

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

OCT 13 P2:43

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DAN DAVIDSON
DEPUTY DIRECTOR - LAND

ERNEST Y.W. LAU
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Ref.:PB:MM

OFFICE OF ENVIRONMENTAL QUALITY CONTROL Files: CDUA HA-3143

MEMORANDUM

OCT - 9 2003

TO: Genevieve Salmonson, Director
Office of Environmental Quality Control

FROM: Dierdre S. Mamiya, Acting Administrator
Office of Conservation and Coastal Lands

SUBJECT: Final Environmental Assessment (FEA)/Finding of No Significant Impact (FONSI) for CDUA HA-3143 for the Construction of a Single Family Residence, Construction of a Single Family Residence, Puna, Hawaii, TMK: (3) 1-3-02:089

The Department of Land and Natural Resources has reviewed the FEA. We have determined that this project will not have significant environmental effects, and have therefore issued a FONSI. Please publish this notice in the September 23, 2003 OEQC Environmental Notice.

We have enclosed four copies of the Final EA for the project. The Department is submitting the OEQC Bulletin Publication Form. Comments on the draft EA were sought from relevant agencies and the public, and were included in the final EA.

It should be noted that acceptance of this EA does not constitute a project approval by the Board of Land and Natural Resources (BLNR). The BLNR has the discretion to approve or deny or modify the project.

Please contact Sam Lemmo of our Office of Conservation and Coastal Lands at 587-0381 if you have any questions on this matter.

Enclosures

OCT 23 2003

RE: Conservation District Use Application
For the property located at:
Hwy 137, Kamaili, Mile Marker 16
Opihikao, Hawaii
TMK: (3) 1/3/002/089

Submitted by
The Emeline Living Trust
E. Jeanne Paterson, Trustee

FILE COPY

2003-10-23-HA-FEA

(PATERSON SINGLE FAMILY RESIDENCE)

FINAL ENVIRONMENTAL ASSESSMENT
For Proposed Construction of a Single Family Dwelling
Highway 137 Kamaili Mile Marker 16, Puna, Hawaii
TMK: (3) 1-3-2 (89)

1. APPLICANT:

The Emeline Living Trust
Emeline Jeanne Paterson, trustee
30 Gallina Rd
Santa Fe, NM 87508

2. IDENTIFICATION OF APPROVING AGENCY:

Board of Land and Natural Resources

3. IDENTIFICATION OF AGENCIES CONSULTED IN MAKING ASSESSMENT:

Army Corps of Engineers

State Agencies:

Department of Land and Natural Resources
Land Division
Conservation & Resource Enforcement
Division of Forestry & Wildlife
State Historic Preservation Division
Department of Health
Wastewater Division
Environmental Management division
Office of Hawaiian Affairs

Planning Department County of Hawaii

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

Elderly applicants propose to build a single family dwelling, consisting of less than 3000 total square feet of occupied and unoccupied space on more than one acre of land. The dwelling will be a three-bedroom/ 3 1/2 bath home to be constructed on post and beam, with a vinyl siding and a colored metal roof. The dwelling design would be consistent with neighboring homes, but would be

3 6 5 700

RE: Conservation District Use Application
For the property located at:
Hwy 137, Kamaili, Mile Marker 16
Opihikao, Hawaii
TMK: (3) 1/3/002/089

Submitted by:
The Emeline Living Trust
E. Jeanne Paterson, Trustee

09/01/2009 10:11:45 AM; 09/01/2009 10:11:45 AM

constructed using colors selected to blend in with the environment. The dwelling would be sited 188 feet from the shoreline and hidden behind a knoll and natural buffer areas. Side setbacks would be 30 feet on the East and 48 feet on the West. The house lot is flag-shaped and a dwelling located on the site, more than 130 feet from the road, would be largely invisible from the road.

Remarks: Applicant is seeking to retire with mother near children and Hawaii-born grandchildren. Applicant is active in Santa Fe County, NM open space projects on archeologically-rich land and is a board member for the 4,000 acre Cerrillos Hills Historic Park. Applicant is an EPA environmental education grant recipient for stewardship education in a multi-cultural context in a project restoring springs and adjacent slopes on public lands. The applicant also has spent 12 years restoring 11 acres of fragile mountain desert/canyon while living in an environmentally responsible way on that land.

5. DESCRIPTION OF AFFECTED ENVIRONMENT:

Existing Use:

No structures exist on the proposed house site lot and it is not presently being used for any purpose. It is one portion of a subdivided lot the other portions of which have been developed as home sites or prepared for development.

Topography and Soil:

Elevation on the proposed house lot is approximately 40 feet above sea level and minimally sloped towards a 10 foot high knoll and 40 foot cliff-face above the ocean. The two prominent land features are a relatively flat on top rock outcropping ("the knoll") that forms the 10' high interior face of the ocean cliff and a ravine on the SE that begins approximately at the interior bottom of the knoll and reaches the ocean. The E property line passes through the middle of the ravine as it approaches the ocean. Rock is porous and soil is thin with surface cover of plant debris. Applicant proposes continuous monitoring and actions to improve soil depth, control erosion, create bounce zones for any excess drainage from roof not captured in catchment system and to clearly differentiate and maintain use areas and natural buffers.

Climatic Characteristics:

Rainfall averages 110 inches per year. Predominate wind direction is from the East.

Hydrological Characteristics:

Rock is porous and absorbs most rainfall. To the rear of the lot, water entering the ravine drains to the ocean.

RE: Conservation District Use Application
For the property located at:
Hwy 137, Kamaili, Mile Marker 16
Opihikao, Hawaii
TMK: (3) 1/3/002/089

Submitted by:
The Emeline Living Trust
E. Jeanne Paterson, Trustee

Flora and Fauna:

Vegetation covering the site is predominately invasive species. Applicant proposes eliminating invasive plants and replanting with native plants as well as maintaining the health of significant non-native plant species* and to provide habitat within the natural buffer zones that will comprise the majority of the lot.

The few oh'ia and noni trees will be within the managed, natural buffer areas and competing invasive species will be removed.

*Following advice of, and consistent with DLNR philosophy to mitigate where possible and do no further harm, large ironwoods and moneypods in the buffer areas will remain, but care will be taken to remove any seedlings.

Historical and Archeological:

The proposed site contains no known historical or archeological sites. An archaeological assessment was done by Dr. Paul H. Rosendahl of PHRI, archaeological consultant services. Dr. Rosendahl advises that no archaeological remains of any kind were identified and that the necessary report and paperwork will be filed with the Historic Preservation Division. The land itself is not easily accessible from the cliffs on the ocean. Existing home sites have cleared approximately 90 % of adjacent land without finding artifacts. The land is not on the State or Federal Register. Should any archaeologically significant artifacts, bones, or other indicators of previous onsite activity be uncovered during the construction phases of development, their treatment will be conducted in strict compliance with the requirements of the Department of Land and Natural Resources.

Surrounding Land Use:

The property is shaped as a flag lot with a land for a driveway at mile marker 16 of Highway 137. The area is characterized as low-density residential use. Adjacent portions on the Northwest and West have been developed as home sites. The adjacent portion to the East has been partially cleared for building.

Utilities and Services:

The proposed residence, like neighboring residences, would be "off-grid" and dependent on solar power and catchment. The septic system will be constructed to code. Mr. Leonard Jacoby, a civil engineer, of Jacoby Engineering is under

RE: Conservation District Use Application
For the property located at:
Hwy 137, Kamaili, Mile Marker 16
Opihikao, Hawaii
TMK: (3) 1/3/002/089

Submitted by:
The Emeline Living Trust
E. Jeanne Paterson, Trustee

contract to design the septic system. The scope of work defined in the contract with Mr. Jacoby calls for "site investigation and evaluation; design of the IWS (septic) to meet requirements of Hawaii Administrative Rules, Title 11, Department of Health, Chapter 62-Wastewater Systems; submittal of design plans to the Hawaii State Health Department to gain proper approval of said system and revisions, as necessary, to obtain approval; and final IWS inspection and report".

6. IDENTIFICATION AND SUMMARY OF MAJOR IMPACTS AND ALTERNATIVES CONSIDERED, IF ANY:

Long Term:

With the exception of the proposed single-family residence, there are no long-term impacts anticipated.

Short Term:

Noise and minimal dust during initial construction.

Alternatives To The Proposed Action:

Under a "no-action" alternative, the owner/applicant would not be able to effectively utilize the subject property and, without environmental stewardship provided by resident, invasive species would continue to choke out any remaining native species. Mosquitoes would continue to thrive where air flow is restricted by invasive plant growth.

Irreversible And Irretrievable Commitment Of Resources:

There would be no irreversible or irretrievable commitment of resources as a result of granting the proposed construction of a single-family dwelling as proposed by the applicant.

7. MITIGATING MEASURES:

All County of Hawaii Building Permits, IWS permits, SMA [Exemption granted], Conservation District Use Permit will be obtained. [In consultation with the appropriate agencies, it was determined that no Department of Army permits or general or individual NPDES permits are necessary.] Any and all precautionary measures shall be taken to assure that no debris, concrete, lumber, paint or other

RE: Conservation District Use Application
For the property located at:
Hwy 137, Kamaili, Mile Marker 16
Opihikao, Hawaii
TMK: (3) 1/3/002/089

Submitted by:
The Emeline Living Trust
E. Jeanne Paterson, Trustee

construction materials will get into shore waters or onto any State of Hawaii land or privately-owned land. All construction processes will be to the highest standards and will meet all code requirements. Cleared land will be revegetated within 30 days.

The applicant has worked with the architect to design a two-story home with a small footprint rather than a one-level home with a large roof area and construction materials and methods (post & beam and gravel driveway) were chosen to mitigate construction and use drainage; a catchment system will capture significant portions of rainfall and bounce landscape areas will be constructed adjacent to the building and the driveway to absorb water not captured by the catchment system; the natural rock is porous and the landscape management plans calls for continually building of soil to further absorb water; the vast majority of the lot surface will be maintained as natural vegetative buffers; areas disturbed during construction will be re-vegetated within 30 days; and drainage towards the ocean has been further mitigated by positioning the home behind a 10' high knoll and 188 feet from the ocean. Experienced construction professionals will be used and will carefully supervise site workers. Any possible impact to near-shore ecosystems resulting from surface runoff will be mitigated by the establishment of on-site retention basins during the construction phase of project. The applicant an EPA educational grant recipient for demonstration wild land restoration work with more than 10 years experience on controlling flash flood drainage on public and private fragile cliff lands will continue to monitor surface runoff after construction.

The dwelling will be constructed in colors that blend with the environment and will be located in a manner to minimize visibility from shore and road. As mentioned in #5 above, the applicants propose to preserve and manage natural buffers by restricting use within the buffers, building soils, controlling erosion, encouraging native plant species, and providing natural bird habitat. Entrance to the driveway will provide necessary visibility, but each side of the gravel drive will be a buffer that blends with neighboring land and yet provides for absorption for any excess water not absorbed by the gravel driveway. A small natural footpath [determined an approved minor activity in the setback by Hawaii County Planning] will be marked by site stones or vegetation in an unobtrusive manner to prevent visitors from entering the natural buffer areas that constitute the majority of the property.

Relying on years of private and public land stewardship experience, the applicants propose to live on the land in an environmentally responsible manner.

RE: Conservation District Use Application
For the property located at:
Hwy 137, Kamaili, Mile Marker 16
Opihikao, Hawaii
TMK: (3) 1/3/002/089

Submitted by:
The Emeline Living Trust
E. Jeanne Paterson, Trustee

8. DETERMINATION:

Based on the foregoing, it can easily be determined that the proposed single family residence will not have a significant effect on the environment and that an Environmental Impact Statement is not required.

9. FINDINGS AND REASONS SUPPORTING DETERMINATION:

(1) Involves an irrevocable commitment to loss or destruction of any natural or cultural resources

The proposed project will not impact the scenic view from the ocean or from the highway. From the ocean, the residence, 188' from the coast, would be hidden behind a 10' knoll as well as by the stand of ironwoods growing on the knoll. The ironwoods and non-invasive vegetation on the knoll within the setback will not be touched. The lot is also flag-shaped with a long driveway from the highway. The house on the highway side is hidden behind a house on adjacent land bordering the highway as well as by an outcropping between the existing house and the proposed house. Side setbacks are more than 30 feet and natural buffers will be maintained between parcels. The proposed use is consistent with the neighboring use of single-family residences. The proposed site contains no known historical or archeological sites and is not on the State or Federal Register. An archaeological assessment was done by Dr. Paul H. Rosendahl or PHRI, archaeological consultant services. Dr. Rosendahl advises that no archaeological remains of any kind were identified and that the necessary report and paperwork will be filed with the Historic Preservation Division. Should any archaeologically significant artifacts, bones, or other indicators of previous onsite activity be uncovered during the construction phases of development, their treatment will be conducted in strict compliance with the requirements of the Department of Land and Natural Resources.

(2) Curtails the range of beneficial uses of the environment

The property is located between and behind parcels already developed as single-family residences. As it exists, the property is a mosquito-infested parcel of land where the few native plant species are continually choked out by invasive species. As such, both the invasive plant species and the mosquito population threaten neighbors. The site cannot by itself return to native plant species without daily and continuing care of owners. The applicant, an EPA grant educational grant recipient for a demonstration restoration project, proposes effort to eliminate invasive species, stabilize natural species, and provide natural habitat within large natural buffer areas.

(3) Conflicts with the State's long-term environmental policies or goals and guidelines as expressed in Chapter 344, HRS; and any revisions thereof and

RE: Conservation District Use Application
For the property located at:
Hwy 137, Kamaili, Mile Marker 16
Opihikao, Hawaii
TMK: (3) 1/3/002/089

Submitted by:
The Emeline Living Trust
E. Jeanne Paterson, Trustee

amendments thereto, court decisions, or executive orders

The proposed development is consistent with the Environmental Policies established in Chapter 344, HRS, and the National Environmental Policy Act and, in particular, for a Single Family Residence as defined as R-8 Single Family Residence (D-1) in Section 13-5-24 HRS.

(4) Substantially affects the economic or social welfare of the community or state

The proposed project will provide a significant contribution to the local neighborhood by removing some invasive plant species and thus reducing mosquito populations by providing increased air flow. Completion of the project will assure a permanent residence and thus will have a stabilizing safety benefit in an area where some of the homes are vacant much of the year and where illegal dumping is known to occur on areas that are known to be vacant bordering the highway. The proposed project is designed to complement surrounding residential land use patterns and will not negatively alter existing residential parcels.

5) Substantially affects public health

Impacts to public health may be favorably affected by the possible reduction of mosquito populations through the increase of air flow expected when invasive plant materials are removed. As mentioned above, permanent residency will bring a stabilizing safety effect in an area where some of the homes are vacant much of the year and reduce the potential for illegal dumping occurring on areas that are known to be vacant bordering the highway. Although some noise will occur during the construction phase during the daytime, impacts will be significantly positive in terms of public health as compared to the "no action" alternative.

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

The completion of the project will reunite 4 generations of a family and will bring to the community the volunteer skills of a former teacher and community activist. The construction of the residence project would result in the employment of construction and construction-related workers. No substantial secondary impacts, changes or effects will be involved in a single-family residence.

(7) Involves a substantial degradation of environmental quality

The proposed residence will infill between existing residential parcels. No views of the ocean now are available from the highway, and, as mention in (1) above, the house would be largely invisible from the ocean. Colors will be used to complement the natural environment. The single-family residence will rely on solar/propane for energy and catchment for water. Home and septic design has been done or contracted with professionals aware of the need for avoid environmental quality degradation and the contractor will be chosen with the same standards in mind.

8) Is individually limited but cumulatively has considerable effect on the

RE: Conservation District Use Application
For the property located at:
Hwy 137, Kamaili, Mile Marker 16
Opihikao, Hawaii
TMK: (3) 1/3/002/089

Submitted by:
The Emeline Living Trust
E. Jeanne Paterson, Trustee

environment, or involves a commitment for larger actions

The construction of a residence in the midst of other residences and on more than one acre of land is consistent with the community and conservation district use goals. No views will be obstructed or be visually incompatible with the surrounding area.

(9) *Substantially affects a rare, threatened or endangered species or its habitat*
No endangered species are located within the parcel. As previously mentioned, the applicant intends to re-establish native plant species and provide habitat for wildlife.

(10) *Detrimentially affects air or water quality or ambient noise levels*

Any possible impact to near-shore ecosystems resulting from surface runoff will be mitigated by the establishment of on-site retention basins during the construction phase of development. Any and all precautionary measures shall be taken to assure that no debris, concrete, lumber, paint or other construction materials will get into shore waters or onto any State of Hawaii land or privately-owned land. All construction processes will be to the highest standards and will meet all code requirements. The applicant has worked with the architect to design a two-story home with a small footprint rather than a one-level home with a large roof area and construction materials and methods (post & beam and gravel driveway) were chosen to mitigate construction and use drainage; a catchment system will capture significant portions of rainfall and bounce landscape areas will be constructed adjacent to building and the driveway to absorb water not captured by the catchment system; the natural rock is porous and the landscape management plans calls for continually building soil to further absorb water; the vast majority of the lot surface will remain as natural vegetative buffers; areas disturbed during construction will be re-vegetated within 30 days; and drainage towards the ocean has been further mitigated by positioning the home behind a 10' high knoll and 188 feet from the ocean. Experienced construction professionals will be used and will carefully supervise site workers. Finally, the applicant an EPA educational grant recipient for demonstration wild land restoration work, has had more than 10 years experience on controlling flash flood drainage on public and private fragile cliff lands.

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

Development of the property is compatible with the above criteria since the majority of the parcel will be undisturbed by construction and will exist as natural buffers and be improved with native vs. invasive species. The oceanfront is a rocky 40 foot cliff with no beach. Seen in total with neighboring residential parcels, and choked with invasive species, the property no longer reflects a "natural environment". The shoreline and cliff face will not be impacted by the

RE: Conservation District Use Application
For the property located at:
Hwy 137, Kamaili, Mile Marker 16
Opihikao, Hawaii
TMK: (3) 1/3/002/089

Submitted by:
The Emeline Living Trust
E. Jeanne Paterson, Trustee

project.

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

Due to topographical characteristics of the property, views from the ocean of the potential use area (188' feet from the shore and behind a 10' knoll) are insignificant or non-existent. As a flag-shaped parcel, the residence would be invisible from the highway behind an existing house and outcropping between the existing house and proposed residence.

(13) *Requires substantial energy consumption*

The residence will use catchment for water and solar power for energy. A limited amount of propane gas will be used. The applicant is experienced in environmental stewardship and all systems will be maintained in an environmentally proper manner.

10. AGENCIES TO BE CONSULTED IN THE PREPARATION OF THE EIS, IF APPLICABLE:

N/A

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Office of Conservation and Coastal Lands

JUN 10 2003

Ref.:PB:MM

File #: CDUA HA-3143
Acceptance Date: June 10, 2003
180-Day Expiration Date: December 7, 2003
SUSPENSE DATE: 21 Days from stamped date

MEMORANDUM

TO: Division of Conservation and Resource Enforcement,
Historic Preservation Division, Division of Forestry and
Wildlife, Hawaii District Land Agent

FROM: Dierdre S. Mamiya, Acting Administrator
Office of Conservation and Coastal Lands

SUBJECT: REQUEST FOR COMMENTS
Conservation District Use Application (CDUA)
[Board Permit]

APPLICANT: Emeline Jeanne Paterson for
The Emeline Living Trust
30 Gallina Road
Sante Fe, NM 87508

FILE NO.: HA-3143

REQUEST: Single-Family Residence

LOCATION: ~~South Kona~~ ^{Puna} Hawaii, TMK: (3) 1-3-02:089

PUBLIC HEARING: YES NO

Attached please find a copy of the subject CDUA, Draft Environmental Assessment and our Department's Notice of Acceptance and Environmental Determination. We would appreciate your review and comment on this CDUA by the suspense date noted above.

We have no comments.

Signed: 

Michael G. Buck

DOFAW Administrator

Comments attached.

Date: JUL 21

Wednesday, September 17, 2003

Mr. Peter L. Yee, Director
Nationhood and Native Rights Division
State of Hawai'i
Office of Hawaiian Affairs
711 Kapi'olani Blvd Suite 500
Honolulu, HI 96813

Dear Mr. Yee:

As trustee for The Emeline Living Trust please accept my thanks for responding on behalf of the Office of Hawaiian Affairs to the DLNR request for comment on our Conservation District Use Application for the construction of a single-family residence in Puna, Hawaii [TMK: (3) 1-3-02:089].

We note that in your response that you indicated that the Office of Hawaiian Affairs has no comments at this point of time.

Sincerely,



E.J. Paterson, trustee
The Emeline Living Trust

PHONE (808) 594-1888

FAX (808) 594-1865



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

RECEIVED
LAND DIVISION

2003 AUG 14 A 10:44

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

August 11, 2003

Ms. Dierdre S. Mamiya
Acting Administrator
Office of Conservation and Coastal Lands
Department of Land and Natural
Resources
P.O. Box 621
Honolulu, HI 96809

SUBJECT: SINGLE-FAMILY RESIDENCE, SOUTH KONA - CDUA

Dear Ms. Mamiya:

Thank you for the opportunity to review the above referenced Conservation District Use Application for a single-family residence in South Kona, Hawaii.

The Office of Hawaiian Affairs (OHA) has no comments at this point in time. If you have any questions, please contact Jerry B. Norris at 594-1847 or email him at jerryn@oha.gov.

Sincerely,


Peter L. Yee
Director
Nationhood and Native Rights Division

Wednesday, September 17, 2003

Mr. Harold K. Yee, P.E., Chief
Wastewater Branch
Department of Health
PO Box 3378
Honolulu, HI 96801

Dear Mr. Yee:

As trustee for The Emeline Living Trust please accept my thanks for responding on behalf of the Wastewater Branch of the Department of Health to the DLNR request for comment on our Conservation District Use Application for the construction of a single-family residence in Puna, Hawaii [TMK: (3) 1-3-02:089] and for your immediate response to my email question.

In your letter dated August 7, 2003: Request for Comments on the Conservation District Use Application for the Emeline Living Trust TMK: (3) 1-3-002:089 [Letter reference # EMD/WB HI 3 002 089.wpd WP9 030683], you state, "We have no objections to the proposed wastewater treatment and disposal system although no detailed plans have been submitted to the Department for review and approval."

Having received a copy of your letter from DLNR on September 10, 2003, I sent you an email asking whether, in my reply, it was sufficient to indicate that that I have contracted with Mr. Leonard Jacoby, a civil engineer, of Jacoby Engineering, for the design of the septic system in accordance with state requirements with the submittal to be made if the CDUA is approved. I also noted that the scope of work outlined in the contract with Mr. Jacoby consists of: site investigation and evaluation; design of the IWS (septic) to meet requirements of Hawaii Administrative Rules, Title 11, Department of Health, Chapter 62-Wastewater Systems; submittal of design plans to the Hawaii State Health Department to gain proper approval of said system and revisions, as necessary, to obtain approval; and final IWS inspection and report.

Within minutes, you replied: "Yes we agree that for the purposes of responding to the DOH, you can inform us that you have contacted Jacoby Engineering and they are preparing wastewater plans for you. We normally review and approve of wastewater plans at the time of building permit application."

Sincerely,



E.J. Paterson, trustee
The Emeline Living Trust

LINDA LINGLE
GOVERNOR OF HAWAII



RECEIVED
LAND DIVISION

CHIYOME L. FUKUO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH

P.O. BOX 3378
HONOLULU, HAWAII 96801

2007 AUG 13 A 10:08
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

In reply, please refer to:
EMD/IVB

HI 3 002 089.wpd
WP9 030683

August 7, 2003

Mr. Matthew Myers
Office of Conservation and Coastal Lands
Department of Land & Natural Resources
State of Hawaii
P.O. Office Box 621
Honolulu, Hawaii 96809

Dear Mr. Myers:


Subject: Request for Comments
Conservation District Use Application (CDUA)
Emeline Jeanne Paterson for the Emeline Living Trust
South Kona, Hawaii
TMK: (3) 1 - 3 - 002: 089

We have reviewed the subject document which requests comments for the above mentioned project. The subject project is located in the critical wastewater disposal area where no new cesspools will be allowed.

Wastewater treatment and disposal has not been thoroughly discussed in the application although attached site plan indicates the proposed construction and use of a treatment individual wastewater system (IWS). We have no objections to the proposed wastewater treatment and disposal system although no detailed plans have been submitted to the Department for review and approval.

All wastewater plans must conform to applicable provisions of the Department of Health's Administrative Rules, Chapter 11-62, "Wastewater Systems." We do reserve the right to review the detailed wastewater plans for conformance to applicable rules. Should you have any questions, please contact the Planning & Design Section of the Wastewater Branch at 586-4294.

Sincerely,


HAROLD K. YEE, P.E., CHIEF
Wastewater Branch

Wednesday, September 17, 2003

Ms. Geneive Salmonson, Director
State of Hawaii Division Office of Environment Quality Control
235 South Beretania St
Honolulu, HI 96813

Dear Ms. Salmonson:

As trustee for The Emeline Living Trust please accept my thanks for responding on behalf of the Office of environmental Control to the DLNR request for comment on our Conservation District Use Application for the construction of a single-family residence in Puna, Hawaii [TMK: (3) 1-3-02:089].

To address your specific comments:

1. The Board of Land and Natural Resources has been identified in the Final Environmental Assessment as the approving agency.
2. Applicant as consulted with the Army Corps of Engineers; State Agencies: Department of Land and Natural Resources, Land Division; Conservation & Resource Enforcement, Division of Forestry & Wildlife, State Historic Preservation Division, Department of Health, Wastewater Division, Environmental Management Division, Office of Hawaiian Affairs; the Planning Department County of Hawaii, and for community residents has provided the local library in Pahoia with a copy of all material and contact information for the applicant.
3. To expand upon mitigation measures to prevent polluting the nearby ocean: applicant has worked with the architect to design a two-story home with a small footprint rather than a one-level home with a large roof area and construction materials and methods (post & beam and gravel driveway) were chosen to mitigate construction and use drainage; a catchment system will capture significant portions of rainfall and bounce landscape areas will be constructed adjacent to building and the driveway to absorb water not captured by the catchment system; the natural rock is porous and the landscape management plans calls for continually building of soil to further absorb water; the vast majority of the lot surface will remain as natural vegetative buffers; and areas disturbed during construction will be re-vegetated within 30 days; and drainage

towards the ocean has been further mitigated by positioning the home behind a 10' high knoll and 188 feet from the ocean. Experienced construction professionals will be used and will carefully supervise site workers. Any possible impact to near-shore ecosystems resulting from surface runoff will be mitigated by the establishment of on-site retention basins during the construction phase of project. Finally, the applicant an EPA educational grant recipient for demonstration wild land restoration work, has had more than 10 years experience on controlling flash flood drainage on public and private fragile cliff lands. [This information has been incorporated into the final environmental assessment]

4. Give reasons supporting the finding of no impact using the 13 criteria in the EIS rules. (See attached and thank you to Ms. Nancy Heinrich for her immediate and most helpful advice.) [Information has also been incorporated into the final environmental assessment]

5. Footpath in setback area: See attached response to Mr. Christopher Yuen, Planning Department, County of Hawaii. [Information has also been incorporated into the final environmental assessment]

6. List of permits: in consultation with Matthew Myers of DLNR and a planner with the Office of Environmental Quality Control, the applicant was advised to use the following description "All County of Hawaii Building Permits, IWS permits, SMA [Exemption granted], Conservation District Use Permit." I also consulted with Ms. Laurene L. Silva of the Army Corps of Engineers and determined that no Department of Army permits are necessary. Ms. Chris Poentis of the Department of Health advised that no NPDES general or individual permits are required for the project.

If you have any further questions, please contact me at 505-476-1104 (w) Mountain time or at ejpaterson@state.nm.us

Sincerely,



E.J. Paterson, trustee
The Emeline Living Trust

9. FINDINGS AND REASONS SUPPORTING DETERMINATION:

(1) Involves an irrevocable commitment to loss or destruction of any natural or cultural resources

The proposed project will not impact the scenic view from the ocean or from the highway. From the ocean, the residence, 188' from the coast, would be hidden behind a 10' knoll as well as by the stand of ironwoods growing on the knoll. The ironwoods and non-invasive vegetation on the knoll within the setback will not be touched. The lot is also flag-shaped with a long driveway from the highway. The house on the highway side is hidden behind a house on adjacent land bordering the highway as well as by an outcropping between the existing house and the proposed house. Side setbacks are more than 30 feet and natural buffers will be maintained between parcels. The proposed use is consistent with the neighboring use of single-family residences. The proposed site contains no known historical or archeological sites and is not on the State or Federal Register. An archaeological assessment was done by Dr. Paul H. Rosendahl or PHRI, archaeological consultant services. Dr. Rosendahl advises that no archaeological remains of any kind were identified and that the necessary report and paperwork will be filed with the Historic Preservation Division. Should any archaeologically significant artifacts, bones, or other indicators of previous onsite activity be uncovered during the construction phases of development, their treatment will be conducted in strict compliance with the requirements of the Department of Land and Natural Resources.

(2) Curtails the range of beneficial uses of the environment

The property is located between and behind parcels already developed as single-family residences. As it exists, the property is a mosquito-infested parcel of land where the few native plant species are continually choked out by invasive species. As such, both the invasive plant species and the mosquito population threaten neighbors. The site cannot by itself return to native plant species without daily and continuing care of owners. The applicant, an EPA grant educational grant recipient for a demonstration restoration project, proposes effort to eliminate invasive species, stabilize natural species, and provide natural habitat within large natural buffer areas.

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

The proposed development is consistent with the Environmental Policies established in Chapter 344, HRS, and the National Environmental Policy Act and, in particular, for a Single Family Residence as defined as R-8 Single Family Residence (D-1) in Section 13-5-24 HRS.

(4) Substantially affects the economic or social welfare of the community or state

The proposed project will provide a significant contribution to the local neighborhood by removing some invasive plant species and thus reducing mosquito populations by providing increased air flow. Completion of the project will assure a permanent residence and thus will have a stabilizing safety benefit in an area where some of the homes are vacant much of the year and where illegal dumping is known to occur on areas that are known to be vacant bordering the highway. The proposed project is designed to complement surrounding residential land use patterns and will not negatively alter existing residential parcels.

5) *Substantially affects public health*

Impacts to public health may be favorably affected by the possible reduction of mosquito populations through the increase of air flow expected when invasive plant materials are removed. As mentioned above, permanent residency will bring a stabilizing safety effect in an area where some of the homes are vacant much of the year and reduce the potential for illegal dumping occurring on areas that are known to be vacant bordering the highway. Although some noise will occur during the construction phase during the daytime, impacts will be significantly positive in terms of public health as compared to the "no action" alternative.

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

The completion of the project will reunite 4 generations of a family and will bring to the community the volunteer skills of a former teacher and community activist. The construction of the residence project would result in the employment of construction and construction-related workers. No substantial secondary impacts, changes or effects will be involved in a single-family residence.

(7) *Involves a substantial degradation of environmental quality*

The proposed residence will infill between existing residential parcels. No views of the ocean now are available from the highway, and, as mention in (1) above, the house would be largely invisible from the ocean. Colors will be used to complement the natural environment. The single-family residence will rely on solar/propane for energy and catchment for water. Home and septic design has been done or contracted with professionals aware of the need for avoid environmental quality degradation and the contractor will be chosen with the same standards in mind.

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

The construction of a residence in the midst of other residences and on more than one acre of land is consistent with the community and conservation district use goals. No views will be obstructed or be visually incompatible with the surrounding area.

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

No endangered species are located within the parcel. As previously mentioned, the applicant intends to re-establish native plant species and provide habitat for wildlife.

(10) *Detrimentially affects air or water quality or ambient noise levels*

Any possible impact to near-shore ecosystems resulting from surface runoff will be mitigated by the establishment of on-site retention basins during the construction phase of development. Any and all precautionary measures shall be taken to assure that no debris, concrete, lumber, paint or other construction materials will get into shore waters or onto any State of Hawaii land or privately-owned land. All construction processes will be to the highest standards and will meet all code requirements. The applicant has worked with the architect to design a two-story home with a small footprint rather than a one-level home with a large roof area and construction materials and methods (post & beam and gravel driveway) were chosen to mitigate construction and use drainage; a catchment system will capture significant portions of rainfall and bounce landscape areas will be constructed adjacent to building and the driveway to absorb water not captured by the catchment system; the natural rock is porous and the landscape management plans calls for continually building soil to further absorb water; the vast majority of the lot surface

will remain as natural vegetative buffers; areas disturbed during construction will be re-vegetated within 30 days; and drainage towards the ocean has been further mitigated by positioning the home behind a 10' high knoll and 188 feet from the ocean. Experienced construction professionals will be used and will carefully supervise site workers. Finally, the applicant an EPA educational grant recipient for demonstration wild land restoration work, has had more than 10 years experience on controlling flash flood drainage on public and private fragile cliff lands.

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

Development of the property is compatible with the above criteria since the majority of the parcel will be undisturbed by construction and will exist as natural buffers and be improved with native vs. invasive species. The oceanfront is a rocky 40 foot cliff with no beach. Seen in total with neighboring residential parcels, and choked with invasive species, the property no longer reflects a "natural environment". The shoreline and cliff face will not be impacted by the project.

(12) Substantially affects scenic vistas and view planes identified in county or state plans or studies

Due to topographical characteristics of the property, views from the ocean of the potential use area (188' feet from the shore and behind a 10' knoll) are insignificant or non-existent. As a flag-shaped parcel, the residence would be invisible from the highway behind an existing house and outcropping between the existing house and proposed residence.

(13) Requires substantial energy consumption

The residence will use catchment for water and solar power for energy. A limited amount of propane gas will be used. The applicant is experienced in environmental stewardship and all systems will be maintained in an environmentally proper manner.

Wednesday, September 17, 2003

Mr. Christopher J. Yuen, Planning Director
County of Hawaii
Planning Department
101 Pauahi St. Ste 3
Hilo, Hawaii 96720-3043

Dear Mr. Yuen:

As trustee for The Emeline Living Trust please accept my thanks for responding on behalf of the Planning Department of the county of Hawaii to the DLNR request for comment on our Conservation District Use Application for the construction of a single-family residence in Puna, Hawaii [TMK: (3) 1-3-02:089].

In response to your July 22, 2003 letter, you are quite correct that the demarcation of a natural footpath in the setback area will be done as unobtrusively as possible using natural site materials such as nearby stones or vegetation. The intent is to make sure that no one treads on the natural buffer areas that constitute the setback/natural buffer area. I would note that as a volunteer for organizations that provide trail building/maintenance support work on federal, state and county lands, I attended yearly intensive training sessions provided by the US Forest Service.

You are also correct that landscape maintenance work in the setback areas will consist of some removal of invasive species and the planting of appropriate native species selected in consultation with local growers and environmental groups. No alteration of the existing natural grade in the setback area will occur.

I note that in your July 23, 2003 letter to Ms. Mamiya of DLNR, that these activities have been determined to be allowable minor activities in the setback area and that you have no other comments.

I would also like to thank your staff for the extremely courteous and efficient way they handled both my questions and the SMA. In Santa Fe, New Mexico I worked closely with the county planning department in the creation of the county's first open space park. I hope if the CDUA is approved, I will have an opportunity to work on community environmental projects in Hawaii.

Sincerely,



E.J. Paterson, trustee
The Emeline Living Trust

LINDA LINGLE
GOVERNOR



GENEVIEVE SALMONSON
DIRECTOR

STATE OF HAWAII
OFFICE OF ENVIRONMENT QUALITY CONTROL
235 SOUTH BERETANIA STREET
SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 586-4185
FACSIMILE (808) 586-4186

September 8, 2003

Mr. Peter Young, Chair
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawai'i 96809

Dear Mr. Young:

Subject: Draft Environmental Assessment for the Paterson Single Family Residence, Puna, Hawai'i (CDUA HA-3143).

1. Please identify the Board of Land and Natural Resources as the approving agency.
2. Please consult with neighbors, State Historic Preservation Office, County Planning Department and the state Department of Health.
3. Please describe in detail the mitigation measures to prevent polluting the nearby ocean especially during construction and heavy rains.
4. Please give reasons supporting the finding of no significant impacts based on all 13 criteria listed in the EIS rules. See the attached example.
5. Please describe how you plan to mark the outer boundary of the path to the ocean. Please contact the county Planning Department concerning any potential use within the shoreline setback area.
6. Please provide a list of permits that are required for this project.

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

Sincerely,

Genevieve Salmonson
Genevieve Salmonson
Director

c: E. Paterson

September 2, 2003

MEMORANDUM

DOC: 0309MM06

TO: Dierdre Mamiya, Acting Administrator
Office of Conservation and Coastal Lands, DLNR

FROM: MaryAnne B. Malgrct, Assistant Archaeologist
Historic Preservation Division, Hawaii Island Office

REGARDING: 6E-7, Historic Preservation Review
Conservation District Use Permit Application (CDUA)
Applicant: Emeline Jeanno Paterson for The Emeline Living Trust
Kamalii-Kaueleau, Puna, Hawaii Island
TMK: (3) 1-3-2:89

Aloha,

Thank you for sending us a copy of the above referenced CDUA for our comments. We apologize for the delay in responding to your request, which was received on July 25, 2003, and hope our comments will still be useful. Our review is based on file records in our Hawaii Island office. No site visit was conducted.

We would like to draw your attention to a typo on the cover letter that accompanied this permit application. The district is incorrectly listed as "South Kona", when it should read "Puna".

There is insufficient information for us to determine whether the proposed development of this parcel will have an adverse effect on historic properties. The applicant reports there are no historic or archaeological sites affected by the construction of the proposed single family dwelling, however, we have no record of there having been an assessment or inventory survey conducted on this parcel by a qualified archaeologist. An archaeological assessment, or an inventory survey if warranted by the assessment, should be conducted and submitted to our division for review.

If you have any questions please feel free to contact me at (808) 327-3690.

CORRECTION

THE PRECEDING DOCUMENT(S) HAS
BEEN REPHOTOGRAPHED TO ASSURE
LEGIBILITY
SEE FRAME(S)
IMMEDIATELY FOLLOWING

DOCUMENT CAPTURED AS RECEIVED

September 2, 2003

MEMORANDUM

DOC: 0309MM06

TO: Dierdre Mamiya, Acting Administrator
Office of Conservation and Coastal Lands, DLNR

FROM: MaryAnne B. Malgrct, Assistant Archaeologist
Historic Preservation Division, Hawaii Island Office

REGARDING: 6E-7, Historic Preservation Review
Conservation District Use Permit Application (CDUA)
Applicant: Emeline Jeanno Paterson for The Emeline Living Trust
Kamalli-Kaueleau, Puna, Hawaii Island
TMK: (3) 1-3-2:89

Aloha,

Thank you for sending us a copy of the above referenced CDUA for our comments. We apologize for the delay in responding to your request, which was received on July 25, 2003, and hope our comments will still be useful. Our review is based on file records in our Hawaii island office. No site visit was conducted.

We would like to draw your attention to a typo on the cover letter that accompanied this permit application. The district is incorrectly listed as "South Kona", when it should read "Puna".

There is insufficient information for us to determine whether the proposed development of this parcel will have an adverse effect on historic properties. The applicant reports there are no historic or archaeological sites affected by the construction of the proposed single family dwelling, however, we have no record of there having been an assessment or inventory survey conducted on this parcel by a qualified archaeologist. An archaeological assessment, or an inventory survey if warranted by the assessment, should be conducted and submitted to our division for review.

If you have any questions please feel free to contact me at (808) 327-3690.

Monday, September 22, 2003

Ms. MaryAnne B. Maigret, Assistant Archaeologist
Historic Preservation Division, Hawaii Island Office
74-383 Kealakehe Parkway
Kailua-Kona, 96740

Dear Ms. Maigret:

As trustee for The Emeline Living Trust please accept my thanks for responding on behalf of the Historic Preservation Division to the DLNR request for comment on our Conservation District Use Application for the construction of a single-family residence in Puna, Hawaii [TMK: (3) 1-3-02:089].

I contracted with Paul H. Rosendahl, of PHRI, archaeological consultant services to have an assessment done. **Dr. Rosendahl reports that no archaeological remains of any kind were identified.** Dr. Rosendahl advised me that he has worked with you in the past and will provide you with the necessary paperwork.

As a state worker in a small population/large area state (New Mexico) I am familiar with all the demands placed on individual state workers. I do note that your response to the DLNR request for comment was not written until September 2, 2003, not received by me until September 9th, and you did not return my phone message requesting information. I trust that Dr. Rosendahl's response will satisfy your concerns.

Sincerely,



E.J. Paterson, trustee
The Emeline Living Trust

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Office of Conservation and Coastal Lands

JUN 10 2003

Ref.:PB:MM

File #: CDUA HA-3143
Acceptance Date: June 10, 2003
180-Day Expiration Date: December 7, 2003
SUSPENSE DATE: 21 Days from stamped date

MEMORANDUM

TO: Division of Conservation and Resource Enforcement,
Historic Preservation Division, Division of Forestry and
Wildlife, Hawaii District Land Agent

FROM: *Mamiya*
Dierdre S. Mamiya, Acting Administrator
Office of Conservation and Coastal Lands

SUBJECT: REQUEST FOR COMMENTS
Conservation District Use Application (CDUA)
[Board Permit]

APPLICANT: Emeline Jeanne Paterson for
The Emeline Living Trust
30 Gallina Road
Sante Fe, NM 87508

FILE NO.: HA-3143

REQUEST: Single-Family Residence

LOCATION: *Puna*
South Kona, Hawaii, TMK: (3) 1-3-02:089

PUBLIC HEARING: YES NO

Attached please find a copy of the subject CDUA, Draft Environmental Assessment and our Department's Notice of Acceptance and Environmental Determination. We would appreciate your review and comment on this CDUA by the suspense date noted above.

Should you require additional information, please call Matthew Myers of our Office of Conservation and Coastal Lands at 587-0382. If no response is received by the suspense date, we will assume there are no comments.

Attachment(s)

The DLNR Land Division (HI District Branch)
has no comments regarding this request.

RECEIVED
DIVISION OF
LAND MANAGEMENT
HONOLULU, HAWAII
JUL 21 11 34 AM '03
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII
2003 SEP -3 A 10:00
RECEIVED
LAND DIVISION

Hawaii

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Office of Conservation and Coastal Lands

RECEIVED
JUN 10 2003

Ref.:PB:MM

File #: CDUA HA-3143
Acceptance Date: June 10, 2003
180-Day Expiration Date: December 7, 2003
SUSPENSE DATE: 21 Days from stamped date

MEMORANDUM

TO: Division of Conservation and Resource Enforcement,
Historic Preservation Division, Division of Forestry and
Wildlife, Hawaii District Land Agent

FROM: Dierdre S. Mamiya, Acting Administrator
Office of Conservation and Coastal Lands

SUBJECT: REQUEST FOR COMMENTS
Conservation District Use Application (CDUA)
[Board Permit]

APPLICANT: Emeline Jeanne Paterson for
The Emeline Living Trust
30 Gallina Road
Sante Fe, NM 87508

FILE NO.: HA-3143

REQUEST: Single-Family Residence

LOCATION: ~~South Kona, Hawaii~~ TMK: (3) 1-3-02:089
punk.

PUBLIC HEARING: YES NO

Attached please find a copy of the subject CDUA, Draft Environmental Assessment and our Department's Notice of Acceptance and Environmental Determination. We would appreciate your review and comment on this CDUA by the suspense date noted above.

Should you require additional information, please call Matthew Myers of our Office of Conservation and Coastal Lands at 587-0382. If no response is received by the suspense date, we will assume there are no comments.

Attachment(s)

RECEIVED
LAND DIVISION
2003 AUG -1 P 3 52
DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

Wednesday, September 17, 2003

Mr. Christopher J. Yuen, Planning Director
County of Hawaii
Planning Department
101 Pauahi St. Ste 3
Hilo, Hawaii 96720-3043

Dear Mr. Yuen:

As trustee for The Emeline Living Trust please accept my thanks for responding on behalf of the Planning Department of the county of Hawaii to the DLNR request for comment on our Conservation District Use Application for the construction of a single-family residence in Puna, Hawaii [TMK: (3) 1-3-02:089].

In response to your July 22, 2003 letter, you are quite correct that the demarcation of a natural footpath in the setback area will be done as unobtrusively as possible using natural site materials such as nearby stones or vegetation. The intent is to make sure that no one treads on the natural buffer areas that constitute the setback/natural buffer area. I would note that as a volunteer for organizations that provide trail building/maintenance support work on federal, state and county lands, I attended yearly intensive training sessions provided by the US Forest Service.

You are also correct that landscape maintenance work in the setback areas will consist of some removal of invasive species and the planting of appropriate native species selected in consultation with local growers and environmental groups. No alteration of the existing natural grade in the setback area will occur.

I note that in your July 23, 2003 letter to Ms. Mamiya of DLNR, that these activities have been determined to be allowable minor activities in the setback area and that you have no other comments.

I would also like to thank your staff for the extremely courteous and efficient way they handled both my questions and the SMA. In Santa Fe, New Mexico I worked closely with the county planning department in the creation of the county's first open space park. I hope if the CDUA is approved, I will have an opportunity to work on community environmental projects in Hawaii.

Sincerely,



E.J. Paterson, trustee
The Emeline Living Trust

Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

July 23, 2003

Ms. Dierdre S. Mamiya, Acting Administrator
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
P.O. Box 621
Honolulu, Hawaii 96809

Dear Ms. Mamiya:

Request for Comments

Conservation District Use Application (CDUA HA 3143)

Applicant: The Emeline Living Trust, Emeline Jeanne Paterson-Trustee

Project: Construction of a Single-Family Dwelling

Location: Puna District, Island of Hawaii, Hawaii

Tax Map Key: (3) 1-3-002:089

We are in receipt of your letter of transmittal, dated June 10, 2003, which was received on July 21, 2003, requesting our comments on the referenced CDUA. We also received a copy of the CDUA, Draft Environmental Assessment and your department's notice of acceptance. Thank you for the opportunity to comment on this application.

In response to the submittal of a Special Management Area (SMA) Assessment application by the applicant on June 16, 2003, the Planning Department issued a determination that the proposed construction of a single-family dwelling and related improvements on the subject parcel are exempt from the definition of "development." Therefore, further review of the proposed project against the SMA rules and regulations are not required. A copy of our June 27, 2003 letter to the applicant issuing this determination is enclosed.

After careful review of the CDUA we have determined that the applicant intends to create a footpath and perform some landscaping management within the 40-foot shoreline setback area.

Ms. Dierdre S. Mamiya, Acting Administrator
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
Page 2
July 23, 2003

By our letter (copy enclosed), dated July 22, 2003, the Planning Department has determined that the proposed footpath and landscaping activities qualify as "minor activities" and are permitted in the shoreline setback area.

In view of the above, the Planning Department has no other comments on the subject application.

Should you have questions, please feel welcome to contact Larry Brown or Esther Imamura of my staff at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

LMB:pak

P:\WPWIN60\Larry\DLNR Correspondence\Mamiya-Paterson1-3-2-89CDUAcrrnts.doc

Encl: Planning Department Letter Dated June 27, 2003 to Ms. Emeline Jeanne Paterson
Planning Department Letter Dated July 22, 2003 to Ms. Emeline Jeanne Paterson

xc: Ms. Susan Gagorik -- Long Range Planning

Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii
PLANNING DEPARTMENT
101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

July 22, 2003

Ms. Emeline Jeanne Paterson
30 Gallina Road
Santa Fe, NM 87508

Dear Ms. Paterson:

Activity in Shoreline Setback Area

Applicants: The Emeline Living Trust, Emeline Jeanne Paterson - Trustee
Request: Construction of a Single Family Dwelling and Related Improvements
TMK: 1-3-002:089, Lot 6-F, Kaueleau, Puna, Hawai'i

We are in receipt of a request for comments on your Conservation District Use Application (CDUA HA-3143) from the Department of Land and Natural Resources. Your request is for the construction of a single-family dwelling.

Upon review of the referenced CDUA application and re-examination of our June 27, 2003 determination that the proposed project is exempt from the definition of development in meeting the requirements of the Special Management Area (SMA), we have noticed that the proposed project includes the creation of a foot path and some landscaping management of the "natural buffer" areas of the property within the shoreline setback area.

Rule 11 of the Planning Department Rules of Practice and Procedure establishes the authority, criteria and procedures for the establishment and enforcement of the shoreline setback line and shoreline setback area and for the review of all activities or structures proposed within the shoreline setback area in accordance with the requirements of Rule 11 and Chapter 205A-43 through 44 of Hawaii Revised Statutes. Under normal circumstances the applicant must submit a request for a determination from the Planning Department that the proposal qualifies as a minor structure or activity or submit an application for a Shoreline Setback Variance Permit from the Planning Commission. Our initial response to your SMA Assessment application failed to address the activities identified above that you intend to conduct within the shoreline setback area.

Ms. Emeline Jeanne Paterson
Page 2
July 22, 2003

Based on the information provided in the referenced CDUA and previously submitted SMA Assessment application, we have concluded that the activities you propose within the 40-foot shoreline setback area consist of the following.

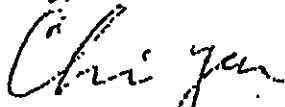
- Minor clearing of a footpath and marking of the path boundary, presumably with stones. The path will not require any alteration of the existing natural grade, any paving or the erection of structures.
- Landscaping maintenance of the natural foliage existing in the shoreline setback area. Landscaping may include some removal of invasive species and the planting of appropriate native species. No alteration of the existing natural grade in the shoreline setback area shall occur.

In view of the above, the Planning Department has determined that the proposed activities qualify as "minor activities" and pursuant to Rule 11-7 (a)(4), Planning Department Rules of Practice and Procedure, are permitted within the shoreline setback area.

However, should the basis, as stated above, for this determination not be consistent with your intentions, or should additional development or activities become anticipated within the shoreline setback area, you shall be required to submit additional information pursuant to Rule 11 for a new request for a minor structure or activity determination from the Planning Department or an application for a Shoreline Setback Variance Permit from the Planning Commission.

Should you have any further questions, please feel free to contact Larry Brown or Esther Imamura of this department at 961-8288.

Sincerely,


CHRISTOPHER J. YUEN
Planning Director

LMB:pak
P:\WPWIN60\CZMSMAA\2003\SMAA03-38PatersonSSV.doc

cc: Ms. Susan Gagorik - Long Range Planning

Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

June 27, 2003

Ms. Emeline Jeanne Paterson
30 Gallina Road
Santa Fe, NM 87508

Dear Ms. Paterson:

SUBJECT: Special Management Area Use Permit Assessment Application (SMAA 03-38)
Applicants: The Emeline Living Trust, Emeline Jeanne Paterson - Trustee
Request: Construction of a Single Family Dwelling and
Related Improvements
TMK: 1-3-002:089, Lot 6-F, Kaueleau, Puna, Hawai'i

This is to acknowledge receipt on June 16, 2003 your Special Management Area Use Permit Assessment Application, undated shoreline survey by Niels Christensen, site plan and photographs for the subject oceanfront property. We understand from your submittals that you intend to construct a single-family dwelling of approximately 2,052 square feet on the subject 1.5-acre lot situated in the State Land Use Conservation district. We presume that you are aware of the requirement to obtain a Conservation District Use Permit from the Land Use Commission prior to any construction or land alteration activities on the property.

According to the site plan submittal, the closest proposed improvement (dwelling) to the nearest edge of the cliff will be located approximately 188 feet. Based on this distance and careful review of Planning Department documents, we hereby waive the requirement for a shoreline survey, as the proposed improvements are clearly located at a considerable distance from the shoreline.

According to Chapter 205A-22, Hawaii Revised Statutes, and Planning Commission Rule No. 9-4(10)(B)(i) relating to Special Management Area, "development" does not include "Construction of a single-family residence that is not part of a larger development." After reviewing your application, we have determined that the proposed construction of a single-family dwelling and related improvements is exempt from the definition of development. Further, the proposed activity will not have a substantial adverse effect on the environment.

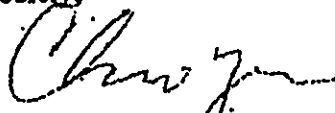
JUL 02 2003
036398

Ms. Emeline Jeanne Paterson
Page 2
June 27, 2003

While further review of the construction of the proposed dwelling and related improvements against the Special Management Area rules and regulations will not be required, all other applicable Zoning and Building Code requirements must be satisfied.

Should you have any further questions, please feel free to contact Larry Brown or Esther Imamura of this department at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

LMB:pak
P:\WPWIN60\CZMSMAA\2003\SMAA03-38PatersonExpt.doc

cc: Ms. Susan Gagorik - Long Range Planning
DLNR - Land Management (Hilo)

Wednesday, September 17, 2003

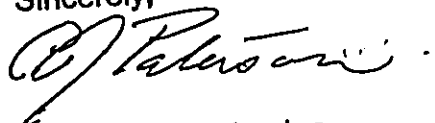
OFCR. Alan Akau
Department of Land and Natural Resources
Division of Conservation & Resource Enforcement
PO Box 621
Honolulu, HI 96809

Dear Mr. Akau:

As trustee for The Emeline Living Trust please accept my thanks for responding on behalf of the Division of Conservation & Resource Enforcement to the DLNR request for comment on our Conservation District Use Application for the construction of a single-family residence in Puna, Hawaii [TMK: (3) 1-3-02:089].

We note that in the Division's response included Investigator W. Young's Investigation Report #HA-040104 indicating no discrepancies were found with the application and the box marked Final Disposition contains the words, "proceed with plans/route to issuing agency."

Sincerely,

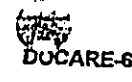


E.J. Paterson, trustee
The Emeline Living Trust

DOCUMENT CAPTURED AS RECEIVED

DOCARE-18	DOCARE-18	File Number	3143-HA	REA
Applicant	EMELINE JEANNE PATERSON/EMELINE LIVING TRUST			
Contract	EMELINE JEANNE PATERSON, 30 GALLINA RD, SANTA FE, NM			
Location	TMK(3) 1-3-2-089 PUNA, HAWAII			
Project Summary	SINGLE FAMILY RESIDENCE			
Project Description	APPLICANT IS PROPOSING TO BUILD A SINGLE FAMILY RESIDENCE CONSISTING OF 2052 SQUARE FT OF LIVING SPACE ON A 1.235 ACRE PARCEL WITHIN THE RESOURCE SUBZONE OF THE CONSERVATION DISTRICT			
State	HAWAII	Date Received	7/22/2003	State
Assigned	REVIEW THE ATTACHED APPLICATION AND COMMENT WITH RESPECT TO DOCARE'S CURRENT AND FUTURE PROGRAMS. NO SITE INSPECTION IS NEEDED. IF NO RESPONSE IS RECEIVED, LAND DIVISION WILL ASSUME THAT THERE ARE NO COMMENTS			
Parcel Reference Number	HA-01-104	Case Number	WAYNE YOUNG	
Date Assigned	07-24-03	Date Issued	07-26-03	
Comments	Land remains raw and undeveloped.			
Notes				
Final Disposition	proceed with plans. Route to ISSUING AGENCY.			

DOCUMENT CAPTURED AS RECEIVED



Land & Natural Resources
Conservation & Resources Enforcement

INVESTIGATION REPORT

1. REPORT NUMBER HA-04-104	
2. INVESTIGATOR W. YOUNG	
3. ISLAND HAWAII	
4. DISTRICT E.HI, S.HI	
5. TITLE CONSERVATION DISTRICT USE APPLICATION	6. SEX
7. DATE/TIME OF OFFENSE 07-24-03 AT 0800 HRS	8. OCCUPATION
9. LOCATION OF OFFENSE OR TYPE OF PREMISES LOT IN OPIHIKAO IN PUNA DISTRICT	10. SCHOOL EMPLOYED/SCHOOL ATTENDING
11. DATE/TIME OF OFFENSE AND CLOSEST INTERSECTING STREET 07-24-03	12. DATE/TIME OF OCCURRENCE
13. DATE/TIME REPORTED 07-24-03 AT 0800 HRS	14. HOW REPORTED ASSIGNED

INVOLVED ()	Year	Make	Model	Color(s)	License No.	I.D. Characteristics		
INVOLVED ()	Length	Make	Model	Color(s)	Name	HA No.	I.D. Characteristics	
REPORT OWNER	Address					Res. Phone		
CODE	W = Witness			S = Suspect (S in Composite Description)		R = Reporting Person		
	Age	Sex	Code	Address		Res. Phone		
Physical Description Race	Age	Weight	Build	Hair	Eyes	Complexion	Complexion	Characteristics

ATTENTION: 1. Insert a synopsis of the crime or incident. 2. Summarize details of the crime or incident. 3. Denote persons from whom statements taken and who took them. 4. Identify additional suspects and. 5. Identify additional investigators. 6. Use opposite side for continuation of report, if necessary.

COMMENT:
ABOVE DATE AND TIME I WAS ASSIGNED BY OFCR. ALAN AKAU TO CONDUCT INVESTIGATION HA-04-104, A CASE. THE APPLICANT IS IDENTIFIED AS EMELINE PATTERSON/TRUST OF 30 GALLINA ROAD, SANTA FE NEW MEXICO.

PROPERTY IS LOCATED ON THE COASTLINE OF THE OPIHIKAO AREA IN THE SOUTH PUNA DISTRICT OF THE BIG ISLAND OF HAWAII. THE PROPERTY HAS BEEN ASSIGNED THE TMK (3)1-3-02:089 AND BE FOUND AT THE 15 MILE MARKER ON HIGHWAY 137 ON THE OCEAN SIDE OF SAID HIGHWAY. SEE APPLICANT'S APPLICATION FOR MORE DETAILS.

INVESTIGATION:
INVESTIGATION CONSISTED OF A SITE INSPECTION. THE FOLLOWING WAS DISCOVERED:
- THERE WAS NO CONSTRUCTION CONDUCTED ON THE PROPERTY.
- THE PROPERTY REMAINS IN AN UNUSED AND RAW CONDITION.
- THERE WERE NO APPARENT HISTORICAL SITES SUCH AS ANCIENT STRUCTURES OR BURIAL GROUNDS, THOUGH I AM NOT AN EXPERT OR CLAIM TO BE QUALIFIED IN ANY WAY TO MAKE SUCH A DETERMINATION.
- THERE WERE NO DISCREPANCIES IN RELATION TO THE SITE /APPLICATION WERE NOTED.
- A DISCREPANCY WAS DETECTED IN THE APPLICATION'S ACCOMPANYING MEMORANDUM FROM THE ISSUING AGENCY WHICH STATED THE PARCEL IN QUESTION AS BEING IN THE SOUTH KONA DISTRICT.

RECOMMENDATION:
I RECOMMEND THIS CASE REMAIN CONTINUING WITH THE REPORT BEING ROUTED BACK TO THE ORIGINAL INVESTIGATOR MATTHEW MYERS OF THE OFFICE OF CONSERVATION AND COASTAL LANDS. FOR DOCARE RECORDS THIS CASE SHALL BE CLOSED FOR RECORDS ONLY.

FOR RECORD ONLY

WRITTEN BY: W. YOUNG	Badge No. 54	Date/Time 07-28-03/0900	21. SUPERVISOR APPROVING <i>[Signature]</i>	Badge No. #112
<input type="checkbox"/> Unfounded <input type="checkbox"/> Arrested/No Prosecution		<input type="checkbox"/> Citation No. <input type="checkbox"/> Adm.		<input type="checkbox"/> Arrested/Prosecuted <input type="checkbox"/> Accidents
26. Distribution		27. Connecting Report No.		

RECEIVED
 JUL 29 2003
 11:17 AM
 DOCARE-6

Wednesday, September 17, 2003

Mr. Thomas E. Arizumi, P.E., Chief
Environmental Management Division
State Department of Health
PO Box 3378
Honolulu, HI 96801-3378

Dear Mr. Arizumi:

As trustee for The Emeline Living Trust please accept my thanks for responding on behalf of the Environmental Management Division to the DLNR request for comment on our Conservation District Use Application for the construction of a single-family residence in Puna, Hawaii [TMK: (3) 1-3-02:089].

In your July 31, 2003 letter [07126PKP.03] you offered several comments.

After having received your letter from DLNR on September 10, 2003, I consulted with Ms. Laurene L. Silva of the Army Corps of Engineers and determined that no Department of Army permits are necessary.

On September 11, 2003, I phoned your office and reviewed your letter with Chris Poentis. Noting that the potential disturbance to the land would occur on less than one acre, that none of the other activities you listed would occur, and that no other activities on the land would result in a wastewater discharge from the project into State waters, Ms. Poentis advised me to indicate in my reply that the comments were not applicable to the project and no permits (and hence no SHPD) notice) would be required.

Please complement Ms. Poentis on the clear and efficient way she reviewed the project and your comments with me.

Sincerely,



E.J. Paterson, trustee
The Emeline Living Trust

LINDA LINGLE
VERMOR OF HAWAII

RECEIVED
LAND DIVISION



CHIYOME L. FUKIO, M.D.
DIRECTOR OF HEALTH

2003 AUG -6 A 7 11

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
EMO L098

07126PKP.03

July 31, 2003

To: Dierdre S. Mamiya
Acting Administrator
Office of Conservation and Coastal Lands

From: Thomas B. Arizumi, P.E., Chief *T.B. Arizumi*
Environmental Management Division

Subject: Request for Comments
Conservation District Use Application (CDUA)
Board Permit
Single-Family Residence for The Emeline Living Trust
South Kona, Hawaii - TMK: (3)1-3-02:089

The Department of Health, Clean Water Branch (CWB) has reviewed the subject document and offers the following comments:

1. The Army Corps of Engineers should be contacted at 438-9258 to identify whether a Federal license or permit (including a Department of Army permit) is required for this project. Pursuant to Section 401(a)(1) of the Federal Water Pollution Act (commonly known as the "Clean Water Act"), a Section 401 Water Quality Certification is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may result in any discharge into the navigable waters...."
2. A National Pollutant Discharge Elimination System (NPDES) general permit coverage is required for the following activities:
 - a. Storm water associated with industrial activities, as defined in Title 40, Code of Federal Regulations, Sections 122.26(b)(14)(i) through 122.26(b)(14)(ix) and 122.26(b)(14)(xi).
 - b. Construction activities, including clearing, grading, and excavation, that result in the disturbance of equal to or greater than one (1) acre of total land area. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale. An NPDES permit is required before the commencement of the construction activities.
 - c. Discharge of treated effluent from leaking underground storage tank remedial activities.

Dierdre S. Mamiya
July 31, 2003
Page 2

- d. Discharge of once through cooling water less than one (1) million gallons per day.
- e. Discharge of hydrotesting water.
- f. Discharge of construction dewatering effluent.
- g. Discharge of treated effluent from petroleum bulk stations and terminals.
- h. Discharge of treated effluent from well drilling activities.
- i. Discharges of treated effluent from recycled water distribution systems.
- j. Discharges of storm water from a small municipal separate storm sewer system.
- k. Discharge of circulation water from decorative ponds or tanks.

The CWB requires that a Notice of Intent (NOI) to be covered by a NPDES general permit for any of the above activities be submitted at least 30 days before the commencement of the respective activities. The NOI forms may be picked up at our office or downloaded from our website at <http://www.state.hi.us/doh/eh/cwb/forms/genl-index.html>.

- 3. The applicant may be required to apply for an individual NPDES permit if there is any type of activity in which wastewater is discharged from the project into State waters and/or coverage of the discharge(s) under the NPDES general permit(s) is not permissible (i.e. discharges into Class 1 or Class AA waters). An application for the NPDES permit is to be submitted at least 180 days before the commencement of the respective activities. The NPDES application forms may also be picked up at our office or downloaded from our website at <http://www.state.hi.us/doh/eh/cwb/forms/indiv-index.html>.
- 4. Hawaii Administrative Rules, Section 11-55-38, also requires the owner to either submit a copy of the new NOI or NPDES permit application to the State Department of Land and Natural Resources, State Historic Preservation Division (SHPD) or demonstrate to the satisfaction of the DOH that the project, activity, or site covered by the NOI or application has been or is being reviewed by SHPD. Please submit a copy of the request for review by SHPD or SHPD's determination letter for the project.

If you have any questions, please contact the CWB at 586-4309.

KP:cu

Wednesday, September 17, 2003

Mr. Michael G. Buck, DOFAW Administrator
State of Hawaii Division of Forestry & Wildlife
1151 Punchbowl St RM 325
Honolulu, HI 96813

Dear Mr. Buck:

As trustee for The Emeline Living Trust please accept my thanks for responding on behalf of the DOFAW to the DLNR request for comment on our Conservation District Use Application for the construction of a single-family residence in Puna, Hawaii [TMK: (3) 1-3-02:089].

We note that in your response that you checked the box "We have no comments."

Sincerely,



E.J. Paterson, trustee
The Emeline Living Trust

Appendix

Location Map

Shoreline Certification

Photo Point Map

Photographs

Area Map

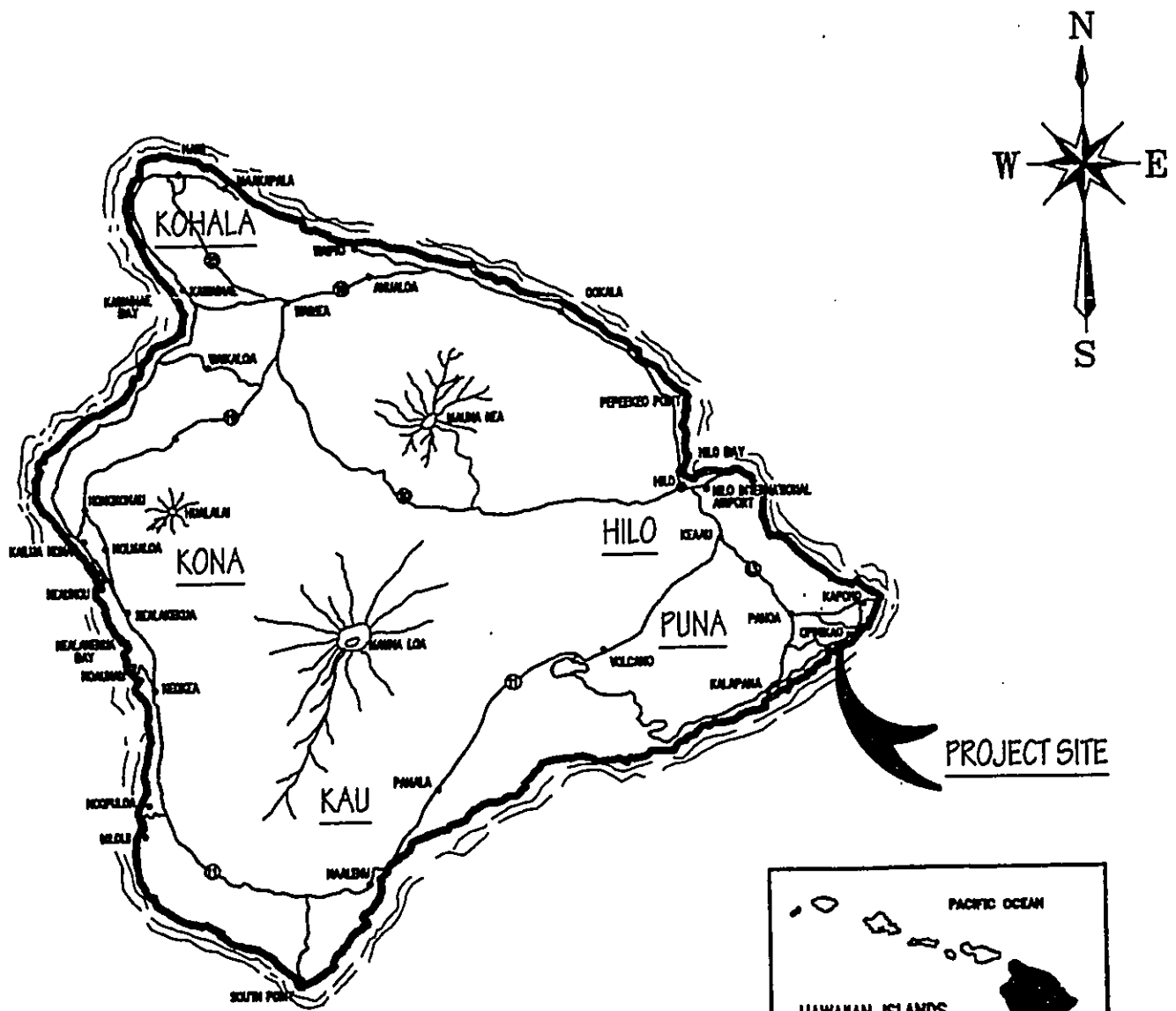
Site Plan

Construction Plans

Land Management Map

Land Management Plan

Conservation District Use Application
TMK: (3) 1-3-2:089
Submitted by:
The Emeline Living Trust
Emeline Jeanne Paterson, Trustee



LOCATION MAP

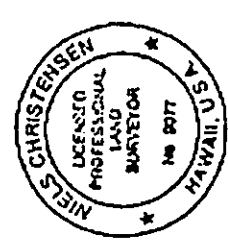
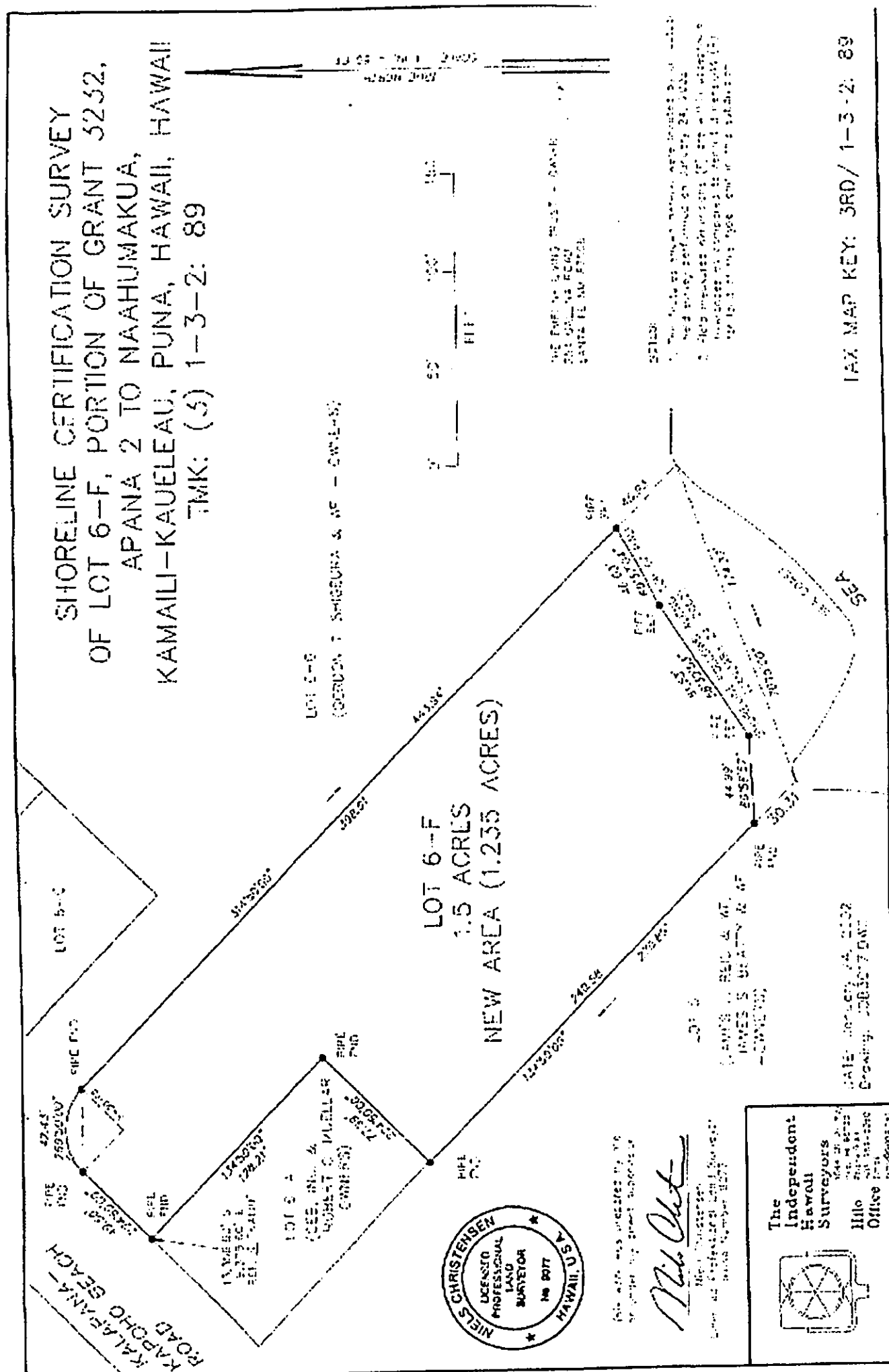
N.T.S.

Conservation District Use Application
 TMK: (3) 1-3-2:089
 Submitted by: The Emeline Living Trust, Emeline Jeanne Paterson, Trustee

Island Map

DOCUMENT CAPTURED AS RECEIVED

SHORELINE CERTIFICATION SURVEY
OF LOT 6-F, PORTION OF GRANT 5252,
APANA 2 TO NAAHUMAKUA,
KAMAILI-KAUAELEAU, PUNA, HAWAII, HAWAII
TMK: (S) 1-3-2: 89

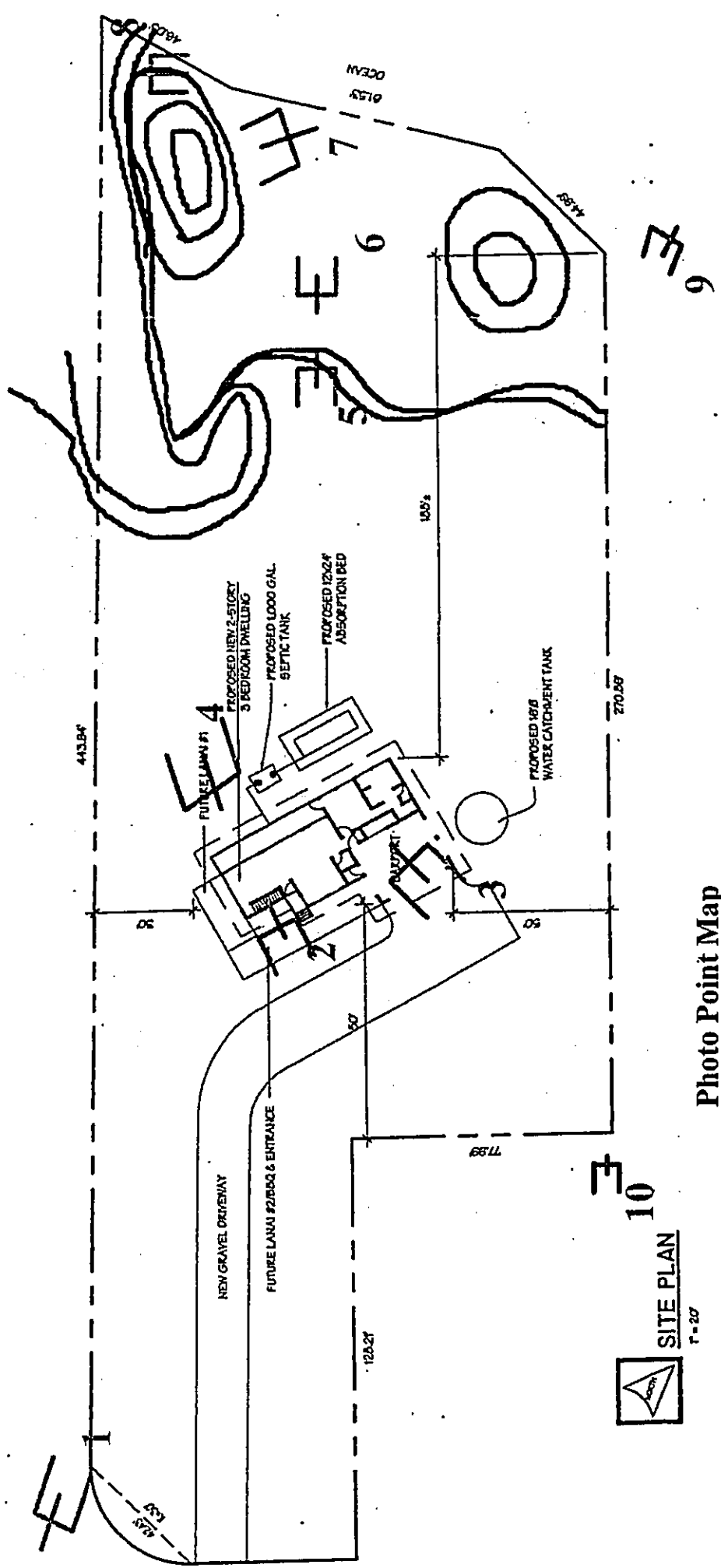


Nils Christensen
Nils Christensen
Surveyor
No. 9017
Hawaii

The Independent Hawaii Surveyors
444 N. Kalia Rd., Suite 100
Honolulu, HI 96815
Office Phone: (808) 941-1111
Fax: (808) 941-1112

DATE: JANUARY 24, 1989
DRAWING: 30830-7-DWG

Conservation District Use Application Submitted by The Elineha Laying Trust, Elineha Jeanne Paterson, Trustee **Shoreline Certification**



10
SITE PLAN
1" = 20'

Photo Point Map



Image 1; represents overview of typical flora looking from NE to proposed house site (tape)



Image 2; represents typical flora looking NE from proposed house site

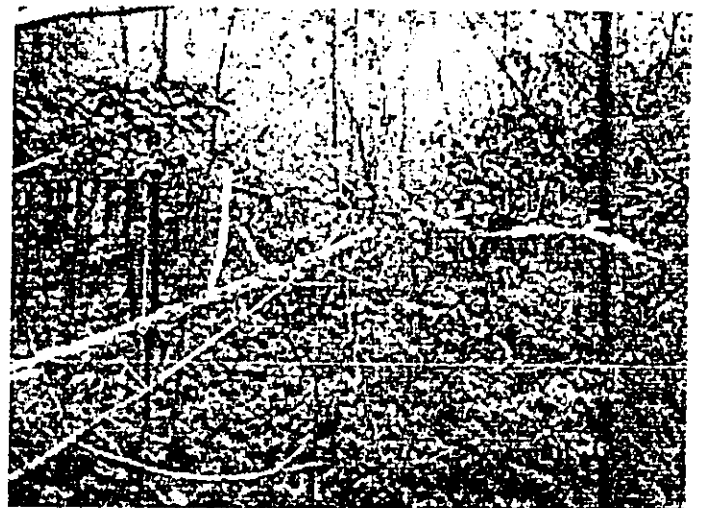


Image 3; represents typical flora looking NW from proposed house site



Image 4; represents flora looking SE from proposed house site through ravine



Image 5; represents typical flora looking N from knoll to proposed house site (tape)



Image 6: on knoll towards sea. A "natural path" is visible between two proposed managed buffers



Above: Image 7: on knoll looking from "natural path" to East rock formation (person on top to indicate height) in proposed natural buffer

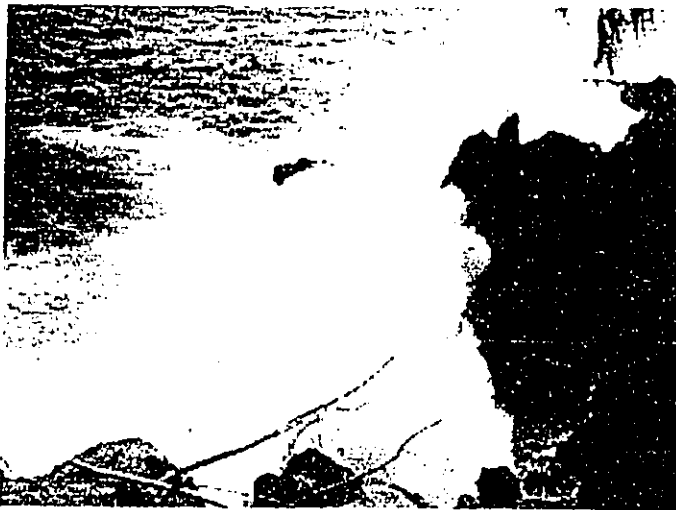
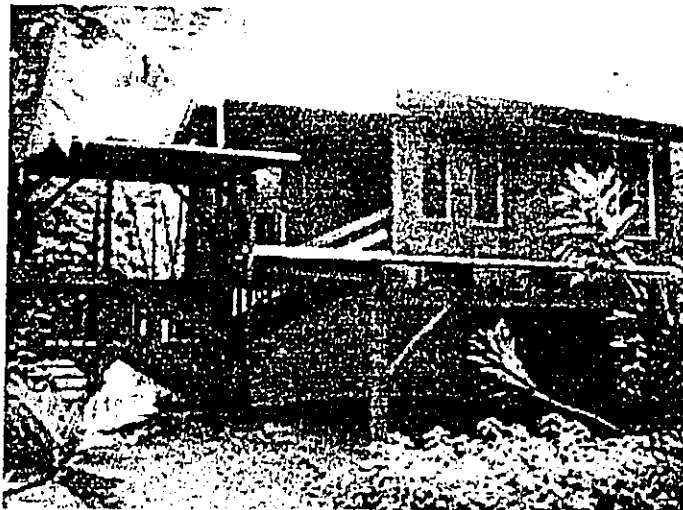


Image 8: on knoll looking down sea-facing side of cliff.



Above: Image 9: Adjacent lot to the West has cleared, ripped and leveled. It is currently being maintained as a large (>1 acre) lawn area



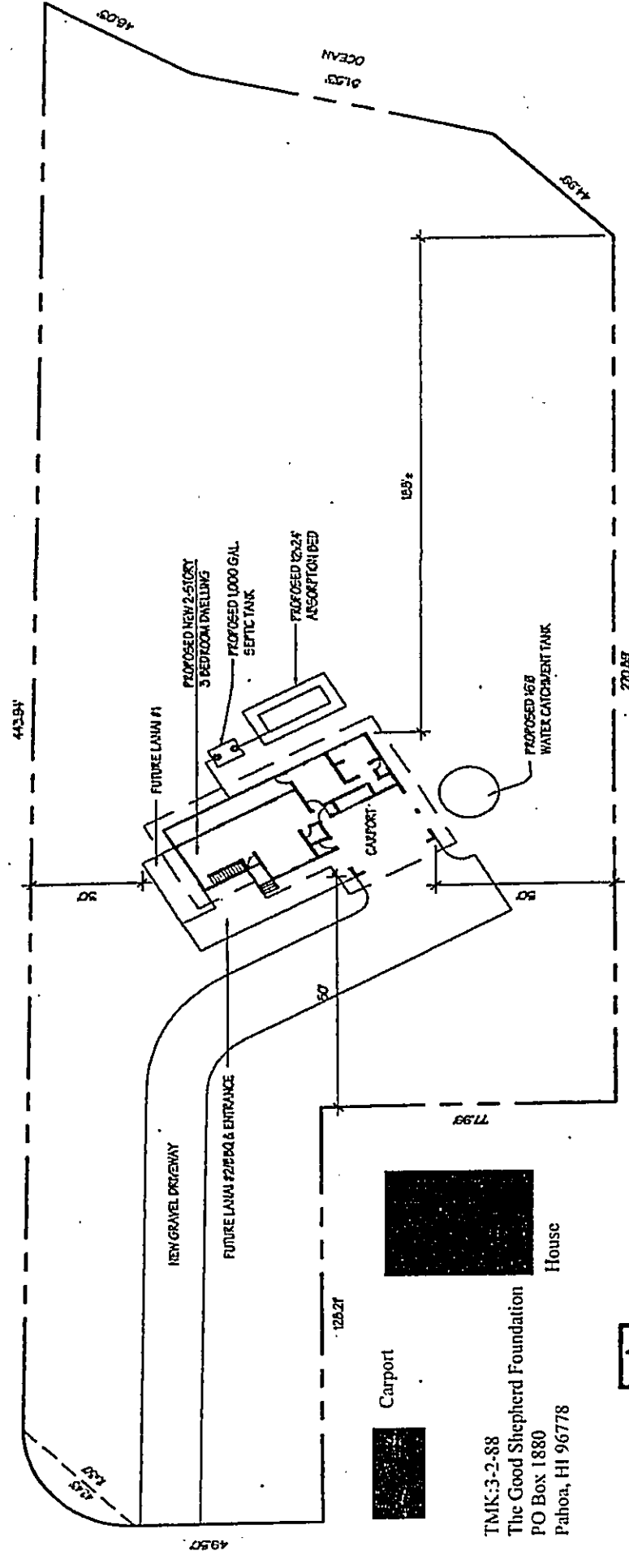
Left: Image 10: Adjacent property to NW has been cleared, ripped and leveled. The landscape is primarily open lawn with several plantings of fruit trees and exotic ornamentals (banana, heliconia, ginger, impatiens)

Site Plan

DOCUMENT CAPTURED AS RECEIVED

Future Home Site TMK: 3-2-69
Francis S. Tempkin TR
PO Box 780
Pahoa, HI 96778

Driveway



TMK: 3-2-88
The Good Shepherd Foundation
PO Box 1880
Pahoa, HI 96778



Area Map
SITE PLAN
r = 27

TMK: 3-1-3-2
Peter B. Allen, PMB 118, 111 E. Puainako St, Hilo, HI 96720
and
Alexander H. Carter, 305 E. Park #173, McCall, ID 83636



House

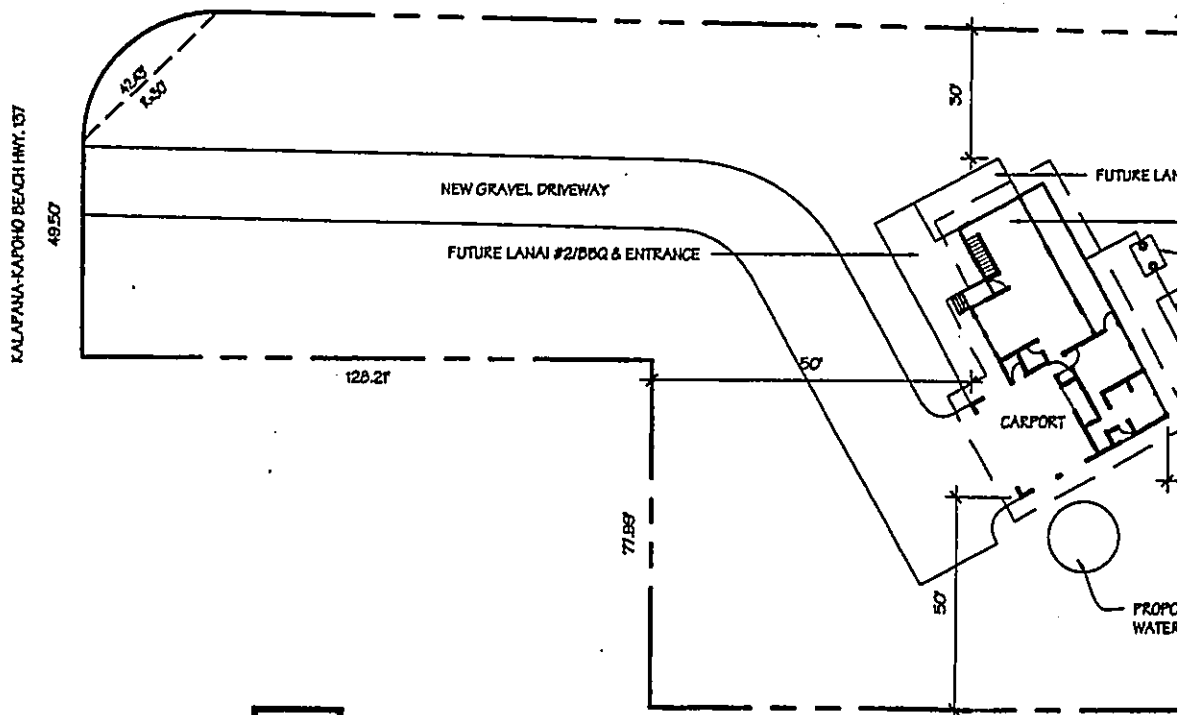
Construction Plan

NEW RESIDENCE FOR:

E. JEAN & E.J. PATERSON

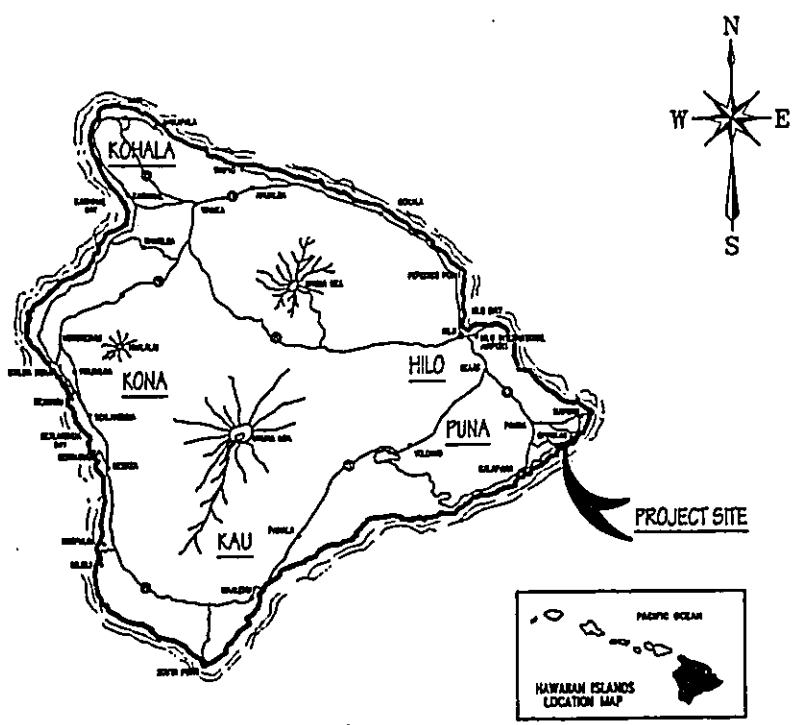
16 MM, KALAPANA-KAPOHO BEACH HIGHWAY 137,
KAMAILI-KAUELEAU, PUNA
T.M.K. (3) 1-3-02: 089 LOT 6-F

LOT SIZE:	1.5 ACRES
ZONING:	CONSERVATION
LIVING AREA:	2052.5 S.F.
NON-LIVING AREA:	856.0 S.F.

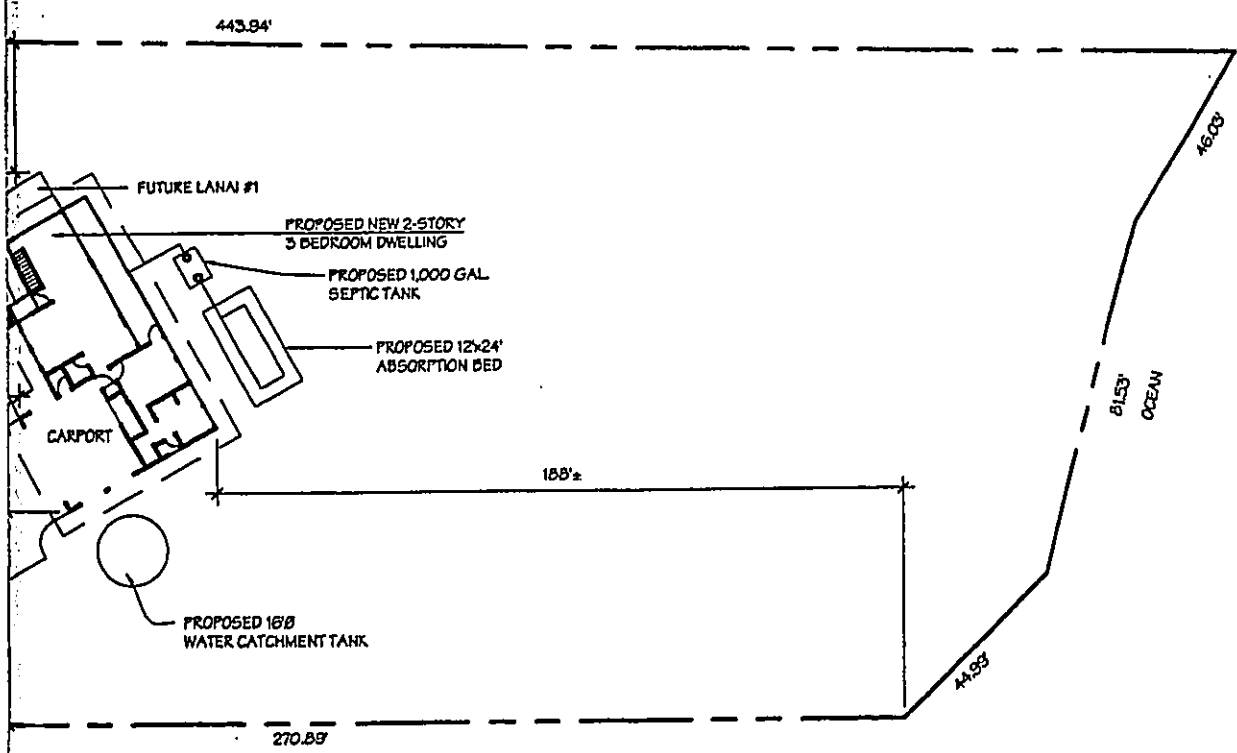


SITE PLAN

1" = 20'



LOCATION MAP
N.T.S.



ACCENT DESIGN SERVICES
P.O. BOX 5234
HILO, HAWAII 96720-8234
(808) 987-9333
www.accentdesignservices.com



THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION AND I AM A REGISTERED PROFESSIONAL ARCHITECT IN THE STATE OF HAWAII. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY FOR THIS PROJECT. I WILL BE LIABLE FOR OBSERVATION.

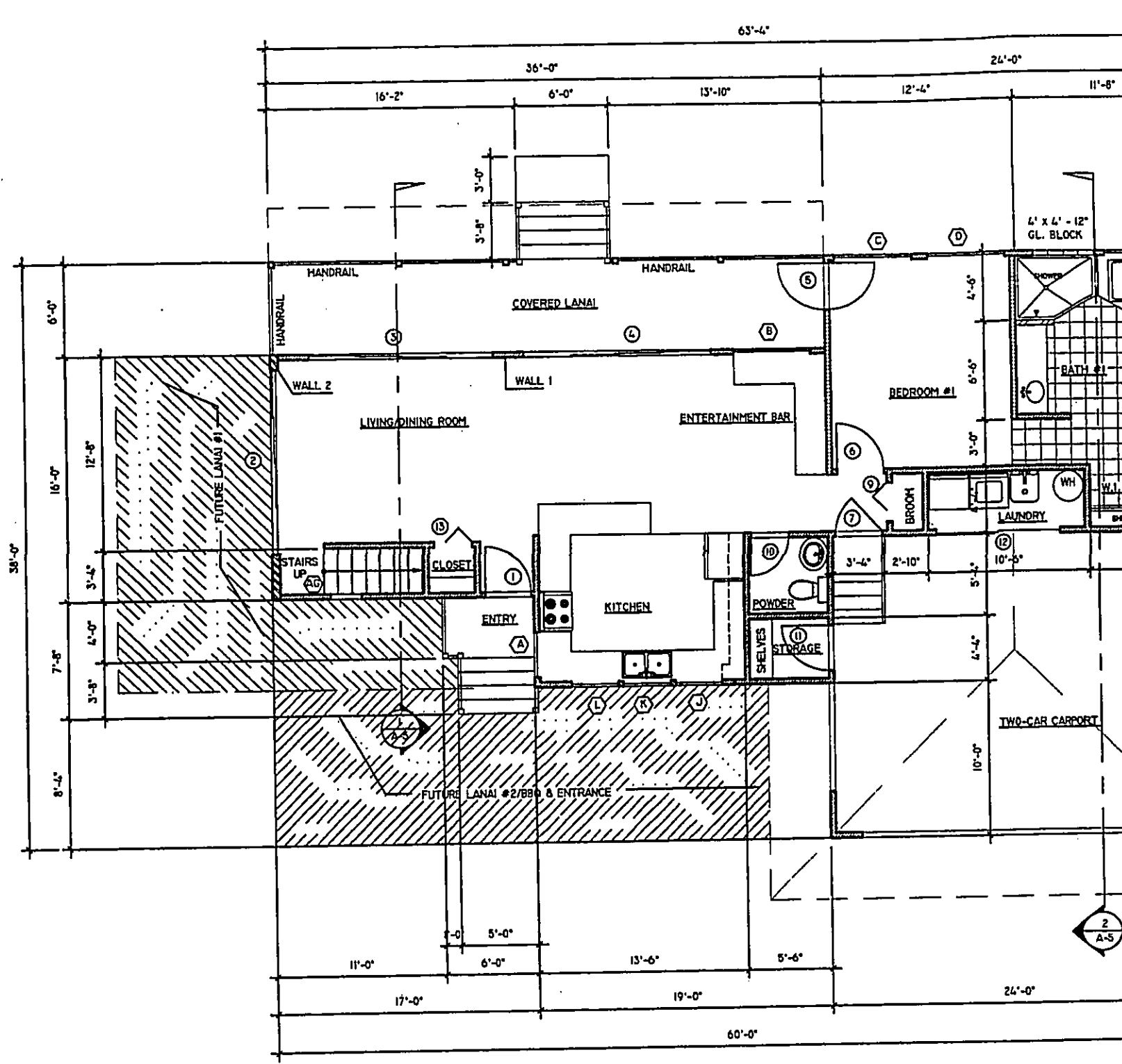


TITLE
TABULATIONS
LOCATION MAP
SITE PLAN

New Residence for:
E. JEAN & E.J. PATERSON
Hwy. 137 Kamalii, 16 Mile Marker
Opunihao, Hawaii
T.M.K.: (5) 1-3-002: 89

DATE: DEC. 2002
JOB NO. 0203PARO

SHEET
T-1







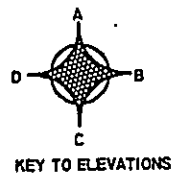
LOWER LEVEL FLOOR PLAN

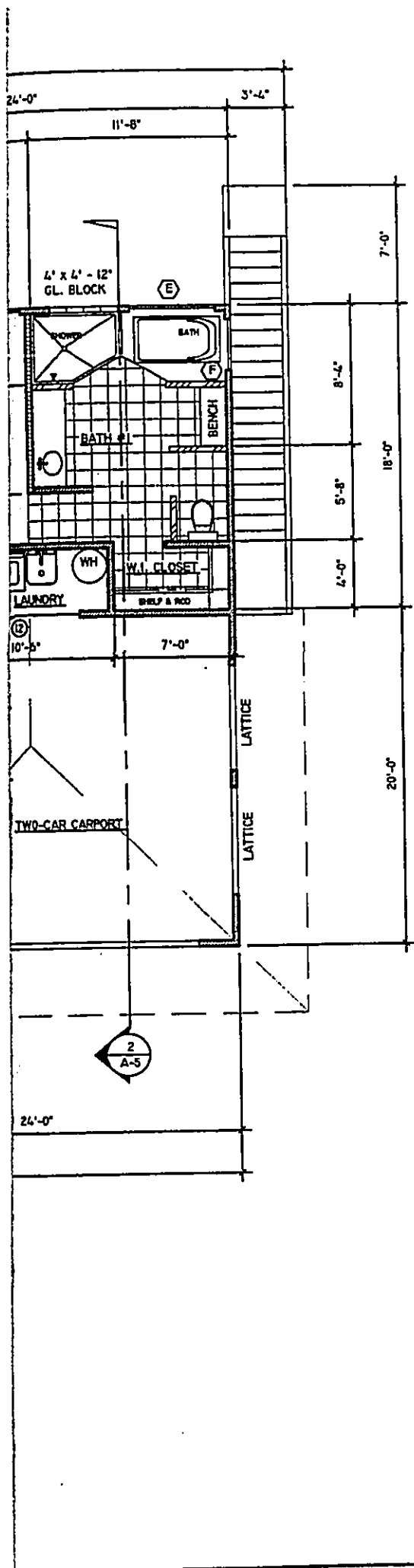
LIVING AREA:	1130.0 SF
NON-LIVING AREA:	856.0 SF
TOTAL:	1986.0 SF

1/4"=1'-0"

WALL LEGEND:

-  WALL 1 - 2X4 STUD WALL W/ 1/2" GYP. BD. ON INTERIOR
5/8" T1-11 EXT. PLYWOOD SIDING ON EXTERIOR
-  WALL 2 - 2X6 STUD WALL W/ 1/2" GYP. BD. ON INTERIOR
5/8" T1-11 EXT. PLYWOOD SIDING ON EXTERIOR
-  WALL 3 - 72" HIGH PARTITION WALL - 2X4 STUD WALL W/ 1/2" GYP. BD. BOTH SIDES
-  WALL 4 - 2X4 STUD WALL W/ 1/2" GYP. BD. ON BOTH SIDES
& 1/2" CDX PLYWD. ON ONE SIDE OF WALL





ACCENT DESIGN SERVICES
 P.O. BOX 5234
 HILO, HAWAII 96721-6234
 (808) 987-5353
 www.accentdesignhawaii.com



THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION AND CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.

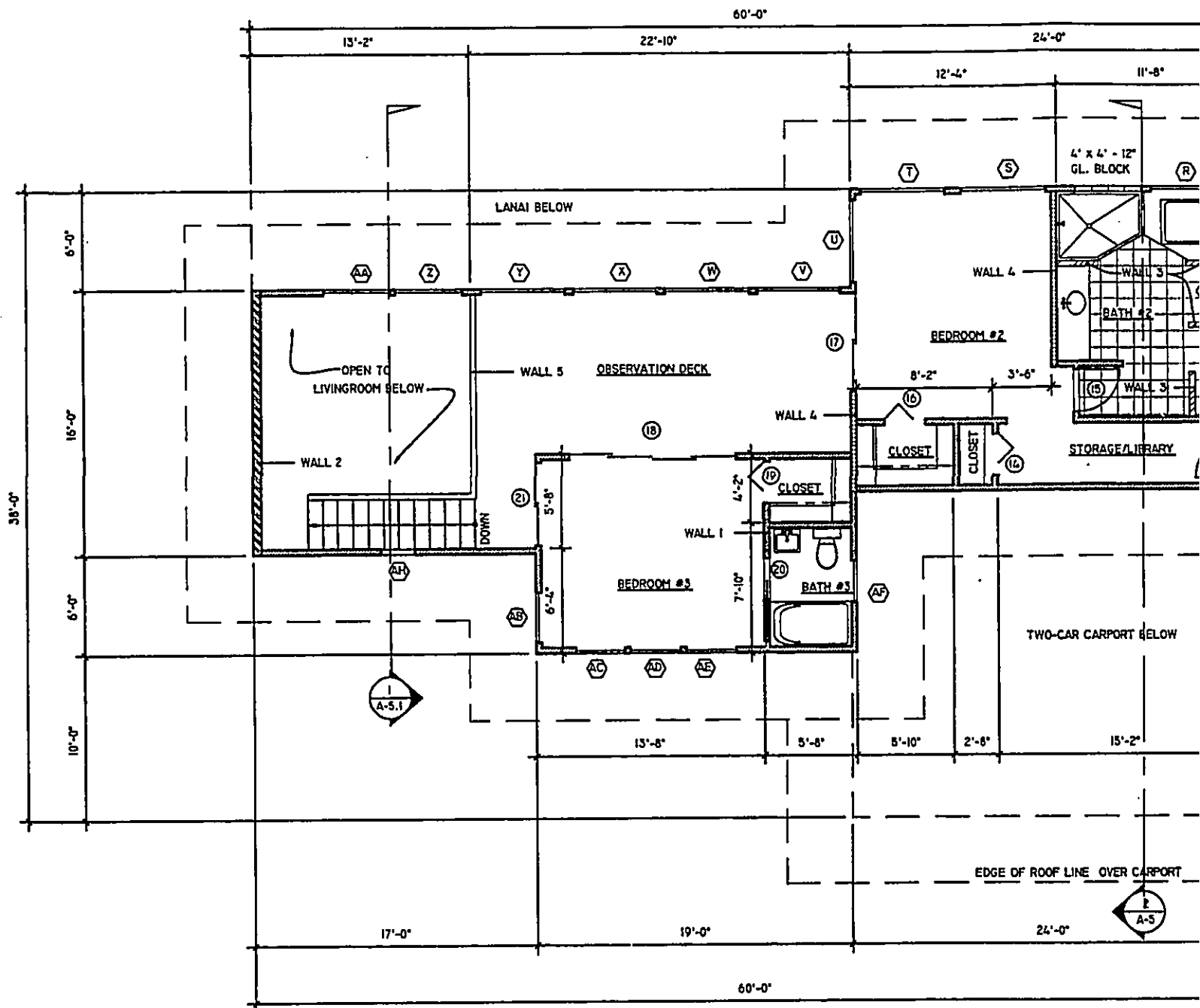
KEAT G. SANDERSON
 LICENSED PROFESSIONAL ARCHITECT
 HAWAII, HAWAII
 No. 10220

LOWER LEVEL FLOOR PLAN

New Residence for:
E. JEAN & E.J. PATERSON
 Hwy. 137 Kamalii, 16 Mile Marker
 Opihikao, Hawaii
 T.M.K.: (3) 1-3-002: 89

DATE: DEC. 2002
 JOB NO. 0203PARO

SHEET
A-1



UPPER LEVEL FLOOR PLAN

LIVING AREA: 922.5 SF

1/4"=1'-0"

WALL LEGEND:

(Hatched pattern symbol)

WALL 1 - 2x4 STUD WALL W/ 1/2" GYP. BD. ON INTERIOR
5/8" TI-II EXT. PLYWOOD SIDING ON EXTERIOR

(Hatched pattern symbol)

WALL 2 - 2x6 STUD WALL W/ 1/2" GYP. BD. ON INTERIOR
5/8" TI-II EXT. PLYWOOD SIDING ON EXTERIOR

(Hatched pattern symbol)

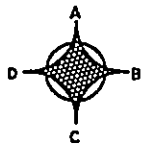
WALL 3 - 72" HIGH PARTITION WALL - 2x4 STUD WALL W/ 1/2" GYP. BD. BOTH SIDES

(Hatched pattern symbol)

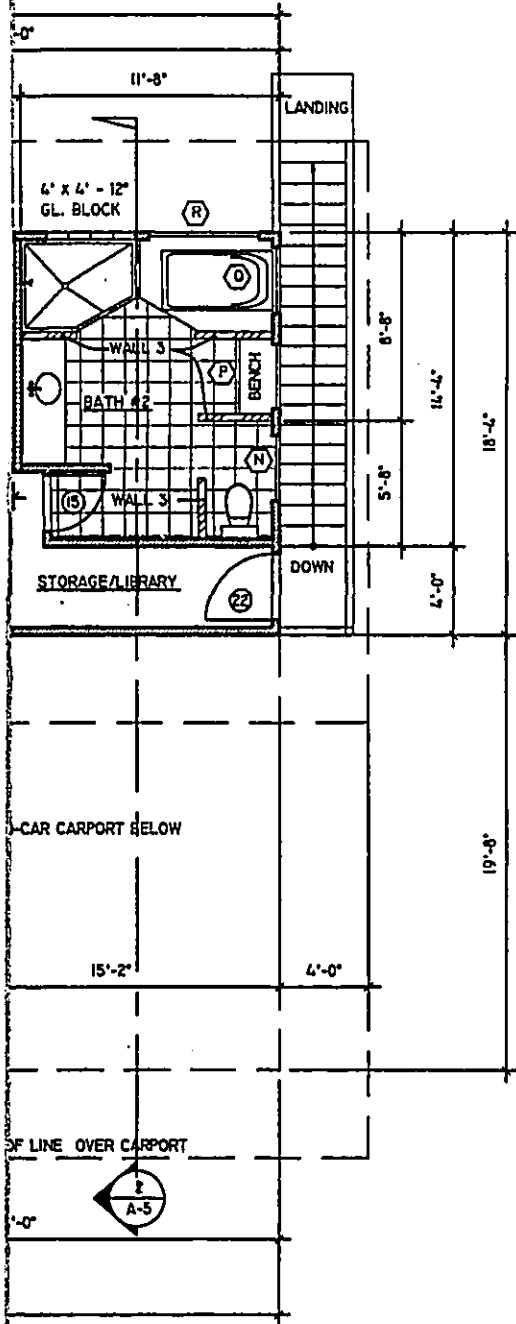
WALL 4 - 2x4 STUD WALL W/ 1/2" GYP. BD. ON BOTH SIDES
& 1/2" CDX PLYWD. ON ONE SIDE OF WALL

(Hatched pattern symbol)

WALL 5 - 48" HIGH PARTITION WALL - 2x4 STUD WALL W/ 1/2" GYP. BD. BOTH SIDES



KEY TO ELEVATIONS



ACCENT DESIGN SERVICES
 P.O. BOX 5234
 1110, HAWAII 96720-0234
 (808) 957-9353
 www.accentdesignservices.com



THIS WORK WAS REVIEWED BY A
 LICENSED ARCHITECTURAL AND
 CONSTRUCTION OFFICIAL
 CALL FOR UNDERSTANDING OBSERVATION



UPPER LEVEL FLOOR PLAN

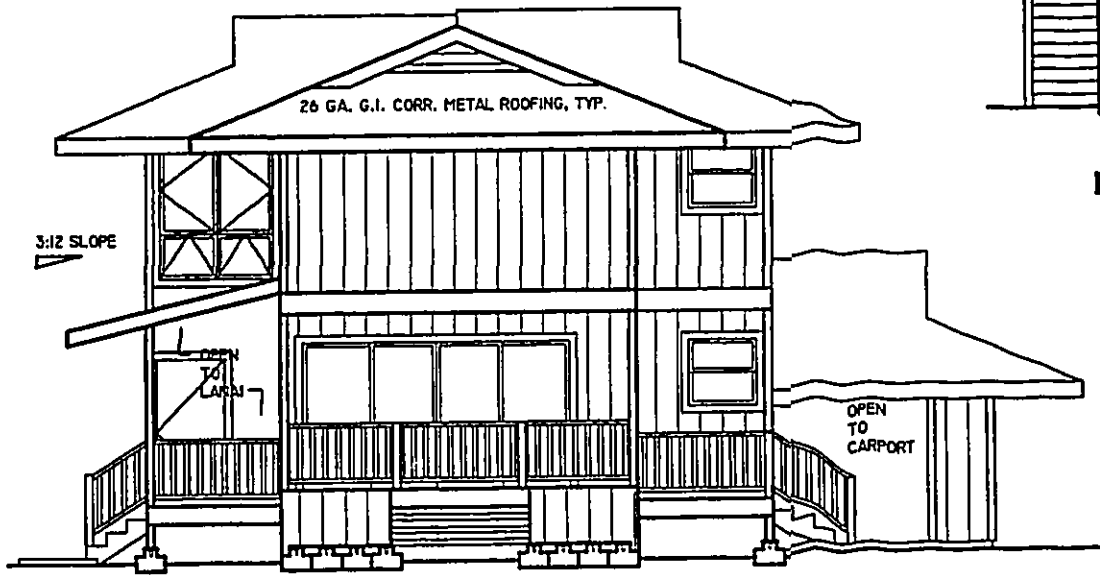
New Residence for:
E. JEAN & E.J. PATERSON
 Hwy. 137 Kamali, 16 Mile Marker
 Opihikao, Hawaii
 T.M.K.: (3) 1-3-002: 89

DATE: DEC. 2002

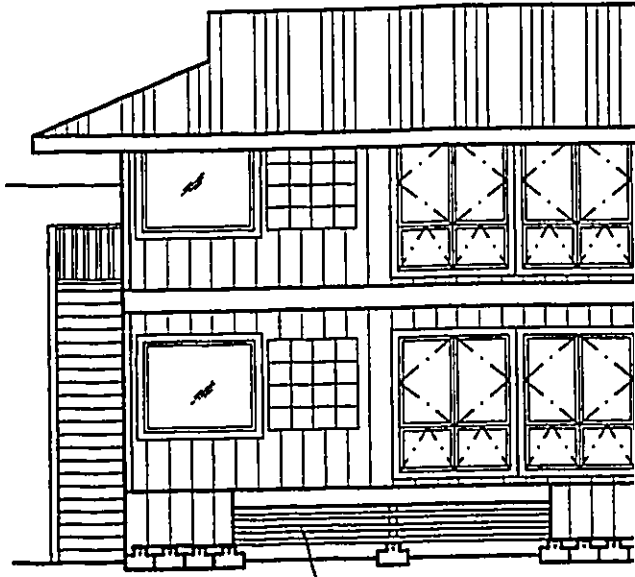
JOB NO. 0203PARO

SHEET

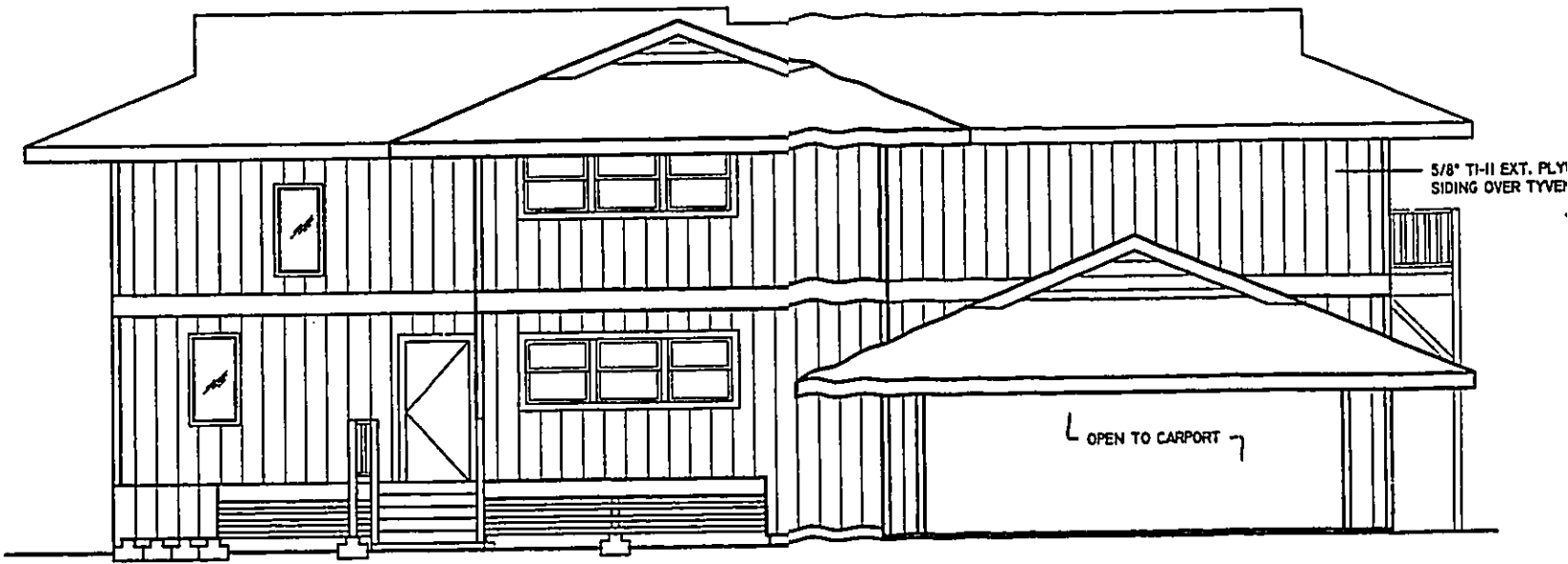
A-1.1



LEFT ELEVATION - "C"

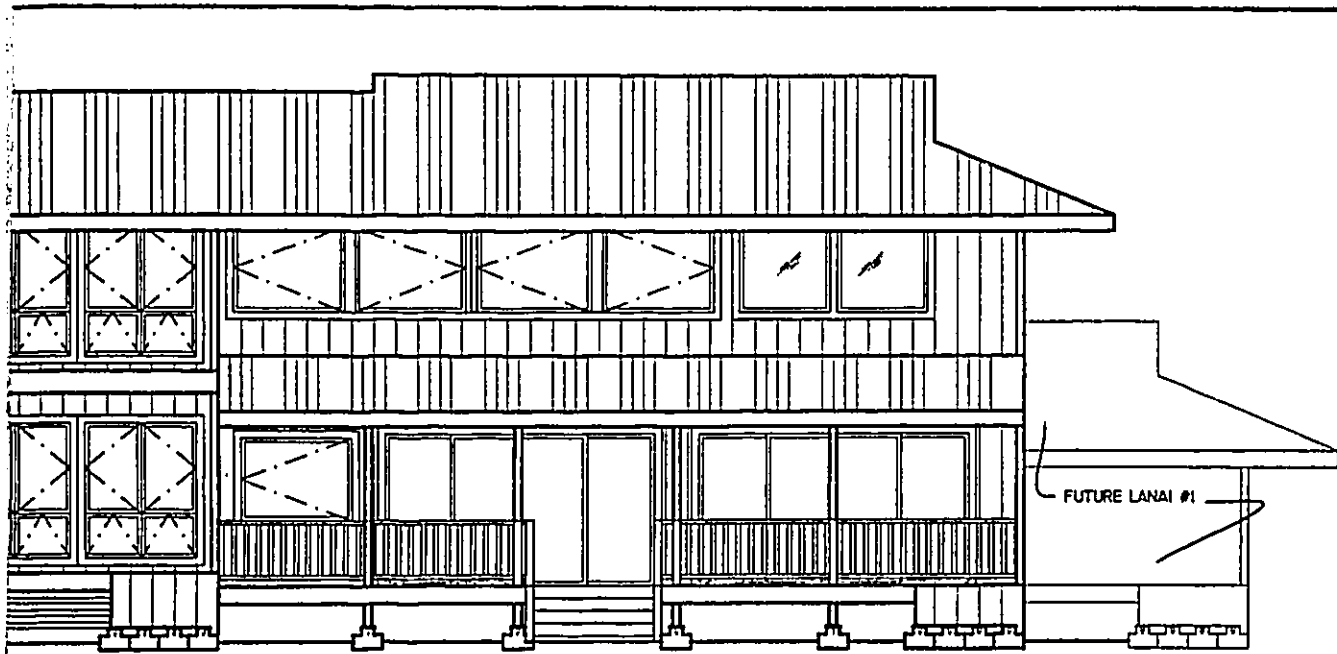


REAR ELEVATION - "D"

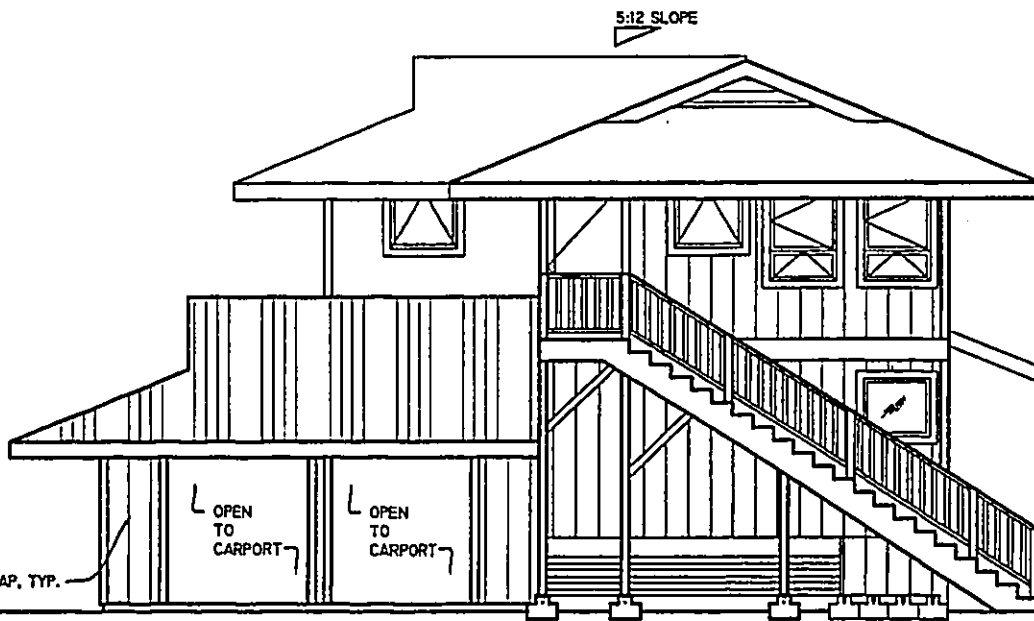


FRONT ELEVATION - "A"

EXTERIOR ELE
1/16"=1'-0"



D"



RIGHT ELEVATION - "B"

ERIOR ELEVATIONS

REVISIONS

△
△
△
△
△

ACCENT DESIGN SERVICES

P.O. BOX 5234
HILO, HAWAII 96720-8234
(808) 982-9353
www.accentdesignservices.com



THIS WORK WAS PREPARED BY AN ARCHITECT OR ARCHITECTURAL CONSULTANT FOR THIS PROJECT AND WILL BE SUBJECT TO OBSERVATION.



EXTERIOR ELEVATIONS

New Residence for:
E. JEAN & E.J. PATERSON
Hwy. 137 Kamalii, 16 Mile Marker
Opihikao, Hawaii
T.M.K.: (3) 1-3-002: 89

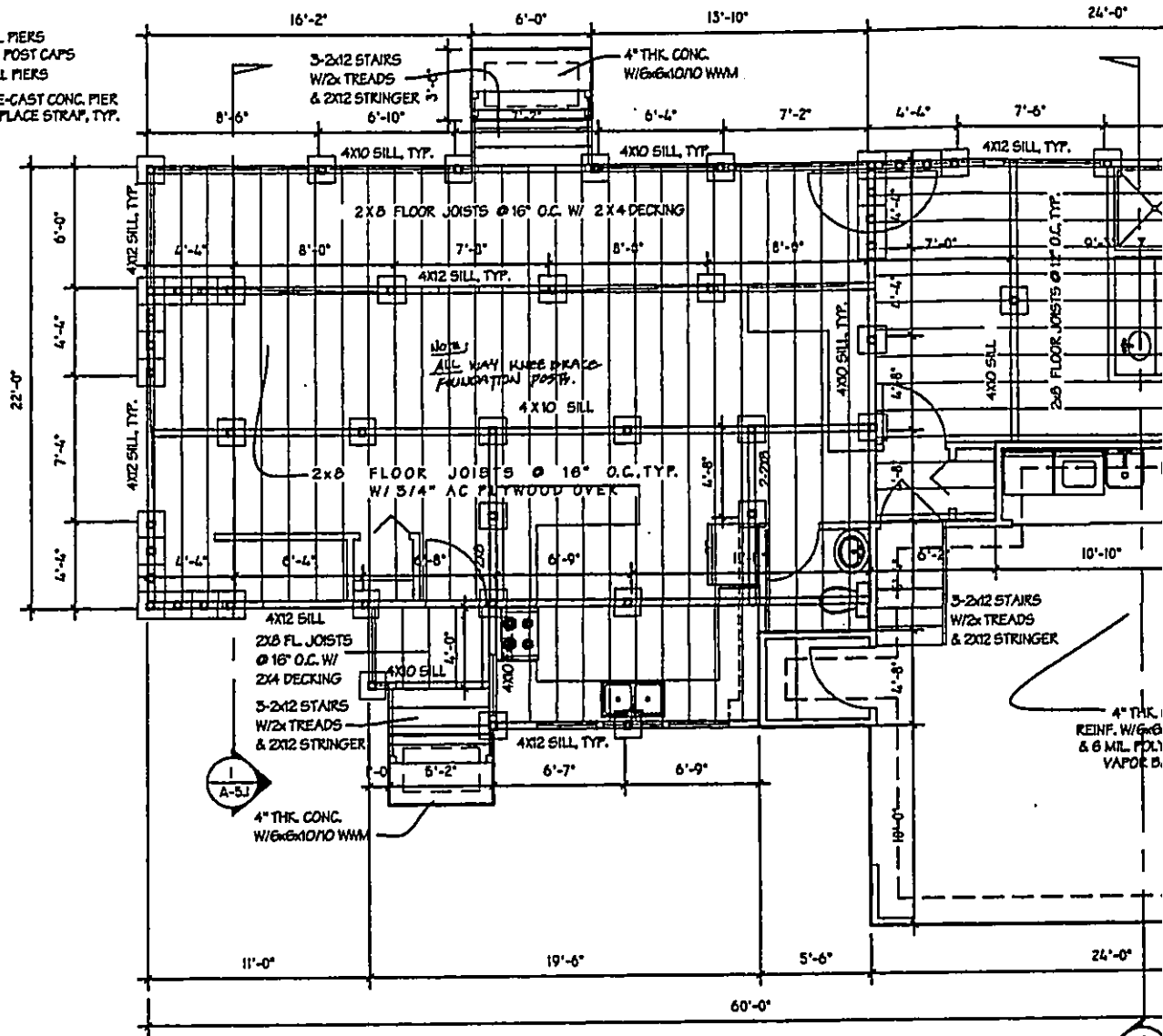
DATE: DEC. 2002

JOB NO. 0203PARO

SHEET

A-2

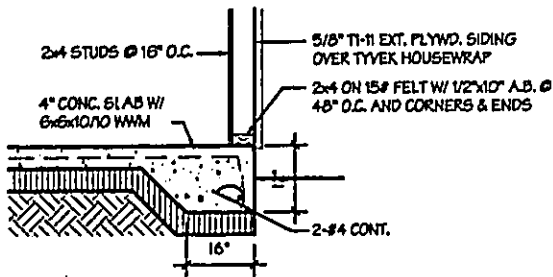
L5T16 @ ALL PIERS
 PC44 @ ALL POST CAPS
 LCB44 @ ALL PIERS
 16x16x8 PRE-CAST CONC. PIER
 W/CAST-IN-PLACE STRAP, TYP.



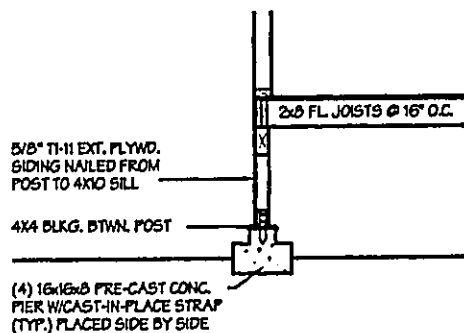
FOUNDATION/FLOOR FRAMING PLAN

1/4" = 1'-0"

2x4 GRASPABLE RAIL
 @ 36" ABOVE NOSING



A FOUNDATION DETAIL
 3/4" = 1'-0"

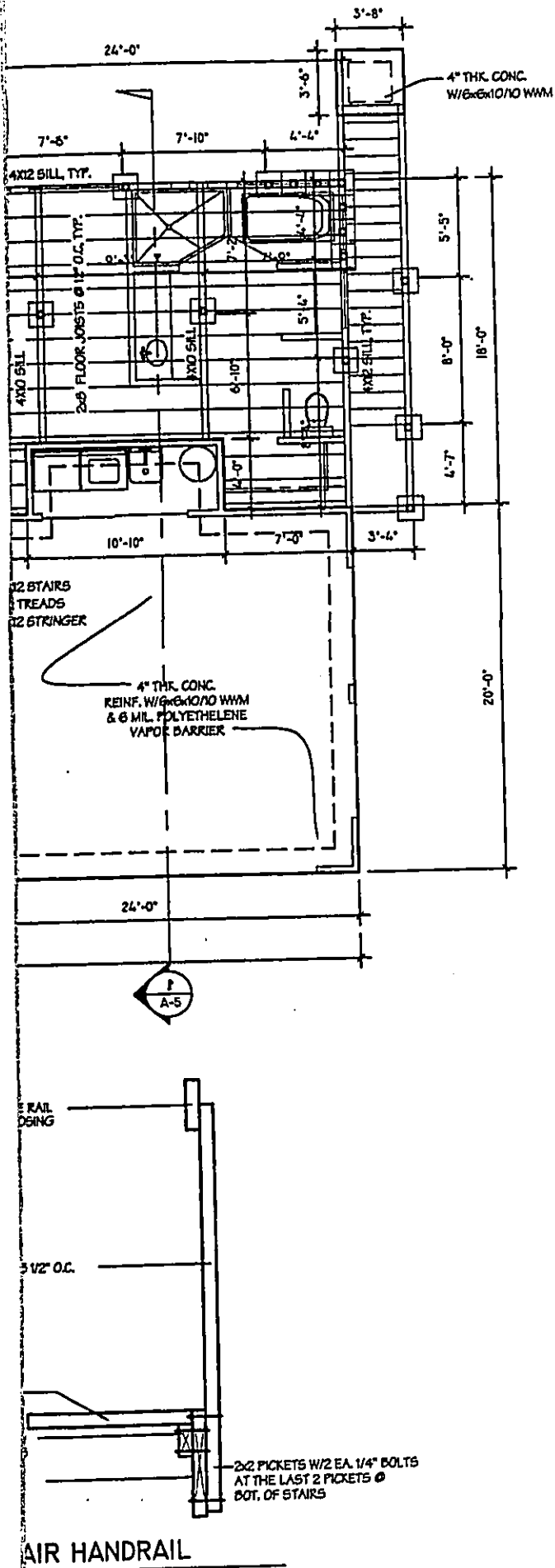


B FOUNDATION DETAIL
 1/2" = 1'-0"

2x2 PICKETS @ 5 1/2" O.C.

2x4 TREAD
 2x4 CLEAT W/
 2 EA. 1/4" BOLTS
 2x12 STRINGER

C STAIR HANDRAIL
 1 1/2" = 1'-0"



REVISIONS	
△	
△	
△	
△	

ACCENT DESIGN SERVICES
 P.O. BOX 5234
 1110, HAWAII 96720-8234
 (808) 962-5335
 www.accentdesignservices.com



THIS WORK WAS PREPARED BY AN ARCHITECT OR ARCHITECTS AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THIS PROJECT SHALL BE BASED ON THE OBSERVATIONS.

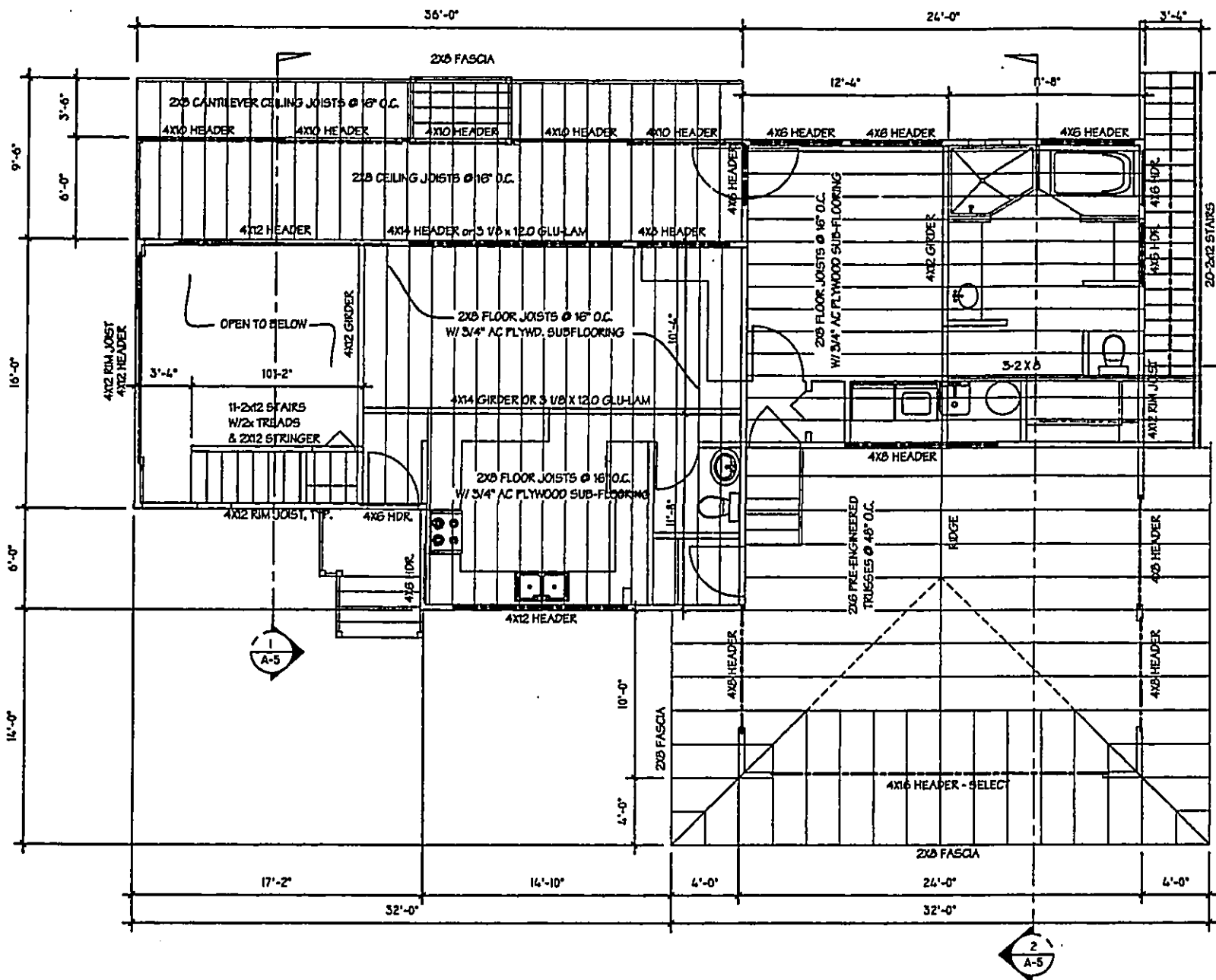


FOUNDATION/FLOOR FRAMING PLAN
 FOUNDATION DETAILS
 STAIR HANDRAIL DETAIL

New Residence for:
E. JEAN & E.J. PATERSON
 Hwy. 157 Kamalii, 16 Mile Marker
 Opihikao, Hawaii
 T.M.K.: (3) 1-3-002: 89

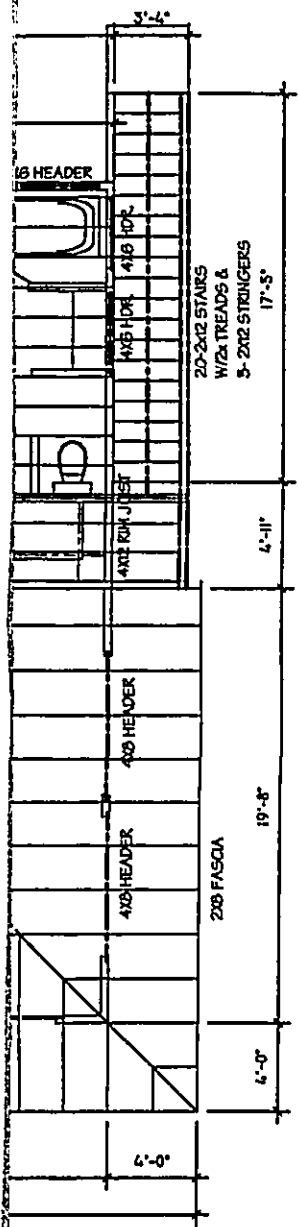
DATE: DEC. 2002
 JOB NO. 0203PARO
 SHEET

A-3



UPPER LEVEL FLOOR FRAMING PLAN

1/4"=1'-0"



REVISIONS	
△	
△	
△	
△	

ACCENT DESIGN SERVICES
 P.O. BOX 5234
 HILO, HAWAII 96720-8234
 (808) 987-9333
 www.accentdesignservices.com



THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION AND I AM A LICENSED PROFESSIONAL ARCHITECT. MY OBSERVATION WILL BE LIMITED TO OBSERVATION.

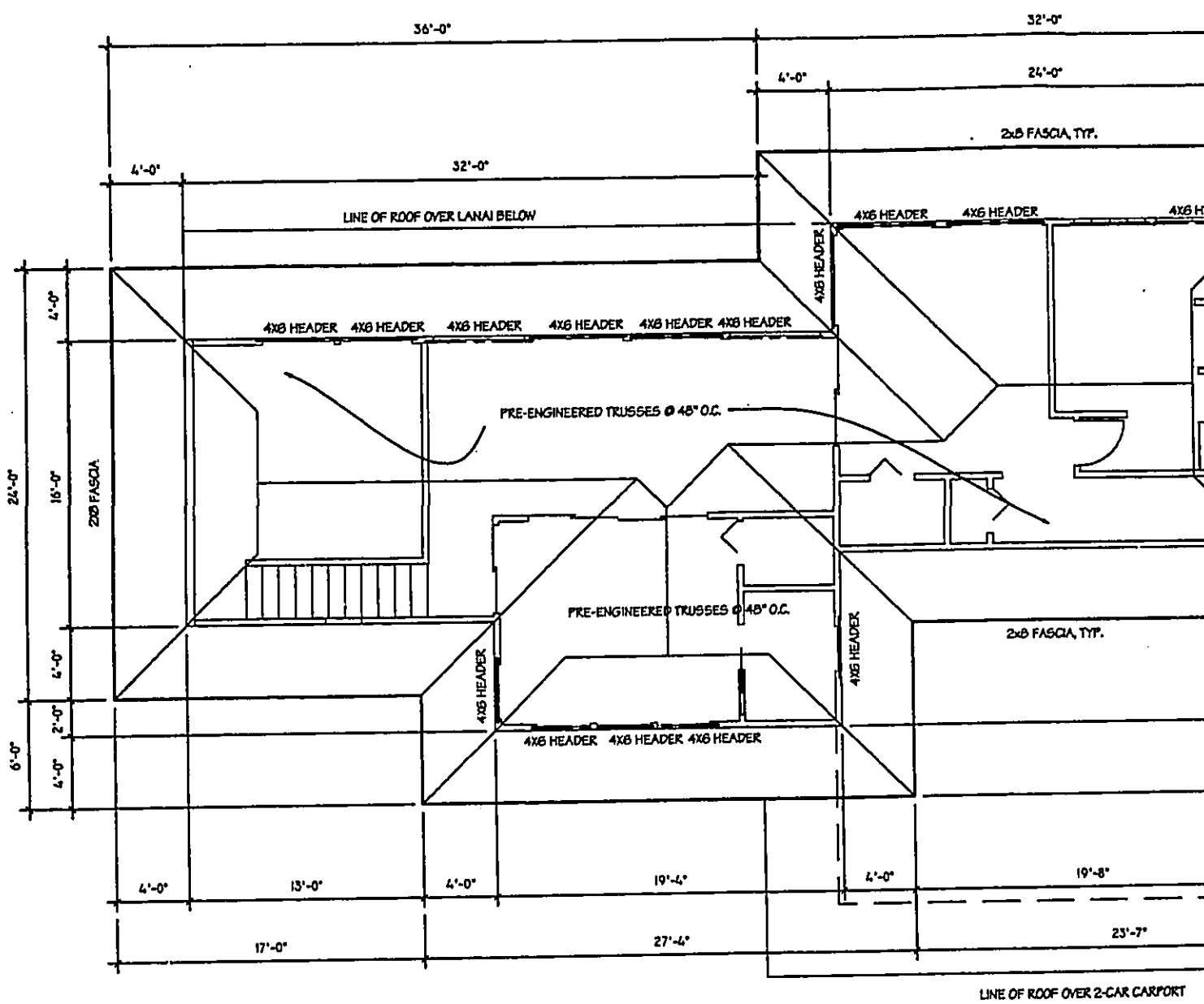


UPPER LEVEL FLOOR FRAMING

New Residence for
E. JEAN & E.J. PATERSON
 Hwy. 137 Kamalii, 16 Mile Marker
 Opititiao, Hawaii
 T.M.K. (5) 1-3-002: 89

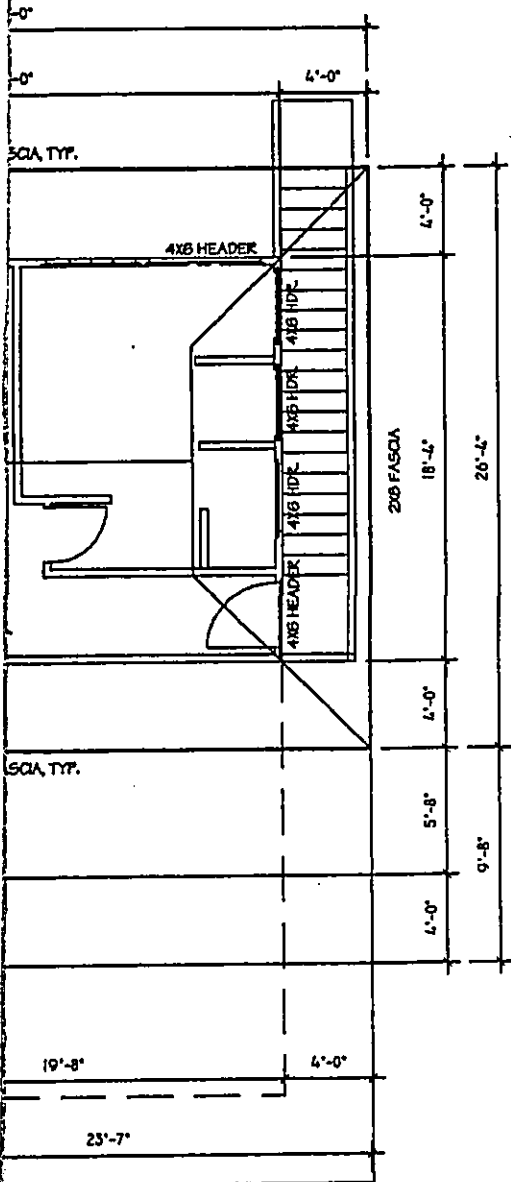
DATE: DEC. 2002
 JOB NO. 020SPARO

SHEET
A-3.1



ROOF FRAMING PLAN

1/4"=1'-0"



REVISIONS
△
△
△
△

ACCENT DESIGN SERVICES
 P.O. BOX 5234
 HILO, HAWAII 96720-6234
 (808) 982-8333
 www.accentdesignservices.com



THIS WORK WAS APPROVED BY ME AS THE LICENSED PROFESSIONAL ARCHITECT FOR THIS PROJECT. I WILL BE UNDER NO OBSERVATION.



ROOF FRAMING PLAN

New Residence for:
E. JEAN & E.J. PATERSON
 Hwy. 137 Kamaile, 16 Mile Marker
 Opihikao, Hawaii
 T.M.K.: (3) 1-3-002: 89

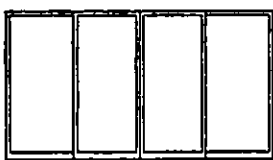
DATE: DEC 2002
 JOB NO. 0203FARO

SHEET
A-3.2

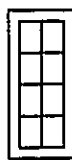
MARK	TYPE	SIZE W X H	THK.	REMARKS
①	A	3'0" x 6'8"	1-3/4"	W/THRESHOLD R/H SWING
②	B	12'0" x 6'8"	—	
③	B	12'0" x 6'8"	—	
④	B	12'0" x 6'8"	—	
⑤	C	3'0" x 6'8"	1-3/4"	W/THRESHOLD & ALUM. SCREEN DR. R/H SWING
⑥	D	3'0" x 6'8"	1-3/8"	L/H SWING
⑦	E	3'0" x 6'8"	1-3/4"	20 MIN. FIRE-RATED W/ THRESHOLD R/H SWING
⑧	D	2'6" x 6'8"	1-3/8"	L/H SWING
⑨	H	3'0" x 6'8"	1-3/8"	
⑩	D	2'6" x 6'8"	1-3/8"	R/H SWING
⑪	D	3'0" x 6'8"	1-3/8"	R/H SWING
⑫	F	8'0" x 6'8"	1-3/8"	
⑬	H	3'0" x 6'8"	1-3/8"	
⑭	D	2'6" x 6'8"	1-3/8"	
⑮	D	2'6" x 6'8"	1-3/8"	L/H SWING
⑯	H	3'0" x 6'8"	1-3/8"	
⑰	F	6'0" x 6'8"	1-3/8"	
⑱	G	2-5'0" x 6'8"	—	SHOJI SLIDING DOORS
⑲	H	3'0" x 6'8"	1-3/8"	L/H SWING
⑳	J	2'6" x 6'8"	1-3/8"	L/H SWING
㉑	G	5'0" x 6'8"	—	SHOJI SLIDING DOORS
㉒	C	3'0" x 6'8"	1-3/4"	W/THRESHOLD L/H SWING
○				
○				
○				
○				



A
SOLID CORE
RAISED PANEL
W/GL. (& PANEL)



B
4 PANEL SLIDING GLASS, CLEAR
VINYL FRAME
W/SLIDING SCREEN



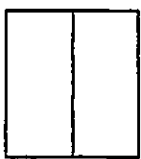
C
SOLID CORE,
FRENCH DOOR



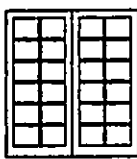
D
HOLLOW CORE
RAISED PANEL



E
SOLID CORE,
& SCREEN DR.
RAISED PANEL



F
HOLLOW CORE
BI-PASS



G
WOOD SHOJI
SLIDING DOORS



H
BI-FOLD DOOR
HOLLOW CORE
RAISED PANEL



J
POCKET DOOR
HOLLOW CORE

DOOR SCHEDULE & TYPES

1/4"=1'-0"

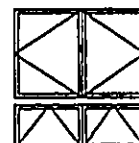
MARK	TYPE	SIZE W X H	GLASS	REMARKS
Ⓐ	1	3'0" x 3'0"		
Ⓑ	4	5'0" x 3'0"		
Ⓒ	3	5'0" x 6'0"		
Ⓓ	3	5'0" x 6'0"		
Ⓔ	2	5'0" x 4'0"	SAFETY	
Ⓕ	2	3'0" x 4'0"		
Ⓖ		OMITTED		
Ⓗ		OMITTED		
Ⓙ	1	3'0" x 3'0"		
Ⓚ	1	3'0" x 3'0"		
Ⓛ	1	3'0" x 3'0"		
Ⓜ	5	3'0" x 2'6"		
Ⓝ	5	3'0" x 2'6"		
Ⓟ	6	3'0" x 4'0"		
Ⓠ	6	3'0" x 4'0"		
Ⓡ	2	5'0" x 4'0"	SAFETY	
Ⓢ	3	5'0" x 4'0"		
Ⓣ	3	5'0" x 4'0"		
Ⓤ	3	5'0" x 4'0"		
Ⓥ	4	5'0" x 4'0"		
Ⓦ	4	5'0" x 4'0"		
Ⓧ	4	5'0" x 4'0"		
Ⓨ	4	5'0" x 4'0"		
Ⓩ	2	4'0" x 4'0"	SAFETY	
Ⓐ	2	4'0" x 4'0"	SAFETY	
Ⓒ	1	3'0" x 3'0"		
Ⓓ	1	3'0" x 3'0"		
Ⓔ	1	3'0" x 3'0"		
Ⓕ	1	3'0" x 3'0"		
Ⓖ	5	3'0" x 2'6"		
Ⓗ	7	2'0" x 4'0"		
Ⓙ	7	2'0" x 4'0"		



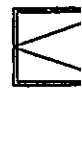
1
DBL. HUNG WINDOW
CLEAR GLASS
VINYL FRAME
W/ SCREEN



2
FIXED GLASS WINDOW
CLEAR GLASS
VINYL FRAME



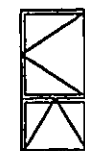
3
DBL. CASEMENT &
AWNING WINDOW COMBO
VINYL FRAME
W/ SCREEN



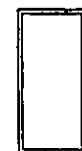
4
CASEMENT
CLEAR GLASS
VINYL FR
W/ SCREEN



5
AWNING WINDOW
CLEAR GLASS
VINYL FRAME
W/ SCREEN



6
CASEMENT &
AWNING WINDOW COMBO
CLEAR GLASS
VINYL FRAME
W/ SCREEN

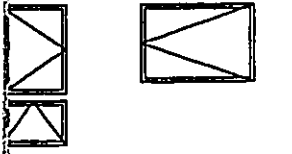


7
FIXED GLASS PANEL
STAINED/ETCHED GLASS
VINYL FRAME

WINDOW SCHEDULE & TYPES

1/4"=1'-0"

REMARKS	SCREEN
	Y
	Y
	Y
	Y
	N
	N
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	N
	N
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	Y
	N
	N



MENT & WINDOW COMBO ME
 CASEMENT WINDOW CLEAR GLASS VINYL FRAME W/ SCREEN

GLASS PANEL ETCHED GLASS ME

TYPES

REVISIONS
△
△
△
△
△

ACCENT DESIGN SERVICES
 P.O. BOX 5234
 HILO, HAWAII 96720-8234
 (808) 982-9353
 www.accentdesignservices.com



THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION AND CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.

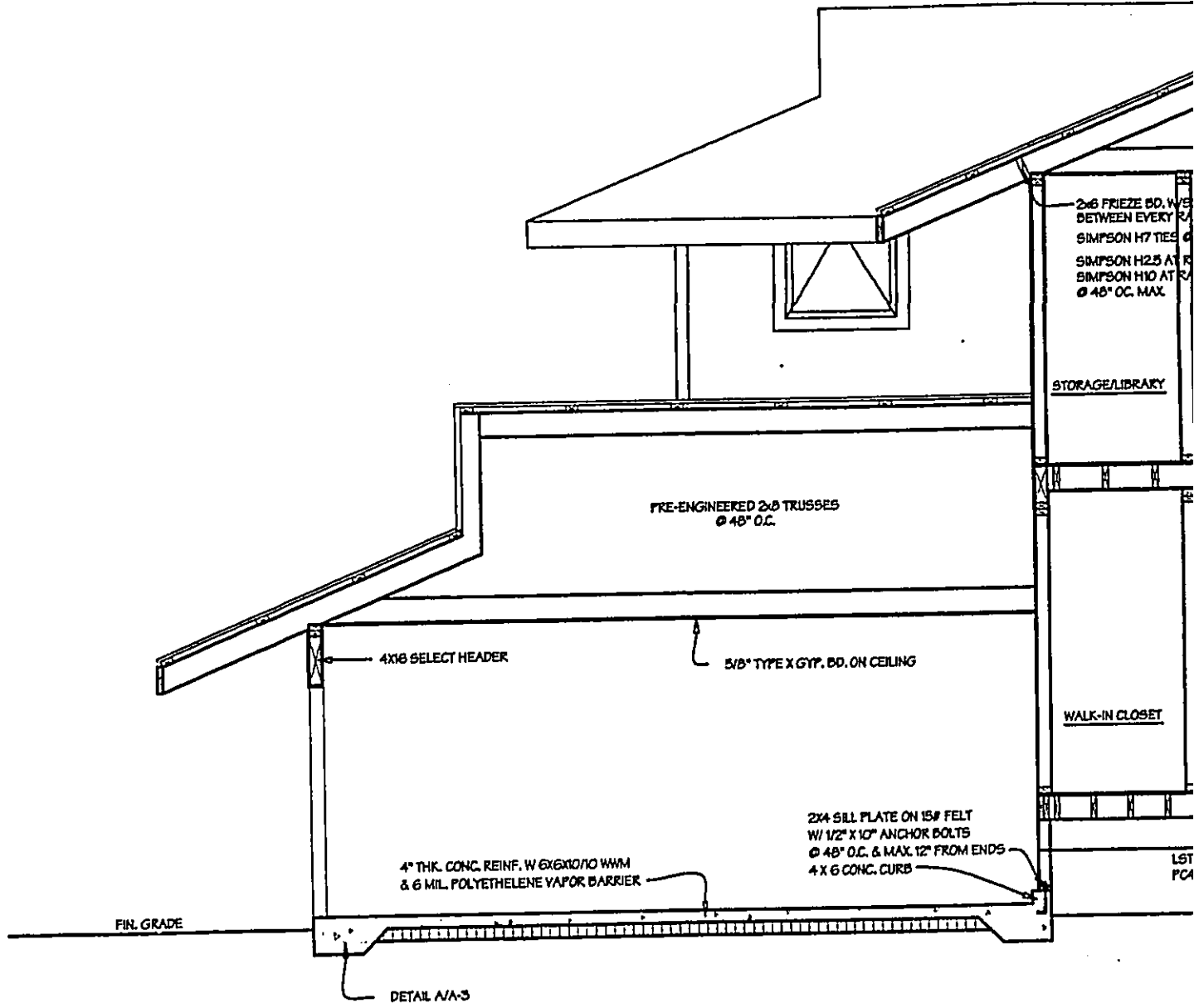
DOOR SCHEDULE & TYPES
 WINDOW SCHEDULE & TYPES

New Residence for:
E. JEAN & E.J. PATERSON
 Hwy. 157 Kamalii, 16 Mile Marker
 Opihikao, Hawaii
 T.M.K. (S) 1-3-002-89

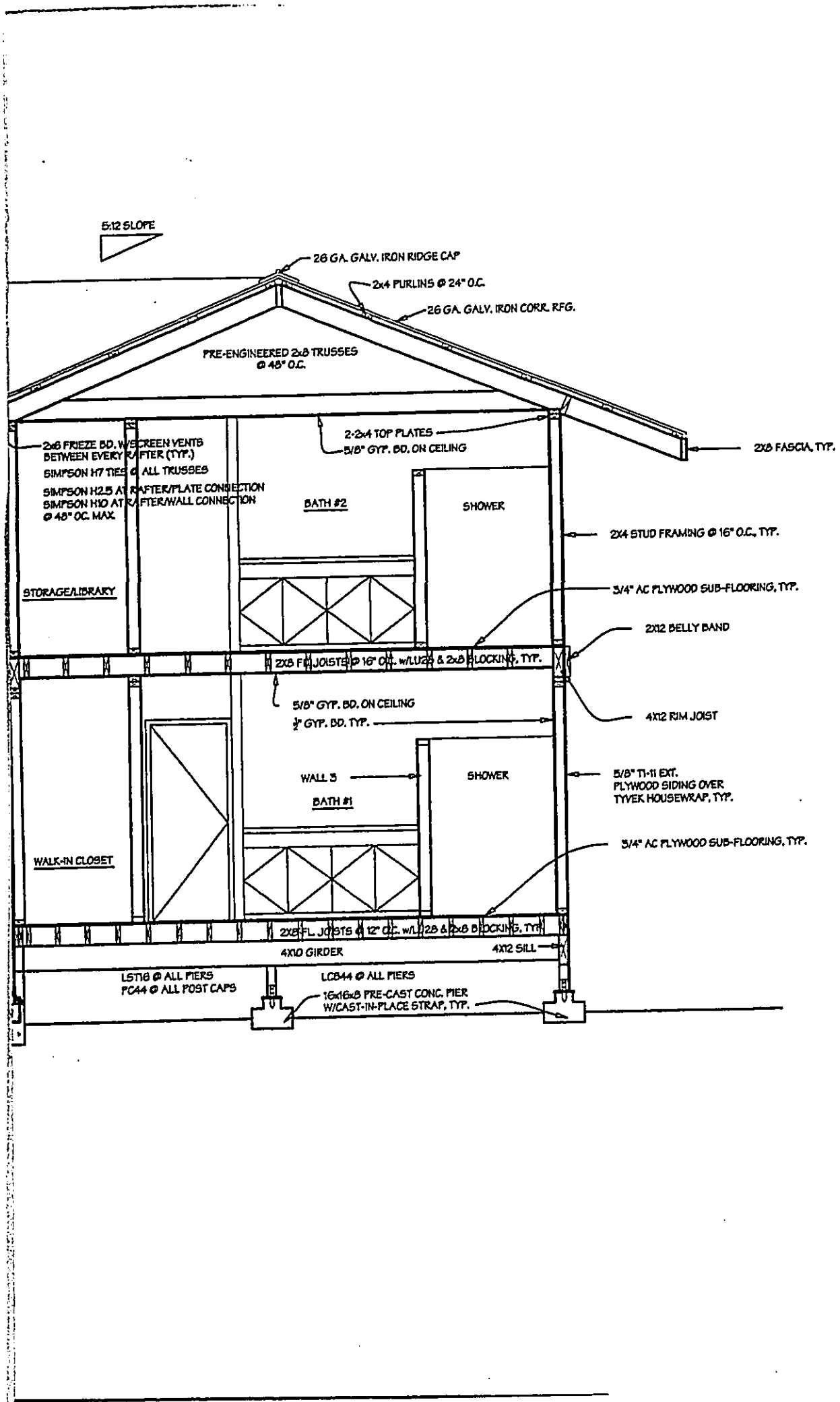
DATE: DEC 2002
 JOB NO. 0203PARO
 SHEET

A-4

5:12 SLU



BUILDING SECTION
1/2" = 1'-0"



ACCENT DESIGN SERVICES
 P.O. BOX 5234
 HILO, HAWAII 96720-8234
 (808) 982-9333
 www.accentdesignservices.com



THIS WORK WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED PROFESSIONAL ARCHITECT WILLING TO BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THIS PROJECT.

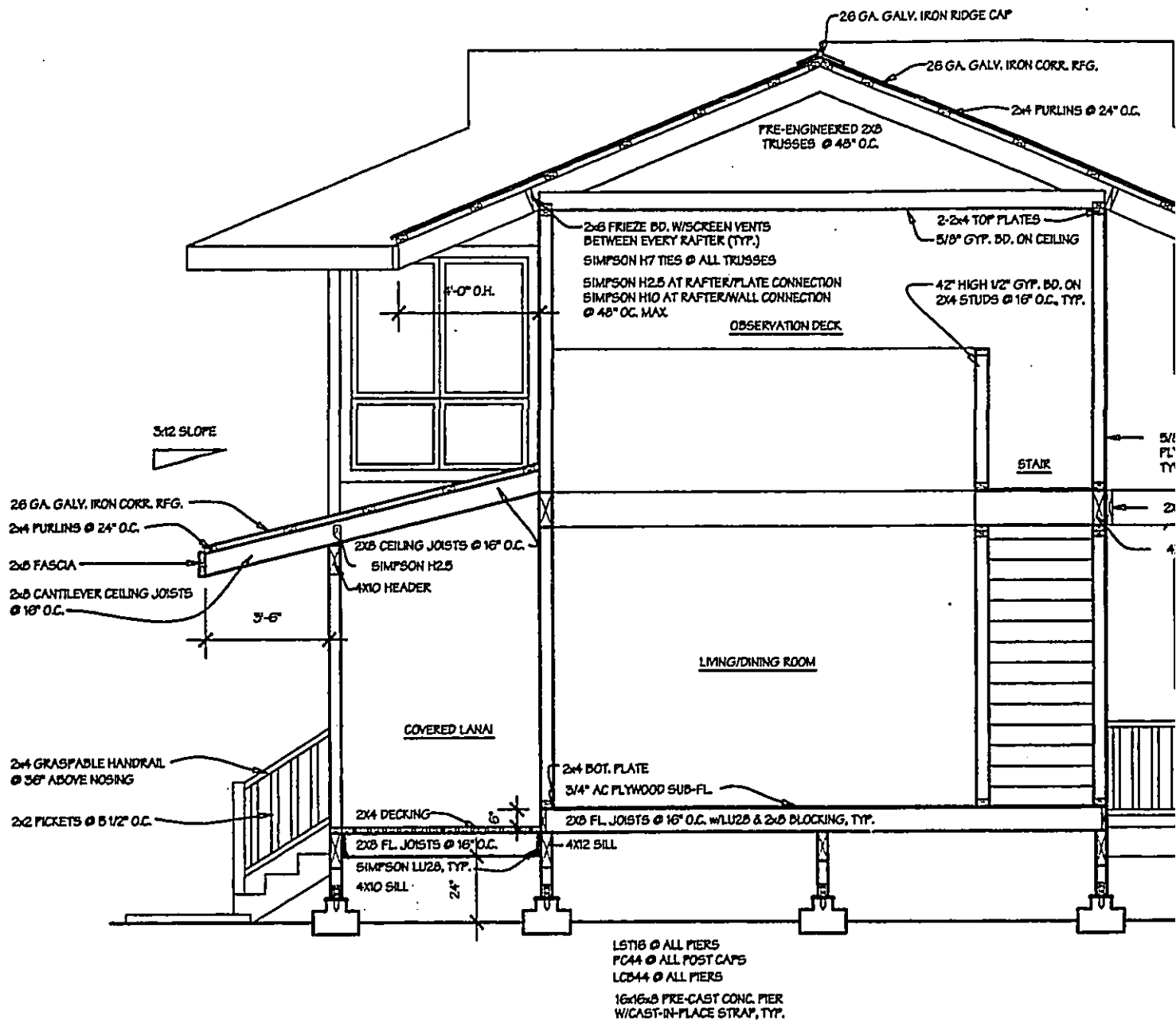


BUILDING SECTIONS

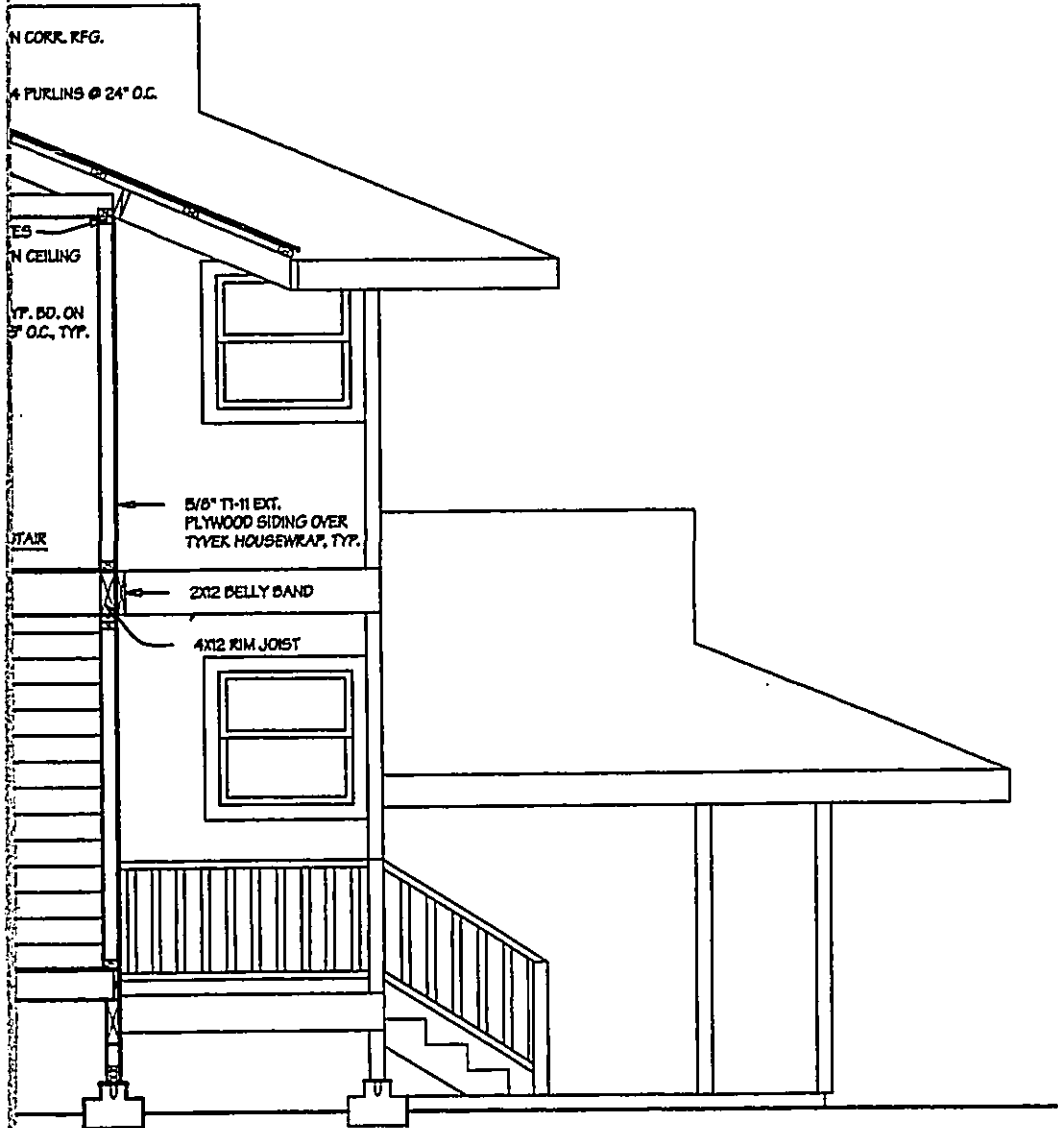
New Residence for:
E. JEAN & E.J. PATERSON
 Hwy. 137 Kamaili, 16 Mile Marker
 Opihikao, Hawaii
 T.M.K.: (5) 1-3-002: 89

DATE: DEC. 2002
 JOB NO. 0203PARO

SHEET
A-5



1 BUILDING SECTION
 A-5.1 1/2" = 1'-0"



REVISIONS	
△	
△	
△	
△	

ACCENT DESIGN SERVICES
 P.O. BOX 5254
 HILO, HAWAII 96720-8254
 (808) 982-9353
 www.accentdesignhawaii.com



THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION AND I AM A LICENSED PROFESSIONAL ARCHITECT IN THE STATE OF HAWAII. MY OBSERVATION WILL BE LIMITED TO OBSERVATION.



BUILDING SECTIONS

New Residence for:
E. JEAN & E.J. PATERSON
 Hwy. 137 Kamalii, 16 Mile Marker
 Opihikao, Hawaii
 T.M.K. (3) 1-3-002-89

DATE: DEC. 2002
 JOB NO. 0203PARO

SHEET
A-5.1



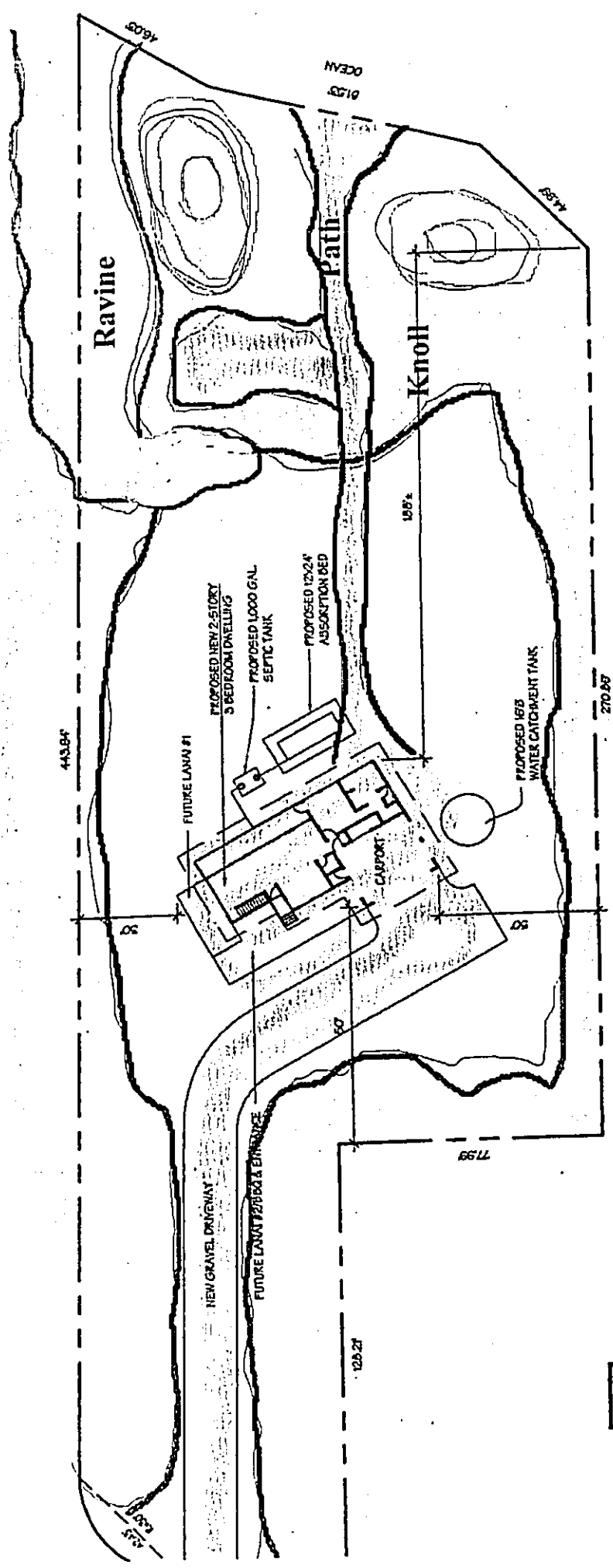
SITE PLAN
1" = 20'



Heavy, but appropriate, use area



Managed natural buffers



Land Management Plan

Design Phase

As previously indicated, the residence has been designed to "nestle into the land", virtually invisible from the road and from the shoreline. Materials for the residence have been selected to blend into the environment and the residence footprint has been limited to prevent excessive roof drainage not contained within the catchment system.

The landscape has been divided into three areas:

- "heavy but appropriate use" for the gravel driveway, the residence, a path to ocean viewing, and an area for outdoor table and chairs on the knoll but hidden behind an outcropping (shown in brown on the land management map);
- "low use" for the area immediately surrounding the residence and extending approximately 75' from the residence to the base of the 10' high knoll (shown in yellow on the land management map);
- "managed, natural buffer" for the areas on each side of the driveway, along the perimeter of the property separating the property from adjacent properties, the ravine area, and the majority of the knoll (shown in green on the map). Entrance into these buffers areas will be limited to inspection and management as detailed below.

Pre-Construction

Upon State approval and granting of building permits, son/grandson Bruce Albrecht, a resident of Hawaii County for more than a decade, will supervise the marking of plants in the use areas to be protected during construction and the demarcation of natural buffer zones. Bruce Albrecht will also meet with, and periodically oversee, the contractor and subcontractors involved in altering the land. All construction disturbance will be limited to the areas marked use areas (brown & yellow on the land management map).

Construction

Clearing of vegetation in the use areas (brown and yellow on the land management map) will be done by hand or small machinery. Any material removed for the septic would be utilized for leveling the use areas or hauled away. All construction debris will be handled properly and all construction will be done to code.

Immediate Post-Construction

All disturbed portions in the low-use area (marked in yellow on the land management map) will be revegetated within 30 days with additional soil mixes added so that this section serves as a bounce area absorbing any excessive rainfall from the residence roof that is not captured within the catchment system.

The managed natural buffers along the driveway will be treated (removal of invasive species and additions of appropriate soil mixes) to allow these areas to serve as bounce areas for the driveway. The small, roadfacing

- portions of these driveway buffers will be treated to allow for visibility for cars entering the highway, but care will be taken to assure that these areas blend with neighboring property and maintain a natural landscape appearance characteristic of Puna along Highway 137.

- A path will be created across the approximate 75' space in the low use area between the residence and the knoll with natural-looking steps up to the top of the knoll. From there the table and chairs use area can be accessed.

- A natural path now exists across the knoll to the ocean cliff. Here the action will consist simply of marking the outer boundaries of the path.

Long-term

- Invasive species in the managed buffers will be removed where appropriate. As previously mentioned and in consultation with DLNR personnel, larger specimens will remain but any seeds will be removed. As previously mentioned, most of the existing vegetation survives on a thin layer of mulch or is rooted in rock fissures. Soils will be added to support the introduction of native species. Owners will work with the nurseries specializing in native plants suggested by DLNR in the selection and care of native plants. Owners, experienced in environmental restoration, are committed to learning from the community in their efforts to foster native plants and to provide appropriate habitat.