

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

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Ref.:PB:EAH

MEMORANDUM

To:

Genevieve Salmonson, Director Office of Environmental Quality Control

Dean Y. Uchida, Administrator

From:

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 3rd 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.

Hawaii Board Member c.

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JAN 2 3 2001 FILE COPY

2001-01-23- HI-FEA- Carroll

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, HAWAH 9680 JAN I O 2001 AQUACULTURE DEVELOPMENT PROGRAM AQUATIC RESCURCES BOATING AND OCEAN RECREATION CONSERVATION AND RESOURCES ENFORCEMENT CONVEYANCES FORESTRY AND WILDLIFE HISTORIC PRESERVATION LAND DIVISION STATE PARKS WATER RESOURCE MANAGEMENT

File No.: CDUA HA-3002

Ref.:PB:EAH

MEMORANDUM

Genevieve Salmonson, Director To: Office of Environmental Quality Control

From:

Dean Y. Uchida, Administrator

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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

Jan-03-01 08:43am From-CARLSMITH BALL			TIMGTHE E JOHNS, CRAMPERSON SCOTT IS LAND AND PATURA REDUCTS MILLION ON WATER REQUIRE FORMAL EMILY
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	STATE OF HAWAII		
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November 3, 2000 Steven S.C. Lim HELES Carlsmith Ball 75-1000 Henry Street, Suite 209			uand State Parce Water Resource Manacement
Kalua-Kona, Hawaii 96745		LO	G NO: 26418 🛩
Dear Mr. Lim:		DC	IC NO: 0010ms04
SUBJECT: Historic Preserve Hokukano and K TMK: (3)9-5-16:	ation Comments on Proposed Single F aalaiki, Ka'o, Hawaii Island 35	amily Reside	ence

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 size 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 secrets 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

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 To
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 From >

EXHIBIT 15 DLNR-SHPD LETTER



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ATTORNEYS AT LAW A LIMITED LIABILITY LAW PARTNERSHIP

2000 DEC 20 A 9:56

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

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
 Kaalaiki 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

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Dean Uchida December 19, 2000 Page 2

> 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.

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.

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.

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

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Dean Uchida December 19, 2000 Page 3

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"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.

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

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SSL:KYL xc: Mr. and Mrs. Carroll

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SUMMARY

Applicants/Owners: Mary & A. David Carroll

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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 Waianuenue 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

Mary & A. David Carroll

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).

Mary & A. David Carroll

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.)

Mary & A. David Carroll

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

Mary & A. David Carroll

south side of the proposed development is connected living area for family and gues for any caretaker's cottage or rental use.	ts of the Applicants and will not be used
• <i>R-8 Single Family Residence:</i> A single- standards as outlined in this chapter. (D	family residence that conforms to design -1).
The proposed improvements comply with "Single-Family Residential Standards", d Exhibit 4 to Chapter 13-5, "Conservation as set forth below:	ated September 6, 1994, attached as
Single-Family Residential Standards	Project Dimensions
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)

Mary & A. David Carroll

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Single-Family Residential Dwelling/Accessory Use Improvements

Single-Family Residential Standards	Project 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.
	The dwelling has only one kitchen.

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).

Mary & A. David Carroll

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.

Mary & A. David Carroll

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/

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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

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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

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Draft Environmental Assessment

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

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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.

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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

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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;

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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.

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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

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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

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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).

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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.

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- 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 (I'o) 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

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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.

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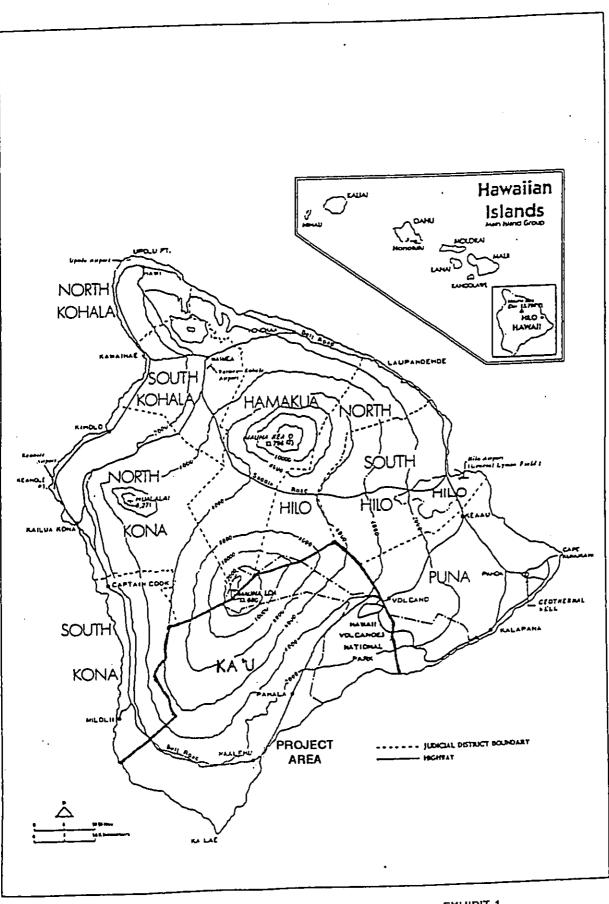


EXHIBIT 1 LOCATION MAP



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EXHIBIT 3 WARRANTY DEED

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WARRANTY DEFD

KNOW ALL MEN BY THESE PRESENTS:

That MARY ANA ULRICH, single, whose mailing address is 19-4535 Ame'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 peid by A. DAVID CARROLL and MARY COLVERT CARROLL, busband 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 g(BhL 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 anached hereto and made a part hereof, subject to the encumbrances moted therein.

TOGETHER WITH ALL and singular the buildings, improvements, rights, tenements, hereditaments, easements, privileges and appurtenances there unto belonging or appendining 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 Orantor further covenants and agrees that the Grantor has 200d 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, trustoes, corporations or partnerships, and their and each of their respective successors in interest, here, executors, perconal representatives, administrators and

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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 granters, or by two or more granters, all covenants of such parsies shall be and for all purposes deeped to be their joint and several covenants.

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IN WITNESS WHEREOF, Dr Granter has calculat these presents on this <u>22rd</u> day of <u>April</u> 1996.

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MARY ANA ULRICH

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APPROVED AS TO FORM CARLSNITH BALL WICHMAN CASE & ICHIKI

419-04

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STATE OF HAWAII

- - • . COUNTY OF HAWAII

On this ild day of

MARY ANA ULRICH, to me known (or proved to me on the basis of satisfactory evidence) to be . 1996. before me personally appeared 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.

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Notary Public, State of Hawaii

My commission expires: ____ 1-21-99

EXHIBIT V

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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 "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	fect along the southeast side of Mawaii 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 baving a radius of 60.00 feet, the chord azimuth and distance being:
4_	270+	531		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 Pahoshoc at seashore at highwater mark;
					Thence following along seashore in all its

Page 1 of 3

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Windings along highwater mar, the direct azimuth and discance between points at highwater mark being:

7.	42ª	50'	29"	3,312.27	fect to a "+" cut in pahoehoe;
8.	123*	40'		1,019,83	fest along Government Land to a pipe;
9.	230°	40'		924.00	feet along Government Land to a pipe;
10.	1454	40'		1,018.47	feet along Government Land to the point of

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 Bawaii 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 Halpilua) situats, lying and being at Kaalaiki, District of Ka'u, Island and County of Hawaii, State of Rawaii, 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 Burvey Triangulation Station "HILL" being 13,092.71 feet south and 8,094.10 feet west and running by azimuthe measured clockwise from true South:

104.37

1. 210° 22' 10"

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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 baing:

Page 2 of 3

• ;	2.	358-	01,	05"	64.21	feet he a star
:	3.	325*	40'		1,003.57	feet to a pipe; feet along the remainder of Grant 2370 to Noa
4	١,	50*	40'		60.23	Malailua to a pipe; feet along the remainder of Grant 2370 to Noa
5	i.	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 of less.

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BEING THE PREMISES DESCRIBED IN QUITCLAIN DEED

CRANTOR	EULELA LATTIMER ULRICH, TRUSTES 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 Recorded	: April 20, 1994 : Document No. 94-071086

SUBJECT HOWEVER TO.

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- 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 Hawali 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 Havaii Constitution or the Hawaii Revised Statutes.

END OF EXEIBIT A

Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 T C D A T A Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 11/16/00 13:53 by Hawaii Information Service Example 2 Copyright 12 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 USAAssessed ValueExemptionLand:15,800049.36 acre Size Bldgs: 0 Dwellings: 0 49.36 acres PITT:600 Zoning:UNPLAN 0 sq ft Use: 0 Nbhood:9538 Tot Bldg: 0 0 --- 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)

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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

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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.

159862 ADA

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TITLE GUARANTY OF HAWAII

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Page 1

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T70-055578

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

Real Property Taxes have beer June 30, 1996.	n fully paid up	to and	including
Tax Key: 9-5-016-036 (3)	Area Assessed:	49.365	acres

- Reservation in favor of the State of Hawaii of all mineral 2. and metallic mines.
- Location of the seaward boundary in accordance with the 3. 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.
- 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 5. Constitution or the Hawaii Revised Statutes.

159862 ADA

TITLE GUARANTY OF HAWAII Page 2 INCORPORATED

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T70-059578

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SCHEDULE C

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

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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
15980	52	ADA	TITLE (JUARANTY	OF HAWAII Page 3

INCORPORATED

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:

159862	ADA	TITLE GUARANTY OF HAWAII	Page	4
		INCORPORATED		

SCHEDULE C CONTINUED

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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 RECORDED	: April 22, 1996 : Document No. 96-057223

159862	ADA	TITLE GUARANTY OF HAWAII	Page	5
		INCORPORATED		

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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

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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

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

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Stephen K. Yamashiro Mayor



Virginia Goldstein Director Russell Kokubun Deputy Director

County of <u>Hawaii</u>

PLANNING DEPARTMENT 25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-1252 1808) 961-8288 • Fax (809) 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) seperate 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.

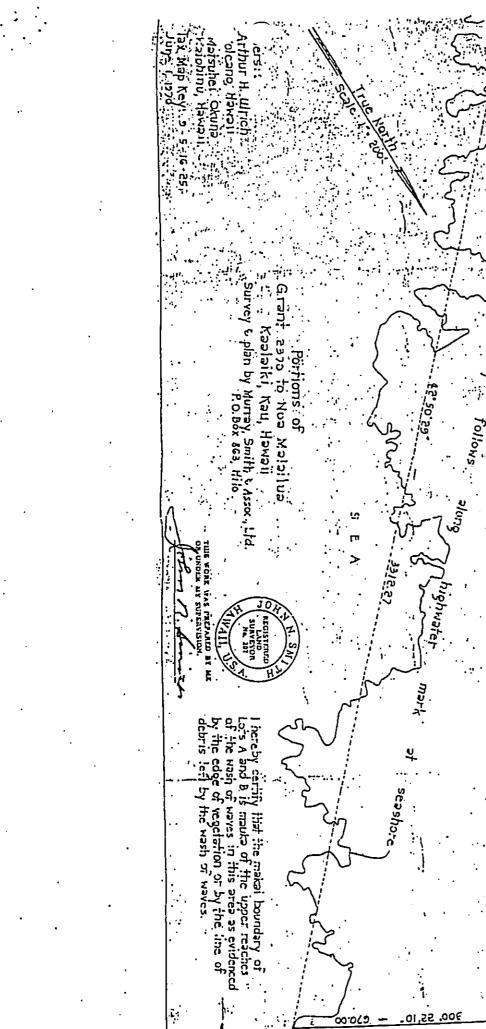
Sincerely, ussel

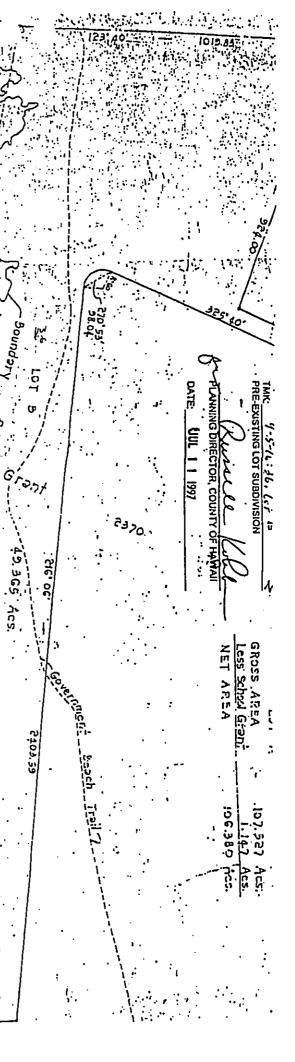
VÍRGINIA GOLDÍTEIN Planning Director

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





Stephen K. Yamashiro Mayor



RECEIVED JAN Virginia Goldstein Director

> Russell Kokubun Deputy Director

County of Nalvaii

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,

XC:

ETC:lnm 0\SUBDIV\SUB\Subc2000-1\99034carrollFNL.doc cs.- 2 Certified FPM

> 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

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

JUL 27 1999

REF: PB:LT

File No.: HA-2923

Steven S.C. Lim, Esq. Carlsmith Ball 121 Waianuenue 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 Hokukano, 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:

- 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);
- 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

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

EIVED JUL 2 8 1999

- 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.

Ple se acknowledge receipt of this Departmental Permit with the abc e 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,

EAN UCHIDA, Administrator

Attachment

Receipt Acknowledged

C. Canoce Mary Signature

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

RECEIVED SEP - 3 1999

tephen K. Yamashiro Mayor



County of Nalvaii

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 Kalaaiki & 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 8 SMA EXEMPTION

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'irginia Goldstein		
Director		

Russell Kokubun Deputy Director 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

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

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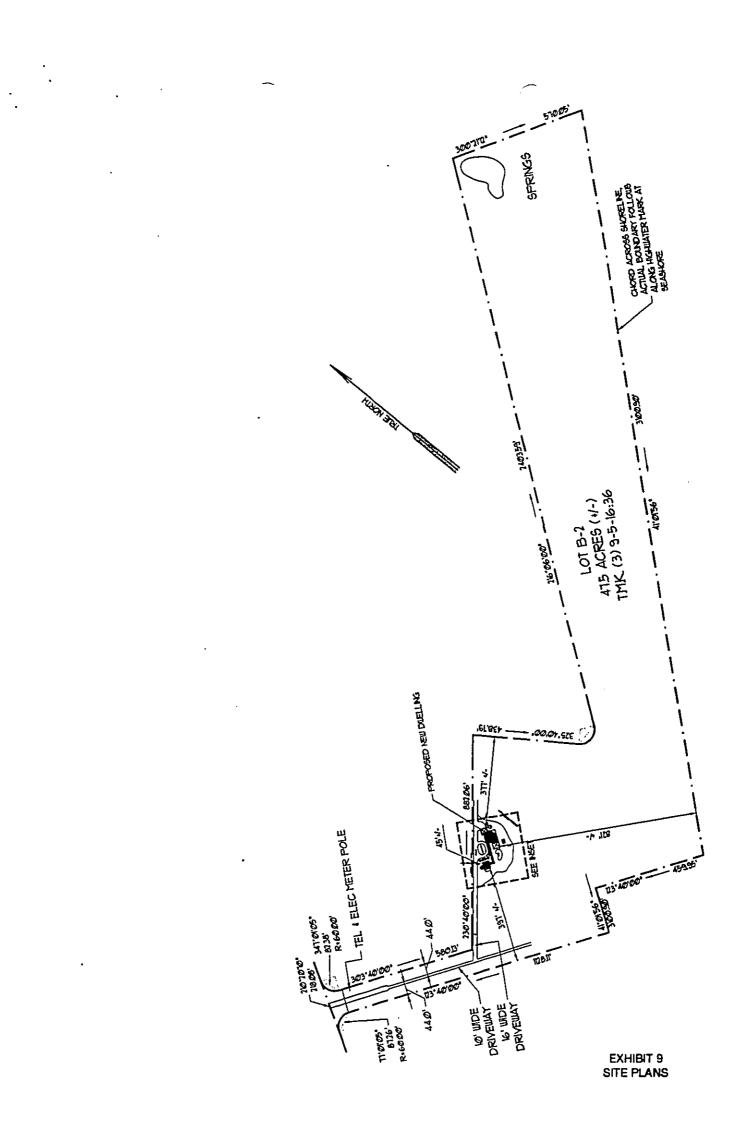
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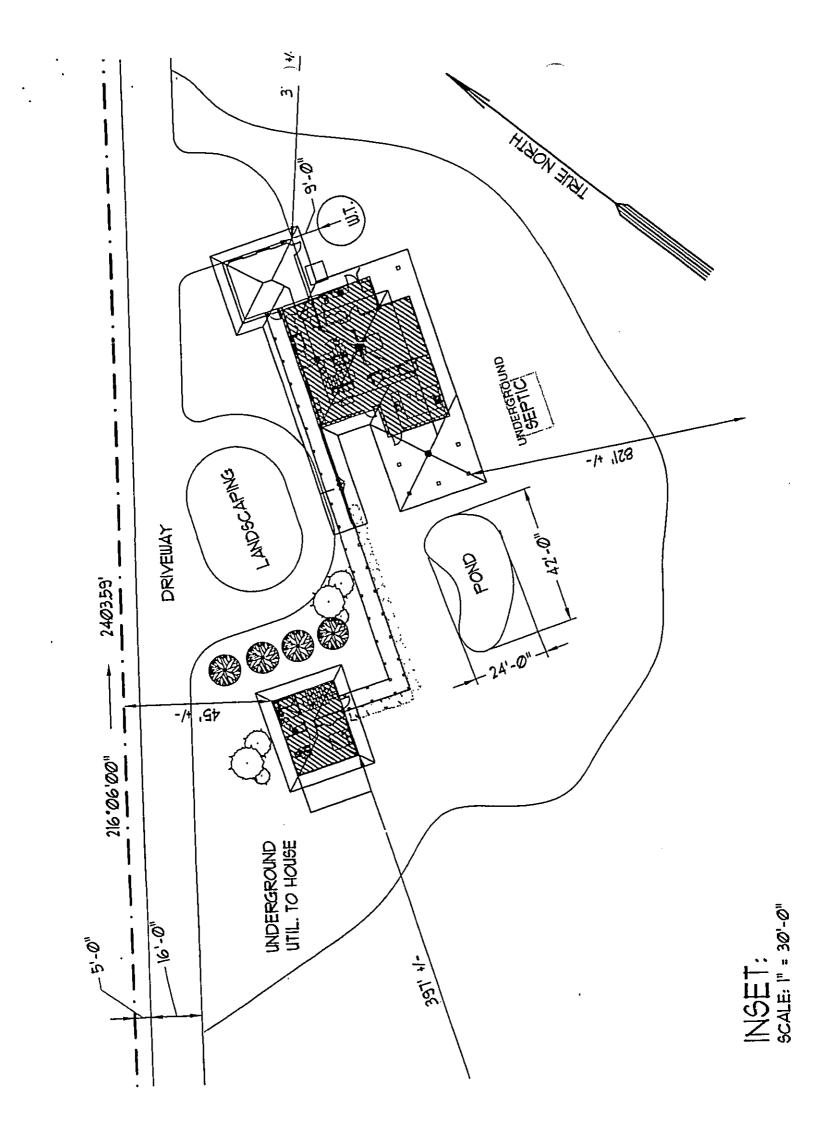
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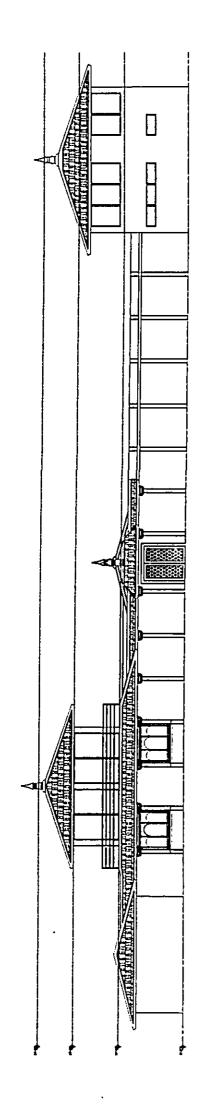
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cc: West HI Planing Office Subdivision Section SMA Section Don Hibbard, DLNR-SHPD

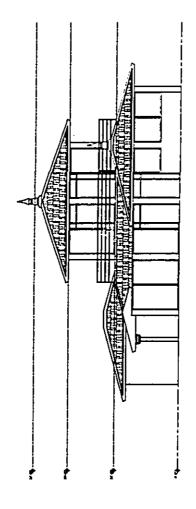


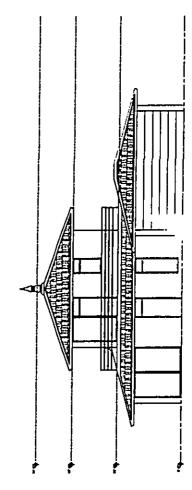
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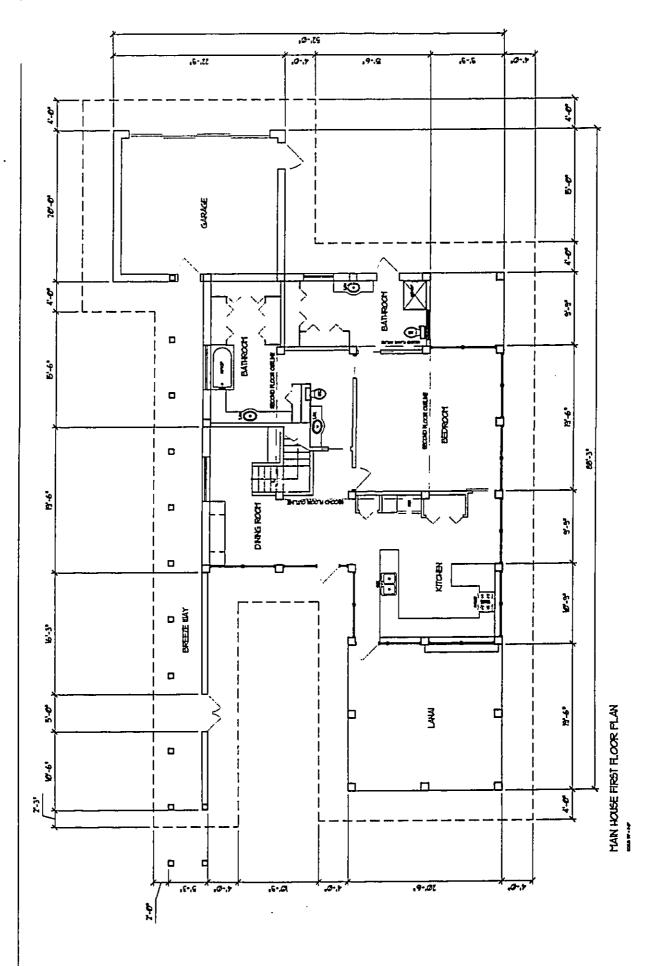


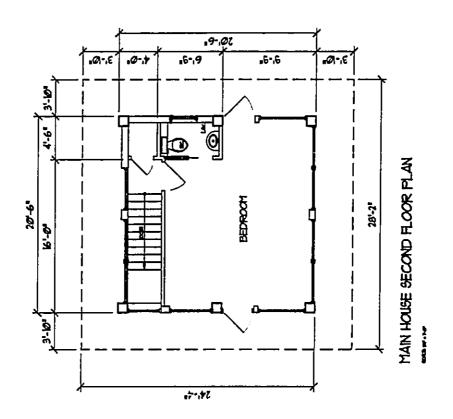
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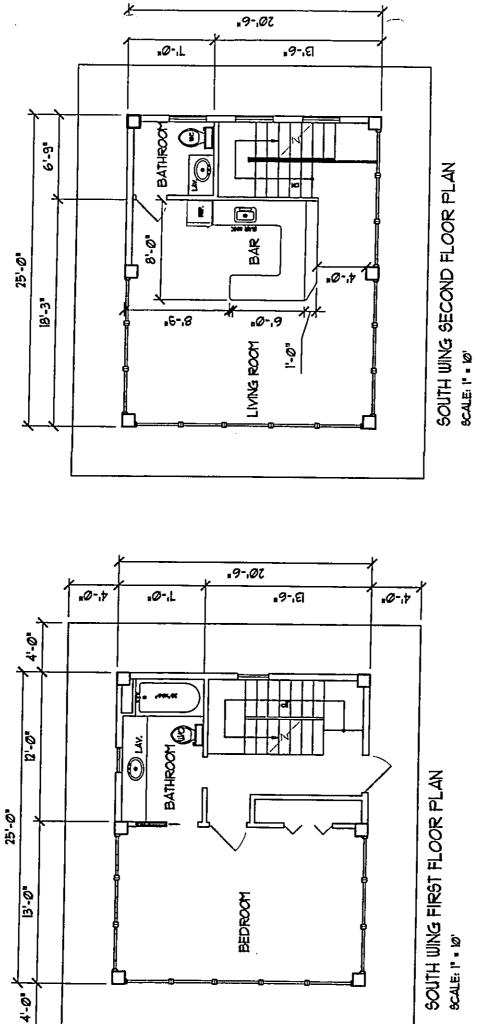
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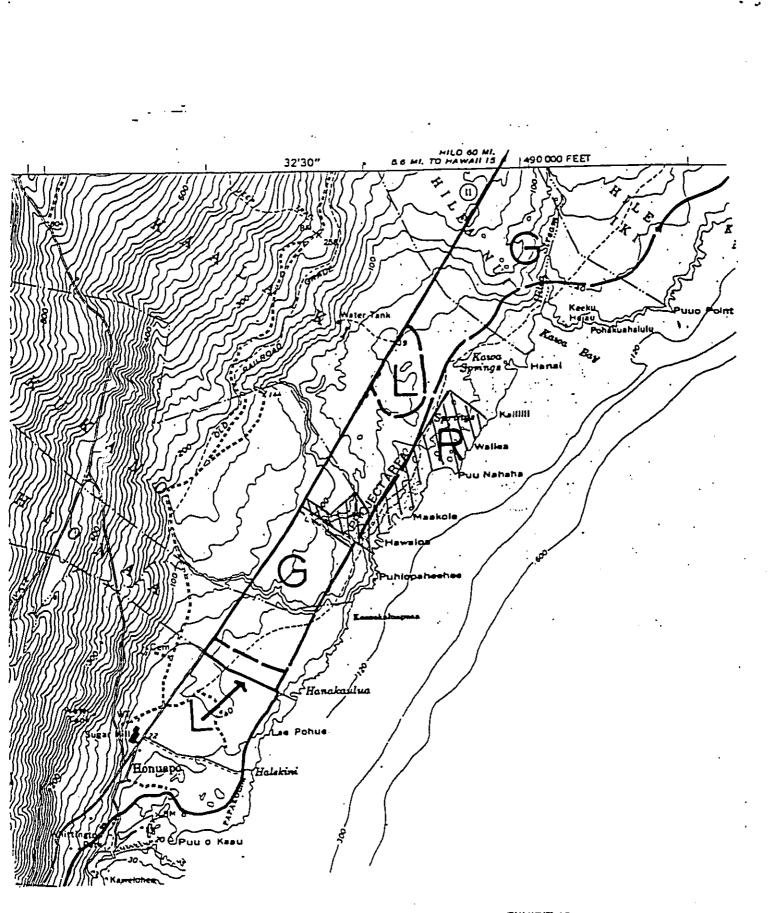


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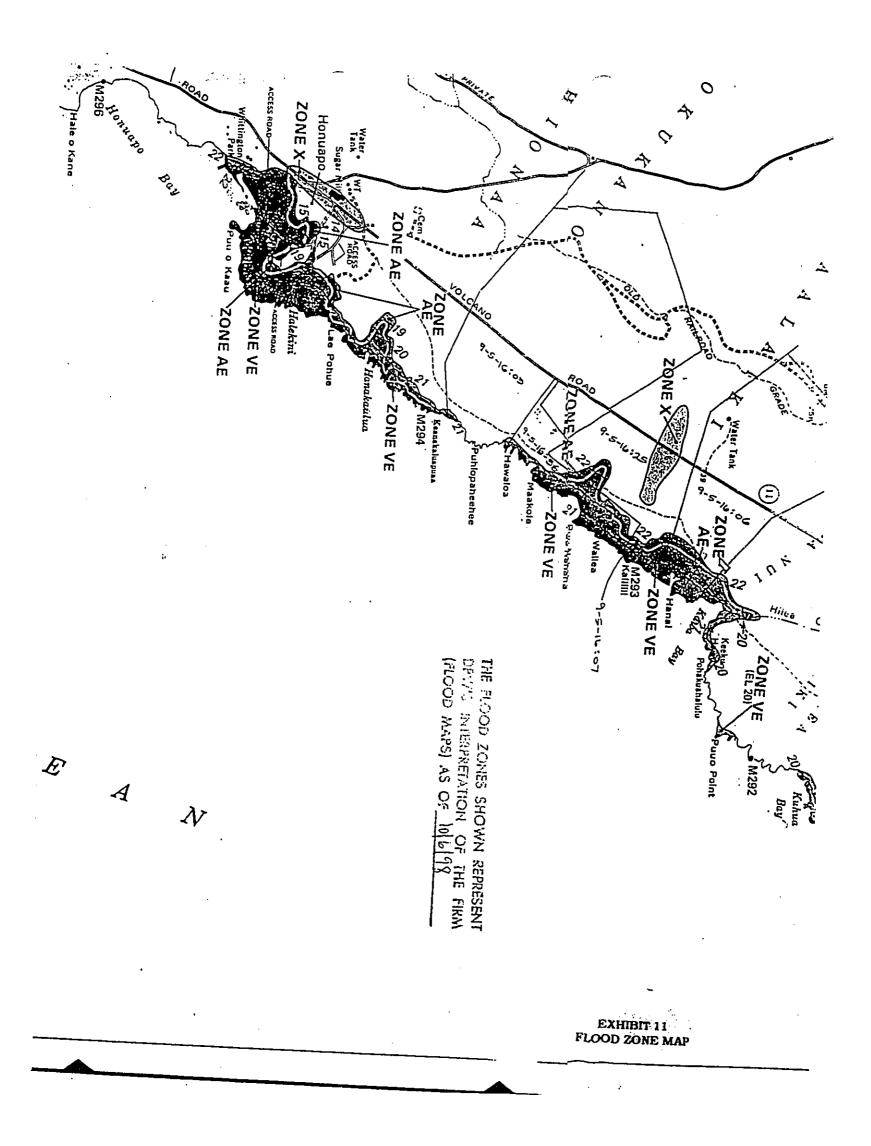
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EXHIBIT 10 CONSERVATION SUBZONE MAP ١,





STATE OF HAWAII LAND DIVISION P.O. BOX 621 HONOLULU, HAWAII 96809

AQUACULTURE DEVELOPMENT PROGRAM AQUATIC RESOURCES BOATING AND OCEAN RECREATION CONSERVATION AND RESOURCES ENFORCEMENT TYANCES FORESTRY AND WILDLIFE HISTORIC PRESERVATION WATER RESOURCE MANAGEMENT

DEPARTMENT OF LAND AND NATURAL RESOURCES

MAY 10 2000

File No.:CDUA HA-298

REF.PB:EAH

Mr. Steven S.C. Lim Ismith Ball 121 Waianuenue Avenue Hilo, Hawaii 96721-0686

Dear Mr. Lim,

Conservation District Use Application (CDUA) HA-2988, for the Construction of a Single-Family Residence and Related Improvements at Kau, County of Hawaii, Subject: 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 scooping 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: 1s 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,

Uchida, Administrator

CARLSMITH BALL

ATTORNEYS AT LAW A PARTNERSHIF 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,

July bis Hall STEVEN S.C. LIM

SSL:KYL

xc: Mary & A. David Carroll2012581.1.037723-1

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STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES LAND DIVISION P.O. BOX 621 HONDLULU, HAWAII 85609

REF.PB:EAH

JUN 29 2000

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

File No.: CDUA HA-2981B

Mr. Steven S.C. Lim Carlsmith Ball 121 Waianuenue 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:

- 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
 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 (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

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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, Juiper Our Hall 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 Aalvaii

PLANNING DEPARTMENT RECEIVED SEP 2 6 2023 Auguni Street, Room 109 • Hilo, Hawaii 96720-4252 (508) 961-8288 • Fax (808) 961-8742

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 Rule11-5.

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,

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ly K. Haland VIRGINIA GOLDSTEIN

Planning Director

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

C: West Hawaii Planning Office V Mr. Steven Lim, Carlsmith Ball ۰.



University of Hawai'i at Mānoa

Environmental Center

A Unil of Water Resources Research Center 2550 Compus Road · Crawford 317 · Honolulu, Hawai'i 98622 Telephone: (808) 956-7361 · Facsimile: (800) 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 s ek 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 % 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

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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.

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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% 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 d velling 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.

Environmental Review Coordinator

cc: OEQC James Moncur, WRRC James Juvik Renee Thompson

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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 Kaalaiki 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.

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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. Q. LIM

SSL:KYL

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



GENEVIEVE SALMONSON DIRECTOR

STATE OF HAWAII

235 SOUTH BERETANIA STREET SUITE 702 HONGLULU, HAWAII 96813 TELEPHONE (808) 688-4185 FACSIMILE (808) 688-4186

October 11, 2000

RECEIVED OCT 1 3 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.

- 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

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

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Sincerely, Januaria Jalan Genevieve Salmonson Director

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Mary & David Carrol Steven Lim c:

Carlsmith Ball LLP

A LIMITED LIABILITY LAW PARTNERSHIP

121 W AIANUENUE 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 Kaalaiki 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

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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

P.O. Box 271 Naalehu, Hawaii 96772

RECEIVED OCT 2 4 2000

Mary and A. David Carroll (610-527-0184)

603 Winsford Road Bryn Mawr, Pennsylvania 19010

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

Please slow this fast-track development: Citations from a letter dated 7/19/00, addressed to Mr. Dean Application (CDUA). 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:

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 "5. 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-tract 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.

Bernel Keliten Bernard Keliikoa

Department of Land & Natural Resources (DLNR) - Mr. Eric Hall C: 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 TELLPHONE (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 Kaalaiki 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

HONOLULU · KAPOLEI · HEO · KONA · MALE · GUAM · SABAN · LOS ANGELES · WASHENGTON, D.C. · MEXICO

Bernard Keliikoa November 28, 2000 Page 2

> 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. ILIM

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

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 Hawai'i. 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 impacts us. The development will have negative affects on our traditional and cultural fires to the 'aina, relative to Ka'u.	NAME SIGNITURE ADRESS ADDRESS	cc Department of Land and Natural Resources (DLNR) Carlsmith Ball 1151 Punctbowl Street, Room 220 121 Waianucnue Avenue Honolulu, Hawai'i 96813 121 Waianucnue Avenue Contact: Eric Hill 121 Waianucnue Avenue Office of Environmental Quality Control (OEQC) Contact: Steven Lim 235 S. Beretania Street - Suite 702 Londolulu, Hawai'i 96813
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COMMUNITY COMMENTS/RESPONSES

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

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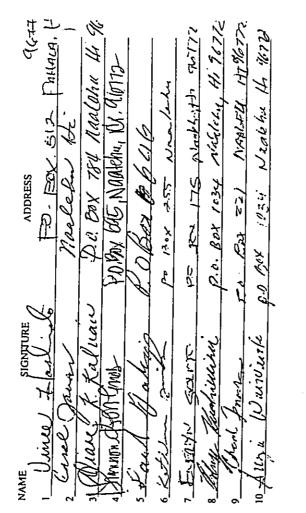
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Office of Environmental Quality Control (OEQC) 235 S. Beretania Street – Suite 702 Honolulu, Hawai'i 96813 Contact: Eric Hill

Contact: Steven Lim

16 October 2000

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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 Hawai'i.

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 impacts us. The development will have negative affects on our traditional and cultural ties to the 'aina, relative to Ka'u. Aloha 'Aina

NAME oldiviene Unchinger 2 Esperensio Jankey Kekin Raymond K. Didmon -CLYDE , 142204 ancer I. Office J Kutesingo the work Color General Buck Jununa SIGNITURE ľ 5 ç. 1 aug Aur Ar <u>איז אוזלפידיו איז איז איז א</u> Ciaf Junes T Oyama Ŕ Ow Bechnon confin P.O. 50x 285 PHOLA HI 967 ADDRESS Po Br 742, Maulehutt 767 P.O. Box Tal Trappelina 9. Gil. Del. Naglehu, H. 917 Do. borg winder the go) 20-13-1100 Po as 342 Duskhu H, 96772 P.O. Bx 312 Manuary, H. 1277 T.C. Box 170. Noulshing Ver Naluhu, A:, 76772 Haller H. R.

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

Carlsmith Ball 121 Waianuenue Avenue Hilo, Hawai'i 96720

Contact: Steven Lim

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Office of Environmental Quality Control (OEQC) 235 S. Beretania Street – Suite 702 Honolulu, Hawai i 96813

SSL:KYL xe: Mary & A. David Carroll Eric Hill, DLNR-Land Manag Ho-OBQC Know · Huo · Ko	STEVENS, CLIM SSL:KYL sc: Mary & A. David Carroll Eric Hill, DLNR-Land Management HordbBQC, Kurah - Huo - Kom - Mar - Sam - Los Augus - Wesecrow, DC - Muxo
	Very mily yours,
Should you have questions concerning proposed action, please feet free to con assessment to ensure that the documen	Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the pr 4 action, please feel free to contact me. Your letter and this response will be appended to the final environmental act on the environmental decument adequately addresses pertinent development and environmental issues.
In recognition of the recent flooding Meeting on Tuesday, November 14,	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 Naalchu Community Center.
DATE: TIME: PLACE:	DATE: Sunday, November 12, 2000 TIME: 1:00 p.m. PLACE: Property site, approximately 2 miles north of Honuspo Park (Whittington Beach Park)
You are invited to attend an Informatio	You we invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:
The proposed house site is on the form from the shoreline. DLNR's Historie P development. DLNR has also directed Property without further archaeological which starts at the Honcapo and Hionas which starts at the Honcapo and Hionas gradually traverses diagonally through pedestrian public access to and along the	The proposed house site is on the formerity graded house pad at the marks 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 markal portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a marka-markai public access which stars at the Honuapo and Hionaa alwapua'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.
We are in receipt of a document that yo Applicants of a two-story, single-family accessory use improvements (man-mad treatment systems), and landscaping on property. See attached site plan.	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 tesidential 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 landscapping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre castal property. See attached site plan.
Dear Mr. Takaki:	De 's Amuro:
Re: Applicants: Mary & A. David C Kaalaiki and Hokukano, Distric	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
Vemon Takaki P.O. Box 56 Naalehu, HI 96772	Mary Amuro P.O. Box 216 Naslehu, HI 96772
	November 7, 2000
	121 WAARBIME AVINE P.O. BOX 686 Hd.O. HAWA9 96721-0680 Tillphone (808) 935-6644 fax (808) 935-7975 WWW_CARLSMITH.COM
	CARLSMITH BALL LLP ATTORNEYS AT LAW A LIMITO LIABITY LIVE PARTICES

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Насо, Нафая 96721-2686 Тенерона (808) 935-6644 ГАХ (808) 935-7975 WWW.CARLSMITHCOM 121 WAIAHARME AVINI November 7, 2000 P.O. BOX 686

Carroll; CDUA HA-2981B :: of Kau, County and State of Hawaii; TN1K:(3) 9-5-16:36

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merly graded house pad at the matka end of the Property, approximately 824 feet Preservation Division has inspected we site and given a verbal clearance for this et that no further development may occur on the remaining makai portion of the al survey of the area. The County of Hawaii recognizes a matka-makai public access as abupta'as flocated south of the Property) from the Hawaii Belt Road and h the Property along the pedestrian Government Beach Trail. Therefore, lateral the coastal short-line within the Project Area will remain open.

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Dear Ms. Esperon: We are in receipt of a document that you: Applicants of a two-story, single-family r accessory use improvements (man-made) treatment systems), and landscapping on a property. See attached site plan.	Dear Me 4us: We arch
Re: Applicants: Mary & A. David Car Kaalaiki and Hokukano, District of	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
Simbralynn Esperon P.O. Box 342 Naalehu, HI 96772	Wanda Aus P.O. Box 6351 Ocean View, HI 96737
T	121 WAAMAAWE AVIYAR P.O. Box 686 Ндо. нажая 96721-0686 Тіцірном (pris) 935-6644 Гах (pris) 935-7975 www.c.Carlsmith.com November 7, 2000
	CARLSMITH BALL LLP ATTORNEYS AT LAW A LIMITOLIABUTY LAW PAATMANS

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121 WAIAMAME AVIME P.O. BOX 686 HRO, HAWAN 96721-0686 LINICHA (808) 935-6644 FAX (808) 935-7975 WWW.CARLSMITHCOM

November 7, 2000

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

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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.

STEVENS CLIM Very truly yours,

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

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Very traly yours, SSL:KYL sc: Mary & A. David Carroll Eric Hill, DLNR-Land Mangement HoroBBQC Know - Hap - Kom - May - Cum - Saam - tos Arcus - Wassecrot, DC - Marco	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 pr 4 action, please feel free to contact me. Your letter and this response will be appended to the final environmental as 2 nt to ensure that the document adequately addresses pertinent development and environmental issues.	DATE: Sunday, November 12, 2009 TIME: 1:00 p.m. PLACE: Property site, approximately 2 miles north of Honuapo Park (Whittington Reach Park)	You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:	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 tecognizes a matka-matkai public access which starts at the Honuspo and Hionaa ahupual as (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the predestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shoreline within the Project Area will remain open.	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/nonthwest end of the 47.425-acre coastal property. See attached site plan.	Der 😁 Kahookaulana:	Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B Kaalaiki and Hokukano, District of Kau, County and State of Hawaii; TM(K:(3) 9-5-16:36	Byran Kahookaulana P.O. Box 7187 Ocean View, H1 96737	November 7, 2000	P.O. Box 686 ابرو, المحمة 26721-0686 Tliffhoth (2013) 235-6644 Fax (2013) 235-7975 سالا سالا المحمد (2014) 2014 المحمد (2014) 2014	121 WAINAAAAA LATAAAAA	CARLSMITH BALL LLP ATTORNEYS AT LAW A LIVITIO LABUTY LAW PAATING
Very trily yours, SSL:KYL SSL:KYL STEVEN Y, LIM STEVEN Y, LIM Eric Hill, DLNR-Land Management Eric Hill, DLNR-Land Management HorOBQC Know · Hao · Kon · May · Cum · Sam · Los Anom · Wasserton, DC · Murco	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.	DATE: Sunday, November 12, 2000 TIME: 1:00 p.m. PLACE: Property site, approximately 2 miles north of Honuapo Park (Whittington Beach Park)	You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:	The proposed house site is on the formerly graded house pad at the matka end of the Property, approximately 824 freet 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 functra achaeological survey of the area. The County of Hawaii recognizes a matka-makai public access which starts at the Hontapo and Hionaa altopus 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 pr-festirian public access to and along the coastal shoreline within the Project Area will remain open.	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/nonlwest end of the 47,425-acre coastal property. See attached site plan.	Dear Ms. Large:	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	Lonnie Large P.O. Box 673 Kurtistown, HJ 96760	November 7, 2000	Р.О. 80X 686 Ндо, НАЖАВ 96721-0686 ТІЦРИСИ (раз) 935-6644 ГАХ (раз) 935-7975 Ж.Ж.К.АКЦМІТНСОМ	121 WAANERE AVIAL	CARLSMITH BALL LLP ATTORNEYS AT LAW A LWITTO LAWLTY LAW PANTHRASE

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Re: Applicants: Mary & A. Da	Re. Applicants, Marci & A. Duvid, Carroll, COULA, HA-2081B. V-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1
Edward Medeiros P.O. Box 1015 Hilo, HI 96720	Monte C. Lorenzo P.O. Box 6377 Ocean View, HI 96737
	November 7, 2000
	ובז עראאנעשע אינעע P.O. Box 666 Hr.O. Ha'W 48 94721-0686 Tluinidik (508) 935-6644 fax (608) 935-7975 ערעיעיע:Carlsmithcom
	CARLSMITH BALL LLP ATTORNEYS AT LAW Alimited Liberty Law Partianser

CARLSMITH BALL LLP

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HEO, HAWAN 96721-0686 TELEMICHA (BOR) 935-6644 FAX (BOR) 935-7975 WWW.CARESMITHCOM November 7, 2000

vita Canoli: CDVDA VIA-29818 Histrict of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36

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xc: Mary Enc F	ssl.:Kyt. xc: Mary & A. David Carroll
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Should you ha proposed action assessment to	Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the prord action, please feel free to contact me. Your letter and this response will be appended to the final environmental prord action, please feel free to contact me. Your letter and this response will be appended to the final environmental asy on to ensure that the document adequately addresses pertinent development and environmental issues.
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Dear Mr. Bird:	Dear Ms. Chang:
Re: Applica Kaalaik	Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B Kaalaiki and Hokukano, District of Kau, Crunty and State of Hawaii; TMK:(3) 9-5-16:36
Ernest M. Bird P.O. Box 206 Honaunau, HI 9	Tarrita Chang P.O. Box 930 Honaunau, HI 96726
	November 7, 2000
	Heo, HAയA# 96721-0656 Tiltnich4 (608) 935-6044 fax (608) 935-7975 യായയ്,CARUSMITHCOM
	121 WAAMJIME AVIMI P.O. Box 686
	ATTORNEYS AT LAW
	CARLSMITH BALL LLP

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> ATTORNY ALLAW A LIMITED LIABUTY LAW PARTIARYW

ТЦИМОН (808) 935-6644 БАХ (РПР) 935-7975 121 WAIANURNUE AVENUE Hao, Hawat 96721-0686 WWW.CARLSMITHCOM P.O. BOX 686

November 7, 2000

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

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у & A. David Carroll : Hill, DLNR-Land Management QC Кихии · Hao · Ком · Мии · Сиим · Загим · Кол Ансии · Фленстон, D.C. · Максо

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DATE: TIME: PLACE	DATE: Sunday, November 12, 2000 TIME: 1:00 p.m. PLACE: Property site, approximately 2 miles north of Honuapo Park (Whittington Reach Park)
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The proposed house site is on the from the shoreline. DLNR's Hist development. DLNR has also dir Property without further archasol which starts at the Honuapo and which starts at diagonally the production public access to and al	The proposed house site is on the formerly graded house pad at the manka 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 potion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a manka-makai public access which stants at the Honnapo and Hionaa ahupua'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
We are in receipt of a document t Applicants of a two-story, single- accessory use improvements (ma treatment systems), and landscapt property. See attached site plan.	We a .cccipt 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 divervay, private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the maukahorthwest end of the 47 425-acre coastal property. See attached site plan.
Dear Mr. Haven:	Dear Mr Aurello:
Re: Applicants: Mary & A. D Kaalaiki and Hokukano, I	Re: Applicants: Mary & A. David Cartoll; CDUA HA-2981B Kaalaiki and Hokukano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36
John Haven c/o General Delivery Honaunau, H1 96760	Jeffrey Aurello P.O. Box 760 Kurlistown, HJ 96760
	November 7, 2000
	Р.О. ВОХ 686 Н10, НА 187 АН 94721-ЛАВ6 ТЦЕРНОРА (6П5) 935-Л444 ГАХ (6П8) 935-7975 10. 10. 10. 10. 10. 10. 10. 10. 10. 10.
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TILIMON (FRE) 935-6644 FAX (FRE) 935-7975 WWW.CARISMITHCOM 121 WAIANUMU AVIMU HUC, HAWAN 96721-11686 November 7, 2000 P.O. BOX 686

svid Carroll; CDUA HA-2981B District of Kau, County and State of Hawaii; TA4K:(3) 9-5-16:36

that you signed indicating that you have concerns about the proposed construction by the -family residential dwelling, approximately 3,150 square feet in living area, and related an-made reflection pond, graveled driveway, private water catchment and wastewater ping on approximately 3/4-acre at the matkathorthwest end of the 47 425-acre coastal

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eming the Informational Meetings or continue to have additional questions concerning the to contact me. Your letter and this response will be appended to the final environmental cument adequately addresses pertinent development and environmental issues

STEVENS, C. LIM Very truly yours,

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SSL:KYL xc: Mary & A. David Eric Hill, DLNR-I Ho-OEDC KANA	SSERVEL xe: Mary & A. David Carroll Eric Hill, DUNR-Land Management Ho-DEQC Kiroun - Hao - Kow - May - Curw - Sam - Los Avenu - Wait-crost DC - Mureo
	Very traly yours,
Should you have questions proposed action, please fer assessment to ensure that t	Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the provered action, please feel free to contact me. Your letter and this response will be appended to the final environmental asset in to ensure that the document adequately addresses pertinent development and environmental issues.
In recognition of the rece Meeting on Tuesday, No	In recognition of the recent flooding that has affected many people in this area, we will hold a second informational Meeting on Tursday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.
D. TI	DATE: Sunday, November 12, 2000 TIME: 1:00 p.m. PLACE: Property site, approximately 2 miles north of Honvapo Park (Whittington Beach Park)
You are invited to attend a	You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:
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We are in receipt of a docu Applicants of a two-story, : accessory use improvemen treatment systems), and lar property. See attached site	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, 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.
Dear Mr. Paul :	Dear Mr, Lui:
Re: Applicants: Mary d Kaalaiki and Hoku	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
Terry L. Paul P.O. Hox 233 Naalchu, HI 96772	Abel S. Lui P.O. Box 791 Pahala, HI 96777
	November 7, 2000
	T(עומאסא (2013) 235-7644 Fax (2013) 235-7975 געישיש:Carlsmithcom
	P.O. Box 636 H1O. HAW AII 96721-0686
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TILINON (FOB) 935-6644 FAX (FOB) 935-7975 WWW.CARISMITHCOM 121 WAIAMAMA AVINA HQQ, HAWAII 96721-0686 November 7, 2000 P.O. BOX 686

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

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	TIME:	DATE:
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NCE: , cyrring sure, approximately 2 miles north of Hinnuapo Park (Whiltington Beach Park)

ent flooding that has affected many people in this area, we will hold a second Informational vember 14, 2000 at 6:30 p.m. at the Naalehu Community Center.

is concerning the Informational Meetings or continue to have additional questions concerning the rel free to contact me. Your letter and this response will be appended to the final environmental the document adequately addresses pertinent development and environmental issues.

STEVENS. C. LIM Very truly yours,

Mary & A. David Carroll Eric Hill, DLNR-Land Management Ho-DEQC Know - Hao - Kon - Mars - Cura - Same - Los Anculs - Witherrow DC - Mercos

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	In recognition of the Meeting on Tuesday, Should you have ques proposed action, pleas asset to ensure t
	The proposed house sit from the shoreline. DL development. DLNR h Property without furthe which starts at the Hom gradually traverse dia predestinan public acces You are invited to atter
Re: Dear M Me are Applic treams treams	Re. Applicants: Mai Kaalaiki and H Dear Mt. Esperon We a
	Ross K. Esperon, Sr. P.O. Box 342 Naalchu, HI 96772
CARLSMITH BALL LLP	

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HLO, HAWAN 96721-0686 [LIINHONA (FOB) 935-6644 FAX (FOB) 935-7975 WWW.CARLSMITHCOM November 7, 2000 P.O. BOX 686

Carroll; CDUA HA-29818 :1 of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36

ou signed indicating that you have concerns about the proposed construction by the ly residential dwelling, approximately 3,150 square feet in living area, and related de reflection pond, graveled driveway; private water catchment and wastewater a approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal

merly graded house pad at the mauka end of the Property, approximately 824 feet : Preservation Division has inspected the site and given a verbal clearance for this : d hat no further development may occur on the remaining makai portion of the :al survey of the area. The County of Hawaii recognizes a maukai-makai public access :al survey of the area. The County of Hawaii recognizes a maukai-makai public ta a ahupua'as (located south of the Property) from the Hawaii Belt Road and h the Property along the pedestnian Government Beach Trail. Therefore, lateral h the coastal shoreline within the Project Area will remain open.

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

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ng the Informational Meetings or continue to have additional questions concerning the sonact me. Your letter and this response will be appended to the final environmental sonact me, addresses pertinent development and environmental issues.

STEVENS, O. LIM Very truly yours,

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proposed a assessmen	asse of the ensure that the document adequately addresses pertinent development and environmental issues.
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	DATE: Sunday, November 12, 2000 TIME: 1:00 p.m. PLACE: Property site, approximately 2 miles north of Honvapo Park (Whittington Beach Park)
You are in	You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:
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which star	gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral
developme	Property without further archaeological survey of the area. The County of Hawaii recognizes a maika-makai public access which stants at the Homano and Hionan ahuma's clocated south of the Property form the Hawaii Bel Bood and
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treatment a	property. See attached site plan.
Applicants	accessory use improvements in an-made reflection point, gravered on teway, private water catchment and wastewater treatment systemal, and hadscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal
Wearein	We receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-tory, single-family residential dwelling, approximately 3,150 square feet in living area, and related
	Dear Mr. Dedman:
Re: A	Re: Applicants: Mary & A. David Carcoll; CDUA HA-2981B Kaalaiki and Hokukano, District of Kau, County and State of Hawaii; TME:(3) 9-5-16:36
Darlene Sn P.O. Box 7 Naalehu, H	Raymond K. Dedman General Delivery Naalehu, HI 96772
	November 7, 2000
	Tiliphona (fob) 935-6644
	P.O. Box 686 Hao, Hawas 96721-0686
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pplicants: Mary & A. David Carroll; CDUA HA-2981B valaiki and Hokukano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36

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

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

STEVEN S.C. LIM Very truly yours,

Mary & A. David Carroll Eric Hill, DLNR-Land Management HordEQC Know - Heo - Kow - Mas - Cum - Sama - Ica Angus - Wavecrox D.C. - Mirror

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Very traly yours, SSL:KYL SSL:KYL Eric Hill, DLNR-Land Management Hn-ORIQC Anost - Ho - Kow - May - Curu - Samu - Ica Angus - Wasserica, DC - Mixed	Ntering on Tuesday, November 14, 2000 at 6500 p.m. at an isastend Community Center. Should you have questions concerning the Informational Meetings of continue to have additional questions concerning the proper Tretton, please fired free to contact me. Your letter and this response will be appended to the final environmental asseet Tretton, please fired free to contact me. Your letter and this response will be appended to the final environmental asseet Tretton, please fired free to contact me. Your letter and this response will be appended to the final environmental asseet Tretton addequately addresses perfinent development and environmental issues.	DATE: Sunday, November 12, 2000 TIME: 1:00 p.m. PLACE: Property site, approximately 2 miles north of Honuapo Park (Whitington Beach Park) In recognition of the recent flooding that has afferted many people in this area, we will hold a second Informational	The proposed house site is on the formerly graded house pad at the masks end of the Property, approximately 824 teet from the shoreline. DLNR is 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 masks portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-maskai public access which starts at the Homayo and Homas abupta's (located south of the Froperty) 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 temain open.	We as, ccupt 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 (max-made reflection pond, graveled driveway, private water catchment and watewater treatment systems), and landscaping on approximately 3/4-acre at the manka/northwest end of the 47.425-acre constal property. See attached site plan.	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 To whom is may concern:	To whom it may concern P.O. Box 216 Nanlehu, HI 96772	CARLSMITH BALL LLP Attorneys at Law Almateliaruty Law Paataan 121 Waanana Avima P.O. Box 686 Hao, Hawan 4672 16689 Telinoma (food) 935-3975 www.carlsmithcom November 7, 2000
Very traily yours, SSL:KYL xc: Mary & A. David Carroll Eric Hill, DLNR-Land Management Hor-OEQC Know - Her - Kow - Mary - Caum - Sam - Les Aneur - Yassecton, DC - Marco	Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalebu Community Center. Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalebu 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 tetter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses pertinent development and environmental issues.	Yeu 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 reconsision of the second Informational	The proposed house site is on the formerly graded house pad at the marka 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 markai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a marka-makai public which starts at the Homago and Hionca abupua'as (located south of the Property) from the Hawaii Belt Rood and gradually traverses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral pedestrian public access to and along the coastal shorelize within the Project Area will remain open.	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 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.	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	Barbara L. Davis P.O. Box 571 Naalehu, HI 96772	CARLSMITH BALL LLP Attorneys at law Alimite Laberty Law Partianss 121 Walandel Avinn F.O. Box 686 Hoo. Hawa 56721-0686 Tillinove [F08] 935-664 Tillinove [F08] 935-664 WWW CARLSMITHCOM November 7, 2000

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SSL:KYL xc: Mary & A. David Carroll Eric Hill, DLNR-Land Management Ho-GEQC k.rou - Heo - Kow -	SSL:KYL SSL:KYL xc: Mary & A. David Carnoll Eric Hill, DLNR-Land Management Ho-DEQC k-rou · Ho · Kou · May · Cum · Sam · Ia Arcus · Watercrox DC · Mutto
proposed action, please feel free to contact me assessment to ensure that the document adequ	asy a schon, picase liss inter to contact me. Y our lenst and this response will be appended to the trinal environmental asymptotic with the document adequately addresses pertinent development and environmental issues. Very truly yours,
In recognition of the recent flooding that h Meeting on Tuesday, November 14, 2000 at Should you have questions concerning the lat	Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naslehu Community Center. Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the
DATE: Sund TIME: 1:00 PLACE: Pro	IATE: 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 bas affected many neonle in this area, we will hold a second Informational
You are invited to attend an Informational Me	mation
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Dear Ms. Coito:	Dear Ms. Alley:
Re: Applicants: Mary & A. David Carrolly Kaalaiki and Hokukano, District of K	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
Melissa Coito P.O. box 216 Naalchu, HI 96772	Mary Alley P.O. Box 592 Naalehu, HI 96772
	November 7, 2000
Tแกะ	121 WAIANAMMA AVIMA P.O. BOX 680 Hq.O. HAWAN 96721-16676 TILEMONA (808) 935-5644 TAX (808) 935-7975 WWW.CARLISMITHCOM
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	ATTORNEYS AT LAW
	Carlsmith Ball llp

RLSMITH BALL LLP LIMITED LIABUTY LAW PARTIERS OF ATTORNEYS AT LAW

HLO, HAWAB 96721-0686 CML (808) 935-6644 FAX (808) 935-7975 WWWCARLSMITHCOM IZI WAIAMIME AVIMI P.O. BOX 686 November 7, 2000

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red indicating that you have concerns about the proposed construction by the tential dwelling, approximately 3,150 square feet in living area, and related ection pond, graveled driveway, private water catchment and wastewater ximately 3/4-acre at the mauka/northwest end of the 47.425-acre coastal

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STEVENS UM Very truly yours,

MAS . CULLY . SHEW . LOS ANCLES . WARMACTON, D.C . MATCO



xc: Mary & A. David Carroll Eric Hill, DLNR-Land Management HrvQIQC: Kuraui - Heo - Kow - May - Cuum - Surm - Los Avaus - Warrence, D.C Murco	SSL:KYL STEVEN S(C)LIM		Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feel free to contact met. Your letter and this response will be appended to the final environmental associety of the environmental issues.	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.	DATE: Sunday, November 12, 2000 TIME: 1:00 p.m. PLACE: Property site, approximately 2 miles north of Honwapo Park (Whitington Neach Park)	You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:	The proposed house site is on the formerly graded house pod at the matua end of the Propenty, approximative out rest from the shorthine. DLNR's Historic Preservation Division has inspected the site and given a vehad clearance for this development. DLNR has also directed that no functer development may occur on the remaining makai ponion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access which starts at the Homapo and Hioma ahupua'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.	We a),	Dear Kainoa Kapera:	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	Kainoa Lapera P.O. Box 901 Naalehu, HI 96772	November 7, 2000	ТIЦИНЮЧ (FOR) 935-6644 「АХ (FOR) 935-7975 ምምምር саясмитнсом	P.O. Box 686 Ha o Ha wate 64731 2688	121 WAVAMENE AVIAR	ATTORNEYS AT LAW A LIMITOLIAMUTY LAW PARTICANS
SSL-KYL xc: May & A. David Carroll Eric Hill, DLNR-Land Management HoroggQC Karou · Hao · Kow · May · Cum · Sarm · Los Ancus · Washerion, DC · Murco	STEVEN'S, KLIM	Very truly yours,	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.	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 Naalchu Community Center.	DATE: Sunday, November 12, 2000 TIME: 1:00 p.m. PLACE: Property site, approximately 2 miles north of Honuapo Park (Whittington Besch Park)	You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:	The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately \$24 feet frost 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 which stars at the Homago and Hionaa abupua 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.	We are in receipt of a document that you signed indicating that you have concurns 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/nonthwest end of the 47.425-acre coastal property. See attached site plan.	Dear Ms. Alderolya:	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	Teresa Alderolya P.O. Box 285 Naalchu, HI 96772	November 7, 2000	الإلااماط (2013) 440-44 المعامة 1420-444 المعامة 1420-444 المعامة 1420-444 المعامة 1420-444 المعامة 1420-444 الاستخلاص 1420-444 المعامة 1420-444 المعامة 1420-444 المعامة 1420-444 المعامة 1420-444 المعامة 1420-444 المعامة	P.O. Box 686		CARLSMITH BALL LLP ATTORNEYS AT LAW ALIMITO LAWATY LAW PARTIERS

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	SEL-KYL STEVEN S.C. LIM
Should you h proposed acti assessment to	Should you have duestions concerning the informational vicetings or connuct to have assumuthat questions concerning the py – red action, please feel free to contact me, Your letter and this response will be appended to the final environmental so – ient to ensure that the document adequately addresses perfinent development and environmental issues.
In recognitio Meeting on 1	In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tursday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.
	DATE: Sunday, November 12, 2000 TIME: 1:00 p.m. PLACE: Property site, approximately 2 miles north of Honuapo Park (Whitington Beach Park)
You are invit	You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows:
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Dear Ms. And We are in rec Applicants of accessory use treatment syst property. See	We 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 watewater 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.
Re: Appli Kaala	 Kei Appitcanis: Mary & A. David Carroll, CHOA FARSSON of Hawaii; TMK:(3) 9-5-16:36 Kaalaiki and Hokukano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36 Der Mr. Yoshida:
Peggy H. Anc P.O. Box 233 Naalchu, Hl 9	
	November 7, 2000
	121 WAAMMMI AVIMI P.O. BOX 686 Hilo, Haway 96721.4686 Tillinhoni (608) 935.7975 WWW.CARISMITHCOM
	CARLSMITH BALL LLP ATTORNEYS AT LAW ALIMITED LABURY LAW PARTIANS#

Mary & A. David Carroll Eric Hill, DLNR-Land Management Ho-GEQC KNOLL - HID - KOM - MALL - CULM - SAPAR - LO ANCOLL - WASSECTOR D.C. - MARCO

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CARLSMITH BALL LLP

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нцо, на разлавания Тепьном (808) 935-2644 Бах (608) 935-7975 Саяльносом 121 WAANANG AVING P.O. BOX 686

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

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cript of a document that you signed indicating that you have concerns about the proposed construction by the fa two-story, single-family residential dwelling, approximately 3/150 square feet in living area, and related c improvements (man-made reflection pond, graveled driveway, private water catchment and wastewater stems), and landscaping on approximately 3/4-acte at the mauka/horthwest end of the 47.425-acte coastal re antached site plan.

d house site is on the formerly graded house pad at the mauka end of the Property, approximately 824 feet reline. DLNR's Historic Preservation Division has inspected the site and given a verbal clearance for this L. DLNR has also directed that no further development may occur on the remaining makai portion of the hour further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access hour further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public access at the Homapo and Hionaa ahupua'as (located south of the Property) from the Hawaii Belt Road and verses diagonally through the Property along the pedestrian Government Beach Trail. Therefore, lateral ublic access to and along the coartal shoreline within the Project Area will remain open.

ted to attend an Informational Meeting regarding the Conservation District Use Application as follows:

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

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

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

Very Indy Sours,

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Eric Hill, DLNR-Land Management Ho-GRGC, Kaou - Han , Xow - Man - C	ноне)ЕQC Кылды - Нас - Клък - Миз - Силм - Saran - Ко; Андша - ≌изнесток, DC - Милсо.
÷	xc: Mary & A. David Carroll
	SSL-KYL STEVENS. Q. LIM
	Very truly yours,
Should you have questions concerning the Informationa proposed action, please feel free to contact me. Your le assessment to ensure that the document adequately addr	proposed action, please fact free for containing the involutional meetings or continue to mave additional questions concerning the proposed action, please fact for contact me. Your letter and this response will be appended to the final environmental asset to ensure that the document adequately addresses pertinent development and environmental issues.
In recognition of the recent flooding that has affected Neeting on Tuesday, November 14, 2000 at 6:30 p.m.	in recognition of the recent linedung that has Allected 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.
DATE: Sunday, Nover TIME: 1:00 p.m. PLACE: Property site, i (Whittington F	TIME: 1:00 p.m. TIME: 1:00 p.m. PLACE: Property site, approximately 2 miles north of Honuapo Park (Whittington Beach Park)
You are invited to attend an Informational Meeting rega	mation
The proposed house site is on the formerly graded house from the shoreline. DLNR's Historic Preservation Divis development. DLNR has also directed that no further de Property without further archaeological survey of the an which starts at the Honuapo and Hionaa abupua's as floca gradually traverses diagonally through the Property alon pedestrian public access to and along the coastal shoreli	from the shoreline. DLNR's Hard many generation basis 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 Hawai recognizes a mauka-makai public access which stans at the Honuapo and Hionaa ahupua as (Incared south of the Property) from the Hawaii Belt Road and gradually traverses diagonally though 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.
Dear Mr. Aku: We are in receipt of a document that you signed indicati Applicants of a two-story, single-family residential dwe accessory use improvements (man-made reflection pond treatment systems), and landscaping on approximately 3 property. See attached site plan.	We a cceipt 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, graveled driveway; private water catchment and wastewater treatment systems), and landscaping on approximately 3/4-acre at the mank-honthwest end of the 47,425-acre coastal property. See attached site plan.
Naalaiki allu tilokukado, jotsuitt oj nad, Coudij	Dear Mr. Lee:
Re: Applicants: Mary & A. David Carroll; CDUA H	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
Kimo Aku P.O. Box 141 Naslehu H1 96777	Leonard Lee P.O. Box 595 Naalehu, HI 96772
No.	November 7, 2000
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ing that you have concerns about the proposed construction by the elling, approximately 3,150 square feet in living area, and related d, graveled driveway, private water catchment and wastewater 3/4-acte at the mauka/nonthwest end of the 47-425-acte crostal

se pad at the mauka end of the Property, approximately 824 feet siston has inspected the site and given a verbal clearance for this development may occur on the remaining makai jention of the urea. The County of Hawaii recognizes a mauka-makai public access rated south of the Property from the Hawaii Belt Road and ing the y-destrian Government Beach Trail. Therefore, lateral line eithin the Project Area will remain open.

rding the Conservation District Use Application as follows

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

3 many people in this area, we will hold a second Informational . at the Naalehu Community Center.

a) Meetings or continue to have additional questions concerning the etter and this response will be appended to the final environmental resses pertinent development and environmental issues

Very truly yours,

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x:: Mary & A. David Carroll Eric Hill, DLNR-Land Management Ho-OEQC K-rout - Hap - Kow - Maa - Cuum - Saean - Ica Anzus - Wase-crox DC - Marzo

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WWW.CARLSMITHCOM	TLINHOM (FUG) 935-6644 EAX (FOR) 935-7975
NAVY-MAPA 7 2000	WWW, CARLSMITH COM
Loma Galizo P.O.fa Box 496 Naalehu, HI 96772 Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B Re: Applicants and Hokukano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36	Cecilia V. Galizo P.O. Box 496 Naalchu, HI 96772 Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B
Dear Ms. Galizo:	Dear Mis. Galizo:
We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the	We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by t
Applicants of a two-story, single-family residential dwelling, approximately 3,130 square feet in living area, and related	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 drivevay, private water catchment and wastewater	accessory use importements finan-made reflection pond, guaveled driveway, private water catchment and wastewate
treatment systems), and landscaping on approximately 3/4-acre at the markabonthwest end of the 47,425-acre coastal	treatment systems), and landscaping on approximately 3/4-acre at the maukafoorthwest end of the 47.425-acre coastal
property. See anached site plan.	property. See attached site plan.
The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately R24 feet	The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately R24 feet
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Property without further archaeological survey of the area. The County of Hawaii Tecegnizes a mauka-maka public	Property without further archaeological survey of the area. The County of Hawaii recognizes a marka-makai public
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readuality traverses diagonally through the Property along the project Area will remain open.	gradually traverses diagonally through the Property along the profestrian Government Beach Tiail. Therefore, lateral
Predestrian public access to and along the coastal short-line within the Project Area will remain open.	pedestrian public access to and along the coastal shortline within the Project Area will termain open.
You are invited to attend an Informational Arceting regarding the Lonser ation District Use Application as futtives.	You are invited to attend an Informational Meeting regarding the Conservation District Use Application as tonows.
DATE: Sunday, November 12, 2000	DATE: Sunday, November 12, 2000
TIME: 1:00 p.m.	TIME: 1:00 p.m.
PLACE: Property site, approximately 2 miles north of Honuspo Park	PLACE: Property site, approximately 2 miles north of Honuspo Park
(Whitington Beach Park)	(Whitington Reach Park)
In recognition of the recent flunding that has affected many people in this area, we will hold a second Informational Meeting on Turstday. November 14, 2000 at 6.30 p.m. at the Naalchu 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 periment development and environmental responsed action, please feel free to contact me. Your letters and this response will be appended to the final environmental assessment to ensure that the document adequately addresses periment development and environmental setters and this response will be appended to the final environmental setters and this response. Were the setter and this response will be appended to the final environmental assessment to ensure that the document adequately addresses periment development and environmental very truty yours, SSL:KYL wer field Environ the rest of the setter and the setter and the setter of the field. DLNR-Land Management MeenflEOG Arown - Hoo - Koow - Maus - Gura - Sara - Los Auents - Wareton DC - Murco	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 Naatchu Community Center. Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the pipposed 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 periment development and environmental issues. Very truly yours, SSL:KYL xc: Mary & A. David Carroll Enie Hill, DLNR-Land Management HoofBGC Koou - Nao Koou Mara Carrol

CARLSMITH BALL LLP ATTORNEYS AT LAW ALIWHID LAWUTY LAW FARTHARS	121 WAIMMINU AVIMI P.O.Box 686 H20,HAWAB 9472140666 TILIFHONE (FOR) 933.6644 FAX (FGF) 935.7975 WWWC.CARISMITH.COM November 7, 2000	Donovan Emmaly P.O. Box 396 Naalchu, 11 96772	Re: Applicants: Mary & A. David Cartoll: CDUA HA-2981B Kaalaiki and Hokukano, Distnet of Kau, County and State of Hawaii, TMK:(3) 9-5-16:36	Dear Mr. Emmaly:	We are in receipt of a document that you signed indicating that you have concurns about the proposed construction by th Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (max-made reflection pond, graveled driveway, private water catchnent and wastewater reatment systems), and landscaping on approximately 3/4-acte at the mauka'nonthwest end of the 47.425-acte constal 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 shorefine. DLNR is 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 suprey of the area. The County of Havaiii recognizes a mauka-makai public access which starts at the Honuapo and Hionca alupua'as (located south of the Property) from the Havaiii Belt Road and gradually traverse diagonally through the Propera almog the pedestrian Government Beach Traul. 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 (Whitington Beach Park)	In recognition of the recent flowding that has affected many people in this area, we will bold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalebu 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 adquately addresses pertinent development and environmental issues.	Very truly yours.	SSL:KYL xc: Mary & A. David Carroll Eric Hill, DLNR-Land Management HoodBEQC x.rous - Hig - Now - Mus - Caus - Saves - In: Anglis - X.Anerson, DC - Mirco	
CARLSMITH BALL LLP ATTORNYS AT LAW ALIMMIDLARUTYLAW FANTHAW	121 WAIANUINE AVINE P.O. BOX 686 H1O, HAWAE 96721-0686 TILICHCME FOR 935-044 FAX (FOR) 935-7975 WWW/CARISMITHCOM Novembet 7, 2000	Dale Espejo P.O. Bax R46 Pahala. H1 96777	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 Mt. 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 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 jad at the mauka end of the Property, approximately 824 feet from the shorelme. DLNR's Historic Preservation Division has inspected the site and given a verhal clearance for this property without further as slot directed that no further development may occur on the creating makar portion of the Property without further archaeological survey of the area. The Gounty of Hawaii recognizes a marka-makai public access which starts at the Honuapo and Honaza aluputa as the profestry from the Hawaii Belt Road and gradually traverses diagonally through the Property along the profestrian Government Beach Trail. Therefore, lateral predestutian public access to and along the coastal shoreline within the Project Area will remain open.	Yeu 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 Nonuapo 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 Naalebu Community Center.	Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feet 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,	SSL:KYL SSL:KYL xc: Mary & A. David Carroll Eric Hill, DLNR-Land Management H++•0EOC Arrout - Hare - Array - Curw - Surw - Los Arcutt - Vive-crox, D.C Misco	

CARLSMITH BALL LLP ATTORNEYS AT LAW ALMITTOLIAMUTY LAY FAX TAX SA	121 WAAMUMA AVIVAT P.O.BOX 646 HQ. HAWAR 96231-0666 TILIPROM FORD 935-0644 FAX 6605 935-2075 WWW.CARIEMITHCOM November 7, 2000	Amold Ramos P.O. Box 1006 Naalchu, H1 96772 Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B 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	Der Mr. Rume. The series of a voorment hat von signed indicating that voor have concense abent the proposed construction by the series of a voorment's 31/30 sears of a number mailer state indicating that voor himsen addit state indicating that voor intervely 31/4 sets and advances with informer water cardinating advances of the set 34/3-acts of the set 34/3-acts cardinating advances of the set 34/3-acts of the set 3
CARLSMITH BALL LLP ATTORNEYS AT LAW ALIMPIDIABUTY LAW PARTMENS	121 W AIMMINE AVIMU F.C. BOX 686 HAC, HAWAA 96221-9686 TILIN-CM FORD 935-6644 FAX (FOR) 935-7975 WWW.CARLSMITH.COM November 7, 2000	Dawnalynn Waiwaiole P.O. Box 448 Naalchu, HJ 96772 Re. Applicants: Mary & A. David Carroll: CDUA HA-2981B Re. Kaalaiki and Hokukano, District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36	Dar M, Waivaidi: We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a worsnow, single-family residential diversity, private vaster catchinent and waretwater research use improvement than your good and the property, approximately 3.14 of a mannent system), and landscripting on approximately 3.14-store at the manka foothwest cod of the 91.425-sace costs are another system), and landscripting on approximately 3.14-store at the manka foothwest cod of the 91.425-sace costs are another and an other formerly traded hourse point and and a private interaction from the transmite development. DUNR has also directed that no function for development and a private intercomparing the shortime. DUNR has a shorting the activation direction that and a private the analysis of the anal- stratis at the Hontary and Hontary and Hontary about a development and a private the analysis of the anal- development. DUNR has a shorting the activation of the areas. The privaty states allowed the areas and threats a burner and the hontary of the areas. The private activation of the areas individent and activation the transmite approximately 3.14-store activation of the areas. The individent activation of the areas individent and activation the areas approximately and the areas of the areas. The first of the areas individent activation the privation of the areas approximately and the areas of the areas individent and and and and approximately and the areas and and and approximately 2 miles north of Hunury D ark the first of the areas and

CARLSMITH BALL LLP ATTORARYS AT LAW A LIWITIOLINGUTY LAY PATTAW A LIWITIOLINGUTY LAY PATTAW IZI WAAMMA AVINI POBOX 066 HAQ, HAWAN 96721 ATG6 TILIMMAA IPTOF 935-AAAA FAX FOR 935-7555 WWWCCARLISMITHCOM	Darrin Enos P.O. Box 695 Naalaheu, Hil 96772 Re: Appheents: Mary & A. David Cartolt: CDUA HA-2981B Re: Appheents: Mary & A. David Cartolt: CDUA HA-2981B Re: Appheents: Mary & A. 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 Applicants of a two-story, single-family residential dwelling. approximately 3,150 square feet in living area, and related accessory use improvements finan-made reflection bond, graveled drivenay, private water catchment and wastewater accessory use improvements finan-made reflection pond, graveled drivenay, private water catchment and wastewater accessory use improvements finan-made reflection pond, graveled drivenay, private water catchment and wastewater property. See attached site plan. The proposed house site is under formuch prodedhouse spad wide manukahonthwest end of the Property, approximately 824 feet from the shortime. DLNR is Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also directed that no fundue development may occur on the remaining makin portion of the Property without further archaeological survey of the area. The County of Hawaii Reoth and along the cost property without further archaeological survey of the area. The County of Hawaii Reoth and and stadually traverse diagonally through the Property along the profestival Government Reach Trail. Therefore, lateral predestinan public access to and along the costal shortiner 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 Tucsday, November 14, 2800 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 arcessment to ensure that the document adequately addresses pertinent development and environmental issues.	Very truly yours, Free SSL:KYL SSL:KYL xc: Mary & A. David Carroll Eric Hill, DLNR-Land Management HoodBQC know + Hao + Now - May + Court + Saour + Los Andur - Numerion, DC + Mirror
CARLSMITH BALL LLP Attorneys at law Alimitoliamutylay Partigruus 121 Waiaariae avi Mit P.O. Box 666 Hq.O. Hawai 96721.0666 Tilipora ferei 935.0056 WWW.CARLIMITHCOM	Pooremeer 7, 2000 P.O. Box 4 Naalchu, 11 96772 Re. Applicants: Mary & A. David Carroll: CDUA HA-2981B Re. Applicants: Mary & A. David Carroll: CDUA HA-2981B	Dear Ms. Omija We are in recept of a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a truv-story, single-family residential doelling, approximately 3,150 square feet in living area, and related a concessory ust improvements timan-made reflection pond, graveled driveway, private water catchment and waretwater treatment systems), and landscaping on approximately 3/4-actic at the mauka/horthwest end of the 47.425-actic castal property. See attached site plan. The proposed house site is on the formereding provision has inspected the site and given a verhal clearance futu- former. DLVR has also directed that no further development may occur on the termation given and a proton of the foreformer. DLVR has also directed that no further development may of thawaii recognizes a marka-madai public access which stants at the Houson and Hunge the proterty along the property from the Hawaii Related and gradeally travester diagrenally through the Property along the predestrian public access which stants at the Houson and Hunder altereding the profered Answii recognizes a marka-madai public access which stants at the Houson and Hunder the reset along the profered Answii Reset Area Merail. Profestrian public access to and along the recert along the profered Answii Reset Area Minal.	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. Property site, approximately 2 miles north of Honuapo Park (Whittington Beach Park) In recupnition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tuusday, November 14, 2000 at 6:30 p.m. at the Naalchu Community Center. Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, please feet free to contact me. Your letter and this tesponse will be appended to the final environmental assessment to ensure that the document adquately addresses periment development and environmental issues.	Very Frully Yours, SSL-KYL SSL-KYL Eric Hill, DLNR-Land Management HawOEQC Mana, Ho , Kow , Mau , Cum , Jama , La Andilli , Wawenon, DC , Mano

CARLSMITH BALL LLP ATTORNEYS AT LAW ALMUTEDLANGTY LAW FALL MALL	121 WAIANGIME AVIAN P.O.BOX 486 H30, Haway 96721.0666 TILIPHOM (FOB) 935-044 Fax 160P) 935-7975 WWW/CARLSMITHCOM November 7, 2000	Devin Breithaupt P.O. Box 770 Naalchu, H1 96772 Re: Applicants: Mary & A. David Carroll; CDUA HA-29×1B Re: Applicants: Mary & A. David Carroll; CDUA HA-29×1B Kaalaiki and Hokukano, District of Kau, County and State of Hawaii, TMK:(3) 9-5-16:34	Dear Mr. Breithaupt: We are in receipt of a document that you signed indicating that you have concerns about the proposed construction hy t 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 wasterwater treatment systems), and landscaping on approximately 3/4-acte at the mauka/northwest end of the 47 425-acte 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 R24 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 tremaining makai portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a mauka-makai public which starts at the Honuapo and Hiomaa abupua'as (Incated south of the Property) from the Hawaii Belt Renad and gradually traverses diagonally through the Property along the project Area will form the Hawaii Duvefore. Interd 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 Hunuapo Park (Whitington Barch Park)	In recepation of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Tucsday, 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 texter and this response will be appended to the final environmental assessment to ensure that the document advanced actionmental textoon durated a second or the final environmental severes.	Very touly yours,	SSL:KYL xe: Mary & A. David Carroll Eric'Hill, DL/NR-Land Management Ho-QEQC Analli - Hao - Kow - May - Curv - Saria - Los Anglis - Waveston DC - Marco
CARLSMITH BALL LLP ATMORATYS ATLAW ALMMIDLAMMIVLAW PARTHALW	121 WAIAMEMUL AVIME P.O. BOX 686 HEQ. HAWAB 9672147666 TILITHOME [60E] 935.6441 FAX (80E) 935.7975 WWW.CARLSMITHCOM November 7, 2000	Hanalei Young P.O. Box 73 Naalehu, H1 96772 Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B	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 no-story, studie-family residential dwelling, approximately 3,150 square feet in living area, and related Accessory us of a no-story, studie-family residential dwelling, approximately 3,150 square feet in living area. and related accessory us of a mortunet (man-made reflection pond, gravefeet drivenay, private water catchment and wastwater accestment systems), and landscaping on approximately 3/4-acte at the maukalmorthwest end of the 47.425-acte costal property. See attached site plan	The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately R24 feet from the shortine. DLNR is 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 temaining makai portion of the Property without further archarcloytical survey of the area. The County of Hawaii incognizes a matka-makai public access which starts at the Honorab and Homan aluqua 'as (located south of the Property of Hawaii incognizes a matka-makai public access which starts at the Honorab and Homan aluqua's (located south of the Property) from the Hawaii Belt Road and gradually traverses diagonally through the Property along the Property along 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 (Whitington Reach 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 14.2140 at 6:30 p.m. at the Naalrhu 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 adduately addresses periment development and environmental issues.	Very traily yours, STEVEN 6. 9 LIM	SSLKYL xe: Mary & A. David Carroll Eric Hill, DLNR-Land Management HordEQC Karui - Hac - Krai - Mau - Cura - Saaa - Lo Arcui - Warrook DC - Mirroo

CARLSMITH BALL LLP ATTORNEYS AT LAW ALMOTOLANTY LAW FALTRANSIE ALMOTOLANTY LAW FALTRANSIE 121 WAMMING ANTIMI POLED AND ANTIMING TULINOME (FOB) 935-MALE TAX FRIPP 935-2025 WWW.CARLSMITH.COM November 7, 2000	Margatet McGuite P.O. Rox 412 Naalehu, H1 96772 Re: Applicants: Mary & A. David Carnol!; CDUA HA-2981B Re: Applicants: Mary & A. David Carnol!; CDUA HA-2981B Car Ms, McGuite: Dear Ms, McGuite: 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 3,1,610 source feet in Briope area, and related	 The proposed house site span. The proposed house site space on approximately 3/4-acre at the mauka/northwest end of the 43 425-acre coastal property. See attached site plan. The proposed house site is on the formerly graded house pad at the mauka/northwest end of the 43 425-acre coastal property. See attached site plan. The proposed house site is on the formerly graded house pad at the mauka and of the Property, approximately 824 feet form the shortline. 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 use on the remaining makai portion of the verborment. DLNR has also directed that no further development may use on the remaining makai portion of the verborment function to the state and given a attached place at structs of the area. The County of Hawaii recognizes a mauka-makai public access to and along the property along the project Area will remain open. You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows: Predestrian public access to and along the coastal shortline within the Project Area will remain open. You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows: Protein area invited to attend an Informational Meeting regarding the Conservation District Use Application as follows: Protein Property 2000. PATE: Sunday, November 12, 2000. PATE: Property site, approximately 2, nuller north of Honuspo Park (Wittinford Regarding the Proved 2, nuller north of Honuspo Park (Wittinford Regarding the Proved 2, nuller north of Honuspo Park (Wittinford Regarding the Proved 2, nuller north of Honuspo Park (Wittinford Regarding to Park (Wittinford Regarding to Park Park) 2, nuller north of Honuspo Park (Wittinford Regarding Regarding Refer Park) 2, nuller north of Honuspo Park (Wittinfo	· 말 같은 중	
CARLSMITH BALL LLP ATTORNEYS AT LAW ALIWITOLAMITY LAW FARTHANS ALIWITOLAMITY LAW FARTHANS ALIWITOLAMITY LAW FARTHANS 121 WAMAITWI AVIMI FO. BOX 666 HAO. HAW AN 95321 AG66 TURNEW FORD 935-4644 FAX (FOR) 935-7955 WWEITHEOM November 7, 2000	Harbara Shibaya P.O. Box 476 Naalchu, H1 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. Shibaya Dear Ms. Shibaya 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 vaster catchment and wastevater	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 shortline. DLNR is hitstoric 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 manka-makai public access which starts at the Hounpa and Horna abuption as discated south of the Property from the Hawaii Beah Trail. Therefore, lateral pedestrian public access to and along the coastal shortline within the Project Area will remain open. Yen are invited to attend an Informational Mertung regarding the Conservation District Use Application as follows: DATE: Stunday, November 12, 2000 TIME: 1:00 p.m. PLACE: Property 3 miles north of Honuspo Park (Whitington Beach Park)	In recognition of the recent flooding that has affected many people in this area, we will hald a second informational Meriting on Tuesday, November 14, 2100 at 6.30 p.m. at the Naalehu Community Center. Should you have questions concerning the laformational Meritings 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 ravue that the document adquardy addresses peritient development and environmental issues. Very truly yours, SSL:KYL SSL:KYL SSL:KYL SSL:KYL SSL:KYL SSL:KYL SSL:KYL STEVEN SQ LIM we fieldil, DLNR-Land Management Management	

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CARLSMITH BALLIP ATTORNEYS AT LAVE ALWATELIARTYLAF LAVENAND	121 WAIMMANE AVIME F.O. BOX 646 HAO. HAXAR 96521.7656 TUUMOR (FAR) 935.444 I.X. FFAR) 935.7975 WWW CARLSMITHCOM November 7, 2000	Denald Shihaya P.O. Rox 476 Naalebu, HT 96772	Re: Applicants: Mary & A. David Carroll; CDUA HA-20x1B Kaalaiki and Hokukano, District of Kau, Coumy and State of Hawaii, TMK.(3) 9-5-16-76	Dear Mh. Shihaya We are in receipt of a document that you signed indicating that you have concems about the proposed construction by ' Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory us; improvements (man-made reflection pond, graveled drivenay, private water catchment and waterwater treatment systems), and landscaping on approximately 34-acre at the mauka/nonthwest 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 chearance for this development. DLNR has also directed that no fourther development may occur on the remaining markai portron of the Property without further archaeological survey of the area. The County of Hawaii recognizes a musua-maskan public access which stars a the Homapo and Hioma abupua as (located south of the ereationally traverse diagonally through the Property along the pedergizal survey of the area.	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, appraximately 2 miles north of Hommapo 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 Naalebu Community Center. Should von have overtions concerning the Informational Meetings or continue to these contexts are concerned to	on use guestions concerning for promational interungs of 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 contrommental assessment to ensure that the document adequately addresses pertinent development and environmental resues	SSL:KYL SSL:KYL xc: Mary & A. David Carroll Eric Hill, DLNR-Land Management Horoffigg know - Higo - Kow - May - Guile - Sarah - Los Anguis - Vanneston, D.C Minec
CARLSMITH BALL LLP ATIORNEYS AT LAW ALWATTO LAWATTANSA	121 WARMIME AVIME P.O. BOX 6F6 H10, Hawas 95214MB6 TILER-OM ERBI 935-6444 FAX (FUB) 935-7975 WWW CARLSMITHCOM November 7, 2000	George Kauwe P.O. Box 511 Naalebu, HJ 96772	Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B Kaalaihi and Hobukano, 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 enustmetion by the Applicants of a two-story, single-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements faman-made reflection pond, graveled driveway, private water catchiner and watervater treatment systems), and landscaping on approximately 3/4-acre at the mauka/northwest end of the 47.425-acre costal property. See anaked site plan.	The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately R24 feet from the shoreline. DLNR 5 Historic Preservation Division has inspected the site and given a verbal charance for this development. DLNR has also directed that no funder development may occur on the termaining makai partion of the Property without funttar archaeological survey of the area. The County of Hawin zeological survey and the maxin area of the Property vithout funttar archaeological survey of the area. The County of Hawin zeological survey and the area and and the Property form the Hawaii Belt Road and gradually traverset diagonally through the Property along the Property from the Hawaii Belt Road and gradually traverset diagonally through the Property and the Property and the Property and the Property from the Hawaii Belt Road and process the section of the gradually traverset diagonally through the Property and the Property and the Property from the Hawaii Belt Road and process to the areas a superal shoreline within the Project Area will remaining the refore, lateral potention predestinan the Project and and and predestinan 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)	la recognition of the recent floading that has affected many people in this area, we will hold a second Informational Meeting on Tursday, November 14, 2000 at 6:30 p.m. at the Naalebu Community Center. Should you have overtions concerning the Informational Meetings or continue to have additional ouestions concerning the	sumple you have questions concerning the intrummativity preclarge of compare to pave autivitial questions concerning inc 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.	SSL:KYL SSL:KYL xc: Mary & A. David Carrol Eric Hill, DLNR-Land Management HowdRigg kurau - Hau - Kaun - Saru - La Angus - Warencer, DC - Murco

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DATE: Sunday, November 12, 2000 1141E: 1:00 p.m. 1141C1: Property site, approximately 2 miles morth of Monuspo Park 11.AC1.: (Whitington Berch Park)

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CARLSMITH BAI

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CARLSMITI - LLP ATTORNESSING	131 Weinerska Avital PO.Roy al Highter at esistent Tillwere freiterich Wortmiter 1,2149	સ A. Davd ઉંકાળધી: CDMA HA-2018 હેકમ, Domer of Kau Creany થવે State of Hawaii, TMA (ટ્રે) ધ-5-16 ટેક આ ના દોકા પૂછા પ્રકૃતવે મળે દરમાં કુલે છે. તે આ વાયક ભા એખને વિક્ ભૂલભાવે દરમાં મળા જે તે બે આ માં દિવારો કે વ્યવસાય છે બેલી માર દાવે તો તા ખરત દરમાં છે. ઉપરાંત દર્ભા ના તે આ વાસ્ત્ર મળ્ય કે અને માં દેવે આ માં ભારત મળે વાસ્ત્ર વિક્રા વાસ્ત્ર વિક્રા કે આ વાસ્ત્ર છે. તે આ ગાળ બેલ બેલ વ્યવસાય છે છે. તે કે આ ગાળ કે આ	e plas ree the formerity graded bowe, god at the massia end of the l'urgeny. approximancle 924 feet are the formerity graded bowe, god at the massia end of the l'urgeny. Agricon mala promot of the glo durated thas on finded devictored may occur on the formaning mala promot of the silo durated thas more in the large of Hyman strepturers an mala and an index or add those a shores at the control of Hyman strepturers and mala and an index and those a shores at the control of Hyman strepturers and and and a sole shore the former of the strepture and the formation of the control those and the forestrina for the more the strepture and and add through the Propertical and the Propertical formation the strepture or add shore the restored production for the an officient and and and shore the strepture of the Construction for the Application at follows and hole and the restored and and the Construction Destruct the Application at follows and formational Meriting regarding the Const.	[14] T. D. P.M., L. C.L. Property Site, approximately, 2 miles worth of blow uspon Park "LACE: Property Site, approximately, 2 miles worth of blow uspon Park "I.A.C.E. (Whither Reach Park) rear One-date plast has a site basely in this access we will hold a second falarmational member 14, 2000 at 6.30 p.m. at the Naakha Community 6 contex. More the plast of the blownational Accessive are continuer to have addinated and environmently acceleration of A.2000 frant and this typework will be approach to the final environmental red free to contact mer Voud Kerners per unsent development and contextment and return the development subsciences per unsent development and contextment and return advectorial partner of development development and the development of the development development of the development of the textment and the development of the development development of the development of the textment of the textment of the development of the development of the text of text of the text of the text of text of the text of	Very traly years STEVES 5. UN d Carroll Land Mangement . Nor . Non . Curv . Jan 10 Augus . Amortha DC . Manr

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CARLSMITH BALL LLP ATTORNYS ATTAW A LUMITOLIANTY LAW FATTAW	121 WALMMA AVIMA FO. 805 646 HQC, HARAR 967214046 THERVAR 16189 935-0454 FAX (FOR) 935-7975 WYWY CARLWITHCOM November 7, 2100	To vitom if may contern P.O. Box 564 Naalchu, H1 96772 Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B	realized and the theorem presence of real Control and state of the real of the	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-resp. single-family residential doculing, approximately 3.150 square feet in living area, and related accessory use improvements finan-made reflection pond, graveled divervay, private water catchneti and watervater treatment system), and landscaping on approximately 244-acre at the main admethesed and the 47.425-acre constal property. See attached site plan.	The proposed house site is on the formerly graded house pad at the mauka end of the Property, approximately b24 feet from the shorthine. DLNR's Historic Preservation Division has interperted the sute and given a verbal eleanance for this development. DLNR has also directed that no forther development may occur on the ternaining makai portion of the Property vithout forther archarological story of the area. The Compto of Haronia it recognizes a mankai public access which starts at the Honuago and Hioman ahuroa'as flocted south of the Property from the Hawaii Red Moad gradually traverse dagonally through the Property along the forestman for the Store Train. Thur there, last and pedestrian public access to and along the coastal shoreline within the <i>Project</i> Area will remain open.	You are invited to attend an Informational Meeting regarding the Concernation District Use Application as follows	DATE: Sunday, Novemher 12, 2000 TIME: 1:00 p.m. PLACE: Property site, approximately 2 miltes north af Nonuapo Park (Whittington Beach Park)	In recognition of the recent floading 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 feed free to contact me. Your letters and this response will be appended to the final convronment assessment to ensure that the document addeuately addresses perinent development and environmental usues.	SSL:KYL SSL:KYL SSL:KYL xc: May & A. David Carroll Eric Hill, DL/NR-Land Management Ino-OEOC Anon - Hac - Now - May - Cour - Sama - Ice Arcult - Wave-roe, DC - Minec
CARLSMITH BALL LLP ATIONNYS AT LAW A LUMITIDIANDIANTY LAV PARTIANS	121 WAIAAAAAA AVIMAA P.O.BOX 686 HAQ. HAWA 9422141444 TIIIH404A [AX 1876] 935.2955 WWW'CARISMITHCOM November 7, 2000	C. McFadden P.O. Box 729 Naalehu, HI 96772 Re. Applicants: Mary & A. David Carroll: CDUA 11A-2981B Re. Applicants: Mary & A. David Carroll: CDUA 11A-2981B	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 twe-story, stugle-family, residential dwelling, approximately 5,150 square feet in living area, and related accessory us improvements trans-made reflection pond, graveled driveway, private water catchment and wasterwater treatment systems), and landscaputy on approximately 3/4-acre at the manbahoothwest end of the 47.425-acre coastal property. See attached site plan	The proposed house site is on the lormerly graded house pad at the mauka end of the Property, approximately 824 feet from the shortchne. DLNR's Historic Preservation Division has inspected the sitt and given a verhal clearance for this development. DLNR has also durened that no further development may eccut on that remaining maski protion of the Property without fundter archaeological survey of the area. The County of Hawaii recognizes a mauka-maskii public accession the Hawaii sector and hurana and undura as discreted sources of Hawaii sectorizes and and property without fundter archaeological survey of the area. The County of Hawaii recognizes a mauka-maskii public which starts at the Hawaiaye and Harana and hurana as diograd south of the Property) from the Hawaii Belt Road and gradually traverse diagroually through the Property along the project Area will frem the Racad and pedestinan public access to and along the evolutio eviduin 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: Psoperty site, approximately 2 miles north of Honuspo Park (Whitington Beach Park)	In recognition of the creats flowling that has affected many people in this area, we will hold a second Informational Afeeling on Tursday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.	Should you have questions come, mure the Informational Meetings or commuc to have additional questions comerminy 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 addresses pertinent development and environmental fissues.	SSL-KYL SSL-KYL KC: Mary & A. David Carroll KC: Mary & A. David Carroll KC: Mary & A. David Carroll HwoREQC 1. Mary For the tene of tene o

CARLSMITH BALL LLP ATTORNYY AT LAW A INTITOLARATY LAW A INTITOLARATY LAW A INTITOLARATY LAW 121 W ANANG PLAN ALL FOLIOD AND HOLHAWAY 47 211 JAKA INTERNA 123 JAND NATTHER 7, 2000	 Anthony Oliverios. St. P.O. Box 61 Re: Applucauts: Maxv & A. David Carrolt: CDUA HA-29481B Re: Applucauts: Maxv & A. David Carrolt: CDUA HA-29481B Dear Mr. Olivertos: We are in receipt of a document that you signed indicating that you have concerns about the proposed construction by the Applucants of a nuovestory, single-family residential dwvlling, approximately 3, 150 square fact in living area, and related accessory us unprovements (max-made reflection pool, graveled driveway, private water catelinerent and waterwater treatment systaments on approximately 3, 140 square fact in living area, and related proceeds. See attached site of an 	The proposed house site is on the formerly graded house pad at the marka end of the Proyerry, approximately \$24 feet from the proposed house site is on the formerly graded house pad at the marka end of the Proyerry, approximately \$24 feet from the north the DLNR is also directed that no further development may occur on the termaining maka portion of the Property without further archaeological survey of the array. The property without further archaeological survey of the array. The property without further archaeological survey of the array. The formity of Hawaii Recognizes a manuka-makai public access which stars at the Honuapo and Hionaza alupua'as (Incared south of the Property) from the Hawaii Reit Read and gradeality through the Property along the coastal shortline within the Project Arra will remain open. You are invited to arted an Informational Meeting regarding the Conservation District Use Application as follows: DATE: Sunday, November 12, 2000 The TIME: Sunday, November 12, 2000 The TIME: Sunday, November 12, 2000 The TIME: Property site, approximately 2 miles north of Hawaii Prace	In recugnition of the recent flooding that has affected many prople in this area, we will hald a second Informational Mercing on Tursday. 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 address periment development and environmental issues Very truly yours, SSL.KYL SSL.KYL SSL.KYL Eichtll, DLNR-Land Management too-DEOC know - Man - Low - Man - Low - Man - Low - Manu - Low Manuel DLNR-Land Management	
CARLSMITH BALL LLP ATIORNYS AT LAW A funitof lawenty Law Fax 1940 121 W ALANIMAR AVIANT 121 W ALANIMAR AVIANT FOR BOS AFF HIG. HAWAN SOSTILATER HILTER (1000) 935-6444 172 JULU November 7, 2000	etor. Notas concented Naatchu, H1 96772 Re: Applicants: Mary: & A. David Carroll: CDUA HA-2981B Kaalail i and Hoi ukano. District of Kau, County and State of Hawaii, TMK:(3) 9-5-16:36 Dear Mr. Rosas We are in recurred a document that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story, single-family testidential dwelling: approximately 3.150 square feet in living area, and related accessory use improvements fram-madie reflection pond, graveled dirvevay, private water catchment and watervater property: See attached sturp fram.	The proposed house site is on the formerly graded house pad at the manka end of the Property, approximately 8/34 feet from the shoretime. DLNR is Historic Preservation Division has unspected the site and given a verhal clearance for this development. DLNR has also directed than on further development may excure on the remaining makai portion of the Property without further archaredoyccal survey of the arc. The for ennivoir Manaii recognizes a manka-makai public access which starts at the Hounapo and Human altiputs as flocated south of the Property from the Hawaii Beate Maad preduting traverses drayonally through the Property along the red erms of the Property from the Hawaii Beate Maad predestinan public access the manual altiputs as flocated south of the Property from the Hawaii Beate Maad Province the antend an Informational Meeting regarding the Conservation District Use Application as follows. You are invited to attend an Informational Meeting regarding the Conservation District Use Application as follows. HATE: Footparty site, approximately, 2 miles north of Honuapo Park (Whittingtion Reach Park) Directed the struct Date of the transformation that the struct access the evention of the struct the struct Date of the transformation to the transformation the struct (Whittingtion Reach Park)	Mercing on Turstapy. Now mber 14, 2000 at 6:30 p.m. at the Naathu Community Center. Should you have quastrows concerning the Informational Meetings or continue to have additional questions concerning the proposed action, pleast 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 periment development and environmental issues. Very tally yours, SSL:KYL we Many & A David Carroll teric Hull, DLVR-Land Management We OEQC Annual that environmental issues.	

CARLSMITH BALL ILP ATTORNEYS AT LAW ALIMUTICLANTIALUE 121 WALMANTULE FATTARUE 121 WALMANTULA AVIAL FO. FOX ART HO. HAY AN SYSTLAND THIMOUN HARP SYSTLAND THIMOUN HARP SYSTLAND THIMOUN HARP SYSTLAND WARTANDA	Tesic Deferata clo Postmaster Naalehu, HJ 96772 Re. Applicants: Mary & A. David Carroll: CDUA HA-2981B R. Applicants: Mary & A. David Carroll: CDUA HA-2981B Readait) and Hokukano, District of Kau. County and Start of Hawaii, TMK.(72) 9.5-14-34 Dear Ms. Deferalus. Dear Ms. Deferalus. We are in receipt of a document that you supred indicating that you have enorems about the proposed construction by th Applicants of a two-story, single-family residential dwelling, approximately 3.150 square teet in Iwing area, and related accessory use improvements (man-made reflection pond, graveled divervay, private valer element and watewate accessory use improvements (man-made reflection pond, graveled divervay, private valer contentient and watewate	 property. See attached site plan. The proposed house site is on the formerly graded house goad at the maska end of the Property, approximately 324 feet from the showhine. DLNR is Historic Preservation Division has impected the site and given a verhal elemance for this development. DLNR has also directed that no further development may occur on the remaining makar portion of the Property without further archaeological survey of the area. The County of Hawaii recognizes a manka-makar protion of the Property states the Houngard and the Property form the Project Area will form the Hawaii Rel Renal mode geduality traverses diagonally through the Property along the predestinand Government Beach Trait. Therefore, Larval predestinan public access to and along the croased shorthine within the Project Area will remain open. Jurvet on an unruled to attend an Informational Meeting regarding the Conservation District Use Application as follows. You are unvited to attend an Informational Meeting regarding the Conservation District Use Application as follows. TIME: 3:00 p.m. TIME: 3:00 p.m. Property Siles north of Humapo Park (Whittington Reach Park). 	In recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Merting on Tuesday, November 14, 2000 at 6.30 p.m. at the Naalehu Community Center. Should you have questions concerning the Informational Meetings on 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 secressment to ensure that the document adequately addresses periment development and environmental viscues. Very truly yours, STE.KYL SSL:KYL and Management and Environmental SSL:KYL and Management and Environmental Mary & A. David Carroll Eric Hill, DLNR-Land Management to Action 10, Actio	
CARLSMITH BALL LLP ATTORNYS AT LAW ATTORNYS AT LAW ATTORNY LAW 121 WALMATHAN AVTINAS 121 WALMATHAN AVTINAS 121 WALMATHAN AVTINAS HICHAWAT AVTINAS THIDAGA (MIRJ AVTINAS MATTORNAS AVTINAS MATTORNAS AVTINAS	Candi L. Yarber P.O. Box 1080 Naalebu, HJ 96-772 Re: Applicants: Mary & A. David Carroll; CDUA HA-2981B Rabili and Hol ukano. District of Kau, Coumy and State of Hawaii; TMK:13) 9-5-16:36 Dear Mr. Yarbor We are in receipt of a decument that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story. simple family residential dwelling: approximately 3,150 square fact in living anca. and related accessory us transprovements that you signed indicating that you have concerns about the proposed construction by the Applicants of a two-story. simple family residential dwelling: approximately 3,150 square fact in living anca. and related accessory are ruptor current on annovimmerly 3,264 accur at the maile work whether and wortwater accourse tweetered and tank on more concernent on annovimmerly.	property. See attached sitt plan. The proposed house sitt is on the formetly graded house pad at the mauka end of the Property, approximately 8/4 feet from the shordone. 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 makan portion of the Property without further archarological survey of the area. The County of Hawaii Ecognizes a mauka-makai public access which starts also directed that no further development may occur on the remaining makan portion of the property value further archarological survey of the area. The County of Hawaii EcoRomizes at mauka-makai public access which starts at the Hounaye and Honean abuput the profest for the Property from the Hawaii Belt Read and pradmally inserters dayronally through the Property along the pedestrian Government Reach Trail. Therefore, lateral pedestuin public access to and along the coastal sforetime within the Project Area will remain open. You are invited to attend an Informational Meeting regarding the Construction District Use Application as follows TIME: Property site, approximately 2 miles north of Honuspo Park (Whitington Beach Park)	In recognition of the recent funding that has affected many people in this area, we will hold a second Informational Meeting on Tuesday. Nowmber 14, 2000 at 6:30 p.m. at the Nashehu Community Center. Should you have questions concerning the Informational Meetings or continue to have additional questions concerning the proposed action, plass feel free to contact me. Your letter and this responded to the final environmental assessment to ensure that the document addreases perturent development and environmental tissues Very truly yours. SSL:KYL we Mary & A David Carroll Encifult. DLNR-Land Management tooDEQC ANNEL ME. Now . Know . Know . Know . Know . Know	

CARLSMITH BALL ILP ATTORNYS ATLAN ALWATCHOMEVICY LAY LAY LAY LAY	121 WAREN MAR ALLER FO.KON AH HILO, HAN AF 4172, HAN 41447 THURON FHED BYCOMA FAC 1404 1423 14141 035, 2075	November 7, 2000 Lyma Andersan P.O. Box 170 Naalehu, HJ 96772	Re Applicants: Mary & A. David Canol!: CDUA HA2981B Kaalaiti and Helvikane. District of Kau. Ceurry and State of Hawaii; TMK (2) 9.5-16-26 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 movement, single-family residential doctling, approximately 3.150 square feet in living area, and relate accessory use improvements (man-made reflection pond, graveled driveway, private water catchinen and vastewater freatment systems), and landscaping on approximately 3.44-acre at the mankater of the 47.425-acre constant property. See antacked site place	The proposed house site is on the formerly graded house pad at the maul a end of the Property, approximately \$24 feet from the shorthme. DLNR is Historic Preservation Division has inspected the site and given a verbal clearance to this Property virtual function and area directed that no further diversion may occur on the remaining mat a portrum of the white start at the Humapo and Human alurey of the area. The County of Hawaii recognizes a markan public access gradually traverse diaponally through the Property along the property strain Reach Baw in R (R wad and Preferition in the transport and Human alurup at (located south of the Property) from the Hawaii R (R Read and White start at the Humapo and Human alurup at located south of the Property) from the Hawaii R (R Read and Preferition public access to and along the coastal shortlow the Project Area will remain nocu.	V-1.4 are invated 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 (Whitecons)	In recognition of the recent flueding that has affected many prople in this area, we will hold a second informational Meeting on Tuesday. Notember 14, 2000 at 6:30 p.m. at the Naalehu Community Center. Should you have questions concerning the Informational Meeturgs or continue to have additional questions concerning the proposed action, please feet free to contact me. Your letter and this texposes will be appended to the final concorning the assessment to revuer that the document adequaries second meet document and assessment to revue that the document adoption of the final concorning the	Very truly yours. SSL:KYL SSL:KYL XC: Mare & A. David Carroll Eric Hill, DLMR-Land Management H=-OFOC Anou: - Han - Aou - Anu - Cuue - Sona - to Anouu - Vauwerter, DL - Mareo	
CARLSMITH BALL LLP ATTORNEYS AT LAW ALWHICHMENTY LAW	123 WARMANJ AVTAJI POBAAN HOCHAVAI SATZIJINSA 1119935-NAA TAX 151935-NAA VWWCARISMITH COM NWWCMBET 7, 2000	James T. Oyama c/n Postmacter Naalchu, HI 96772	Re Applicants: Mary A: A Dwid Carroll: CDUA HA-2981B Kaalaiti and Hobut ane. District of Kau. Coumy and State of Hawaii: TMK:(3) 9-5-16:36 Dear Mt. 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, stople-family, residential dwelling, approximately, 3,150 square feet in living area, and related accessory use improvements finan-made reflection pond, graveled drive way, private water catchment and watervater treatment systems), and landscaping on approximately 3/4-acte at the mankafootthwest end of the 47.425-acte coastal property. See attached site plan	The proposed house sue us on the houserly graded house pad at the moula end of the Property, approximately ¥74 teet from the shorther. DLXR is thistore Preservation Division has inspected the sue and given a verbal clearance for this development. DLXR has also durered that no further development may occur on the remaining matary parton of the Property without further archaeoleyrcal starter of the area. The County of Hawaii recognizes a mathar public access which starts at the Homaryo and Hurana alupua as flocated south of the Property from the Hawaii Belt Read and gradually traverse diagram[], through the Property along the projection (in contents) from the Hawaii Belt Read and predestrian public access to and along the croated shorthin the Project Area will remain open.) ou alt invited to alt nd an Informational Meeting regarding the Conservation District Use Application as follows DATE: Sunday, November 12, 2000 11ME: Property site, approximately 2 miles north of Honuapo Park (Whitington Beach Park)	In recognition of the recent floading that has affected many people in this area, we will hold a second Informational Meeting on Tuesday. Nowember 14, 2000 at 6:30 p.m. at the Naalchu Community Center. Should you have questions concerning the Informational Meetings or commuc to have additional questions concerning the proposed action, please field free to contact me. Your fetter and this response will be appended to the final environmental assessment to ensure that the document addresses pertinent development and environmental secont to ensure that the document addresses pertinent development and environmental usives	Very truly yours. SSL:KYL xc: Mary & A. David Canoll Eric Hill. DL/NR-Land Management Nr-ORQC Auron New Amay - Curve - Sarah - Los Anguis - WANNER DL - MUNCO	

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CARLSMITH BALL LLP	121 WARMARMA KUMUT F.O. 805 AFF Hac, Hawaa UK21245 TILFACMA FERES 935-644 FAS 1646 935-7075 WWW CARLEAUTHCOM NOVEMBER 7, 24M1	Jeffer, Kekoa P.O. finz 785 Pahla, HI 96777	Re.	Dear Mr. 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, striple-family residential dwelling, approximately 3,150 square feet in living area, and related accessory use improvements (man-made reflection pond, graveled driveway, private water cotchnient and waterwater treatment systems), and landscaping on approximately 3/4-acte at the manka/northwest end of the 47.425-acte covetal property. See attached site plan.	The proposed house site is on the formerly graded house pad at the mank a end of the Property, approximately 824 feet from the shortline. DLNR is 1 historic Prestervation Dryston 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 much approximately which grave in the strong mean inspective of the and in the function of the Property viblent in the large of the area of the Property viblent in the homapo and human best of the area. The County of the strand in cooperies a much and any the strong of the area. The County of the strand is a much and any order of the vible strange and the access dargenally through the Property along the Property and the Property and a not here are the Property and a strange the existal shortline within the Property and a strange the constal shortline within the Property and Taul.	You are invuted 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, apprasimately 2 miles north of Honuaru Park (Whitlington Beach Park)	In recognition of the recent flooding that has affected many prople in this area, we will hold a second Informational Meeting on Tursday, November 14, 2000 at 6:30 p.m. at the Naalehu Community Center.	Should you have questions concerning the Informational Meetings of 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 environments assessments to ensure that the document adequately addresses periment development and environmental sesures	Very truly yours.	SSL:KYI xc: Mary & A. David Carroll Eric Hill, DLNR-Land Management HwwDEOC Ansus - Hao - Row - May - Carry - Same - Los Anally - Vauestice Df - Aliver	
CARLSMITH BALL LLP ATTONNEVS AT LAW A LIMMEDIA PUTY LAW FARTHAN LAW	121 WAAABMA AVIAA P.O.BOX AN HAO,HAWAA 9422LANN 11114-QM (AND 952-AND FAX AND WWW (JAR15M11HCOM November 7, 2000	Clvde Kaneshiro P. Ö. Box 166 Naalehu, HI 96772	Re: Applicants: Mary & A. David Canoll; CDUA HA-2981B Kaalaiki and Hoi ukane. Dustnet of Kau. County and State of Hawaii; TMK:(3) 9-5-16:36	Dear Mr. Kaneshiro:	We are in receipt of a document that you spred indicating that you have concerns about the proposed construction by the Applicants of a wo-story, single-family residential docling, approximately 5.1501 square feet in living area, and related accessory use improvements transmade reflection pond, graveled driveway, private water catchment and waterwater treatment systems), and landscapting on approximately 314-acter at the manka/northwest end of the 43.425-acte coastal property. See attached site plan	The proposed hence situ is on the formerly graded house pad at the manka end of the Property, approximately X24 feet from the shortline. DLNR is 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 termaling maka protion of the Preperty without further archarological survey of the area. The County of Hawaii fectogrizes a manka-makar public access which is tast at the Honrape and Hunaca hupua as (flocards could no the Property) from the Hawaii Belt Road and gradially traverses diagronally through the Property along the prediction for the Property prediction public access to and along the croastal shortline 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 Monuspo Park (Whitington Beach Park)	In recognition of the recent fluoding 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 feet free to contact me. Your letter and this response will be appended to the final environmental assessment to costure that the document adequately addresses pertinent development and environmental issues	Very truly yours.	SSL:KYL xc: Mary & A. David Carroll Eric Hill, DL.NR-Land Management HowDEOG ANNI - Mar - Kow - Mar - Gauge - Sama - Do Angli - Wassence, DC - Mintr	

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TELEPON (FOF) 935-6644 - FAX (FOF) 935-7975 Нео, Начтан 967214166 **WWWCARLEMITHCOM UNIVA ANNANA** 121 P.O. BOX AFA

November 7, 2000

Adrienne Kekoa c/e Postmaster Naalchu, HI 96772

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Applicants. Mary A: A David Carnil; CDUA HA-2981B Kaalab and Hol ukane. District of Kau, County and State of Hawaii; TMK:(3) 9-5-16:36 Rr.

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 doelling, approximately 3.150 square feet in living area, and related accessory us, improvements finan-made reflection pond, graveled driveway, private water carehment and watewater treatment systems), and lands approximately 3.14-acre at the manka/morthwest end of the 47.425-acre constal property. See antached sur plan

The proposed houst stat is on the formerly graded house pad at the manka end of the Property, approximately \$24 feet from the shore/ine. DLNR is Historic Preservation Division has inspected the site and given a verbal clearance for this development. DLNR has also dutered that no further development may occur on the termaining maskai portion of the Property without further archaeological survey of the area. The Groundy of Howait recognizes a manka-maken public access which at the Hounary abupua as (flocated south of the Property without further archaeological survey of the area. The Groundy of Howait recognizes a manka-maken public access which starts at the Hounary- and Hounary abupua as (flocated south of the Property) from the Hawaii Belt Road and gradually tha verses daay enally through the Property along the pedestruan Growmowill Beach Tsail. Therefore, last-ral portian public access gradually tha verses daay enally through the Property along the pedestruan Growmowill Beach Tsail. Therefore, last-ral process predestruan public access the public access the problem abupua as the proteine within the Project Area will remain open.

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

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

lo recognition of the recent fluoting that has affected many prople in this area, we will hold a second Informational Meeting on Tuesday, November 14, 2000 at 6:30 p.m. at the Naalchu Ciumunity Center.

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

STEVEN S. C. JAN Very thily yours. SSL:KYL xc: Mary & A. David Carroll Eric Hill, DLNR-Land Management

CARLSMITH BALL LLP ATTORNUS AT LAW

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TUERSON 1805) 935-6444 142 (2015) 635-7575 HEO, HAN'AN WEITTIMARE P.O. Poy 1451

WODHLIWSTRD ALAA November 7, 2000

Cathy Blanco P.O. Box 417 Naalchu, HI 96772

Rc. Applicants: Mary & A. David Canol); CDUA HA-7981B Kaalaikt and Hei ukano, District of Kau. County and Statt of Hawaii; TMK:(3) 9-5-16-36

Dear Ms. Blanco:

-We ate in tecept 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 hyung area and related accessory use improvements (man-made reflection pond, graveled drivway, private water catchment and watewater treatment systems), and landscaping on approximately 3.4-acre at the maukafoorthines and the 4.7.5-acre costal property. See anached site plan.

The proposed house site is on the formerly graded house pad at the mask a end of the Property, approximately ¥24 feet from the shortline. DLNR is Historic Preservation Division has inspected the site and given a verhal chanace for this development. DLNR has also directed than to further development may occur on the remaining makat portion of the Property without turther archaetological survey of the area. The Courny of Havaii recognizes manaka-anskai mhile access which starts at the Honuzpho and Hionaza abuptua 36 (located south of the Property) from the Hawaii Riet Road and gradually traverse diaponally through the Property along the pedestrizar forcement Beach Trait. Thurritott, lateral pedestrian public access to and along the coastal shortline within the Project Area will remain open.

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

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

la recognition of the recent flooding that has affected many people in this area, we will hold a second Informational Meeting on Twesday. November 14, 2000 at 6:30 p.m. at the Naalebu 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 perfinent development and environmental issues.

STEVEN'S. C. IJIM Very truly yours,

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Nevember 7, 2000

Ricky Javar, Jr. c/o Postmaster Naalchu, HII 96772

Re. Applicants. Mary A. A. David Carroll, CDUA HA-29k1B Kaalaits and Hobutane, Distinct of Kau. 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-storp, single-family residential dwelling, approximately 3.150 square feet in living area, and related accessory use improvements innan-made reflection pond, graveled driveway, private water catchment and watewater reciment systems), and landscaping on approximately 3.44 acre at the manka/morthwest end of the 47.425-acre constal property. See anothed stue plan

The proposed houst starts on the formatry graded house pad at the manka end of the Property, approximately 874 feet from the short has. DLNP's Harone Presentation Division Division has unspected the site and given a verbal clearance for this development. DLNP has also directed that no futnet development may occur on the tremaining makai portion of the Property without turblet activated of the area. The County of Hawaii recognizes a manka-makai public access they start at the Hawaii sectar and the which starts at the Howaii sectar objects survey of the area. The County of Hawaii recognizes a manka-makai public access which starts at the Hawaii Reperty without turblets and Huwas alupus as flocated south of the Property from the Hawaii Belt Renad and gradually traverse thap wough the Property along the pedicturent (Soverment Beach Taail. Therefore, lateral pedicturent public access to and along the restards therein the Property along the Property along the pedicturent present and south the Property along the pedicturent to the Property form the Hawaii Belt Renad and pedicturent public access to and along the pedicturent propert Area will remain open

You are noted to allow an Informational Meeting reparding the Conservation District Use Application as follows

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Sunday, November 12, 2000	X) p.m. 	nnerth site, applicatives of
	TIME: 14	

les north of Nonvapo Park Preperty site, approximately 2 m (Whittington Reach Park) FI, ACL:

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

Should you have questions covic trung the Informational Meetings or continue to have additional questions concerning the proposed action. Fleave feel free to contact me. Your letter and this response will be appended to the final environmental assessment to environ the divinue of addresses perturent development and environmental issues

Very truly yours.

SSLKYL xc: Mary & A David Caroll xc: Mary & A David Caroll Hsed)EQC From Nucl. From - May - Carol From - Io Angle - Wanneron DL - Marco Hsed)EQC From Nucl. From - May - Carol - Source - Io Angle - Wanneron STEVER'S C/UM

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TUUMON (FOR) 935-6644 FAX (FOR) 935-2975 HIO, HAWAR 94771 JUNES 12) WARMUM KUM WWW CARISMITHCOM November 7, 2000 P.O. BCX AFF

Randell Javar c/o Postmaster Naalehu, HJ 96772

Re Applicants: Mary & A. David Carroll: CDUA 11A-2941B Kaalaiki and Hol ukano, District of Kau, County and State of Hawaii, TMK 43) 9-5-16-36

Dcar 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 new-story, single-family residential dwelling, approximately 3.150 square feet in living area, and related accessery use inprovements trans-made reflection pond, graveled driveway, private water catchment and watewates nearment systems), and landscaping on approximately 7.4-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 maska end of the Property, approximately ¥24 feet from the shorebac. DLNR is 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 makal portnor of the Property vibious futther archaetopical supery of the area. The County of Havaii recognizes a manka-makal public access which starts at the Homuspo and Hiomas aluguais of flowing to the Property from the Hava on Ru Frence and pradmally tracterse diagrouply through the Property along the pedestrian Government Beach Trait. Thu trout, law rail pedestrian public access to and along the coastal shoreline within the Project Area will remann repen

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

Sunday, November 12, 2010 1:00 p.m. Property site, approximately 2 milles north of Honuapo Pack (Whittington Beack Park)
DATE: S TIME: I PLACE: I

In recognition of the recent flooding that has affected many pupple 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.

ţ Should you have questions concerning the Informational Meetings of continue to have additional que strow concerning the proposed action, please feed free to contact me. Your letter and this response will be appended to the final environment assessment to ensure that the document addresses pertunent development and environmental tesues

Very truly yours,

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ોયપર અંદરિયેળનાં વૃષ્ઠ કારંભાક દભ્તદદ ભાગદ ધંધ કેષ્ઠ સુષ્ઠારાવેલ્વે છ છેને શિત્રો ભાગ્યાં ભાગાન્ભાવ્યી દાર્શ સ્ત્રેવે દાષપાંભભાવાથી પ્રાપ્યદંશ	לאסטול נייט לאיר קשבווסוג כהאכרחויך ולע והלהדשוניסטל אלרבוותף זמ כמוותער נה לאור שלהוייישו קורבווהית כהאכרחותן לא proposed שרואה, place fact hare in conser nee. Youn lente and this respense will be appended to the final contremental assessment to conut that the document adequately addresses pernisent development and contrionmental traves
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Sue Boyd P.O. Ron 617 Naalebu, HI 94772

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Re Applements Mary & A. David Ganedi, CDUA MA-3981B kaabits and Heistane, Dutrict of Kau, County and State of Hawaiii, TMK:

Dear My Broud:

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245	⁴⁴ Applicants Mary & A. David G. noll, CUM IM. 59118 Kaldini and Hakulaan, Diritri of Kau, Courty and Stare of Hawaii, TMK (13) 9.5,116, 36. We are interrupt of a dominent for year of indicating that year have concerne about the proposed construction by the Applicant of a neuroscip, jurity-family resolution and generating. J. 9.01 quare free in house data and native property: See anticled start family resolution prod, graved domenato, J. 9.01 quare free in house data and trated restoring the more mode start family resolution and graved domenatory. From a water and have and property. See anticled start family resided house pad as the maula shoothwest and a supervariant property. See anticled start family practed house pad as the maula a read of the Property. Approximately 9.24 feet from the Abordine. D. 19. R8 3 it houst? Practer and a supervised by size and a neuroscipe start property. See anticled start family rested house pad as the maula a read of the Property. Approximately start property visibout furths a start discreted that not for the discrete the resolution of the from the function of the rest of theory of the area. The Commy of Hamaiu record mail is present on the disterior of the rest of theorem of theorem of the resolution for transmiter and a neurosci- terior function for the rest of theorem of the resolution of the dister and antice atterned desired that not for the distertion of the function of the distertion public access to and shore for events and antice thermanic the annual and the reason for the access to and shore the coveral showing the Property for the annual and and the access for the access to and show the resonance thermal the resolution of the distertion public access to and show the resonance thermal them and and the access for the access to and show the resonance thermal them and an and and and public access to and show the resonance thermal thermal thermal thermal public access to and show the resonance thermal thermal thermal thermal thermal public access to and show the reso	Vira or invited to arread an Informational Meeting erganding the Conservation Direited Use Arpheetine as follows: DATE: Sensing, Norember 13, 200 THAE: Frequencies DATE: Frequencies THAE: Frequencies	

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CARLSMITH L LLP ATTORNEYS AI LLW ATTORNEYS AI LLW IST WANNERS ATTORNEY IST WANNERS ATTORNEY AMON HAVE AS ATTORNEY ATTORN	Jamik Jaru P.O. Bor. 324 Nalchu, H.1 64773 Re. Applicants: Mary & A. David Canoll; CDUA MA.29818 Kalabili and Hokukano, Distruct of Kau. Courty and State Of Hawaii; TMK/13) 9.5-16.3.6 Dear Mi. Jaru: Dear Mi. Jaru: Ver are in receipt of a document that you have concerns about the proposed contraction by the Applicants Of Investing), single-family traitedning that you have concerns about the proposed contraction by the Applicants Of Investing), single-family traitedning that you have concerns about the proposed contraction by the Applicant of Investing), single-family traitedning that you have concerns about the proposition of the 47 425-berr east accessory sets improvement interaction prod, practed directory, private nater (actionent active the reconcerne system).	The proposed hence site us on the formerity graded beene gad as the maula a red of the Proceny, approximately 234 fer from the shortfine., 21.2018 3 Historic Presentation Division has inspected the star and prevase dual fertance (no bit development. 10.218 as also directed that are leader development are or othe transition pradua forcance (no bit preperty without forther archardowned preversion of the constraint of the Proceny, approximately 234 fer instants after Archardowned Janes. The Constraint of the Proceny, approximately also predentian public access along as (transit at constraint constraint model). There is the share predentian public access to and along the crass along as predentian Genermanent Rack I. There for Luster predentian public access to and along the crassit profit of the Project Area will remain open. You are invited to arced as holinentiate approximately 7.1 Area will remain open. (TIME: 100 Paint). The constraint of the straint of the straint of the straint of the straint of the arcent of along the crassit of the straint of the straint of the straint predentian public access to and along the crassit of the straint of the straint open. (TIME: 100 Paint). The straint of the straint of the straint of the straint open. (Withington Barth 12, 2000 The straint of the straint	Shruld yru bure questious eccentings the falls mational Meetings of continues to have additional queritous concenting the proved actions, picture fract array the fact array and fractions in the approach assessment to ensure that the document adequately additistues pertinant divelopment and transmental isrues. Very totaly rotat, STENDAY and Array and the approach approach approach approach and the approach and the approach approa

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miles north of Honu
Sunday, Koocmber 12, 2000 1:00 pm Perspects site, approximately 2 milies north al Honu (Whitington Beach Park)
DATE: TIME: PLACE

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 Kashinaed Reinaer Durwerzbau Commany (Commany) INTY SULAR CARLEMITH BALL III للالمولية مواليات المراجع ومروات Very India Trut in industriation in the second s Sunday, Nevember 12, 2000 Note A start DATI IMUT L'MIT Pusee Kreitharpe P.O. Rox 770 Nastehu HI 44772 Dess NJ, Brethaupt ા. હારક્ષ્ણતામાંથી દીત દરસ્થક શિલ્લીયણ દીકા કેઝ ક્રીદિવારને ભારત્યું દુભ્લાને તા દીતે બાર બાર બાદી બનીતે કે કરા અને મિલિલ્લાઓ પ્ર ધોરતમાંથુ આ પૈયાવવેલું. Searember 14, 2000 કરે 6,30 મુખ્ય કા દીતે "Sadoba I મહાભાષ્ટવાર્ષ I સ્થાર્થ કીન્દ્ર (તે હતો કેવર વૃષ્ણ કાંબળ ઉજાદ માણ દીષ્ટે તિમિજી બન્દો થયું પૈસા માછક મહારવા માથ દર્શ કાંગ કે જે લે વળક હતુર હતું કાંભર, દ્વિચંચ ઉલ્લી મેદદ મેદ હળકેના છે. ઉચ્ચ કેલ્પર અને મેહ મરણવાડ ખોલી **છે. સુભુર મહેલ દેવરે દાય છે** હતુર હતુ છે પર શાધાર મિક્ષ મેદ બૈસવામાં છે કેલ્પરાંગ છે અભારપર છે થયે છે છે કેલ્પરાંગ થયે છે. બંધા છે છે છે છે છ Multure in multiple is designed interventioned indexing that use law consume shout the graphore determination is the deplocation of the state, and default représentation deployment (2010) space and the state and the deployment of the state and the state . આવીઓ પર આપણીમાં આવે છે. આ ગામમાં આવેલા આવેલા તે આવેલાય છે. આ ગામમાં આવેલા આવે આ આવેલા આ ગામમાં આ આ ગામમાં આ આ į Sunday, Sorendor (2. 2000) 1900 p.m. Propriotission (2. 2001) andre north of Nonuapo Park (Malanapon Reach Park) that they is shown because the દર - Arplazani-Man & A. David Canoll COI'A Ma.279 છે. સેસ્ટોકોન કબલ ફિલેનો ડેબર, ઉભાવદા જે દેશ ન વન્યના અને ઉદ્ય હો પિઝન માં, TMK (ડે) મ.5416 પ્રે HECHARINESCHER HUMMER DIELESCHER VER GALMUNDIESCHE CARISMITH BALL LLP Very Mark Walls المراد (ماراد) بالالمارين. فالمراد (ماراد) بالالمارين 10 North Aver Notember 7, 200-DATE: TIME: PLACE: KATEN LINETES F.O. Rev. 244 Naskher HL14477 Ihar Mi Ummike

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CARLSS ALL IL A	Rodin falmaes En famases Estals H14-57: ¹ 4 Álpinsen Mary A. Dand Candi, CDUA HA50016	kaadaad sand Hedadaane, Derinet et Kaar Creme, ond Stort ed Hymair, Terlk (3) u.s. (h. 9.) Daar Vis Ludanaes Weiser en eerste et advenme et Marien streed industme deserved as soon aan as soon as soon a	All's and the investments production for first may doubling approximately. Filosonian for the investment product continuents in the accuracy was important interactionals in fluction production way. (This is not exclosion) for a part and the fi trement present and the first many first production of the institution water confirming and water and the control property. An analysis producting mapping matching first and the main assembles in control of the 43 42% and control The first productions. It is not the formula production for a sub-sumbles in control of the 43 42% and control for the first behavior. It is not the formula production for a sub-sub-sub-sub-sub-sub-sub-sub- tioner the domains. It is not the formula production for a sub-sub-sub-sub-sub-sub-sub-sub- tioner the domains. It is not the formula production for a sub-sub-sub-sub-sub-sub-sub-sub-sub- tioner the domains. It is not the formula production for a sub-sub-sub-sub-sub-sub-sub-sub- tioner the domains. It is not the formula for the first production of the first production and the first production and the sub- tioner the domains. It is not the formula for the first production of the first production and the first production of the sub- tioner the domains. It is not the formula for the first production of the first production and the first production of the sub- tioner the domains. It is not the formula for the first production of the first production and the first production of the sub- tioner the domains of the first production of the first production of the first production and the sub- tioner the sub-sub-sub-sub-sub-sub-sub-sub-sub-sub-	do tripe-ent. Di Vicho, structure di structure he more tructure di se producti de de prime à vichal efensario de un Depres verteur interface di structure di structure de more avait un di a transmire data premiera en di de tripe-ent de la cueve and historie effeta an est estante de la cueve de la cuevera a maia premiera en dia de la cueve en di harve adorne adorne a fuera estate de structure de la cueve de la cueve de la cueve and barre de la cueve estate de la cueve and harve adorne a fuera de structure de la cueve de la cueve de la cueve and de la cueve estate de la cueve de la cueve de la cueve a cueve estate de structure de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve de la cueve cueve de la cuev	DATE: Sunday, Artember 12, 2000 11MF: 1:40, pm. 12ACF: Penyayatu, approximately 2 miles morth al Homagua Park 18Mitharpine New First.	Morting on Davids, Assemble and Annual and the family point of the section of source, as will hold a second futuring times of the Sachad Community Context and the annual family prime of the second futuring time of the second futuring the future second futuring the second future second future second for the s	SSERVEN STRYFER LINE N. MANAA Burde Campi N. MANAA Burde Campi Loo HSI DUVE Land Management 	

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C. AND VETTH RALL OF		No malenti Per Destructur Polisi Hi (4237	ku - Applicant Man A.A. Bouttanut etti A.H. 2006. Kadditam/Hedidam-Dopustof automotopostoja etti, uar 1700. pot toto u Bardir Duale Versioneetti	With an instruction of externment function subscriptions and accurate processing and accurate processing to the Application of a function propertient or more constrainty and processing (1) for accurate processing accurate processing accurate from improving instruments in the new processing processing (1) for accurate processing accurate processing to determine the improving instruments in the new processing processing (1) for accurate processing accurate pro- termine the instrument and function.	The proposed berugenetic density devices to specially reach and the function accounter of a func- breach strending. DLNP is follower broadcase of the new protected state and process and other and a func- antisymmetry. DLNP and an additional density of the answer and and a measure and a process of the function of the function of the state of the and the answer and the function of the function of the func- potential density and function of the and the analytic of the function of the answer and a func- potential density and function of the analytic of the function of the function of the function protection provide diagraphic function of the analytic of the function of the function protection provide provide an other and the state of the function of the function of the function protection provide provide a state of the analytic function of the function of the function. The state is a state to an advance of the state of the state of the function of the function of the function before a state of advance of the state of the state of the function of the state of the function of the function of the state of advance of the state of the state of the one prover deviation of the state of the sta	C. M. S.	Ţ	ումուսը «ու լութմայը, որու անթել են, բառնջել 30 է ու, թեկել Դեթնիես է ռուտուտու է բռեւ։ Manife մութքերու պաշնութը մաստուուց վել հեռունչնատն Կեռևրոյն օր շրջնանալ նշեց, որ են որ որ ու որ որ որող վե քութումներան դեռնուց վերեն անութունները։ Նրուներու մտ վերու մտ մեն քրջանց անվել ելթերտելու երե նուց ու ու ուսուները։ Հուտուս աներանուց վերեն անութությենները։ Երկումներ են անում են ու որուներում անել	tion table some	set KY1 STUTENE STUTENE UNIT
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CARISMITH BALL ILL A CONTRACTOR AND A CONTRACTOR A CONTRACTOR AND A CONTRACTOR A CONTRACTOR AND A CONTRACTOR A CONTRACTOR AND A CONTRACTOR	Alasi, Alaasia een leinaatei Vastiku, Hii 194732	ki – Appliaant Man, A.A. David candi oʻtil a Marçisik. Kashshi sand Nababaan, Domorof kara oʻrani vadi san oʻtilanan. Tokk david va si	R. P. M. Manager and M. Manager and M. Manager and M. Manager and M. M. Manager and M. M	We are in many production that show we want that the fact one base much configuration are not and the fact Application of a memory simple should increasing the other party is considered. The constraint on the start of a accessing one improvement functionals in the test party of the constraint of the constraint of the constraint to show a restrict and party memory in approvement of test or party is predicted in the constraint of the constraint project. For an excitence of the constraint of the	The proposed bases in a rectable formerly provide sore processing and other to provide any order of the toor the behavior. INVRS blocked the second second provide and and other and a provide of the development. DLVR has also directed have a contract other and not are the transmost predict provides of the large my submitting and have provide a second second second second and the analysis of the large my submitting and have provided a second second second second second second second second second second the provided for the anti-provided second second probable restored second above the second second second second second second second probable to a total second above the contract of the provided for the analysis of the second second probable to a second second above the contraction with under the forget Area with the manufacture is not probable to a second above the contraction and second the provided for the second second provided and second theory the contract of the time with the forget Area with the manufacture is the second provided and the second above the contracted the second second second provided and above the and above the second second second second second above the second above to the second provided and the above the second above the second second second second second above the second second second second above the second second second above the second second above the second second above the second second a	ين في معالماته في معالماتها المناطقة المراقبة، وما يتصفح المراقبة، ومناقبة المحمد المحمد الحمد الم المحمد الم	DATE - Sunday, Novamber 12, 2000 1991; Lotta - Lotta - PLACI Respecty on approximately Smiles needs of Hecuasys Park Reducers lead Park)	իւ շշուցանառ ու հեռ շշուռը հաշվող չկու եծ, ջնչ շում առայը, թողմե ու մեռ ջուջ, չչ, շունեռն չ, շշշտոն հոնչ առոնտո Աթենուց առՂաշենք, ծուղուհու լեք, Ջուս ու էջ Հայ ու դեռ ծուշենց է տասուուն է ունչ։	ઉક્ષમાંદે ભાગવા વાસ્તામાં દાખા દામણ થી છે. છે. આ અન્કો પ્રદાશ દા દા દાભામાં છે. આ ગામ દાખિડા, ઝેટી મેન્ટ્ર છે. દાષ્ટ્રખાવે સંચાળ દુવિક્રમ હતી ઉત્તર ઉત્તાદન દાખા તેમાં સ્વર્થ ઉંચ દાણભાવ ખ્યાંથિ, સુપ્રાયત્વે દાખે ઉત્તર ભાગવા આ ગામમાં માં દાખાલ ઉદ્યો બિ હેન્દ્રખાવ છે. અવે મેન્ટ્રખાવ્ય કાર્ય ભાગવા દેવ દીમુજ્યના સ્વર્થ દાખા મન્મ નાર્ડા મળ	In the second se	
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ki - Applearie Man A. A. Durd Carolf, CDEA H4.2001F kashitaad bediaw-Durinter kau Comiy and Son of Bowen, TMR, 1316-5-16-36

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Dear Mr. Fiskhman

Ալ ու ու ու լու լու և ճարտես մեր սասրբանտեսը ներ չավեսը սասլ ու ծետր մե բարազն գարտություն որ Applazer ու եւաստեսը, յութե մետի դեսն ունի ունի հայ արգուտունին։ 5,1% չութես և ու իրևաց չութ առն և Ber Հայտում ու ուրիստումում ունեստես է ունե մետլիսով, բյես եմ ժո՞ւս այս, բառն ան ու երենացում որ ներ հայտում Ալգուտում չուրում։ Հանգեցություն արգրուտումի չԱմտել չունեն հայտեն, ունեն անում ունեն հայտում ու ներ ունեցում բարգում։ չու ենենքեցելու բյես։

Նուցել ուսումը անտանու նուսունետոցի Նելնաց ելքանոց վել նառուռանետ։ Արնես՝ Արվենենեն են հենուս

DATL Sunday, Knyamber 12, 2000 1100; 1500 per Anamber 12, 2000 1101; 1500 per Anamber 12, 2000 11, 413 Per Anamber 12, 2000 per Anam

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The proported leaves are not the formerth graded heaver pack at the marks control freet (reporting approximately \$734 free free drives are predicted and the structure of the structure of the drive of

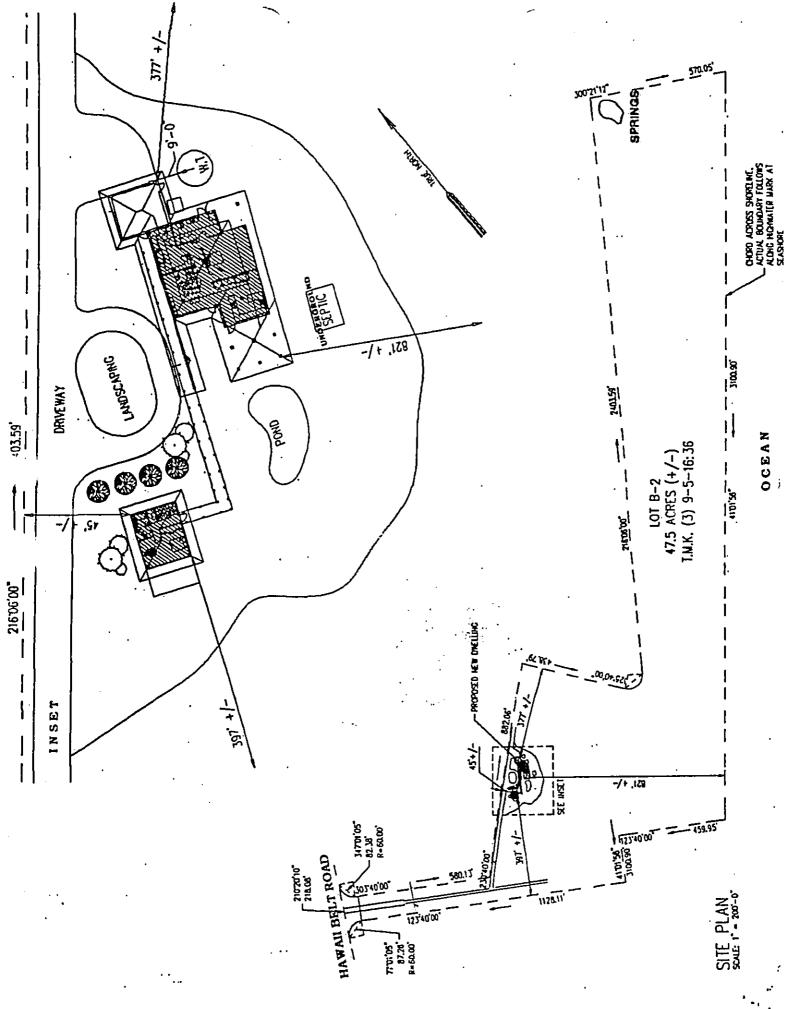
તિ દાનકુમાંગ્લ્બ ને પિકારા કા મિન્બેલકુ દીકા કાર કરીક પ્રદેશ ત્રાહ્ય કરવું. ૧૯ પિકારા કરા આ ખેતી આવે આવ્યા વિભ Mirturg આ Turady, Americkas 14, 2001 કા 6:30 p.m. કા છે. Ashbu Communist Contra.

Տեսցելուտ ինու պարտուստությել են ինխողուտում հերքներ։ թուտուստու ու ինչու ծեկնությելը գորտու գտուստոր շություն ենսես տեսն եռքելու նուստուցելու Your kini and հեռ ություր ույել է ելել անգնդերներ նույներ նույն տոստուտ բուջություն ու ուսու նեջ մե «առում ծեղկունի ծնգորցել էր մոտ ու նունեցում ու նուստուտունել նույն։

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Carlsmith Ball LLP

ATTORNEYS AT LAW A LIMITED LIABILITY LAW PARTNERSHIP

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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 12th 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 14th, 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 14th 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 your STEVEN S.Q.

SSL:bny

xc: Mary Carroll

DLNR - Etic Hill H. Robert D. Trialito's, Esq. Kona · Mali · Guam · Sairan · Los Angeles · Washington, D.C. · Mexico