL**  
ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING LAW CORPORATIONS  
121 WAIANUENUE AVENUE  
POST OFFICE BOX 686  
HILO, HAWAII 96721-0686

---

TELEPHONE (808) 935-6644  
FAX (808) 935-7975

June 9, 2000

Dean Uchida  
Administrator  
Department of Land & Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96809

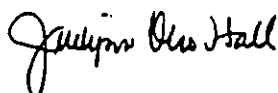
Re: Conservation District Use Application HA-2981  
Applicant: Mary & A. David Carroll  
Lot B-2, portions of Grant 2370 and Government Land by Exchange Deed  
Kaalaiki and Hokukano, District of Kau  
Tax Map Key: (3) 9-5-16:36 (portion)

Dear Mr. Uchida:

We appreciate your review of the Draft Environmental Assessment (DEA) for Mr. and Mrs. Carroll's Conservation District Use Application which seeks approval to construct a two-story single-family residential dwelling and related accessory uses improvements. The DEA and CDUA have been amended to incorporate additional project details as requested in your May 10, 2000 letter. Please be informed that the attached but separate living area on the west side of the proposed development is designed to provide a separate, but connected living area for family and guests of the Applicants and is not intended for any caretaker's cottage use.

Should you have any questions, please feel free to contact me. Thank you for your assistance.

Very truly yours,



STEVEN S.C. LIM

SSL:KYL

xc: Mary & A. David Carroll 2012581.1.037723-1



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

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

REF.PB:EAH

JUN 29 2000

File No.: CDUA HA-2981B

Mr. Steven S.C. Lim  
Carlsmith Ball  
121 Waiuanuenue Avenue  
Hilo, Hawaii 96721-0686

Dear Mr. Lim,

Subject: Conservation District Use Application (CDUA) by Mary and A. David Carroll for the Construction of a Single-Family Residence and Related Improvements at Kau, County of Hawaii, TMK(3)9-5-16:36

We received your CDUA resubmission of June 9, 2000 on June 13, 2000. Unfortunately, your application did not address several of the issues we requested you address in our letter of May 10, 2000. At this time your application is incomplete and, therefore, we must reject your application. We are returning your application and your check for the application fee.

Should you wish to submit your client's application again, please kindly address the following topic areas and include relevant information in your draft environmental assessment and CDUA:

1. Reflection Pond: Include construction and maintenance plans in graphic and written form. Will pond construction require grading? What water source will you utilize for the pond? Locate natural springs mentioned in your application on a map;
2. Family/Guest Residence: Pursuant to Chapter 13-5, Hawaii Administrative Rules (HAR), detached residences may not be allowed as only one single-family residence is allowed per lot of record. If you wish to include such a structure in your application, please discuss how it and the bar area with sink and refrigerator are allowed pursuant to Chapter 13-5, HAR;
3. Water Tank: Please indicate the height and dimensions of the proposed water tank;
4. Site Plans: Please include the distance of the proposed driveway from property boundaries. Include topographical map of the areas and surrounding areas where you propose to develop roads and the residence. Include diagrams for all areas where grading and grubbing activity is proposed to occur and indicate approximate volume of material to be removed or added. Indicate the proposed location of all infrastructure, including electrical and telephone lines. Provide a more detailed landscaping plan which includes the identification and location of



plants to be removed and planted. Provide a legible residence first floor plan. Describe and indicate whether lanais or other areas located under the proposed roof over hang are to be built at grade. In your calculation of total floor area describe and include all decks or lanais which are above grade or enclosed on three sides with floor or roof structure.

5. Roads/Trails: Please engage in pre-assessment consultation with the department's Na Ala Hele program of the Division of Forestry and Wildlife and the department's Historic Preservation Division before you return your draft environmental assessment for processing. Please also indicate whether on the subject property, there are any legal Mauka/Makai public or traditional access routes from Hawaii Belt Road or any road or trail on the subject property to the shoreline. Document all pre-assessment consultation in which you have engaged in your draft environmental assessment.

Should you have any questions, please contact Eric Hill of our planning staff at 587-0380.

Aloha,



Dean Y. Uchida, Administrator

**CARLSMITH BALL**

ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING LAW CORPORATIONS  
121 WAIANUENUE AVENUE  
POST OFFICE BOX 686  
HILO, HAWAII 96721-0686

TELEPHONE (808) 935-6644  
FAX (808) 935-7975

July 26, 2000

Dean Uchida  
Administrator  
Department of Land & Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96809

Re: Conservation District Use Application HA-2981-B  
Applicant: Mary & A. David Carroll  
Lot B-2, portions of Grant 2370 and Government Land by Exchange Deed  
Kaalaiiki and Hokukano, District of Kau  
Tax Map Key: (3) 9-5-16:36 (portion)

Dear Mr. Uchida:

We appreciate your review of the Draft Environmental Assessment (DEA) for Mr. and Mrs. Carroll's Conservation District Use Application (CDUA) which seeks approval to construct a two-story single-family residential dwelling and related accessory uses improvements. The DEA and CDUA have been amended to incorporate additional project details as requested in your June 29, 2000 letter.

1. Reflection pond: Because of the natural contours of the proposed location of the man-made reflection pond, minimal grading will occur. The catchment system will provide water for the pond. Maintenance and cleaning of the pond will occur quarterly.
2. Family/Guest Residence: The attached but separate south living area on the south side of the proposed development is designed to provide a separate, but connected living area for family and guests of the Applicants and is not intended for any caretaker's cottage or rental use. The proposed lanais, breezeway or other areas located under the proposed roof overhang are built at-grade, are not enclosed on three sides and therefore are not calculated in the total floor area. The house site is located at the approximately 40 to 60 foot elevation, as shown by the USGS elevation on Exhibit 10, Conservation Subzone Map to the DEA
3. Water Tank: The 10,000-gallon water tank is approximately 16 ft. in diameter by 6 ft. in height.
4. Site Plans: The site plans have been amended to include the distance of the proposed driveway from the property boundaries, and location of the infrastructure. The final landscaping plan which will depend in part on the

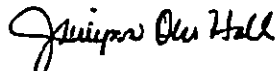
Dean Y. Uchida  
July 26, 2000  
Page 2

availability of planting materials at the time of construction, will be submitted during construction plan approval. The proposed lanais, breezeway or other areas located under the proposed roof overhang are built at-grade, are not enclosed on three sides and therefore are not calculated in the total floor area.

5. Roads/Trails: A site visit of the property was conducted on July 19, 2000 by Marc Smith of the DLNR's Historic Preservation Division. Mr. Smith has given a verbal clearance for the proposed house site and has indicated that no further development occur on the remaining portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai and lateral public access that runs through the Property along the pedestrian Government Beach Trail, starting from the Hawaii Belt Road and gradually traversing diagonally (south of the Property) starting at the Honuapo and Hionaa ahupua'as, and laterally along the Hokukano, Kaalaiki and Hilea Nui ahupua'as.

Should you have any questions, please feel free to contact me. Thank you for your assistance.

Very truly yours,

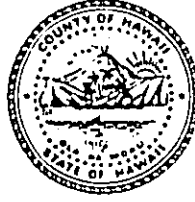
  
for STEVEN S.C. LIM

SSL:KYL

xc: Mr. and Mrs. Carroll

Enclosures: 20 copies CDUA and DEA  
2013034.1.037723-1

Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director

Russell Kokubun  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

RECEIVED SEP 26 2000 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-6288 • Fax (808) 961-6742

September 25, 2000

Mr. Dean Y. Uchida, Administrator  
Department of Land and Natural Resources  
Land Division  
P.O. Box 621  
Honolulu, HI 96809

Dear Mr. Uchida:

**Conservation District Use Application (CDUA) HA-3002 by  
Mary and David Carroll for a single-family residence with accessory and  
related improvements at Kaalaiki and Hokukano, Kau, County of Hawaii  
Tax Map Key: (3) 9-5-016:036**

---

This letter is in response to your September 13, 2000 letter requesting our review and comments regarding the subject CDUA.

The subject 47.5 acre parcel is situated entirely within the State Land Use Conservation district and is therefore not subject to County land use jurisdiction.

The subject parcel is also situated within the Special Management Area (SMA) and an SMA Use Permit Assessment Application (SMAA 99-31) was submitted to the Planning Department on August 11, 1999. The proposed construction of a single-family dwelling with an attached caretaker's quarters and related accessory improvements were declared exempt from the SMA definition of "development" in our September 1, 1999 response.

Submission of a shoreline survey was waived in our September 1, 1999 response to SMAA 99-31 since the proposed dwelling's 600 foot shoreline setback area, which is now noted to be approximately 824 feet, constitutes a distance considerably greater than the minimum 40 foot shoreline setback required by Planning Department Rule 11-5.

EXHIBIT 13  
AGENCY COMMENTS/RESPONSES

Mr. Dean Y. Uchida, Administrator  
Department of Land and Natural Resources  
Land Division  
Page 2  
September 22, 2000

As stated in the applicant's Draft Environmental Assessment (DEA), section 3.1.4, the applicant has complied with our recommendation to consult with the State Historic Preservation Division (SHPD) of the Department of Land and Natural Resources (DLNR) and received verbal clearance from Marc Smith of DLNR for development of the proposed house site without further studies.

We have no additional comments regarding this CDUA.

Thank you for the opportunity to comment on this proposal. Should you have questions, please feel free to contact Larry Brown at 961-8288.

Sincerely,

  
VIRGINIA GOLDSTEIN  
Planning Director

LMB:jkg  
P:\WPWIN60\Larry\Gen\CDUA HA-3002 9-5-16-36.doc

C: West Hawaii Planning Office  
✓ Mr. Steven Lim, Carlsmith Ball



## University of Hawai'i at Mānoa

### Environmental Center

A Unit of Water Resources Research Center  
2550 Campus Road • Crawford 317 • Honolulu, Hawai'i 96822  
• Telephone: (808) 956-7361 • Facsimile: (808) 956-3980

October 23, 2000  
EA: 0247

Mr. Steven Lim  
Carlsmith Ball  
121 Waianuenue Avenue  
Hilo, Hawaii 96720

Dear Mr. Lim:

Draft Environmental Assessment  
Carroll Single Family Residence  
Hilo, Hawaii

The Applicants Mary & A. David Carroll with the assistance of consultants at Carlsmith Ball seek the approval to construct a two-story single family dwelling and related structures that include a man-made reflection pond, graveled driveway, private water catchment and wastewater treatment systems, and 3/4 of an acre of landscaping. The project area is within the County Special Management Area ("SMA"). The purpose of this development is to a separate but connected living area for family and guests.

This review was conducted with the assistance and James Juvik Geography, UH Hilo; Renee Thompson, Environmental Center.

### General Comments

The DEA covered most of its sections well with the exception of a few points. There is a need for additional information concerning flora and fauna, alternatives, and there should be come clarification regarding scenic resources.

### Flora and Fauna

Section 3.1.3 page 9 states that there are "no plant or animal species listed by the U.S Fish & Wildlife service as threatened or endangered, proposed, or candidate species or "species of concern" occur on the property or immediate vicinity". Certainly endangered Hawks and bats may fly over and endangered marine reptiles and mammals may forage off shore. If any of the subject shoreline area has significant cliffs there could be seabirds nesting on the property. Apparently the applicant undertook no professional surveys. What is the basis for these claims?

### Alternatives

The Hawaii Administrative Rules §11-200-10 (6) requires an "identification and summary of alternatives considered". Section 5.2 on page 19 identifies only one alternative.

Mr. Lim  
October 23, 2000  
Page 2

There are other alternatives that could have been considered, including but not limited to, decreasing to size of the proposed residence, or omitting accessory building such as the pond and or landscaping. It is important that an DEA express the alternatives of a project thoroughly in order to demonstrate that the applicant has take the cumulative environmental impacts of a proposed project into account, and allow for a comparative evaluation of a proposed action and each reasonable alternative.

#### Utilities

With regard to section 3.3.3 on page 14, GTE Hawaiian Tel has been purchased by a company named Verizon. The Final EA should reflect this change of companies.

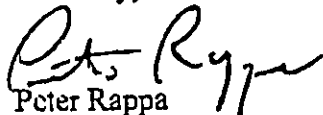
#### Scenic and Open Space Resources

The section 3.1.6 on page 12 comes to a confusing conclusion. This section seems to be stating that the action will block public view to the shoreline. Although the site is not registered as a scenic vista knowingly blocking public view seems self-serving. This section might be better worded to reflect that the shape of the land itself blocks public view, if that is the case, and the dwelling itself will not minimize public view any further. The section as currently stated reads: "improvements will ensure that the development is compatible with the visual environment thus minimizing the public's view along the shoreline."

#### Summary and Conclusion

A Response to the issues we have identified should be addresses in the Final EA. Thank you for the opportunity to review and comment on this Draft EA.

Sincerely,



Peter Rappa

Environmental Review Coordinator

cc: OEQC  
James Moncur, WRRC  
James Juvik  
Renee Thompson

# CARLSMITH BALL LLP

A LIMITED LIABILITY LAW PARTNERSHIP

121 WAIANUENUE AVENUE  
P.O. BOX 686  
HILO, HAWAII 96721-0686  
TELEPHONE (808) 935-6644 FAX (808) 935-7975  
WWW.CARLSMITH.COM

E-MAIL SLIM@CARLSMITH.COM

October 23, 2000

Peter Rappa  
Environmental Review Coordinator  
University of Hawaii at Manoa  
Environmental Center  
1550 Campus Road  
Crawford 317  
Honolulu, Hawaii 96822

Re: Applicant: Mary & A. David Carroll  
CDUA HA-2981B  
Kaalaiiki and Hokukano, District of Kau, County and State of Hawaii  
TMK:(3) 9-5-16:36

Dear Mr. Rappa:

Thank you for your comments on the Draft Environmental Assessment (DEA) for Mr. and Mrs. Carroll's Conservation District Use Application to allow for the construct of a single-family residential dwelling and related accessory use improvements and landscaping within the Conservation District. We appreciate your review of the DEA and have the following response to your comments:

1. **Flora and Fauna.** We have consulted with Rick Warshauer of the U.S. Fish & Wildlife Service regarding his concern of the turtle habitat area located to the north of the subject property. Mr. Warshauer was satisfied that the location of the proposed improvement far to the south would not have any adverse impact to the turtle habitat. No seabird nests have been observed along the low/medium sea cliffs fronting the subject property.
2. **Alternatives.** To comply with the DLNR's Single Family Residential Standards (September 6, 1994), the Applicants reduced the size of the proposed residence, and related accessory use improvements including the size of the pond and perimeter landscaping. The "no-action" alternative or abandonment of the proposed project is a reasonable alternative.
3. **Scenic and Open Space Resources:** The Property's gradually sloping terrain along with the proposed design and location of the residential dwelling will have minimal impact upon the public's view to and along the shoreline.



Peter Rappa  
October 23, 2000  
Page 2

Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. C. LIM

SSL:KYL

xc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
OEQC

BENJAMIN J. CAYETANO  
GOVERNOR



GENEVIEVE SALMONSON  
DIRECTOR

STATE OF HAWAII  
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

236 SOUTH BERETANIA STREET  
SUITE 702  
HONOLULU, HAWAII 96813  
TELEPHONE (808) 586-4186  
FACSIMILE (808) 586-4186

October 11, 2000

RECEIVED OCT 13 2000

Mr. Tim Johns, Chair  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96809

Dear Mr. Johns:

Subject: Draft Environmental Assessment for the Carrol Single  
Family Residence, Kau, Hawaii

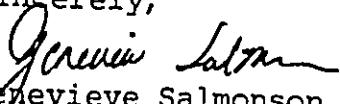
Thank you for the opportunity to review and comment on the subject document. We have the following comments.

1. Please consult with groups and individuals who may be affected by this project. This consultation should include immediate neighbors.
2. Under DLNR's rules, only a single home with a maximum developable area of 5,000 square feet is allowed. Please review the site plans carefully to ensure that the conditions mentioned above will be met. Does the accounting of the developable area include the breezeway and the southwing apartment? Does the south wing apartment count a second home?
3. We commend you for staying away from the shoreline area.
4. Please indicate on exhibit 10 the exact location of the project.
5. Please provide details about the proposed private wastewater system. Please evaluate whether the system will impact any coastal waters. If so, describe the mitigation to minimize this impact.

Mr. Johns  
Page 2

Should you have any questions, please call Jeyan Thirugnanam at  
586-4185.

Sincerely,

  
Genevieve Salmonson  
Director

c: Mary & David Carrol  
Steven Lim

# CARLSMITH BALL LLP

A LIMITED LIABILITY LAW PARTNERSHIP

121 WAIANUENUE AVENUE  
P.O. BOX 686  
HILO, HAWAII 96721-0686  
TELEPHONE (808) 935-6644 FAX (808) 935-7975  
WWW.CARLSMITH.COM

E-MAIL SLIM@CARLSMITH.COM

October 17, 2000

Genevieve Salmonson  
Director  
Office of Environmental Quality Control  
235 South Beretania Street, Suite 702  
Honolulu, Hawaii 96813

Re: Applicant: Mary & A. David Carroll  
CDUA HA-2981B  
Kaalaiiki and Hokukano, District of Kau, County and State of Hawaii  
TMK:(3) 9-5-16:36

Dear Ms. Salmonson:

Thank you for your comments on the Draft Environmental Assessment (DEA) for Mr. and Mrs. Carroll's Conservation District Use Application who are seeking approval to construct a single-family residential dwelling and related accessory use improvements and landscaping within the Conservation District. We appreciate your review of the DEA and have the following response to your comments:

1. Consultation with groups and individuals. There are no immediate neighbors as this area of Kau is largely undeveloped or in cattle grazing use. We have consulted with Rick Warshauer of the U.S. Fish & Wildlife Service regarding his concern of the turtle habitat area located to the north of the subject property. Mr. Warshauer was satisfied that the location of the proposed improvement far to the south would not have any adverse impact to the turtle habitat.
2. Developable area: The amended developable area is 4,892 square feet calculated as follows:
  - Main living area: 3,150 square feet
  - Patio: 400 square feet
  - Garage/storage area: 455 square feet
  - Water tank area: 176 square feet
  - Man-made pond: 711 square feet

Developable area is defined as "all enclosed (on three sides minimum, with floor or roof structure above) living areas; above grade decks in excess of 4'-0" in width; garage or

Genevieve Salmonson  
October 17, 2000  
Page 2

existing ponds, tidepools, etc.); play courts; or any other standing structure, which are accessory to the approved land use (Section 13-5-41, HAR, Exhibit 4, Single Family Residential Standards: September 6, 1994). Therefore, the breezeway is not calculated into the developable area. In addition, the attached south wing living area is included within the developable area, is not a "second home", and will not be used for any caretaker's cottage or rental use.

3. Exhibit 10: Although the project area is generally identified on Exhibit 10, we will be amending the exhibit to specifically identify the project area.
4. Private Wastewater system: Details of the private water system are not yet developed, however, the system utilized by the Petitioners will meet all applicable County and State Regulations. In addition, the location of the proposed private wastewater system which is approximately 824 lineal feet inland from the shoreline will not involve commitment to loss or destruction of any coastal resources.

Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. C. LIM

SSL:KYL

xc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management

20 October 2000

P.O. Box 271  
Naalehu, Hawaii 96772

Mary and A. David Carroll (610-527-0184)  
603 Winsford Road  
Bryn Mawr, Pennsylvania 19010

RECEIVED OCT 24 2000

Re: *Draft Environmental Assessment for 47.425-acres of Conservation Land at Kaalaiki & Hokukano*  
*Conservation District Use Application HA-3002-B*  
*Applicant: Mary and A. David Carroll*  
*Lot B-2, of portions of Grant 2370 and Government Land by Exchange Deed*  
*Kaalaiki and Hokukano, District of Ka'u*  
*Tax Map Key: (3) 9-516:36 (portion)*

To Whom It May Concern:

The Draft Environmental Assessment (DEA) issued for 47.425-acres at Kaalaiki and Hokukano will have adverse impact on Ka'u people. I urge the Department of Land and Natural Resources (DLNR) as Approving/Accepting Agency for the proposed development, not to approve of the Conservation District Use Application (CDUA).

Please slow this fast-track development: Citations from a letter dated 7/19/00, addressed to Mr. Dean Uchida of the DLNR, are an example of such. The letter was from Mr. Steven Lim of Carlsmith Ball. On page two of the letter, Mr. Lim addressed the fifth point of Mr. Uchida's review recommendations (from a 6/29/00 letter) to assure approval that the DEA and CDUA will be approved by DLNR:

"5. Roads/Trails: A site visit of the property was conducted on July 19, 2000 by Marc Smith of the DLNR's Historic Preservation Division. DLNR has given a verbal clearance for development of the proposed house site without further studies. DLNR has also directed that no further development occur on the remaining portion of the Property without further archaeological survey of the area."

"Verbal clearance" is unacceptable regarding the proposed development of said 47.425-acres

Continuing onto point two, Mr. Lim details: "The attached but separate south living area on the south side of the proposed development is designed to provide a separate, but not connected living area for family and guests of the Applicants...The proposed lanais, breezeway or other areas located under the proposed roof overhang are not calculated in the total floor area" There appears a serious flaw, if this proposed development is approved, it will likely be a *Grandfathered In Bed & Breakfast* for the Privileged and Wealthy, or other fiasco.

Likewise, Mr. Lim's letter of 9/5/00, dictating to Mr. Tim Johns of the DLNR, implied that the DLNR is taking too long to process the CDUA & DEA for his client in Pennsylvania. The DLNR mandate is to protect the Land & Natural Resources. The DLNR must not fast-track development to suit Carlsmith Ball & clientele.

The Ka'u people have an inherent connection with the 'aina and the ocean. Kanaka Maoli continue to struggle to exercise our customary traditional ways, practicing living culture and spirituality.

Our families are of many nationalities that strive to retain our values to perpetuate the life of the land.

The 47.425-acres at Kaalaiki and Hokukano - Oceanfront with fresh water springs - classified in the State Land Use Conservation district - recognized as distinct/precious. I am against the proposal to issue a Conservation District Use Application (CDUA) to develop 47.425-acres of cherished coastal land that includes scarce fresh water springs. Preservation of the 'aina is the purpose of the Conservation Land Use designation.

In addition, the fresh water springs are the support habitat of the dwindling population of damselfly, which are unique to this area. Damselfly native to the area slated for said proposed development, are in dwindling numbers and they are very selective in breeding customs. Moreover, Damselflies are very limited to the place that they inhabit, similar to Kanaka Maoli. Therefore, I respectfully request that the DLNR rejects both the DEA and the CDUA, as approval will result in irreparable and irrevocable impact on Ka'u people and 'aina at Kaalaiki and Hokukano, Ka'u District.

Mahalo,

*Bernard Keliikoa*

Bernard Keliikoa

C: Department of Land & Natural Resources (DLNR) - Mr. Eric Hall  
Office of Environmental Quality Control (OEQC)

Carlsmith Ball - Mr. Steven Lim

# CARLSMITH BALL LLP

ATTORNEYS AT LAW

A LIMITED LIABILITY LAW PARTNERSHIP

121 WAIANUENUE AVENUE

P.O. BOX 686

HILO, HAWAII 96721-0686

TELEPHONE (808) 935-6644 FAX (808) 935-7975

WWW.CARLSMITH.COM

E-MAIL SLIM@CARLSMITH.COM

November 28, 2000

Bernard Keliikoa  
P.O. Box 271  
Naalehu, HI 96772

Re: Applicant: Mary & A. David Carroll  
CDUA HA-2981B  
Kaalaiiki and Hokukano, District of Kau, County and State of Hawaii  
TMK:(3) 9-5-16:36

Dear Mr. Keliikoa:

Thank you for your comments on the Draft Environmental Assessment (DEA) for Mr. and Mrs. Carroll's Conservation District Use Application to allow for the construct of a single-family residential dwelling and related accessory use improvements and landscaping within the Conservation District. We appreciate your review of the DEA and have the following response to your comments:

1. DLNR's Historic Preservation Division Clearance: A site visit of the property was conducted on July 19, 2000 by Marc Smith of the DLNR's Historic Preservation Division. By letter dated November 3, 2000, DLNR has given written clearance for development of the proposed house site without further studies. DLNR has also directed that no further development occur on the remaining portion of the Property without further archaeological survey of the area.
2. Single-family Residential Dwelling: The proposed two-story, single-family residential dwelling is a permitted land use within the Resource (R) subzone under Section 13-5-24(c), HAR, General (G) subzone under Section 13-5-25(a), HAR. The attached south wing living area on the south side of the proposed development is designed to provide a separate, but connected living area for family and guests of the Applicants and will not be used for any caretaker's

Bernard Keliikoa  
November 28, 2000  
Page 2


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cottage or rental use. In addition, the proposed improvements comply with Section 13-5-41, HAR and "Single-Family Residential Standards", dated September 6, 1994, attached as Exhibit 4 to Chapter 13-5, "Conservation District", Hawaii Administrative Rules.

3. Development Area: The proposed single-family residential dwelling and related accessory use improvements and landscaping will occur on approximately 3/4-acre of the 47.425-acre coastal property, or 1.60% of the total land area.
4. Natural Springs: A series of fresh water springs are located along the extreme northern portion of the Property, approximately 2,500 feet north of the proposed single-family dwelling site. Recent surveys conducted by Bishop Museum in 1997 indicate that the current status of the Hawaiian *Megalagrion* damselflies species/subspecies may exist in remote sections of Puna or upslope Kau. Therefore, the proposed development will not involve the degradation of the springs ecosystem.

Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. C. LIM

SSL:KYL

xc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
OEQC



16 October 2000

Mary and David Carroll (610-527-0184)  
603 Winsford Road  
Bryn Mawr, Pennsylvania 19101

Re: Draft Environmental Assessment (DEA) for 47.425-acres at Kaalaiki and Hokukano,  
in the General Subzone of the State Land Use Conservation, District Ka'u, Island of Hawaii.

We the undersigned are against the approval of the draft Environmental Assessment (DEA) to allow  
construction/development within 47.425-acres of Conservation Land at Kaalaiki and Hokukano, in Ka'u.

We're from Ka'u and the proposal to develop 47.425-acres of Conservation Land, along the coastline at  
Kaalaiki and Hokukano pertains to Ka'u. It will impact us. The development will have negative affects on our  
traditional and cultural ties to the 'aina, relative to Ka'u.  
Aloha 'Aina

NAME	SIGNATURE	ADDRESS
1. Kekoa Saka	<i>Kekoa Saka</i>	Pahala, HI
2. Nohi Kekoa	<i>Nohi Kekoa</i>	Pahala, HI
3. Josephine Kekoa	<i>Josephine Kekoa</i>	Honolulu, HI
4. K. Frank	<i>K. Frank</i>	O.V. HI
5. Manda Manda	<i>Manda Manda</i>	Naelehu, HI
6. Edana Peleahu	<i>Edana Peleahu</i>	Pihala, HI
7. Don Decalio	<i>Don Decalio</i>	Pihala, HI 96777
8. Probyn Kiriwaga	<i>Probyn Kiriwaga</i>	Pihala, HI 96777
9. Tess Castaneda	<i>Tess Castaneda</i>	Washington, HI
10. Lingis Hashimoto	<i>Lingis Hashimoto</i>	Naelehu, HI 96777

cc Department of Land and Natural Resources (DLNR)  
1151 Punchbowl Street, Room 220  
Honolulu, Hawaii 96813  
Contact: Eric Hill

Office of Environmental Quality Control (OEQC)  
235 S. Beretania Street - Suite 702  
Honolulu, Hawaii 96813

Carlsmith Ball  
121 Waiianue Avenue  
Hilo, Hawaii 96720  
Contact: Steven Lim

EXHIBIT 14  
COMMUNITY COMMENTS/RESPONSES

16 October 2000

Mary and David Carroll (610-527-0184)  
603 Winsford Road  
Bryn Mawr, Pennsylvania 19101

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traditional and cultural ties to the 'aina, relative to Ka'u.  
Aloha 'Aina

NAME	SIGNATURE	ADDRESS
1. Kelly N. Emmisley	<i>Kelly N. Emmisley</i>	P.O. Box 844 Naelehu 4
2. Diane Prethaupt	<i>Diane Prethaupt</i>	P.O. Box 776 11
3. John Masters	<i>John Masters</i>	P.O. Box 245 11
4. JAMES LABS	<i>JAMES LABS</i>	NAELEHU HAWAII
5. Anthony Lee-Barr	<i>Anthony Lee-Barr</i>	Naelehu HI 96772
6. MATTHEW BOOBY	<i>MATTHEW BOOBY</i>	P.O. Box 95
7. HAZEL P. TRAYMEN	<i>Hazel P. Traymen</i>	P.O. Box 203 Naelehu, HI
8. John Derry	<i>John Derry</i>	P.O. Box 213 Naelehu, HI 96772
9. Gail Greig	<i>Gail Greig</i>	P.O. Box 1020 Naelehu, HI 96772
10. Guy Jones	<i>Guy Jones</i>	P.O. Box 344 Naelehu, HI 96772

cc Department of Land and Natural Resources (DLNR)  
1151 Punchbowl Street, Room 220  
Honolulu, Hawaii 96813  
Contact: Eric Hill

Office of Environmental Quality Control (OEQC)  
235 S. Beretania Street - Suite 702  
Honolulu, Hawaii 96813

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121 Waiianue Avenue  
Hilo, Hawaii 96720  
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603 Winsford Road  
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traditional and cultural ties to the 'aina, relative to Ka'u.  
Aloha 'Aina

NAME	SIGNATURE	ADDRESS
1. Milton Kuyper	<i>Milton Kuyper</i>	91101 1916 Kokoiauaun 117 9678
2. Brenda Segura	<i>Brenda Segura</i>	PO Box 382 Pahala HI
3. Zaida Rodriguez	<i>Zaida Rodriguez</i>	PO Box 707 Pahala HI
4. Mary Jane Perez	<i>Mary Jane Perez</i>	P.O. Box 224 Niihau, HI 96772
5. Mleen Skim	<i>Mleen Skim</i>	79-719 Nanihahaunui Hwy - Heihei, HI 96772
6. Roxanne Shin	<i>Roxanne Shin</i>	79-719 Nanihahaunui Hwy - Heihei, HI 96772
7. Terence Juax	<i>Terence Juax</i>	" " " "
8. JIMALE JAVAR	<i>JIMALE JAVAR</i>	P.O. Box 524 Niihau, HI 96772
9. Darlene Javar	<i>Darlene Javar</i>	P.O. Box 914 Pahala, HI 96777
10. Greg Javar	<i>Greg Javar</i>	P.O. Box 914 Pahala, HI 96777

cc Department of Land and Natural Resources (DLNR)  
1151 Punchbowl Street, Room 220  
Honolulu, Hawaii 96813  
Contact: Eric Hill

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Honolulu, Hawaii 96813

cc Carlsmith Ball  
121 Waiannuene Avenue  
Hilo, Hawaii 96720  
Contact: Steven Lim

16 October 2000

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603 Winsford Road  
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traditional and cultural ties to the 'aina, relative to Ka'u.  
Aloha 'Aina

NAME	SIGNATURE	ADDRESS
1. Uineel F. Leal	<i>Uineel F. Leal</i>	P.O. Box 512 Pahala, HI 96777
2. Uineel Javar	<i>Uineel Javar</i>	Maelehu Pt.
3. Uineel K. Kaliau	<i>Uineel K. Kaliau</i>	P.O. Box 784 Kalaiki HI 96777
4. Uineel Javar	<i>Uineel Javar</i>	P.O. Box 605 Niihau, HI 96772
5. Uineel Javar	<i>Uineel Javar</i>	P.O. Box 605 Niihau
6. Uineel Javar	<i>Uineel Javar</i>	P.O. Box 605 Niihau
7. Uineel Javar	<i>Uineel Javar</i>	P.O. Box 605 Niihau
8. Uineel Javar	<i>Uineel Javar</i>	P.O. Box 605 Niihau
9. Uineel Javar	<i>Uineel Javar</i>	P.O. Box 605 Niihau
10. Uineel Javar	<i>Uineel Javar</i>	P.O. Box 605 Niihau

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121 Waiannuene Avenue  
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Mary and David Carroll (610-527-0184)  
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traditional and cultural ties to the 'aina, relative to Ka'u.  
Aloha 'Aina

NAME	SIGNATURE	ADDRESS
1. <i>Bryn Mawr</i>	<i>[Signature]</i>	<i>Maalehu</i>
2. <i>David H Kraus Jr</i>	<i>[Signature]</i>	<i>Maalehu</i>
3. <i>Gary DeLa Santos</i>	<i>[Signature]</i>	<i>Maalehu</i>
4. <i>Maria J. Hino</i>	<i>[Signature]</i>	<i>Maalehu</i>
5. <i>Chessa E. Dulme</i>	<i>[Signature]</i>	<i>Pohaka P.O. Box 105 96777</i>
6. <i>Card Z Harbor</i>	<i>[Signature]</i>	<i>Green Sands P.O. Box 1080</i>
7. <i>Janice Favar</i>	<i>[Signature]</i>	<i>Maalehu</i>
8. <i>Ricky Jagan JR</i>	<i>[Signature]</i>	
9. <i>Randall J...</i>	<i>[Signature]</i>	
10. <i>Robbie Kelson</i>	<i>[Signature]</i>	<i>Maalehu</i>

cc Department of Land and Natural Resources (DLNR)  
1151 Punchbowl Street, Room 220  
Honolulu, Hawaii'i 96813  
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Aloha 'Aina

NAME	SIGNATURE	ADDRESS
1. <i>[Signature]</i>	<i>[Signature]</i>	<i>P.O. Box 544 Maalehu HI 96777</i>
2. <i>[Signature]</i>	<i>[Signature]</i>	<i>P.O. Box 432 Paahala HI 96777</i>
3. <i>[Signature]</i>	<i>[Signature]</i>	<i>P.O. Box 399 Maalehu HI 96777</i>
4. <i>Judith Konoike</i>	<i>[Signature]</i>	<i>P.O. Box 345 Maalehu, HI 96777</i>
5. <i>Barbara L. Mui</i>	<i>[Signature]</i>	<i>P.O. Box 571 Maalehu HI 96777</i>
6. <i>Nancy J. Salome</i>	<i>[Signature]</i>	<i>P.O. Box 563 Paahala HI 96777</i>
7. <i>[Signature]</i>	<i>[Signature]</i>	<i>P.O. Box 1049 Maalehu HI 96777</i>
8. <i>[Signature]</i>	<i>[Signature]</i>	<i>P.O. Box 1049 Maalehu HI 96777</i>
9. <i>[Signature]</i>	<i>[Signature]</i>	<i>Same as above</i>
10. <i>Ken Spatz</i>	<i>[Signature]</i>	<i>PO Box 1049 Maalehu HI 96777</i>

cc Department of Land and Natural Resources (DLNR)  
1151 Punchbowl Street, Room 220  
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Aloha 'Aina

NAME	SIGNATURE	ADDRESS
1. Kelly Kasper	<i>[Signature]</i>	P.O. Box 7113 Ocean View
2. Rosemary Salvo	<i>[Signature]</i>	P.O. Box 742 Pahala, HI 96771
3. KIANA DEMETER	<i>[Signature]</i>	P.O. Box 7038 Ocean View
4. JELAN MARIKAWA	<i>[Signature]</i>	191 W. MAUKAUA BEEL HILL HIGH
5. Joan Pashy	<i>[Signature]</i>	PO BOX 5 MAUKAUA
6. Eric DeBenedictis	<i>[Signature]</i>	P.O. Box 134 Hualalei
7. Lani Amps	<i>[Signature]</i>	P.O. Box 737 Hualalei
8. Akemi K. Hara	<i>[Signature]</i>	P.O. Box 1617 Naha, HI 96721
9. Ruby K. Yukioka	<i>[Signature]</i>	P.O. Box 1017 Naha, HI 96721
10. Deborah Pedersen	<i>[Signature]</i>	P.O. Box 417, Waialeale, HI

cc Department of Land and Natural Resources (DLNR)  
1151 Punchbowl Street, Room 220  
Honolulu, Hawaii 96813  
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Aloha 'Aina

NAME	SIGNATURE	ADDRESS
1. Cathy Blinco	<i>[Signature]</i>	P.O. Box 417 Naha, HI 96772
2. JOE APPI	<i>[Signature]</i>	P.O. Box 579 Naha, HI 96771
3. EMMA AKI	<i>[Signature]</i>	P.O. Box 579 Naha, HI 96771
4. Cathryn Akiu	<i>[Signature]</i>	180 E. S. JEFFERSON ST #13 Naha, HI 96771
5. MALIA ANBANK	<i>[Signature]</i>	P.O. Box 124 PAHALA, HI 96771
6. DONOVAN MITOS	<i>[Signature]</i>	P.O. Box 146 Naha, HI 96772
7. LARREN BALDWIN	<i>[Signature]</i>	P.O. Box 66 PAHALA, HI 96777
8. Edward K. Davis III	<i>[Signature]</i>	571 WAIKOLEA HI 96772
9. RUSSELL L. SALMO	<i>[Signature]</i>	P.O. Box 8 Naha, HI 96772
10. LORNU MATUADA KATON	<i>[Signature]</i>	P.O. Box 110 Naha, HI 96772

cc Department of Land and Natural Resources (DLNR)  
1151 Punchbowl Street, Room 220  
Honolulu, Hawaii 96813  
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Aloha 'Aina

- | NAME               | SIGNATURE               | ADDRESS                        |
|--------------------|-------------------------|--------------------------------|
| 1 EUSEBIO RAMOS    | <i>Eusebio Ramos</i>    | 678 Abouluhi                   |
| 2 JERO ANOANE      | <i>Jero Anoane</i>      | P.O. BOX 2 PAHUA               |
| 3 MARLENE ANDRADE  | <i>Marlene Andrade</i>  | P.O. BOX 2 PAHUA HI            |
| 4 GREGG KAHANE     | <i>Gregg Kahane</i>     | P.O. BOX 511 PAHUA HI          |
| 5 DANIEL SHI       | <i>Daniel Shi</i>       | P.O. BOX 416 NAAHAHI           |
| 6 DREXEL SHIBUYA   | <i>Drexel Shibuya</i>   | P.O. BOX 416 NAAHAHI HI 96772  |
| 7 MARGARET McGUIRE | <i>Margaret McGuire</i> | P.O. BOX 412 NAAHAHI HAWAII HI |
| 8 HONORIO KERRY    | <i>Honorio Kerry</i>    | P.O. BOX 73 NAAHAHI HI 96772   |
| 9 DEVIN BREITHAUPT | <i>Devin Breithaupt</i> | P.O. BOX 770 NAAHAHI HI 96772  |
| 10 THULIA ENIJA    | <i>Thulia Enija</i>     | P.O. BOX 4 NAAHAHI HI 96772    |

cc Department of Land and Natural Resources (DLNR)  
1151 Punchbowl Street, Room 220  
Honolulu, Hawaii 96813  
Contact: Eric Hill

Office of Environmental Quality Control (OEQC)  
235 S. Beretania Street - Suite 702  
Honolulu, Hawaii 96813

16 October 2000

Mary and David Carroll (610-527-0184)  
603 Winsford Road  
Bryn Mawr, Pennsylvania 19101

Re: Draft Environmental Assessment (DEA) for 47,425-acres at Kaaiaiki and Hokuano,  
in the General Subzone of the State Land Use Conservation, District Ka'u, Island of Hawaii.

We the undersigned are against the approval of the draft Environmental Assessment (DEA) to allow  
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Kaaiaiki and Hokuano pertains to Ka'u. It will impact us. The development will have negative affects on our  
traditional and cultural ties to the 'aina, relative to Ka'u.  
Aloha 'Aina

- | NAME                  | SIGNATURE                  | ADDRESS                    |
|-----------------------|----------------------------|----------------------------|
| 1 GERALD FONTES       | <i>Gerald Fontes</i>       | P.O. Box 736 NAAHAHI       |
| 2 W. S. KAUACUHI      | <i>W.S. Kauacuhi</i>       | P.O. Box 487 PAHUA         |
| 3 SUE BOYD            | <i>Sue Boyd</i>            | P.O. BOX 617 NAAHAHI       |
| 4 SUMIA ANOAS         | <i>Sumia Anoaas</i>        | P.O. BOX 737 NAAHAHI 96772 |
| 5 JACQUELYN MCMURRAY  | <i>Jacquelyn McMurray</i>  | P.O. BOX 603 NAAHAHI 96772 |
| 6 TERE DABATHA        | <i>Tere Dabatha</i>        | NAAHAHI 96772              |
| 7 TED A. BOYD         | <i>Ted A. Boyd</i>         | NAAHAHI 96772              |
| 8 CAROL ANN CLEGG     | <i>Carol Ann Clegg</i>     | P.O. BOX 61 PAHUA          |
| 9 CHARLIE P. MCKELLEN | <i>Charlie P. McKellen</i> | P.O. BOX 729 NAAHAHI 96772 |
| 10 STEPHEN ENIJA      | <i>Stephen Enija</i>       | P.O. Box 524 NAAHAHI 96772 |

cc Department of Land and Natural Resources (DLNR)  
1151 Punchbowl Street, Room 220  
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Aloha 'Aina

- | NAME                         | SIGNATURE          | ADDRESS                              |
|------------------------------|--------------------|--------------------------------------|
| 1. <i>Barbara J. Clark</i>   | <i>[Signature]</i> | P.O. Box 667-0337                    |
| 2. <i>Wesley C. Woodruff</i> | <i>[Signature]</i> | P.O. Box 863 Naa. HI 96712           |
| 3. <i>William East</i>       | <i>[Signature]</i> | P.O. Box 587 HAWAII HI 96712         |
| 4. <i>Renee Foster</i>       | <i>[Signature]</i> | P.O. Box 209 Naahehu, HI 96772       |
| 5. <i>ILL. R. ANTE</i>       | <i>[Signature]</i> | BLANCO P.O. Box 29 Naahehu, HI 96772 |
| 6. <i>Milly Annunzio</i>     | <i>[Signature]</i> | P.O. Box 216 Naahehu, HI 96772       |
| 7. <i>Henry Iakiki</i>       | <i>[Signature]</i> | P.O. Box 56 Naahehu HI 96772         |
| 8. <i>Viollet Ke</i>         | <i>[Signature]</i> | P.O. Box 116 HAILI ST.               |
| 9. <i>Steph Kaunue</i>       | <i>[Signature]</i> | P.O. Box 511 Naahehu, HI             |
| 10. <i>Henriette Glas</i>    | <i>[Signature]</i> | P.O. Box 852 Naahehu, HI             |

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1151 Punchbowl Street, Room 220  
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Aloha 'Aina

- | NAME                       | SIGNATURE          | ADDRESS                        |
|----------------------------|--------------------|--------------------------------|
| 1. <i>Darrin Eric's</i>    | <i>[Signature]</i> | P.O. Box 685                   |
| 2. <i>Doreen Lynn</i>      | <i>[Signature]</i> | P.O. Box 1008 NAAHEHU HI       |
| 3. <i>Alexis Turner</i>    | <i>[Signature]</i> | P.O. Box 846 Paahala, HI 96772 |
| 4. <i>Shirley</i>          | <i>[Signature]</i> | P.O. Box 274 NAAHEHU HI 96772  |
| 5. <i>Denise</i>           | <i>[Signature]</i> | P.O. Box 496 Naahehu HI 96772  |
| 6. <i>Sandra O. Sledge</i> | <i>[Signature]</i> | P.O. Box 496 Naahehu HI 96772  |
| 7. <i>Lucia V. Galy</i>    | <i>[Signature]</i> | P.O. Box 595 Naahehu HI 96772  |
| 8. <i>Leonard Mery</i>     | <i>[Signature]</i> | P.O. Box 496 Naahehu HI 96772  |
| 9. <i>KIMM AEWI</i>        | <i>[Signature]</i> | P.O. Box 496 NAAHEHU HI 96772  |
| 10. <i>KATHY LAFFIN</i>    | <i>[Signature]</i> | P.O. Box 496 NAAHEHU HI 96772  |

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traditional and cultural ties to the aina, relative to Ka'u. Aloha 'Aina

NAME	SIGNATURE	ADDRESS
1 EEBERT RICE	<i>E. Eebert Rice</i>	P.O. Box 760 Kuetstraw, HI 96764
2 John Harris	<i>John Harris</i>	General Delivery, Hanalei, Hawaii
3 Rosette Shanna	<i>Rosette Shanna</i>	P.O. Box 930
4 Ernest M Bird	<i>Ernest M Bird</i>	P.O. Box 206 Thurston HI
5 Monte Lorenzo	<i>Monte Lorenzo</i>	P.O. Box 6577 Ocean View HI 96757
6 Edward Mederos	<i>Edward Mederos</i>	New Hahaione HI 96808
7 Byron Kukuakua	<i>Byron Kukuakua</i>	P.O. Box 7181 Ocean View HI 96757
8 LONIE LARGE	<i>Lonie Large</i>	P.O. Box 672 Kuetstraw, HI 96764
9 WANDA'S AOS	<i>Wanda's Aos</i>	P.O. Box 6351 O.V. 96723
10		

Department of Land and Natural Resources (DLNR)  
1151 Punchbowl Street, Room 220  
Honolulu, Hawaii 96813  
Contact: Eric Hill

Office of Environmental Quality Control (OEQC)  
235 S. Beretania Street - Suite 702  
Honolulu, Hawaii 96813

Carlsmith Ball  
121 Wai'anuenue Avenue  
Hilo, Hawaii 96720  
Contact: Steven Lim

16 October 2000

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603 Winsford Road  
Bryn Mawr, Pennsylvania 19101

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traditional and cultural ties to the aina, relative to Ka'u. Aloha 'Aina

NAME	SIGNATURE	ADDRESS
1 KATHLEEN JONES	<i>Kathleen Jones</i>	P.O. Box 716 Naalehu HI 96772
2 Monica Akana	<i>Monica Akana</i>	P.O. Box 514 Naalehu HI 96772
3 Lisa Karpis	<i>Lisa Karpis</i>	P.O. Box 835 Nealehu HI 96772
4 Beverly Thompson	<i>Beverly Thompson</i>	" 121 "
5 TREGA GRANT	<i>Trega Grant</i>	P.O. Box 514 Naalehu HI 96772
6 RONDA KUKUA	<i>Ronda Kukua</i>	P.O. Box 1 Naalehu HI 96772
7 JEFF B. LEE	<i>Jeff B. Lee</i>	P.O. Box 830 Naalehu HI 96772
8 TERRY H. ANTON	<i>Terry H. Anton</i>	P.O. Box 495 Naalehu HI 96772
9 TERRY L. PAUL	<i>Terry L. Paul</i>	Box 233 Naalehu, HI 96772
10		

Department of Land and Natural Resources (DLNR)  
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traditional and cultural ties to the 'aina, relative to Ka'u. Aloha Aina

NAME	SIGNATURE	ADDRESS
1 MINERVA L. MANUEL	<i>Minerva L. Manuel</i>	P.O. Box 553 Mokuauia, HI 96741
2 <del>ALLENBYRN</del> ANN C. ALLENBYRN	<i>Ann C. Allenbyrn</i>	Box 295 Nanea Nanea, HI 96741
3 MARY MILLEY	<i>Mary Milley</i>	Box 572 Maalehu 96772
4 MELISSA C. FOSTER	<i>Melissa C. Foster</i>	Box 316 Naalehu 96772
5 DENISE WILSON	<i>Denise Wilson</i>	P.O. Box 211 Nanea, HI 96741
6		
7		
8		
9		
10		

cc Department of Land and Natural Resources (DLNR)  
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NAME	SIGNATURE	ADDRESS
1 EMBRYLUM A. LIND	<i>Embrylum A. Lind</i>	P.O. Box 342 Maalehu, HI 96772
2 ESPERANZA ROSA H. ESPERANZA	<i>Rosa H. Esperanza</i>	P.O. Box 342 Nanea, HI 96741
3 GARY W. WILSON	<i>Gary W. Wilson</i>	Box 443 Maalehu, HI 96772
4 LARRY W. WILSON	<i>Larry W. Wilson</i>	P.O. Box 791 Palahala, HI 96772
5 RAYMOND K. WILSON	<i>Raymond K. Wilson</i>	C/L, Del. Naalehu, HI 96772
6 DAVID E. SWILLING	<i>David E. Swilling</i>	P.O. Box 742 Maalehu, HI 96772
7 CLYDE K. WILSON	<i>Clyde K. Wilson</i>	P.O. Box 160 Maalehu, HI 96772
8 JERRY KEVIN GILFILLAN	<i>Jerry Kevin Gilfillan</i>	P.O. Box 285 Maalehu, HI 96772
9 JAMES T. DYAMA	<i>James T. Dyama</i>	Maalehu, HI 96772
10 LYNN ANDERSON	<i>Lynn Anderson</i>	P.O. Box 270 Maalehu, HI 96772

cc Department of Land and Natural Resources (DLNR)  
1151 Punchbowl Street, Room 220  
Honolulu, Hawaii 96813  
Contact: Eric Hill

Office of Environmental Quality Control (OEQC)  
235 S. Beretania Street - Suite 702  
Honolulu, Hawaii 96813



**CARLSMITH BALL LLP**

ATTORNEYS AT LAW  
ALUMINO LIABILITY LAW PARTNERSHIP

121 W. MAHALENE AVENUE  
P.O. BOX 686  
HONOLULU, HAWAII 96721-0686  
TELEPHONE (808) 935-6644 FAX (808) 935-7975  
WWW.CARLSMITH.COM  
November 7, 2000

Mary Amuro  
P.O. Box 216  
Nalehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaahiki and Hokukano, District of Kauai, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Mr. Amuro:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honoupo and Hionaa ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honoupo Park  
(Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hon-OBQC Kauai . Hilo . Kona . Maui . Oahu . Saraw . Los Angeles . Washington, DC . Munich

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TELEPHONE (808) 935-6644 FAX (808) 935-7975  
WWW.CARLSMITH.COM  
November 7, 2000

Vernon Takaki  
P.O. Box 56  
Nalehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaahiki and Hokukano, District of Kauai, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Mr. Takaki:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hon-OBQC Kauai . Hilo . Kona . Maui . Oahu . Saraw . Los Angeles . Washington, DC . Munich

**CARLSMITH BALL LLP**

ATTORNEYS AT LAW  
ALUMINOULABERRY LAW PARTNERS

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P.O. BOX 686  
HONOLULU, HAWAII 96721-0686  
TELEPHONE (808) 935-6644 FAX (808) 935-7975  
WWW.CARLSMITH.COM  
November 7, 2000

Wanda Aus  
P.O. Box 6351  
Ocean View, HI 96737

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Hokuano, District of Kaua County and State of Hawaii; TMK:(3) 9-5-16:36

Dear Ms Aus:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems) and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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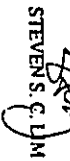
You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
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PLACE: Property site, approximately 2 miles north of Honuapo Park  
(Whitington Beach Park)

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STEVEN S. C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honorable Kaoua . Hoo . Koua . Maku . Guma . Sawa . Los Angeles . Washington DC . Mexico

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TELEPHONE (808) 935-6644 FAX (808) 935-7975  
WWW.CARLSMITH.COM  
November 7, 2000

Simbalynn Esperson  
P.O. Box 342  
Nalehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Hokuano, District of Kaua County and State of Hawaii; TMK:(3) 9-5-16:36

Dear Ms. Esperson:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems) and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honorable Kaoua . Hoo . Koua . Maku . Guma . Sawa . Los Angeles . Washington DC . Mexico

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WWW.CARLSMITH.COM  
November 7, 2000

Byron Kabookaulana  
P.O. Box 7187  
Ocean View, HI 96737

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16-36

Dear Mr. Kabookaulana:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, graveled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauka portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Hanuapo and Hionaa ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanuapo Park  
(Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naelehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honorable Kono, Hono. Kono, Maui, Kauai, Lanai, Molokai, Maui, Hawaii, Washington, DC, Mexico

**CARLSMITH BALL LLP**

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A LIMITED LIABILITY LAW PARTNERSHIP

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HONOLULU, HAWAII 96721-0686  
TELEPHONE (808) 935-6644 FAX (808) 935-7975  
WWW.CARLSMITH.COM  
November 7, 2000

Lonnie Large  
P.O. Box 673  
Kurtistown, HI 96760

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16-36

Dear Ms. Large:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, graveled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauka portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Hanuapo and Hionaa ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

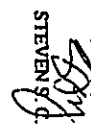
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TIME: 1:00 p.m.  
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(Whittington Beach Park)

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Very truly yours,

  
STEVEN S. C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honorable Kono, Hono. Kono, Maui, Kauai, Lanai, Molokai, Maui, Hawaii, Washington, DC, Mexico

**CARLSMITH BALL LLP**

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WWW.CARLSMITH.COM  
November 7, 2000

Monte C. Lorenzo  
P.O. Box 6377  
Ocean View, HI 96737

Re: Applicants: Mary & A. David Carroll; CDWA WA-2981B  
Kaalaiki and Hukukano, District of Kauai, County and State of Hawaii; TRK:(3) 9-5-16:36

Dear Lorenzo:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access path that starts at the Honuapo and Hinona ahupua'a (located south of the Property) from the Hawaii Bell Road and gradually traverses diagonally through the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honuapo Park  
(Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nealehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. C. JIM

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honolulu, Kauai, Hawaii, Maui, Sarawak, Los Angeles, Washington, DC, Mexico

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WWW.CARLSMITH.COM  
November 7, 2000

Edward Medeiros  
P.O. Box 1015  
Hilo, HI 96720

Re: Applicants: Mary & A. David Carroll; CDWA WA-2981B  
Kaalaiki and Hukukano, District of Kauai, County and State of Hawaii; TRK:(3) 9-5-16:36

Dear Mr. Medeiros:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access path that starts at the Honuapo and Hinona ahupua'a (located south of the Property) from the Hawaii Bell Road and gradually traverses diagonally through the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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PLACE: Property site, approximately 2 miles north of Honuapo Park  
(Whittington Beach Park)

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Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. C. JIM

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honolulu, Kauai, Hawaii, Maui, Sarawak, Los Angeles, Washington, DC, Mexico

**CARLSMITH BALL LLP**

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WWW.CARLSMITH.COM  
November 7, 2000

Tania Chang  
P.O. Box 930  
Honolulu, HI 96726

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kalaiki and Hokuano, District of Kauai County and State of Hawaii; TMK:(3) 9-5-16-36

Dear Ms. Chang:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the makalahonihoniwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honoupo and Hironaka alupua as located south of the Property from the Hawaii Bell Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honoupo Park  
(Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honolulu, Hawaii  
Kauai County, Hawaii  
Maui County, Hawaii  
Los Angeles  
Washington, DC  
Marx

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TEL: (808) 935-6644 FAX: (808) 935-7975  
WWW.CARLSMITH.COM  
November 7, 2000

Ernest M. Bird  
P.O. Box 206  
Honolulu, HI 96726

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kalaiki and Hokuano, District of Kauai County and State of Hawaii; TMK:(3) 9-5-16-36

Dear Mr. Bird:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the makalahonihoniwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honoupo and Hironaka alupua as located south of the Property from the Hawaii Bell Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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DATE: Sunday, November 12, 2000  
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(Whittington Beach Park)

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Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honolulu, Hawaii  
Kauai County, Hawaii  
Maui County, Hawaii  
Los Angeles  
Washington, DC  
Marx

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HONOLULU, HAWAII 96721-0686  
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WWW.CARLSMITH.COM  
November 7, 2000

Jeffrey Aurelio  
P.O. Box 760  
Kunihonou, HI 96760

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kaialiki and Hokenano, District of Kauai, County and State of Hawaii; TAK-(3) 9-5-16-36

Dear Mr. Aurelio:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicant of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47 425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maika portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maika-makai public access which starts at the Honoupa and Honua ahupua as located south of the Property from the Hawaii Bell Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honoupa Park  
(Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. C. LIM

SSL:KYVL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hon-DFQC Konohe . HAO . KONA . MAUI . CAHU . SAMA . LOI ANAHE . WASHINGTON, DC . MARCO

**CARLSMITH BALL LLP**

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HONOLULU, HAWAII 96721-0686  
TELEPHONE (808) 935-6644 FAX (808) 935-7975  
WWW.CARLSMITH.COM  
November 7, 2000

John Haven  
c/o General Delivery  
Honouliuli, HI 96760

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kaialiki and Hokenano, District of Kauai, County and State of Hawaii; TAK-(3) 9-5-16-36

Dear Mr. Haven:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicant of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47 425-acre coastal property. See attached site plan.

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Very truly yours,

  
STEVEN S. C. LIM

SSL:KYVL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hon-DFQC Konohe . HAO . KONA . MAUI . CAHU . SAMA . LOI ANAHE . WASHINGTON, DC . MARCO

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121 WANNAMUE AVENUE  
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WWW.CARLSMITH.COM  
November 7, 2000

Abel S. Lui  
P.O. Box 791  
Pahala, HI 96777

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kalaiki and Hokuano, District of Kauai County and State of Hawaii; TNK:(3) 9-5-16:36

Dear Mr. Lui:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouapo Park  
(Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.

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Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HONOLULU, HAWAII . KAUAI . MAUI . GUILFORD . SANFORD . LOS ANGELES . WASHINGTON, D.C. . MIAMI

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WWW.CARLSMITH.COM  
November 7, 2000

Terry L. Paul  
P.O. Box 233  
Naahehu, HI 96772

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kalaiki and Hokuano, District of Kauai County and State of Hawaii; TNK:(3) 9-5-16:36

Dear Mr. Paul:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HONOLULU, HAWAII . KAUAI . MAUI . GUILFORD . SANFORD . LOS ANGELES . WASHINGTON, D.C. . MIAMI

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WWW.CARLSMITH.COM  
November 7, 2000

Ross K. Esperton, Sr.  
P.O. Box 342  
Naelehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kahaliki and Hokuksano, District of Kauai, County and State of Hawaii; TMK:(3) 9-5-16:36

Dear Mr. Esperton:

We a receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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(Whittington Beach Park)

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Very truly yours,

STEVEN S. Q. LIM

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honolulu, Hawaii  
Kono. Hio. Kono. Mau. Cula. Sawa. Los Angeles. Washington, DC. Mexico

**CARLSMITH BALL LLP**

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WWW.CARLSMITH.COM  
November 7, 2000

George Buck  
P.O. Box 96  
Naelehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kahaliki and Hokuksano, District of Kauai, County and State of Hawaii; TMK:(3) 9-5-16:36

Dear Mr. Buck:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Hionoa ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouapo Park  
(Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naelehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

STEVEN S. Q. LIM

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honolulu, Hawaii  
Kono. Hio. Kono. Mau. Cula. Sawa. Los Angeles. Washington, DC. Mexico



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WWW.CARLSMITH.COM  
November 7, 2000

Raymond K. Dedman  
General Delivery  
Nalehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalaiki and Hokukano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36

Dear Mr. Dedman:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47,425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maui portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maui-makai public access which starts at the Honoupo and Honua ahupuaa as located south of the Property) from the Hawaii Bell Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honoupo Park  
(Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hon-DEQC Knowl . HAO . Kow . Mau . Gawa . Saruw . Los Aguas . Washington, DC . Munoo

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WWW.CARLSMITH.COM  
November 7, 2000

Darlene Smellinger  
P.O. Box 742  
Nalehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalaiki and Hokukano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36

Dear Ms. Smellinger:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47,425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maui portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maui-makai public access which starts at the Honoupo and Honua ahupuaa as located south of the Property) from the Hawaii Bell Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


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(Whitington Beach Park)

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Very truly yours,

  
STEVEN S. C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hon-DEQC Knowl . HAO . Kow . Mau . Gawa . Saruw . Los Aguas . Washington, DC . Munoo

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WWW.CARLSMITH.COM  
November 7, 2000

To whom it may concern  
P.O. Box 216  
Nashua, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kahala and Hokuano, District of Kauai County and State of Hawaii; TMK:(3) 9-5-16-36

Dear To-whom it may concern:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Hanuapo and Hionoa ahupuaa as (located south of the Property) from the Hawaii Bell Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanuapo Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naelehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HONOLULU, HAWAII 96821-0686  
GAIL S. SIZEM  
LOS ANGELES, CALIFORNIA 90008

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WWW.CARLSMITH.COM  
November 7, 2000

Barbara L. Davis  
P.O. Box 571  
Nashua, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kahala and Hokuano, District of Kauai County and State of Hawaii; TMK:(3) 9-5-16-36

Dear Ms. Davis:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Hanuapo and Hionoa ahupuaa as (located south of the Property) from the Hawaii Bell Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

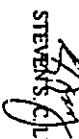
You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanuapo Park (Whittington Beach Park)

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Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HONOLULU, HAWAII 96821-0686  
GAIL S. SIZEM  
LOS ANGELES, CALIFORNIA 90008

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November 7, 2000

Mary Alley  
P.O. Box 592  
Nashua, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kahala and Hokukano, District of Kauai, County and State of Hawaii; TMK:(3) 9-5-16-36

Dear Ms. Alley:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honuapo and Hiona ahupuaa as (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honuapo Park  
(Whittington Beach Park)

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Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. Q. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hon-DEQC Kauai · Ho · Kou · Ma · Gu · Sa · La An · Wa · Ma  
Hon-DEQC Kauai · Ho · Kou · Ma · Gu · Sa · La An · Wa · Ma

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WWW.CARLSMITH.COM  
November 7, 2000

Melissa Coito  
P.O. Box 216  
Nashua, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kahala and Hokukano, District of Kauai, County and State of Hawaii; TMK:(3) 9-5-16-36

Dear Ms. Coito:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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(Whittington Beach Park)

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Very truly yours,

  
STEVEN S. Q. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hon-DEQC Kauai · Ho · Kou · Ma · Gu · Sa · La An · Wa · Ma  
Hon-DEQC Kauai · Ho · Kou · Ma · Gu · Sa · La An · Wa · Ma

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WWW.CARLSMITH.COM  
November 7, 2000

Kainoa Lapera  
P.O. Box 901  
Naelehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaahiki and Hokuikano, District of Kau, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Kainoa Kareem:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the makahonohwi end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Hionna alupua as located south of the Property from the Hawaii Bell Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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Very truly yours,

  
STEVEN S. QUINN

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honolulu, Kauai, Maui, Oahu, Hawaii, Los Angeles, Washington, DC, Mexico

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November 7, 2000

Teresa Alderolva  
P.O. Box 285  
Naelehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaahiki and Hokuikano, District of Kau, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Ms. Alderolva:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the makahonohwi end of the 47.425-acre coastal property. See attached site plan.

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Very truly yours,

  
STEVEN S. QUINN

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honolulu, Kauai, Maui, Oahu, Hawaii, Los Angeles, Washington, DC, Mexico

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WWW.CARLSMITH.COM  
November 7, 2000

James Yoshida  
P.O. Box 499  
Nasalehu, HI 96772

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kaulaiki and Hokuano, District of Kauai, County and State of Hawaii; TMK:(3) 9-5-16-36

Dear Mr. Yoshida:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HonOEQC Kuroki . Hko . Koa . Mau . Guu . Sawa . Ika Akaui . Wakaioke DC . Maroo

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WWW.CARLSMITH.COM  
November 7, 2000

Peggy H. Anzoc  
P.O. Box 233  
Nasalehu, HI 96772

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kaulaiki and Hokuano, District of Kauai, County and State of Hawaii; TMK:(3) 9-5-16-36

Dear Ms. Anzoc:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HonOEQC Kuroki . Hko . Koa . Mau . Guu . Sawa . Ika Akaui . Wakaioke DC . Maroo

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WWW.CARLSMITH.COM  
November 7, 2000

Leonard Lee  
P.O. Box 595  
Kalahehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalahehu and Hokuikano, District of Kauai, County and State of Hawaii; TNRK (3) 9-5-16-36

Dear Mr. Lee:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauka portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Hionoa ahupuaa as located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouapo Park  
(Whittington Beach Park)

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Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. Q. LIM

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honolulu, Kauai, Hawaii, Kauai, Maui, Oahu, Santa Fe, San Juan, San Antonio, Washington, DC, Mexico

**CARLSMITH BALL LLP**

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WWW.CARLSMITH.COM  
November 7, 2000

Kimo Aka  
P.O. Box 141  
Kalahehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalahehu and Hokuikano, District of Kauai, County and State of Hawaii; TNRK (3) 9-5-16-36

Dear Mr. Aka:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauka portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Hionoa ahupuaa as located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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Very truly yours,

  
STEVEN S. Q. LIM

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Honolulu, Kauai, Hawaii, Kauai, Maui, Oahu, Santa Fe, San Juan, San Antonio, Washington, DC, Mexico

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WWW.CARLSMITH.COM  
November 7, 2000

Loma Galizo  
P.O. Box 496  
Naahehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaahiki and Hokukano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36

Dear Ms. Galizo:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, graveled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

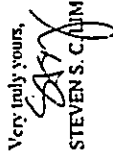
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Very truly yours,  
  
STEVEN S. LIM

SSL:KYL  
xc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HOM-050C KAUAI - HAO - KOHA - MAU - CAHUA - SARAW - LOS ANGELES - WASHINGTON, DC - MUNDO

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WWW.CARLSMITH.COM  
November 7, 2000

Cecilia V. Galizo  
P.O. Box 496  
Naahehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaahiki and Hokukano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36

Dear Ms. Galizo:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, graveled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

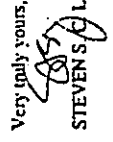
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Very truly yours,  
  
STEVEN S. LIM

SSL:KYL  
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Eric Hill, DLNR-Land Management  
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WWW.CARLSMITH.COM  
November 7, 2000

Dale Espejo  
P.O. Box 846  
Pohala, HI 96777

Re: Applicants: Mary & A. David Carroll: CDUA HA-2981B  
Kalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:3b

Dear Mr. Espejo:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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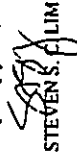
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Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
xc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
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WWW.CARLSMITH.COM  
November 7, 2000

Donovan Emmaly  
P.O. Box 396  
Naalehu, HI 96772

Re: Applicants: Mary & A. David Carroll: CDUA HA-2981B  
Kalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:3b

Dear Mr. Emmaly:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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Very truly yours,

  
STEVEN S. LIM

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xc: Mary & A. David Carroll  
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WWW.CARLSMITH.COM  
November 7, 2000

Dawnalynn Waiwaiole  
P.O. Box 448  
Naelehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36

Dear Ms. Waiwaiole:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

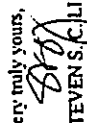
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Very truly yours,  
  
STEVEN S. C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HAWAII@EQC KAUAI . HAWAII . HONOLULU . MAUI . OAHU . SAMA . CAHUA . LOA ANGLUS . WASHINGTON, DC . MIAMI

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WWW.CARLSMITH.COM  
November 7, 2000

Arnold Ramos  
P.O. Box 1006  
Naelehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36

Dear Mr. Ramos:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

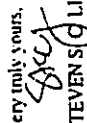
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STEVEN S. C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HAWAII@EQC KAUAI . HAWAII . HONOLULU . MAUI . OAHU . SAMA . CAHUA . LOA ANGLUS . WASHINGTON, DC . MIAMI

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TELEPHONE (808) 935-6644 FAX (808) 935-7975  
WWW.CARLSMITHCOM

November 7, 2000

Theima Omija  
P.O. Box 4  
Naelehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Ms. Omija:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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Very truly yours,

  
STEVEN S. C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hawaii-DEQC Konohe, Hilo, Kona, Maui, Oahu, Kauai, Lanai, Maui, Hawaii, Washington, DC, Mexico

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November 7, 2000

Darin Enos  
P.O. Box 695  
Naelehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Mr. Enos:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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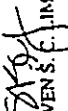
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STEVEN S. C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hawaii-DEQC Konohe, Hilo, Kona, Maui, Oahu, Kauai, Lanai, Maui, Hawaii, Washington, DC, Mexico

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WWW.CARLSMITH.COM  
November 7, 2000

Hanalei Young  
P.O. Box 73  
Naahehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36

Dear Ms. Young:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honuapo and Honua alupua as (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honuapo Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naahehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HON-080C KAUAI - HAWAII - MAUI - MOLOKAI - OAHU - PEARL AND HERMES REEF - WAIALEALE - WAIALEALE DC - MUPO

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY LAW PARTNERSHIP

121 WAIAANAELE AVENUE  
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HONOLULU, HAWAII 96721-0686  
TELEPHONE: (808) 935-6044 FAX: (808) 935-7975  
WWW.CARLSMITH.COM  
November 7, 2000

Devin Breithaupt  
P.O. Box 770  
Naahehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36

Dear Mr. Breithaupt:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honuapo and Honua alupua as (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

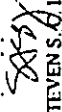
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DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
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Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HON-080C KAUAI - HAWAII - MAUI - MOLOKAI - OAHU - PEARL AND HERMES REEF - WAIALEALE - WAIALEALE DC - MUPO

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WWW.CARLSMITH.COM  
November 7, 2000

Margaret McGuire  
P.O. Box 412  
Naalahu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK: (3) 9-5-16:36

Dear Ms. Shibuya:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Honouapo ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouapo Park (Whittington Beach Park)

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Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HOWOEOC KAOHU · HONOLULU · MAUI · MOLOKAI · OAHU · KAUAI · MAUI · GUAM · SAIPAN · LOS ANGELES · WASHINGTON, DC · MIAMI

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WWW.CARLSMITH.COM  
November 7, 2000

Margaret McGuire  
P.O. Box 412  
Naalahu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK: (3) 9-5-16:36

Dear Ms. McGuire:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Honouapo ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

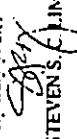
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PLACE: Property site, approximately 2 miles north of Honouapo Park (Whittington Beach Park)

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Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HOWOEOC KAOHU · HONOLULU · MAUI · MOLOKAI · OAHU · KAUAI · MAUI · GUAM · SAIPAN · LOS ANGELES · WASHINGTON, DC · MIAMI

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WWW.CARLSMITH.COM

November 7, 2000

George Kauwe  
P.O. Box 511  
Nālehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Hōkukano, District of Kau, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Mr. Kauwe:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, graveled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Hirona ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

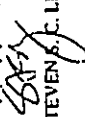
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TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouapo Park (Whittington Beach Park)

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Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HONOHOKU, HAWAII • HONO, HAWAII • MAUI • MOLOKAI • OAHU • KAUAI • LANAI • MAUI • HAWAII • WASHINGTON, DC • MIAMI

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WWW.CARLSMITH.COM

November 7, 2000

Donald Shihaya  
P.O. Box 476  
Nālehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Hōkukano, District of Kau, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Mr. Shihaya:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, graveled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Hirona ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

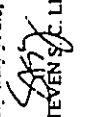
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Very truly yours,

  
STEVEN C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HONOHOKU, HAWAII • HONO, HAWAII • MAUI • MOLOKAI • OAHU • KAUAI • LANAI • MAUI • HAWAII • WASHINGTON, DC • MIAMI

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131 W. ALI'IPAPA AVENUE  
PO BOX 999  
HONOLULU, HAWAII 96813-0999  
TEL: (808) 939-0000 FAX: (808) 939-0022  
WWW.CARLSMITH.COM  
November 7, 2000

Marcelina Andrade  
P.O. Box 2  
Pohala HI 96777

Re: Applicants: Mary & A. David Carroll, CDUA HA-2991B  
Kaialaia and Hea'ula'ua, District of Kaua'i, County and State of Hawaii, TMK (3) 9-5-16-36

Dear Ms. Andrade:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made, reflection pond, graded driveway, private water catchment and wastewater treatment system), and landscaping on approximately 3/4 acre at the mauna'auhuneha end of the 47-425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna'auhuneha end of the Property, approximately 924 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna'auhuneha portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauna'auhuneha public access which starts at the Hea'ula'ua and Hea'ula'ua ahaupua (as located south of the Property) from the Hawaii Rich Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hea'ula'ua Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m., at the Naalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

*Steven S. Lim*  
STEVEN S. LIM

SSL:KYL  
Re: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HawaiiDC Group, Inc., 3700 Kalia Road, Suite 100, Honolulu, Hawaii 96819

**CARLSMITH BALL LLP**  
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131 W. ALI'IPAPA AVENUE  
PO BOX 999  
HONOLULU, HAWAII 96813-0999  
TEL: (808) 939-0000 FAX: (808) 939-0022  
WWW.CARLSMITH.COM  
November 7, 2000

Ernest Andrade  
P.O. Box 2  
Pohala HI 96777

Re: Applicants: Mary & A. David Carroll, CDUA HA-2991B  
Kaialaia and Hea'ula'ua, District of Kaua'i, County and State of Hawaii, TMK (3) 9-5-16-36

Dear Mr. Andrade:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made, reflection pond, graded driveway, private water catchment and wastewater treatment system), and landscaping on approximately 3/4 acre at the mauna'auhuneha end of the 47-425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna'auhuneha end of the Property, approximately 924 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna'auhuneha portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauna'auhuneha public access which starts at the Hea'ula'ua and Hea'ula'ua ahaupua (as located south of the Property) from the Hawaii Rich Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hea'ula'ua Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m., at the Naalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

*Steven S. Lim*  
STEVEN S. LIM

SSL:KYL  
Re: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HawaiiDC Group, Inc., 3700 Kalia Road, Suite 100, Honolulu, Hawaii 96819

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PHONE (808) 935-0456 FAX (808) 935-1925  
WWW.CARLSMITH.COM  
November 7, 2000

Renee Estes  
P.O. Box 678  
Honolulu, HI 96877

Re: Applicants: Mary & A. David Carroll, CDUA HA-2001R  
Kalaiki and Helelanee, District of Kaua'i County and State of Hawaii; TMK (3) 9-5-16-3A

Dear Ms. Estes:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction for the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessions, wet impervious (man-made) retention pond, graded driveway, private water catchment and wastewater treatment systems, and landscaping on approximately 3.4-acres at the north-southwest end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded lower pad at the mauna end of the Property, approximately 924 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauna-makai public access which starts at the Hanalei and Helelanee abutment as located south of the Property from the Hanalei Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access is and along the coastal shoreline within the Project Area will remain open.

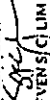
You are invited to attend an Informal Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informal Meeting on Thursday, November 14, 2000 at 6:30 p.m. at the Nāhāhā Community Center.

Should you have questions concerning the Informal Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental document to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYI  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HONOLULU, HAWAII, 96813  
Phone: (808) 935-0456 Fax: (808) 935-1925  
Washington, DC - Metro

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PHONE (808) 935-0456 FAX (808) 935-1925  
WWW.CARLSMITH.COM  
November 7, 2000

Eusebio Ramos, Jr.  
P.O. Box 678  
Honolulu, HI 96877

Re: Applicants: Mary & A. David Carroll, CDUA HA-2001R  
Kalaiki and Helelanee, District of Kaua'i County and State of Hawaii; TMK (3) 9-5-16-3A

Dear Mr. Ramos:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction for the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessions, wet impervious (man-made) retention pond, graded driveway, private water catchment and wastewater treatment systems, and landscaping on approximately 3.4-acres at the north-southwest end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded lower pad at the mauna end of the Property, approximately 924 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauna-makai public access which starts at the Hanalei and Helelanee abutment as located south of the Property from the Hanalei Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access is and along the coastal shoreline within the Project Area will remain open.

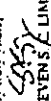
You are invited to attend an Informal Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitington Beach Park)

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Should you have questions concerning the Informal Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental document to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYI  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HONOLULU, HAWAII, 96813  
Phone: (808) 935-0456 Fax: (808) 935-1925  
Washington, DC - Metro

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A LIMITED LIABILITY CORPORATION

121 WASHINGTON AVENUE  
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HONOLULU, HAWAII 96813-0487  
TELEPHONE (808) 933-0414 FAX (808) 933-7473  
WWW.CARLSMITH.COM  
November 7, 2000

Mary K. Malouane  
P.O. Box 863  
Nashua, NH 06772

Re: Applicant: Mary & A. David Carroll, CDUA HA-2981B  
Kahala and Helelan, District of Kauai County, and State of Hawaii; TMK (3) 0-5-16-74.

Dear Ms. Malouane:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family, residential dwelling, approximately 2,150 square feet in living area, and related accessory use improvements (lanai, deck, reflection pond, paved driveway, private water catchment and wastewater treatment system), and landscaping on approximately 3/4-acre at the mauna-nui-ka-hale end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded beach, pad at the mauna end of the Property, approximately 274 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a mauna-maka public access which starts at the Honouapou and Honouapou as located south of the Property from the Hawaii Beach Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:


DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouapou Park (Washington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nashua Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended to the final environmental agreement to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
10-0190C  
Date: Nov 7, 2000  
Time: 10:48:00 AM  
From: Mary & A. David Carroll  
To: Eric Hill, DLNR-Land Management  
Subject: Informational Meeting

Very truly yours,  
  
STEVEN S. LIM

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

121 WASHINGTON AVENUE  
PO BOX 487  
HONOLULU, HAWAII 96813-0487  
TELEPHONE (808) 933-0414 FAX (808) 933-7473  
WWW.CARLSMITH.COM  
November 7, 2000

Home Edge  
P.O. Box 878  
Nashua, NH 06772

Re: Applicant: Mary & A. David Carroll, CDUA HA-2981B  
Kahala and Helelan, District of Kauai County, and State of Hawaii; TMK (3) 0-5-16-74.

Dear Mr. Estes:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family, residential dwelling, approximately 2,150 square feet in living area, and related accessory use improvements (lanai, deck, reflection pond, paved driveway, private water catchment and wastewater treatment system), and landscaping on approximately 3/4-acre at the mauna-nui-ka-hale end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded beach, pad at the mauna end of the Property, approximately 274 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a mauna-maka public access which starts at the Honouapou and Honouapou as located south of the Property from the Hawaii Beach Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouapou Park (Washington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nashua Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended to the final environmental agreement to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
10-0190C  
Date: Nov 7, 2000  
Time: 10:48:00 AM  
From: Mary & A. David Carroll  
To: Eric Hill, DLNR-Land Management  
Subject: Informational Meeting

Very truly yours,  
  
STEVEN S. LIM



**CARLSA**  
ATTORNEYS AT LAW  
ALL LLP  
LAW

121 W. ALIHOLOA AVENUE  
PO BOX 407  
HONOLULU, HAWAII 96813-0407  
TELEPHONE (808) 935-1515  
WWW.CARLSMITHBALLIF.COM  
November 2, 2009

Russell L. Salmon  
P.O. Box 8  
Nashville, TN 37202

Re: Applicants: Mary & A. David Carroll, CDUA HA-2091B  
Kauai and Hialeah, District of Kauai County and State of Hawaii, TMK (3) 9-5-16-34

Dear Mr. Salmon:

We are in receipt of a document that you typed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessory use improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.4 acres at the northwesterly end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the north end of the Property, approximately 724 feet from the shore line. DLNR's Historic Preservation Division has rejected the site and given a verbal clearance for development. DLNR has also directed that no further development may occur on the remaining major portion of the Property, without further archaeological survey of the area. The County of Hawaii recognizes a man-made public access which starts at the Honouliuli and Hialeah abutment (located north of the Property) from the Hawaiian Beach Road and gradually traverses diagonally through the Property along the Pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

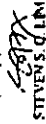
You are invited to attend an Informal Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2009  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informal Meeting on Tuesday, November 14, 2009 at 6:30 p.m. at the Naalehu Community Center.

Should you have questions concerning the Informal Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and/or treatment issues.

Very truly yours,

  
STEVENS, C/LIM

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-0400C Number: Hon. Adam L. Gault, Chair, 100 South Kalia Avenue, Washington, DC, Hawaii

**CARLSMITH BALL IF**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY PARTNERSHIP

121 W. ALIHOLOA AVENUE  
PO BOX 407  
HONOLULU, HAWAII 96813-0407  
WWW.CARLSMITHBALLIF.COM  
November 2, 2009

Richard Maki  
P.O. Box 8169  
Ocean View, HI 96737

Re: Applicants: Mary & A. David Carroll, CDUA HA-2091B  
Kauai and Hialeah, District of Kauai County and State of Hawaii, TMK (3) 9-5-16-34

Dear Mr. Maki:

We are in receipt of a document that you typed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessory use improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.4 acres at the northwesterly end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the north end of the Property, approximately 724 feet from the shore line. DLNR's Historic Preservation Division has rejected the site and given a verbal clearance for development. DLNR has also directed that no further development may occur on the remaining major portion of the Property, without further archaeological survey of the area. The County of Hawaii recognizes a man-made public access which starts at the Honouliuli and Hialeah abutment (located north of the Property) from the Hawaiian Beach Road and gradually traverses diagonally through the Property along the Pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

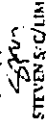
You are invited to attend an Informal Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2009  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informal Meeting on Tuesday, November 14, 2009 at 6:30 p.m. at the Naalehu Community Center.

Should you have questions concerning the Informal Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and/or environmental issues.

Very truly yours,

  
STEVENS, C/LIM

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-0400C Number: Hon. Adam L. Gault, Chair, 100 South Kalia Avenue, Washington, DC, Hawaii

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

321 W. ANAHEIM AVENUE  
PO BOX 484  
HONOLULU, HAWAII 96813-0484  
TELEPHONE (808) 935-4444 FAX (808) 935-7973  
WWW.CARLSMITH.COM  
November 7, 2000

Honorable Glas  
P.O. Box 852  
Nashville, TN 37277

Re: Applicants: Mary & A. David Carroll, CDUA HA-2991B  
Nashville and Hololano, District of Kau County and State of Hawaii; TMK (3) 0-5-16-36

Dear Mr. Glas:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related treatment systems, and landscaping on approximately 2.74-acre at the mauna north-west end of the 47.423-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 924 feet from the abut line. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna-makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauna-makai public access which starts at the Honouliuli and Honoa ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

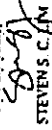
You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nāhale Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental statement to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVEN S. C. KIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR Land Management  
Hawaii-DEQC  
Honolulu, Hawaii  
Carroll, Mary & A. David  
November 7, 2000

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

321 W. ANAHEIM AVENUE  
PO BOX 484  
HONOLULU, HAWAII 96813-0484  
TELEPHONE (808) 935-4444 FAX (808) 935-7973  
WWW.CARLSMITH.COM  
November 7, 2000

Edward K. Davis, III  
P.O. Box 571  
Nashville, TN 37277

Re: Applicants: Mary & A. David Carroll, CDUA HA-2991B  
Nashville and Hololano, District of Kau County and State of Hawaii; TMK (3) 0-5-16-36

Dear Mr. Davis:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related treatment systems, and landscaping on approximately 2.74-acre at the mauna north-west end of the 47.423-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 924 feet from the abut line. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna-makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauna-makai public access which starts at the Honouliuli and Honoa ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nāhale Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental statement to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVEN S. C. KIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR Land Management  
Hawaii-DEQC  
Honolulu, Hawaii  
Carroll, Mary & A. David  
November 7, 2000

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

121 WAIANANUI AVENUE  
FO BOX 400  
HONOLULU, HAWAII 96821-0400  
TELEPHONE (808) 933-4644 FAX (808) 933-7923  
WWW.CARLSMITH.COM  
November 7, 2000

Dick Kawaie  
P.O. Box 110  
Honolulu, HI 96878

Re: Applicants: Mary & A. David Carroll, CDUA HA-20918  
Kalaiala and Halaolano, District of Kaua County and State of Hawaii; TMK (3) 0-5-16-36.

Dear Mr. Ke

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessions, use improvements (man-made retention pond, paved driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.4-acres at the mauna hounui west end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded beach, pad at the mauna end of the Property, approximately 924 feet from the shoreline. DLMR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLMR has also directed that no further development may occur on the remaining mauna-makaa portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a mauna-makaa public access which starts at the Halaolano and Honuaa ahupua'a as located south of the Property from the Halaolano Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naahehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed access, please feel free to contact me. Your letter and this response will be appended in the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

*[Signature]*  
STEVENS J. LIM

SSL:KYI  
Mary & A. David Carroll  
Executive Director, DLMR Land Management  
1440 Kalia Road, Honolulu, Hawaii 96813-2000

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

121 WAIANANUI AVENUE  
FO BOX 400  
HONOLULU, HAWAII 96821-0400  
TELEPHONE (808) 933-4644 FAX (808) 933-7923  
WWW.CARLSMITH.COM  
November 7, 2000

Dick Kawaie  
P.O. Box 110  
Honolulu, HI 96878

Re: Applicants: Mary & A. David Carroll, CDUA HA-20918  
Kalaiala and Halaolano, District of Kaua County and State of Hawaii; TMK (3) 0-5-16-36.

Dear Mr. Kawaie

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessions, use improvements (man-made retention pond, paved driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.4-acres at the mauna hounui west end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded beach, pad at the mauna end of the Property, approximately 924 feet from the shoreline. DLMR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLMR has also directed that no further development may occur on the remaining mauna-makaa portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a mauna-makaa public access which starts at the Halaolano and Honuaa ahupua'a as located south of the Property from the Halaolano Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naahehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed access, please feel free to contact me. Your letter and this response will be appended in the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

*[Signature]*  
STEVENS J. LIM

SSL:SNK  
Mary & A. David Carroll  
Executive Director, DLMR Land Management  
1440 Kalia Road, Honolulu, Hawaii 96813-2000





**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A Limited Liability Law Corporation

121 W. QUINCY AVENUE  
FLOOR 3000  
HONOLULU, HAWAII 96813  
WWW.CARLSMITHBALL.COM

November 7, 2000

Miwa Alamu  
P.O. Box 514  
Nashua, NH 06872

Re: Applicants: Mary & A. David Carroll, CDUA HA-2991R  
Kaalaiki and Hahaione, District of Kauai County and State of Hawaii, TMK (3) 0-5-16-36

Dear Ms. Alamu:

We are in receipt of a document that you agreed indicating that you have consented about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area and related accessory use improvements (mainly, kitchen, refrigerator, gas stove, gas water heater, gas water heater, and water heater treatment system), and landscaping on approximately 2,600 sq. ft. of the main lot, north end of the 47-47-5000 coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the main lot end of the Property, approximately 724 feet from the shore line. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining main lot portion of the Property without further archaeological survey of the area. The former of Hawaii recognizes a main lot as public which starts at the Hahaione and Hahaione along the beach line of the Property from the Hahaione Beach Road and gradually traverses diagonally, through the Property along the pedestrian Greenway Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

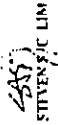
You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hahaione Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 1999 at 6:30 p.m. at the Nahaieha Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVEN J. LIM

SSL/KYL  
Mary & A. David Carroll  
File Hill, DLNR-Land Management  
16-44800

Mary & A. David Carroll  
File Hill, DLNR-Land Management  
16-44800

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A Limited Liability Law Corporation

121 W. QUINCY AVENUE  
FLOOR 3000  
HONOLULU, HAWAII 96813  
WWW.CARLSMITHBALL.COM

November 7, 2000

Lisa Kamata  
P.O. Box 835  
Nashua, NH 06872

Re: Applicants: Mary & A. David Carroll, CDUA HA-2991R  
Kaalaiki and Hahaione, District of Kauai County and State of Hawaii, TMK (3) 0-5-16-36

Dear Ms. Kamata:

We are in receipt of a document that you agreed indicating that you have consented about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area and related accessory use improvements (mainly, kitchen, refrigerator, gas stove, gas water heater, gas water heater, and water heater treatment system), and landscaping on approximately 2,600 sq. ft. of the main lot, north end of the 47-47-5000 coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the main lot end of the Property, approximately 724 feet from the shore line. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining main lot portion of the Property without further archaeological survey of the area. The former of Hawaii recognizes a main lot as public which starts at the Hahaione and Hahaione along the beach line of the Property from the Hahaione Beach Road and gradually traverses diagonally, through the Property along the pedestrian Greenway Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

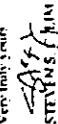
You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hahaione Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 1999 at 6:30 p.m. at the Nahaieha Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVEN J. LIM

SSL/KYL  
Mary & A. David Carroll  
File Hill, DLNR-Land Management  
16-44800

Mary & A. David Carroll  
File Hill, DLNR-Land Management  
16-44800

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A PROFESSIONAL LAW FIRM

111 WASHINGTON AVENUE  
FO BOX 844  
HONOLULU, HAWAII 96813-0844  
TEL: (808) 933-2444 FAX: (808) 933-2455  
WWW.CARLSMITH.COM  
November 7, 2000

Paul Galim  
P.O. Box 844  
Nalehu, HI 96877

Re: Applicants Mary & A. David Carmil, CDUA HA-2981B  
Kalaheo, District of Kauai County and State of Hawaii, TRK (3) U.S. 16 36

Dear Mr. Galim:

We are in receipt of a document that you typed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory site improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.64-acre at the main/southwest end of the #7 42'-sect coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the main/south end of the Property, approximately 274 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining man-made portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a man-made public easement which starts at the Honouliuli and Honouliuli (as located south of the Property) from the Hawaii Right of Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whittington Beach Park)

In recognition of this recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nāhāhā Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
ERIC HILL

SSL:KYL  
Re: Mary & A. David Carmil  
Eric Hill, DLNR-Land Management  
1440BJGC, Honolulu, Hawaii  
Case : 3606 : In : Appeal : Construction DC : Appeal

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A PROFESSIONAL LAW FIRM

111 WASHINGTON AVENUE  
FO BOX 844  
HONOLULU, HAWAII 96813-0844  
TEL: (808) 933-2444 FAX: (808) 933-2455  
WWW.CARLSMITH.COM  
November 7, 2000

Leanne Souza  
P.O. Box 776  
Nalehu, HI 96877

Re: Applicants Mary & A. David Carmil, CDUA HA-2981B  
Kalaheo, District of Kauai County and State of Hawaii, TRK (3) U.S. 16 36

Dear Ms. Souza:

We are in receipt of a document that you typed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory site improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.64-acre at the main/southwest end of the #7 42'-sect coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the main/south end of the Property, approximately 274 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining man-made portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a man-made public easement which starts at the Honouliuli and Honouliuli (as located south of the Property) from the Hawaii Right of Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

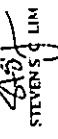
You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whittington Beach Park)

In recognition of this recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nāhāhā Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
ERIC HILL

SSL:KYL  
Re: Mary & A. David Carmil  
Eric Hill, DLNR-Land Management  
1440BJGC, Honolulu, Hawaii  
Case : 3606 : In : Appeal : Construction DC : Appeal







**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

121 W. ALIHALEA AVENUE  
FO BOX 99  
HONOLULU, HAWAII 96813-0099  
TELEPHONE: (808) 955-1000 FAX: (808) 955-1001  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Eric Kaawa  
c/o Permitter  
Maalehu, HI 96772

Re: Applicants: Mary & A. David Carmil, CDHA HA-2081B  
Koolaha and Hahaione, District of Kau County and State of Hawaii, TMK (S) 9-5-16-2b.

Dear Mr. Kaawa

We are in receipt of a document that you typed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential detached dwelling, approximately 3,150 square feet in living area, and related accessory use, improvements (including, but not limited to, driveway, private water catchment and waste water treatment systems), and landscaping on approximately 2.4-acre at the main subdivision of the 47-2-2-acre coastal property. See attached site plan.

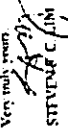
The proposed lower site is on the formerly graded house pad at the main end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also indicated that no further development may occur on the remaining main subdivision of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a number of public rights which state at the Hahaione and Hahaione abutment as the main end of the Property from the Hahaione Beach Trail, which state at the Hahaione abutment through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access is and abut the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Commission District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitingina Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Pali State Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,  
  
STEVE C. KIM

SSL KYI  
Mary & A. David Carmil  
Eric Hill, DLNR-Land Management  
14-0180-0000  
November 10, 2000

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

121 W. ALIHALEA AVENUE  
FO BOX 99  
HONOLULU, HAWAII 96813-0099  
TELEPHONE: (808) 955-1000 FAX: (808) 955-1001  
WWW.CARLSMITHBALL.COM  
November 7, 2000

David H. Kaawa, Jr.  
c/o Permitter  
Maalehu, HI 96772

Re: Applicants: Mary & A. David Carmil, CDHA HA-2081B  
Koolaha and Hahaione, District of Kau County and State of Hawaii, TMK (S) 9-5-16-2b.

Dear Mr. Kaawa

We are in receipt of a document that you typed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential detached dwelling, approximately 3,150 square feet in living area, and related accessory use, improvements (including, but not limited to, driveway, private water catchment and waste water treatment systems), and landscaping on approximately 2.4-acre at the main subdivision of the 47-2-2-acre coastal property. See attached site plan.


The proposed lower site is on the formerly graded house pad at the main end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also indicated that no further development may occur on the remaining main subdivision of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a number of public rights which state at the Hahaione and Hahaione abutment as the main end of the Property from the Hahaione Beach Trail, which state at the Hahaione abutment through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access is and abut the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Commission District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitingina Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Pali State Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,  
  
STEVE C. KIM

SSL KYI  
Mary & A. David Carmil  
Eric Hill, DLNR-Land Management  
14-0180-0000  
November 10, 2000

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

121 WASHINGTON AVENUE  
FOURTH FLOOR  
HONOLULU, HAWAII 96813  
TELEPHONE: (808) 531-2000 FAX: (808) 531-2002  
WWW.CARLSMITHBALL.COM  
November 7, 2009

Leilani Hashimoto  
P.O. Box 215  
Napoleon, HI 96722

Re: Applicants: Mary & A. David Carroll, CDUA HA-2091P  
Kaahala and Hahaione, District of Kauai County and State of Hawaii, TUK (S) 05-14-36

Dear Mr. Hashimoto:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,100 square feet in living area, and related access, site improvements, site work, fire protection, irrigation, storm water catchment and water treatment systems, and landscaping on approximately 3,240 sq. ft. of the northwestern end of the 47.42-acre coastal property. See attached site plan.


The proposed house site is on the formerly graded house pad at the north end of the Property, approximately 324 feet from the shoreline. DILNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DILNR has also directed that no further development may occur on the remaining undeveloped portion of the Property without further archaeological surveys of the area. The County of Hawaii is receiving a number of public access requests at the Hanalei and Hanalei areas as located south of the Property from the Hanalei State Park and is gradually reviewing daytrails through the Property along the coastal shoreline within the Project Area will remain open pedestrian public access in and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2009  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitingham Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2009 at 6:30 p.m. at the Nāhaleh Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and any response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,  
  
STEVE S. CLIM

SSL/KVI  
Mary & A. David Carroll  
Eric Hill, DILNR-Land Management  
14-0180C Hanalei, Kauai, Hawaii  
November 12, 2009

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TELEPHONE: (808) 531-2000 FAX: (808) 531-2002  
WWW.CARLSMITHBALL.COM  
November 7, 2009

Ken Saly  
P.O. Box 215  
Napoleon, HI 96722

Re: Applicants: Mary & A. David Carroll, CDUA HA-2091B  
Kaahala and Hahaione, District of Kauai County and State of Hawaii, TUK (S) 05-14-36

Dear Mr. Saly:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,100 square feet in living area, and related access, site improvements, site work, fire protection, irrigation, storm water catchment and water treatment systems, and landscaping on approximately 3,240 sq. ft. of the northwestern end of the 47.42-acre coastal property. See attached site plan.

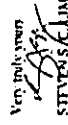
The proposed house site is on the formerly graded house pad at the north end of the Property, approximately 324 feet from the shoreline. DILNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DILNR has also directed that no further development may occur on the remaining undeveloped portion of the Property without further archaeological surveys of the area. The County of Hawaii is receiving a number of public access requests at the Hanalei and Hanalei areas as located south of the Property from the Hanalei State Park and is gradually reviewing daytrails through the Property along the coastal shoreline within the Project Area will remain open pedestrian public access in and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2009  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitingham Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2009 at 6:30 p.m. at the Nāhaleh Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and any response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,  
  
STEVE S. CLIM

SSL/KVI  
Mary & A. David Carroll  
Eric Hill, DILNR-Land Management  
14-0180C Hanalei, Kauai, Hawaii  
November 12, 2009

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121 WASHINGTON AVENUE  
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HONOLULU, HAWAII 96813  
TELEPHONE: (808) 935-4444 FAX: (808) 935-7257  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Owen I. Salmo  
P.O. Box 105  
Palala HI 96777

Re: Applicants Mary & A. David Carroll, CDVA HA-2991R  
Kaahala and Hahaione, District of Kauai County and State of Hawaii, TMK (1) 85-16-34

Dear Mr. Salmo:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,110 square feet in living area, and related accessory use improvements (main-mast, reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.4 acres at the maaka boundary end of the 47-42-1-101 coastal property. See attached site plan.

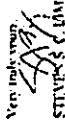
The proposed house site is on the formerly graded house pad at the maaka end of the Property, approximately 924 feet from the shore line. DLNR's Historic Preservation Division has inspected the site, and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining maaka portion of the Property without further archaeological surveys of the area. The County of Hawaii is currently conducting archaeological surveys which start at the Hahaione and Hahaione Shaped as located south of the Property from the Hahaione Beach Trail, and gradually traverses diagonally through the Property along the coastal shore line within the Project Area will remain open. Potential public access to and along the coastal shore line within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hahaione Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Kaahala Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,  
  
STEVEN'S LUM

SSI, KYL  
Xc  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
164-0800

Ms. Salmo : Room : 10 : 100 : Hahaione, HI : 96777

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
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121 WASHINGTON AVENUE  
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HONOLULU, HAWAII 96813  
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WWW.CARLSMITHBALL.COM  
November 7, 2000

Paul Rodriguez  
P.O. Box 1049  
Nashua, HI 96772

Re: Applicants Mary & A. David Carroll, CDVA HA-2991R  
Kaahala and Hahaione, District of Kauai County and State of Hawaii, TMK (1) 85-16-34

Dear Mr. Rodriguez:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,110 square feet in living area, and related accessory use improvements (main-mast, reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.4 acres at the maaka boundary end of the 47-42-1-101 coastal property. See attached site plan.

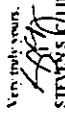
The proposed house site is on the formerly graded house pad at the maaka end of the Property, approximately 924 feet from the shore line. DLNR's Historic Preservation Division has inspected the site, and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining maaka portion of the Property without further archaeological surveys of the area. The County of Hawaii is currently conducting archaeological surveys which start at the Hahaione and Hahaione Shaped as located south of the Property from the Hahaione Beach Trail, and gradually traverses diagonally through the Property along the coastal shore line within the Project Area will remain open. Potential public access to and along the coastal shore line within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hahaione Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Kaahala Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,  
  
STEVEN'S LUM

SSI, KYL  
Xc  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
164-0800

Mr. Rodriguez : Room : 10 : 100 : Hahaione, HI : 96777

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A COMMITMENT TO EXCELLENCE

171 W. ALIPIKA AVENUE  
PO BOX 644  
HONOLULU, HAWAII 96813-0644  
TEL: (808) 933-0044 FAX: (808) 933-2577  
WWW.CARLSMITHBALL.COM  
November 7, 2000

A. Kaliao  
P.O. Box 746  
Nāhāhā, HI 96772

Re: Applicants Mary & A. David Carroll, CDUA HA-2981B  
Kalaheo and Hehaleaue, District of Kaua'i, County of Hawaii, TMA (2) 05-16-36

Dear A. Kaliao:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicant of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessions (e.g., impervious, non-man-made, reflective paved driveway, private water catchment and wastewater treatment system), and landscaping on approximately 2.4 acres at the north-northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded levee, just at the north end of the Property, approximately 124 feet from the shoreline. DLNR's Historic Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining make-a-make public access Property without further archeological survey of the area. The County of Hawaii requires a make-a-make public access which starts at the Hanalei and Hanalei shore as depicted south of the Property from the Hanalei Beach Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nāhāhā Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVENS CLIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR Land Management  
10-0100C Kalaheo, Kauai, Hawaii  
10-0100C Kalaheo, Kauai, Hawaii

**CARLSMITH BALL LLP**  
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WWW.CARLSMITHBALL.COM  
November 7, 2000

Monica J. Meier  
66 Perimeter  
Nāhāhā, HI 96772

Re: Applicants Mary & A. David Carroll, CDUA HA-2981B  
Kalaheo and Hehaleaue, District of Kaua'i, County of Hawaii, TMA (2) 05-16-36

Dear Ms. Meier:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicant of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessions (e.g., impervious, non-man-made, reflective paved driveway, private water catchment and wastewater treatment system), and landscaping on approximately 2.4 acres at the north-northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded levee, just at the north end of the Property, approximately 124 feet from the shoreline. DLNR's Historic Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining make-a-make public access Property without further archeological survey of the area. The County of Hawaii requires a make-a-make public access which starts at the Hanalei and Hanalei shore as depicted south of the Property from the Hanalei Beach Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nāhāhā Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVENS CLIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR Land Management  
10-0100C Kalaheo, Kauai, Hawaii  
10-0100C Kalaheo, Kauai, Hawaii

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

121 W. KALANANUO AVENUE  
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HONOLULU, HAWAII 96813-2000  
TELEPHONE: (808) 935-2666 FAX: (808) 935-2675  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Lerona Matuuda Kawanu  
P.O. Box 46  
Nashville, HI 96722

Re: Applicants: Mary & A. David Carroll, CDUA HA-2091B  
Kauai and Hiiakoo, District of Kauai County and State of Hawaii, TMK (3) 0-5-16-36

Dear Mr. Kawanu:

We are in receipt of a document that you typed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related access to the improvements (mainly, a reflection pond, gravelled driveway, private water catchment and wastewater treatment systems) and landscaping on approximately 3.4-acre at the mauna hooihua site end of the 47-425-0000 coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 924 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a mauna-maka public access which runs at the Honoupa and Hiiakoo ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

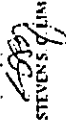
You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles south of Honoupa Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nāhāhā Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. GILM

SSL KYL  
cc Mary & A. David Carroll  
Erin Hill, DLNR Land Management  
10-011600

10-011600

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

121 W. KALANANUO AVENUE  
FLOOR 2000  
HONOLULU, HAWAII 96813-2000  
TELEPHONE: (808) 935-2666 FAX: (808) 935-2675  
WWW.CARLSMITHBALL.COM  
November 7, 2000

John Reddy  
P.O. Box 95  
Nashville, HI 96722

Re: Applicants: Mary & A. David Carroll, CDUA HA-2091B  
Kauai and Hiiakoo, District of Kauai County and State of Hawaii, TMK (3) 0-5-16-36

Dear Mr. Reddy:

We are in receipt of a document that you typed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related access to the improvements (mainly, a reflection pond, gravelled driveway, private water catchment and wastewater treatment systems) and landscaping on approximately 3.4-acre at the mauna hooihua site end of the 47-425-0000 coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 924 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a mauna-maka public access which runs at the Honoupa and Hiiakoo ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

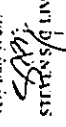
You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles south of Honoupa Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nāhāhā Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. GILM

SSL KYL  
cc Mary & A. David Carroll  
Erin Hill, DLNR Land Management  
10-011600

10-011600

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY LAW PARTNERSHIP

121 WAIANAIJIME AVENUE  
P.O. BOX 186  
HONO, HAWAII 96721-0186  
TELEPHONE (HON) 935-6644 FAX (HON) 935-7975  
WWW.CARLSMITH.COM

November 7, 2000

C. McFadden  
P.O. Box 729  
Naelehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Ms. McFadden

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Hionaa ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouapo Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naelehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. C. JIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hawaii-DEQC Hawaii • Honolulu • Maui • Kauai • Lanai • Oahu • Washington, DC • Mexico

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WWW.CARLSMITH.COM

November 7, 2000

To whom it may concern  
P.O. Box 564  
Naelehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalaiki and Hokuano, District of Kau, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear To whom it may concern:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Hionaa ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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Very truly yours,

  
STEVEN S. C. JIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hawaii-DEQC Hawaii • Honolulu • Maui • Kauai • Lanai • Oahu • Washington, DC • Mexico

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November 7, 2000

Ted A. Rosas  
c/o Postmaster  
Naalahu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalikai and Holoikano, District of Kau, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Mr. Rosas:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.475-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maikai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maika-makai public access which starts at the Honuapo and Hoonaa ahupua'a as located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project area will remain open.

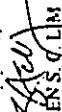
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DATE: Sunday, November 12, 2000  
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PLACE: Property site, approximately 2 miles north of Honuapo Park (Whittington Beach Park)

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Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HOWQEOC kareki . hko . kpa . map . cam . con . lo . angus . wa . w . dc . m . p . c .

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November 7, 2000

Anthony Oliveros, Sr.  
P.O. Box 61  
Paahala, HI 96777

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalikai and Holoikano, District of Kau, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Mr. Oliveros:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.475-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maikai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maika-makai public access which starts at the Honuapo and Hoonaa ahupua'a as located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
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Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. C. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HOWQEOC kareki . hko . kpa . map . cam . con . lo . angus . wa . w . dc . m . p . c .



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November 7, 2000

Candi L. Yarber  
P.O. Box 1080  
Nanalehu, HI 96772

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kaaiaiki and Holokano, District of Kau. County and State of Hawaii; TMK:(2) 9-5-16-26

Dear Mr. Yarber:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family, residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 874 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauka portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Hinosa ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

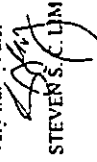
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Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended in the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hon-DEQC

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WWW.CARLSMITH.COM  
November 7, 2000

Tessie DePeralta  
c/o Postmaster  
Nanalehu, HI 96772

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kaaiaiki and Holokano, District of Kau. County and State of Hawaii; TMK:(2) 9-5-16-26

Dear Ms. DePeralta:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family, residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 874 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauka portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Hinosa ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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DATE: Sunday, November 12, 2000  
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In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nanalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended in the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hon-DEQC

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WWW.CARLSMITH.COM

November 7, 2000

James T. Oyama  
c/o Postmaster  
Nalehu, HI 96772

Re Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaahala and Hokuano, District of Kau, County and State of Hawaii; TMK (3) 9-5-16-36

Dear Mr. Oyama:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maika portions of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maika-maka public access which starts at the Honouapo and Honua ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the Pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-080QC Area - H.O. Area - Map - Guam - Spain - Los Angeles - Washington, DC - Mexico

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November 7, 2000

Lynn Anderson  
P.O. Box 170  
Nalehu, HI 96772

Re Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaahala and Hokuano, District of Kau, County and State of Hawaii; TMK (3) 9-5-16-36

Dear Ms. Anderson:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maika portions of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maika-maka public access which starts at the Honouapo and Honua ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the Pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

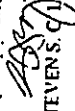
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Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-080QC Area - H.O. Area - Map - Guam - Spain - Los Angeles - Washington, DC - Mexico

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WWW.CARLSMITH.COM

November 7, 2000

Clyde Kanehiro  
P.O. Box 166  
Nalehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalaiki and Hokuano, District of Kau. County and State of Hawaii; TMK (3) 9-5-16-36

Dear Mr. Kanehiro:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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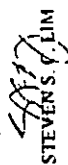
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DATE: Sunday, November 12, 2000  
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Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HOW@EOC

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November 7, 2000

Jeffery Kekoa  
P.O. Box 785  
Paoha, HI 96777

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalaiki and Hokuano, District of Kau. County and State of Hawaii; TMK (3) 9-5-16-36

Dear Mr. Kekoa:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

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Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HOW@EOC

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WWW.CARLSMITH.COM  
November 7, 2000

Adrienne Keloa  
c/o Postmaster  
Naalahu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Holukano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16-36

Dear Ms Keloa

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maikai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Honouaupou as (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

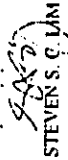
You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouapo Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. C. LAM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HOW-OEQC

Hono-OEQC . Hono . Kona . Maui . Oahu . Pearl and Hermes . San Juan . Waikoloa . Waipahoehoe . DC . Maui

**CARLSMITH BALL LLP**  
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TELEPHONE (808) 935-6644 FAX (808) 935-7873  
WWW.CARLSMITH.COM  
November 7, 2000

Cathy Blanco  
P.O. Box 417  
Naalahu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Holukano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16-36

Dear Ms. Blanco:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maikai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Honouapo and Honouaupou as (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

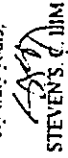
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TIME: 1:00 p.m.  
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Very truly yours,

  
STEVEN S. C. LAM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HOW-OEQC

Hono-OEQC . Hono . Kona . Maui . Oahu . Pearl and Hermes . San Juan . Waikoloa . Waipahoehoe . DC . Maui

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HONOOLULU, HAWAII 96822-1066  
TELEPHONE (808) 935-8844 FAX (808) 935-7975  
WWW.CARLSMITH.COM

November 7, 2000

Ricky Javar, Jr.  
c/o Postmaster  
Naelehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalaiki and Hokuano, District of Kauai, County and State of Hawaii; TMK (3) 9-5-16-36

Dear Mr. Javar:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, traveled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maika portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maika-maka public access which starts at the Honuapo and Hionaa ahupua'a (located south of the Property) from the Hawaiian Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

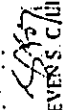
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DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honuapo Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naelehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. CUJIM

SSL:KYL  
xc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HOW:EQC

HOW:EQC  
KUALA: HOU . NOW . MAU . CAROL . JAVAR . LON . ANGLIS . WASHINGTON, DC . MURDO

**CARLSMITH BALL LLP**

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WWW.CARLSMITH.COM

November 7, 2000

Randell Javar  
c/o Postmaster  
Naelehu, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kaalaiki and Hokuano, District of Kauai, County and State of Hawaii; TMK (3) 9-5-16-36

Dear Ms. Javar:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, traveled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maika portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maika-maka public access which starts at the Honuapo and Hionaa ahupua'a (located south of the Property) from the Hawaiian Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

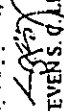
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TIME: 1:00 p.m.  
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Very truly yours,

  
STEVEN S. CUJIM

SSL:KYL  
xc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HOW:EQC

HOW:EQC  
KUALA: HOU . NOW . MAU . CAROL . JAVAR . LON . ANGLIS . WASHINGTON, DC . MURDO

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WWW.CARLSMITH.COM  
November 7, 2000

Jacqueline McMurry  
P.O. Box 623  
Nashua, NH 06872

Re: Applicants: Mary & A. David Carroll, CDUA HA-2991B  
Kalahehi and Heleluani, District of Kaua'i, County and State of Hawaii; TRK (S) 0-5-16-34

Dear Ms. McMurry:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicant of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related access and improvements (including a driveway, private water catchment and water treatment system), and landscaping on approximately 3/4 acre at the north/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the north end of the Property, approximately 924 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining major portion of the Property without further archaeological survey of this area. The County of Hawaii has issued a public hearing which starts at the Hanalei and Hanalei Highway as located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

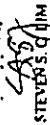
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PLACE: Property site, approximately 2 miles north of Hanalei Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nālehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended in the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
ERIC HILL, DLNR Land Management

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR Land Management  
14-0-0200C Kalahehi - Heleluani - Hanalei - County - Kaua'i - District of Hawaii - Washington, DC - Hawaii

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WWW.CARLSMITH.COM  
November 7, 2000

Janice Javer  
400 Pennsylvania  
Nashua, NH 06872

Re: Applicants: Mary & A. David Carroll, CDUA HA-2991B  
Kalahehi and Heleluani, District of Kaua'i, County and State of Hawaii; TRK (S) 0-5-16-34

Dear Ms. Javer:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicant of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related access and improvements (including a driveway, private water catchment and water treatment system), and landscaping on approximately 3/4 acre at the north/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the north end of the Property, approximately 924 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining major portion of the Property without further archaeological survey of this area. The County of Hawaii has issued a public hearing which starts at the Hanalei and Hanalei Highway as located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

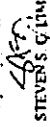
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Very truly yours,

  
ERIC HILL, DLNR Land Management

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR Land Management  
14-0-0200C Kalahehi - Heleluani - Hanalei - County - Kaua'i - District of Hawaii - Washington, DC - Hawaii

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
ALUMINUM BUILDING EASTWING

121 W. WASHINGTON AVENUE  
PO BOX 817  
HAOLE, HAWAII 96713-0817  
TEL: (808) 935-2444 FAX: (808) 935-7933  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Sue Boyd  
P.O. Box 817  
Haole, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Nahala and Hialehale, District of Kau. County and State of Hawaii; TMK (3) 9-4-16-36

Dear Ms. Boyd:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants in a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the maika' north-west end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the maika' end of the Property, approximately 224 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining maika' portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maika' public access which starts at the Honouapo and Hialehale as located south of the Property from the Hawaii Beach Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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Very truly yours,

STEVENS CALIM

SSL KYL  
XC: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-01800C Landa . HAWAIIAN . ISLAND . GROUP . CONSULTANTS . WASHINGTON, DC . MARY

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
ALUMINUM BUILDING EASTWING

121 W. WASHINGTON AVENUE  
PO BOX 817  
HAOLE, HAWAII 96713-0817  
TEL: (808) 935-2444 FAX: (808) 935-7933  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Sue Boyd  
P.O. Box 817  
Haole, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Nahala and Hialehale, District of Kau. County and State of Hawaii; TMK (3) 9-4-16-36

Dear Ms. Boyd:

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The proposed house site is on the formerly graded house pad at the maika' end of the Property, approximately 224 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining maika' portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maika' public access which starts at the Honouapo and Hialehale as located south of the Property from the Hawaii Beach Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

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Very truly yours,

STEVENS CALIM

SSL KYL  
XC: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-01800C Landa . HAWAIIAN . ISLAND . GROUP . CONSULTANTS . WASHINGTON, DC . MARY

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121 WAIANAE AVENUE  
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HONOLULU, HAWAII 96814-0994  
TELEPHONE (808) 935-4444 FAX (808) 935-5953  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Gerald Foster  
P.O. Box 736  
Nashua, NH 06772

Re: Applicants: Mary & A. David Camell, CDUA HA-2981B  
Kaialaha and Hialehale, District of Kaua'i County and State of Hawaii, TRK (1) 9-5-16-36

Dear Mr. Foster:

We are in receipt of a document in that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family, residential dwelling, approximately 3,150 square feet in living area, and related accessions, use, improvements (including a driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 374 acres at the mauka boundary of the 47 42'-wide coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 374 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maaka portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maaka-maka public area which starts at the Honouliuli and Hialehale areas at the south end of the Property from the Hawaii Belt Road and gradually narrows diagonally through the Property along the pedestrian Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

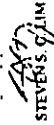
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Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Camell  
Eric Hill, DLNR-Land Management  
143-0800C Kamae, Hilo, Hawaii, USA  
Gale, Susan, Eric Austin, Washington, DC, America

**CARLSMITH BALL LLP**  
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WWW.CARLSMITHBALL.COM  
November 7, 2000

W.S. Kawachi  
P.O. Box 417  
Pahala, HI 96777

Re: Applicants: Mary & A. David Camell, CDUA HA-2981B  
Kaialaha and Hialehale, District of Kaua'i County and State of Hawaii, TRK (1) 9-5-16-36

Dear Mr. Kawachi:

We are in receipt of a document in that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family, residential dwelling, approximately 3,150 square feet in living area, and related accessions, use, improvements (including a driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 374 acres at the mauka boundary of the 47 42'-wide coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 374 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maaka portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maaka-maka public area which starts at the Honouliuli and Hialehale areas at the south end of the Property from the Hawaii Belt Road and gradually narrows diagonally through the Property along the pedestrian Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

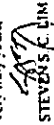
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DATE: Sunday, November 12, 2000  
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PLACE: Property site, approximately 2 miles north of Hanalei Park (Whittington Beach Park)

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Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Camell  
Eric Hill, DLNR-Land Management  
143-0800C Kamae, Hilo, Hawaii, USA  
Gale, Susan, Eric Austin, Washington, DC, America



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TELEPHONE (808) 935-4444 FAX (808) 935-1923  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Riley Fujiwara  
P.O. Box 1017  
Nashua, NH 03061-1017

Re: Applicants: Mary & A. David Carroll; CDUA HA-2991B  
Kaahala and Hehuluaou, District of Kaua'i, County and State of Hawaii; TMK (1) 9-5-16-36

Dear Mr. Fujiwara:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use, improvements (man-made, reflection pool, gravelled driveway, retaining wall, water catchment and water-treatment systems), and landscaping on approximately 314-acre at the maaka (northwest end of the 47-42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the maaka end of the Property, approximately 324 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maaka portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maaka-makai public access which starts at the Honouapo and Honouapo as located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

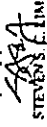
You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouapo Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental statement to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVEN'S JIM

SSL KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HONOLULU, HAWAII, HONOLULU, HAWAII, DISTRICT OF KAUAI, COUNTY OF KAUAI, STATE OF HAWAII

November 7, 2000

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY LAW FIRM

121 W. MAHALENA AVENUE  
PO BOX 444  
HONOLULU, HAWAII 96713-0444  
TELEPHONE (808) 935-4444 FAX (808) 935-1923  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Jerome Rodriguez  
P.O. Box 417  
Nashua, NH 03061-0417

Re: Applicants: Mary & A. David Carroll; CDUA HA-2991B  
Kaahala and Hehuluaou, District of Kaua'i, County and State of Hawaii; TMK (1) 9-5-16-36

Dear :

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use, improvements (man-made, reflection pool, gravelled driveway, retaining wall, water catchment and water-treatment systems), and landscaping on approximately 314-acre at the maaka (northwest end of the 47-42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the maaka end of the Property, approximately 324 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maaka portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maaka-makai public access which starts at the Honouapo and Honouapo as located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

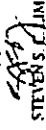
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DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouapo Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental statement to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVEN'S JIM

SSL KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
HONOLULU, HAWAII, HONOLULU, HAWAII, DISTRICT OF KAUAI, COUNTY OF KAUAI, STATE OF HAWAII

November 7, 2000

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
ALBERT EINSTEIN LAW PARTNERSHIP

121 WASHINGTON AVENUE  
P.O. BOX 446  
HONOLULU, HAWAII 96731-0446  
TELEPHONE (808) 935-4444 FAX (808) 935-3935  
WWW.CARLSMITH.COM  
November 7, 2000

Ken Amps  
P.O. Box 737  
Maui, HI 96772

Re: Applicants: Mary & A. David Carroll, CDUA HA-2911B  
Kahaliki and Hokuilani, District of Kaua'i, County and State of Hawaii; TMK (3) 9-5-16-36

Dear Mr. Amps:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravel driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.6-acre at the mauika/westwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauika end of the Property, approximately 374 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining mauika portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauika-makai public access which starts at the Hanalei and Honoa ahupua'a located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Project site, approximately 2 miles north of Hanalei Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naahaha Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental statement to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
New-OROC Group, Inc., Honolulu, Hawaii, USA • Phone: 808-935-4444 • Fax: 808-935-3935 • www.carlsmith.com

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
ALBERT EINSTEIN LAW PARTNERSHIP

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WWW.CARLSMITH.COM  
November 7, 2000

Shante Fujikawa  
P.O. Box 1017  
Maui, HI 96772

Re: Applicants: Mary & A. David Carroll, CDUA HA-2911B  
Kahaliki and Hokuilani, District of Kaua'i, County and State of Hawaii; TMK (3) 9-5-16-36

Dear Ms. Fujikawa:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravel driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.6-acre at the mauika/westwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauika end of the Property, approximately 374 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining mauika portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauika-makai public access which starts at the Hanalei and Honoa ahupua'a located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Project site, approximately 2 miles north of Hanalei Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naahaha Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental statement to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
New-OROC Group, Inc., Honolulu, Hawaii, USA • Phone: 808-935-4444 • Fax: 808-935-3935 • www.carlsmith.com

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY PARTNERSHIP

111 W. ALI'OLEA AVENUE  
P.O. BOX 416  
HONOLULU, HAWAII 96714-0416  
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WWW.CARLSMITH.COM

November 7, 2000

Nolan Mahukane  
119 W. Lanikaula, B-401  
Hilo, HI 96720

Re: Applicants: Mary & A. David Carroll, CDUA HA-2091B  
Kaahali and Hehaleaia, District of Kaua'i, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Mr. Mahukane:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravel driveway, private water catchment and water-treatment systems), and landscaping on approximately 314-acres at the mauna-nuhoehoe end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 124 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna-makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauna-makai public access way which starts at the Honouliuli and Hehaleaia shops as the road south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

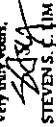
You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Kaka'ia Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. KLIM

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
100-0100C, Kaneohe, Mo. P. Box 1000, Kaneohe, Kauai, HI 96704, Washington, DC, Hawaii

**CARLSMITH BALL LLP**  
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A LIMITED LIABILITY PARTNERSHIP

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P.O. BOX 416  
HONOLULU, HAWAII 96714-0416  
TELEPHONE (808) 935-4444 FAX (808) 935-7973  
WWW.CARLSMITH.COM

November 7, 2000

Eric DePerella  
P.O. Box 416  
Honolulu, HI 96777

Re: Applicants: Mary & A. David Carroll, CDUA HA-2091B  
Kaahali and Hehaleaia, District of Kaua'i, County and State of Hawaii; TMK: (3) 9-5-16-36

Dear Mr. DePerella:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravel driveway, private water catchment and water-treatment systems), and landscaping on approximately 314-acres at the mauna-nuhoehoe end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 124 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna-makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauna-makai public access way which starts at the Honouliuli and Hehaleaia shops as the road south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

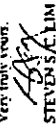
You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Kaka'ia Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. KLIM

SSL:KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
100-0100C, Kaneohe, Mo. P. Box 1000, Kaneohe, Kauai, HI 96704, Washington, DC, Hawaii

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
ALBANY, NEW YORK 12208

121 WASHINGTON AVENUE  
PO BOX 818  
ALBANY, NEW YORK 12208  
TEL: (518) 935-2440 FAX: (518) 935-2933  
WWW.CARLSMITH.COM  
November 7, 2000

Rosemary Salmo  
P.O. Box 742  
Palala, HI 96777

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kahalani and Hedakani, District of Kauai County and State of Hawaii, TMK (3) 9-5-19-24

Dear Ms. Salmo:

We are in receipt of a document that you signed indicating that you have concerns about the proposed continuation by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.4-acre at the mauna/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 924 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauna-makai public access which starts at the Honouliuli and Hinooia ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informal Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informal Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.

Should you have questions concerning the Informal Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN C. GILM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
100-0500C, Kaneohe, Hawaii  
November 7, 2000

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
ALBANY, NEW YORK 12208

121 WASHINGTON AVENUE  
PO BOX 818  
ALBANY, NEW YORK 12208  
TEL: (518) 935-2440 FAX: (518) 935-2933  
WWW.CARLSMITH.COM  
November 7, 2000

Kiana Dempster  
P.O. Box 7038  
Ocean View, HI 96737

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kahalani and Hedakani, District of Kauai County and State of Hawaii, TMK (3) 9-5-19-24

Dear Ms. Dempster:

We are in receipt of a document that you signed indicating that you have concerns about the proposed continuation by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.4-acre at the mauna/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 924 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauna-makai public access which starts at the Honouliuli and Hinooia ahupua'a (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

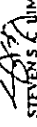
You are invited to attend an Informal Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informal Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.

Should you have questions concerning the Informal Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN C. GILM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
100-0500C, Kaneohe, Hawaii  
November 7, 2000

**CARLS**  
A  
ATTORNEYS AT LAW

121 W. ALI'OLEA DRIVE  
FOKUI MA  
HONOLULU, HAWAII 96813-2446  
TEL: (808) 935-2446 FAX: (808) 935-7522  
WWW.CARLSLAW.COM  
November 7, 2000

Anthony Lee, Bar No.  
616 Permitter  
Nashua HI 96772

Re: Applicants Mary & A. David Carroll; CDUA HA-2991B  
Kahala and Heihei Lane, District of Kauai, County and State of Hawaii; TMK (1) 9-5-16-26

Dear Mr. Barro:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessions, use improvements (man-made, reflection pond, gravel driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 274.5671 at the maika/bentlewest end of the 47-425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the maika end of the Property, approximately 324 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining maika portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a maika-maka public access which starts at the Honoapiʻana and Honoaia Shoppes as located south of the Property from the Heihei Lane Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000, at 6:30 p.m. at the Kahala Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended in the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVENS J. HILL

SSL KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-0100C, Honolulu, Hawaii

14-0100C, Honolulu, Hawaii, County and State of Hawaii; TMK (1) 9-5-16-26

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW

121 W. ALI'OLEA DRIVE  
FOKUI MA  
HONOLULU, HAWAII 96813-2446  
TEL: (808) 935-2446 FAX: (808) 935-7522  
WWW.CARLSMITH.COM  
November 7, 2000

Kelly Kaupu  
P.O. Box 2113  
Ocean View, HI 96737

Re: Applicants Mary & A. David Carroll; CDUA HA-2991B  
Kahala and Heihei Lane, District of Kauai, County and State of Hawaii; TMK (1) 9-5-16-26

Dear Kelly Kaupu:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessions, use improvements (man-made, reflection pond, gravel driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 274.5671 at the maika/bentlewest end of the 47-425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the maika end of the Property, approximately 324 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining maika portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a maika-maka public access which starts at the Honoapiʻana and Honoaia Shoppes as located south of the Property from the Heihei Lane Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

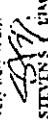
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DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000, at 6:30 p.m. at the Kahala Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended in the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVENS J. HILL

SSL KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-0100C, Honolulu, Hawaii

14-0100C, Honolulu, Hawaii, County and State of Hawaii; TMK (1) 9-5-16-26

**CARLSMITH BALL LLP**  
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A LIMITED LIABILITY LAW FIRM

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WWW.CARLSMITH.COM  
November 7, 2000

Jaye Javan  
P.O. Box 364  
Nahalea, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Hokuano, District of Kaua'i County and State of Hawaii; TMK (3) 9-5-16-36

Dear Jaye Javan:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravel driveway, private water catchment and wastewater treatment system), and landscaping on approximately 3/4-acre at the main's northwest end of the 47 425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the main's end of the Property, approximately 874 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining main's portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a main's end public access which starts at the Honouliuli and Honoa Ahupua'a as located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

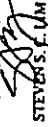
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DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park  
(Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naleha Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. F. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
145-DEOC Kuaia • Hono • Kona • Maui • Molokai • Oahu • Hawaii • Los Angeles • Washington, DC • Mexico

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WWW.CARLSMITH.COM  
November 7, 2000

James Ladd  
c/o Permittee  
Nahalea, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaiki and Hokuano, District of Kaua'i County and State of Hawaii; TMK (3) 9-5-16-36

Dear Mr. Ladd:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravel driveway, private water catchment and wastewater treatment system), and landscaping on approximately 3/4-acre at the main's northwest end of the 47 425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the main's end of the Property, approximately 874 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining main's portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a main's end public access which starts at the Honouliuli and Honoa Ahupua'a as located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park  
(Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naleha Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. F. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
145-DEOC Kuaia • Hono • Kona • Maui • Molokai • Oahu • Hawaii • Los Angeles • Washington, DC • Mexico

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WWW.CARLSMITHBALL.COM  
November 7, 2000

John Derry  
P.O. Box 213  
Nāhāhā, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaheo and Holikoa, District of Kaua'i, County and State of Hawaii; TMK (2) 05-5-16-36

Dear Mr. Derry:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessions, site improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment system), and landscaping on approximately 3.4-acre at the mauna north-west end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 974 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauna-makai public access which runs at the Honouliuli and Honoa āupua as located south of the Property from the Hawaii Beh Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

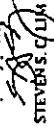
You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 4:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nāhāhā Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVENS, C. LUM

SSL:KYL  
Re: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hawaii-DBOC - Land - Map - Kaua'i - Nāhāhā - In - Action - Waimea, DC - Maui

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WWW.CARLSMITHBALL.COM  
November 7, 2000

Gail Gali  
P.O. Box 1020  
Nāhāhā, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Kalaheo and Holikoa, District of Kaua'i, County and State of Hawaii; TMK (2) 05-5-16-36

Dear Ms. Gali:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessions, site improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment system), and landscaping on approximately 3.4-acre at the mauna north-west end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 974 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauna-makai public access which runs at the Honouliuli and Honoa āupua as located south of the Property from the Hawaii Beh Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 4:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nāhāhā Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVENS, C. LUM

SSL:KYL  
Re: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
Hawaii-DBOC - Land - Map - Kaua'i - Nāhāhā - In - Action - Waimea, DC - Maui

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November 7, 2000

Melvin Reddy  
P.O. Box 95  
Naeleha, HI 96772

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kalahehi and Hahaione, District of Kau County and State of Hawaii; TRK (S) 9-5-16-36

Dear Mr. Roddy:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4 acre at the northwestern end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the north end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining major portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a multi-use public access which starts at the Honoapiʻana and Honoapiʻana as located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honoapiʻana Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naeleha Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. HILL

SSL-KYL  
TC  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
111-W-DEOC  
Honolulu, HI 96813

Very truly yours, Steven S. Hill  
Eric Hill, DLNR-Land Management  
111-W-DEOC Honolulu, HI 96813

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November 7, 2000

Hilda P. Tavares  
P.O. Box 202  
Naeleha, HI 96772

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kalahehi and Hahaione, District of Kau County and State of Hawaii; TRK (S) 9-5-16-36

Dear Mr. Tavares:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4 acre at the northwestern end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the north end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining major portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a multi-use public access which starts at the Honoapiʻana and Honoapiʻana as located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honoapiʻana Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naeleha Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. HILL

SSL-KYL  
TC  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
111-W-DEOC  
Honolulu, HI 96813

Very truly yours, Steven S. Hill  
Eric Hill, DLNR-Land Management  
111-W-DEOC Honolulu, HI 96813



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WWW.CARLSMITH.COM  
November 7, 2000

Janice Jerez  
P.O. Box 574  
Naiahi, HI 96772

Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B  
Naiahi and Hekukano, District of Kauai County and State of Hawaii; TMK (3) 9-5-1A-7a

Dear Mr. Jerez:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4 acre at the maui/northwest end of the 47 421-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the maui's end of the Property, approximately 274 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maui's portion of the Property, without further archaeological survey of the area. The County of Hawaii recognizes a maui's-makai public access which starts at the Hanalei and Hanalei Highway as located south of the Property from the Hawaii Bell Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental statement to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
Re: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
44-0400C Honolulu, Hawaii, 96806 • Guam • Japan • Los Angeles • Washington, DC • Mexico

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WWW.CARLSMITH.COM  
November 7, 2000

Darkene Jerez  
P.O. Box 914  
Palala, HI 96777

Re: Applicants: Mary & A. David Carroll; CDUA HA-2941B  
Naiahi and Hekukano, District of Kauai County and State of Hawaii; TMK (3) 9-5-1A-3A

Dear Mr. Jerez:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4 acre at the maui/northwest end of the 47 421-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the maui's end of the Property, approximately 274 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maui's portion of the Property, without further archaeological survey of the area. The County of Hawaii recognizes a maui's-makai public access which starts at the Hanalei and Hanalei Highway as located south of the Property from the Hawaii Bell Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental statement to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
Re: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
44-0400C Honolulu, Hawaii, 96806 • Guam • Japan • Los Angeles • Washington, DC • Mexico

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November 7, 2000

Royanne Shim  
79-7199 Mamalaha Highway  
Honolulu, HI 96725

Re Applicants: Mary & A. David Carroll; CDUA HA-2991B  
Kaulaha and Hokuahone, District of Kaua'i County, and State of Hawaii; TNRK (3) 0-5-16-34

Dear Mr. Shim:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction for the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessions, use improvements (man-made, reflection pond, gravelled driveway, private water catchment and wastewater treatment system), and landscaping on approximately 3.4-acre at the northwestern end of the 47.42-acre coastal property. See attached site plan.

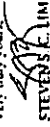
The proposed house site is on the formerly graded house pad at the maala end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining make-up portion of the Property, without further archaeological survey of the area. The County of Hawaii recognizes a maala public access which starts at the Honouliuli and Honouliuli ahu (located south of the Property) from the Pukaia Beach Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Project site, approximately 2 miles north of Honouliuli Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Kaulaha Community Center.

Should you have questions concerning the Informational Meetings or continue to have a few, mail questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,  
  
STEVENS C. LIM

SSL KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-04-00C, Honolulu, Hawaii  
In Action - November, DC - Matter

**CARLSMITH BALL LLP**  
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WWW.CARLSMITHLLP.COM  
November 7, 2000

Terrance Javat  
79-7199 Mamalaha Highway  
Honolulu, HI 96725

Re Applicants: Mary & A. David Carroll; CDUA HA-2991B  
Kaulaha and Hokuahone, District of Kaua'i County, and State of Hawaii; TNRK (3) 0-5-16-34

Dear Mr. Javat:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction for the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessions, use improvements (man-made, reflection pond, gravelled driveway, private water catchment and wastewater treatment system), and landscaping on approximately 3.4-acre at the northwestern end of the 47.42-acre coastal property. See attached site plan.

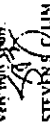
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You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Project site, approximately 2 miles north of Honouliuli Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Kaulaha Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,  
  
STEVENS C. LIM

SSL KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-04-00C, Honolulu, Hawaii  
In Action - November, DC - Matter

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WWW.CARLSMITHBALL.COM  
November 7, 2000

To whom it may concern  
P.O. Box 394  
Nahalea, HI 96722

Re: Applicants: Mary & A. David Carroll; CDUA HA-2091B  
Kaahala and Helemano, District of Kaua'i County and State of Hawaii; TMK (3) 4-5-16-34

Dear To whom it may concern

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (rain-water collection pond, private driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.6-acre at the mauna-northwest end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 724 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining mauna position of the Property, with the exception of archaeological surveys of the area. The County of Hawaii recognizes a mauna-makai public access route that runs along the Helemano and Helemano ahupua'a as located south of the Property from the Hawaii Belt Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park  
(Whittington Beach Park)

In recognition of this recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Niihau Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended to the final environmental statement to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-03E0C Landa, Hanalei, Kaua'i County, Hawaii, Washington, DC, March

**CARLSMITH BALL LLP**  
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WWW.CARLSMITHBALL.COM  
November 7, 2000

Aileen Shim  
79-7199 Maimalaha Highway  
Helemano, HI 96722

Re: Applicants: Mary & A. David Carroll; CDUA HA-2091B  
Kaahala and Helemano, District of Kaua'i County and State of Hawaii; TMK (3) 4-5-16-34

Dear Ms Shim

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (rain-water collection pond, private driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.6-acre at the mauna-northwest end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 724 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining mauna position of the Property, with the exception of archaeological surveys of the area. The County of Hawaii recognizes a mauna-makai public access route that runs along the Helemano and Helemano ahupua'a as located south of the Property from the Hawaii Belt Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park  
(Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Niihau Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended to the final environmental statement to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL:KYL  
cc: Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-03E0C Landa, Hanalei, Kaua'i County, Hawaii, Washington, DC, March

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

121 W. JUNGERS AVENUE  
PO BOX 646  
HAOLE, HI 96722  
TEL: (808) 935-2444 FAX: (808) 935-2413  
WWW.CARLSMITH.COM  
November 7, 2000

PJ Galgo  
P.O. Box 646  
Nalehu, HI 96722

Re: Applicants: Mary & A. David Camoli; CDUA HA-2981B  
Kaalaiki and Hea'ulano, District of Kau County and State of Hawaii; TMK(s) 9-5-16-36

Dear Mr. Galgo

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family, residential dwelling, approximately 3,150 square feet in living area, and related accessory site improvements (in-makeup, reflective pond, gravelled driveway, private water catchment and water water treatment systems), and landscaping on approximately 3.4-acre at the maui & north-west end of the 47-42-5001 coastal property. See attached site plan.

The proposed house site is on the formerly graded lower pad at the maui & end of the Property, approximately 524 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maui portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a maui & maui public access which starts at the Honouliuli and Honouliuli as indicated south of the Property from the Honouliuli Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
MARY & A. DAVID CAMOLI

SSL KYL  
Mary & A. David Camoli  
Eric Hill, DLNR-Land Management  
14-DEOC, Room 400, Ala Moana Center, Honolulu, Hawaii

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
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PO BOX 646  
HAOLE, HI 96722  
TEL: (808) 935-2444 FAX: (808) 935-2413  
WWW.CARLSMITH.COM  
November 7, 2000

To whom it may concern  
P.O. Box 432  
Paahala, HI 96772

Re: Applicants: Mary & A. David Camoli; CDUA HA-2981B  
Kaalaiki and Hea'ulano, District of Kau County and State of Hawaii; TMK(s) 9-5-16-36

Dear To whom it may concern

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family, residential dwelling, approximately 3,150 square feet in living area, and related accessory site improvements (in-makeup, reflective pond, gravelled driveway, private water catchment and water water treatment systems), and landscaping on approximately 3.4-acre at the maui & north-west end of the 47-42-5001 coastal property. See attached site plan.

The proposed house site is on the formerly graded lower pad at the maui & end of the Property, approximately 524 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maui portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a maui & maui public access which starts at the Honouliuli and Honouliuli as indicated south of the Property from the Honouliuli Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nalehu Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
MARY & A. DAVID CAMOLI

SSL KYL  
Mary & A. David Camoli  
Eric Hill, DLNR-Land Management  
14-DEOC, Room 400, Ala Moana Center, Honolulu, Hawaii

**CARLSMITH P**  
ATTORNEYS AT LAW  
ALMOHAMEDANUS INSTITUTION

121 WASHINGTON AVENUE  
PO BOX 400  
HONOLULU, HAWAII 96813-0400  
TELEPHONE (808) 953-4444 FAX (808) 953-7855  
WWW.CARLSMITH.COM  
November 7, 2000

Milton Kaupu  
P.O. Box 1338  
Kalahelea, HI 96750

Re: Applicants: Mary & A. David Carmel; CDUA HA-2981B  
Kahala and Hekulano, District of Kaua County and State of Hawaii; TMK (3) 8-5-16-36

Dear Mr. Kaupu:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravel driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 36,400 sq ft at the mauna north-west end of the 47,425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property, without further archaeological survey of the area. The County of Hawaii recognizes a mauna-maka public access which starts at the Honouliuli and Hekulano shore as located south of the Property from the Hawaii Belt Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informal Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whitingham Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informal Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nalafha Community Center.

Should you have questions concerning the Informal Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and private rental issues.

Very truly yours,

  
MARY & A. DAVID CARMEL

SSL:KYL  
Mary & A. David Carmel  
Eric Hill, DLNR-Land Management  
19-0500C - Hon . Hilo . Maui . Kaua . Gowa . Java . Is . Aogoa . B . America . DC . Mexico

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
ALMOHAMEDANUS INSTITUTION

121 WASHINGTON AVENUE  
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HONOLULU, HAWAII 96813-0400  
TELEPHONE (808) 953-4444 FAX (808) 953-7855  
WWW.CARLSMITH.COM  
November 7, 2000

Greg Jarr  
P.O. Box 914  
Pahala, HI 96777

Re: Applicants: Mary & A. David Carmel; CDUA HA-2981B  
Kahala and Hekulano, District of Kaua County and State of Hawaii; TMK (3) 8-5-16-36

Dear Mr. Jarr:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related accessory use improvements (man-made reflection pond, gravel driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 36,400 sq ft at the mauna north-west end of the 47,425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property, without further archaeological survey of the area. The County of Hawaii recognizes a mauna-maka public access which starts at the Honouliuli and Hekulano shore as located south of the Property from the Hawaii Belt Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informal Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whitingham Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informal Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nalafha Community Center.

Should you have questions concerning the Informal Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
MARY & A. DAVID CARMEL

SSL:KYL  
Mary & A. David Carmel  
Eric Hill, DLNR-Land Management  
19-0500C - Hon . Hilo . Maui . Kaua . Gowa . Java . Is . Aogoa . B . America . DC . Mexico

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
ALMOHAMED LAYTON BUILDING

121 WASHINGTON AVENUE  
PO BOX 484  
HONOLULU HAWAII 96813-0484  
TELEPHONE (808) 935-2444 FAX (808) 935-2422  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Chad Tanaka  
P.O. Box 221  
Nashole, HI 96772

Re: Applicants: Mary & A. David Carnoll, CDUA HA-2981B  
Kahala and Hialeka, District of Kau County and State of Hawaii, TMK (2) 9-5-16-76

Dear Mr. Tanaka:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (main-mak, reflection pond, gravelled driveway, private water catchment and wastewater treatment system), and landscaping on approximately 3/4-acre at the main-mak area of the 47.42-acre coastal property. See attached site plan.

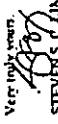
The proposed house site is on the formerly graded house pad at the main-mak end of the Property, approximately 974 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further developments may occur on the remaining main-mak portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a main-mak as public access which starts at the Honoapiʻana and Honoaia highways as located south of the Property from the Honoaia Beach Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honoapiʻana Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nahaia Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental statement to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,  
  
ERIC HILL

SSU: KYL  
RE: Mary & A. David Carnoll  
Eric Hill, DLNR Land Management  
10-01600C Number: 1001-9100-0000 Date: 11/07/00 Location: Washington, DC - MUSE

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
ALMOHAMED LAYTON BUILDING

121 WASHINGTON AVENUE  
PO BOX 484  
HONOLULU HAWAII 96813-0484  
TELEPHONE (808) 935-2444 FAX (808) 935-2422  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Suz Waiwai  
P.O. Box 1014  
Nashole, HI 96772

Re: Applicants: Mary & A. David Carnoll, CDUA HA-2981B  
Kahala and Hialeka, District of Kau County and State of Hawaii, TMK (2) 9-5-16-76

Dear Mr. Waiwai:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (main-mak, reflection pond, gravelled driveway, private water catchment and wastewater treatment system), and landscaping on approximately 3/4-acre at the main-mak area of the 47.42-acre coastal property. See attached site plan.


The proposed house site is on the formerly graded house pad at the main-mak end of the Property, approximately 974 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further developments may occur on the remaining main-mak portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a main-mak as public access which starts at the Honoapiʻana and Honoaia highways as located south of the Property from the Honoaia Beach Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honoapiʻana Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nahaia Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental statement to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,  
  
ERIC HILL

SSU: KYL  
RE: Mary & A. David Carnoll  
Eric Hill, DLNR Land Management  
10-01600C Number: 1001-9100-0000 Date: 11/07/00 Location: Washington, DC - MUSE



**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A HONOLULU-BASED FIRM

121 WASHINGTON AVENUE  
FLOOR 400  
HONOLULU, HAWAII 96813-1000  
TELEPHONE (808) 935-0444 FAX (808) 935-7935  
WWW.CARLSMITHLLP.COM  
November 7, 2000

Clifford Sumida  
P.O. Box 382  
Nahala, HI 96777

Re: Applicants: Mary & A. David Carroll, CHHA HA-2981B  
Kahala and Heaialano, District of Kaua'i County, and State of Hawaii, TRK (1) 9-5-14-36

Dear Mr. Sumida:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessions, site improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.14-acre at the mauna north-west end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a mauna-maka public access which starts at the Honoumalo and Honoa ahupua'a located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honoumalo Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Thursday, November 14, 2000 at 6:30 p.m. at the Kailua Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental documents to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
16-0200C: Honol . Hono . Kona . Maui . Oahu . Kauai . Lanai . Molokai . Maui . Hawaii . Washington DC . Mexico

**CARLSMITH BALL LLP**  
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A HONOLULU-BASED FIRM

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FLOOR 400  
HONOLULU, HAWAII 96813-1000  
TELEPHONE (808) 935-0444 FAX (808) 935-7935  
WWW.CARLSMITHLLP.COM  
November 7, 2000

Zensida Paganawan  
P.O. Box 767  
Nahala, HI 96777

Re: Applicants: Mary & A. David Carroll, CHHA HA-2981B  
Kahala and Heaialano, District of Kaua'i County, and State of Hawaii, TRK (1) 9-5-14-36

Dear Mr. Paganawan:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessions, site improvements (man-made retention pond, gravelled driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.14-acre at the mauna north-west end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauna end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining mauna portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a mauna-maka public access which starts at the Honoumalo and Honoa ahupua'a located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honoumalo Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Thursday, November 14, 2000 at 6:30 p.m. at the Kailua Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental documents to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVEN S. LIM

SSL KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
16-0200C: Honol . Hono . Kona . Maui . Oahu . Kauai . Lanai . Molokai . Maui . Hawaii . Washington DC . Mexico



**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY PARTNERSHIP

121 W. ALIPIKA AVENUE  
PO BOX 684  
HONOLULU, HAWAII 96808  
TELEPHONE (808) 933-0448 FAX (808) 933-7975  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Vince Hashimoto  
P.O. Box 512  
Paāloa, HI 96777

Re: Applicants: Mary & A. David Carmil; CDUA HA-2091B  
Kaalaiki and Halaikoo, District of Kaua'i, County and State of Hawaii; TMK (3) 9-5-16-34

Dear Mr. Hashimoto:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family, residential dwelling, approximately 3,150 square feet in living area, and related accessions, site improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.4-acre at the main & northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded beach pad at the main & end of the Property, approximately 324 feet from the shore line. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maui-maki portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a maui-maki at public access which starts at the Honouliuli and Honouliuli as indicated south of the Property from the Hawaii Beach Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.


You are invited to attend an Informal Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informal Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Napaala Community Center.

Should you have questions concerning the Informal Meeting or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
ERIC HILL  
STEVEN'S CLIM

SSL:KYL  
XC: Mary & A. David Carmil  
Eric Hill, DLNR-Land Management  
14-41802C, Honolulu, Hawaii, USA • Guam • Samoa • Los Angeles • Washington, DC • Denver

**CARLSMITH BALL LLP**  
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WWW.CARLSMITHBALL.COM  
November 7, 2000

Vince Hashimoto  
P.O. Box 512  
Paāloa, HI 96777

Re: Applicants: Mary & A. David Carmil; CDUA HA-2091B  
Kaalaiki and Halaikoo, District of Kaua'i, County and State of Hawaii; TMK (3) 9-5-16-34

Dear Mr. Hashimoto:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family, residential dwelling, approximately 3,150 square feet in living area, and related accessions, site improvements (man-made retention pond, graded driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 3.4-acre at the main & northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded beach pad at the main & end of the Property, approximately 324 feet from the shore line. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maui-maki portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a maui-maki at public access which starts at the Honouliuli and Honouliuli as indicated south of the Property from the Hawaii Beach Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

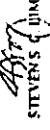
You are invited to attend an Informal Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informal Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Napaala Community Center.

Should you have questions concerning the Informal Meeting or continue to have additional questions concerning the proposed actions, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
ERIC HILL  
STEVEN'S CLIM

SSL:KYL  
XC: Mary & A. David Carmil  
Eric Hill, DLNR-Land Management  
14-41802C, Honolulu, Hawaii, USA • Guam • Samoa • Los Angeles • Washington, DC • Denver

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY COMPANY

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FLOOR 400  
HONOLULU, HAWAII 96813  
TELEPHONE (808) 935-2441 FAX (808) 935-7975  
WWW.CARLSMITH.COM  
November 7, 2000

Joseph Makini, Jr.  
c/o Postmarkers  
Nashville, HI 96772

Re: Applicants: Mary & A. David Carroll, CDUA HA-2991B  
Kahala and Hahaione, District of Kauai County and State of Hawaii; TMK (3) 9-5-16-34

Dear Mr. Makini:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessions, site improvements (man-made reflection pond, gravel driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 1/4 acre at the mauka/northwest end of the 47,425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 974 feet from the shore line. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maunaloa portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a maunaloa as public access which starts at the Honouliuli and Honoa ahupua'a located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shore line within the Project Area will remain open.


You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Washington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 1:30 p.m. at the Aalaha Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental document to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LUM

SSL/KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
11-01600 A-001 - 100 - 1000 - 1000 - 1000 - 1000 - 1000 - 1000 - 1000 - 1000 - 1000

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY COMPANY

151 W. ALABAMA AVENUE  
FLOOR 400  
HONOLULU, HAWAII 96813  
TELEPHONE (808) 935-2441 FAX (808) 935-7975  
WWW.CARLSMITH.COM  
November 7, 2000

Dan Freeman  
c/o Postmarkers  
Ocean View, HI 96737

Re: Applicants: Mary & A. David Carroll, CDUA HA-2991B  
Kahala and Hahaione, District of Kauai County and State of Hawaii; TMK (3) 9-5-16-34

Dear Mr. Freeman:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessions, site improvements (man-made reflection pond, gravel driveway, private water catchment and wastewater treatment systems), and landscaping on approximately 1/4 acre at the mauka/northwest end of the 47,425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 974 feet from the shore line. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining maunaloa portion of the Property without further archaeological surveys of the area. The County of Hawaii recognizes a maunaloa as public access which starts at the Honouliuli and Honoa ahupua'a located south of the Property from the Hawaii Belt Road and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shore line within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Washington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 1:30 p.m. at the Aalaha Community Center.

Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental document to ensure that the document adequately addresses pertinent development and environmental issues.

Very truly yours,

  
STEVEN S. LUM

SSL/KYL  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
11-01600 A-001 - 100 - 1000 - 1000 - 1000 - 1000 - 1000 - 1000 - 1000 - 1000

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
ALAMOND/UNIONVILLE EAST/MSH/MS

121 W. BIANCHI AVENUE  
PO BOX 444  
HONOLULU, HAWAII 96813-0444  
TELEPHONE (808) 933-2444 FAX (808) 933-2525  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Nolan Koluhon  
City Planner  
P.O. Box 111  
Honolulu, HI 96811

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kaahala and Hahaione, District of Kaua'i County and State of Hawaii; TRK (13) 9-5-11-3-

Dear Mr. Koluhon:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,170 square feet in living area, and related accessory use improvements (main-made reflection pond, planted driveway, private water catchment and rain water treatment system), and landscaping on approximately 3.4 acres at the main development end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the north end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining make-a-make public access Property without further archaeological surveys of the area. The County of Hawaii recognizes a make-a-make public access which starts at the Hahaione and Hahaione ahupua'a (located south of the Property) from the Hahaione Beach Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

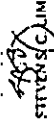
You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Kaaleha Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and any response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVEN SCJIM

SSL KYI  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-0100C Honolulu, Hawaii  
November 7, 2000

14-0100C Honolulu, Hawaii  
November 7, 2000

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
ALAMOND/UNIONVILLE EAST/MSH/MS

121 W. BIANCHI AVENUE  
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HONOLULU, HAWAII 96813-0444  
TELEPHONE (808) 933-2444 FAX (808) 933-2525  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Nolan Koluhon  
City Planner  
P.O. Box 111  
Honolulu, HI 96811

Re: Applicants: Mary & A. David Carroll, CDUA HA-2981B  
Kaahala and Hahaione, District of Kaua'i County and State of Hawaii; TRK (13) 9-5-11-3-

Dear Mr. Koluhon:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 3,170 square feet in living area, and related accessory use improvements (main-made reflection pond, planted driveway, private water catchment and rain water treatment system), and landscaping on approximately 3.4 acres at the main development end of the 47.42-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the north end of the Property, approximately 824 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no further development may occur on the remaining make-a-make public access Property without further archaeological surveys of the area. The County of Hawaii recognizes a make-a-make public access which starts at the Hahaione and Hahaione ahupua'a (located south of the Property) from the Hahaione Beach Road and gradually narrows diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

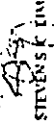
You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Hanalei Park (Whitington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Kaaleha Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and any response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
STEVEN SCJIM

SSL KYI  
Mary & A. David Carroll  
Eric Hill, DLNR-Land Management  
14-0100C Honolulu, Hawaii  
November 7, 2000

14-0100C Honolulu, Hawaii  
November 7, 2000



**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

121 WASHINGTON AVENUE  
PO BOX 569  
HONOLULU, HAWAII 96877  
TELEPHONE (808) 935-0445 FAX (808) 935-7975  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Joe Akin  
P.O. Box 569  
Kalaheo, HI 96777

Re: Applicants: Mary & A. David Carroll, CDUA HA-2001B  
Kalaheo and Ho'oluaon, District of Kauai County and State of Hawaii; TRK (3) 0.5, 1A, 3A

Dear Mr. Akin:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related structures, including an impervious impervious infiltration pond, gravelled driveway, private water catchment and water storage treatment systems, and landscaping on approximately 374 acres at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 724 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining maui portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maui-maui public access which runs at the Honouliuli and Honouliuli above as located south of the Property from the Hawaii Beh Road and gradually traverses diagonally through the Property along the perimeter Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

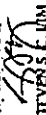
You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nalahua Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
MARY & A. DAVID CARROLL

SSL KYL  
Mary & A. David Carroll  
Enr Hill, DLNR-Land Management  
14-09600 Kalaheo, Kauai, Hawaii  
Washington, DC

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A LIMITED LIABILITY CORPORATION

121 WASHINGTON AVENUE  
PO BOX 569  
HONOLULU, HAWAII 96877  
TELEPHONE (808) 935-0445 FAX (808) 935-7975  
WWW.CARLSMITHBALL.COM  
November 7, 2000

Miranda Manuel  
P.O. Box 553  
Pahala, HI 96777

Re: Applicants: Mary & A. David Carroll, CDUA HA-2001B  
Kalaheo and Ho'oluaon, District of Kauai County and State of Hawaii; TRK (3) 0.5, 1A, 3A

Dear Ms. Manuel:

We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family residential dwelling, approximately 2,150 square feet in living area, and related structures, including an impervious infiltration pond, gravelled driveway, private water catchment and water storage treatment systems, and landscaping on approximately 374 acres at the mauka/northwest end of the 47.425-acre coastal property. See attached site plan.

The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately 724 feet from the shoreline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DLNR has also directed that no further development may occur on the remaining maui portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a maui-maui public access which runs at the Honouliuli and Honouliuli above as located south of the Property from the Hawaii Beh Road and gradually traverses diagonally through the Property along the perimeter Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.

You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honouliuli Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nalahua Community Center.

Should you have questions concerning the Informational Meeting or continue to have additional questions concerning the proposed action, please feel free to contact me. Your letter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,

  
MARY & A. DAVID CARROLL

SSL KYL  
Mary & A. David Carroll  
Enr Hill, DLNR-Land Management  
14-09600 Kalaheo, Kauai, Hawaii  
Washington, DC











**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A Pacific Business Law Firm

111 W. ALBERTA AVENUE  
10th Floor  
HONOLULU, HAWAII 96813  
PHONE: 808-531-1100  
FAX: 808-531-1101  
WWW.CARLSMITHBALL.COM

Kathleen Emmons  
P.O. Box 248  
Nashville, TN 37202

Re: Applicant: Man A. A. David Carroll, CDL/A, HA, 20116  
Kahala and Hahaione, District of East Oahu and State of Hawaii, TRM (2)105-18-10

Dear Ms. Emmons:

We are in receipt of a document that you signed indicating that you have signed the proposed construction for the 47.6-acre site at the Kahala and Hahaione, District of East Oahu, approximately 2.150 square feet in January 2011, and a land use permit for the proposed development. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project.

The proposed development is a multi-market public development project. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project.

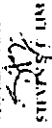
You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows:

DATE: Sunday, November 12, 2011  
TIME: 1:00 pm  
PLACE: Property site, approximately 2 miles north of Honolulu Park (Washington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Thursday, November 18, 2011 at 6:30 pm, at the Kahala Community Center.

Should you have questions concerning the Informational Meeting or require to have additional questions concerning the proposed action, please feel free to contact me. Your letter and the response will be appended to the final environmental assessment to ensure that the document adequately addresses points of development and environmental issues.

Very truly yours,

  
STEVENS S. LUM

Man A. A. David Carroll  
Director, DLNR Land Management  
1000 Ala Moana Blvd., Room 4000, Honolulu, Hawaii 96813

**CARLSMITH BALL LLP**  
ATTORNEYS AT LAW  
A Pacific Business Law Firm

111 W. ALBERTA AVENUE  
10th Floor  
HONOLULU, HAWAII 96813  
PHONE: 808-531-1100  
FAX: 808-531-1101  
WWW.CARLSMITHBALL.COM

Diane Broussard  
P.O. Box 270  
Nashville, TN 37202

Re: Applicant: Man A. A. David Carroll, CDL/A, HA, 20116  
Kahala and Hahaione, District of East Oahu and State of Hawaii, TRM (2)105-18-10

Dear Ms. Broussard:

We are in receipt of a document that you signed indicating that you have signed the proposed construction for the 47.6-acre site at the Kahala and Hahaione, District of East Oahu, approximately 2.150 square feet in January 2011, and a land use permit for the proposed development. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project. The proposed development is a multi-market public development project.

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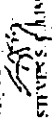
You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows:

DATE: Sunday, November 12, 2011  
TIME: 1:00 pm  
PLACE: Property site, approximately 2 miles north of Honolulu Park (Washington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Thursday, November 18, 2011 at 6:30 pm, at the Kahala Community Center.

Should you have questions concerning the Informational Meeting or require to have additional questions concerning the proposed action, please feel free to contact me. Your letter and the response will be appended to the final environmental assessment to ensure that the document adequately addresses points of development and environmental issues.

Very truly yours,

  
STEVENS S. LUM

Man A. A. David Carroll  
Director, DLNR Land Management  
1000 Ala Moana Blvd., Room 4000, Honolulu, Hawaii 96813

**CARIS**  
A  
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INDUSTRIAL  
AND  
COMMERCIAL  
DEVELOPMENT

1219 ALBERTA AVENUE  
FLOOR 10  
HOUSTON, TEXAS 77002  
713-865-2200  
WWW.CARISALLIANCE.COM  
November 7, 2000

Reedyn Johnson  
City Engineer  
Pasadena, TX 77661

Re: Applicants Mary A. A. David Carroll, CDHA HA-29916  
Kashiki and Holubow, District of Kan County and State of Kansas, TRK (C) 00-16-36  
Dear Mr. Johnson:

We are in receipt of a document that you typed indicating that you have concerns about the proposed construction in the Applicants' two-story, single-family residential dwelling, approximately 2 1/2 stories feet in living area, and related accessory use improvements, including, but not limited to, driveway, parking, water catchment and wastewater treatment systems, and landscaping on approximately 2.6 acres, at the north-south oriented lot of the 47.42-acre tract. See attached site plan.

The proposed house sits on the formerly platted lots, per the records, and of the Property, approximately 124 feet from the front line. DENR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DENR has also directed that no further development may occur on the remaining market parcels for the Property without further archaeological surveys of the area. The County of Hamilton is currently in a public position on the subject of the Property and has been asked to direct the Property along the pedestrian easement to the public access. Public access is provided through the Property along the pedestrian easement to the public access. The County of Hamilton is currently in a public position on the subject of the Property along the pedestrian easement to the public access. The County of Hamilton is currently in a public position on the subject of the Property along the pedestrian easement to the public access.

You are invited to attend an International Meeting regarding the County's review of the Applicants' Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Houston Park  
Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Appleton Community Center

In recognition of the recent flooding that has affected many people in this area, we will hold a second International Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Appleton Community Center.

Should you have questions concerning the International Meetings or conditions to be addressed, including the proposed actions, please call the County of Hamilton at 781-3000. Your letter and the responses will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,  
Mary A. A. David Carroll  
City Engineer

**CARIS**  
A  
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FOR  
INDUSTRIAL  
AND  
COMMERCIAL  
DEVELOPMENT

1219 ALBERTA AVENUE  
FLOOR 10  
HOUSTON, TEXAS 77002  
713-865-2200  
WWW.CARISALLIANCE.COM  
November 7, 2000

Terri Caraneda  
City Engineer  
Pasadena, TX 77661

Re: Applicants Mary A. A. David Carroll, CDHA HA-29916  
Kashiki and Holubow, District of Kan County and State of Kansas, TRK (C) 00-16-36  
Dear Mr. Caraneda:

We are in receipt of a document that you typed indicating that you have concerns about the proposed construction in the Applicants' two-story, single-family residential dwelling, approximately 2 1/2 stories feet in living area, and related accessory use improvements, including, but not limited to, driveway, parking, water catchment and wastewater treatment systems, and landscaping on approximately 2.6 acres, at the north-south oriented lot of the 47.42-acre tract. See attached site plan.

The proposed house sits on the formerly platted lots, per the records, and of the Property, approximately 124 feet from the front line. DENR's Historic Preservation Division has inspected the site and given a verbal clearance for the development. DENR has also directed that no further development may occur on the remaining market parcels for the Property without further archaeological surveys of the area. The County of Hamilton is currently in a public position on the subject of the Property and has been asked to direct the Property along the pedestrian easement to the public access. Public access is provided through the Property along the pedestrian easement to the public access. The County of Hamilton is currently in a public position on the subject of the Property along the pedestrian easement to the public access.

You are invited to attend an International Meeting regarding the County's review of the Applicants' Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Houston Park  
Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Appleton Community Center

In recognition of the recent flooding that has affected many people in this area, we will hold a second International Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Appleton Community Center.

Should you have questions concerning the International Meetings or conditions to be addressed, including the proposed actions, please call the County of Hamilton at 781-3000. Your letter and the responses will be appended to the final environmental assessment to ensure that the document adequately addresses permit development and environmental issues.

Very truly yours,  
Mary A. A. David Carroll  
City Engineer

**CARLSMITH BAIL III**  
ATTORNEY AT LAW  
A MEMBER FIRM OF THE FIRM

1275 BROADWAY  
10th Floor  
New York, NY 10019  
Tel: 212 692-2200  
Fax: 212 692-2201  
www.carlsmith.com

John DeWalt  
610 Broadway  
Eobala HI 96777

cc: Applicant: Mrs. A. A. David Carroll (DIA) HA-209-11  
Kobler and Hinkleman, Director of Kauai County and State of Hawaii TAP #10-7-11-20

Dear Mr. DeWalt:

We are in receipt of documents that you submitted indicating that you have reviewed the proposed construction for the Applicant's proposed, single-family residential dwelling, approximately 2.5 acres, located in the area, and a land treatment system and landscaping, approximately 2.5 acres, at the subject property, approximately 47.425-acre, owned property. See attached site plan.

The proposed home site is on the former grade of a house, located on the property, approximately 0.24 acre from the front line. DENR's Division of Water Resources has inspected the site and proposed construction for the development. DENR has also directed that the proposed construction may occur on the remaining undeveloped portion of the property, which is approximately 2.26 acres. The County of Hawaii requires a final environmental assessment for the proposed development. The proposed development is located on the property, which is approximately 47.425-acre, owned property. The proposed development is located on the property, which is approximately 47.425-acre, owned property. The proposed development is located on the property, which is approximately 47.425-acre, owned property.

You are invited to attend an Informational Meeting regarding the Construction District for Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honompa Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nāhāhā Community Center.

Should you have questions concerning the Informational Meeting or require to have additional questions concerning the proposed development, please feel free to contact me. Your letter and that response will be appended to the final environmental assessment report. The document adequately addresses the development and environmental concerns.

Very truly yours,  
  
STEVE C. SIMS

SSI/KVI  
Mrs. A. A. David Carroll  
Eobala HI 96777

**CARLSMITH BAIL III**  
ATTORNEY AT LAW  
A MEMBER FIRM OF THE FIRM

1275 BROADWAY  
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New York, NY 10019  
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Fax: 212 692-2201  
www.carlsmith.com

John DeWalt  
610 Broadway  
Eobala HI 96777

cc: Applicant: Mrs. A. A. David Carroll (DIA) HA-209-11  
Kobler and Hinkleman, Director of Kauai County and State of Hawaii TAP #10-7-11-20

Dear Mr. DeWalt:

We are in receipt of documents that you submitted indicating that you have reviewed the proposed construction for the Applicant's proposed, single-family residential dwelling, approximately 2.5 acres, located in the area, and a land treatment system and landscaping, approximately 2.5 acres, at the subject property, approximately 47.425-acre, owned property. See attached site plan.

The proposed home site is on the former grade of a house, located on the property, approximately 0.24 acre from the front line. DENR's Division of Water Resources has inspected the site and proposed construction for the development. DENR has also directed that the proposed construction may occur on the remaining undeveloped portion of the property, which is approximately 2.26 acres. The County of Hawaii requires a final environmental assessment for the proposed development. The proposed development is located on the property, which is approximately 47.425-acre, owned property. The proposed development is located on the property, which is approximately 47.425-acre, owned property.

You are invited to attend an Informational Meeting regarding the Construction District for Application as follows:

DATE: Sunday, November 12, 2000  
TIME: 1:00 p.m.  
PLACE: Property site, approximately 2 miles north of Honompa Park (Whittington Beach Park)

In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Nāhāhā Community Center.

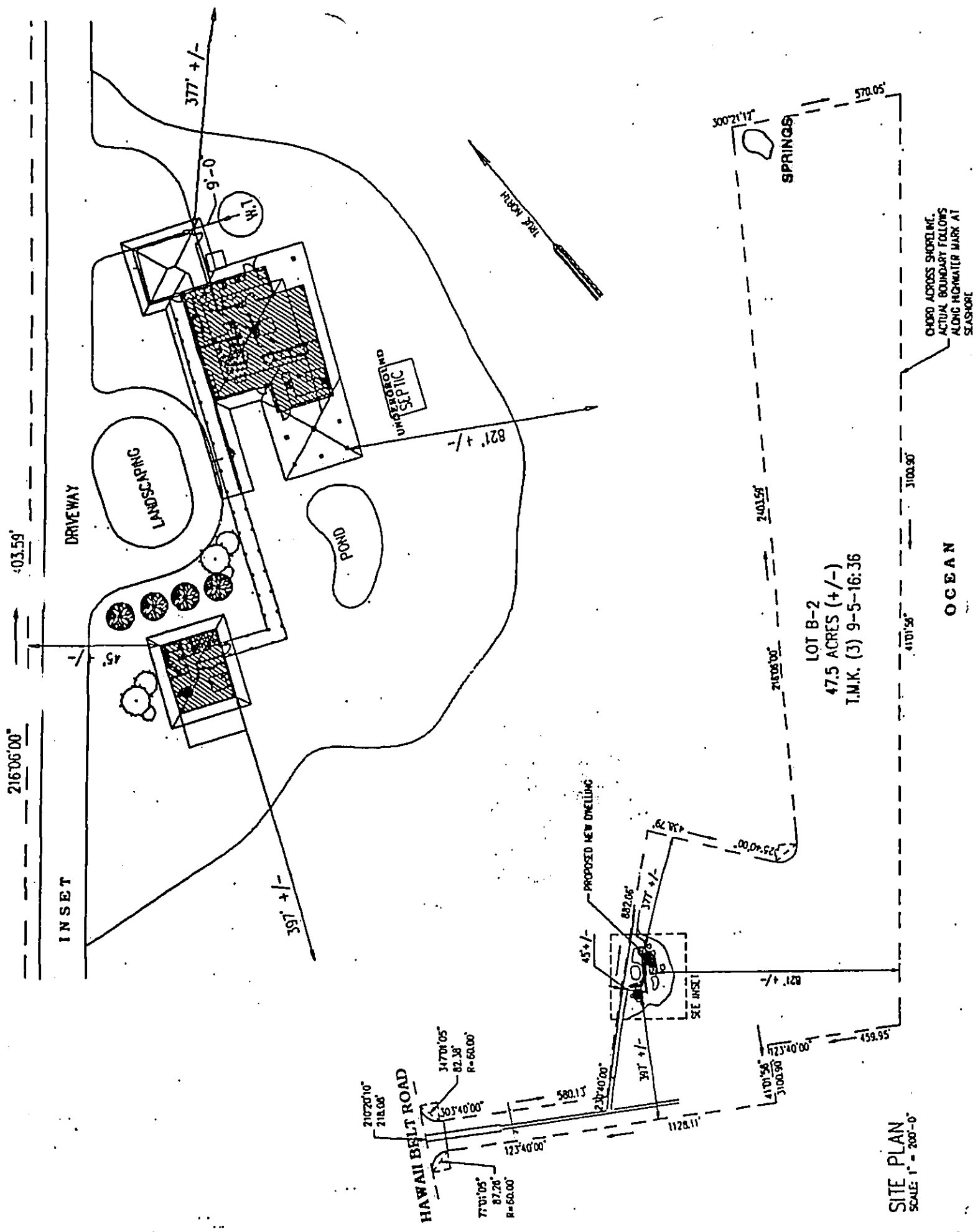
Should you have questions concerning the Informational Meeting or require to have additional questions concerning the proposed development, please feel free to contact me. Your letter and that response will be appended to the final environmental assessment report. The document adequately addresses the development and environmental concerns.

Very truly yours,  
  
STEVE C. SIMS

SSI/KVI  
Mrs. A. A. David Carroll  
Eobala HI 96777







**SITE PLAN**  
SCALE: 1" = 200'-0"

# CARLSMITH BALL LLP

ATTORNEYS AT LAW  
A LIMITED LIABILITY LAW PARTNERSHIP

121 WAIANUENUE AVENUE  
P.O. BOX 686  
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WWW.CARLSMITH.COM

November 30, 2000

Re: Carroll Proposed Residence at Hokukano, Kau, Hawaii; TMK: (3) 9-5-16:36

Dear Interested Parties:

This will report on our site visit to the property held on November 12, 2000 at 1:00 p.m., and our public informational meeting held at the Naalehu Community Center on Tuesday, November 14, 2000 between 6:30 p.m. until approximately 8:30 p.m.

The November 12<sup>th</sup> site visit consisted primarily of project orientation and description of the proposed residence on top of the existing graded house pad at the mauka end of the property. There were approximately ten attendees, plus Mary Carroll and myself. For those of you who were not on the original petition list, we are enclosing a copy of the original meeting notice and site plan for your information.

At the public informational meeting held on November 14<sup>th</sup>, there were approximately 25 to 30 attendees, including Mary Carroll and myself. After the project presentation and site orientation, we entertained comments from the community which fell into the following general categories: 1) the Carrolls do not own the fee title to the subject property because the Crown Lands are owned by all Kanaka Maoli, and pursuant to the Law of Nations pact, no fee title can be acquired during this time of truce in the war; 2) the project site is a sacred site which was used for navigational training, spiritual healing and/or contains burials in undisclosed locations within the property; and 3) if allowed to go forward, the CDUA house permit will serve as a precedent for increased development of the surrounding properties in the Kau region. We will incorporate these comments into the Final Environmental Assessment.

As we discussed at our November 14<sup>th</sup> meeting, the next step is finalization of the Environmental Assessment and filing with the Office of Environmental and Quality Control ("OEQC") and the State Board of Land and Natural Resources. Assuming that the final Environmental Assessment is approved, the BLNR will take action on the CDUA for the house at a public hearing. We will inform you by mail of the date, place and time of that public hearing so that you may attend and give your comments.

On behalf of Mr. and Mrs. Carroll, I would like to thank you for your participation in the process. Please call me if you have any comments or questions on this matter.

Very truly yours,

  
STEVEN S.C. LIM

SSL:bny

xc: Mary Carroll

DLNR - Eric Hill

HONOLULU · KAPOH · HILO · KONA · MAUI · GUAM · SAIPAN · LOS ANGELES · WASHINGTON, D.C. · MEXICO  
Robert D. Triantos, Esq.