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POST OFFICE BOX 6213
HONOLULU, HAWAII 96809 NOV 12 P2:47

November 4, 2003
OFFICE OF ENVIRONMENTAL
QUALITY CONTROL

Ref. No.: 03HD-258
Author: LD-HY

MEMORANDUM

TO: Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control

FROM: Peter T. Young, Chairperson
Board of Land and Natural Resources

SUBJECT: Final Environmental Assessment and Finding of No Significant Impact (FONSI) to the Environment for Utilization of State Land to Westpro Development, Inc. for Access Purposes - Lokahi Subdivision, Kalaoa 5th, North Kona, Island of Hawaii; Tax Map Key: 3rd/7-3-10:portion of 06

The Department of Land and Natural Resources, Land Division, has reviewed the comments received during the 30-day public review period and the applicant's responses to these comments for the above referenced environmental assessment. Accordingly, we have determined that this project will not have a significant environmental effect and have issued a FONSI determination. Please publish this notice in your next scheduled publication of the Environmental Notice.

We have enclosed a completed OEQC Bulletin Publication Form and four (4) copies of the final environmental assessment.

If you have any questions, please feel free to contact Harry Yada at (808) 974-6203. Thank you.

Enclosures

cc: Land Board Member
Central Files
District Files

2003-11-23-HA-FEA

NOV 23 2003

FILE COPY

**FINAL ENVIRONMENTAL ASSESSMENT AND
FINDING OF NO SIGNIFICANT IMPACT**

**Utilization of State Land For Access Purposes
(Lokahi Subdivision)**

Kalaoa 5th, North Kona, Hawaii

October, 2003

Prepared For:
Westpro Development, Inc.

P.O. Box 2808
Kailua-Kona, Hawaii 96745

Prepared By:

BRIAN T. NISHIMURA, PLANNING CONSULTANT

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TABLE OF CONTENTS

1. INTRODUCTION	1
1.1 Purpose.....	1
1.2 Identification of Applicant.....	1
1.3 Identification of Approving Agency and Responsible Entity.....	1
1.4 Technical Description.....	1
1.5 Project Background	5
1.5.1 Need for the Project.....	5
1.5.2 Land Use Designations.....	5
1.5.3 Listing of Permits and Approvals	5
1.6 Agency and Public Consultation.....	6
2. ENVIRONMENTAL SETTING	7
2.1 Physical Environment.....	7
2.1.1 Geology and Hazards.....	7
2.1.2 Soils.....	7
2.1.3 Climate.....	8
2.1.4 Hydrology and Drainage	8
2.1.5 Flora and Fauna	8
2.1.6 Air Quality.....	9
2.1.7 Noise	10
2.1.8 Scenic and Open Space Resources	10
2.1.9 Aquifers and Wetlands.....	10
2.2 Social, Cultural and Economic Setting	11
2.2.1 Socio-Economic Characteristics.....	11
2.2.2 Adjacent Land Uses.....	11
2.3 Public Facilities and Services.....	12
2.3.1 Roads and Traffic	12
2.3.2 Water	12
2.3.3 Wastewater.....	13
2.3.4 Electricity, Telephone and Cable T.V.....	13
2.3.5 Solid Waste	13
2.3.6 Protective Services.....	14
2.3.7 Recreation Facilities	14
2.4 Archaeology, Historic and Cultural Resources.....	14
3. SUMMARY OF POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS AND	17
PROPOSED MITIGATION MEASURES	17
3.1 Short Term Impacts.....	17
3.2 Long Term Impacts	17
4. ALTERNATIVES	18
4.1 No Action.....	18
4.2 Alternative Alignments	18
5. DETERMINATION, FINDINGS AND REASONS FOR SUPPORTING	
DETERMINATION	19
5.1 Significance Criteria	19
5.2 Findings.....	21
5.3 Reasons Supporting Determination	21

1. INTRODUCTION

1.1 Purpose

Westpro Development, Inc. (Westpro) is proposing to develop the Lokahi Subdivision, a 190-lot residential subdivision with a park and related amenities, on approximately 68.534 acres of land in North Kona, Island of Hawaii, TMK(s) (3) 7-3-10: 47, 48 & 50. The project site is located east (mauka) of the Queen Ka`ahumanu Highway, in the land division of Kalaoa 5th, North Kona, Hawai'i and south of the makai portion of the Kona Palisades Subdivision. (See Figure 1 – Vicinity Map)

The proposed project will be served by three access roads from Ka`iminani Drive, the principal mauka-makai access linking the Mamalahoa Highway and the Queen Ka`ahumanu Highway. Two of these accesses, Kakahiaka and Kapuahi Streets, are existing streets serving the Kona Palisades Subdivision. The third access will be a new proposed road through the adjacent State property situated west (makai) of the project site and identified as TMK (3) 7-3-10: portion of 6. (See Figure 2 – Proposed Alignment for the New Access Road)

Westpro is submitting a request to the State Department of Land and Natural Resources (DLNR) to allow a County dedicable road to be built through a portion of parcel 6 with an agreement to subdivide and convey the roadway to the County upon its completion. The request to utilize state land for access purposes triggers a requirement for the preparation of an Environmental Assessment (EA) in accordance with Chapter 343, Hawaii Revised Statutes, and (HRS).

1.2 Identification of Applicant

Mr. John Stevens is the President of Westpro Development, Inc., whose business address is P.O. Box 2808, Kailua-Kona, Hawaii 96745.

1.3 Identification of Approving Agency and Responsible Entity

In accordance with Chapter 343, HRS, the Department of Land and Natural Resources is the appropriate accepting authority of the Environmental Assessment since Westpro will be submitting the request to utilize the state land for access and utility purposes to DLNR.

1.4 Technical Description

The proposed roadway will intersect with Ka`iminani Drive approximately 200 feet west (makai) of the westernmost parcel within the Kona Palisades Subdivision, Tax Map Key No. (3) 7-3-42: 12. This north-south segment of the proposed roadway will eventually become part of the "New Main Street" included in the County's Keahole to Keauhou Project Map (see attached figure 3) that is dated August, 2001. The "New Main Street" is intended to have a 120 foot wide right-of-way and Westpro is proposing to develop the eastern (mauka) half of that right-of-way with a 60 foot wide public road which will

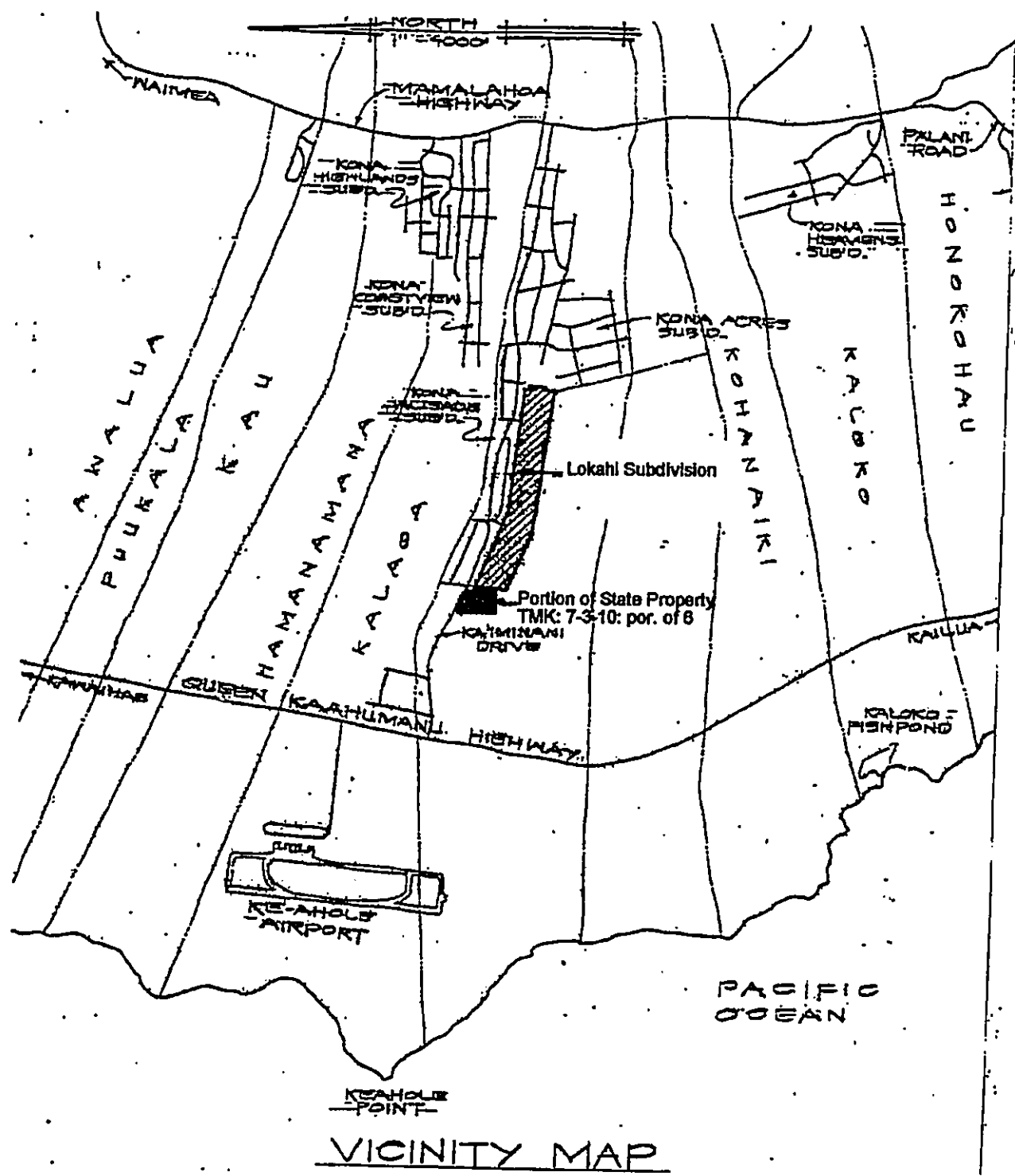
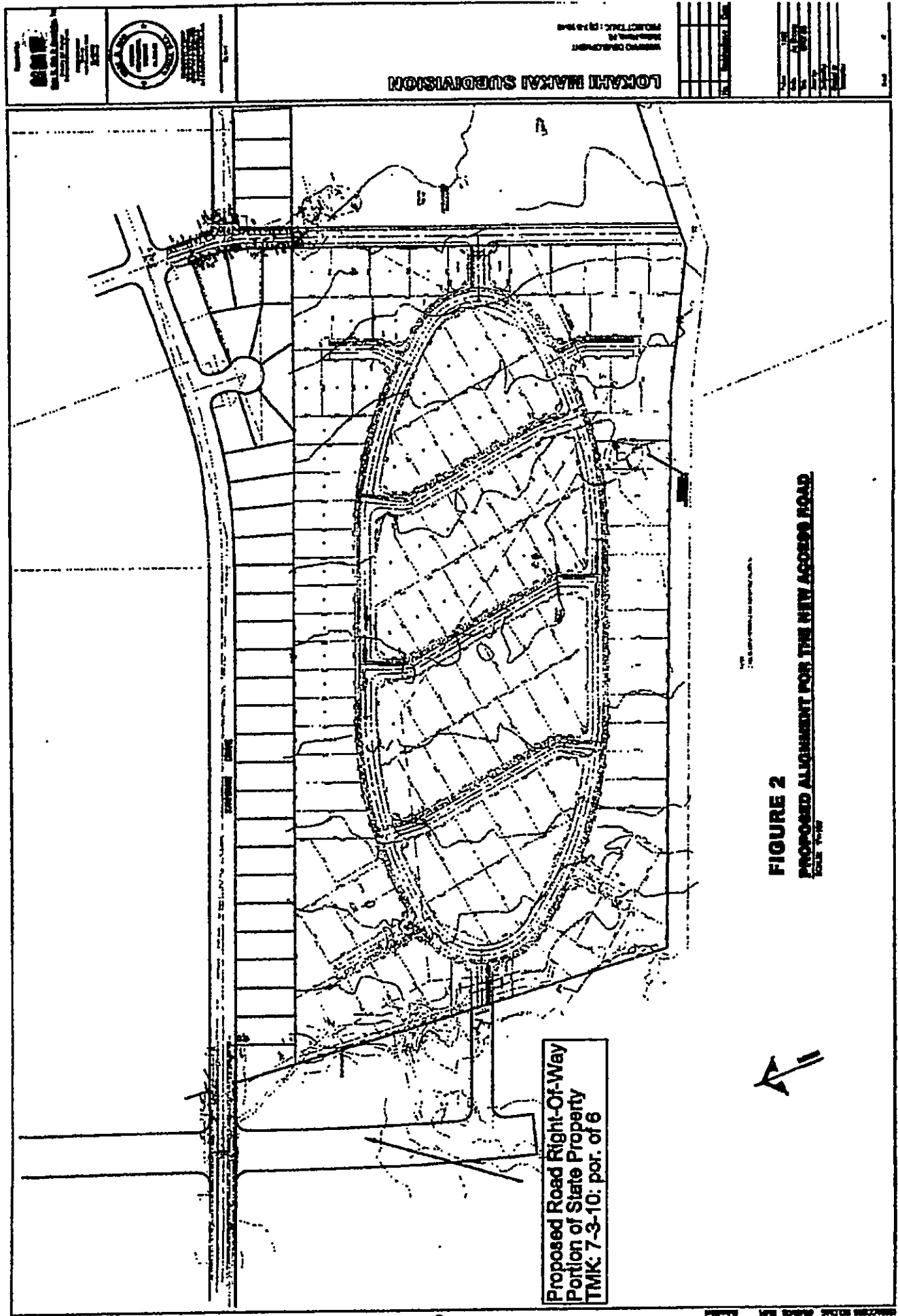


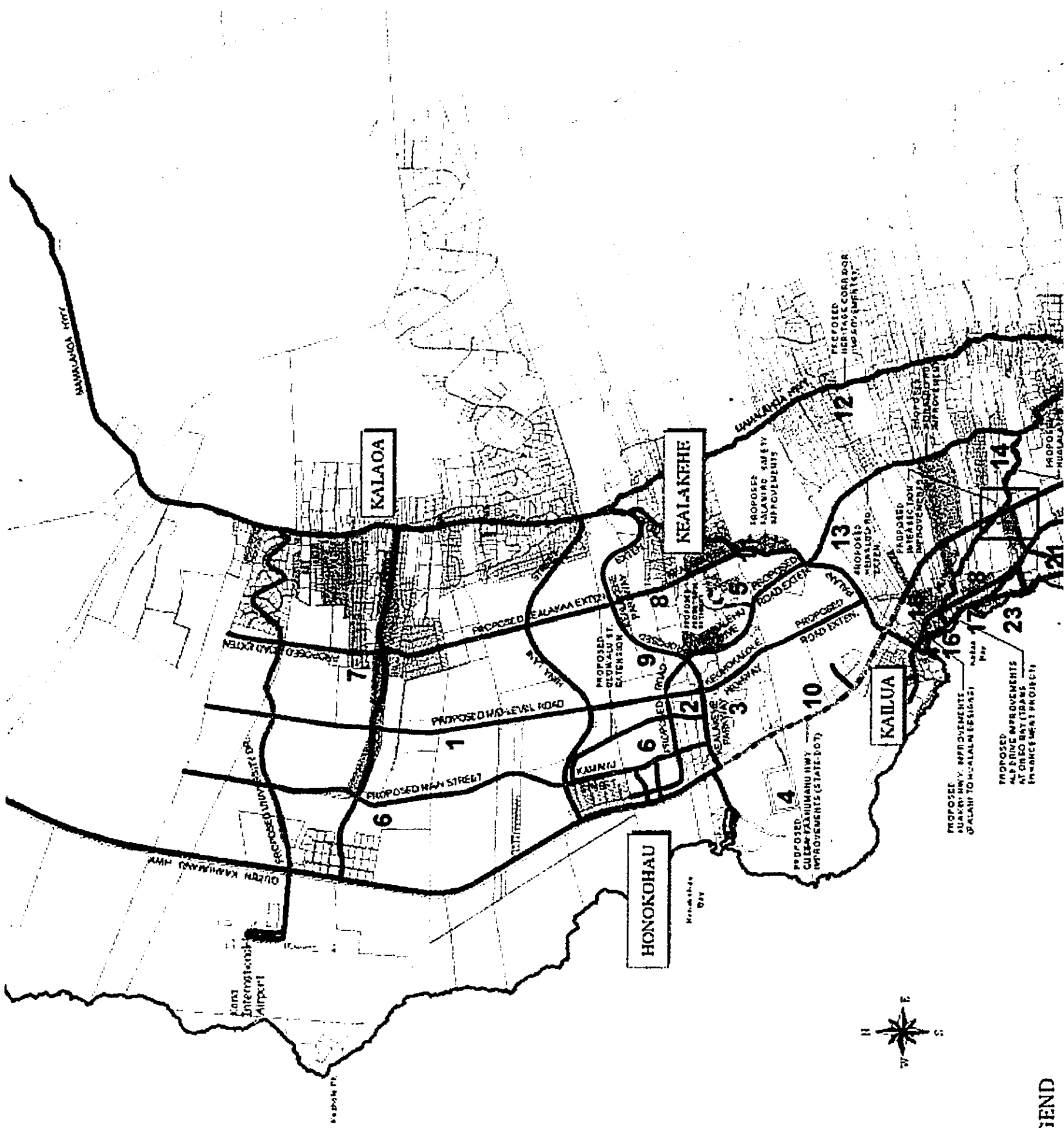
FIGURE 1

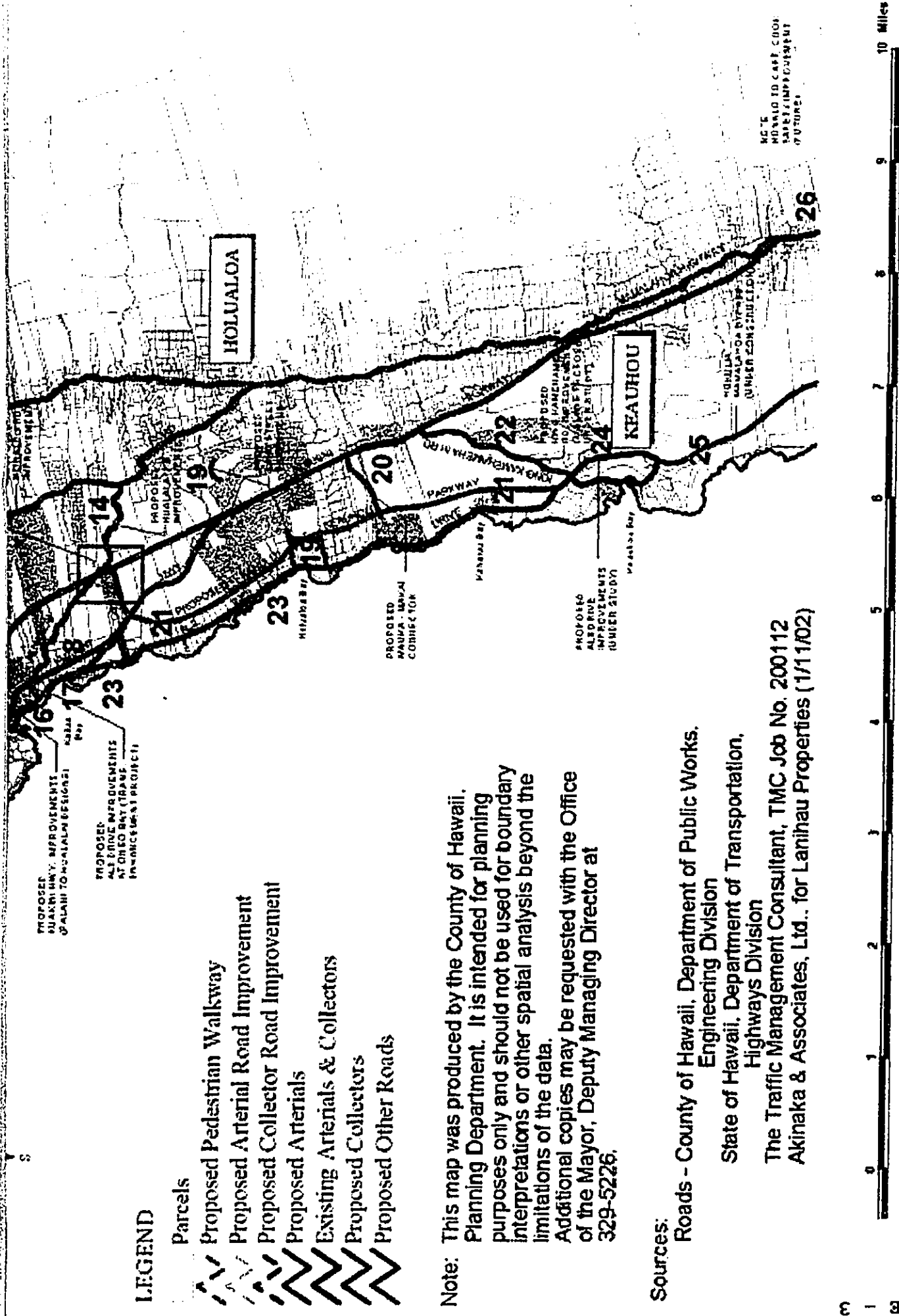


Proposed Road Right-Of-Way
 Portion of State Property
 TMK: 7-3-10; por. of 6

FIGURE 2
PROPOSED ALIGNMENT FOR THE NEW ACCESS ROAD
 SCALE: 1" = 100'







KEAHOLE to KEAUNOHOU PROJECT MAP

extend approximately 700 feet south from Ka`iminani Drive and make a 90 degree turn east (mauka) for another 280 feet before entering the proposed residential project site in TMK: 7-2-10: 48. This roadway will be improved to County dedicable standards with a pavement width of 24 feet and paved swales of approximately 18 feet. The roadway has an estimated cost of \$350,000 and will take approximately three months to complete.

1.5 Project Background

1.5.1 Need for the Project

The proposed roadway has been the topic of discussion from the time of the original change of zone application which was considered in 1990 and approved by the Hawaii County Council in 1991. Area residents were concerned about the traffic being generated by the proposed residential project and supported a condition to provide a new connection to Kaiminani Drive below the existing Kona Palisades Subdivision. In addressing this concern, the County included a zoning condition applicable to the proposed residential project which states in part that, "the subdivision road shall connect to Kaiminani Drive below the community center". The community center, along with TMK (3) 7-3-42: 12, is situated on the western (makai) edge of the Kona Palisades Subdivision. The property adjacent and immediately west (makai) of TMK (3) 7-3-42: 12 is the subject State-owned property TMK (3) 7-3-10: 6. As such, the proposed project is intended to comply with the above-described zoning condition.

1.5.2 Land Use Designations

The proposed project area is situated within the State Land Use Urban District. The County General Plan Land Use Pattern Allocation Guide Map (LUPAG) designates this area as "Extensive Agriculture" with an overlay designation of "Alternate Urban Expansion". The county zoning designation for the project area is "Agricultural five acres" (A-5a).

The proposed project is not situated within the Special Management Area designated by the County of Hawaii. The project does not involve the placement, erection or removal of materials, nor increase the intensity of use in the Coastal Zone. The proposed project is consistent with all State and County land use designations and regulations.

1.5.3 Listing of Permits and Approvals

The following list of permits and approvals may be required for the proposed project:

State of Hawaii

Department of Health
Dept. of Land and Natural Resources

Underground Injection Control
Approval of the Road Request

County of Hawaii

**County Council
Department of Water Supply
Department of Public Works
Planning Department**

**Approval of the Road Dedication
Approval-Project Construction Plans
Approval-Project Construction Plans
Approval of the Roadway Subdivision**

1.6 Agency and Public Consultation

As stated previously, the proposed roadway has been discussed since 1990 when the change of zone application for residential use was being considered by the County. More recently, the developers met with the Board of Directors of the adjacent Kona Palisades Community Association on July 7, 2003 and the need for the makai access through the state property was discussed and supported by the members.

The following public and private organizations were consulted during the preparation of this environmental assessment:

**United States Fish and Wildlife Service, Division of Ecological Services
State of Hawaii, Department of Health
State of Hawaii, Department of Transportation,
State of Hawaii, Department of Land and Natural Resources, Division of Forestry and
Wildlife, State Historic Preservation Division and the Land Division (Hawaii District
Office)
State of Hawaii, Department of Hawaiian Home Lands
State of Hawaii, Office of Hawaiian Affairs
County of Hawaii, Planning Department
County of Hawaii, Department of Public Works
County of Hawaii, Department of Water Supply
County of Hawaii, Police Department
County of Hawaii, Fire Department
County of Hawaii, Department of Environmental Management**

2. ENVIRONMENTAL SETTING

2.1 Physical Environment

2.1.1 Geology and Hazards

Environmental Setting

The subject property is located on the western slopes of Hualalai which is a shield volcano that has erupted near its summit, along the northwest and south-southeast rift zones, and from vents on the north flank of the volcano. Hualalai is much older than Kilauea or Mauna Loa and last erupted in 1800-1801. These flows reached the ocean near Kiholo Bay and at Keahole Point.

The volcanic hazard as assessed by the United States Geological Survey is "4" on a scale of ascending risk 9 to 1 (Heliker 1990). Zone "4" includes all of Hualalai where the frequency of eruptions is lower than on Kilauea and Mauna Loa.

The entire island of Hawaii is in earthquake zone 4 of the Uniform Building Code which establishes structural design standards for earthquake resistance for certain types of buildings. This zone is prone to major damages from potential earthquake activity.

Impacts

The proposed project will not expose the roadway or the general public to any additional hazard risk already experienced in the entire district of North Kona. The volcanic hazard risk is lower here than the entire City of Hilo which is classified Zone "3".

2.1.2 Soils

Environmental Setting

The soils of the project area are classified as Punaluu extremely rocky peat (rPYD) which are well drained thin organic soils over pahoehoe lava bedrock. This soil is utilized for pasture and has a capability subclass rating of VIIs. (U. S. Soil Conservation Service, 1973) The Land Study Bureau's overall master productivity rating of the subject area for agricultural use is class "E" or "very poor". (Land Study Bureau, 1965)

The project area is not listed as either *Prime, Other, or Unique Agricultural Land* on the State Department of Agriculture's Agricultural Lands of Importance to the State of Hawaii (ALISH) map.

Impacts

Given the *Alternate Urban Expansion* General Plan designation, the poor agricultural capability and productivity ratings of the soil and no existing agricultural use of the site, no adverse impact on agricultural soils or uses are anticipated as a result of the proposed project.

2.1.3 Climate

Environmental Setting

Hawaii's climate is generally characterized as mild with uniform temperatures, moderate humidity, and two identifiable seasons. The "summer" season, between May and October is generally warmer and drier. The "winter" season, between October and April is cooler and wetter. The project area is situated along the "leeward" side of the island of Hawaii which is sheltered from the northeasterly trade winds that prevail throughout the state for most of the year. As such, rainfall in the region is relatively low (approximately 30 inches/year). (University of Hawaii Press, 1983)

Impacts

Climatic conditions will not have a significant impact on the proposed project.

2.1.4 Hydrology and Drainage

Environmental Setting

The project site is designated Zone X (Areas determined to be outside the 500-year flood plain) on the Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency.

Impacts and Mitigation Measures

Development of the proposed project has the potential to increase surface runoff. The proposed project will adhere to County and State requirements for disposing of runoff and addressing drainage concerns. As such, no adverse drainage impacts are anticipated as a result of the proposed project.

2.1.5 Flora and Fauna

Environmental Setting

The vegetation of the project area is comprised primarily of young koa-haole (*Leucaena leucocephala*) and fountain grass (*Pennisetum setaceum*) which is typical of this lower elevation of the Kalaoa 5th land division. Botanical surveys

conducted on nearby parcels have not revealed the presence of any endangered species within the elevation range of the proposed project.

The U.S. Fish & Wildlife Service published a proposed rule to designate critical habitat for 47 plant species from the Island of Hawaii in the Federal Register on May 28, 2002. The subject project area was not included in the proposed critical habitat designations. In addition, the U.S. Fish & Wildlife Service published a proposed rule to designate critical habitat for the Blackburn's Sphinx Moth, currently the only Hawaiian insect federally listed as endangered, in the Federal Register on June 13, 2002. The subject project area was not included in the proposed critical habitat designation for the Blackburn's Sphinx Moth.

A faunal study performed by Dr. Andrew Berger in conjunction with rezoning process in the early 1990's concluded that there was no endemic ecosystem in the area. After a field survey, he concluded that the proposed urban development would not have a significant impact on the biological resources of the area. Given the rural-residential setting of the project area, introduced animals such as rats, mongoose, dogs, goats and cats appear to be common.

Impacts

No listed, candidate or proposed endangered animal or plant species are likely to be found on the proposed project site. As such, no significant adverse effects on these species or their habitat is expected as a result of the proposed project.

2.1.6 Air Quality

Environmental Setting

Pollutants derived from the volcanic emissions from the ongoing Kilauea eruption affect the subject area. Other sources of air pollutants to a limited degree include vehicle emissions and dust from vehicles utilizing Ka'imani Drive and the other subdivision roadways of the area. In general, however, the ambient air quality of the project area meets all federal and state standards as evidenced by its designation as an "attainment" area by the State Department of Health, Clean Air Branch.

Impacts and Mitigation Measures

Short term impacts resulting from construction activity include dust and exhaust from machinery involved in the construction of the proposed roadway. Given the relative short construction time period, the potential impacts of these construction activities should be minimal. In addition, the contractor will be instructed to utilize best management practices to minimize dust impact.

2.1.7 Noise

Environmental Setting

Existing noise levels are typical of a rural residential setting, which is affected primarily by traffic on the adjacent streets. The project site is situated approximately 8,000 feet east of the Kona International Airport and the noise exposure levels are below acceptable federal standards for residential use.

Impacts and Mitigation Measures

Temporary noise impacts will occur from construction activities of the project and are unavoidable. Mitigation measures can be taken, however, to minimize noise impacts including the use of mufflers and implementing construction curfew periods. State Department of Health regulations must be adhered to during construction.

2.1.8 Scenic and Open Space Resources

Environmental Setting

The Natural Beauty section of the Hawaii County General Plan describes this section of North Kona as being dominated by Hualalai and further states the following:

"It's steep slopes provide a green backdrop when viewed from the coast; or spectacular views of the coastline, ocean and horizon from higher elevations."

Impacts

The proposed project will not have a significant impact on the scenic views of the coastline, ocean and horizon of the area.

2.1.9 Aquifers and Wetlands

Environmental Setting

The project area is within the Keauhou aquifer system, which has a sustainable yield of approximately 38 million gallons per day. In fiscal year 1990-91 daily withdrawals from the Waimea aquifer system averaged approximately 9.5 million gallons per day.

The project area is not situated within or adjacent to a wetland identified by or delineated on maps issued by the U.S. Department of Interior, Fish and Wildlife Service. In addition, the proposed project is not located in an area designated by the U.S. Environmental Protection Agency (EPA) as being supported by a sole source aquifer.

Impacts

The proposed project will not have any adverse impact on any wetland or aquifer resource.

2.2 Social, Cultural and Economic Setting

2.2.1 Socio-Economic Characteristics

Setting

Hawaii County's population increased by more than 85,000 persons between 1970 and 2000. Between 1980 and 1990, Hawaii Island's population increased by 19 percent, with an average annual growth rate of 3 percent, compared to a growth rate of 1.4 percent statewide. According to the 2000 U.S. Census, Hawaii Island's population had grown to 148,677 persons. During the thirty year time period between 1970 and 2000, the North Kona district's population grew from 4,832 persons to 28,543 persons in 2000.

Kailua-Kona, the primary urban center in the North Kona district, is considered to be the center of government, commercial and industrial activities in West Hawaii. The primary employment generator for the North Kona district is the tourism industry which continues to expand. Currently there are approximately 4,000 visitor units in the North Kona district which accounts for over 45% of the total hotel rooms on the island.

Impacts

The proposed roadway will have a beneficial socioeconomic impact by providing a public road access to a single family residential subdivision which will help address a growing need for additional housing units in the district. In addition, the proposed roadway will play a part in addressing a regional transportation need by implementing part of the regional road system called for in the County's Keahole to Keauhou Plan.

2.2.2 Adjacent Land Uses

Existing Setting

The project area is situated in the Kalaoa land division of North Kona, which includes single family residences, agricultural activities, the Kona International Airport, a Hawaii Electric Company Power Plant and vacant land. The general character of the surrounding area is a mixture of residential and vacant land. The Kona Palisades Subdivision is situated immediately east of the project area and consists of parcels with a minimum lot size of 10,000 square feet utilized primarily for single family dwellings. A large (500-acre parcel) situated to the north of the

project area is largely vacant except for a volunteer fire station situated along Ka'imini Drive. A State Agricultural Park is situated approximately 2,000 feet west of the project area.

Impacts

The proposed roadway project will not alter the character of the existing land use pattern of the surrounding properties which are primarily residential or vacant.

2.3 Public Facilities and Services

2.3.1 Roads and Traffic

Setting

The public roadway providing access to the site is Kaiminani Drive, which is a two-lane county roadway with a pavement width of twenty feet without any curbs, gutters or sidewalks. Kaiminani Drive connects to the Queen Kaahumanu Highway approximately 0.5 miles west (makai) of the project site and the Mamalahoa Highway approximately 1.3 miles east (mauka) of the project site.

The proposed Lokahi Subdivision will have multiple accesses from Ka'imini Drive serving the project. Two existing roadways, Kakahiaka and Kapuahi Streets, serving the Kona Palisades Subdivision will be extended to provide access to the residential project from Ka'imini Drive. The new proposed roadway through the State property will provide the third access to Ka'imini Drive on the eastern (makai) end of the project.

Impacts

The proposed access roadway will have a beneficial effect by reducing the impact to the existing residents of the Kona Palisades Subdivision by providing a new access to Ka'imini Drive below their subdivision. As such, residents within the western (makai) half of the Lokahi Subdivision that intend to connect to the Queen Ka'ahumanu Highway, will not travel on Ka'imini Drive until they are below the Kona Palisades Subdivision.

In addition, the general public, the state and county governments will benefit by having a private developer pay for a portion of the "New Main Street", a major north-south service road included in the County's Keahole to Keauhou Master Plan.

2.3.2 Water

Existing Setting

The proposed Lokahi Subdivision has the required water commitment from the Department of Water Supply.

Impacts:

The proposed roadway project will not have a significant adverse impact on the existing Department of Water Supply sources. Waterline improvements will be constructed to County dedicable standards

2.3.3 Wastewater

Existing Setting

This section of the North Kona community is not served by a municipal wastewater treatment facility. The proposed lots within the Lokahi Subdivision will be serviced with individual wastewater systems meeting with the approval of the State Department of Health.

Impacts

The proposed roadway project will not have any impact on wastewater or sewage disposal systems.

2.3.4 Electricity, Telephone and Cable T.V.

Existing Setting

Electricity, telephone and cable TV. are available to the subject property from existing service lines along Ka`iminani Drive.

Impacts

The proposed project will not have any significant adverse impact on the existing capacity of these services.

2.3.5 Solid Waste

Existing Setting

The County does not provide any municipal waste pick up services in the area. The nearest county solid waste transfer station to the project site is approximately four miles away in Kailua. The landfill facility at Puuanahulu services the communities of West Hawaii.

Impacts and Mitigation Measures

The proposed roadway project will not have any impact on the solid waste disposal system.

2.3.6 Protective Services

Existing Setting

Protective services including fire, police, rescue and medical services are located in Kailua, which are within five miles of the project site. The Kona Community Hospital is located in Kealahou, approximately fifteen miles from the project site.

Impacts

The proposed project is not likely to create an additional burden on the existing protective service providers.

2.3.7 Recreation Facilities

Existing Setting

The major recreational facilities serving the North Kona community are situated within five miles of the project area. The Kailua Park (Old Kona Airport) provides lighted fields for baseball, softball and football, four lighted tennis courts, soccer fields, a multi-purpose gymnasium and a Olympic-size swimming pool. Kailua Bay and Honokohau harbor provide anchorage for small boats and commercial charter and tour boats, as well as other supporting facilities. The Old Kona Airport State Recreation Area and the Kekaha Kai State Park provide coastal recreational opportunities as well.

Impacts

The proposed project is not likely to create an additional burden on the existing recreational facilities.

2.4 Archaeology, Historic and Cultural Resources

Setting

An archaeological assessment was conducted on a 5 acre portion of the subject property specifically to determine whether there are any sites present that would prevent construction of an access road. The full report, prepared by Haun & Associates in November, 2002, is attached as appendix B. The conclusion of the archaeological assessment is provided as follows:

"No historic or prehistoric artifacts or structures were identified. The parcel is unlikely to contain subsurface cultural deposits or burials because of the character of the terrain and the prior grubbing of a portion of the parcel. Based on the field inspection and limited archaeological and historical background research, an inventory survey of the building sites is not recommended. This

recommendation will require the concurrence of the Department of Land and Natural Resources Historic Preservation Division.”

The archaeological assessment report was transmitted to the State Historic Preservation Division for their review. In a letter to Dr. Alan Haun of Haun & Associates, dated November 22, 2003, the State Historic Preservation Division stated, in part, the following:

“The area of the proposed access road corridor has been previously covered in archaeological surveys conducted in 1977 and 1993. No historic sites were found in either survey. On November 6, 2002 you conducted an archaeological assessment of a roughly 5-acre area in the subject parcel to aid in the selection of an access road corridor. Portions of the area were found to have been previously bulldozed as shown on the attached map. No historic sites were found in the assessment. The probability of sites seems unlikely due to previous land disturbance and the character of the terrain. Based on this information, we believe that the proposed access road will have ‘no effect’ on significant historic sites.”

A complete copy of the letter from the State Historic Preservation Division is included in appendix A.

Historical documentary research conducted as part of the archaeological inventory survey for the 140 acre site immediately east (mauka) of the subject property by Walker and Rosendahl (1989) provides a historical perspective of the natural landscape and traditional land use patterns of the Kalaoa land division which includes the project site. Historical accounts indicate that there were fishing villages along the coast and upland agricultural and habitation zones. Although specific references to Kalaoa 5th, where the subject property is located, were limited, Haun (2002) summarizes the findings of Walker and Rosendahl (1989) as follows:

“During the Mahele, Kalaoa became government land except for two *kuleana*, Land Commission Awards (LCA) 7937 and 7899. LCA 7937 was awarded to Kukaani and LCA 7899, consisting of a house lot and 12 cultivated plots (*kihapai*), was awarded to Kupuo. Another house lot was claimed by Kanahale, but it was not awarded. Both of the awarded LCA's are situated inland of the project area.

“Several grants were awarded in upland Kalaoa between 1852 and 1864. Grant 1609 in Kalaoa 5 was situated adjacent to the upland road. Grant 2972, which may include a portion of the project area, was transferred from Kamaka Kama to Loe Kama Amada in 1918. The 225 –acre grant later became part of the Smith Robinson Trust.

“Walker and Rosendahl (1989) cite a 1980 oral historical interview with a Kalaoa resident, Ms. Margaret Spinney, who was living above the Kona Palisades area. Her family had a house at the coast connected to the uplands by a footpath. Her

mother cultivated *lau hala* in the Kona Palisades vicinity. Her mother and other people in Kalaoa used the *lau hala* for weaving. Ms. Spinney recalled that formerly the area was mostly occupied by Hawaiian families. Family names she recalled included Mahi and Pimoe. Later, Japanese people came to live in the area together with the Hawaiians."

Haun (2002) also prepared a burial plan to preserve unmarked graves within the residential project site. In the preparation of the burial plan, Haun conducted a search for lineal and cultural descendants of the project area. Legal notices were published in the West Hawaii Today and the Honolulu Advertiser on May 19, 22, and 24 requesting that persons having any information concerning the unmarked graves within the project area should contact Mrs. Ruby McDonald, OHA (Hawaii); Mr. Alan Haun, Haun & Associates; and/or Mr. Kamana`o Mills, Burial Sites Program, DLNR-SHPD. In describing the results of their efforts, Haun stated the following:

"No individuals claiming lineal descent have responded to the notices. Historic documentary evidence indicates that there were no native Hawaiian *kuleana* claims to the project area. Through HIBC meetings and consultation with Burial Sites Program staff, three individuals have been identified, who claim a cultural connection to the burials: Francis Keana`aina, Robert Punihaole, and George Kahananui. Mr. Punihaole and Mr. Kahananui visited the sites on November 6, 2002, and the following section on proposed treatment of the burial sites includes their suggestions regarding treatment."

The proposal to preserve the burials in place has been approved by the State Historic Preservation Division in a letter dated December 23, 2002. The in place preservation will be achieved by sealing the cave entrances and establishing preservation buffers. With the exception of appropriate cultural activities, landscaping, and maintenance, no other activities of any type would be permitted to occur within the preservation buffers.

Impacts

The State Historic Preservation Division has reviewed the archaeological survey prepared for the project area and has stated that, "we believe that the proposed access road will have 'no effect' on significant historic sites."

In addition, although the area in general is culturally and historically rich, there is no indication that the specific project area for the roadway is being used or was previously used for cultural or religious practices. As such, it appears that the proposed project will have no effect on traditional cultural or religious practices.

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

3.1 Short Term Impacts

Construction Activity:

Impacts: Short term impacts will result from the proposed construction activity including increased noise levels, dust and exhaust from machinery involved in the construction of the roadway improvements. Given the relative short construction time period the potential impacts of these construction activities should be minimal.

Mitigation: The contractor will be instructed to utilize best management practices to minimize all impacts including the use of mufflers and implementing construction curfew periods. State Department of Health regulations must be adhered to during construction.

3.2 Long Term Impacts

Drainage and Erosion:

Impacts: Development of the proposed project has the potential to increase surface runoff and flooding in the area.

Mitigation: Development of the proposed project has the potential to increase surface runoff. The proposed project will adhere to County and State requirements for disposing of runoff and addressing drainage concerns. As such, no adverse drainage impacts are anticipated as a result of the proposed project.

4. ALTERNATIVES

4.1 No Action

If the proposed roadway alignment and improvements are not approved, the developer will need to request an amendment to the change of zone condition which is attached to the residential property that will be utilized by the Lokahi Subdivision. The subject condition states in part that, "the subdivision road shall connect to Kaiminani Drive below the community center". Given the location of the Lokahi Subdivision in relation to the Kona Palisades Community Center, the subject condition cannot be satisfied without utilizing the state property (TMK: 7-3-10: por. of 6).

4.2 Alternative Alignments

The proposed roadway could utilize alternative alignments within the state property (TMK: 7-3-10: por. of 6). Although other alignments may be feasible, the north-south segment of the proposed alignment is consistent with the alignment for the "New Main Street" included in the County's Keahole to Keauhou Project Map that is dated August, 2001. As such, any alternative alignment must be considered in relation to the regional transportation plans being developed by the County.

5. DETERMINATION, FINDINGS AND REASONS FOR SUPPORTING DETERMINATION

5.1 Significance Criteria

According to the Department of Health Rules (11-200-1.2), an applicant or agency must determine whether an action may have a significant impact on the environment, including all phases of the project, its expected consequences both primary and secondary, its cumulative impact with other projects, and its short and long-term effects. In making the determination, the Rules establish "Significance Criteria" to be used as a basis for identifying whether significant environmental impact on the environment if it meets any one of the following thirteen criteria.

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

The proposed project involves the construction of a County dedicable roadway with a 60 foot wide right-of-way over a distance of approximately 980 feet. Approximately 58,800 square feet of the State property will be utilized as a roadway parcel. The project site is currently vacant and does not contain any significant natural or cultural resources.

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

The proposed roadway will curtail the use of approximately 58,800 square feet (1.35 acre) of State land. However, the State owns hundreds of acres of similar property in the immediate vicinity that is vacant and not being utilized.

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

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

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

The proposed access roadway will have a beneficial effect by reducing the impact to the existing residents of the Kona Palisades Subdivision by providing a new access to Ka'imianani Drive below their subdivision. As such, residents within the western (makai) half of the Lokahi Subdivision that intend to connect to the Queen Ka'ahumanu Highway, will not travel on Ka'imianani Drive until they are below the Kona Palisades Subdivision.

In addition, the general public, the state and county governments will benefit by having a private developer pay for a portion of the "New Main Street", a major north-south service road included in the County's Keahole to Keauhou Master Plan.

5. Substantially affects public health

The proposed project does not substantially affect public health. Any construction related impacts of noise, dust and emissions will be mitigated by compliance with the State Department of Health Administrative Rules.

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

The proposed project, in and of itself, will not have any substantial secondary impacts. Any future use of the State's property will require a separate assessment of potential impacts as those uses are proposed.

7. Involves a substantial degradation of environmental quality.

The proposed roadway project will not alter the character of the existing land use pattern of the surrounding properties which are primarily residential, agricultural or vacant. As such, the proposed improvements will not involve a substantial degradation of environmental quality.

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

The proposed project will not have any substantial secondary impacts because it is not a generator of growth. The proposed project does not involve a commitment for larger actions and will not induce other actions having a cumulative effect on the environment. In fact, the proposed project is intended to mitigate the impacts of a residential project that has received previous approval from both the State and County governments.

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

The proposed project will not have any substantial adverse effect on any rare, threatened or endangered species or its habitat.

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

Short term impacts will result from the proposed construction activity including increased noise levels, dust and exhaust from machinery involved in the construction activity. The contractor will be instructed to utilize best management practices to minimize all impacts including the use of mufflers and implementing

construction curfew periods. State Department of Health regulations must be adhered to during construction. Given the relative short construction time period, the potential impacts of these construction activities should be minimal.

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

The project site is not located in an environmentally sensitive area. The flood designation is Zone X (Areas determined to be outside the 500-year flood plain) and the volcanic hazard risk is lower here than most of the rest of the island. All construction activity will be in compliance with current code requirements.

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

The proposed project will not have a significant impact on the scenic views of the coastline, ocean and horizon of the area.

- 13. Requires substantial energy consumption.**

The proposed project will not require substantial energy consumption.

5.2 Findings

Based on the foregoing information presented, it is determined that the proposed roadway will not have a significant effect. As such, a Finding of No Significant Impact for the proposed project is appropriate.

5.3 Reasons Supporting Determination

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

REFERENCES

- County of Hawaii. 1989. The General Plan Hawaii County. Hilo, Hawaii
- County of Hawaii. 2002. General Plan Revision, Proposed General Plan Document. Hilo, Hawaii
- Federal Register. Vol. 67, No. 102/May 28, 2002. Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Plant Species From the Island of Hawaii, HI; Proposed Rule. Washington, D.C.
- Federal Register. Vol. 67, No. 114/June 13, 2002. Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Blackburn's Sphinx Moth. Washington, D.C.
- Haun & Associates, 2002. Burial Treatment Plan, Sites 5751, 5759, 5762 and 5778, Land of Kalaoa 5th, North Kona District, Island of Hawaii, TMK: 3-7-3-10: por. of 27.
- Heliker, C. 1990. Volcanic and Seismic Hazards on the Island of Hawaii. Washington: GPO
- Land Study Bureau. 1965. Detailed Land Classification - Island of Hawaii. University of Hawaii. Honolulu
- U.S. Fish & Wildlife Service. 2002. Critical Habitat for 47 Plant Species from the Island of Hawaii. Honolulu, Hawaii
- U.S. Soil Conservation Service. 1973. Soil Survey of the Island of Hawaii, State of Hawaii. Washington: USDA
- University of Hawaii at Manoa, Dept. of Geography. 1983. Atlas of Hawaii. 2nd ed. Honolulu: University of Hawaii Press
- Walker, A. and P. Rosendahl, 1989. Archaeological Inventory Survey, Pu'uhooua Subdivision Development Parcel, Land of Kalaoa 5th, North Kona District, Island of Hawaii TMK: 2-7-10L por. of 10) PHRI Report 490-053089.

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

1. State of Hawaii, Department of Transportation, from Rodney S. Haraga, Director, dated June 12, 2003.
2. State of Hawaii, Department of Transportation, from Rodney S. Haraga, Director, dated June 19, 2003.
Response: Letter to Rodney S. Haraga, Director of Transportation from Brian T. Nishimura, dated August 4, 2003,
3. State of Hawaii, Department of Health, from Aaron A. Ueno, District Environmental Health Program Chief, dated April 22, 2003.
4. State of Hawaii, Office of Hawaiian Affairs, Nationhood and Native Rights Division, from Peter L. Yee, Director, dated April 22, 2003.
5. State of Hawaii, Department of Land and Natural Resources, Division of Forestry and Wildlife, from Michael G. Buck, Administrator, dated April 21, 2003.
6. State of Hawaii, Department of Land and Natural Resources, Historic Preservation Division, from P. Holly McEldowney, Acting Administrator, dated April 22, 2003.
7. State of Hawaii, Department of Land and Natural Resources, Division of Forestry and Wildlife, from Doris Moana Rowland, Na Ala Hele Abstractor, dated May 22, 2003.
8. State of Hawaii, Department of Hawaiian Home Lands, from Micah A. Kane, Chairman, Hawaiian Homes Commission, dated May 5, 2003.
9. County of Hawaii, Police Department, from Thomas J. Hickcox, Assistant Police Chief, Area II Operations, dated April 24, 2003.
10. County of Hawaii, Planning Department, from Christopher J. Yuen, Director, dated April 28, 2003.
11. County of Hawaii, Department of Environmental Management, from Barbara Bell, Director, dated May 8, 2003.

LINDA LINGLE
GOVERNOR



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

RODNEY K. HARAGA
DIRECTOR

Acting Deputy Director
GLENN M. OKIMOTO

IN REPLY REFER TO:

STP 8.0779

June 12, 2003

Mr. Brian T. Nishimura
Planning Consultant
101 Aupuni Street, Suite 217
Hilo, Hawaii 96720-4221

Dear Mr. Nishimura:

Subject: Westpro Development
Pre-Assessment Consultation: Environmental Impact Preparation Notice
TMK: (3) 7-3-10: 6

In reply to your letter requesting our review of the subject application, we are providing the following comments:

The environmental document should contain an analysis of the traffic impacts to the roadways in the area. We would be particularly concerned with the intersections to the State facilities (i.e., Kaiminani Drive/Queen Kaahumanu Highway, Kaiminani Drive/Mamalahoa Highway). The analysis should reflect the cumulative impact of the subject project and the planned development in the area; and recommend any mitigation measures which may be required.

Please maintain us on your list for further notification or consultation on the proposed project. We appreciate the opportunity to provide comments.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rodney K. Haraga".

RODNEY K. HARAGA
Director of Transportation

c: Mr. Christopher Yuen, Hawaii Planning Department

LINDA LINGLE
GOVERNOR



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

RODNEY K. HARAGA
DIRECTOR

Acting Deputy Director
GLENN M. OKIMOTO

IN REPLY REFER TO:

HWY-PS
2.0602

JUN 19 2003

Mr. Brian T. Nishimura
Planning Consultant
101 Aupuni Street, Suite 217
Hilo, Hawaii 96720-4221

Dear Mr. Nishimura

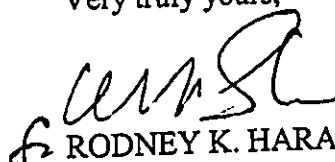
Subject: Pre-Environmental Assessment Consultation
Westpro Development Inc. - Request to Utilize State Land for Access Purposes
TMK: (3) 7-3-10: 6
Kalaoa 5th, North Kona, Hawaii

Thank you for requesting our comments regarding the proposed 184-lot residential subdivision.

Please submit a Traffic Impact Analysis Report (TIAR) for our review and approval. The TIAR should evaluate the project impacts on our State highway facilities (Queen Kaahumanu Highway and Mamalahoa Highway). The report should discuss appropriate roadway mitigation measures caused by the proposed project, if any.

If you have any questions, please contact Ronald F. Tsuzuki, Head Planning Engineer, Highways Division, at 587-1830.

Very truly yours,


RODNEY K. HARAGA
Director of Transportation

BRIAN T. NISHIMURA, PLANNING CONSULTANT
101 Aupuni Street, Suite 217
Hilo, Hawaii 96720-4221
Phone: (808) 935-7692 Fax: (808) 935-6126 E-mail: btnishi@interpac.net

August 4, 2003

Rodney K. Haraga, Director of Transportation
State of Hawaii
Department of Transportation
869 Punchbowl Street
Honolulu, Hawaii 96813-5097

**Subject: Pre-Environmental Assessment Consultation Letters
Westpro Development Inc. – Request to Utilize State Land for Access Purposes
TMK: (3) 7-3-10: por. of 6**

Dear Mr. Haraga:

This is to acknowledge receipt of two letters dated June 12 and 19 regarding the above-described matter. Your letters requested that an analysis of the traffic impacts of the subject project, particularly as they relate to State highway facilities (Queen Kaahumanu Highway and Mamalahoa Highway) be provided for your review.

Please be advised that the subject Environmental Assessment is intended to address the impacts of a new roadway which will provide one of three accesses to a residential subdivision. The traffic impacts of a proposed residential project were previously assessed during State Land Use Boundary amendment (LUC Docket No. A89-645/Haseko Hawaii, Inc.) and County Rezoning (Rezoning No. 682) proceedings which were conducted for the affected property (including TMK: 7-3-10: 47, 48 & 50) between 1989 and 1991. The proposed access through the subject State property has been part of the development concept of the property since 1989 and was required as a condition of approval in Change of Zone Ordinance No. 91 22. In effect, the proposed roadway was a required mitigation measure to address the traffic impacts being generated by the development of those parcels.

The original developer proposed a much more intensive use of the affected properties and included the following:

- 183 single family dwelling units
- 132 multi-family units
- 4.5 acre neighborhood shopping center

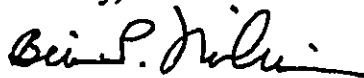
The current developer is proposing only 190 single family residential units, no multi-family units and no neighborhood shopping center. As such, the anticipated impacts of the current development proposal should be significantly less than those of the previous proposal.

Based on the foregoing, we believe that a traffic impact assessment for the proposed request to utilize State land for access purposes is not necessary. The proposed Lokahi Subdivision is not the subject of this Environmental Assessment. Moreover, the impacts of the previous development proposal were assessed and appropriate mitigation measures were identified during the original land use approval process.

Thank you for taking the time to provide your comments during the pre-assessment consultation process. A copy of the Draft Environmental Assessment will be provided for your review as requested.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Brian T. Nishimura, Planning Consultant

LINDA LINGLE
GOVERNOR



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

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 916
HILO, HAWAII 96721-0916

April 22, 2003

Brian T. Nishimura, Planning Consultant
101 Aupuni Street, Suite 217
Hilo, HI 96720-4221

Subject: Pre-Environmental Assessment Consultation
Westpro Development Inc.
Request to Utilize State Land for Access Purposes
Kalaoa 56h, North Kona, Island of Hawaii
Tax Map Key: (3) 7-3-10:6

The applicant should contact the Army Corps of Engineers (COE) to identify whether a Federal permit (including a Department of Army (DA) permit) is required for this project. A Section 401 Water Quality Certification (WQC) is required for "Any 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..." pursuant to Section 401(a)(1) of the Federal Water Pollution Act (commonly known as the "Clean Water Act (CWA)").

If the project involves the following activities with discharges into State waters, an NPDES general permit is required for each activity:

- a. Discharge of storm water runoff associated with construction activities, including clearing, grading, and excavation that result in the disturbance of equal to or greater than five (5) acres of total land area;
- b. Construction dewatering effluent;
- c. Non-contact cooling water;
- d. Hydrotesting water; and
- e. Treated contaminated groundwater from underground storage tank remedial activity.

Brian T. Nishimura
Page 2
April 22, 2003

The application for NPDES general permit coverage should be submitted to the Director at least 30 days prior to the discharge to State waters.

If there is any type of process wastewater discharge from the facility into State waters, the applicant may be required to apply for an Individual NPDES permit. The application for an Individual NPDES permit should be submitted to the Director at least 180 days prior to the discharge of process wastewater to State waters.

Should you have any further questions regarding this matter, please contact the Engineering Section of the Clean Water Branch in Honolulu at (808) 586-4309.

Construction activities must comply with the provisions of Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control."

- a. The contractor must obtain a noise permit if the noise levels from the construction activities are expected to exceed the allowable levels of the rules.
- b. Construction equipment and on-site vehicles requiring an exhaust of gas or air must be equipped with mufflers.
- c. The contractor must comply with the requirements pertaining to construction activities as specified in the rules and the conditions issued with the permit.

Should there be any questions on this matter, please contact the Department of Health at 933-0917.

Underground Injection Systems (Ph. 586-4258) which receive wastewater or storm run-offs from the proposed development need to address the requirements of Chapter 23, Hawaii State Department of Health Administrative Rules, Title 11, "Underground Injection Control."

The applicant would need to meet the requirements of our Department of Health Air Pollution Rules, Chapter 60.1, Title 11, State of Hawaii for fugitive dust control. If there is need to discuss these requirements, please contact our Clean Air Branch staff Ph. 933-0401.

Brian T. Nishimura
Page 3
April 22, 2003

The subject project may be required to be serviced by a Wastewater Treatment Works. Sewage flow calculations and the proposed design plans for the sewage treatment and disposal system needs to be prepared by a Registered Professional Engineer licensed by the State of Hawaii. These reports would need to be submitted to our Wastewater Branch (Ph. 586-4294) in Honolulu.

The development of a new potable water source is regulated by our Drinking Water Branch (Ph. 586-4258) in Honolulu. The reference Administrative Rules is Chapter 20, Potable Water Systems, Title 11, Department of Health, State of Hawaii.

Sincerely,



Aaron A. Ueno
Hawaii District Environmental Health
Program Chief

PHONE (808) 594-1888

FAX (808) 594-1865



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

April 22, 2003

Mr. Brian T. Nishimura
Planning Consultant
101 Aupuni Street – Suite 217
Hilo, HI 96720-4221

**SUBJECT: WESTPRO DEVELOPMENT, INC. – REQUEST TO
UTILIZE STATE LAND FOR ACCESS PURPOSES
TAX MAP KEY (3) 7-3-10:6 – NORTH KONA, HAWAII**

Dear Mr. Nishimura:

Thank you for the opportunity to review and comment on the above reference request for the use of State land for the main access road to the makai end of the proposed Lokahi Subdivision.

The Office of Hawaiian Affairs (OHA) has no comment at this point in time, but we look forward to your Draft Environmental Assessment. If you have any questions, please contact Jerry B. Norris at 594-1847 or email him at jerryn@oha.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter L. Yee".

Peter L. Yee
Director
Nationhood and Native Rights Division

LINDA LINGLE
GOVERNOR OF HAWAII



PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

DAN DAVIDSON
DEPUTY DIRECTOR FOR LAND

ERNEST Y.W. LAU
DEPUTY DIRECTOR FOR
THE COMMISSION ON
WATER RESOURCE MANAGEMENT

STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

DIVISION OF FORESTRY AND WILDLIFE

1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

April 21, 2003

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

Mr. Brian T. Nishimura
Planning Consultant
101 Aupuni Street, Suite 217
Hilo, Hawaii 96720-4221

Dear Mr. Nishimura:

**Subject: Request for Comments: Pre-Environmental Assessment Consultation
Westpro Development Inc. - Request to Utilize State Land for Access
Purposes, TMK: (3) 7-3-10: 6, Kalaoa 5th, North Kona, Island of
Hawaii.**

We have reviewed your cover letter to us dated April 17, 2003 for the subject project description near Kaiminani Drive and mauka of Queen Kaahumanu Highway. We will defer comments until the required flora and fauna information of the draft Environmental Assessment is completed. Thank you for the opportunity to comment.

Sincerely yours,

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

Michael G. Buck
Administrator

Copy: DOFAW, Hawaii Branch

DOCUMENT CAPTURED AS RECEIVED

May 01 03 04:31p West Pro Development
04/29/03 THU 10:10 FAX 0089820343 Haun & Saito

18081329-3779

P. 2
WJUUZ

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING, ROOM 655
601 KAMOKILA BOULEVARD
KAPOLEI, HAWAII 96707

April 22, 2003

Dr. Alan Haun
Haun & Associates
HCR 1 Box 4730
Koaau, Hawaii 96749

Rec'd 4/24/03 153
PETER T. YOUNG
COMMISSIONER
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
DAN DAVIDSON
DEPUTY DIRECTOR - LAND
ERNEST Y.W. LAU
DEPUTY DIRECTOR - WATER
COMMISSION ON WATER RESOURCE MANAGEMENT
AQUATIC RESOURCES
BOATING AND BOAT RECREATION
BUREAU OF CONSERVATION
OBSERVATION AND RESOURCES MANAGEMENT
CHIEF CLERK
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
HAWAIIAN ISLAND RESERVE COMMISSION
LAND
STATE PARKS
WATER RESOURCE MANAGEMENT

LOG NO: 2003.0320
DOC NO: 0304PM09

Dear Dr. Haun:

**SUBJECT: Chapter 6E-42 Historic Preservation Review
Archaeological Assessment for Access Road Corridor
Kalaon, North Kona, Hawaii Island
TMK: (3) 7-3-10:Por. 6**

Thank you for your letter of November 12, 2002 and the opportunity to review and comment on the archaeological assessment for a proposed access road corridor at the above referenced location. We apologize for our late review and any inconvenience this may have caused you and your client, Westpro Development.

The area of the proposed access road corridor has been previously covered in archaeological surveys conducted in 1977 and 1993. No historic sites were found in either survey. On November 6, 2002 you conducted an archaeological assessment of a roughly 5-acre area in the subject parcel to aid in the selection of an access road corridor. Portions of the area were found to have been previously bulldozed as shown on the attached map. No historic sites were found in the assessment. The probability of sites seems unlikely due to previous land disturbance and the character of the terrain. Based on this information, we believe that the proposed access road will have "no effect" on significant historic sites.

If you have any questions about this project please contact our Hawaii Island archaeologist, Patrick McCoy at 692-8029.

Aloha,

P. Holly McEldowney

P. Holly McEldowney, Acting Administrator
State Historic Preservation Division

PM:ak

c. Chris Yuen, County of Hawaii Planning Department
Kai Embler, County of Hawaii Department of Public Works



NA ALA HELE
Hawaii Trail & Access System

May 22, 2003

Ref: H03:13 Ooma

Bill Brooks
Westpro Development Inc.
75-143 Hualalal Road, Suite 202
Kailua-Kona, Hawaii 96740

Aloha Bill,

SUBJECT: Inquiry regarding Ancient Trails affecting TMK: (H) 7-3-10-6 situate
at Kalaoa, North Kona, Hawaii Island

An examination of available maps fail to disclose the presence of ancient or
historical trails affecting the subject property.

Sincerely,

Doris Moana Rowland
Doris Moana Rowland
Na Ala Hele Abstractor

c: Harry Yada, Hawaii District Land Agent

LINDA LINGLE
GOVERNOR
STATE OF HAWAII



MICAH A. KANE
CHAIRMAN
HAWAIIAN HOMES COMMISSION

BEN HENDERSON
DEPUTY TO THE CHAIRMAN

KAULANA H. PARK
HRL EXECUTIVE ASSISTANT

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 1179
HONOLULU, HAWAII 96805

May 5, 2003

Mr. Brian T. Nishimura
Planning Consultant
101 Aupuni Street, Suite 217
Hilo, Hawaii 96720-4221

Dear Mr. Nishimura:

Subject: Westpro Development Inc. - Request to Utilize
State Land for Access Purposes; TMK (3) 7-3-10:6
Kalaoa 5th, North Kona, Island of Hawaii

Thank you for advising us of the pending Lokahi residential subdivision environmental assessment and your intent to access the project via a road across state land.

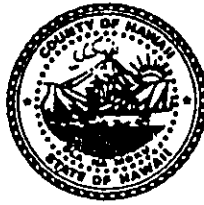
The Department of Hawaiian Home Lands has several parcels in the vicinity and would like further notifications and consultations as you move forward on this project.

If you have any questions, please contact Joe Chu of our Planning office at 587-6421.

Aloha and mahalo,


Micah A. Kane, Chairman
Hawaiian Homes Commission

Harry Kim
Mayor



Lawrence K. Mahuna
Police Chief

Harry S. Kubojiri
Deputy Police Chief

County of Hawaii

POLICE DEPARTMENT

349 Kapiolani Street • Hilo, Hawaii 96720-3998
(808) 935-3311 • Fax (808) 961-2389

April 24, 2003

Mr. Brian T. Nishimura
Planning Consultant
101 Aupuni Street, Suite 217
Hilo, Hawaii 96720-4221

Dear Mr. Nishimura:

**SUBJECT: Pre-Environmental Assessment Consultation
Westpro Development Inc. – Request to Utilize State Land for
Access Purposes
Tax Map Key (3) 7-3-10:6
Kalaoa 5th, North Kona, Island of Hawaii**

Thank you for giving us the opportunity to provide input on the proposed Lokahi Subdivision. Obviously this 187-lot subdivision will require police services at build out and will generate an increase in traffic.

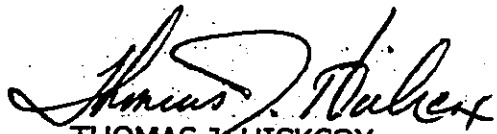
While our Department has no concerns relative to the use of State property for the connector to Kaiminani Drive, we do have concerns over the shortage of north to south connector roads. Eventually, the property south of Lokahi will develop and we would like all developers to plan ahead for aligning subdivision roads.

Mr. Brian Nishimura
Page 2
April 24, 2003

Should you have any questions or concerns, please contact our Kona District
Commander, Captain John Dawrs, at Phone No. 326-4200.

Sincerely,

LAWRENCE K. MAHUNA
POLICE CHIEF



THOMAS J. HICKCOX
ASSISTANT POLICE CHIEF
AREA II OPERATIONS

JD:dmv

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

April 28, 2003

Mr. Brian T. Nishimura
Planning Consultant
101 Aupuni Street, Suite 217
Hilo HI 96720-4221

Dear Mr. Nishimura:

Pre-Environmental Assessment Consultation
Applicant: Westpro Development Inc.
Request: Use of State Land for Access Purposes
Tax Map Key: 7-3-10:6

In response to your letter dated April 17, 2003 requesting a pre-environment assessment to utilize State land for access purposes, we have the following to offer based on the Preliminary Site Plan submitted:

1. The project site is a portion of a 271.01 acre parcel.
2. According to the General Plan's Land Use Pattern Allocation Guide Map, the project site is designated Extensive Agriculture with the balance of the parcel designated Extensive Agriculture and Urban Expansion.
3. The subject parcel is split-zoned by the County. The project site is zoned Agricultural (A-5a) with the balance of the parcel zoned Agricultural (A-5a) and Open (O).
4. The State Land Use designation for the entire parcel is Urban.
5. The project site is not situated within the County's Special Management Area.
6. This request is in response to Condition (G) of Ordinance No. 98 66 (REZ 682), TMK: 7-3-10:27, which states in part:

Mr. Brian T. Nishimura
Planning Consultant
Page 2
April 28, 2003

Additionally, prior to occupancy permits for any multi-family development the subdivision road shall connect to Kaiminani Drive below the community center.

If you have questions, please feel free to contact Esther Imamura or Larry Brown of this office at 961-8288.

Sincerely,

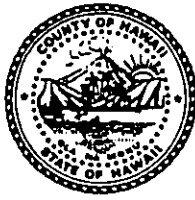


CHRISTOPHER J. YUEN
Planning Director

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xc: Planning Department - Kona

Harry Kim
Mayor



Barbara Bell
Director

County of Hawaii
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
25 Aupuni Street, Room 208 • Hilo, Hawaii 96720-4252
(808) 961-8083 • Fax (808) 961-8086

May 8, 2003

Mr. Brian T. Nishimura
Planning Consultant
101 Aupuni Street, Suite 217
Hilo, Hawai'i 96720-4221

SUBJECT: Pre-Environmental Assessment Consultation
Westpro Development Inc. – Request to Utilize State Land for Access
Purposes
TMK: (3) 7-3-10:6
Kalaoa 5th, North Kona, Island of Hawai'i

We have reviewed the subject request and have the following comments to offer:

- Commercial operations may not use transfer stations for disposal.
- Aggregates and any other construction/demolition waste should be reused to its fullest extent.
- Greenwaste may be disposed of only at the drop sites located at the Kailua and Hilo Transfer Stations.
- Please refer to the enclosed "Solid Waste Management Plan" and provide information as specified.

A handwritten signature in cursive script, appearing to read "Barbara Bell".

Barbara Bell
DIRECTOR

cc: SWD
Planning Department

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO HAWAII

DATE: July 26, 2000

SOLID WASTE MANAGEMENT PLAN

Guidelines

INTENT AND PURPOSE

This is to establish guidelines for reviewing solid waste management plans, for which special conditions are placed on developments. The solid waste management plan will be used to; (1) encourage recycling and recycling programs, (2) predict the waste generated by the proposed development to anticipate the loading on County transfer stations, landfills, and recycling facilities, and (3) predict the additional traffic being generated because of waste and recycling transfers.

REPORT

The consultant's report will contain the following:

1. Description of the project, its location, and the potential waste it may be generating; i.e., analysis of anticipated waste volume and composition. This includes waste generated during the construction and operational phases. Greenwastes will be included in this report for both construction grubbing and future operational landscape maintenance.
2. Description and location of the possible sites for waste disposal or recycling. We will not allow the use of the County transfer stations for any commercial development; commercial development as defined under the policies of the Department of Public Works, Solid Waste Division.
3. Since the Department of Public Works promotes recycling, indicate onsite source separation facilities by waste-stream; i.e., source separation bins of glass, metal, plastic, cardboard, aluminum, etc.
4. Identification of the proposed disposal site and transportation methods for the various components of the waste disposal and recycling system. Including the number of truck traffic and the route that truck will be using to transport the waste and recycled materials.
5. The report will include any impacts to County waste and recycling facilities, and the appropriate mitigation measures. All recommendations and mitigation measures will be addressed.


Solid Waste Mgmt. Plan
July 26, 2000
Page 2 of 2

6. Description of the waste reduction component that analyzes techniques to be employed to achieve a reduction goal.
7. Analysis will be based on the highest potential use or zoning of the development.

REQUIREMENTS AND CONDITIONS

1. A solid waste management plan will be done for all commercial developments, as defined under the policies of the Department of Public Works, Solid Waste Division.
2. We will require the developer to provide or resolve all recommendations and mitigation measures as outlined in the report; besides any conditions placed on the applicant by the Department of Public Works.
3. A licensed environmental or civil engineer will draft and certify the solid waste management plan.

CONCUR:



ROBERT K. YANABU
Chief Engineer

**APPENDIX B – Archaeological Assessment, Access Road Corridor, Land of Kalaoa
5th, North Kona District, Island of Hawaii (TMK: 3-7-3-10: por. 6)**

Haun & Associates

Archaeological, Cultural, and Historical Resource Management Services
HCR 1 Box 4730, Keaau, Hawaii 96749 Phone: 982-7755 Fax: 982-6343

November 11, 2002

Via Fax (4 pp.) and Mail

Mr. Bill Brooks
Westpro Development
P.O. Box 2808
Kailua-Kona, HI 96745

Subject: Archaeological Assessment
Access Road Corridor
Land of Kalaoa 5th, North Kona District
Island of Hawaii (TMK: 3-7-3-10; por. 6)

Dear Mr. Brooks:

At your request, Haun & Associates conducted an archaeological assessment of a c. 5-acre parcel situated in the Land of Kalaoa 5th, North Kona District, Island of Hawaii (*Figure 1*). The project objective was to determine if there are any sites present that would prevent construction of an access road.

The project area is comprised of an irregularly-shaped parcel bordered by Kai'minani Drive to the north and by undeveloped lands to the east, west and south. The parcel is situated between 320 ft to 355 ft elevation. The vegetation within the project area is comprised of young *koa huale* (*Leucaena leucocephala* [Lam] de Witt) trees and grasses. Sato et al. indicates that the soil in this area is comprised of Punaluu extremely rocky peat which is classified as a thin organic deposit of dark peat over pahoehoe lava (1973:48).

According to Walker and Rosendahl, the Land of Kalaoa was classified as Government land during the Great Mahele (1989:9). Two Land Commission Awards were granted (LCA 7937 and 7899). Both are situated inland of the project area.

Two previous archaeological investigations have encompassed the current project area. Davis (1977) conducted a reconnaissance survey of a c. 915 acre parcel that extended from Queen Kaahumanu Highway to c. 400 ft elevation, with a narrow strip in Kalaoa 4th that extended to c. 800 ft elevation. No sites were identified by Davis (1977) within the current project area. Henry et al. (1993) undertook an archaeological assessment of c. 2,640 acres of State-owned lands situated inland of Kauhale Point. Although numerous sites and features were identified during this study, none were located in the vicinity of the present project area.

Walker and Rosendahl (1989) conducted an archaeological inventory survey of a 140-acre parcel situated adjacent to the current project area to the southeast. This survey identified 34 sites. The majority of the sites were situated inland of the current study area. Site density decreased markedly at the seaward end the parcel.

The examination of the current project area was undertaken on November 6, 2002 under my direction. Transects were oriented in a north-south direction, perpendicular to Kai'minani Drive.

Archaeological Assessment
November 9, 2002

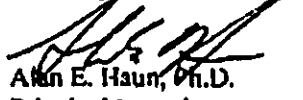
The surveyors were spaced at 10 m intervals. Portions of the project area have been disturbed by bulldozer activity (*Figure 2*). This disturbance is indicated by large pushpiles of houlders containing trash and pieces of asphalt, and by numerous bulldozer scars on exposed pahoehoe lava. The inland portion of the parcel is undisturbed and is comprised of uneven pahoehoe lava. The seaward portion is also undisturbed, consisting of a level pahoehoe flow.

A small lava blister was identified in the seaward portion of the parcel (*see Figure 2*). The blister consists of a bell-shaped hole that is 1.6 m in depth and c. 2.0 m in diameter. A thin soil deposit over bedrock was present on the floor of the blister with several plastic bottles, aluminum cans, and the spines from four large fish, which were recently deposited.

No historic or prehistoric artifacts or structures were identified. The parcel is unlikely to contain subsurface cultural deposits or burials because of the character of the terrain and the prior grubbing of a portion of the parcel. Based on the field inspection and limited archaeological and historical background research, an inventory survey of the building sites is not recommended. This recommendation will require the concurrence of the Department of Land and Natural Resources Historic Preservation Division.

If you have any questions or comments, please contact me at 982-7755.

Sincerely,



Alan E. Haun, Ph.D.
Principal Investigator

References Cited

Davis, B.

1977 Archaeological Survey of the Proposed Agricultural Park at Keahole, North Kona, Hawaii Island. Archaeological Research Center Hawaii, Inc. Prepared for Department of Agriculture.

Henry, J., S. Goodfellow and K. Maly

1993 Archaeological Assessment Study, Kaitua to Keahole Region State Lands, LUC Project, Lunds of Makaula, Hale'ohi'u, Hamanamana, Kalaoa -14, Kalaoa, Ooma, and Ooma 2, North Kona District, Island of Hawaii. (PHRI Report 1275. Prepared for Helber, Hastert & Fee.

Walker, A., and P. Rosendahl

1989 Archaeological Inventory Survey, Pu'uhonua Subdivision Development Parcel, Land of Kalaoa 5, North Kona District, Island of Hawaii (TMK:3-7-3-10:por 27). PHRI Report 490. Prepared for Haseko (Hawaii), Inc.

Archaeological Assessment
November 9, 2002

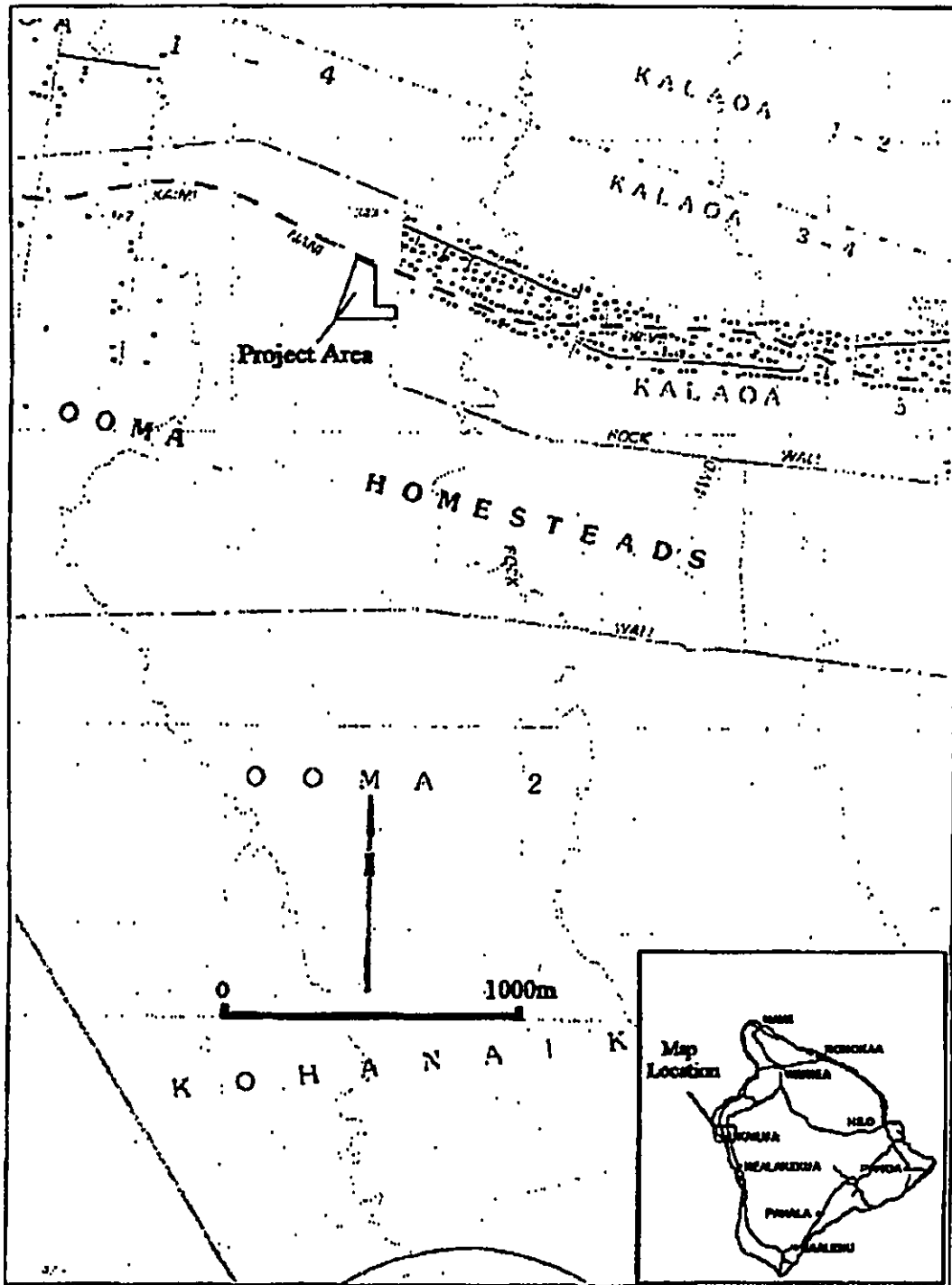


Figure 1. Portion of Kailua Quadrangle showing Project Area

Archaeological Assessment
November 9, 2002

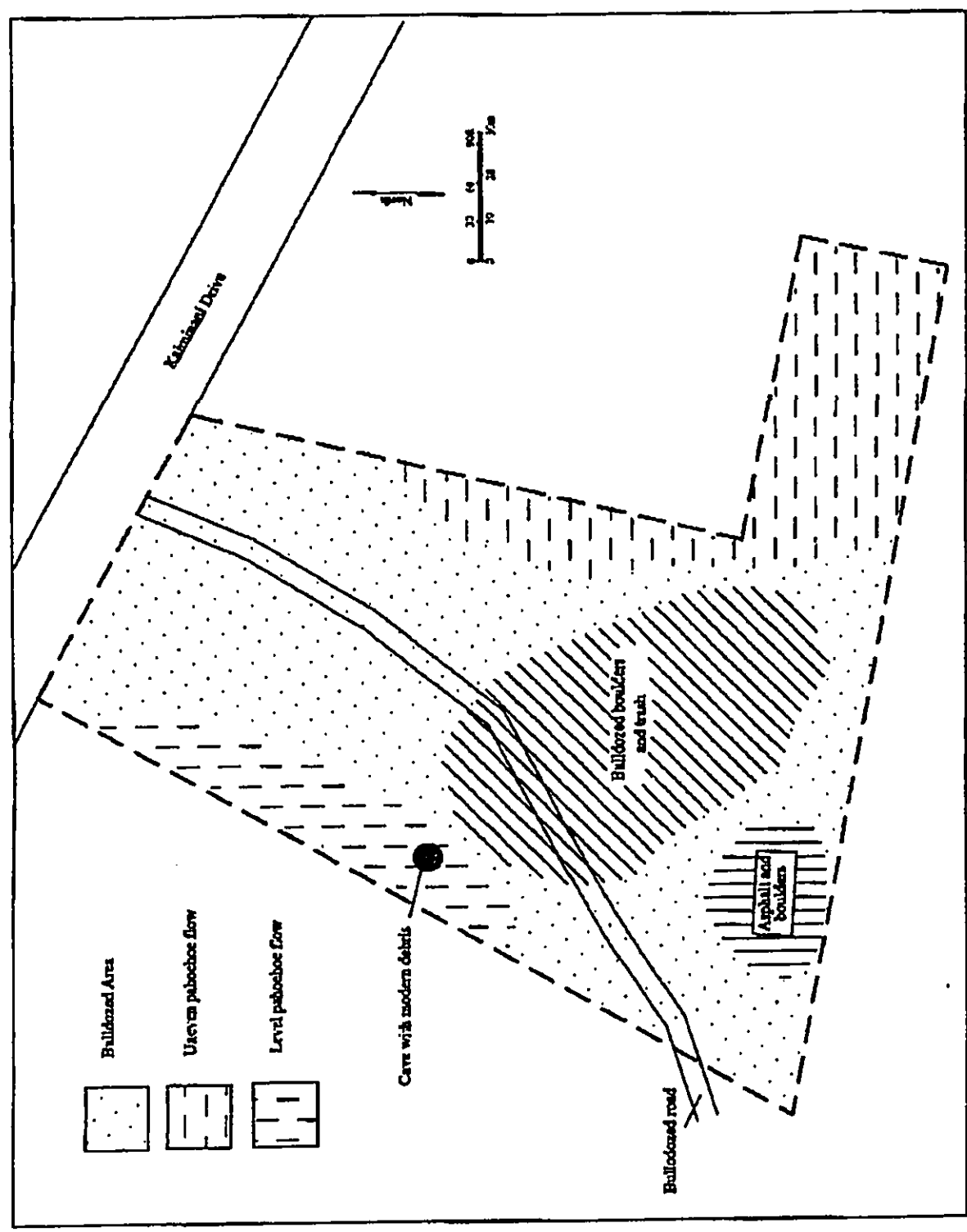


Figure 2. Project Area Map