

LINDA LINGLE
GOVERNOR OF HAWAII

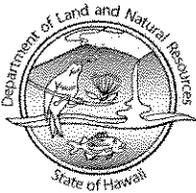


PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
DEPUTY DIRECTOR - LAND

DEAN NAKANO
ACTING 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



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

REF:OCCL:TM

CDUA: OA-3366

DEC 13 2006
DEC 13 2006

MEMORANDUM

TO: Genevieve Salmonson, Director
Office of Environmental Quality Control

FROM: Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

SUBJECT: Final Environmental Assessment (FEA)/ Finding of No Significant Impact (FONSI)
for Conservation District Use Application (CDUA) OA-3366 For a Single Family
Residence and Horse Barn, Kokokahi, Koolaupoko, Island of Oahu, TMK:(1) 4-5-
032:001

The Office of Conservation and Coastal Lands (OCCL) has reviewed the FEA for the Single Family Residence and Horse Barn. The Draft Environmental Assessment (DEA) for CDUA OA-3366 was published in OEQC's August 23, 2006 Environmental Notice.

The FEA is being submitted to OEQC. We have determined that this project will not have significant environmental effects, and have therefore issued a FONSI. Be advised, however, that this finding does not constitute approval of the proposal. Please publish this notice in OEQC's upcoming December 23, 2006 Environmental Notice.

We have enclosed two hard copies and a CD copy of the FEA for the project. A copy of the OEQC Bulletin Publication Form and Project Summary is attached. Comments on the draft EA were sought from relevant agencies and the public, and were included in the FEA.

Please contact Tiger Mills of our Office of Conservation and Coastal Lands Staff at 587-0382 if you have any questions on this matter.

Attachments

RECEIVED
06 DEC 13 P1 58
OFFICE OF ENVIRONMENTAL
QUALITY CONTROL

FINAL ENVIRONMENTAL ASSESSMENT

COOPER RESIDENCE AT KOKOKAHI PLACE

Kāneʻohe, Koʻolaupoko District, City and County of Honolulu, Oʻahu

DECEMBER 2006

FINAL ENVIRONMENTAL ASSESSMENT

COOPER RESIDENCE AT KOKOKAHI PLACE **Kāneʻohe, Koʻolaupoko District, City and County of Honolulu, Oʻahu**

Prepared in Partial Fulfillment of the Requirements
Of Chapter 343, Hawai'i Revised Statutes and
Title 11, Chapter 200, Hawai'i Administrative Rules,
Department of Health, State of Hawai'i

Prepared for:
He Mea Waiwai Loa LLC
977 Alahaki Street
Kailua, HI 96734

Prepared by:
Helber Hastert & Fee, Planners
733 Bishop Street, Suite 2590
Honolulu, Hawai'i 96813

December 2006

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
PROJECT SUMMARY	1
1.0 DESCRIPTION OF THE PROPOSED ACTION	3
1.1 Technical Characteristics	3
1.2 Social Characteristics	9
1.3 Economic Characteristics	9
1.4 History of Conservation District Use	9
2.0 AFFECTED ENVIRONMENT	11
2.1 Urban Context	11
2.2 Topography and Soils	11
2.3 Surface Water	14
2.4 Natural Hazards	14
2.5 Visual Resources	14
2.6 Flora and Fauna	14
2.7 Cultural, Historic and Archaeological Resources	16
2.8 Traffic and Roadways	17
2.9 Air Quality and Noise	17
2.10 Utilities	19
2.11 Emergency, Fire and Police Protection	19
3.0 SUMMARY OF ENVIRONMENTAL CONSEQUENCES AND MEASURES TO MITIGATE ADVERSE EFFECTS	21
3.1 Land Use Compatibility	21
3.2 Topography and Soils	21
3.3 Surface Water	21
3.4 Natural Hazards	22
3.5 Visual Resources	22
3.6 Flora and Fauna	22
3.7 Cultural, Historic and Archaeological Resources	24
3.8 Traffic and Roadways	24
3.9 Air Quality and Noise	25
3.10 Utilities	25
3.11 Emergency, Fire and Police Protection	26
3.12 Cumulative Impacts	26
4.0 CONFORMITY OF PROPOSED ACTION WITH EXISTING STATE AND COUNTY PLANS, POLICIES AND LAND USE CONTROLS	27
4.1 State of Hawai'i	27
4.1.1 Hawai'i State Plan	27
4.1.2 Chapter 205, Hawai'i Revised Statutes	29
4.1.3 State Environmental Policy	31
4.1.4 Coastal Zone Management	31
4.2 City and County of Honolulu	33

4.2.1	City and County of Honolulu General Plan	33
4.2.2	Ko'olaupoko Sustainable Communities Plan	35
4.2.3	Land Use Ordinance.....	35
4.2.4	Special Management Area	36
5.0	ALTERNATIVES CONSIDERED	37
6.0	ANTICIPATED DETERMINATION AND SUPPORTING RATIONALE.....	39
7.0	CONSULTED AGENCIES AND ORGANIZATIONS	43
7.1	Pre-Assessment Consultation	43
7.2	Draft EA Consultation	43
8.0	REFERENCES.....	45

APPENDICES

A	Architectural Drawings
B	Conservation District Use Permit OA-12/3/79-1188, February 22, 1980
C	Conservation District Use Permit OA-11/18/87-1861A, April 22, 1988
D	Botanical Resources Assessment Study
E	Horse Management Plan
F	Archaeological Field Inspection
G	Chapter 343, HRS Pre-Assessment Consultation
H	Chapter 343, HRS Draft EA Consultation

LIST OF FIGURES

<u>Figure</u>	<u>Title</u>	<u>Page</u>
1	Vicinity Map	4
2	Tax Map Key Parcel Map	5
3	Proposed Site Plan.....	7
4	Property Photographs	8
5	State Land Use Districts.....	12
6	City and County of Honolulu Zoning Districts.....	13
7	Flood Zones	15
8	Sites of O‘ahu.....	18
9	Proposed Views	23

LIST OF TABLES

<u>Table</u>	<u>Title</u>	<u>Page</u>
1	Proposed Uses.....	6
2	Required Permits and Approvals.....	9

ACRONYMS

BLNR	Board of Land and Natural Resources
CDUA	Conservation District Use Application
CDUP	Conservation District Use Permit
CZM	Coastal Zone Management
DBEDT	State of Hawai'i Department of Business Economic Development and Tourism
DLNR	State of Hawai'i Department of Land and Natural Resources
DOH	State of Hawai'i Department of Health
DP	Development Plan
DPP	City and County of Honolulu Department of Planning and Permitting
EA	Environmental Assessment
EIS	Environmental Impact Statement
FONSI	Finding of No Significant Impact
HAR	Hawai'i Administrative Rules
HECO	Hawaiian Electric Company
HRS	Hawai'i Revised Statutes
LUO	Land Use Ordinance
LSB	University of Hawai'i Land Study Bureau
SCP	Sustainable Communities Plan
SHPD	State of Hawai'i Department of Land and Natural Resources Historic Preservation Division
SIHP	State Inventory of Historic Places
SMA	Special Management Area
TMK	Tax Map Key
USDA	United States Department of Agriculture

PROJECT SUMMARY

He Mea Waiwai Loa LLC proposes to construct a single-family residential dwelling and horse barn on private property within the State Conservation District in Kāneʻohe, Oʻahu, Hawaiʻi (see Figure 1 for general location). The proposed residence would be constructed on an existing flat building pad occupied by a former single-family residence that has since burned down. Approval of a Conservation District Use Application (CDUA) by the State of Hawaiʻi Board of Land and Natural Resources (BLNR) is required before the proposed improvements can be constructed.

This draft environmental assessment (EA) was prepared in compliance with Chapter 343, Hawaiʻi Revised Statutes (HRS), as amended, and the environmental impact statement (EIS) regulations promulgated by Chapter 200 of Title 11, Department of Health (DOH), Hawaiʻi Administrative Rules (HAR). The Proposed Action is subject to the environmental review process because it proposes to use land within the State Conservation District as determined by Chapter 205, HRS. The purposes of this document are to determine whether the Proposed Action may have a significant impact on the environment and whether an EIS is required.

Under the provisions of Title 11, Chapter 200, HAR, it is anticipated that the direct, indirect, and cumulative effects of the Proposed Action will not have a significant adverse effect on the environment and that a Finding of No Significant Impact (FONSI) will be issued by the approving agency.

Project Name:	Cooper Residence at Kokokahi Place
Proposed Action:	Construction of a single-family residential dwelling and horse barn on private property in State Conservation District
Applicant:	He Mea Waiwai Loa LLC 977 Alahaki Street Kailua, Hawaiʻi 96734 Mr. Peter Cooper, Managing Member
Approving Agency:	Department of Land and Natural Resources P.O. Box 621 Honolulu, Hawaiʻi 96809
EA Preparer:	Helber Hastert & Fee, Planners 733 Bishop Street, Suite 2590 Honolulu, Hawaiʻi 96813
Project Location:	45-234A Kokokahi Place Kāneʻohe, Oʻahu Hawaiʻi
Project Area:	Approximately five acres
Tax Map Key Parcel:	4-5-32: por. 001

Existing Uses:	Vacant land (formerly occupied by single-family dwelling)
Proposed Uses:	Residential
State Land Use District:	Conservation (General subzone)
Ko'olaupoko Sustainable Communities Plan Designation:	Preservation
City and County of Honolulu Zoning:	P-1 Restricted Preservation
Special Management Area:	Outside SMA boundary

1.0 DESCRIPTION OF THE PROPOSED PROJECT

He Mea Waiwai Loa LLC, a limited liability company established by Mr. Peter Cooper, proposes to construct a single-family residential dwelling and accessory detached horse barn on private property within the State Conservation District, General subzone. The subject property is located at 45-234A Kokokahi Place, Kāneʻohe, District of Koʻolaupoko, Oʻahu, Hawaiʻi. The property is surrounded by single-family residential development to the north, northeast, west and southwest, and Conservation lands to the south and southeast.

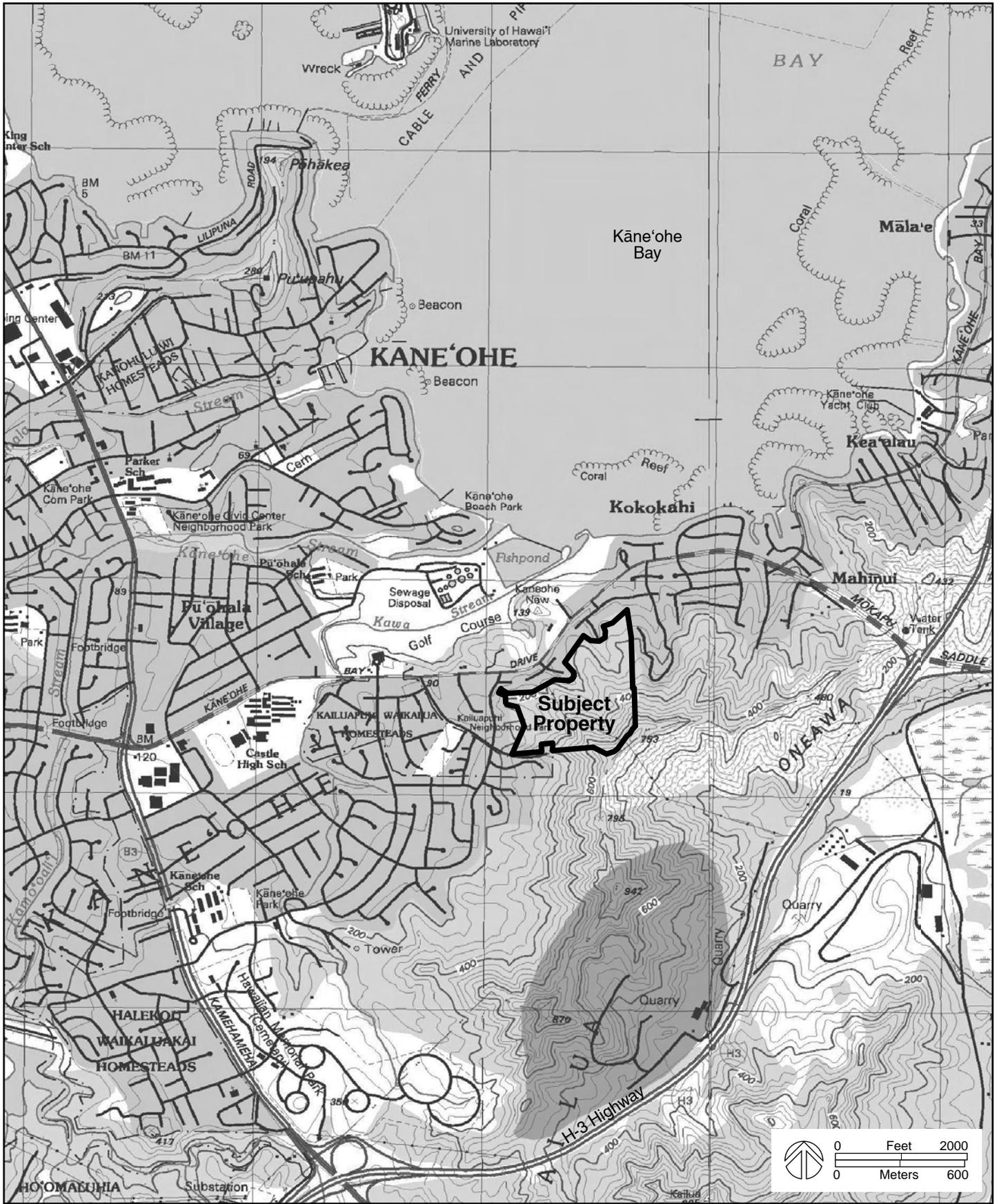
The project area is identified as being a part of Tax Map Key (TMK) parcel 4-5-32: 001 which has a total land area of 56.288 acres. The proposed improvements would be concentrated on approximately five acres of the parcel's total land area (project site). The property is currently vacant and undeveloped forest lands, with the exception of the project site which was cleared and graded for the former home and driveway. Figure 1 shows the project's general location. Figure 2 presents the TMK parcel map of the subject property.

1.1 Technical Characteristics

The Proposed Action is intended to replace the previously-permitted single-family residential use of the property. The proposed main house would be designed to accommodate a family of four, featuring two bedrooms and a master suite, an enclosed two-car garage, a covered lanai, and pool and pavilion at the rear. The structural remnants of the previous residence currently existing on-site would be demolished, and the proposed main house would be constructed over the flat area occupied by the previously-permitted structure. As proposed, the house would consist of two floors (ground floor and basement) and would be sited to fit the existing topography and complement the surrounding landscape. The house would be topped with a pitch roof and would be less than 25 feet in height. The planned pool would also function to provide fire protection as part of a fire contingency plan. The total floor area of the main house (amenities included) would be within the 5,000 square-foot maximum developable area for residential units on lots larger than one acre as allowed under Section 13-5-41, HAR.

The detached horse barn would include three horse stalls, a tack room, feed and equipment storage area, and a sit-up room. The barn would be used to shelter horses that would be kept on the property. The horse barn would be roughly 40 feet wide and 40 feet long, with a floor area of approximately 1,600 square feet and a building height of 20 feet. The barn would be located approximately 120 feet northwest of the main house on a second level section of the project site that sits at an elevation about 30 feet lower below the main house. Design of the barn would emulate architectural elements of the main house, including a pitch roof, similar building style, and complementary colors. The horse barn, which would be accessory to the proposed residential use, would support the applicant's personal equestrian interests and enable the applicant to keep no more than three horses on the property. No horses would be bred for commercial use, nor utilized for any commercial venture.

A fenced enclosure constructed around the horse barn would keep the horses contained within the limits of the pasture. The pasture area would encompass a total area of approximately 3.5 acres, with the primarily flat topography resulting from grading by the previous owner during the early 1980s. A 5½-foot high wooden fence designed with cedar posts set no more than 12 feet apart would surround the pasture. The fencing would be set back from the neighboring



Vicinity Map

Figure 1

Cooper Residence EA
 Kaneohe, O'ahu, Hawai'i

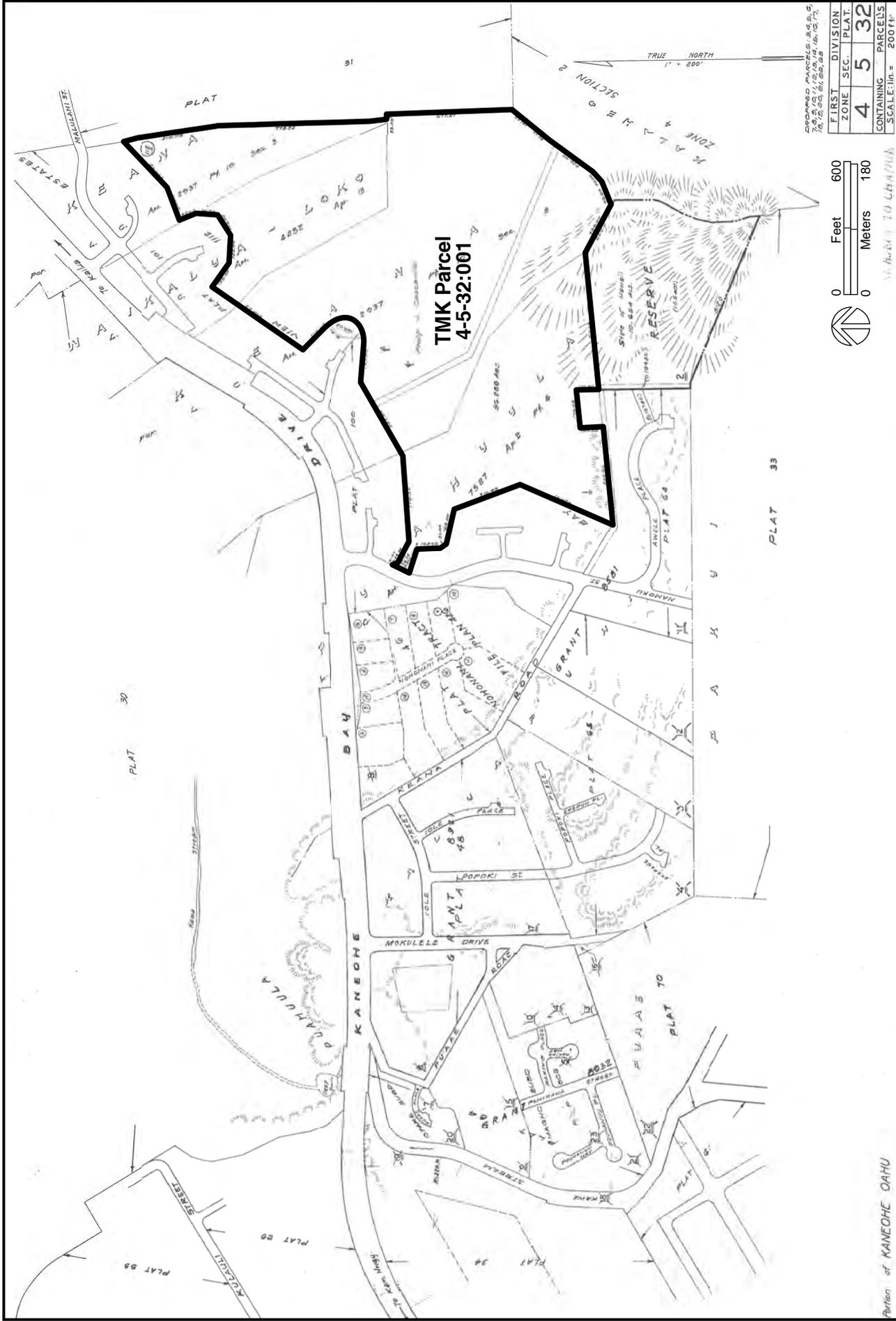


Figure 2

TMK Parcel Map
 Cooper Residence EA
 Kane'ohu, O'ahu, Hawaii'i

properties, with a minimum distance of about 40 feet between the corral fencing and the property line of the nearest homes neighboring the project site.

The proposed improvements would be contained within a narrow five-acre project site of the larger 56-acre property. Because the property was previously graded for the first house located there, construction would not require grading or alterations to the existing terrain. None of the mature trees currently on the property would be disturbed or displaced, with the exception of the dead trees that pose a fire hazard and a banyan tree in the vicinity of the proposed barn that has been comprised by the growth of a eucalyptus tree that fell into its trunk. The applicant intends to utilize the existing vegetation as much as possible, and new landscaping would be limited to covering dirt areas. The applicant would continue to maintain the areas within the boundaries of the project site for the duration of the home's existence.

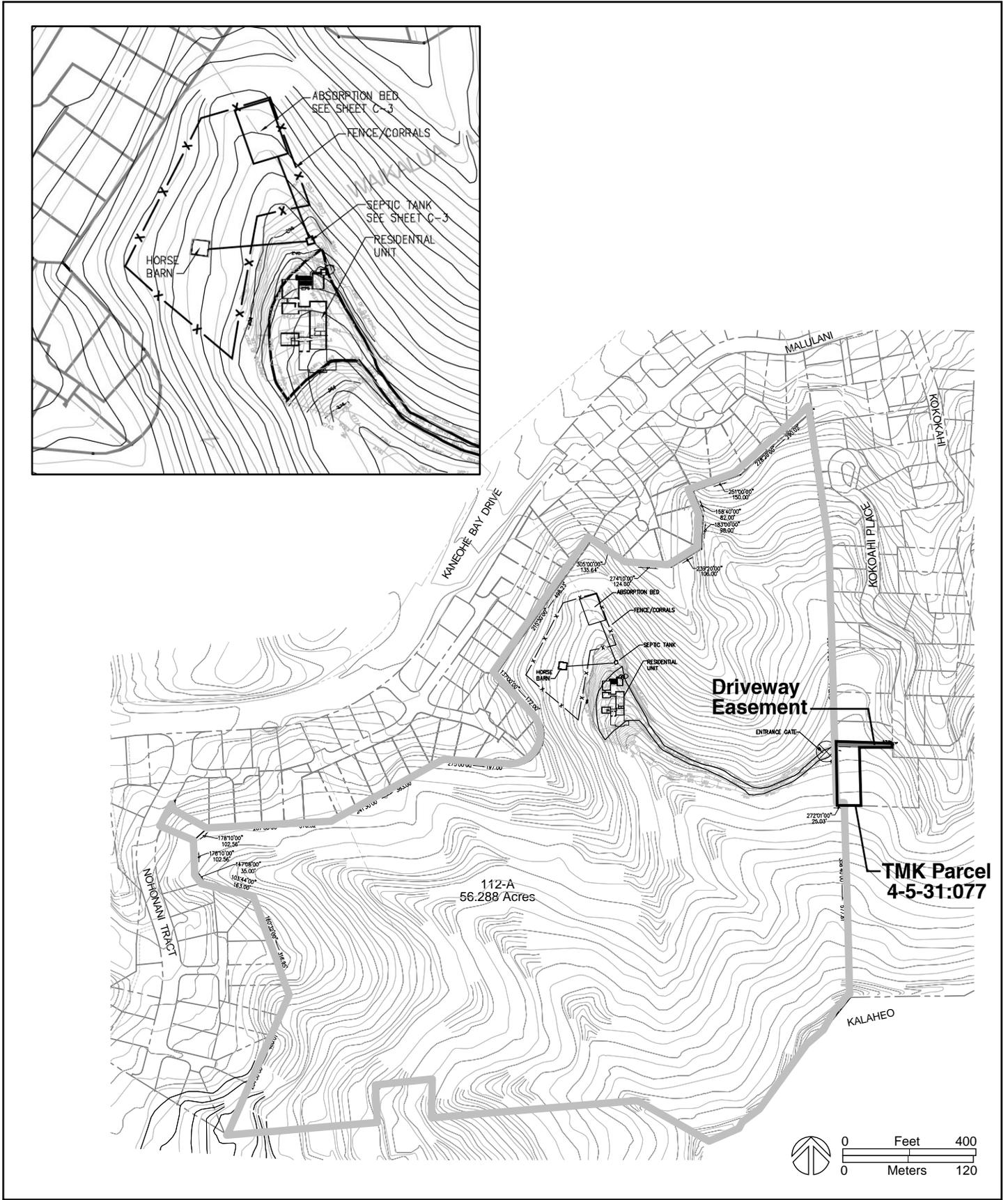
Table 1 summarizes the total floor area for the proposed structures. Figure 3 presents the proposed site plan for the project. Figure 4 presents site photographs of the subject property and project site. Architectural sheets are included as Appendix A.

Table 1
Proposed Uses

Structure	Total Floor Area (square feet)
Main House	4,995
Horse Barn	1,596
TOTAL	6,591

Access to the property is via an existing gravel driveway connected to Kokokahi Place. A 12-foot wide easement for access over TMK parcel 4-5-31:077 in favor of the subject parcel allows the driveway connection and access to the property from Kokokahi Place (see Figure 3). An existing dirt road that provides access from the property line to the project site is about 600 feet long, running about 250 feet towards the southwest before turning and running northwest to the project site. An entrance gate would be installed near the start of the dirt road to provide security against trespassers.

Domestic water and electrical service are currently provided by the City and County of Honolulu Board of Water Supply and Hawaiian Electric (HECO) from systems on Kokokahi Place. Telephone service, which was previously supplied by Hawaiian Telephone Company, would be provided by the Hawaiian Telcom system on Kokokahi Place. Utility easements over TMK parcel 4-5-31:07 in favor of the subject property provide access for the water, electric and telephone service connections from the property to Kokokahi Place. Since the property owner does not have an easement that allows for a connection to the City's wastewater system, the Proposed Action would include construction of an individual wastewater system. An existing cesspool that was used by the previous residence would be drained and backfilled, and a new septic tank and leach field waste disposal system in compliance with the requirements of Title 11, Chapter 62, HAR – Wastewater Systems, would be installed, with solids collected in a septic tank and the effluent discharged in absorption beds (see Figure 3 and Appendix A).



Proposed Site Plan

Cooper Residence EA
 Kāneʻohe, Oʻahu, Hawaiʻi

Figure 3



1. View of driveway easement from property (looking east)



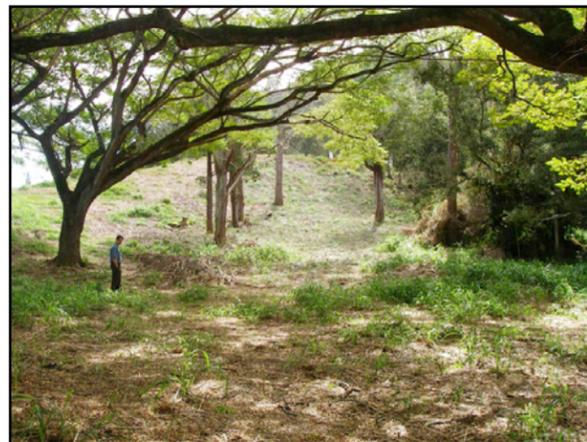
2. View of driveway and southeast corner of project site (looking southwest)



3. View of proposed house site (looking southeast)



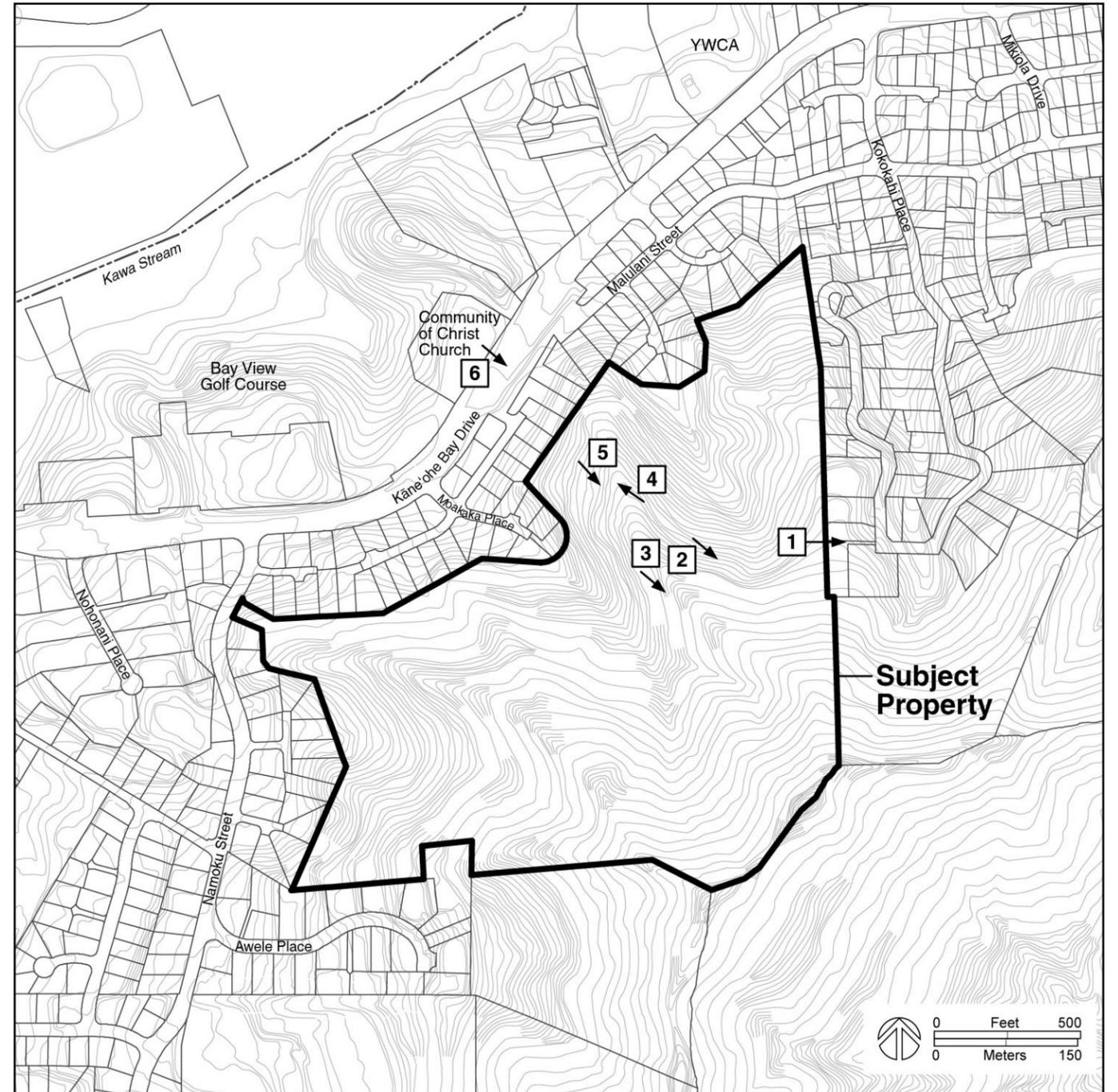
4. View of north section of project site (looking west)



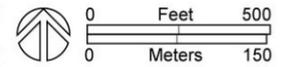
5. View of proposed horse barn site (looking southeast)



6. View of property from across Kāne'ōhe Bay Drive (looking southeast)



Photograph Locator Map



Property Photographs

Cooper Residence EA
Kāne'ōhe, O'ahu, Hawai'i

Figure 4

Table 2 provides a summary of the possible permits and approvals that may be required for the Proposed Action.

Table 2
Required Permits and Approvals

Approval Required	Authority
Conservation District Use Application	State of Hawai'i Department of Land and Natural Resources
Chapter 343, Hawai'i Revised Statutes Environmental Review and Determination	State of Hawai'i Department of Land and Natural Resources
Individual Wastewater System Approval	State of Hawai'i Department of Health
Construction and Building Permits	City and County of Honolulu Department of Planning and Permitting

1.2 Social Characteristics

The Proposed Action would provide for a single-family residence with amenities to support the occupant's personal equestrian interests. The property is bordered by single-family residential development along four of its five sides, and undeveloped forest lands within the State Conservation District on its mauka (south and southeast) boundaries. Based on the planned location of the proposed structures, the main house would be more than 150 feet to the east of the nearest neighboring property line (on Moakaka Place) and the horse barn would be more than 100 feet to the southeast of the nearest property line (on Moamaha Way).

1.3 Economic Characteristics

The cost of the proposed improvements is estimated at \$875,000. The applicant would pay all costs associated with the proposed improvements.

Construction would commence after all required permits for the project are received and would be completed within one year of start-up, assuming that no unforeseen circumstances arise. All construction would be completed in accordance with the requirements and conditions imposed by DLNR.

1.4 History of Conservation District Use

Residential Use

The BLNR approved a CDUA for residential use of the subject property on February 22, 1980 as a conditional use of the General subzone (CDUA OA-12/3/79-1188) (see Appendix B). The Conservation District Use Permit (CDUP) allowed for construction of a two-story, wooden A-frame dwelling with a building footprint of approximately 1,600 square feet and a gravel driveway. Conditions attached to the CDUP were as follows:

- (1) Compliance with all applicable Federal, State and County statutes, ordinances, rules and

- regulations, and applicable parts of Sections 6A and 6D of Department Regulation No. 4, as amended;
- (2) Indemnity that the State of Hawai'i would not be held liable for property damage, personal injury or death;
 - (3) Other terms and conditions as prescribed by the Chairman;
 - (4) Immediate work stoppage and notification of State Historic Preservation Office should any historic sites or remains be encountered during construction;
 - (5) Compliance with all applicable public health standards;
 - (6) Implementation of an approved fire contingency plan during and after the construction of the dwelling;
 - (7) Use of the dwelling for personal use only, and not commercial or rental purposes;
 - (8) Securing legal access for road and utility purposes over and across TMK parcel 4-5-31:77;

In May 1980, an application for subdivision use of the property and construction of a single-family dwelling on the property was submitted (CDUA OA-3/24/80-1246). The subdivision application proposed to create 12 parcels, where 3.4 acres would be subdivided into 11 separate parcels ranging in size from 5,000 square feet to 26,600 square feet and the remaining 56.3 acres would be retained as part of the original parcel. The subdivision was denied on the basis that the proposed action would reduce open space and accelerate urban development, and was therefore inconsistent with the objective of the General subzone. The request for the residential construction was denied because BLNR policies and practices require review of construction plans as part of the approval process, and such plans and detailed information about the proposed residence were not available at the time.

From August 1980 through May 1982, DLNR responded to a series of complaints regarding construction activity on the property, including grading and landscaping without a permit/plan approval, grading beyond the limits of such permits, and unauthorized grading and clearing of the area below the house site. Following numerous transactions involving the landowner, DLNR staff and City and County Department of Public Works staff, BLNR cited and fined the property owner in May 1982 for violating the conditions of the CDUP, following which the infractions were corrected.

The two-story house was destroyed by a major fire in 2001, and the property has been vacant since. The applicant acquired fee title to the property in September 2005.

Other Uses

The antennae facilities (television booster transmission station and shared-use radio/cellular facilities) located near the southeastern boundary of the subject property at the top of the mountain ridge are permitted with conditions (CDUA OA-11/18/87-1861A, approved April 22, 1988). The CDUP is included as Appendix C.

2.0 AFFECTED ENVIRONMENT

2.1 Urban Context

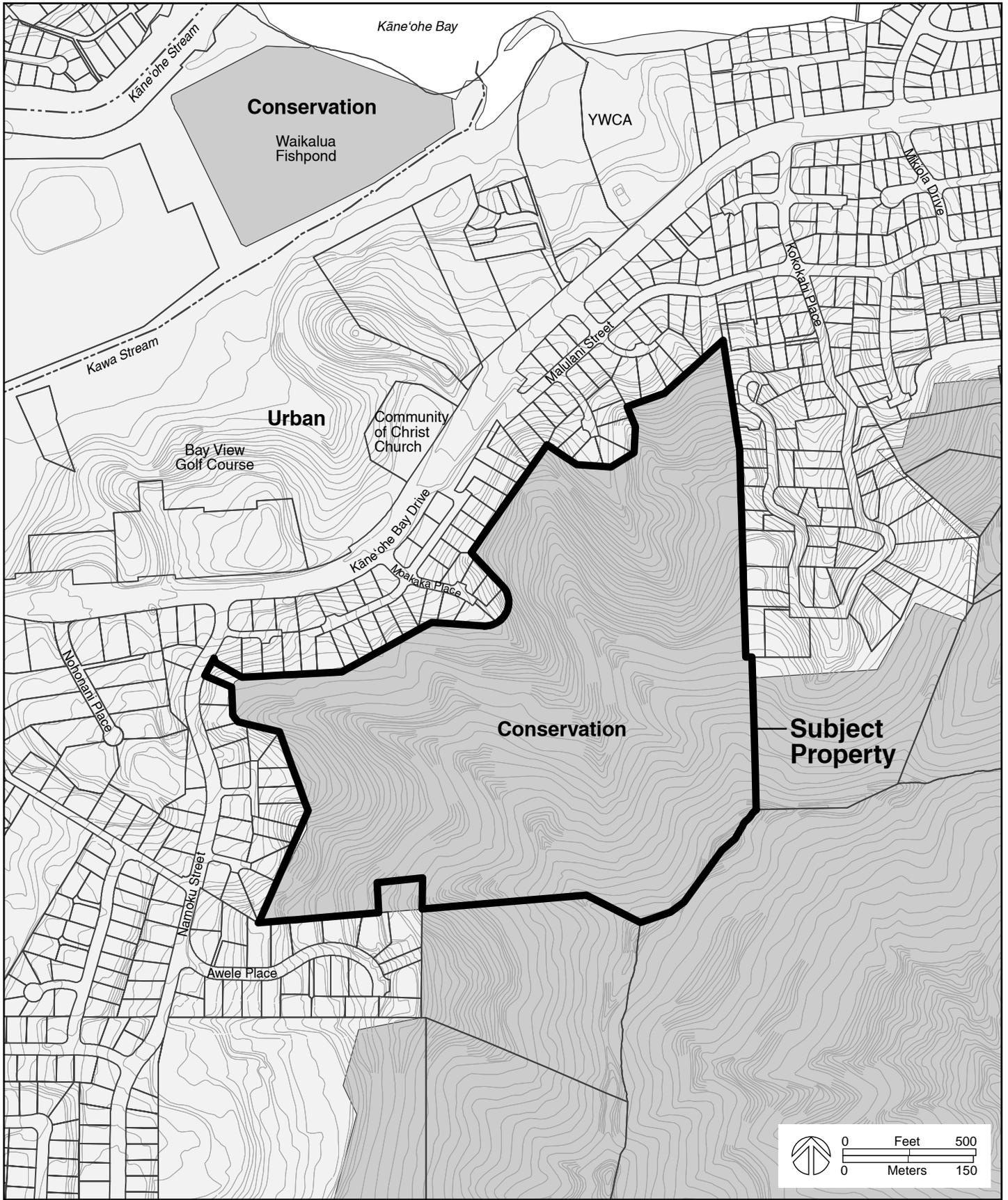
The subject property is located mauka (south) of Kāneʻohe Bay Drive between Kamehameha Highway and the H-3 Freeway, on the windward side of Oʻahu in the area of Kāneʻohe known as Kokokahi. It is surrounded on its west, southwest, north and northeast boundaries by existing residential developments and urban uses. With the exception of the undeveloped conservation lands and State-owned forest reserve lands mauka of the property, surrounding land uses are predominately residential. Other urban uses in the vicinity of the subject property include Castle High School and the Windward City Shopping Center to the west; Bayview Golf Course, the Community of Christ Church and Kokokahi YWCA to the north makai of Kāneʻohe Bay Drive; and several small grocery and neighborhood stores to the northeast.

The majority of the property is within the State Conservation Land Use District (see Figure 5) and is zoned P-1 Restricted Preservation (see Figure 6), with the exception of a small portion (about 6,000 square foot) fronting Nāmoku Street that is within the State Urban Land Use District and zoned R-10 Residential by the City and County of Honolulu. The property has been vacant and unoccupied since the previous residence burned down in 2001. Overhead electrical power lines run in a north-south direction through the western portion of the property. A telecommunications facility site (i.e., cellular antennae site) is situated near the southernmost corner of the property at the top of the ridgeline. An existing gravel driveway, remnants of the previous residence, and the previously-graded area are the only visible development on the property. Although large portions of the property are wooded, the project site was graded and cleared by the previous owner and is being maintained as such by the applicant.

2.2 Topography and Soils

The project area is situated on the northern slopes of Oneawa Hills, which stretch from the base of the Koʻolau mountains northeastward to Mōkapu peninsula, separating Kāneʻohe from Kailua. The topography of the subject property, which is relatively steep and varied, consists of three shallow valleys separated by two distinct ridges that run northward towards the ocean. The property is highest at the mauka/southeastern corner (about 460 feet elevation) and slopes downward to about 170 feet elevation at the makai/northern boundary. Slopes throughout the property are generally greater than 20 percent but less than 50 percent, except for the sites where the main house and horse barn are proposed to be built. The terrain in these areas is fairly flat due to grading activities completed for the previous residential use. The site for the proposed main house is at about 250 feet elevation, and the proposed horse barn site is at about 210 feet elevation. The area separating the two level building areas gradually slopes downward, with the slope varying between 15 to 40 percent. Below the proposed horse barn, the property continues to steadily descend to the neighboring homes below located off of Kāneʻohe Bay Drive.

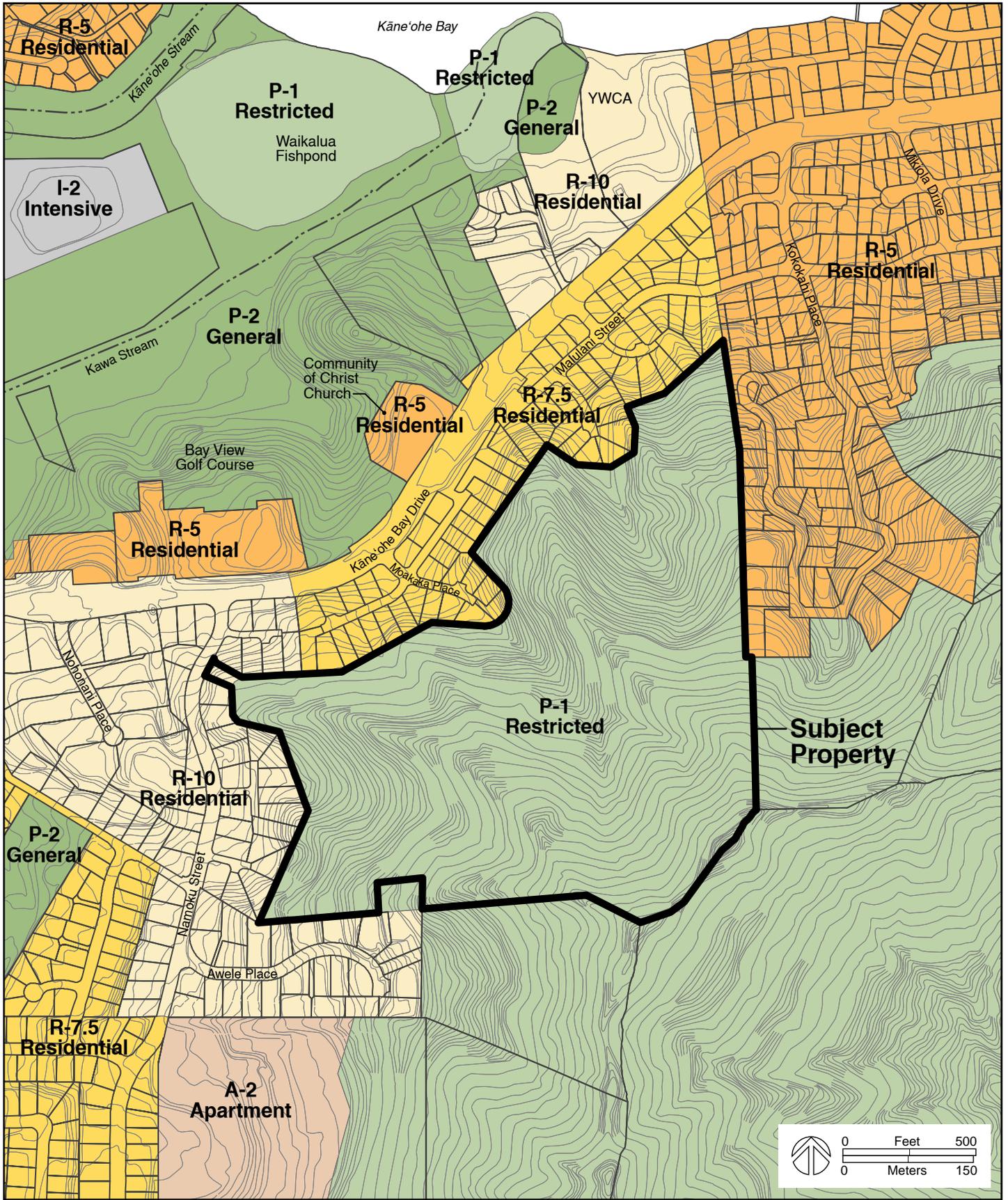
According to the U.S. Department of Agriculture (USDA) Soil Conservation Service (1972), soils within the subject property consist primarily of Alaeloa silty clay, 40 to 70 percent slopes (ALF). The northeast corner adjacent to Kokokahi Place consists of Alaeloa silty clay, 15 to 35 percent slopes (AeE), and a small section along the mauka/southeast corner is classified as Helemano silty clay, 30 to 90 percent slopes (HLMG). Portions along the western edges consist of



State Land Use Districts

Figure 5

Cooper Residence EA
 Kāneʻohe, Oʻahu, Hawaiʻi



City and County of Honolulu Zoning Designations

Figure 6

Cooper Residence EA
 Kāneʻohe, Oʻahu, Hawaiʻi

Kāneʻohe silty clay, 8 to 15 percent slopes (KgC). Soils within the project area are limited to Alaeloa silty clay, 40 to 70 percent slopes (ALF). This soil is characterized by a rapid to very rapid runoff rate, and the erosion hazard is severe. In areas of this soil, the most common slope range is between 45 to 53 percent (USDA, 1972).

The University of Hawaiʻi Land Study Bureau's (LSB) Detailed Land Classification – Island of Oʻahu classifies land type for all lands other than urban. Land type classifications are provided for an overall crop productivity rating, with and without irrigation, and for selected crop productivity ratings for seven crops. Overall LSB ratings range from A to E, with A representing the class of highest productivity and E the lowest. The project area is designated as E on the LSB maps (Baker, 1972).

2.3 Surface Waters

There are no perennial streams or wetlands on the project site or in the immediate vicinity of the subject vicinity. The closest surface water feature is Kawa Stream, which runs in an easterly direction towards Kāneʻohe Bay approximately one-quarter mile north of the project site. The project site is about one-quarter mile inland of the Pacific Ocean and the mouth of Kawa Stream.

2.4 Natural Hazards

According to the Federal Emergency Management Agency Flood Insurance Rate Map, (Map No. 15003C0270G, June 2, 2005), the subject property lies in Zone X and Zone D. The northern portion of the property, including the existing driveway and access road and the project area where the main house and horse barn are proposed to be constructed, are located in Zone X, which denotes areas outside the 500-year floodplain. The mauka/southeastern corner of the property, which is outside the project area, is within Zone D, which denotes areas in which flood hazards are undetermined. Figure 7 presents the flood zone designations of the project area.

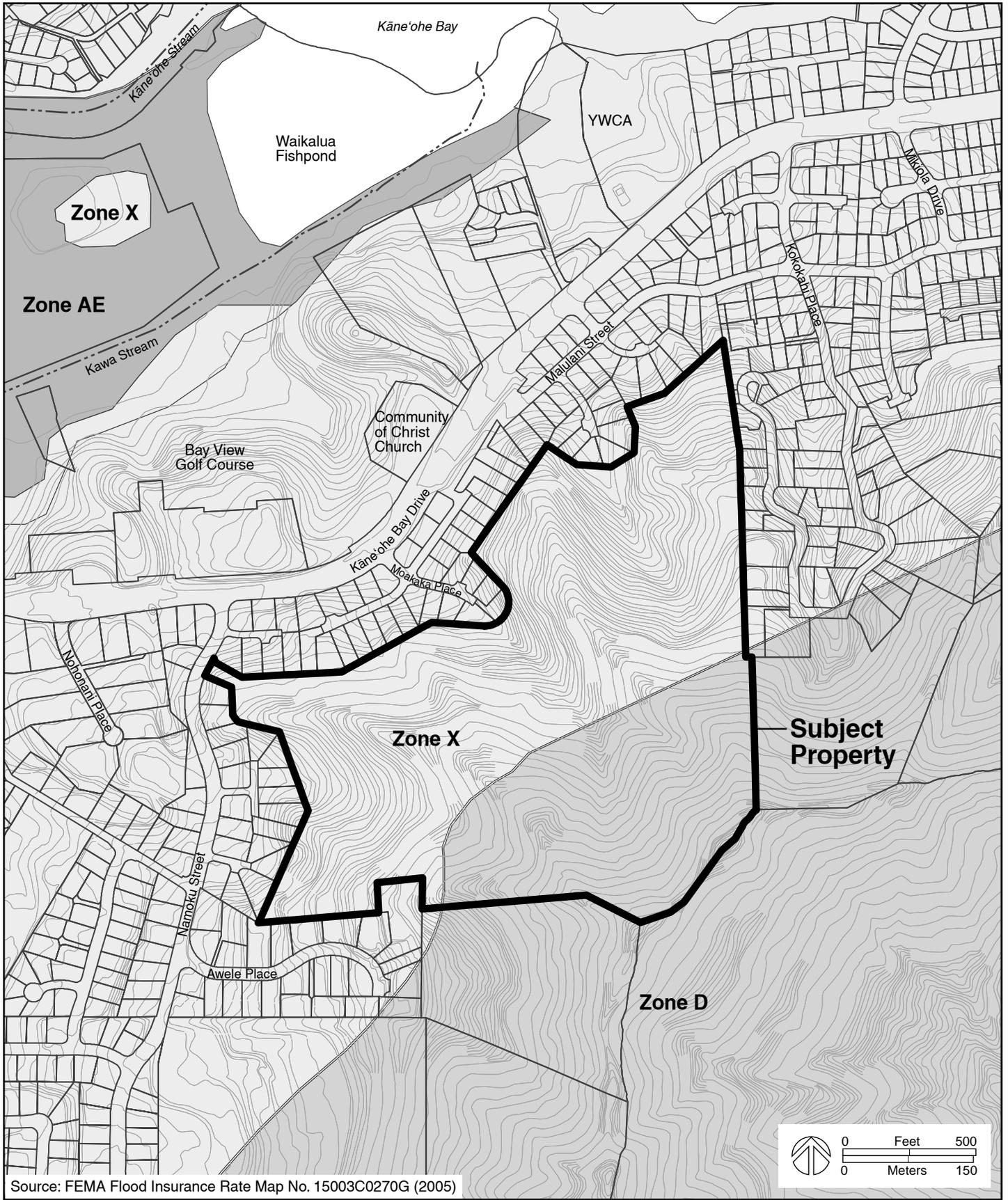
Based on evacuation zone maps prepared for the Oʻahu Civil Defense Agency, the project area is located outside of the tsunami evacuation zone. Public hurricane emergency shelters in the vicinity of the project area include Castle High School, Kalāheo High School, and Pūʻōhala Elementary School.

2.5 Visual Resources

Views of the property from neighboring areas along Kāneʻohe Bay Drive and surrounding areas are best characterized by mature tree canopies typical of natural mountain areas. Single-family suburban residential structures situated on the lower slopes of the hillside are visible around the lower edges of the property. The upper mauka portion of the property between the residential development and the ridgeline in the background appears as undeveloped, forest land, providing open space relief for the urban development concentrated along Kāneʻohe Bay Drive.

2.6 Flora and Fauna

A botanical resources assessment of the project site was conducted by Mr. Mark Leon in February 2006. The findings are summarized in this section and Section 3.6. The report is presented in Appendix D.



Flood Zone Designations

Figure 7

Cooper Residence EA
 Kāne'ōhe, O'ahu, Hawai'i

The subject property is largely covered by lowland forests, except for the gravel driveway and project site. Botanical resources on the subject property are predominately introduced species. Vegetation covering areas that are not adjacent to the roadway or the five-acre project site consists of a mixture of Guava (*Psidium guajava*), Java Plum (*Syzygium cumini*), Koa hale (*Leucaena leucocephala*), Octopus tree (*Schefflera actinophylla*), Brazilian pepper tree (*Schinus terebinthifolius*), Fern tree (*Filicium decipiens*), Lemon-scented gum (*Eucalyptus citriodora*), Mango (*Mangifera indica*), and Avocado (*Persea americana*). The gravel driveway is lined by a single specimen of African Tulip (*Spathodea campanulata*), multiple Monkey Pods (*Samanea saman*), Wedelia (*Sphagneticola trilobata*), and Ironwood (*Casuarina equisetifolia*) trees interspersed with Ti leaf (*Cordyline fruticosa*) and Fragrant dracaena (*Dracaena fragrans*).

Building sites identified for the proposed main house and horse barn are largely free of vegetation, other than the California grass (*Brachiaria mutica*) that is regularly cleared by the applicant. A row of Money trees (*Dracaena marginata*) has been planted makai (northeast) of the five-acre project site adjacent to the narrow valley that separates the project site from the nearest neighbors above Malulani Street. Mature trees observed between the building sites for the proposed house and horse barn include a single Silky Oak (*Grevillea robusta*), three large Monkey Pods (*Samanea saman*), and a Chinese Banyan (*Ficus microcarpa*). A grove of Swamp mahogany (*Eucalyptus robusta*), which is believed to have been purposely planted due to their regular placement, appears to the west of the project site.

Introduced species typically found in urbanized areas are likely to be present on the project site due to its proximity to established urban residential areas and its previous residential use. Feral mammal species commonly found in urban environments that would be expected to be present at the project site include domesticated dogs (*Canis familiaris familiaris*), domesticated cats (*Felis catus*), mongoose (*Herpestes auropunctatus*), rats (*Rattus sp.*), and house mice (*Mus musculus*).

No rare, threatened or endangered species are known to exist within the project site.

2.7 Cultural, Historical and Archaeological Resources

The only known archaeological site in the vicinity of the project site is Ahukini Heiau. Ahukini Heiau, identified by the State Inventory of Historic Places (SIHP) as Site number 80-10-352, was placed on the Hawai'i Register of Historic Places in 1971. McAllister (1933) describes the heiau as:

“A small structure, 70 by 127 feet, built on the top of an elevation 1,200 feet from the sea. The ground slopes away from the heiau in all directions. The only features remaining are the low walls, unusual because they are built of stones a few inches in size. Here and there at the bottom larger stones have been used, and at a few places the wall stands one foot in height, but most of the remains are scattered, for it is very easy for the cattle to disturb the small stones. Nor could the walls have been very high, for it would be very difficult to keep these small stones, which are typical of the surrounding area, in place. The heiau faces north, in which side there is a gap of two feet in about the middle of the wall. At the southwest corner a large stone was used, 2.5 feet in size, which stands out in contrast to the much smaller stones of the walls. There appears to have been only this one platform, which was dirt-paved, though on the end

toward the mountains there are many scattered stones, also small, which may, at one time, have been used for paving a small area. When the drums at this heiau were beaten they could be heard over Kāneʻohe, but not just on the other side of the low ridge in Kailua.”

Sites of Oʻahu (1978) compiled by Elspeth P. Sterling and Catherine C. Sumners states that the heiau was relocated in 1952 to the back of the ridge west of Kokokahi Road and found to be in a similar condition as described by McAllister. Figure 8 presents the approximate location of the heiau as documented in Sites of Oʻahu (refer to Site 352, highlighted in yellow).

According to a December 1979 review of the CDUA that was approved for the former residential use, the State of Hawaiʻi DLNR Division of State Parks indicated that Ahukini Heiau had been altered by the past construction of a house and that the development of the property for the single-family residential use would not directly impact the heiau (see Appendix B). A field investigation was conducted by Cultural Surveys Hawaiʻi in December 2006 to determine the location and present status of the heiau. The report, which is presented in Appendix F, indicates that the now-demolished Ahukini Heiau was located east of the project site adjacent to a home on Kokokahi Drive. There is no evidence of any historic property in or in the vicinity of the proposed project site. Cultural, historic and archaeological resources are not expected to be present since the site has been previously disturbed and occupied by development related to the former residence.

The project site is not known for traditional cultural practices for modern-day subsistence, cultural, or religious purposes. The project site is private property that has already been developed for single-family residential use and does not provide access to other areas in order to exercise traditional cultural practices (i.e., gathering, burials, historic properties).

2.8 Traffic and Roadways

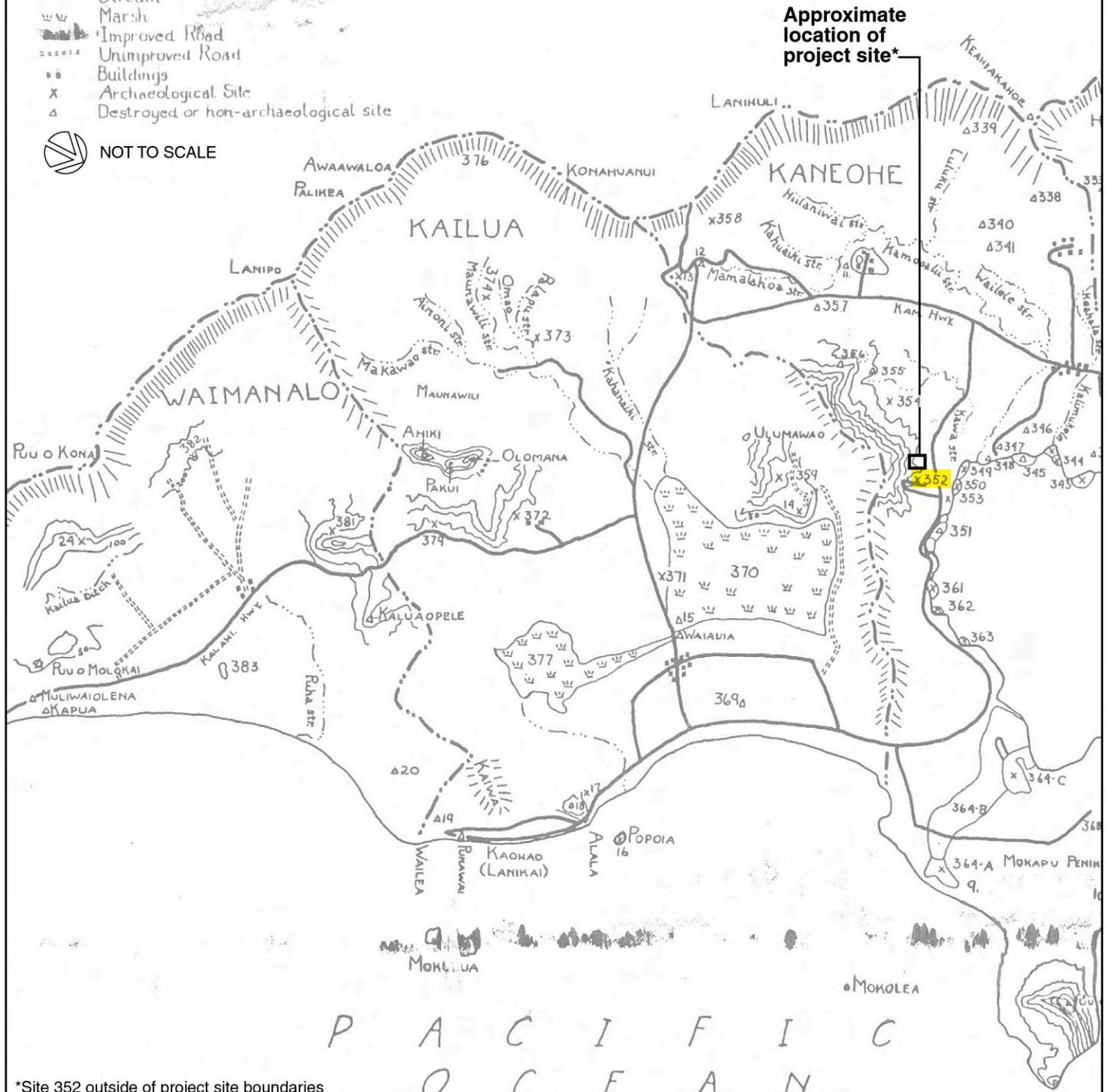
Access to the residence will be from Kokokahi Place off of Kāneʻohe Bay Drive. A 12-foot wide easement for access over TMK parcel 4-5-31:077 in favor of the subject parcel allows the driveway connection and access to the property from Kokokahi Place (see Figure 3). Kokokahi Place is a narrow, one-lane roadway owned by the City and County of Honolulu. The road is steep and windy, following the natural slope of the valley before ending in a cul-de-sac. It is a non-standard roadway, about 14 feet in width, without sidewalks, curbs, gutters or subsurface drainage structures. Residences and driveways line both sides of the road. Driveways and shoulders along Kokokahi Place are typically used as holding areas by vehicles yielding to oncoming traffic.

2.9 Air Quality and Noise

Land uses surrounding the subject property are primarily residential in nature. There are no major sources of air pollution in the vicinity of the property to jeopardize air quality. The undeveloped character of the property, prevailing tradewinds and the predominance of residential uses surrounding the property contribute to air pollutant levels below State and Federal ambient air quality standards.

KOOLAUPOKO

- Ahupuaa Boundary
 - Contour lines, 100 foot interval
 - Stream
 - Marsh
 - Improved Road
 - Unimproved Road
 - Buildings
 - Archaeological Site
 - Destroyed or non-archaeological site
- NOT TO SCALE



P A C I F I C
O C E A N

*Site 352 outside of project site boundaries
Source: Sterling and Sumners (1978)

Sites of O'ahu

Cooper Residence EA
Kāne'ōhe, O'ahu, Hawai'i

Figure 8

Traffic flow along Kāneʻohe Bay Drive is the main source of noise in the vicinity of the property. Existing noise levels at the project site, which consist primarily of vegetation rustling in the wind, are relatively low given the surrounding open space and distance from adjacent urban uses.

2.10 Utilities

The project site is served by existing water, electrical and telephone service connections from Kokokahi Place due to the former residential use. Existing utility connections currently run either overhead or aboveground. Since the previous residence relied upon a cesspool to handle its wastewater, the property is not connected to the City's wastewater collection system and does not have an easement to connect to Kokokahi Drive. It is within the service area of the City and County of Honolulu refuse service area.

HECO maintains a 25-foot wide electrical easement (easement #12) for overhead power transmission lines that run in a mauka-makai direction through the western portion of the property.

2.11 Emergency, Fire and Police Protection

The City and County of Honolulu Police Department provides police protection services to the project area. The project area falls within the jurisdiction of the Honolulu Police Department's District 4 (Kāneʻohe/Kailua/Kahuku) command. District 4 is HPD's largest patrol area, extending from Makapuʻu Point to Kawela Bay on the Windward side of Oʻahu.

The City and County of Honolulu Fire Department Battalion 3 provides fire protection services for Windward Oʻahu from Makapuʻu Point to Kawela Bay. The Kāneʻohe Fire Station Number 17 is located in the heart of Kāneʻohe town, approximately three miles from the project area. The next station closest to the project area is Aikahi Fire Station Number 19, located on Kāneʻohe Bay Drive approximately four miles from the subject property. Station 17 serves as Battalion 3 headquarters and is equipped with an engine company and a ladder company. Station 19 is equipped with an engine company.

The State of Hawai'i contracts with the City and County of Honolulu Department of Emergency Services to provide emergency medical services and emergency medical ambulance services on Oʻahu. Ambulance units closest to the project area are located at the Kāneʻohe Fire Station and the Kailua Fire Station. A Rapid Response Paramedic Unit providing additional coverage to Windward Oʻahu is based at the Kaʻaʻawa Post Office.

3.0 SUMMARY OF ENVIRONMENTAL CONSEQUENCES AND MEASURES TO MITIGATE ADVERSE EFFECTS

3.1 Land Use Compatibility

The Proposed Action would not change the previously-permitted use of the property for single-family residential use, as approved by the BLNR. Use of the property for single-family residential use would be compatible with the surrounding residential and urban land uses. The proposed barn and fenced enclosure would allow the applicant to keep up to three horses on the property as an accessory use to the residence. The proposed barn and enclosed corral, which would be set away from the neighboring properties, would be situated more than 100 feet and 40 feet, respectively, from the nearest bordering property lines to the northwest of the project site. The area to be occupied by the barn and corral has been previously graded, and is screened from the adjoining properties by the natural topography, fences and walls of the neighboring residences, and vegetation growing along the property line. The horses would be kept as personal pets and would receive daily care and maintenance to prevent nuisances to the neighboring residences. The applicant would prepare and follow a management plan for the care and maintenance of the horses as approved by DLNR. The proposed horse management plan is presented in Appendix E.

Construction activities associated with the proposed improvements would be concentrated within the five-acre project site and would not extend beyond those boundaries onto Conservation lands.

3.2 Topography and Soils

The Proposed Action would not significantly alter the existing topography or soils found within the project site. Design and siting of the proposed improvements would accommodate the project site's existing topography. With the exception of the groundwork necessary for the septic tank and leachfield system, the Proposed Action would not require extensive earth-moving activities. A grading permit is not anticipated, as the proposed house and barn sites are relatively level and grading and foundation work are not expected. Demolition and construction activities would be conducted in accordance with an approved Erosion Control Plan (see Appendix A) Contractors would be required to employ best management practices to minimize soil loss and erosion from the project site, including construction schedule management, preservation of the existing vegetation, the use of silt fences and temporary drains and swales, and the use of a stabilized construction entrance.

3.3 Surface Water

The Proposed Action would not be expected to significantly impact surface water resources. The nearest surface water features are approximately one-quarter mile from the project site makai of Kāne'ohe Bay Drive. Under the Proposed Action, impervious surfaces occupied by the house and horse barn would account for about 15 percent of one acre (about 6,600 square feet), resulting in a slight reduction in the total acreage of pervious surfaces currently found on the site. Storm water runoff from the project site would maintain the existing sheetflow drainage pattern, with landscaping to minimize the rate of stormwater runoff. All demolition and construction activities would utilize erosion control measures to minimize runoff and sediment

discharged from the project site, including limiting the site area cleared for construction and reestablishing ground cover as soon as possible.

Project activities and uses would comply with State of Hawai'i Department of Health regulations as determined in Hawai'i Administrative Rules, Title 11 Chapter 54 – Water Quality Standards, Chapter 55 – Water Pollution Controls, and Chapter 62 – Wastewater Systems. The existing cesspool that served the former residence would be drained and backfilled, and a new septic tank and absorption bed would be installed to serve the new residence. All improvements would be completed in accordance with applicable State and County standards.

3.4 Natural Hazards

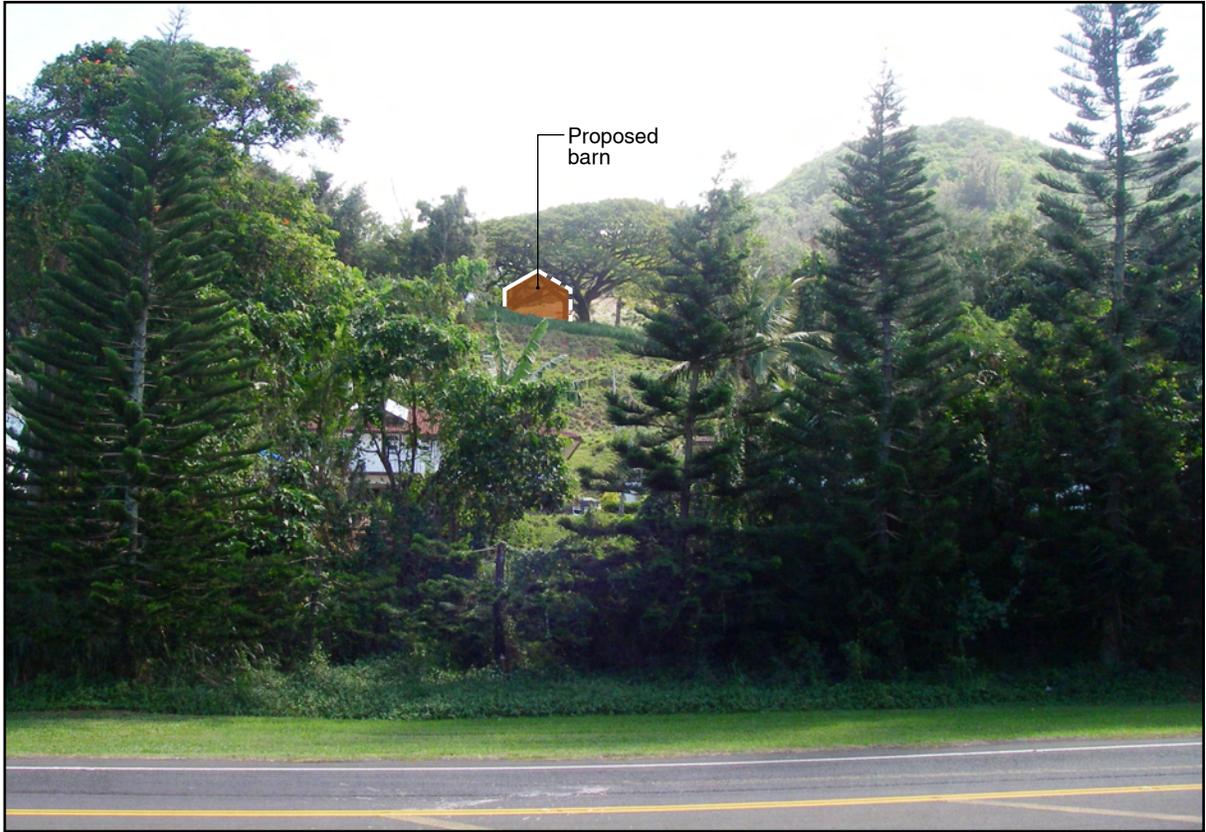
The Proposed Action would not significantly increase the risk of human health or property due to exposure to natural hazards. The project site is located in an area with minimal flood hazard risk and is outside of the tsunami evacuation area. There is no known erosion or subsidence problems in the area that would be significantly impacted by the Proposed Action.

3.5 Visual Resources

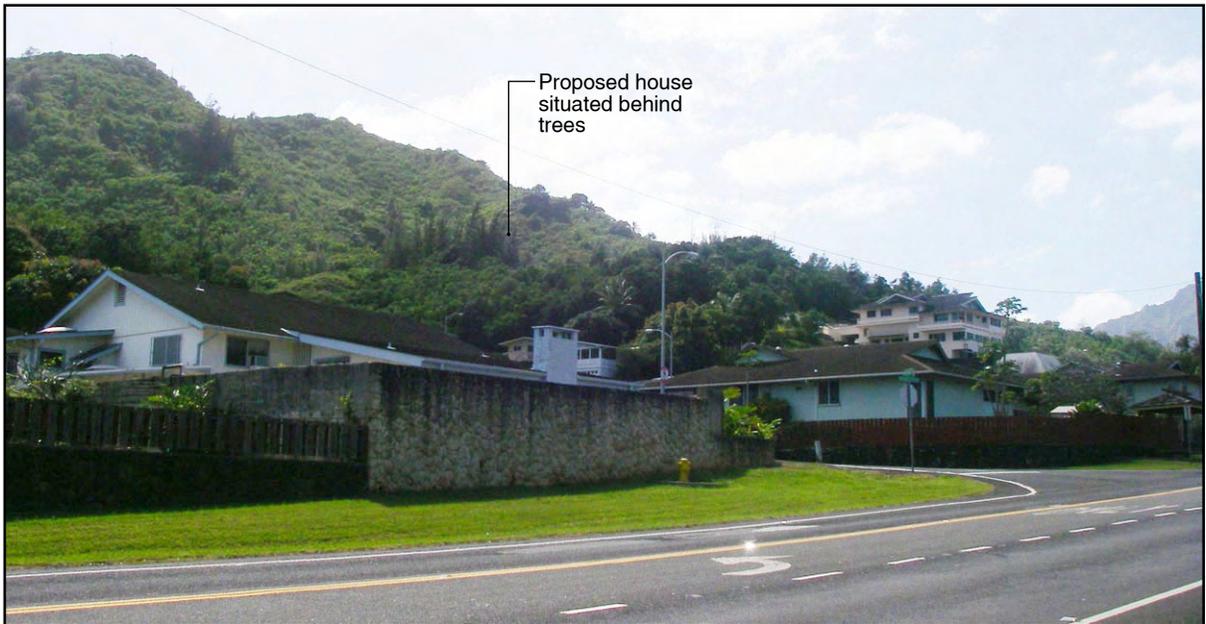
The Proposed Action would be expected to have a minimal impact on visual resources. Significant coastal viewplanes or views of the ridgeline would not be obstructed. The subject property is intermittently visible from vantage points along Kāne'ōhe Bay Drive and surrounding areas (see Section 2.5). The proposed single-family home would be located within the lower half of the subject property at a similar elevation to homes nearby at Kokokahi Place, and would complement the existing hillside residences located along Kāne'ōhe Bay Drive and Kokokahi Place that are visible from surrounding areas. Both the proposed home and barn would be within the 25-foot building height standards set forth in the State Conservation District Rules, and would be comparable in height to the A-frame home that previously occupied the property. Like the previous residential use, the proposed structures would be obscured by the intervening ridges and tall trees surrounding the project site and would be minimally visible from surrounding areas (see Figure 9). Views of the proposed barn may be slightly visible from Kāne'ōhe Bay Drive, although large sections of the barn structure would be screened by the existing homes along Kāne'ōhe Bay Drive and the canopies of the large monkeypod trees currently on the project site. Appropriate building colors and building materials would be used to preserve the character and continuity of the Conservation Lands.

3.6 Flora and Fauna

The Proposed Action would not significantly impact biological resources. There are no known rare, threatened, or endangered species or significant natural habitats that exist on the five-acre project site. Vegetation found within the project site is composed almost exclusively of introduced plants, most of which are weedy species. Fauna likely to frequent the project site consists of introduced species typically found in other urbanized area. The Proposed Action would not displace any mature trees or native vegetation existing on the property, with the exception of dead trees that pose a fire hazard and a banyan tree in the vicinity of the proposed barn whose growth has been compromised since a eucalyptus tree fell into its trunk (see inset on page 24).



View from across Kaneohe Bay Drive looking southeast



View from the intersection of Kaneohe Bay Drive and Malulani Street looking southwest

Proposed Views

Cooper Residence EA
Kāneʻohe, Oʻahu, Hawaiʻi

Figure 9



View of banyan tree proposed for removal



View of typical dead trees proposed for removal

Proposed improvements would include landscaping treatments to cover existing open (i.e., dirt) areas with vegetation. No landscaping plan has been prepared, as the applicant intends minimal landscaping improvements that take advantage of vegetation currently growing on the property.

3.7 Cultural, Historical and Archaeological Resources

The Proposed Action would have no significant impact on cultural, historical and archaeological resources. No known historical, archaeological and Native Hawaiian cultural resources, or traditional cultural practices for subsistence, cultural or religious purposes are anticipated to be encountered or exercised within the project site. Ahukini Heiau (SIHP 80-10-352), the only known archaeological site in the vicinity of the subject parcel, was apparently demolished in 1974. A field investigation conducted by Cultural Surveys Hawai'i in December 2006 indicates that the heiau was located east of the project site adjacent to a home on Kokokahi Drive, and not within the project site (see Appendix F). Consultation with the SHPD regarding the location of Ahukini Heiau is pending.

Development of the project site for the former single-family residential use, which occurred within the past 25 years, has included grading and other related construction activities. The Proposed Action would resume the previous residential use of the project site, with activities limited to portions of the subject property that were graded and developed for the previous residential use. Undeveloped areas of the subject property outside the boundaries of the entry road and five-acre project site would not be disturbed or altered. In the event that any significant archaeological resources or deposits are found during the development of the project, construction would be halted and immediate consultation with the SHPD would be sought in accordance with applicable regulations.

3.8 Traffic and Roadways

The Proposed Action, which consists of a single family residential unit and accessory horse barn, would not significantly increase the total volume of traffic on Kokokahi Drive in the long-

term. The proposed residence is for personal use, and would not include any commercial uses that would result in additional traffic volumes. Construction period traffic would result in the addition of large trucks and construction equipment on Kokokahi Drive. Scheduling deliveries and transportation of equipment during non-peak hours (when traffic is expected to be less) would minimize disruption for neighboring residences. Contractors would be responsible for providing traffic controls and precautions to maintain traffic safety along Kokokahi Drive.

3.9 Air Quality and Noise

The Proposed Action would not result in significant long-term impacts to air quality and ambient noise levels. There are no major sources of air or noise pollutants associated with the single-family residential use. The enclosed corral would be about 40 feet from the nearest bordering property line of the homes on Moamahi Way, with the horse barn more than 100 feet away. Prudent horse management and corral maintenance and cleaning as prescribed in the Horse Management Plan (see Appendix E) would minimize possible air quality and odor nuisances to surrounding neighbors that could result from the horses being kept on-site. A waste management company would be employed to remove horse manure and other related wastes from the property. Existing vegetation and topographic features provide additional natural barriers to further absorb and screen possible noise and air quality emissions.

Temporary short-term construction-period noise and air quality impacts are expected due to the operation of heavy equipment and trucks and the production of fugitive dust and exhaust fumes. Contractors would be required to comply with the State DOH noise and air regulations to minimize such impacts. Potential noise impacts to nearby residences during construction could be minimized with appropriate measures, such as scheduling demolition and construction activities and/or installing mufflers on construction equipment and vehicles with exhaust systems. Standard construction and erosion control techniques, such as the use of dust control measures, frequent watering of exposed soil, and the use of windscreens, could help to control the dust generated from the construction site.

3.10 Utilities

The Proposed Action would not significantly increase local demands on existing public utility systems. Water, electrical and telephone service connections installed for the previous residence would be restored to serve the Proposed Action, and the resulting demand would be similar to the previous residential use. The respective utility providers would be consulted to complete the service connections. Domestic solid waste service would be provided by the City and County of Honolulu, with private refuse collection employed as needed.

Since the previous residence was not connected to the City's municipal wastewater system and the property does not have a wastewater easement that would allow for a connection to the City's wastewater system on Kokokahi Drive, installation of a new individual wastewater treatment system is proposed. The existing cesspool that was used by the former residence would be inspected and closed in coordination with the State of Hawai'i DOH. The new septic tank and absorption bed system would be designed and engineered to accommodate geographic and soil conditions in conformance with State of Hawai'i DOH rules for wastewater systems (Title 11, Chapter 62, HAR – Wastewater Systems).

3.11 Emergency, Fire and Police Protection

The Proposed Action would not adversely impact the operations, facilities, or services provided by the City and County of Honolulu for emergency medical services, fire and police protection. The subject property is within the urban area served by the City and County of Honolulu. The proposed single-family residence would replace a previous residential use and would not significantly increase local demands for such services.

Construction of the proposed project would include the necessary fire protection facilities to serve the property. The fire protection system would be designed and constructed to meet the requirements of the Board of Water Supply and the Honolulu Fire Department, with the proposed pool serving as a water reservoir system for fire control. The applicant would also prepare a fire contingency plan in consultation with the appropriate agencies.

3.12 Cumulative Impacts

Cumulative impacts on environmental resources result from the incremental effects of the Proposed Action when evaluated in conjunction with other government and private, past, present and reasonable foreseeable future actions.

The only potential adverse cumulative impact associated with the Proposed Action is the encroachment of single-family residential uses and other related urban uses into State-designated Conservation District lands located at the periphery of Urban lands. The island of O'ahu is comprised of approximately 386,000 acres, of which the majority (roughly 157,000 acres or 41 percent) is classified in the Conservation District. Of the remaining land area, 100,000 acres (26 percent) are in the Urban District, and 129,000 acres (33 percent) are in the Agricultural District (State of Hawai'i DBEDT, 2004). While nearly 2,600 acres have been reclassified from the State Agricultural District to the State Urban District over the past ten years, the acreage of State Conservation lands has remained unchanged. Land uses within the Conservation District are strictly regulated by the DLNR, and use of Conservation District lands for residential or other urban uses requires the approval of the DLNR. With proper management and protection by DLNR, encroachment of urban uses into the Conservation District is not likely to occur.

4.0 CONFORMITY OF PROPOSED ACTION WITH EXISTING STATE AND COUNTY PLANS, POLICIES AND LAND USE CONTROLS

4.1 State of Hawai'i

4.1.1 Hawai'i State Plan

The Hawai'i State Plan, established through the State's legislative process, represents public consensus regarding expectations for Hawai'i's future. Chapter 226, HRS, as amended, describes the purpose of the State Plan as follows:

"[it] shall serve as a guide for the future long-range development of the State; identify the goals, objectives, policies, and priorities for the State of Hawai'i; provide the basis for determining priorities and allocating limited resources, such as public funds, services, manpower, land, energy, water, and other resources; improve coordination of state and county plans, policies, programs, projects, and regulatory activities; and establish a system for plan formation and program coordination to provide for an integration of all major state and county activities." (Chapter 226-1, HRS; Findings and Purpose).

The goals, objectives, policies and guidelines of the Hawai'i State Plan are, on occasion, in competition with one another. Because of this, the proposed development supports some of the goals, while is inconsistent with others. The following section analyzes project impacts with respect to relevant State Plan goals, objectives, policies, and priority guidelines.

Section 226-11 Objectives and policies for the physical environment – land-based, shoreline, and marine resources.

Section 226-11(b)(3) Take into account the physical attributes of areas when planning and designing activities and facilities.

Discussion: The proposed structures would be designed and sited in a manner which would respect the natural topography and physical attributes of the site. Both the main house and horse barn would be constructed on leveled areas of the property that were graded and occupied by the former residence. Siting of the proposed structures would be such that no additional grading or modifications would be required.

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

Section 226-12(b)(3) Promote the preservation of views and vistas to enhance the visual and aesthetic enjoyment of mountains, ocean, scenic landscapes, and other natural features.

Section 226-12(b)(4) Protect those special areas, structures, and elements that are an integral and functional part of Hawai'i's ethnic and cultural heritage.

Discussion: Development of the Proposed Action would not impact important views and vistas, nor adversely impact the public's visual and aesthetic enjoyment of mountains, ocean, scenic landscapes, and other natural features. Proposed structures,

which would be below the 25-foot height limit set forth in HAR, Section 13-5-41, would be at a similar elevation of other single-family hillside homes visible from Kāneʻohe Bay Drive. The proposed structures would be partially obscured by the mature trees surrounding the project site, with the use of appropriate color schemes and building materials further concealing their appearance. Based on DLNR Division of State Parks review of the previous CDUA application and recent archaeological field investigation, development of the Proposed Action should not impact cultural resources in the vicinity of the subject property (Ralston Nagata, December 17, 1979; Cultural Surveys Hawaiʻi, December 2006). SHPD concurrence to address the effects of the Proposed Action on historic sites is pending.

Section 226-13 Objectives and policies for the physical environment - land, air, and water quality.

Section 226-13(b)(7) Encourage urban developments in close proximity to existing services and facilities.

Discussion: The subject property is bordered on four of its five sides by an existing urbanized residential area. The property was previously used for residential use and has established utility connections (including municipal water, telephone and electrical power) and driveway access in place to serve the Proposed Action.

Section 226-104 Population growth and land resources priority guidelines.

Section 226-104(b)(1) Encourage urban growth primarily to existing urban areas where adequate public facilities are already available or can be provided with reasonable public expenditures, and away from areas where other important benefits are present, such as protection of important agricultural lands or preservation of lifestyles.

Discussion: The project site, which is designated as Conservation, is adjacent to and bordered by established residential neighborhoods with access to public facilities and services. The subject property is not in agricultural use, will not impact the inventory of lands available for agricultural use, and does not conflict with the preservation of lifestyles.

Section 226-104(b)(12) Utilize Hawaiʻi's limited land resources wisely, providing adequate land to accommodate projected population and economic growth needs while ensuring the protection of the environment and the availability of the shoreline, conservation lands, and other limited resources for future generations.

Discussion: The Proposed Action will not impact the availability of the shoreline or other limited resources. Although the Proposed Action is located on lands classified as Conservation, it is intended to replace a residential use previously permitted by DLNR. Construction of a replacement home would be consistent with the previous use of the property and would not reduce existing conservation lands and resources available for future generations.

4.1.2 Chapter 205, Hawai'i Revised Statutes (State Land Use Law)

All lands in the State of Hawai'i have been classified into one of four land use districts (Urban, Rural, Agricultural and Conservation) by the State Land Use Commission, pursuant to Chapter 205, HRS. The project area is classified as part of the State Conservation District, General subzone. Figure 4 shows the State land use district boundaries in relation to the project area.

The Conservation District is administrated by the BLNR and use of Conservation District lands are regulated by rules promulgated by the DLNR (Title 5, Chapter 5, HAR, adopted September 1994). The Board approved a CDUP for single-family residential use on the subject property in 1980 (OA-12/3/79-1188, Ref. No. CPO-1385) (see Appendix B). Development of a telecommunications facility site at the of the ridge was approved in 1988 (OA-11/18/87-1861A, Document No. 3249E) (see Appendix C).

The State Conservation District Rules (Section 13-5-30(c), HAR) state that the DLNR or BLNR shall apply certain criteria in evaluating the merits of land uses proposed for the Conservation District. The criteria are presented below in italics, followed by a brief discussion of each criterion.

(1) The proposed land use is consistent with the purpose of the conservation district;

Discussion: The purpose of the Conservation District is to conserve and protect the State's special and unique cultural and natural resources (Section 205-2(e) of Chapter 205, HRS). The Proposed Action would not impact special or unique cultural and natural resources. The project site, which has been previously disturbed, does not include any known rare, threatened or endangered species or sensitive natural habitats. Ahukini Heiau (SIHP Site number 80-10-352), the only known archaeological site in the vicinity of the project site, is indicated to be east of the project site adjacent to an existing home on Kokokahi Drive and would not be impacted by the Proposed Action.

(2) The proposed land use is consistent with the objectives of the subzone of the land on which the use will occur;

Discussion: The State Conservation District Rules establishes five subzone classifications by which all Conservation District lands are designated: Protective, Limited, Resource, General and Special. With the exception of the Special designation, the subzones establish a hierarchy of environmental sensitivity, ranging from the Protective subzone, which is the most environmentally sensitive, to the General subzone, which is the least sensitive. The subject property is within the General subzone.

The objective of the General subzone "is to designate open space where specific conservation uses may not be defined, but where urban use would be premature" (Section 153-5-14, HAR). A single-family residence that conforms to established design standards is allowed in the General subzone with BLNR approval. Use of the property for single-family residential use was previously approved and found to be consistent with the objectives of the General subzone.

- (3) *The proposed land use complies with provisions and guidelines contained in chapter 205A, HRS, entitled "Coastal Zone Management," where applicable;*

Discussion: Section 4.1.5 discusses the Proposed Action's conformance with Chapter 205A, Coastal Zone Management.

- (4) *The proposed land use will not cause substantial adverse impact to existing natural resources within the surrounding area, community or region;*

Discussion: The proposed residential and accessory animal husbandry uses would be concentrated within the narrow five-acre project site occupied by the previous residence. Impacts to natural resources (including surface water, botanical, and coastal and marine resources) within the surrounding area, community or region are not anticipated.

- (5) *The proposed land use, including buildings, structures and facilities, shall be compatible with the locality and surrounding areas, appropriate to the physical conditions and capabilities of the specific parcel or parcels;*

Discussion: The subject property is adjacent to an existing urban area. Services such as water, electrical, sanitation, schools and parks, police and fire protection are already available to serve the project site. The property has satisfactory topography and drainage for the proposed use, and is free from natural hazard potential, such as flooding or tsunami inundation. The proposed improvements would be sited within open, level areas of the project site that were previously occupied and/or disturbed by the former residential use, and would be set back from the neighboring properties. The horses would be cared for and maintained daily in accordance with the Horse Management Plan as approved by the DLNR to minimize potential odor and insect nuisances to the neighbors. Design features and building materials to complement the site and screen the proposed structures from surrounding areas would be utilized.

- (6) *The existing physical and environmental aspects of the land, such as the natural beauty and open space characteristics, will be preserved and improved upon, whichever is applicable;*

Discussion: The project site consists of approximately five acres, occupying less than ten percent of the total 56-acre subject property. The remainder of the property would remain as private undeveloped, forest lands and would be maintained in accordance with State Conservation District Rules and regulations to provide beneficial open space for the surrounding community.

- (7) *Subdivision of land will not be utilized to increase the intensity of land uses in the conservation district;*

Discussion: No subdivision of land is proposed as part of the Proposed Action.

- (8) *The proposed land use will not be materially detrimental to the public health, safety and welfare.*

Discussion: There are no impacts to public health, safety and welfare anticipated with the Proposed Action. Utility system connections and services would comply with State

and County standards to ensure that public health and safety are not jeopardized. Some typical short-term construction-related impacts (noise, air quality, and traffic) are expected, but these would be temporary. Standard construction best management practices would be used to minimize the temporary impacts. Activities associated with the Proposed Action would be typical of other single-family residential uses existing in the surrounding subdivisions, and animals kept on the property would be properly maintained to ensure that public health, safety and welfare are preserved. No commercial activities would take place on the property.

4.1.3 State Environmental Policy

Chapter 343, HRS, the State of Hawai'i Environmental Impact Statement Law, establishes a system of environmental review to ensure that environmental concerns are given appropriate consideration in decision making along with economic and technical considerations. Compliance with Chapter 343, HRS is required for any program or project that proposes one or more of eight land uses or administrative acts, including use of any land classified as Conservation District by state law. Because the subject property is located in the State Conservation Land Use District, the project is subject to review under Chapter 343, HRS and approval by DLNR (i.e., the approving agency). This Draft EA was prepared to comply with the requirements of Chapter 343, HRS and Section 11-200, HAR.

4.1.4 Coastal Zone Management

The objectives and policies of the Hawai'i Coastal Zone Management (CZM) Program are described in Chapter 205A-2, HRS, Part I. The objectives of the program are intended to promote the protection and maintenance of valuable coastal resources. The subject property lies within the State's Coastal Zone Management Area, which includes all lands of the State and the area extending seaward from the shoreline. No impacts to the coastal zone are anticipated as a result of the Proposed Action.

Special Management Area (SMA) guidelines are found in Part II of the same chapter. The subject property lies about one-quarter mile from the coastline at its nearest point. The property is outside the City and County's SMA and is not subject to the City's SMA requirements (Chapter 25, Revised Ordinances of Honolulu).

The following discussion assesses the conformity of the Proposed Action to the objectives and policies of the State's CZM Program.

Recreational Resources

Objective: Provide coastal recreational opportunities accessible to the public.

Discussion: The Proposed Action is located about one-quarter mile from the shoreline and will not impact coastal recreational opportunities.

Historic Resources

Objective: Protect, preserve, and where desirable, restore those natural and man-made historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

Discussion: The Proposed Action would not impact significant historic and prehistoric resources. The proposed improvements would be constructed in an area that has been previously cleared and graded for the former residential use. The Proposed Action is located on private property, and there are no known cultural resources or practices that would be affected by the Proposed Action.

Scenic and Open Space Resources

Objective: Protect, preserve and where desirable, restore or improve the quality of coastal scenic and open space resources.

Discussion: The Proposed Action would not impact the quality of coastal scenic and open space resources. The Proposed Action does not involve significant scenic viewplanes as identified in the Ko'olaupoko Sustainable Communities Plan. In addition, the proposed structures would be less than 25 feet in height and would be partially concealed by the existing tree canopy, the intervening ridgelines formed by the natural topography, and rooflines of neighboring homes.

Coastal Ecosystems

Objective: Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

Discussion: The Proposed Action would not impact valuable coastal ecosystems. The proposed improvements, which are minor in scope, would not involve alterations to stream channels or other water bodies or water sources. No major earth-movement or grading would be required, and existing surface drainage patterns would be maintained. Best Management Practices would be employed during construction to minimize stormwater runoff discharged from the site. The existing cesspool would be emptied and backfilled to protect against contamination from surface contaminants.

Economic Uses

Objective: Provide public or private facilities and improvements important to the State's economy in suitable locations.

Discussion: The Proposed Action, which would fulfill the housing needs of the applicant, would be paid for by the applicant. No additional public improvements would be necessary.

Coastal Hazards

Objective: Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion and subsidence.

Discussion: The subject property is not in an identified flood hazard area or tsunami inundation zone. There is no known erosion or subsidence problems in the area that would be significantly impacted by the Proposed Action.

Managing Development

Objective: Improve the development and review process, communication and public participation in the management of coastal resources and hazards.

Public Participation

Objective: Disseminate public information on coastal issues.

Discussion: The applicant presented the Proposed Action to the Kaneohe Neighborhood Board No. 30 at its June 15, 2006 meeting, and attended two subsequent Neighborhood Board meetings (September and October 2006) to answer questions from neighbors about the Proposed Action. Board members had no major concerns or issues, and the Board did not take a position on the Proposed Action (meeting records are included in Appendices G and H). The EA review process included a 30-day public comment period during which the public provided their input on the project. Copies of the Draft EA were distributed by the DLNR Office of Conservation and Coastal Lands, and notice of the Draft EA's availability was published in the Office of Environmental Quality Control *Environmental Notice*. The applicant also invited all adjoining property owners to an informal open house on October 29, 2006 to visit the project site and review the proposed project.

Beach Protection

Objective: Locate structures and improvements to minimize beach erosion and minimize interference with recreational and waterline activities.

Marine Resources

Objective: Implement the State's ocean resources management plan.

Discussion: The Proposed Action is not expected to have any adverse impacts on marine resources, interfere with public recreational and waterline activities, or result in beach erosion.

4.2 City and County of Honolulu

4.2.1 City and County of Honolulu General Plan

The General Plan for the City and County of Honolulu was adopted in 1977, and has been subsequently amended (most recently in 2003). The Plan is a comprehensive statement of the long-range social, economic, environmental and design objectives for the general welfare and prosperity of the people of O'ahu. Included in the General Plan are broad policy statements that facilitate the attainment of the Plan's objectives. The growth policy presented in the Plan calls for full development of the Primary Urban Center (including lands between Kahala and Pearl City), development of the secondary urban center at Kapolei and the 'Ewa and Central O'ahu urban-fringe areas, and management of the physical growth and development in the remaining urban-fringe and rural areas to sustain their low densities. The Proposed Action is consistent with the following Plan objectives and policies:

III. Natural Environment

Objective A: To protect and preserve the natural environment.

Policy 4: Require development projects to give due consideration to natural features such as slope, flood and erosion hazards, water recharges areas, distinctive land forms, and existing vegetation.

Policy 9: Protect mature trees on public and private lands and encourage their integration into new developments.

Objective B: To preserve and enhance the natural monuments and scenic views of O'ahu for the benefit of both residents and visitors.

Policy 1: Protect the Island's well-known resources: its mountains and craters; forests and watershed areas; marshes, rivers and streams; shoreline, fishponds, and bays' and reefs and offshore islands.

Policy 2: Protect O'ahu's scenic views, especially those seen from highly developed and heavily traveled areas.

IV. Housing

Objective C: To provide the people of O'ahu with a choice of living environments which are reasonably close to employment, recreation, and commercial centers and which are adequately served by public utilities.

Policy 4: Encourage residential development in areas where existing roads, utilities, and other community facilities are not being used to capacity.

VII. Physical Development and Urban Design

Objective A: To coordinate changes in the physical environment of O'ahu to ensure that all new developments are timely, well-designed, and appropriate for the areas in which they will be located.

Policy 2: Coordinate the location and timing of new development with the availability of adequate water supply, sewage treatment, drainage, transportation, and public safety facilities.

Objective D: To maintain those development characteristics in the urban-fringe and rural areas which make them desirable places to live.

Policy 1: Develop and maintain urban-fringe areas as predominately residential areas characterized by generally low rise, low density development which may include significant levels of retail and service commercial uses as well as satellite institutional and public uses geared to serving the needs of households.

Objective E: To create and maintain attractive, meaningful, and stimulating environments throughout O'ahu.

Policy 5: Require new developments in stable, established communities and rural areas to be compatible with the existing communities and areas.

Discussion: The Proposed Action would construct a single-family home to meet one family's housing needs. The subject property is bordered by established urban residential areas, in a community with convenient access to the suburban towns of Kāne'ohe and Kailua. The property was previously in residential use and has access to water, electrical, and telephone service and public safety facilities. The proposed residential use, which would be compatible with the suburban character of the area, would be concentrated away from the existing residences surrounding the property. With State Conservation District Rules limiting residential use to one dwelling unit per parcel, use of the 56-acre property for residential use would not substantially affect the region's overall density. Design and construction of the Proposed Action would be conducted in a manner to protect and preserve the natural features of the subject property. The Proposed Action would not alter the existing topography or drainage pattern, or result in the removal of mature trees or native vegetation within the project site, except for the dead trees that pose a fire hazard and a banyan tree that has

been comprised by a eucalyptus tree growing through its trunk. Public views of the property and the scenic ridgeline would not be obstructed by the proposed structures.

4.2.2 Ko'olaupoko Sustainable Communities Plan

The City and County of Honolulu's Development Plan (DP) program provides a relatively detailed framework for implementing General Plan objectives and policies for the growth and development of O'ahu at a regional level. The DP program establishes eight geographical DP areas, including the Ko'olaupoko Sustainable Communities Plan (SCP) area where the subject property is located.

The Ko'olaupoko SCP area spans the windward areas of O'ahu from Makapu'u Point to Ka'ō'io Point at the northern end of Kāne'ōhe Bay. The SCP, which was adopted in 2000 and codified as Ordinance No. 00-47, Revised Ordinances of Honolulu, articulates conceptual, long-range visions and policies for regional land use, public facilities and infrastructure investment, and includes land use maps intended to illustrate the policy statements articulated in the Plan. The SCP supports the General Plan and recognizes the region's urban fringe and rural areas as areas where growth will be managed so that an "undesirable spreading of development is prevented."

The Plan is shaped around two main concepts, including protection of the community's natural, scenic, cultural, historical and agricultural resources, and improvement and replacement, as necessary, of the region's aging infrastructure systems. Key elements of the Plan's vision call for preserving and promoting open space throughout the region, and preserving and enhancing scenic, recreational, and cultural features that define Ko'olaupoko's sense of place.

Discussion: The Ko'olaupoko SCP Land Use Map identifies the subject property as "Open Space/Preservation Areas," outside the Urban Community Boundary. Such areas generally include undeveloped lands that are not valued for agriculture but are important to the region's open space fabric. Lands within the State Conservation District are typically included in this designation. The subject parcel is consistent with the key element in the Ko'olaupoko SCP vision to preserve and promote open space. The subject parcel also supports the land use policies and planning principles pertaining to open space preservation, which identify lands in the State Conservation District as passive open spaces areas.

4.2.3 Land Use Ordinance

The *City and County of Honolulu Land Use Ordinance (LUO)* and accompanying maps define the allowable uses of land within the City and County of Honolulu. The *LUO* describes the various zoning districts, the uses allowed within each zoning district, and the applicable development standards for each district.

Discussion: The subject property is currently zoned P-1 Restricted Preservation and R-10 Residential. The majority of the subject parcel is in the State Conservation District and is zoned P-1 Restricted Preservation, except for a small portion of approximately 6,000 square feet bordering Namoku Street that is designated R-10 Residential (see Figure 6). In accordance with the State Conservation District Rules (Chapter 13-5, HAR), the Preservation zone is regulated by the State DLNR, and as such, all uses,

structures and development standards are governed by the State. The section of the property with R-10 Residential zoning, which is currently vacant, is under the jurisdiction of the City and County, and has never been developed.

4.2.4 Special Management Area

The City and County of Honolulu, similar to other counties in Hawai'i, has adopted boundaries which identify the SMA and rules and regulations which are consistent with Chapter 205A, HRS that control development within the SMA. Proposed developments within the SMA are subject to review by DPP.

Discussion: The Proposed Action is outside the SMA, and would not require a SMA permit.

5.0 ALTERNATIVES CONSIDERED

Alternatives considered in addition to the Proposed Action consisted of two alternatives: Development of the R-10 Residential zoned section; and the No Action Alternative. The Proposed Action has been sited and designed to address the applicant's desired housing goals and conform to the natural setting with minimal environmental impacts. Variations of the residential components provided for in the Proposed Action would not meet the applicant's housing needs, and were therefore not considered.

The alternative to develop the portion of the property with R-10 Residential zoning involves construction of a single-family home adjacent to Namoku Street on the western edge of the subject property. Access would be via Namoku Street, and the resulting home would be heavily influenced by the smaller lot size, the proximity of the neighboring homes, and the suburban character of Namoku Street. This alternative would not include construction of the proposed barn and corral because the topography in this area is too steep to adequately accommodate such uses. Although siting the residence in this area would support the purpose and intent of the R-10 and P-1 zoning districts, construction in this area would not allow the applicant to keep horses on his property and would not meet the applicant's desire to build a house secluded from neighboring homes. This alternative would not provide the applicant full enjoyment and use of his property, and was determined to be unacceptable for these reasons.

Under the No Action Alternative, the existing conditions on the subject property would continue. The property would remain vacant and unoccupied. The structural remains of the former residence would be left standing, and the open, unlandscaped areas surrounding the former residence would continue to be maintained its present state. The No Action Alternative would not provide a primary residence for the applicant, and would deny the applicant full enjoyment and use of his property. The No Action Alternative was determined to be unacceptable for these reasons.

6.0 ANTICIPATED DETERMINATION AND SUPPORTING RATIONALE

Based on the information and analysis presented in this document, the Proposed Action is not expected to result in a significant impact on the environment. In accordance with Chapter 343, HRS and Section 11-200, HAR, the DLNR anticipates issuing a FONSI for the proposed project. The proposed project would have no significant short-term, long-term or cumulative adverse impacts on the environment; therefore, preparation of an EIS would not be required.

In determining whether an action may have a significant impact on the environment, the applicant or agency must consider all phases of the project, its expected primary and secondary consequences, its cumulative impact with other projects, and its short and long-term effects. The anticipated negative determination was based on review and analysis of the significance criteria specified in Section 11-200-12, HAR. An action shall be determined to have a significant effect on the environment if it meets any of the following criteria:

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

The five-acre project site encompasses an area that has been previously disturbed and graded (via approved grading permits) for the former residential use. There is no known presence of Federal or State-protected endangered, threatened or candidate species that could be jeopardized by the Proposed Action. No significant archaeological or cultural resources are anticipated, and there are no known Native Hawaiian or other cultural properties or practices occurring on the site. Concurrence from the State of Hawai'i DLNR State Historic Preservation Office that there would be no historic properties affected by the Proposed Action is pending determination that Ahukini Heiau (since destroyed) was previously located adjacent to an existing single-family home to the east of the project site.

Construction of the new structures would be within the allowable building height standards for single-family residences on State Conservation Lands, and would not adversely impact important scenic views identified in State or County public planning documents.

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

The Proposed Action would not result in significant adverse impacts to the natural environment. Siting and design of the proposed improvements would accommodate the natural features of the site with minimal environmental impacts. The improvements and the activities associated with the residential use of the property would be limited to the portion of the property that was previously occupied and disturbed. Construction and operation of the new facilities would be performed in accordance with Federal, State and County regulations, thereby minimizing potential impacts to the air and water quality and ambient noise levels.

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 Action is consistent with the State's long-term environmental policies established in Chapter 344, HRS. Consistency of the Proposed Action with the policies and guidelines

specified in Chapter 343, HRS and Title 11, Chapter 20, HAR is demonstrated in this section and in Section 4.1.3.

4. Substantially affects the economic welfare, social welfare, and cultural practices of the community or State;

The Proposed Action would have positive direct and indirect economic benefits to the State and County through the generation of construction-related jobs and economic activity and greater property tax revenues. Given that single-family residential use was previously permitted on the property, the Proposed Action would resume the residential use. The Proposed Action would not adversely affect the social welfare or cultural practices of the community or State, or create environmental health and safety risks.

5. Substantially affects public health;

The Proposed Action would not substantially affect public health. There would be some typical short-term construction-related impacts (noise, air quality, and traffic) in the area, but these would be temporary. Standard construction best management practices would be used to minimize the temporary impacts. Activities associated with the Proposed Action would be compatible with the surrounding residential uses. Proper management of the horses and their living areas would minimize typical nuisances associated with horses (i.e., odor, flies) to surrounding neighbors and protect public health. No commercial or industrial activities would take place on the property.

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

The Proposed Action would meet the housing needs of a family already living in Windward O'ahu, and would not result in island-wide population growth or changes to population density. Since the subject property is adjacent to an existing urban area served by existing public utilities and infrastructure, no significant impacts to public facilities are expected. The Proposed Action would use existing utility connections (water, electrical and telephone service) that served the previous residence. The Proposed Action would not significantly increase demands on existing utility systems since the anticipated demands would be generally similar to the previous residential use.

7. Involves a substantial degradation of environmental quality;

The Proposed Action would not substantially degrade environmental quality. The Proposed Action is within the State Conservation District and would be constructed and maintained in accordance with the regulations and conditions imposed by the DLNR. Long-term impacts to air and water quality, noise levels, and natural resources would be minimal. The use of standard construction and erosion control best management practices would minimize the anticipated construction-related short-term impacts (i.e., noise, air quality, water quality, and traffic).

8. *Is individually limited and cumulatively has considerable effect upon the environment or involves a commitment for larger actions;*

The Proposed Action would not have a significant cumulative impact on the environment and does not involve a commitment for larger actions. The Proposed Action would be limited to the proposed improvements, and does not require any supplemental future development.

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

No threatened, endangered or candidate listed bird, mammal or plant species protected by Federal and State regulations would be impacted by the Proposed Action (see Sections 3.6 and 4.6).

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

The Proposed Action would not substantially affect air or water quality or ambient noise levels. The proposed residential and animal husbandry uses would not be a significant source of air or noise pollutants. Construction of the proposed improvements, which are limited in scope, would not significantly increase storm water runoff or impact surface water quality. Closure and backfill of an existing cesspool used by the former residence, as well as the construction and use of the proposed septic tank and leachfield system, would be coordinated and conducted in accordance with applicable State of Hawai'i DOH regulations. Temporary short-term impacts such as noise and dust would be expected during construction. Contractors would be expected to use standard best management practices to minimize construction-related impacts, and the project would comply with applicable State and County regulations and standards.

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

The Proposed Action is not located within an environmentally sensitive area. The subject property is roughly one-quarter mile from the coast in an area with minimal flood hazard risk and is outside of the tsunami evacuation zone. There are no surface waters on or near the subject property. The proposed improvements, located primarily on the level areas of the property, would be sited to fit the property's natural topography. Except for the installation of the individual wastewater system, the Proposed Action would not require extensive grading or ground preparation.

12. *Substantially affects scenic vistas and viewplanes identified in County or State plans or studies; or*

The Proposed Action would not obstruct or affect scenic vistas and viewplanes identified in County or State plans or studies. Since the project site is situated within the lower half of the mountain ridge, the proposed project would not obstruct public views of the ridgeline. The new structures, which would be obscured by the tall vegetation and structures surrounding the project site, would appear at a similar elevation to existing hillside homes in the vicinity of the property.

13. Requires substantial energy consumption.

Construction activities associated with the Proposed Action would not require substantial energy consumption due to the relatively small scale of the project. The Proposed Action would house a local family already living in Windward O‘ahu, and would not substantially increase energy consumption.

7.0 CONSULTED AGENCIES AND ORGANIZATIONS

7.1 Pre-Assessment Consultation

Agencies and organizations that were consulted during preparation of the Draft EA include:

DLNR, Office of Conservation and Coastal Lands
DLNR, Historic Preservation Division
DPP, Site Development Division, Wastewater Branch
Kaneohe Neighborhood Board No. 30

All consultations were done verbally, involving either telephone communications or personal meetings. A presentation of the proposed project was made to the Kaneohe Neighborhood Board No. 30 at its regular June 15, 2006 meeting. Documentation received from DPP, Site Development Division as part of the consultation process and the June Neighborhood Board meeting minutes are included in Appendix G.

7.2 Draft EA Consultation

Notice of the Draft EA was published in the August 23, 2006 edition of the *Environmental Notice*, with the deadline for public comment on September 22, 2006. The DLNR Office of Conservation and Coastal Lands sent copies of the Draft EA to the following agencies and organizations as part of the Chapter 343, HRS review. A total of 18 written comments were received by the completion of the Final EA in December 2006. Parties that submitted written comments and were included as part of DLNR's Draft EA distribution are identified below with an asterisk (*). Individuals who were not included in DLNR's Draft EA distribution but submitted written comments are identified with two asterisks (**). The notice of the Draft EA as published in the *Environmental Notice*, written comments, and the subsequent response letters are presented in Appendix H.

Additional consultation efforts included attendance at the September and October regular meetings of the Kāne'ohe Neighborhood Board to answer residents' questions (see Appendix H), and an informal open house on October 29, 2006 where all adjoining property owners were invited to visit the project site.

State of Hawai'i

DOH, Environmental Planning Office

* DOH, Office of Environmental Quality Control

DLNR, Division of Conservation and Resource Enforcement

* DLNR, Division of Forestry and Wildlife

* DLNR, Engineering Division

* DLNR, Historic Preservation Division

* DLNR, O'ahu District Land Office

* Office of Hawaiian Affairs

City and County of Honolulu

* Department of Planning and Permitting

Community Organizations and Individuals

Kāneʻohe Neighborhood Board No. 30

Kāneʻohe Public Library

* Kokokahi Community Association

** Ms. Pat Banning

** Mr. Ed Birdsong and Ms. Elizabeth Birdsong-McDowell

** Mr. Jose DaCosta

** Ms. Janet Gillmar

** Mr. Richard and Ms. Donna Hey

** Ms. Laura Morgenstein

** Mr. Brian Nagatoshi

** Ms. Meryle Nishimura

** Mr. Virgil and Ms. Donna Rewick

** Mr. Thomas and Ms. Kathryn Tyler

8.0 REFERENCES

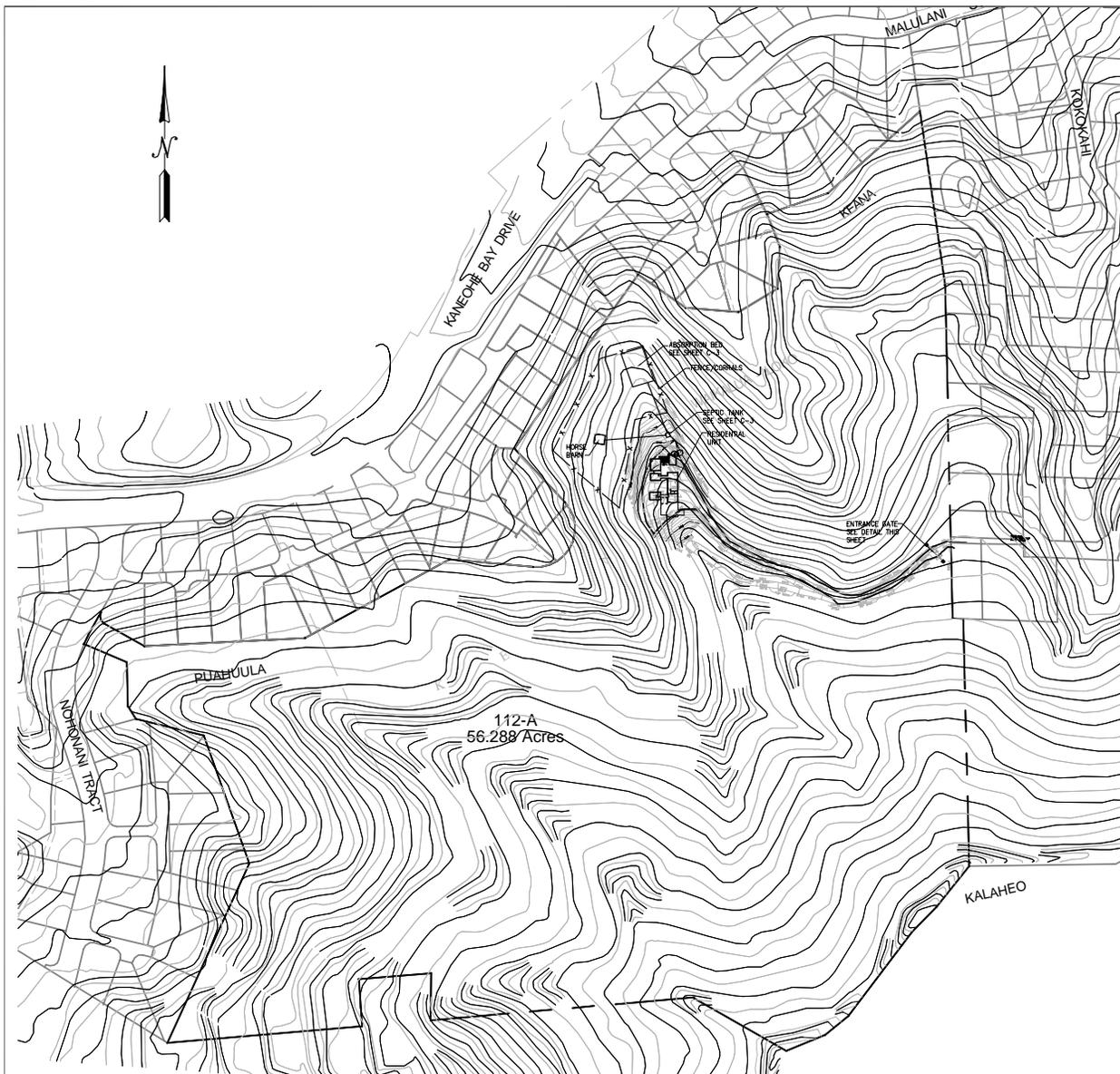
- Baker, H.L.. et al. *Detailed Land Classification - Island of O'ahu*. Land Study Bureau, University of Hawai'i. Honolulu, Hawai'i. 1972.
- City and County of Honolulu Department of General Planning. *General Plan*. Honolulu, Hawai'i. 1992.
- City and County of Honolulu Department of Planning and Permitting. *Ko'olaupoko Sustainable Communities Plan*. Honolulu, Hawai'i. August 2000
- City and County of Honolulu Department of Planning and Permitting. Geographic Information System Data. <http://qis.hicentral.com> (accessed February 2006).
- City and County of Honolulu. Emergency Services Department website. <http://www.co.honolulu.hi.us/esd/ems/ccemsmmap.htm> (accessed February 2006).
- City and County of Honolulu. Honolulu Fire Department website. <http://www.honolulufire.org/oahu.htm> (accessed February 2006).
- City and County of Honolulu. Honolulu Police Department website. <http://www.honoluluupd.org/patrol/d7home.htm> (accessed February 2006).
- City and County of Honolulu. O'ahu Civil Defense Agency. Evacuation Zone Map 7. <http://www.honolulu.gov/ocda/maps1.htm> (accessed February 2006).
- Cooper, Peter. *Horse Management Plan: Cooper Residence at Kokokahi Place*. Prepared for He Mea Waiwai Loa LLC. June 2006.
- Leon, Mark. *Botanical Resources Assessment Study*. March 2, 2006.
- McAllister, J. Gilbert. *Archaeology of O'ahu*. B.P. Bishop Museum Bulletin 104. Honolulu, Hawai'i. 1933.
- State of Hawai'i Department of Business Economic Development and Tourism. *State of Hawai'i Data Book*. 2004 <http://www.hawaii.gov/dbedt/> (accessed February 2006).
- State of Hawai'i Department of Business Economic Development and Tourism. *State of Hawai'i Data Book*. 1995.
- State of Hawai'i Department of Land and Natural Resources. *Written Communication from William W. Paty to Honolulu Cellular Telephone Company, Document No. 3249E*. April 28, 1988.
- State of Hawai'i Department of Land and Natural Resources. *Written Communication from Susumo Ono to Joyce K. Almeida, Reference No. CPO-1335*. February 25, 1980.
- State of Hawai'i, Office of State Planning. *The Hawai'i State Plan*. 1991.

Sterling, Elspeth P. and Catherine C. Summers. *Sites of O'ahu*. Honolulu Hawai'i. 1978.

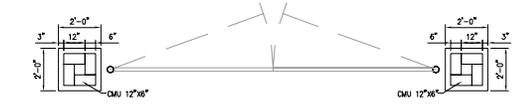
United States Department of Agriculture Soil Conservation Service, in Cooperation with the University Of Hawaii Agricultural Experiment Station. *Soil Survey of the Islands of Kaua'i, O'ahu, Maui, Moloka'i, and Lāna'i, State of Hawai'i*. United States Government Printing Office, August 1972.

United States Federal Emergency Management Agency. *Flood Insurance Rate Map, Community Panel Number 15003C0270G*. June 2, 2005.

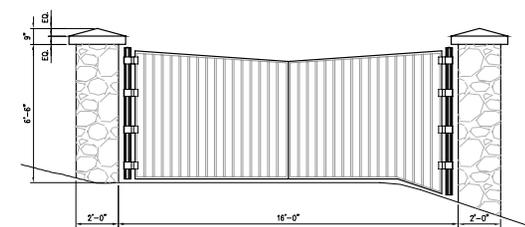
APPENDIX A
Architectural Drawings



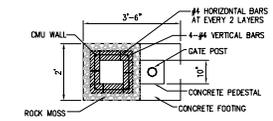
SITE PLAN
SCALE: 1"=120'



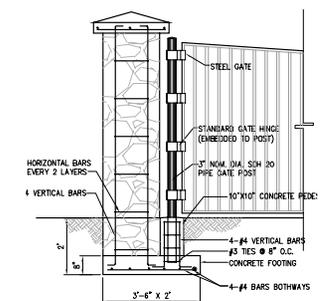
PLAN



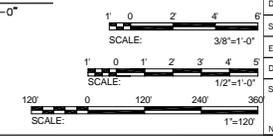
ELEVATIONS
FRONT GATE
SCALE: 3/8"=1'-0"



PLAN



ELEVATIONS
COLUMN DETAIL
SCALE: 1/2"=1'-0"



REVISIONS	
NO.	DATE

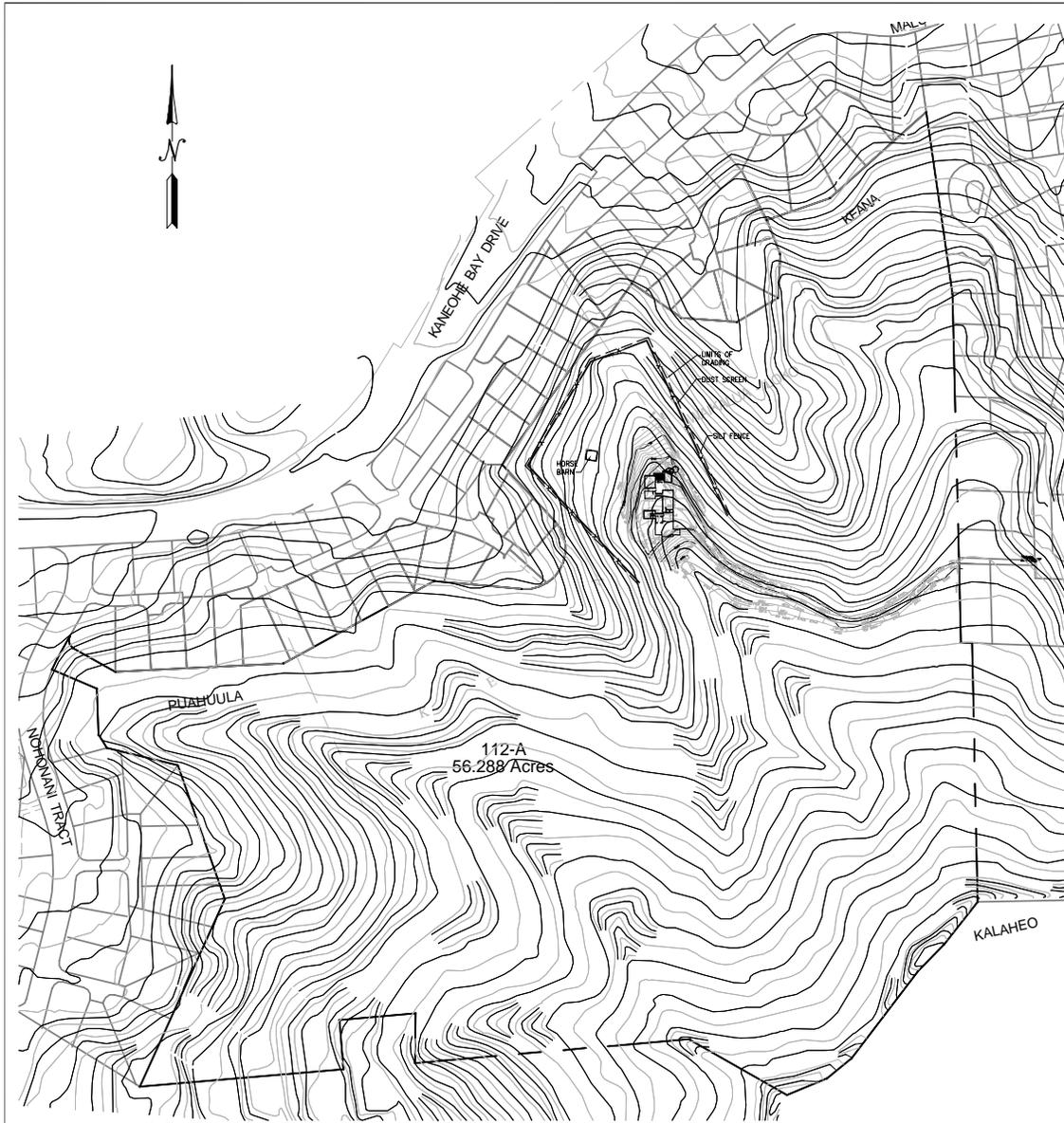


HE MEA WAIWAI LOA LLC.
45-234A KOKOKAHI PLACE
45-20 NAMOKU STREET
KANEHOHE, OAHU, HAWAII
T.M.K.: 4-5-032-001

**SITE PLAN,
FRONT GATE DETAIL**



Date:	06-30-06
Scale:	AS SHOWN
Engineer:	JL
Drawn:	GN
Sheet:	C-1
Number:	1 of 3



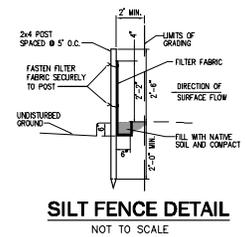
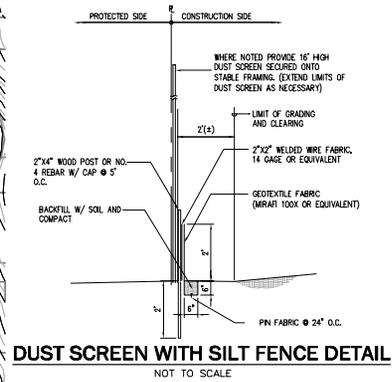
EROSION CONTROL PLAN
SCALE: 1"=120'

BEST MANAGEMENT PRACTICES:

1. MEASURES TO CONTROL EROSION AND OTHER POLLUTANTS SUCH AS TEMPORARY STORMDRAIN PROTECTION, STABILIZED CONSTRUCTION ENTRANCE, AND SILT FENCING SHALL BE IN PLACE BEFORE ANY GRADING OR TRENCHING WORK IS INITIATED. THESE MEASURES SHALL BE PROPERLY CONSTRUCTED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. ALL EROSION CONTROL MEASURES SHALL BE CHECKED DAILY AND PREPARED TO WORKING CONDITION.
3. ALL TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED BY THE CONTRACTOR AFTER COMPLETION OF THE PROJECT PRIOR TO FINAL ACCEPTANCE OR AS DIRECTED BY THE ENGINEER IN THE FIELD.
4. GRASSING TO BE DONE AS FINISH GRADES ARE ESTABLISHED.
5. DIVERSION OF STORM RUNOFF AWAY FROM FILL SLOPES UNTIL GRASSING ON FILL SLOPES ARE ESTABLISHED.
6. STABILIZED CONSTRUCTION ENTRANCE.
7. ALL TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED BY THE CONTRACTOR AFTER COMPLETION OF THE PROJECT PRIOR TO FINAL ACCEPTANCE OR AS DIRECTED BY THE ENGINEER IN THE FIELD.

EROSION & TEMPORARY DUST CONTROL:

1. DURING CONSTRUCTION, PREVENTATIVE MEASURES, SUCH AS WATER TO REDUCE DUST, TEMPORARY STORMDRAIN PROTECTION, STABILIZED CONSTRUCTION ENTRANCE, AND SILT FENCING SHALL BE USED TO CONTROL FORESEEABLE DUST, EROSION OR SEDIMENTATION PROBLEMS WHICH MAY ARISE AS THE JOB PROGRESSES.
2. FUGITIVE DUST AND SOLID WASTE DISPOSAL DURING GRUBBING AND GRADING ACTIVITIES SHALL MEET REQUIREMENTS OF ADMINISTRATIVE RULES, TITLE 11, CHAPTER 60, AIR POLLUTION CONTROL, AND CHAPTER 5A, SOLID WASTE MANAGEMENT CONTROL.
3. THE CONTRACTOR, AT HIS OWN EXPENSE, SHALL KEEP THE PROJECT AREA AND SURROUNDING AREA FREE FROM DUST NUISANCE. THE WORK SHALL BE IN CONFORMANCE WITH THE AIR POLLUTION CONTROL STANDARDS AND REGULATIONS OF THE STATE DEPARTMENT OF HEALTH.



REVISIONS	
NO.	DATE



HE MEA WAIWAI LOA LLC.
45-234A KOKOKAHI PLACE
45-20 NAMOKU STREET
KANEHOHE, OAHU, HAWAII
T.M.K.: 4-5-032.001

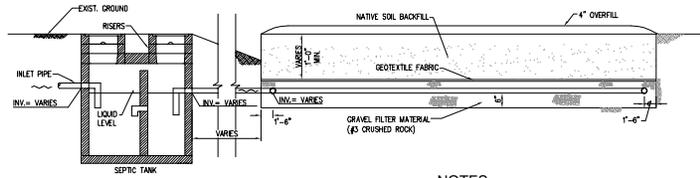
**EROSION CONTROL PLAN,
DETAILS & NOTES**



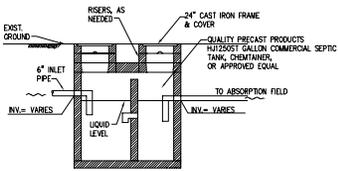
FRANK JAMES LYON
LICENSED PROFESSIONAL ENGINEER
No. 8256-C
HAWAII, U.S.A.
Exp. 4/30/08

Date: 06-30-06
Scale: AS SHOWN
Engineer: JL
Drawn: GN
Sheet: C-2
Number: 2 of 3

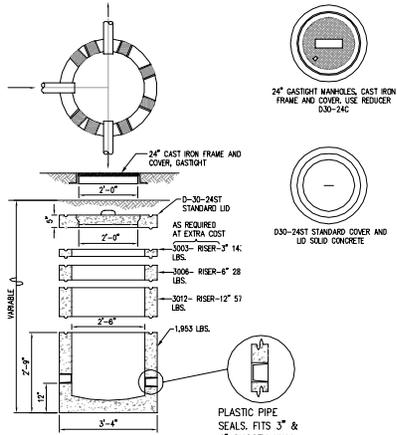




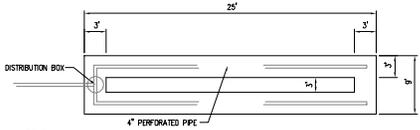
INDIVIDUAL WASTEWATER SYSTEMS
NOT TO SCALE



SEPTIC TANK SCHEMATIC
NOT TO SCALE



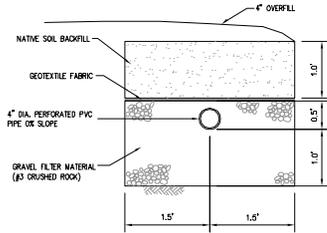
DISTRIBUTION BOX
NOT TO SCALE



- NOTES:
1. TRENCHES SHOULD NOT BE EXCAVATED WHEN THE SOIL IS WET ENOUGH TO SMEAR OR COMPACT EASILY.
2. OPEN TRENCHES SHOULD BE PROTECTED FROM SURFACE RUNOFF TO PREVENT THE ENTRANCE OF SILT AND DEBRIS.

ABSORPTION BED

NOT TO SCALE



ABSORPTION BED CROSS-SECTION
NOT TO SCALE

NOTES:

- ALL CONCRETE SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT 28 DAYS.
- CEMENT TO BE PORTLAND CONFORMING TO ASTM C 150.
- REINFORCING STEEL SHALL BE INTERMEDIATE GRADE, REFORMED, CONFORMING TO ASTM A-616 GRADE 40.
- REINFORCING STEEL SHALL BE IN LONG LENGTHS AND SHALL BE LAPPED A MINIMUM OF 15 INCHES, OR 40 BAR DIAMETERS.
- ALL TANKS SHALL BE COATED ON THE INTERIOR AND SHALL COVER ALL OF THE INTERNAL AREA WITH AN APPROVED ASPHALT ENAMEL COATING AND SHALL BE APPLIED PER THE MANUFACTURER'S RECOMMENDATION.
- TANKS SHALL BEAR ON UNDISTURBED SOIL A MINIMUM OF 12" BELOW ORIGINAL GRADE ON A SOLID BED AND TO BE INSTALLED LEVEL.
- PROVIDE 4" OF GRANULAR BEDDING MATERIAL.
- BACKFILL WITH NATIVE FILL. NO ROCKS SHALL EXCEED 4" DIAMETER.
- FILL TANK WITH WATER AFTER IT HAS BEEN SET IN PLACE AND THE SIDES BACKFILLED.
- SEPTIC TANK SHALL BE 10-20 TYPICAL VARIED.
- ALL PIPES LEAVING OR ENTERING TANKS SHALL BE SEALED WITH A NON-SHRINK GROUT MIX, CEMENTMOR, OR APPROVED EQUAL.
- WHERE NOT OTHERWISE SPECIFIED, THE CONSTRUCTION OF THE SEPTIC TANK SHALL CONFORM TO MANUAL OF SEPTIC TANK PRACTICE, U.S. PUBLIC HEALTH SERVICE, PUBLICATION NO. 526.
- CONTRACTOR SHALL CONDUCT A LEAKAGE TEST FOR TANK. THE LEAKAGE TEST SHALL PROCEED BY FILLING THE TANK WITH WATER UP TO THE INVERT OF THE OVERFLOW PIPE. THE WATER WILL REMAIN IN THE TANK FOR A PERIOD OF 24 HOURS. IF THERE IS A CHANGE IN WATER ELEVATION, CONTRACTOR SHALL CONDUCT THE TEST ONE MORE TIME. IF THERE IS A CHANGE IN ELEVATION IN THE SECOND TEST, THE CONTRACTOR SHALL REPAIR THE TANK TO THE SATISFACTION OF THE OFFICER-IN-CHARGE. AFTER THE TANK HAS BEEN APPROVED BY THE OFFICER-IN-CHARGE AND THE TANK HAS PASSED THE LEAKAGE TEST, THE LEAKAGE TEST WATER SHALL REMAIN IN THE TANK.
- THE CONTRACTOR SHALL CERTIFY THAT THE SEPTIC TANK AND ABSORPTION FIELD HAS BEEN GENERALLY CONSTRUCTED IN ACCORDANCE WITH THE APPROVED PLANS AND IN ACCORDANCE WITH HAWAII DEPARTMENT OF HEALTH ADMINISTRATIVE RULES TITLE 11, CHAPTER 62, SUBCHAPTER 3 - INDIVIDUAL WASTEWATER SYSTEMS.

GENERAL NOTES FOR SEPTIC TANK:

- PLANS MUST BE APPROVED IN WRITING BY THE STATE OF HAWAII DEPARTMENT OF HEALTH PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- THE CONTRACTOR SHALL LOCATE AND PROTECT ALL EXISTING UTILITIES WHETHER OR NOT SHOWN ON THE PLANS. ANY COST INCURRED BY OWNERS TO EXISTING UTILITIES WILL BE BORNE BY THE CONTRACTOR.
- THE CONTRACTOR SHALL NOTIFY THE ENGINEER NOT LATER THAN 48 HOURS PRIOR TO COMMENCEMENT OF EXCAVATION FOR THE INDIVIDUAL WASTEWATER SYSTEMS.
- ALL EQUIPMENT SUBSTITUTIONS OR LOCATION CHANGES TO BE VERIFIED WITH DESIGN ENGINEER PRIOR TO INSTALLATION.
- THE CONTRACTOR SHALL PROVIDE, INSTALL AND MAINTAIN ALL BARRICADES AND SAFETY DEVICES AND TAKE ALL NECESSARY PRECAUTIONS FOR THE PROTECTION OF THE WORK AND THE CONVENIENCE AND SAFETY OF THE PUBLIC.
- TREES SHALL BE A MINIMUM OF 10 FEET AWAY FROM THE ABSORPTION AREA, REMOVE TREES AS REQUIRED.
- THE CONTRACTOR SHALL LOCATE BY COORDINATES THE EXIST. CESSPOOL, OR TERMINATION OF EXIST. SEWER LINE AND SUBMIT TO DRAWINGS.

OPERATION AND MAINTENANCE INSTRUCTIONS FOR SEPTIC TANKS AND SLUDGE DISPOSAL:

- THE SEPTIC TANK SHALL BE INSPECTED ON A YEARLY BASIS BY OPENING THE ACCESS COVER AND CHECKING IF EITHER THE SLUDGE OR SOLID ARE NEAR THE OUTLET PIPE.
- THE SEPTIC TANK SHALL BE CLEANED OUT IF EITHER:
A) THE BOTTOM OF THE FLOATING SCUM MAT IS WITHIN THREE INCHES OF THE BOTTOM OF THE OUTLET PIPE;
OR B) SLUDGE COMES WITHIN SIX INCHES OF THE BOTTOM OF THE OUTLET PIPE.
- CLEANING THE TANK WILL CONSIST OF PUMPING OF THE CONTENTS INTO A TANK TRUCK AND HAULING IT TO A STATE EALTH DEPARTMENT APPROVED POINT OF DISPOSAL. THE SEPTIC TANK SHOULD NOT BE WASHED OR DISINFECTED AFTER PUMPING. A THREE INCH DEPTH OF RESIDUAL SLUDGE SHALL BE LEFT IN THE TANK FOR SEEDING PURPOSES.
- A SEPTIC TANK SHOULD NOT BE ENTERED BY ANYONE UNLESS PROPER SAFETY PROCEDURES ARE FOLLOWED. THERE IS A POTENTIAL HAZARD OF EXPLOSION GASES AND/OR ASPHYXIATION OF PERSONAL IF PRECAUTIONS ARE NOT TAKEN.
- CHEMICALS OF DISINFECTANTS DO NOT IMPROVE THE OPERATION OF SEPTIC TANKS AND ARE NOT RECOMMENDED. ORDINARY CHEMICALS USED IN THE HOUSEHOLD IN SMALL QUANTITIES WILL NOT ADVERSELY AFFECT THE OPERATION OF THE SEPTIC TANK.
- PAPER TOWELS, NEWSPAPER, WRAPPING PAPER, BAGS, STICKS, AND GREASE SHOULD NOT BE FLUSHED DOWN THE SEPTIC TANK. THEY WILL NOT DECOMPOSE AND WILL LEAD TO CLOGGING OF THE PIPING AND ADJACENT SOIL.
- IMPROPER OPERATION AND MAINTENANCE OF THE SEPTIC TANK WILL LEAD TO EARLY FAILURE OF THE DISPOSAL SYSTEM BY CLOGGING THE PIPING AND ADJACENT SOIL. THIS WILL RESULT IN SEPTIC TANK OVERFLOWS AND DISPOSAL SYSTEM FLOODING. COMPLETE REPLACEMENT OF THE DISPOSAL SYSTEM MAY BE THEN REQUIRED.

REVISIONS	
NO.	DATE



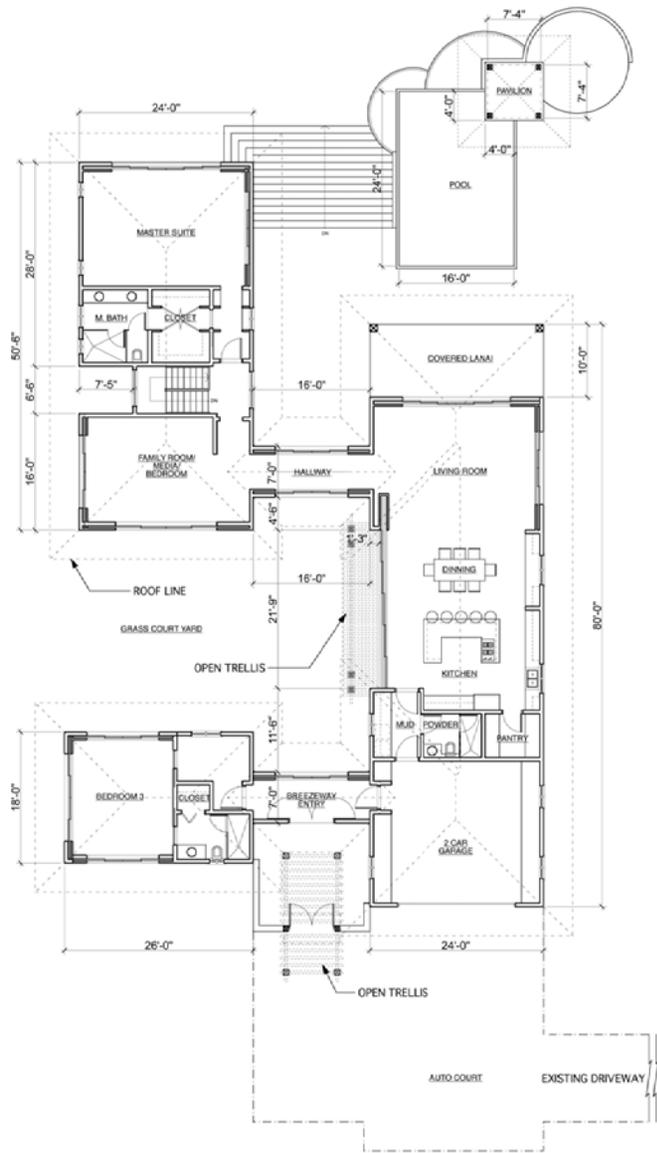
HE MEA WAIWAI LOA LLC.
45-234A KOKOKAHI PLACE
45-20 NAMOKU STREET
KANEOHE, OAHU, HAWAII
T.M.K.: 4-5-032.001

SEPTIC TANK DETAILS, & NOTES

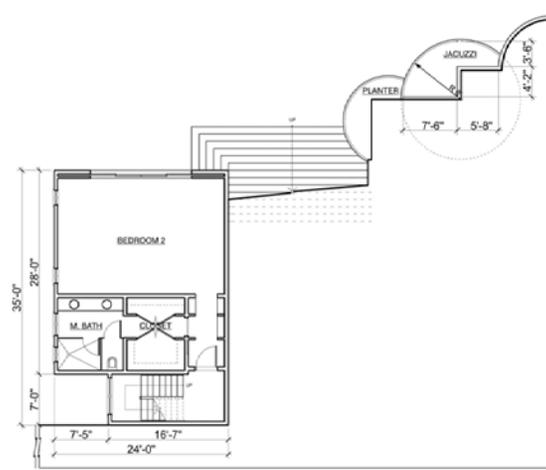


FRANK JAMES LYON
THE STATE OF HAWAII DEPARTMENT OF HEALTH HAS REVIEWED THESE PLANS AND CONFIRMS THAT THEY MEET THE REQUIREMENTS OF THE HAWAIIAN WATER POLLUTION CONTROL ACT.

Date:	06-30-06
Scale:	AS SHOWN
Engineer:	JL
Drawn:	GN
Sheet:	C-3
Number:	3 of 3



GROUND FLOOR PLAN
 SCALE : 1/8"=1'-0"
 N



BASEMENT FLOOR PLAN
 SCALE : 1/8"=1'-0"
 N

A-1 Main House Floor Plans - Printed on 24x36 inch at 1/8"=1'-0" Scale. All File Paths, Project Names, Project Numbers, and File Names are subject to change without notice. Copyright 2006 Peter Vincent & Associates, LLC. All Rights Reserved.



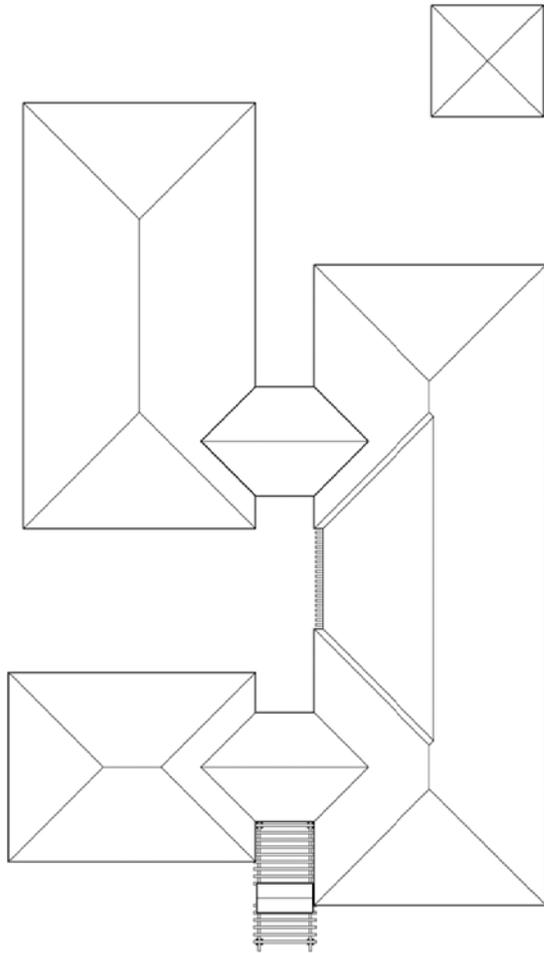
Peter Vincent & Associates, LLC
 1021 Smith Street, Penthouse
 Honolulu, Hawaii 96817
 T.(808) 524-8255
 F.(808) 523-3419
 www.pvarchitecture.com

He Mea Waiwai Loa
 TMK: 4-5-032-001
 45-234A Kokokahi Place
 Aiea, Hawaii 96701

Revisions:

Project:	05-053.02
Date:	05/09/06
Drawing:	
Main House Floor Plans	
Scale:	1/8" = 1'-0"
Drawn By:	

A-1



ROOF PLAN

SCALE : 1/8"=1'-0"



Peter Vincent & Associates, LLC
 1021 Smith Street, Penthouse
 Honolulu, Hawaii 96817
 T.(808) 524-8255
 F.(808) 523-3419
 www.pvarchitecture.com

He Mea Waiwai Loa
 TMK: 4-5-032:001
 45-234A Kokokahi Place
 Aiea, Hawaii 96701

Revisions:

- △ _____
- △ _____
- △ _____

Project:

05-053.02

Date:

05/09/06

Drawing:

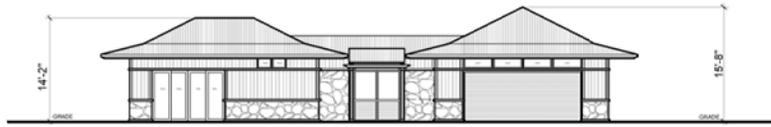
Roof Plan

Scale:

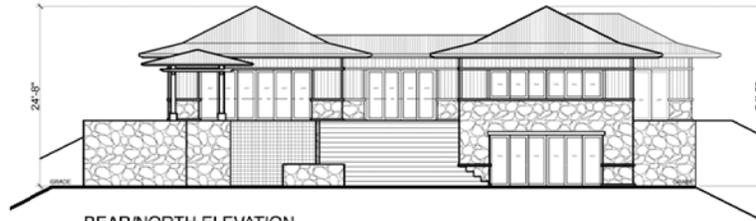
1/8" = 1'-0"

Drawn By:

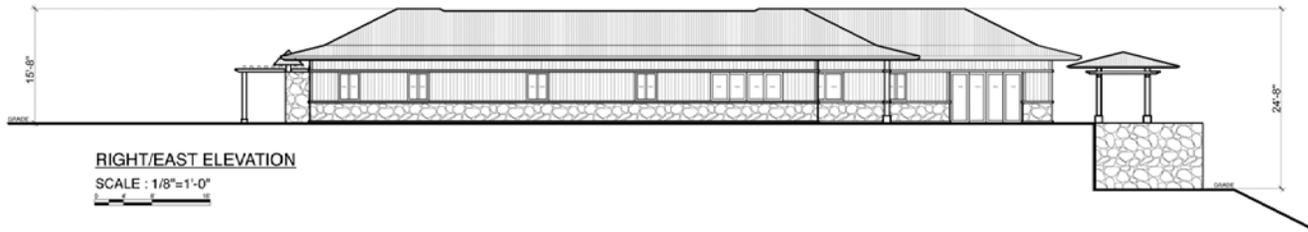
A-2



FRONT/SOUTH ELEVATION
SCALE : 1/8"=1'-0"
0 4 8 16



REAR/NORTH ELEVATION
SCALE : 1/8"=1'-0"
0 4 8 16



RIGHT/EAST ELEVATION
SCALE : 1/8"=1'-0"
0 4 8 16



LEFTWEST ELEVATION
SCALE : 1/8"=1'-0"
0 4 8 16



Peter Vincent & Associates, LLC
1021 Smith Street, Penthouse
Honolulu, Hawaii 96817
T.(808) 524-8255
F.(808) 523-3419
www.pvarchitecture.com

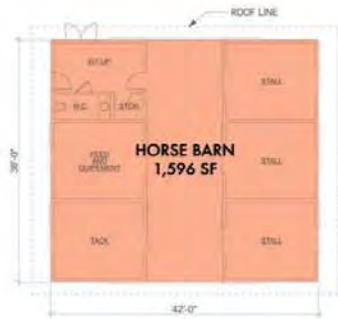
He Mea Waiwai Loa
TMK: 45-032-001
45-234A Kokokahi Place
Aloa, Hawaii 96701

Revisions:

▲	
▲	
▲	

Project: 05-053.02
Date: 05/09/06
Drawing: Main House Elevations
Scale: 1/8" = 1'-0"
Drawn By:

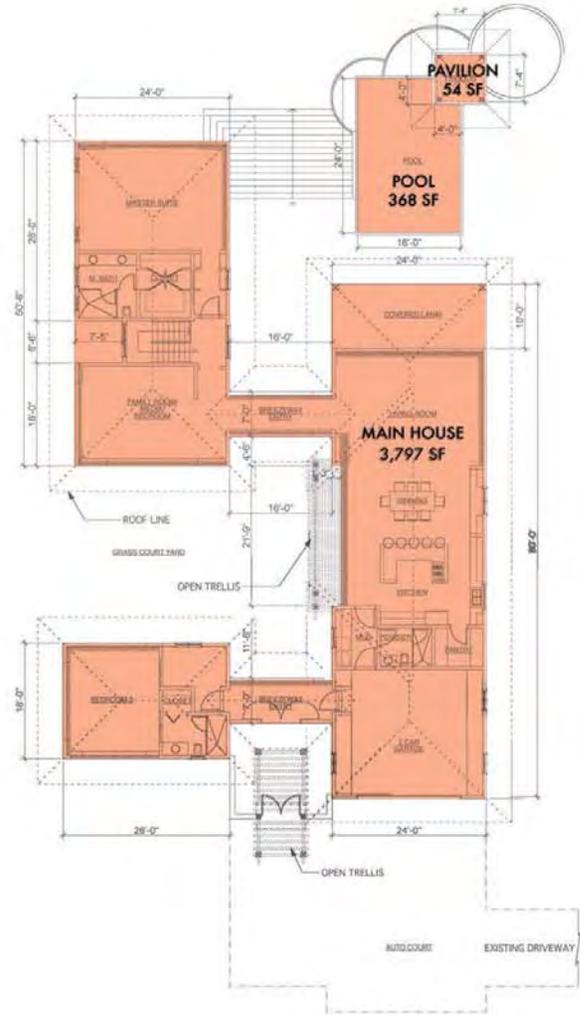
A-3



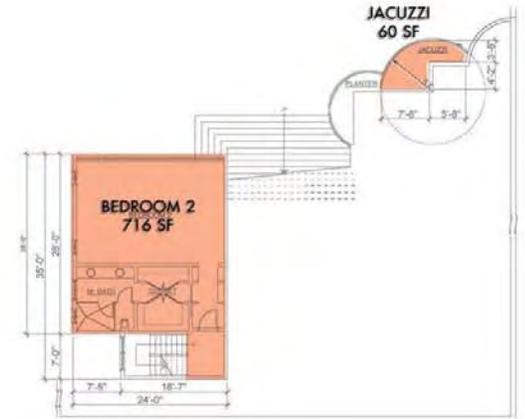
HORSE BARN FLOOR PLAN
SCALE: 1/8"=1'-0"
N

HORSE BARN FLOOR AREA CALCULATION

1. HORSE BARN	= 1,596 SF
TOTAL	= 1,596 SF



GROUND FLOOR PLAN
SCALE: 1/8"=1'-0"
N



BASEMENT FLOOR PLAN
SCALE: 1/8"=1'-0"
N

MAIN HOUSE FLOOR AREA CALCULATION

GROUND FLOOR	
1. MAIN HOUSE	=3,797 SF
2. POOL	=368 SF
3. PAVILION	=54 SF
BASEMENT	
4. BEDROOM 2	=716 SF
5. JACUZZI	=60 SF
TOTAL	=4,995 SF



APPENDIX B
Conservation District Use Permit OA-12/3/79-1188

Ms. Joyce K. Almeida
Page 2
February 25, 1980

February 25, 1980

REF. NO.: CPO-1385
FILE NO.: OA-12/3/79-1188
180-Day Exp. Date: 5/31/80

Ms. Joyce K. Almeida
47-544 Hui Iwa Street
Kaneohe, Hawaii 96744

Dear Ms. Almeida:

Subject: Conservation District Use Application for
Single Family Dwelling Use at Kaneohe, Oahu

This is to inform you that the Board of Land and Natural Resources at its meeting of February 22, 1980, under agenda Item H-5, approved your application subject to the following conditions:

1. That the applicant comply with all applicable statutes, ordinances, rules and regulations of the Federal, State and City and County governments, and applicable parts of Sections 6A and 6D of Departmental Regulation No. 4, as amended (attached).
2. The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relative to or connected with the granting of this permit.
3. Other terms and conditions as prescribed by the Chairman:

4. In the event any unanticipated sites or remains such as shell, bone or charcoal deposits, human burials, rock or coral alignments, pavings, or walls are encountered during construction, the applicant shall stop work and contact the Historic Preservation Office at 548-7400 or 548-6408;
5. That the applicant comply with all applicable Public Health Regulations;
6. A fire contingency plan, acceptable to the Division of Forestry shall be implemented during and after the construction of the dwelling;
7. That the single family dwelling not be used for rental or any other commercial purposes; and
8. This approval is contingent upon the applicant's securing legal access for road and utility purposes over and across TRF 4-5-31: 77.

Should you have any questions on any of these conditions, please feel free to contact Mr. Roger C. Evans of our Planning Office at 548-7837.

Very truly yours,

/s/SUSUMUONO

SUSUMUONO, Chairman
Board of Land and Natural Resources

cc: Oahu Board Members
Oahu Land Agent
Dept. of Health
OECC/ECC
C&C/DLU
C&C/Water Supply

bcc: Fish & Game
Forestry
NARS
State Parks/Historic Sites
DONALD

VP:nas

Exhibit 1

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII



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

File No.: OA-12/3/79-1188
180-Day Exp. Date: 5/31/80

DIVISIONS:
CONVEYANCES
FISH AND GAME
FORESTRY
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

February 22, 1980

Board of Land and
Natural Resources
State of Hawaii
Honolulu, Hawaii

Gentlemen:

Conservation District Use Application for
Single Family Dwelling Use at Kaneohe, Oahu

APPLICANT: Ms. Joyce K. Almeida
47-544 Hui Iwa Street
Kaneohe, Hawaii 96744
on agreement of sale with

LANDOWNERSHIP: Mr. & Mrs. Philip J. Cascavilla
46-360 Holokuku Place
Kaneohe, Hawaii 96744

LOCATION: TMK 4-5-32: 1

AREA OF PARCEL: 56.288 Acs. (Tax Office records).

SUBZONE: General (G).

DESCRIPTION OF AREA:

See Exhibits "A" and "B", attached.

According to the applicant, there are no structures existing on the property. Public utilities for sewer, drainage, water, electricity and telephone are available from systems on Kokokahi Drive. Access is via an easement located on urban-classed property identified as TMK 4-5-31: 77. Vegetation consists of banana, haole koa, papaya and miscellaneous ferns. Slopes are greater than 20% but less than 40%, with many buildable locations throughout the property.

Ahukini Heiau, located at approximately the 1200' elevation on the property is currently pending action to the Hawaii Register of Historic Places.

CURRENT USE:

Vacant, private property surrounded by urban, residential areas to the east, west and north.

Board of Land and
Natural Resources

February 22, 1980

PROPOSED USE:

As shown on applicant's Exhibit "1", a site at approximately the 300' elevation near the eastern boundary of the property has been selected for the construction of an A-frame dwelling of wood construction. The structure, which will be two-story in design, will occupy a land area of about 1300 square feet. The top floor, will be partitioned into a bedroom bath and studio. The lower floor will consist of three bedrooms, bath, kitchen and a living/dining room.

The applicant has noted that the dwelling is to be occupied by herself and her two daughters.

SUMMARY OF COMMENTS:

The application was referred to the following agencies for review and comment:

Department of Health	Divisions of Fish & Game
OEQC/EQC	Forestry
Dept. of Land Utilization	Parks/Historic Sites
Board of Water Supply	Natural Area Reserves System

Comments received from responding agencies, while expressing no objections to the proposed use, noted the following concerns:

1. All plumbing outlets to be connected to the public sewerage system.
2. Although water service can be made available from the main on Kokokahi Place, the service limit in the area is at the 172' elevation. As such, the owner will be subject to water development charge for source, reservoir and transmission mains.
3. Consideration should be given to the degree of housing elevation and density, to be allowed within the particular Conservation District with respect to aesthetics, traffic, erosion, water supply and other public facility requirements.

ANALYSIS:

Following review and acceptance of the application, for processing, the applicant, by letter dated December 10, 1979, was notified that:

1. The proposed use is a conditional use of the General Subzone of the Conservation District according to Departmental Regulation No. 4, as amended;
2. No public hearing pursuant to Section 183-41, Hawaii Revised Statutes and Section 5 of Departmental Regulation No. 4, as amended, will be required provided the proposed use is not for commercial or rental purposes; and
3. The proposed use is exempt from the preparation of a negative declaration or Environmental Impact Statement (EIS) according to Section 1:33 of the EIS Regulations.

Board of Land and
Natural Resources

February 22, 1980

In compliance with Chapter 205A-29, Hawaii Revised Statutes relating to Interim Coastal Zone Management, the City and County of Honolulu, by letter dated January 3, 1980, determined that the proposed use is outside the Special Management Area (SMA).

Therefore, no Shoreline Management Permit is required.

The objective of the General Subzone is to designate open space where specific conservation may not be defined, but where urban use would be premature. Section 6B of Departmental Regulation No. 4, relating to standards, requires all applications be reviewed in such a manner that the objective of the subzone is given primary consideration.

Staff is of the opinion that the proposed single family dwelling is an acceptable use of the General Subzone of the Conservation District, compatible with residential development in the vicinity. On comparison, the three-acre use requested by the applicant represents slightly more than 50% of the total land area. Consequently, much area will remain open and undeveloped.

The issue that remains questionable at this time is the route of access which the applicant has noted will be via an easement over and across an adjoining urban-classed property, identifiable as TMK 4-5-31: 77 which is owned by the Cascavilla's according to the applicant. It is mentioned, however, that the property in question does not lack for access to a public road as it borders on Namoku Street to the east. However, because of economic and aesthetic reasons, access to Namoku Street is not desired by the applicant.

As such, Staff recommends as follows:

RECOMMENDATION:

Approval with the following conditions:

1. That the applicant comply with all applicable statutes, ordinances, rules and regulations of the Federal, State and City and County governments, and applicable parts of Sections 6A and 6D of Departmental Regulation No. 4, as amended;
2. The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;
3. Other terms and conditions as prescribed by the Chairman;
4. In the event any unanticipated sites or remains such as shell, bone or charcoal deposits, human burials, rock or coral alignments, pavings, or walls are encountered during construction, the applicant shall stop work and contact the Historic Preservation Office at 548-7460 or 548-6408;

Board of Land and
Natural Resources

February 22, 1980

5. That the applicant comply with all applicable Public Health Regulations;
6. A fire contingency plan, acceptable to the Division of Forestry shall be implemented during and after the construction of the dwelling;
7. That the single family dwelling not be used for rental or any other commercial purposes; and
8. This approval is contingent upon the applicant's securing legal access for road and utility purposes over and across TMK 4-5-31: 77.

Respectfully submitted,

L. Bautista
LEONARD BAUTISTA
Staff Planner

APPROVED FOR SUBMITTAL:

S. Ono
SUSUMU ONO, Chairman
of the Board

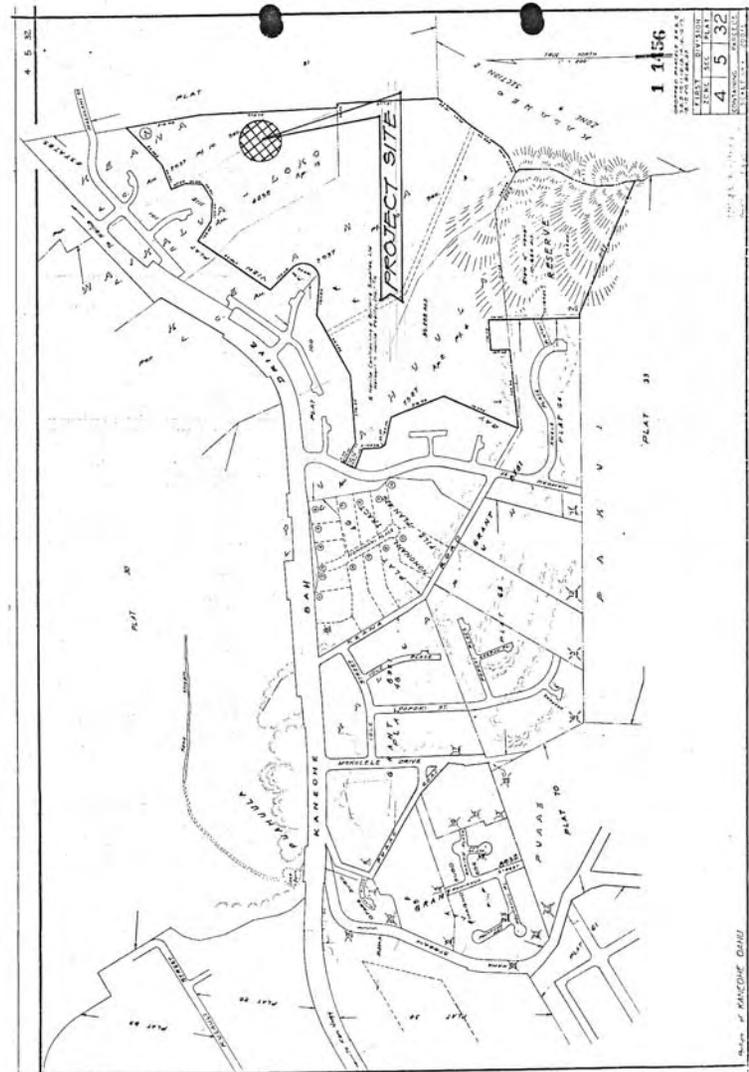


EXHIBIT B

LOT B

Being all of Lot A-11 and a portion of Lot B

Being also portions of Lot 58-A of Y'S MEN TRACT (File Plan 309) and R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle

Situated at Keana, Kaneohe, Koolau, Oahu, Hawaii

Beginning at the East corner of this piece of land, being also the Northeast corner of Lot A and on the West side of Kokokahi Place, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PAHU" being 6,103.95 feet South and 5,110.59 feet West, thence running by azimuths measured clockwise from True South:

1. 92° 00' 99.38 feet along Lot A, along the remainder of Lot B, along the remainder of Lot 58-A of Y'S MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;
2. 358° 39' 178.05 feet along Lot A, along the remainder of Lot B, along the remainder of Lot 58-A of Y'S MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;
3. 92° 00' 70.65 feet along the remainder of Lot 58-A of Y'S MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;
4. 178° 39' 190.07 feet along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;
5. 272° 00' 170.03 feet along Lot A-10 and along Lot 57-A of Y'S MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;
6. 358° 39' 12.02 feet along the West side of Kokokahi Place to the point of beginning and containing an area of 14,598 square feet.

SUBJECT, HOWEVER, to a UTILITY EASEMENT (12.00 feet wide) and more particularly described as follows:

SAM O. HIROTA, INC.
Civil, Structural Engineers & Surveyors
345 Queen Street, Suite 500

UTILITY EASEMENT
(12.00 feet wide)

Being a portion of Lot B

Being also portions of Lot B, Lot 58-A of Y'S MEN TRACT (File Plan 309)
and R.P. 5583, L.C. Av. 2937, Part 10, Section 3 to William Harbottle

Situated at Keana, Kaneohe, Koolaupoko, Oahu, Hawaii

Beginning at the East corner of this piece of land, being also the North-east corner of Lot A and on the West side of Kokokahi Place, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PAHU" being 6,103.95 feet South and 5,110.59 feet West, thence running by azimuths measured clockwise from True South:

1. 92° 00' 99.38 feet along Lot A, along the remainder of Lot B, along the remainder of Lot 58-A of Y'S MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Av. 2937, Part 10, Section 3 to William Harbottle;
2. 178° 39' 12.02 feet along the remainder of Lot B, along the remainder of Lot B, along the remainder of Lot 58-A of Y'S MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Av. 2937, Part 10, Section 3 to William Harbottle;
3. 272° 00' 99.38 feet along Lot 57-A of Y'S MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Av. 2937, Part 10, Section 3 to William Harbottle;
4. 358° 39' 12.02 feet along the West side of Kokokahi Place to the point of beginning and containing an area of 1,193 square feet.

SUBJECT, ALSO, HOWEVER, to an EASEMENT FOR trail purposes and more particularly described as follows:

EASEMENT

For Trail Purposes

Being a portion of Lot B

Being also portions of Lot B, Lot 58-A of Y'S MEN TRACT (File Plan 309)
and R.P. 5583, L.C. Av. 2937, Part 10, Section 3 to William Harbottle

Situated at Keana, Kaneohe, Koolaupoko, Oahu, Hawaii

SAM O. HIROYA, INC.
Civil, Structural Engineers & Surveyors
345 Queen Street, Suite 500
HONOLULU, HAWAII 96813

Beginning at the Southeast corner of this piece of land, being also the Southeast corner of Lot B and the Southwest corner of Lot A, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PAHU" being 6,278.48 feet South and 5,205.72 feet West, thence running by azimuths measured clockwise from True South:

1. 92° 00' 45.62 feet along the remainder of Lot 58-A of Y's MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Av. 2937, Part 10, Section 3 to William Harbottle;
2. 267° 00' 45.56 feet along the remainder of Lot B, along the remainder of Lot B, along the remainder of Lot 58-A of Y's MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Av. 2937, Part 10, Section 3 to William Harbottle;
3. 358° 39' 3.98 feet along Lot A, along the remainder of Lot B, along the remainder of Lot 58-A of Y's MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Av. 2937, Part 10, Section 3 to William Harbottle to the point of beginning and containing an area of 91 square feet.

SUBJECT, ALSO, HOWEVER, to EASEMENT 1 (12.00 feet wide) for Roadway purposes and more particularly described as follows:

EASEMENT 1
(12.00 feet wide)

for Roadway purposes

Being a portion of Lot B

Being also portions of Lots A-11 and B, Lot 58-A of Y's MEN TRACT (File Plan 309) and R.P. 5583, L.C. Av. 2937, Part 10, Section 3 to William Harbottle

Situated at Keana, Kaneohe, Koolaupoko, Oahu, Hawaii

Beginning at the East corner of this piece of land, being also the Northeast corner of Lot A and on the West side of Kokokahi Place, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PAHU"

SAM O. HIROYA, INC.
Civil, Structural Engineers & Surveyors
345 Queen Street, Suite 500
HONOLULU, HAWAII 96813

being 6,103.95 feet South and 5,110.59 feet West, thence running by azimuths measured clockwise from True South:

1. 92° 00' 147.41 feet along Lot A and the remainder of Lot B, along the remainders of Lot B and A-11, along the remainder of Lot 58-A of Y's MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;

Thence along the remainder of Lot B, along the remainder of Lot A-11, along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle on a curve to the left with a radius of 10.00 feet, the azimuth and distance of the chord being:

2. 45° 19' 30" 14.55 feet;

3. 358° 39' 66.68 feet along the remainder of Lot B, along the remainder of Lot A-11, along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;

Thence along the remainder of Lot B, along the remainder of Lot A-11, along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle on a curve to the left with a radius of 10.00 feet, the azimuth and distance of the chord being:

4. 313° 39' 14.14 feet;

5. 268° 39' 48.53 feet along the remainder of Lot B, along the remainders of Lot A-11 and B, along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;

6. 358° 39' 12.00 feet along Lot A, along the remainder of Lot B, along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;

7. 88° 39' 70.53 feet along the remainder of Lot B, along the remainders of Lot B and A-11, along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;

SAM O. HIROTA, INC.
Civil, Structural Engineers & Surveyors
345 Queen Street, Suite 500
HONOLULU, HAWAII 96813

8. 178° 39' 112.00 feet along Lot 112-A of BAY VIEN ESTATES (File Plan 1112), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;

9. 272° 00' 170.03 feet along Lot A-10 and along Lot 57-A of Y's MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;

10. 358° 39' 12.02 feet along the West side of Kokokahi Place to the point of beginning and containing an area of 3,984 square feet.

SUBJECT, ALSO, HOWEVER, to EASEMENT 2 (12.00 feet wide) for Roadway purposes and more particularly described as follows:

EASEMENT 2
(12.00 feet wide)

for Roadway purposes

Being a portion of Lot B

Being also portions of Lots A-11 and B, Lot 58-A of Y's MEN TRACT (File Plan 309) and R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle

Situated at Keana, Kaneohe, Koolaupoko, Oahu, Hawaii

Beginning at the East corner of this piece of land, being also the Northeast corner of Lot A and on the West side of Kokokahi Place, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PAHU" being 6,103.95 feet South and 5,110.59 feet West, thence running by azimuths measured clockwise from True South:

1. 92° 00' 147.41 feet along Lot A and the remainder of Lot B, along the remainders of Lot B and A-11, along the remainder of Lot 58-A of Y's MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;

SAM O. HIROTA, INC.
Civil, Structural Engineers & Surveyors
345 Queen Street, Suite 500
HONOLULU, HAWAII 96813

Thence along the remainder of Lot B, along the remainder of Lot A-11, along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle on a curve to the left with a radius of 10.00 feet, the azimuth and distance of the chord being:

2. 45° 19' 30" 14.55 feet;
3. 358° 39' 76.68 feet along the remainder of Lot B, along the remainder of Lot A-11, along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;
4. 88° 39' 12.00 feet along the remainder of Lot B, along the remainder of Lot A-11, along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;
5. 178° 39' 100.00 feet along Lot 112-A of BAY VIEW ESTATES (File Plan 1112), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;
6. 272° 00' 170.03 feet along Lot A-10 and along Lot 57-A of Y's MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;
7. 358° 39' 12.02 feet along the West side of Kokokahi Place to the point of beginning and containing an area of 3,116 square feet.

TOGETHER WITH EASEMENT 3 (7.00 feet wide) for Roadway purposes over and across Lot A and more particularly described as follows:

EASEMENT 3
(7.00 feet wide)

for Roadway purposes

Being a portion of Lot A

Being also portions of Lot B, Lot 58-A of Y's MEN TRACT (File Plan 309) and R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle

Situated at Keana, Kaneohe, Koolaupoko, Oahu, Hawaii

SAM O. HIROTA, INC.
Civil, Structural Engineers & Surveyors
345 Queen Street, Suite 500
HONOLULU, HAWAII 96813

Beginning at the Northeast corner of this piece of land, being also the Northeast corner of Lot A and on the West side of Kokokahi Place, the coordinates of said point of beginning referred to Government Survey Triangulation Station "PUU PAHU" being 6,103.95 feet South and 5,110.59 feet West, thence running by azimuths measured clockwise from True South:

1. 358° 39' 7.01 feet along the West side of Kokokahi Place;
2. 92° 00' 99.38 feet along the remainder of Lot A, along the remainder of Lot B, along the remainder of Lot 58-A of Y's MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;
3. 178° 39' 7.01 feet along Lot B, along the remainder of Lot B, along the remainder of Lot 58-A of Y's MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle;
4. 272° 00' 99.38 feet along Lot B, along the remainder of Lot B, along the remainder of Lot 58-A of Y's MEN TRACT (File Plan 309), along the remainder of R.P. 5583, L.C. Aw. 2937, Part 10, Section 3 to William Harbottle to the point of beginning and containing an area of 696 square feet.

Honolulu, Hawaii
January 15, 1980



Kataichi Ninomiya
Kataichi Ninomiya
Registered Professional
Land Surveyor
Certificate No. 2281

SAM O. HIROTA, INC.
Civil, Structural Engineers & Surveyors
345 Queen Street, Suite 500
HONOLULU, HAWAII 96813

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII

RECEIVED

JAN 4 P 1:30

DEPT OF LAND AND
NATURAL RESOURCES
STATE OF HAWAII



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

January 3, 1980

Rec'd Plng. Ofc. JAN 07 1980
By [Signature]
Gordon _____ Estelle _____
Aki MEMORANDUM Post _____
Roger _____ Library _____

To: Mr. Susumu Ono, Chairman of the Board
From: Department of Land & Natural Resources

Return to: Chief, Environmental Protection & Health Services Division

Subject: Conservation District Use Application
File No: OA-12/3/79-1188
Request: Single Family Dwelling Use, Kaneohe

Our primary concern in regard to the subject application is the disposal of domestic wastewater. We have been informed by the applicant, Mrs. Joyce K. Almeida, that all plumbing outlets will be connected to the public sewerage system.

On the basis that the proposed single family dwelling will be connected to the public sewerage system, we do not have any objections to the approval of the subject application.

[Signature]
SHINJI SONEDA

Planning 60

GEORGE A. L. YUEN
DIRECTOR OF HEALTH

VERNE C. WAITE, M.D.
DEPUTY DIRECTOR OF HEALTH

HENRY N. THOMPSON, M.A.
DEPUTY DIRECTOR OF HEALTH

JAMES S. KUMAGAI, PH.D., P.E.
DEPUTY DIRECTOR OF HEALTH

TADAO BEPPU
DEPUTY DIRECTOR OF HEALTH

In reply, please refer to:
File: EPHS-SS

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU

630 SOUTH BERETANIA

HONOLULU, HAWAII 96843

RECEIVED

JAN 3 8:42

December 27, 1979

DEPT OF LAND AND
NATURAL RESOURCES
STATE OF HAWAII



Planning 26

FRANK F. FASI, Mayor

YOSHIE H. FUJINAKA, Chairman
DAT QUON PANG, Vice Chairman
RYOKICHI HIGASHIONNA
TERESITA R. JUBINSKY
WALLACE S. MIYAHIRA
ROBERT A. SOUZA
CLAUDE T. YAMAMOTO

KAZU HAYASHIDA
Manager and Chief Engineer

Mr. Susumu Ono
Chairman
Board of Land and
Natural Resources
P. O. Box 621
Honolulu, Hawaii 96809

Rec'd Plng. Ofc. JAN 07 1980
By [Signature]
Gordon _____ Estelle _____
Aki _____ Post _____
Roger _____ Library _____

Dear Mr. Ono:

Subject: Your Letter of December 12, 1979, on The Conservation District Use Application by Ms. Joyce K. Almeida for Single-Family Dwelling Use in Kaneohe, TMK: 4-5-32: 1, OA-12/3/79-1188

We have no objections to the proposed project.

Water service can be made available from our main on Kokokahi Place. Our service limit in the area is at the 172-foot elevation.

The owner will be subject to our water development charge for source, reservoir, and transmission mains.

Should you have questions or require additional information, please call Lawrence Whang at 548-5221.

Very truly yours,

[Signature]
KAZU HAYASHIDA
Manager and Chief Engineer

GEORGE R. ARIYOSHI
GOVERNOR OF HAWAII



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

DIVISIONS:
CONVEYANCES
FISH AND GAME
FORESTRY
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

December 17, 1979

Rec'd Plng. Ofc. DEC 24 1979
By: ay
Gordon _____ Estate _____
Aki _____ Prop. _____
Roger _____ Subdiv. _____
Len _____
File in: OA-1188
Return to _____

December 10, 1979

REF. NO.: CFO-1146
File No.: OA-12/3/79-1188
180-Day Exp. Date: 5/31/80

MEMORANDUM

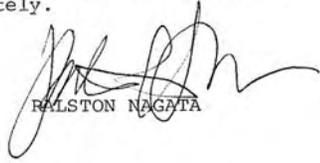
TO: Planning Office
FROM: Ralston Nagata, Director
Historic Sites Section
SUBJECT: CDUA-OA-12/3/79-1188 Joyce K. Almeida
TMK 4-5-32:1

Thank you for the opportunity to review and comment on the above named application.

This parcel contains Ahukini Heiau (80-10-352), a site listed neither on the National or Hawaii Register of Historic Places. The heiau is badly deteriorated and has been altered in the NE quarter by the past construction of a house.

The proposed development of a single family dwelling is 900 ft. lower in elevation than the heiau and should not directly impact the heiau; therefore, this office has no reservations for the development to proceed.

In the event that any unanticipated sites or remains such as shell, bone or charcoal deposits; human burials; rock or coral alignments, pavings, or walls are encountered during construction, please inform the applicant to stop work and contact this office immediately.


RALSTON NAGATA

Ms. Joyce K. Almeida
47-544 Hui Iwa Street
Kaneohe, HI 96744

Dear Ms. Almeida:

NOTICE OF ACCEPTANCE AND ENVIRONMENTAL DETERMINATION
Conservation District Use Application for
Single Family Dwelling Use at Kaneohe, Oahu

This acknowledges the receipt and acceptance, for processing, of your application for single-family dwelling use of Conservation District classed property identified as TMK 4-5-32: 1, consisting of 56.704 acres, at Kaneohe, Oahu. For the record, the acceptance date as noted above is based on the receipt of the corrected application bearing the signatures of the legal landowners who are, according to Department of Taxation records, Mr. and Mrs. Philip J. Cascavilla.

After reviewing the application and attachments, we find that:

1. The proposed use is a conditional use of the General Subzone of the Conservation District according to Departmental Regulation No. 4, as amended;
2. No public hearing pursuant to Section 183-41, Hawaii Revised Statutes and Section 5 of Departmental Regulation No. 4, as amended, will be required provided the proposed use is not for commercial or rental purposes; and
3. The proposed use is exempt from the preparation of a negative declaration or Environmental Impact Statement (EIS) according to Section 1:33 of the EIS Regulations.

Ms. Joyce K. Almeida
 Page 2
 December 10, 1979

Be further advised that as the applicant it will be your responsibility to comply with the provisions of Section 205-29d, Hawaii Revised Statutes (HRS) relating to Interim Coastal Zone Management (Special Management Area) requirements of the City and County of Honolulu (Department of Land Utilization). Negative action on your application by the Board of Land and Natural Resources can be expected should you fail to obtain from the appropriate City and County of Honolulu authority, 30 days prior to the 180 day expiration date as noted on the first page of this notice, one of the following:

1. A determination that the proposed development is outside the Special Management Area (SMA);
2. A determination that the proposed development is exempt from the provisions of the County Ordinance and/or regulation specific to Section 205-29d, HRS; or
3. A Special Management Area (SMA) permit for the proposed development.

Pending action on your application by the Land Board in the near future, your cooperation and early response to the matters presented herein will be appreciated. Should there be any questions feel free to contact Messrs. Roger C. Evans or Len Bautista of our Planning Office at 548-7837.

Very truly yours,

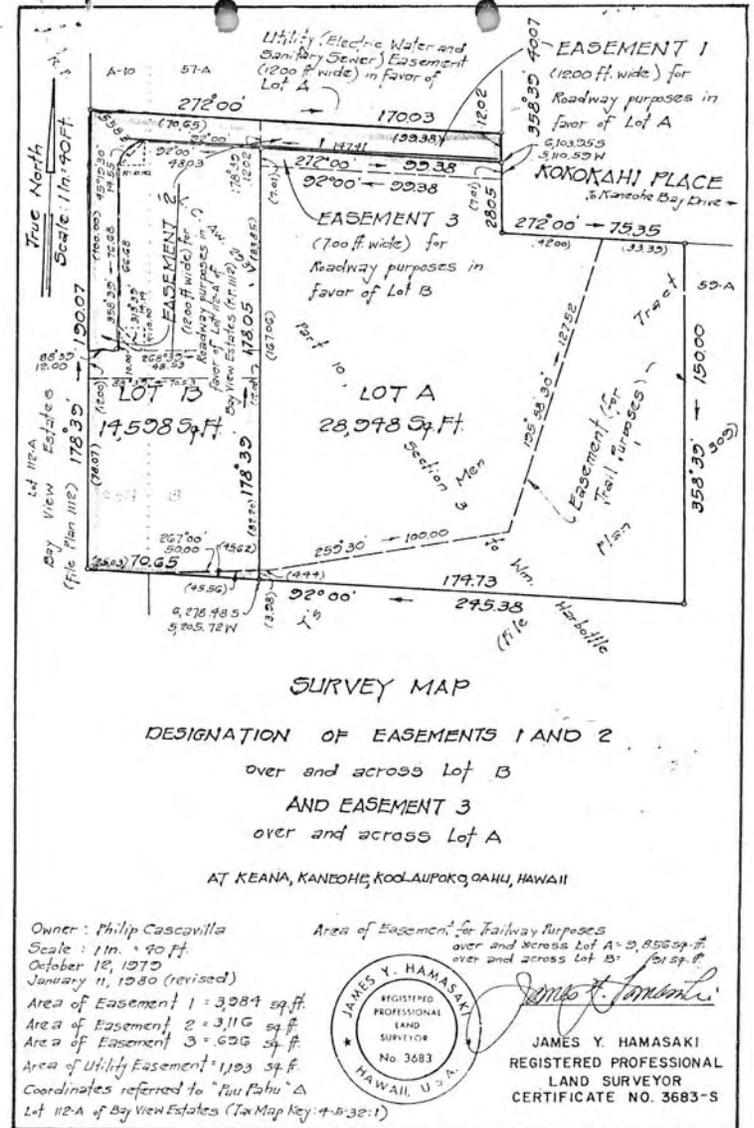
[Signature]

SUSUMI OYO, Chairman
 Board of Land and Natural Resources

cc: Oahu Board Members
 Oahu Land Agent
 Department of Health
 OEOC/BOC
 C&C/Dept. of Land Utilization
 C&C/Board of Water Supply

bcc: Fish & Game
 Forestry
 NARS
 State Parks/Historic Sites
 DOWALD

[Signature]
 IB:eyo



Tax Map Key: 4-5-31 77

SAM O. HIROTA, INC.
 345 QUEEN STREET
 SUITE 500
 HONOLULU, HAWAII

JOB NO. 700
 F. B. NO. 162

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

CONSERVATION DISTRICT USE APPLICATION

(Print or Type)

FOR DLNR USE ONLY

Reviewed by DLNR
Date: _____
Accepted by DLNR
Date: _____
File No. _____
EIS Required _____
PH Required _____

TO: GENTLEMEN
FROM: JOYCE K. ALMEIDA
DATED: SEPTEMBER 26, 1979

I. LANDOWNER (If State land, to be filled in by Gov't. Agency in control of property).

Name Joyce Kathleen Almeida

Address 1744 E KAMOHOAULU
HONOLULU, HI 96819

Telephone No. 847-0089

SIGNATURE Joyce Kathleen Almeida

II. APPLICANT (omit if applicant is landowner).

Name _____

Address _____

Telephone No. _____

Interest in Property _____
(Indicate interest in property; submit written evidence of this interest).

SIGNATURE _____

III. USE REQUESTED -- DESCRIPTION OF AREA

District Kaneohe

Island Oahu

County Honolulu

Tax Map Key 1-45-32-1

Area of Parcel 56.704 ACRES
(Indicate in acres or sq. ft.).

Area of Proposed Use 3 acres
(Indicate in acres or sq. ft.).

Name & Distance of Nearest Town or Landmark Kaneohe

Boundary Interpretation (If the area is within 40 feet of the boundary of the Conservation District, include map showing interpretation of the boundary by the the State Land Use Commission).

Conservation District District G
Subzone _____

County General Plan Designation Residown

IV. TYPE OF USE REQUESTED (Mark where appropriate).

1. Permitted Use (exception occasional use): DLNR REG. No. 4, Section _____; Subzone _____.
2. Accessory Use (accessory to a permitted use): DLNR REG. NO. 4, Section _____; Subzone _____.
3. Occasional Use: Subzone _____.
4. Temporary Variance: Subzone _____.
5. Conditional Use: Subzone G.

V. FILING FEE

1. Enclose \$50.00. All fees shall be in the form of cash, certified or cashiers check, and payable to the State of Hawaii.
2. If use is commercial, as defined, submit additional public hearing fee of \$50.00.

NOTE: Use additional sheets, as necessary, to provide the required information listed on pages 2 and 3.

STATE OF HAWAII
DEPARTMENT OF LAND & NATURAL RESOURCES
HONOLULU, HAWAII

I. DESCRIPTION OF PARCEL:

- A. There are no existing structures on the property.
- B. All public utilities, water, electric and telephone is available from Kokoehi Drive.
- C. Access is through an easement for ingress and egress and utilities over 1-4-5-31-77 (See attached Tax Map) (See attached Exhibit A)
- D. Vegetation is as follows:

1) Banana	3) Papaya
2) Hale Koa	4) Misc. Ferns
- E. TOPOGRAPHY - There are many level buildable pads on the property. All slope is greater than 20% but less than 40%.
- F. Not applicable
- G. Existing covenants, easements, restrictions:
 - 1) Utility easements
 - 2) Conveyence of 18,137 square feet
TO: Ralph Kawichi & Toyoko Ajifu of 45-109 Awele Pl.
Kaneohe, Hawaii. (See attached Exhibit A)

II. HISTORIC SITES:

- A. Ahukini Heiau
(See attached description)
(See attached location on tax map)

Joyce K. Almeida

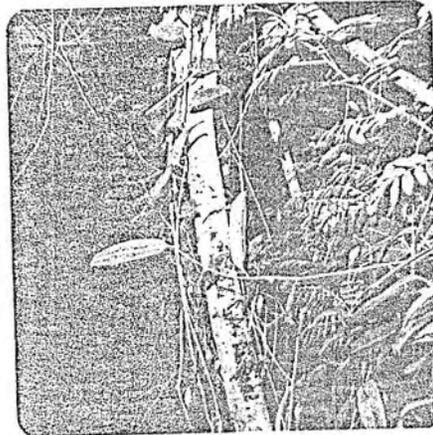
$$68 \times 24 = 1632 \text{ A}^2$$

$$42 \times 12 = 504 \text{ A}^2$$

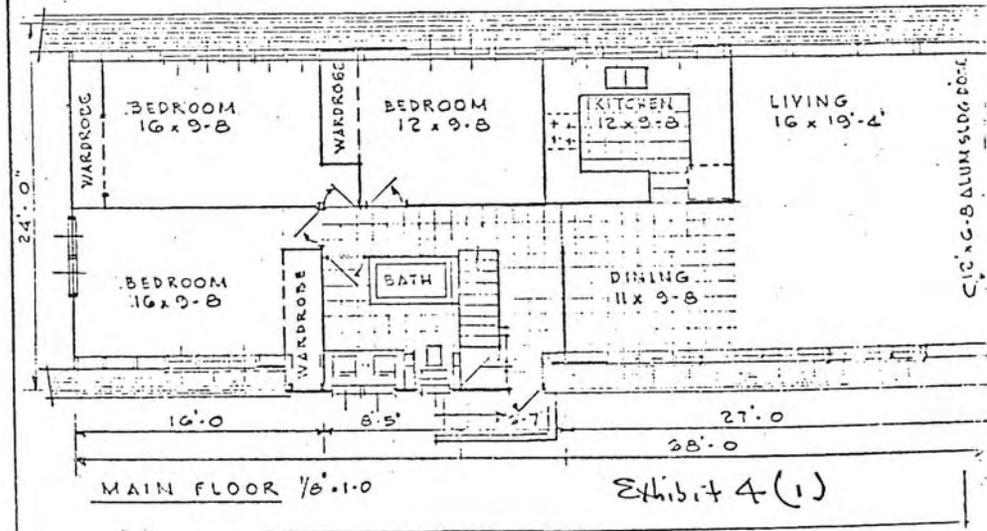
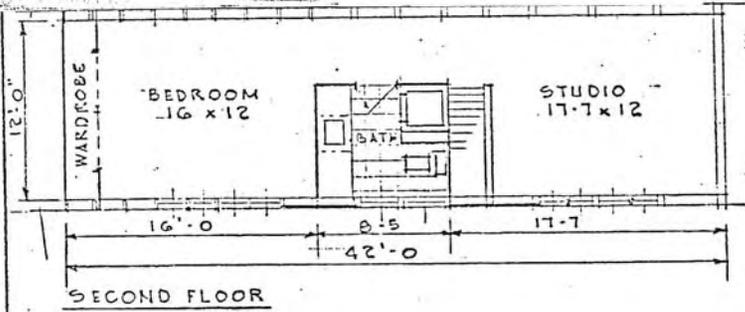
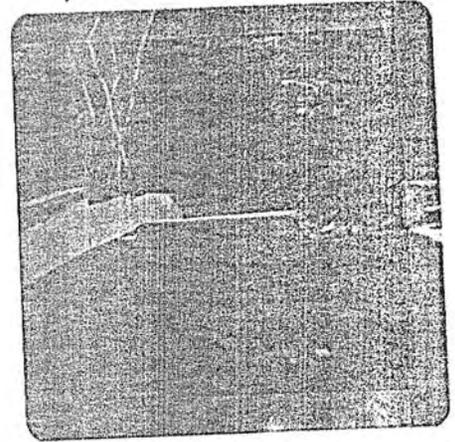
$$2136 \text{ A}^2$$

- 4 Bedrooms
- 2 Baths
- Vinyl asbestos floor tile in bath & kitchen
- Single unit fiberglass tub and shower
- Premolded counter tops
- Jalousies, screens, & sliding door anodized aluminum
- Stainless steel sink
- Custom built cabinets
- 40-gal. water heater
- All plumbing fixtures
- All electric wiring
- Open deck patio
- Cedar sheathing
- Clear heart redwood for all exterior & interior walls and partitions
- Choice of roofing: aluminum, asphalt shingle, cedar shake panels, heavy cedar shakes
- Choice of termite treated lumber

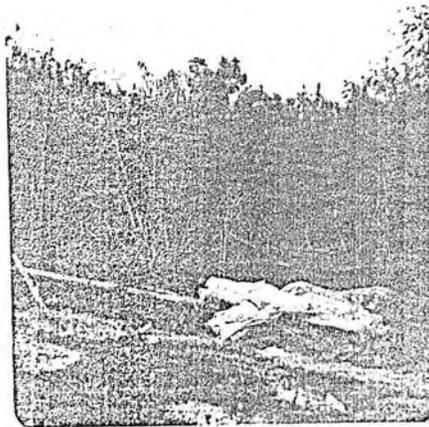
SAMPLE OF VEGETATION



ACCESS TO PROPERTY



FRONT OF PROPERTY



SAMPLE OF HOUSE

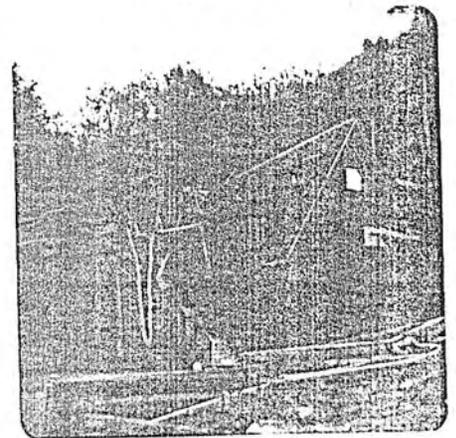
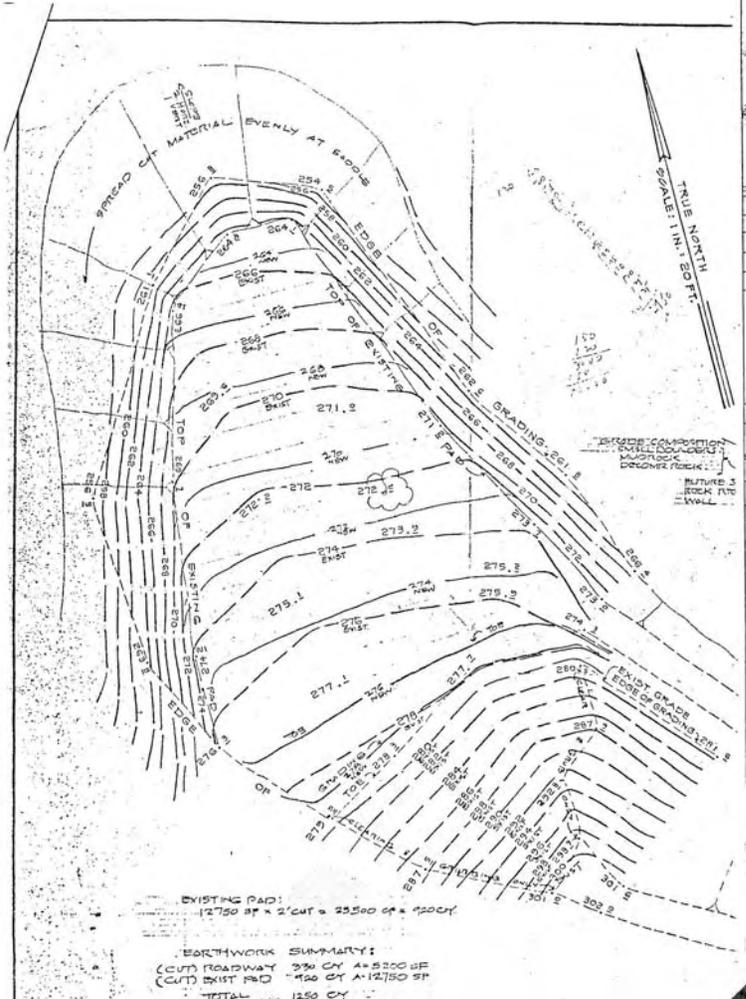


Exhibit 4 (2)



EXISTING PAD:
 12750 SF x 2' CUT = 25500 CF x 1200 CF

EARTHWORK SUMMARY:
 (CUT) ROADWAY 3% CY x 1.8200 SF
 (CUT) EXIST PAD 1450 CF x 12750 SF
 TOTAL 1250 CF

APPENDIX C

Conservation District Use Permit OA-11/18/87-1861A



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

APR 28 1988

WILLIAM W. PATY, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

LIBERT K. LANDGRAF
DEPUTY

AQUACULTURE DEVELOPMENT
PROGRAMS
AQUATIC RESOURCES
CONSERVATION AND
ENVIRONMENTAL AFFAIRS
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

FILE NO.: OA-11/18/87-1861A
180-Day Exp. Date: 5/21/88
DOCUMENT NO.: 3249E

RECEIVED
JAN 10 AM 10:00
DLNR
DCEA

Honolulu Cellular Telephone Company
1161 Kapiolani Blvd.
Honolulu, Hawaii 96814

Gentlemen:

We are pleased to inform you that your Conservation District Use Application for a telecommunications facility site at Kaneohe, Oahu (TMK: 4-5-32: 1) was approved on April 22, 1988 subject to the following conditions:

1. The applicant shall comply with all applicable statutes, ordinances, rules and regulations of the Federal, State and County governments, and applicable parts of Section 13-2-21, Administrative Rules, as amended;
2. The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;
3. The applicant shall comply with all applicable Department of Health Administrative Rules;
4. Before proceeding with any work authorized by the Board, the applicant shall submit four (4) copies of the construction plans and specifications to the Chairperson or his authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Three (3) of the copies will be returned to the applicant. Plan approval by the Chairperson does not infer approval required of other agencies. Compliance with Condition 1 remains the responsibility of the applicant;

Honolulu Cellular Telephone Company

OA-1861A

APR 28 1988

5. Any work or construction to be done on the land shall be initiated within one (1) year of the approval of such use, and all work and construction must be completed within three (3) years of the approval of such use;
6. That the applicant shall be held responsible for the removal of all litter from the project and surrounding areas generated from the construction and maintenance of the project;
7. That the applicant shall ensure that the building and all equipment is painted to blend with the surrounding area;
8. That the applicant adhere to any modification of their equipment and use of telecommunications frequencies to correct any problems should the Federal Communication Commission determine that transmissions from their facility are the source of interference and/or cease all transmissions until the identified problem can be rectified;
9. That a fire contingency plan, acceptable to the Division of Forestry and Wildlife, Department of Land and Natural Resources, shall be implemented during and after equipment modification;
10. That the applicant comply with the agreement entered into with identified parties, dated March 10, 1988;
11. That the security fence surrounding the facility be appropriately maintained and that public informational signs be displayed warning of the area's effective radiated power (ERP) levels, as established by the U.S. Environmental Protection Agency and the Federal Communication Commission;
12. That the applicant conduct site tests every six months to ensure effective radiated power levels are within established safety parameters. The results of these tests should be reported to the Department of Land and Natural Resources biannually;
13. That the applicant will accommodate, where possible, other commercial/government users to collocate at the site;
14. That the applicant shall notify the Department of Land and Natural Resources when specific parties and uses are consummated in the sublease of antennas and facility equipment. Any modification to the building and equipment plans must be reviewed by the Chairperson or his authorized representative;

Honolulu Cellular Telephone
Company
APR 28 1988

- 3 -

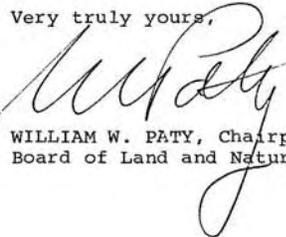
OA-1861A

- ✓ 15. That flight paths of helicopters shall avoid any residential areas as much as practicable;
16. That the applicant submit as part of their application, a master plan showing all existing and proposed antenna towers and antennas, by type, to respect the proprietary rights of the applicant;
17. That failure to comply with any of these conditions shall render this Conservation District Land Use application null and void; and
18. Other terms and conditions as prescribed by the Chairperson.

Please acknowledge receipt of this permit, with the above noted conditions, in the space provided below. Please sign two copies. Retain one and return the other.

Should you have any questions on any of these conditions, please feel free to contact our Office of Conservation and Environmental Affairs staff at 548-7837.

Very truly yours,



WILLIAM W. PATY, Chairperson
Board of Land and Natural Resources

Receipt acknowledged



Applicant's Signature

cc: Oahu Board Member
Oahu Land Agent
C&C Dept. of General Planning
C&C Dept. of Land Utilization
DOH/OEQC/EC/OHA/DBED

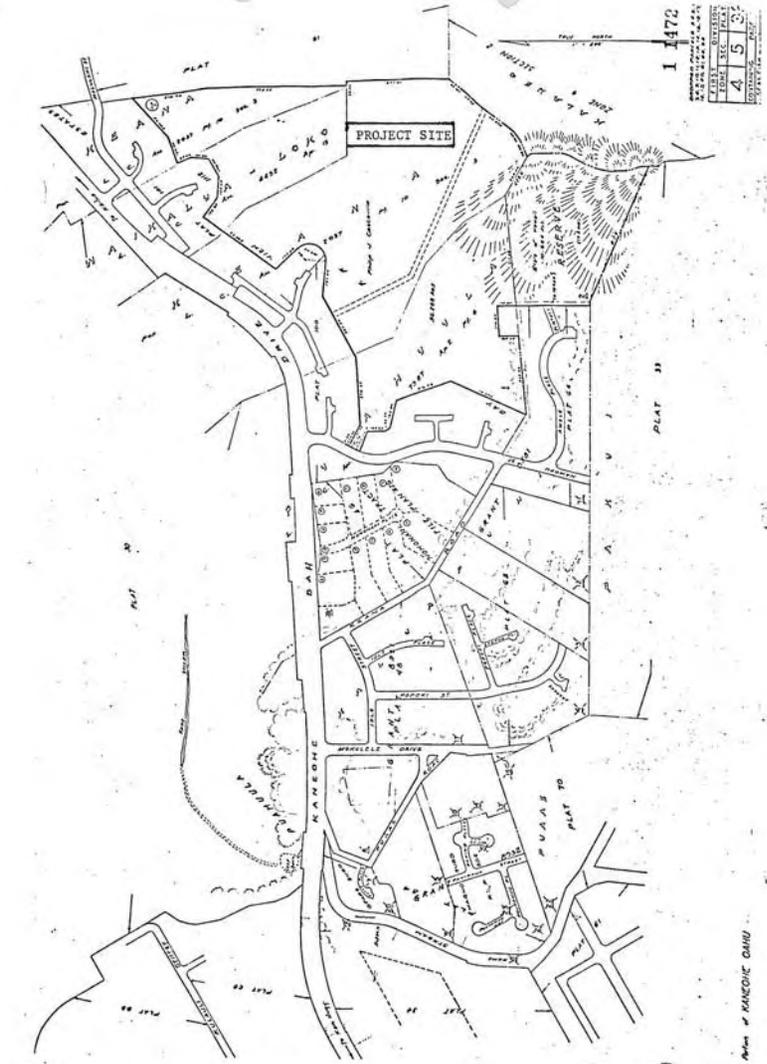


EXHIBIT A



CDUA no. OA-1861A
APPLICANT HONOLULU CELLULAR TELEPHONE CO.
AGENT _____
TMK 4-5-32:1

PROTECTIVE
RESOURCE
LIMITED
GENERAL



1 4472
 HAWAIIAN LAND SYSTEMS, INC.
 LITHO IN U.S.A.
 4 5 3
 1977

CDUA no. 0A-1861A
 APPLICANT HONOLULU CELLULAR TELEPHONE CO.
 AGENT _____
 TMK 4-5-32:1

EXHIBIT B

	PROTECTIVE
	RESOURCE
	LIMITED
	GENERAL

NORTH



RESERVATION
 Kaneohe Marine Corps Air Station
 1 4472

CDUA no. 0A-1861A
 APPLICANT HONOLULU CELLULAR TELEPHONE CO.
 AGENT _____
 TMK 4-5-32:1

EXHIBIT C

	PROTECTIVE
	RESOURCE
	LIMITED
	GENERAL

NORTH



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

WILLIAM W. PATY, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

LIBERT K. LANDGRAF
DEPUTY

AQUACULTURE DEVELOPMENT PROGRAM
AQUATIC RESOURCES CONSERVATION AND ENVIRONMENTAL AFFAIRS
CONSERVATION AND RESOURCES ENFORCEMENT
CONVEYANCES FORESTRY AND WILDLIFE
LAND MANAGEMENT STATE PARKS
WATER AND LAND DEVELOPMENT

DEC 17 1987

FILE NO.: OA-11/18/87-1861A
180-Day Exp. Date: 5/21/88
DOCUMENT NO.: 2139E

Mr. Glenn T. Umetsu
President and General Manager
Honolulu Cellular Telephone Co.
1161 Kapiolani Blvd.
Honolulu, Hawaii 96814

Dear Mr. Umetsu:

NOTICE OF ACCEPTANCE AND ENVIRONMENTAL DETERMINATION
Conservation District Use Application
for Cell Site Modifications to Establish
a Television Booster Transmission Station
and Shared-Use Radio Facilities at
Kaneohe, Koolaupoko, Oahu

This acknowledges the receipt and acceptance for processing of your application for your Kaneohe Cell Site modifications.

According to your information, you propose to establish a television booster transmission station and shared-use radio facilities at Kaneohe, Koolaupoko, Oahu (TMK: 4-5-32: 1).

After reviewing the application, we find that:

1. The proposed use is a conditional use within the General subzone of the Conservation District according to Administrative Rules, Title 13, Chapter 2, as amended;
2. A public hearing pursuant to Section 183-41, Hawaii Revised Statutes (HRS), as amended, will be required in that the proposed use is of a commercial nature; and
3. In conformance with Title 11, Chapter 200, of the Administrative Rules, a negative declaration was determined for the proposed action.

Mr. Glenn T. Umetsu

- 2 -

OA-1861A

As the applicant, please be advised that it will be your responsibility to comply with the provisions of Section 205A-29(b), Hawaii Revised Statutes, relating to Interim Coastal Zone Management (Special Management Area) requirements.

Negative action, as required by Law, on your application by the Board of Land and Natural Resources can be expected should you fail to obtain from the County thirty (30) days prior to the 180-day expiration date, as noted above, one of the following:

1. A determination that the proposed development is outside the Special Management Area (SMA);
2. A determination that the proposed development is exempt from the provisions of the county ordinance and/or regulation specific to Section 205A-29(b), HRS; or
3. A Special Management Area (SMA) permit for the proposed development.

Pending action on your application by the Land Board in the near future, your cooperation and early response to the matters presented herein will be appreciated. Should there be any questions, feel free to contact our Office of Conservation and Environmental Affairs staff at 548-7837.

Very truly yours,

WILLIAM W. PATY, Chairperson
Board of Land and Natural Resources

Attachment (receipt)

cc: Oahu Board Member
Oahu Land Agent
C&C Dept. of General Planning
C&C Dept. of Land Utilization
DOH/OEQC/EC/OHA/DBED

APPENDIX D
Botanical Resources Assessment Study

SUNSHINE LANDSCAPE COMPANY, INC.
45-264 Pouhanuu Way
Kaneohe, Hawaii 96744
(808)235-4328

March 2, 2006

Mr. Scott Ezer
Helber Hastert & Fee
2590 Pacific Guardian Center
733 Bishop Street
Honolulu, Hawaii 96813

Re: Proposed Residential Unit
TMK: (1) 4-5-032-001, 45-234A Kokokahi Place, Kaneohe, Oahu

Dear Mr. Ezer

Field studies to assess the botanical resources on the property located at 45-234A Kokokahi Place, Kaneohe O'ahu were made on February 23, 2006. The primary objectives of the field studies were to:

1. Prepare a general description of the vegetation on the project site; and
2. Search for threatened and endangered species as well as species of concern.

The information from this botanical resources assessment study will be used for a Conservation District Use Application (CDUA) permit for a single residential home.

Description of the Vegetation

The plant names used in this report follow Wagner et al. (1990) and Wagner and Herbst (1999). The few recent name changes are those reported in the Hawaii Biological Survey series (Evenhuis and Eldredge, eds., 1999-2002).

The project site has an existing private gravel road leading to a large graded house-pad with the CMU remains of a single-family residence that previously was destroyed by a fire. Adjacent to the house pad and below to the North and West the property is clear (3+ acres) of most vegetation, other than California grass (*Brachiaria mutica*) that is being maintained by the owner.

A number of trees and shrubs appear to have been purposely planted along the existing gravel road including a single specimen of African Tulip (*Spathodea campanulata*), multiple Monkey Pods (*Samanea saman*) and a continuous row of Ironwood (*Casuarina equisetifolia*) trees that lines the edge of the gravel road. Along the road there are Ti leaf (*Cordyline fruticosa*) and Fragrant dracaena (*Dracaena fragrans*) interspersed between the Ironwood trees along the gravel road. It appears that at one point both sides of the roadway was, cleared, well tended and planted in Wedelia (*Sphagneticola trilobata*). An existing PVC irrigation system (not working) with sprinklers is still visible at locations.

Due to neglect the property has Guava (*Psidium guajava*), Java Plum (*Syzygium cumini*), Koa hale (*Leucaena leucocephala*), Octopus tree (*Schefflera actinophylla*), and Brazillian pepper tree (*Schinus terebinthifolius*) spreading over the site.

Directly to the North of the house pad, adjacent to the valley that separates the house pad from the nearest neighbors a row of Money tree (*Dracaena marginata*) has been planted. To the Northwest of the house pad is a single Silky Oak (*Grevillea robusta*), three large Monkey Pods and a Chinese Banyan (*Ficus microcarpa*). Directly to the west of the house pad is a grove of Swamp Mahogany (*Eucalyptus robusta*), that due to their regular placement appear to have been planted purposely.

In areas that are not adjacent to the roadway or the house pad, a mixture of Guava (*Psidium guajava*), Java Plum (*Syzygium cumini*) Koa hale (*Leucaena leucocephala*) Octopus tree (*Schefflera actinophylla*) Brazillian Pepper tree (*Schinus terebinthifolius*) Fern tree (*Filicium decipiens*), Lemon Scented Gum (*Eucalyptus citriodora*) Mango (*Mangifera indica*) and Avocado (*Persea americana*) were observed.

Discussion

The project site is a conservation-zoned piece of property adjacent to residential subdivided lots. Obvious landscaping at the gravel road and in the vicinity of the house pad is evident, but currently somewhat overgrown. The rest of the property does not appear to have been landscaped. The vegetation is composed almost exclusively of introduced plants, most of them weedy.

None of the plants observed on the project site is a threatened and endangered species or a species of concern (U.S. Fish and Wildlife Service 1999a, 1999b; Wagner et al 1999).

Given these findings, the proposed use of the existing house pad site for a single-family residential development should not have a significant negative impact on the botanical resources. The plants found on the site can be found in similar environments throughout the islands and there is little of botanical interest on the property.

Please do not hesitate to call me should you have any questions or concerns regarding this report.

Very truly yours,

SUNSHINE LANDSCAPE COMPANY, INC.



MARK LEON

President

Arborist # WE3360A

APPENDIX E
Horse Management Plan

HORSE MANAGEMENT PLAN

COOPER RESIDENCE AT KOKOKAHI PLACE

Kane'ohe, Ko'olaupoko District, City and County of Honolulu, O'ahu

JUNE 2006

Prepared for:

He Mea Waiwai Loa LLC
977 Alahaki Street
Kailua, HI 96734

Prepared by:

Peter Cooper
P.O. Box 4010
Honolulu, 96812

TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
INTENT.....	3
DESCRIPTION.....	3
NUMBER OF HORSES	3
PASTURE CHARACTERISTICS	3
BARN CHARACTERISTICS.....	4
FENCE CONSTRUCTION.....	4
PASTURE MANAGEMENT.....	4
MANURE MANAGEMENT.....	5
HEALTH MANAGEMENT.....	5

INTENT

He Mea Waiwai Loa LLC, a limited liability company established by the author of this management plan, proposes to include an approved agricultural use (animal husbandry) on private property within the State Conservation District, General subzone. No horses are to be bred for commercial use, nor are horses to be utilized for any commercial venture. An accessory detached horse barn is part of the proposed use. The subject property is located at 45-234A Kokokahi Place, Kane'ohe, District of Ko'olaupoko, O'ahu, Hawaii. The intent of this Horse Management Plan is to address the specific needs associated with the care and maintenance of horses in relation to the subject property.

DESCRIPTION

The project area is identified as being a portion of Tax Map Key (TMK) parcel 4-5-32:001 which has a total land area of 56.288 acres. The area that the proposed use (animal husbandry) will be confined to is approximately three and one half (3.5) acres. A site plan showing the proposed location of the horse barn and pasture area is labeled Figure 1.

NUMBER OF HORSES

No more than three (3) horses are to be kept on the property at any given time, though it is anticipated that generally only two (2) horses shall be kept at the property.

PASTURE CHARACTERISTICS

The pasture area (pasture) is approximately three and one half (3.5) acres, with the primarily flat topography being the result of the previous owner's grading in the early 1980's. The pasture is currently planted in mature California grass, which if properly maintained, is a very suitable diet for grazing horses. In addition to the California grass are three large Monkey Pods and a Chinese Banyan and a grove of Swamp mahogany. The pasture is adjacent (north, northwest & west) to the existing flat building pad occupied by the former single family residence.

BARN CHARACTERISTICS

The proposed barn would include three horse stalls, a tack room, feed and equipment storage area, and a sit up room. The architecture of the barn will emulate the architecture of the residential home. The barn is intended to protect the horses from inclement weather. Adjacent to the barn will be a water trough to provide fresh water to the horses at all times.

FENCE CONSTRUCTION

The pasture shall be surrounded by a 5.5' high wooden fence comprised of cedar posts no more than 12' apart and four (4) runs of oak boards (1"x6"). All corners shall be tensioned braced. A single strand of 12 gauge wire shall be set above the top rail.

PASTURE MANAGEMENT

The pasture is currently planted in California grass which will need to be properly maintained. During the summer months, evening irrigation of the grass will be required in order for the pasture to fully sustain grazing horses.

Spot mowing is required for pasture management to minimize the spread of weeds and to keep patches of tall grass from growing that will cut the horse's lips and eyes. Mowing weeds before seedheads are produced will eliminate the spread of weeds. Grass should be mowed to 3-4 inches.

To ensure the pasture continues to produce good grass, new forage seed may need to be spread every year. If required, re-seeding shall be done in the spring.

It is important that the horses are not allowed to graze the pasture down to less than 2" or the grass will no longer grow. Since horses are spot grazers, the only practical way to ensure this is to subdivide the pasture into subunits and rotate the horses through the different subunits once 2/3 of the grass within any subunit is consumed. Each subunit will be allowed at least 3 weeks of recovery time between grazing periods to ensure a strong productive sod and reduce weed encroachment.

MANURE MANAGEMENT

Proper manure management is essential to healthy horses, a healthy pasture and healthy relationships with neighbors. In order to mitigate insects and odors, daily removal of manure and soiled bedding will be required. Each horse will generate approximately 40 pounds of combined manure and bedding. This material will need be appropriately removed from the barn and hauled off site, therefore the stalls will be cleaned daily and the material placed in a two-yard dumpster, to be located at the upper auto-court. A proposal for the disposal of manure and bedding and been received and is attached.

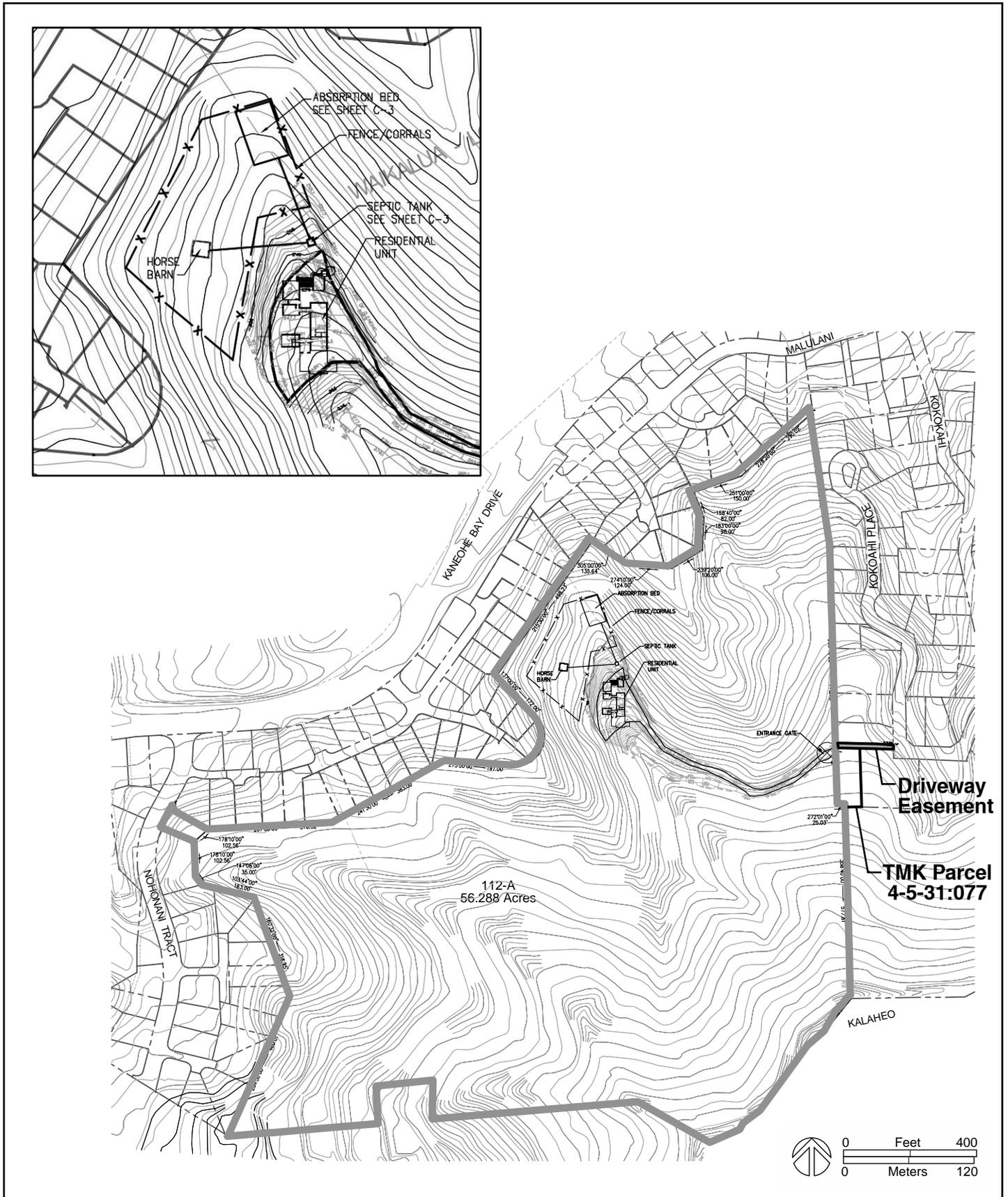
HEALTH MANAGEMENT

Daily grooming is required when a horse is shedding and horses should be bathed once in the spring and once in the fall. Separate sets of grooming tools should be maintained for each horse and wash regularly. At least once a week, all eating and drinking receptacles shall be scrubbed.

In order to reduce thrush, hooves need to be cleaned daily to remove all manure and mud from the sole and clefts of the frog, checking for rocks, sticks and nails. Horses need to have their hooves trimmed or shod every 6-8 weeks.

Annual vaccinations are required protect horse from Tetanus, Eastern and Western Encephalomyelitis, Influenza, and Rhinopneumonitis. Once a year a veterinarian should rasp each horse's molars to prevent sharp points from cutting the horse's cheeks and tongue.

Every 8 weeks the horses need to be dewormed to prevent dull coats, pot bellies, and lethargy.



Proposed Site Plan
 Cooper Residence EA
 Kāneʻohe, Oʻahu, Hawaiʻi

Figure 1



The KNG Group, LLC

June 16, 2006

Mr. Peter Cooper
45-234A Kokokahi Place
Kaneohe Hawaii, 96744

RE: Service Quote

Dear Mr. Cooper,

The KNG Group LLC is pleased to provide you the following quote. We will supply a single two-yard dumpster on your property to be used exclusively for horse manure and bedding material. Our dumpster will be picked up from your property weekly via your Kokokahi Place access driveway.

Based at the current incinerator charges at the HPOWER facility, your cost for weekly removal is \$350 per week plus tax and fuel surcharge. Should incinerator charges increase, we reserve the right to renegotiate this cost. This proposal is good for one-year from the date above.

Please contact me at 864-0429 to discuss delivery of your container

Thank you for your business,

Kris Gourlay
President

P.O. Box 6145 Kaneohe, Hawaii 96744 (808)

APPENDIX F
Archaeological Field Inspection

Cultural Surveys Hawai'i Inc.

Archaeological and Cultural Impact Studies
Hallett H. Hammatt, Ph.D., President



Providing Excellence in Cultural Resource Management

O'ahu	P.O. Box 1114 Kailua, HI 96734 Ph.: (808) 262-9972 Fax.: (808) 262-4950
Maui	16 S. Market St., #2N Wailuku, HI 96793 Ph.: (808) 242-9882 Fax.: (808) 244-1994
Kaua'i	P.O. Box 498 Lawai, HI 96765 Ph.: (808) 245-4883

Mr. Peter Cooper
977 Alahaki Street
Kailua, Hawaii 96734

Subject: Archaeological Field Check and Literature Review of TMK 4-5-032:001 Kāne' ohe,
Ko'olaupoko, Oahu

Dear Peter:

The purpose of this letter is to report the results of a recent investigation which I undertook at your request to determine the location and present status of Ahukini Heiau believed to be located on a ridge in the vicinity of Kokohahi Place, Kaneohe.

This investigation was conducted in response to a letter sent to Sam Lemmo, administrator of the Office of Conservation and Coastal Lands by Ms. Melanie Chinen of the State Historic Preservation Division of the Department of Land and Natural Resources. (Log number 2006-3576)

Field Inspection

The field portion of this investigation involved a visit accompanied by you on Monday December 4th 2006 to a proposed house site and horse barn on the property. I carefully walked the entire area proposed for use and noted that the entire area proposed for development had been previously graded as evidenced by the artificially level terrain and the exposed lateritic soils. Even though this lot is on a prominent ridge which could be likened to the description of Ahukini Heiau as being located where "the ground slopes away on all sides" however, there is an existing modern concrete foundation in the graded area. And there is no evidence of any historic property in or in the vicinity of this graded lot. There is virtually no likelihood of subsurface cultural remains given the clear evidence of substantial cutting into the lateritic subsoil. After inspecting the house lot we proceeded to the residence of Mrs. Mary Mench at 45-254 Kokohahi Place. With Mrs. Mench we discussed the possible location of Ahukini Heiau in the vicinity. She related that in 1974 when she and her husband bought this lot, there were rock walls that were said to be the remains of an old heiau. These walls ran through area proposed for the construction of their house and down the back section of the ridge. She said that these walls were bulldozed when the house lot was graded and leveled. She also related that several years later an archaeologist asked to view the same area by her house which was marked on a Bishop Museum map. She related that at that time there were no walls remaining.

www.culturalsurveys.com

info@culturalsurveys.com

Peter Cooper

Page 2

December 11, 2006

I inspected the leveled and landscaped yard area to the west of her house as well as the sloping banks surrounding the yard. Along these slopes and at the base of these slopes to the west and southwest of the yard were plentiful sub angular and rounded basalt cobbles which clearly had originally been imported to the area but had been transported and concentrated on the slopes in the process of the previous grading.

Document Inspection

The most readily available source for basic information on the former location and description of Ahukini Heiau is in the 1978 publication- Sites of O'ahu by Sterling and Summers. Here the 1930's McAllister description is quoted and a map is provided showing the location of the site designated site 352. The description is quoted as follows;

"A small structure, 70 by 127 feet, built on the top of an elevation 1200 feet from the sea. The ground slopes away from the heiau in all directions. The only features remaining are the low walls, unusual because they are built of stones a few inches in size. Here and there at the bottom larger stones have been used, and at a few places the wall stands 1 foot in height, but most of the remains are scattered, for it is very easy for the cattle to disturb the small stones. Nor could the walls have been very high, for it would be very difficult to keep these small stones, which are typical of the surrounding area, in place. The heiau faces north on which side there is a gap of about 2 feet in about the middle of the wall. At the southwest corner a large stone was used, 2.5 feet in size, which stands out in contrast to the much smaller stones of the walls. There appears to have been only this one platform, which was dirt-paved, though on the end toward the mountains there are many scattered stones, also small, which may, at one time, have been used for paving a small area. When the drums on this heiau were beaten they could be herd over Kaneohe, but not just on the other side of the low ridge in Kailua."

Of particular interest in the preceding description is the mention of the cattle being free to roam in and around the site and the reference to the use of small stones in the heiau structure. The stones observed in the present field inspection appear to match the description of the stones used in the structure as described in the 1930's in a fairly intact state.

Verifying the Heiau Location

The x marked on the 1978 Sterling and Summers map matches the location of the Mench house lot and would appear to verify the statements of Ms. Mary Mench related to the structure that was adjacent to her house lot. The map location does not on the other hand indicate that the heiau stood in the vicinity of the graded area proposed for a house lot to the west of Kokohahi Drive.

In addition, an aerial photo of this portion of Kaneohe dated 1928 was obtained from the Bishop Museum Archives. This aerial view shows a rectangular mark which could be the Ahukini Heiau adjacent to Kokohahi Drive in the vicinity of what would eventually become the Mench house lot. There is no indication of a man made structure to the west on the ridge which is now proposed for construction of a house.

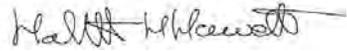
Peter Cooper

Page 3

December 11, 2006

Conclusions

The field inspection, oral testimony, examination of aerial photographs and review of both the map and description of Ahukini Heiau- site 352 in Sterling and Summers, all point to the conclusion that the location of the now demolished site 352 was adjacent to 45-254 Kokohahi Drive and not on the ridge to the west, presently proposed for construction of a residence.
If there are any questions please contact me at 262-9972.



Hallett H. Hammatt, Ph.D

APPENDIX G
Chapter 343, HRS Pre-Assessment Consultation



KANEOHE NEIGHBORHOOD BOARD NO. 30

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

**MINUTES OF REGULAR MEETING
THURSDAY, JUNE 15, 2006
AKOAKOA HALE
WINDWARD COMMUNITY COLLEGE**

CALL TO ORDER: The meeting was called to order at 7:14 p.m. A quorum was present.

MEMBERS PRESENT: Patty Yamashiro-Hironaka, Niko Koga, John Sabas, Felipe San Nicholas, Roy Yanagihara, Paul Friel, Elizabeth Gaisthia, L.C. Morris, Glenn Ida, Larry Zdvoracek, Bill Sager.

MEMBERS ABSENT: Rick Karasaki, Clyde Morita, John Flanigan, and Wendell Lum.

GUESTS: Tammy and Rico Rodrigues (HCDCH-HAPI), Pete Cooper (He Mea Waiuai Loa, LCC), Liane Ashikawa (Congressman Ed Case's Office), Lester Chang (Mayor's Office), Sarah Fry (MCBH), Battalion Chief James K. Skellington (Honolulu Fire Department, Kaneohe Station), Lt. Finn (Honolulu Police Department, Kaneohe Station), Venus Acoba (Councilmember Barbara Marshall's Office), and Nola J. Frank (Neighborhood Commission Office staff).

ELECTION OF CHAIR (2006-2007) – Morris nominated Roy Yanagihara for chair. There were no other nominations. By acclamation Roy Yanagihara was elected chair for 2006-2007.

The gavel was relinquished to Chair Yanagihara.

ELECTION OF OTHER BOARD OFFICERS (2006-2007):

- ❖ **Vice Chair – Zdvoracek nominated Paul Friel, Sager moved and seconded by Zdvoracek that nominations be closed. There were no objections. By unanimous vote Paul Friel was elected 2006-2007 Vice Chair.**
- ❖ **Secretary – Friel nominated Patty Yamashiro-Hironaka. Zdvoracek moved and seconded by Ida that nominations be closed. There were no objections. By unanimous vote Patty Yamashiro-Hironaka was elected 2006-2007 Secretary.**
- ❖ **Treasurer – Ida nominated Elizabeth Gaisthia Sager moved and seconded by Ida that nominations be closed. There were no objections. By unanimous vote Elizabeth Gaisthia was elected 2006-2007 Treasurer.**

FILLING OF VACANCIES: Subdistricts 1 and 11 – There were no interested persons present to fill the vacancies.

APPROVAL of MAY 2006 REGULAR MEETING MINUTES: The following corrections/additions were made:

- Page 1, under Members Present, add, "...Bill Sager..."



Zdvoracek moved and seconded by Yamashiro-Hironaka to accept the May 2006 regular meeting minutes as amended. The motion carried unanimously, 10-0-0.

APPROVAL of MAY 2006 AGENDA PLANNING AND COMMITTEES' MEETING MINUTES:
Deferred.

TREASURER'S REPORT: Treasurer Gaisthia reported the following:

- April 2006 - Current expenditures in the Operating Account was \$32.40 leaving a balance to-date of \$1,211.95; having no expenditures the Publicity Account remains at \$2,367.00; and the Refreshment Account remains at \$120.00
- May 2006 – Current expenditures in Operating Account were \$94.64 leaving a balance to-date of \$1,117.31; no expenditures in the Publicity Account leaving the balance at \$2,367.00; the Refreshment Account remains at \$120.00.

Zdvoracek moved and seconded by Yamahiro-Hironaka to accept the treasurer's report. The motion carried unanimously. The reported will be filed subject to audit.

Per Chair Yanagihara, Yamashiro-Hironaka will submit receipts of refreshments provided at the Board meetings to the Neighborhood Assistant.

PUBLIC SAFETY AND MILITARY REPORT:

Honolulu Police Department – Lt. Finn distributed the newly formatted monthly statistics report and was available for questions.

Questions, answers and comments:

- 1) Chair Yanagihara asked if crime comparisons as previously provided would be available. Follow up will be done.
- 2) Chair Yanagihara commented the new statistics format make it difficult to tell a felony from a misdemeanor. Lt. Finn replied burglary and robbery are felonies. The statistics indicates the number of calls for service. Chair Yanagihara noted the detailed information is good.

Lt. Finn was thanked for attending the meeting.

Honolulu Fire Department – No representative was present at this time.

Marine Corps Base Hawaii – Sarah Fry gave the following report:

- 1) MCAF Aircraft Activity – 1) Biennial Rim of the Pacific (RIMPAC) 2006 Exercises – June 23 to July 27, 2006. Twenty-four hour operation from July 5-27, 2006. The MCTAB beach at Bellows will be closed from July 21-26, 2006.
- 2) Bayfest 2006 – June 30 to July 6, 2006.
- 3) Castle High School MCJROTC Leadership Academy, July 15-23, 2006.

Questions, answers and comments:

- 1) Follow will be done as to who the headliner for the Bayfest would be.
- 2) Relative to civilians and heightened security for the Bayfest, a controlled access route to the parking area, which is the tarmac area of the airfield, will be provided.

PUBLIC INPUT & RESIDENTS' CONCERNS:

Plans to Construct a Home on Conservation Land – Kailua resident Peter Cooper distributed copies of his plans to build a house and barn on a portion of his property zoned as conservation land.

Questions, answers and comments:

- 1) A meeting was held with the Department of Land and Natural Resources (DLNR) who advised him to address the Board. Relative to the plans, DLNR will be sending a letter to the surrounding neighbors and the public relative to a public hearing.
- 2) The property is located at 45-234 A Kokokahi Place (top of Kokokahi Place).
- 3) Sager commented his understanding is that only one building is allowed per lot in a conservation zoning. Cooper offered a site visit to Sager.
- 4) Chair Yanagihara commented that a few years ago owners came seeking support regarding the property that was partially zoned residential. The Board approved to support to down zone the parcel to conservation.
- 5) Cooper said that the parcel consists of 56 acres, and he agrees it should be kept conservation.
- 6) For further information contact Cooper at 479-5357.

Without objections the agenda was taken out of order to Honolulu Fire Department.

PUBLIC SAFETY AND MILITARY REPORT:

Honolulu Fire Department (HFD) – Battalion chief James Skellington reported statistics for the month of May included fires – 3 structure and 3 vehicle; emergencies – 120 medical, 1 search/rescue, and 23 miscellaneous responses.

Fire Safety Tip: Brush fire season is here, so remember to maintain a 30-foot wide clearing in between any structure and vegetation. Recent rains may have overgrown vegetation in some breaks.

With Independence Day around the corner, consider leaving fireworks to the professionals and enjoy one of the many fireworks displays around town. If you use fireworks, follow all warnings and instructions. Young children should never be given fireworks. Older children should only use

fireworks under the direct supervision of an adult. Have a happy and safe Independence Day celebration!

Questions, answers and comments:

- 1) Chair Yanagihara asked what are the new arson law changes/additions. Also, how have the new changes affected the way HFD conducts business. Battalion Chief Skellington replied if there were changes to procedures he was not informed. He will follow up as to what changes have been implemented, and email the response to the Chair. Email the Chair at roy.s.yanagihara@hawaii.gov.
- 2) Battalion Chief Skellington mentioned he has asked his company commanders to identify any abandoned houses or business in the area. He is taking it upon himself for the community to keep a list of such structures because they are at a higher percent of fires. These buildings are unattractive nuisances. He asked any person who knows of these types of structures to email him at jimskellington@honolulu.gov.

Battalion Chief James Skellington was thanked for attending the meeting.

The order of the agenda resumed.

COMMUNITY ANNOUNCEMENTS: There were no community announcements.

ELECTED OFFICIALS' REPORT:

Mayor's Representative – Lester Chang, Director Department of Parks and Recreation, reported the following:

- 1) Copies of the Mayor's monthly Honolulu News were distributed and the following was highlighted:
 - o Mayor Hannemann hosted the 57th Memorial Day Services were held at the National Memorial Cemetery of the Pacific.
 - o Work begins on the Waikiki Beachwalk Wastewater emergency bypass – The City is replacing the ruptured force main with a temporary one until the permanent line is completed. Plans were in place to replace the aging force main prior to the rupture in March.
 - o Kualoa Regional Park has reopened by the State Department of Health since closing in December due to high bacteria counts. The park's wastewater system was suspected for the high bacteria counts. Daily cesspool pumping at the park is limited to the comfort stations
 - o Everyone is invited to attend the Mayor's Chinatown Summit scheduled for June 22 at the Hawai'i Theatre.
 - o The Mayor congratulated eight high school senior girls for winning the Champs 13th annual Basketball Jamboree sponsored by him.

- 2) In response to a concern about U-turns at the corner of Makalani Street and Ihilani Street, the Department of Transportation Services (DTS) traffic calming program is currently suspended, and they will not be installing measures such as round-a-bout or speed humps. DTS will submit a work order to the Department of Facility Maintenance (DFM) for the speed limit signs and for restriping the faded pavement markings along both streets. The illegal U-turn and speeding concerns have been referred to HPD for action. Lt. Finn said HPD is aware of the problem and is monitoring the area. He added that citations have been issued.
- 3) Capital Improvement Project Budget FY 2007 for the Kaneohe area:
- Kulana Nani Apartment Renovations - design and construct renovation improvements and provide related construction inspection, equipment and relocation assistance, \$1,417,000.
 - Kawa Stream and Ditch Improvements – Design of concrete-lined stream from Kaneohe Bay Drive to parkway and lined ditch from Kawa Stream to Mokulele Drive \$250,000.
 - Kaneohe Stream Bank Restoration Near Keole Place – Design draining improvements \$100,000.
 - Kamehameha Highway Bridge over Heeia Stream Rehabilitation – Plan and design bridge rehabilitation \$360,000.
 - Duncan Drive – Puahuula Place Relief Drain Project – Complete construction phase of Puahuula Place-Duncan Drive relief drain project \$300,000.
 - Environmental Services – Sewage collection and disposal.
 - Alii Shores Sewer Rehabilitation – Construct the sewer rehabilitation \$2,700,000.
 - Kailua/Kaneohe Sewer Rehabilitation – Design, construct and inspect the sewer rehabilitation \$7,701,000.
 - Kaneohe Bay Drive Trunk Sewer Reconstruction – Design and reconstruct the trunk sewer \$4,101,000.
 - Kaneohe Bay South Wastewater Pump Station No. 1 Improvements – Construction pump station improvements \$1,000,000.
 - Kaneohe Wastewater Pretreatment Facility Improvements and Equalization Facility – Plan and design Pre-Treatment improvements and Equalization Facility \$701,000.
 - Sewer Relief Project at Amelia Street – Construct sewer relief improvements \$680,000.
 - Recreation District No. 4 Improvements – Design, construction and provide construction inspection for improvements at existing staffed park facilities, such as Kaneohe District Park and Kailua District Park \$1,125,000.

Questions, answers and comments:

- 1) Chair Yanagihara asked what park improvements are being planned. To his understanding the Kaneohe District Park building has problems with its roof. Chang responded the Kaneohe District Park roof has been an issue for four years. The contractor defaulted and then the bond contractor defaulted. The issue has been going back and forth through litigation. He thinks the issue will be soon resolved. Chang's department has been allocated \$1 million for park repairs for parks from Makapu'u to Waialua. Any identification study has been done and repairs needed put in to categories and prioritized. Repairs previously deferred have now become major repairs.

- 2) In response to San Nicholas relative to a website for beaches and public access, it was suggested to log on to the Department of Health's (DOH) website. Regarding Kualoa District Park, the DOH thought it was a City problem because of the comfort stations. Policy of the Mayor is any spill, small or not, is to notify the public and postings put up at the site.
- 3) Relative to the department budget for maintenance and security, Sabas asked if money was allocated for the Haiku Stairs and when would it be removed. Chang replied he asked for approximately \$86,000 but received only \$43,000 was approved. If no decision were made within six months supplemental funding would have to be found. Money was approved for daytime security at the site.

Chang said at a recent meeting heavy discussion took place relative to the issue. The State was asked if the Haiku Stairs were a trail. The State has no interest in the stairs. He stated this Administration would not operate the area as a city park. It is unsure if the Haiku Stairs would be closed. Once made public it becomes the definition changes as who can or cannot utilize it. Sabas offered to gather the area neighbors for a joint discussion. Sabas stated the stairs should be removed.

Regarding security there during the daytime hours, Morris asked if people are still climbing the stairs. Sabas replied there are only two security guards on duty, and people use other entry points, such as trespassing on private property, to access the stairs. The issue of trespassing on private property is liability.

Lester Chang was thanked for attending the meeting.

Councilmember Barbara Marshall – Venus Acoba distributed Councilmember Marshall's written report and was available for questions.

Questions, answers and comments: Sabas asked the status of the proposed Kamehameha Pre-school application in the Haiku area. Acoba replied no response has been received.

Venus Acoba was thanked for attending the meeting.

Governor's Representative – Katherine Thomason was unable to attend tonight's meeting. However, the Governor's Weekly Update, and several handouts were distributed to Board members.

U.S. Congressman Ed Case – Liane Ashikawa distributed the U.S. Congressman's monthly written report and highlighted/added the following:

The Congressman's next statewide public access television report and podcast will feature a frank interview by Case with the U.S. Comptroller General David Walker, head of the Government Accountability Office (GAO).

The next Talk Story community meeting for the Kaneohe/Kahalu'u/Waiahole area is scheduled for Sunday, July 9, 2006, Benjamin Parker Elementary School (45-259 Waikalua Road) from 1:30 – 2:30 p.m.

Liane Ashikawa was thanked for attending the meeting.

Senator Bob Hogue – No representative was present.

Senator Clayton Hee – No representative was present.

Representative Ken Ito – No representative was present.

Representative Pono Chong – No representative was present.

COMMUNITY GROUPS AND ORGANIZATIONS:

Hawaii Pacific University – No representative was present.

Hope Chapel – No representative was present.

UNFINISHED BUSINESS – None.

NEW BUSINESS – None.

COMMITTEE REPORTS: **Morris moved and seconded by Zdvoracek that the committee chairs continue as chairs for the 2006-2007 term. The motion carried unanimously.**

ANNOUNCEMENTS:

West Nile Virus – Sager announced that the Department of Health (DOH) is asking anyone who finds a dead bird to pick it up with a Ziploc bag, seal it and drop it off at the office so the carcass can be analyzed for this virus. The DOH hours are 8 a.m. to 5 p.m. on weekdays, and 1-5 p.m. on weekends.

Sager mentioned the West Nile virus is now occurring in the lower 48 states. DOH is not sure if the virus could be controlled once here in the islands. He noted the insect population must be controlled.

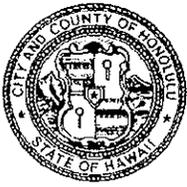
Crosswalk fronting Star Market on Kamehameha Highway – Chair Yanagihara mentioned to Board member Ida that he noticed the crosswalk was removed, and asked if the bus stop would be moved. Ida responded he spoke with James Burke from the Department of Transportation Services (DTS) today who informed him they are in the process of moving the bus stop towards Zippy's. DTS is coordinating with the State relative to the moving of the bus stop. Ida said signs should be posted. Follow up will be done.

The Chair requested to Acoba if she could possibly contact DTS for signage informing pedestrians that the crosswalk is closed.

A comment was made that the State posted signage on Kahuhipa Street because of kids running across the street.

ADJOURNMENT – Chair Yanagihara adjourned the meeting at 8:17 p.m.

Submitted by Nola J Frank, Neighborhood Assistant
Reviewed by Chair Roy Yanagihara



DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET * HONOLULU, HAWAII 96813
 Phone: (808) 527-5827 * Fax: (808) 547-7316

SEWER CONNECTION APPLICATION

APPLICATION NO.: **2005/SCA-0434**

STATUS: **Approved with conditions**

\$4,641.00

DATE RECEIVED: **06/24/2005**

IWDP APP. NO.:

Wastewater System
 Facility Charge

PROJECT NAME: **45-234A Kokokahi Place / Dwelling Unit**

LOCATION:

Zone	Section	Plat	Parcel
4	5	032	001

45-234-A KOKOKAHI PL **2,451,905 Sq. Ft.**

SPECIFIC LOCATION: **45-234A Kokokahi PI**

APPLICANT: **LYON ASSOCIATES, INC., Jim Lyon**
 841 Bishop Street, Suite 2006
 Honolulu, HI 96813

JUL - 1 2005

Peter Cooper
 977A Alakahi St
 Kailua, Hawaii 96734

DEVELOPMENT TYPE: **Dwelling, Single-family**

SEWER CONNECTION WORK DESIRED: **New**

OTHER USES:

NON-RESIDENTIAL AREA: s.f.

APPROXIMATE DATE OF CONNECTION: **12/27/2005**

<u>PROPOSED UNITS</u>	<u>EXISTING UNITS</u>	<u>UNITS TO BE DEMOLISHED</u>
No. of New Units: 2	No. of Existing Units: 0	No. of Units to be Demolished: 0
Studios:	Studios:	Studios:
1-Bedroom:	1-Bedroom:	1-Bedroom:
2-Bedroom:	2-Bedroom:	2-Bedroom:
3-Bedroom:	3-Bedroom:	3-Bedroom:
4-Bedroom: 2	4-Bedroom:	4-Bedroom:
5-Bedroom:	5-Bedroom:	5-Bedroom:
6-Bedroom:	6-Bedroom:	6-Bedroom:

REMARKS **This property has no service lateral. Submit construction plans for both connection points for review and comments. In addition, a private sewer easement may be required on the Kokokahi Place side connection point. For your information, the WSFC may be increased to \$4,780/ESDU on July 1, 2005.**

APPROVAL DATE: **06/29/2005**

Valid 2-years after approval date. Construction plans shall be completed and approved within this 2-year period. Construction shall commence within 1-year after approval of plans.

EXPIRATION DATE: **06/29/2007**

REVIEWED BY: **Arturo Saavedra Jr.**

A. Saavedra Jr.
 Site Development Division, Wastewater Branch

APPENDIX H
Chapter 343, HRS Draft EA Consultation

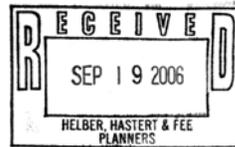
LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL
235 SOUTH BERETANIA STREET
SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 596-4185
FACSIMILE (808) 596-4185
E-mail: oeqc@health.state.hi.us

GENEVIEVE SALMONSON
DIRECTOR

September 12, 2006



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 Cooper Residence at Kokokahi Place, Oahu

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

The applicant should consult with nearby owners who may be impacted by the horses that will live on the property.

2. The applicant should describe the potential odor and noise impacts from the horses to the neighbors.
3. Page 24 states that a waste management company will remove manure once a week. The applicant should use a dumpster that has a cover to assure flies will not be able to get to the manure.

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

Sincerely,

Genevieve Salmonson
Director

c: Mr. Cooper
HHF

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

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



Dear Ms. Salmonson:

Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu

Thank you for your letter dated September 12, 2006 to Mr. Peter Young, Chairperson of the Department of Land and Natural Resources, in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your comments and offer the following responses:

1. The applicant held an informal open house and site visit on Sunday, October 29, 2006 to inform his neighbors of his proposed plans. All adjoining property owners were invited to attend.
2. The applicant has openly shared his plans to replace the previous house and construct a barn on his property. Efforts to disclose the proposed project include a presentation to the Kāne'ohē Neighborhood Board at their regular June 15, 2006 meeting, and attendance at two additional Kāne'ohē Neighborhood Board meetings to answer questions. In addition to meeting with dozens of neighbors personally, the applicant held an informal open house on October 29, 2006 that all neighboring property owners were invited to attend. Copies of the Draft EA, which includes a discussion of the potential air quality and noise impacts in Section 3.9, were sent to the Kokokahi Community Association, the Kāne'ohē Neighborhood Board, and the Kāne'ohē Public Library.
3. The applicant would use a covered dumpster to hold animal wastes and minimize impacts of odor and insects.

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBERT HASTERT & FEE, Planners

Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

Pacific Guardian Center • 733 Bishop Street, Suite 2590 • Honolulu, Hawaii 96813
Tel. 808.545.2055 • Fax 808.545.2050 • www.hhf.com • e-mail: info@hhf.com

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

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

ROBERT K. MASUDA
DEPUTY DIRECTOR - LAND

DEAN NAKANO
ACTING 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
KAOLOAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Helber Hastert & Fee
Planners, Inc.



December 13, 2006

Mr. Paul J. Conry, Administrator
Division of Forestry and Wildlife
Department of Land and Natural Resources
State of Hawai'i
P.O. Box 621
Honolulu, HI 96813

Dear Mr. Conry:

Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu

Thank you for your comments dated August 15, 2006 to the Office of Conservation and Coastal Lands in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA) and Conservation District Use Application OA-3366. This letter is to acknowledge your response indicating that your office does not have any comments to offer at this time.

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBER HASTERT & FEE, Planners

Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

Pacific Guardian Center • 733 Bishop Street, Suite 2590 • Honolulu, Hawaii 96813
Tel. 808.545.2055 • Fax 808.545.2050 • www.hhf.com • e-mail: info@hhf.com

REF:OCCL:TM

CDUA: OA-3366
Acceptance Date: August 7, 2006
180 Day Expiration Date: February 3, 2007
SUSPENSE DATE: 21 Days from
stamped date
AUG 14 2006

MEMORANDUM:

TO: The Department of Land and Natural Resources Divisions of:

- Oahu District Land Office
- Conservation & Resource Enforcement
- Forestry & Wildlife
- Engineering
- Historic Preservation

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS
2006 AUG 16 2 3 09
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

FROM: Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

SUBJECT: REQUEST FOR COMMENTS
Draft Environmental Assessment/Conservation District Use Application OA-3366
For a Single Family Residence and Horse Barn

APPLICANT: Peter Cooper of He Mea Waiwai Loa, LLC.

TMKs: (1) 4-5-032:001

LOCATION: Kokokahi, Koolaupoko, Island of Oahu

PUBLIC HEARING: YES NO X

Please contact Tiger Mills at 587-0382, should you have any questions on this matter.

If no response is received by the suspense date, we will assume there are no comments. The suspense date starts from the date stamp.

Comments Attached

No Comments

Attachment(s)

Signature
PAUL J. CONRY, ADMINISTRATOR
DIVISION OF FORESTRY AND WILDLIFE

AUG 15 2006

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 96808
STATE OF HAWAII

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
ROBERT K. MASUDA
DEPUTY DIRECTOR - LAND
DEAN NAKANO
ACTING 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
KAROLAWA ISLAND RESERVE COMMISSION
LAND
STATE PARKS

DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

OCCL

REF.: OCCL:TM/CDUA:OA-3366
OAHU.526

COMMENTS

- (X) We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Zone X, an area determined to be outside the 500-year floodplain and Zone D, an area in which flood hazards are undetermined.
- () Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Zone ____.
- () Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is ____.
- () Please note that the project must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- () Mr. Robert Sumimoto at (808) 523-4254 or Mr. Mario Siu Li at (808) 523-4247 of the City and County of Honolulu, Department of Planning and Permitting.
- () Mr. Kelly Gomes at (808) 961-8327 (Hilo) or Mr. Kiran Emler at (808) 327-3530 (Kona) of the County of Hawaii, Department of Public Works.
- () Mr. Francis Cerizo at (808) 270-7771 of the County of Maui, Department of Planning.
- () Mr. Mario Antonio at (808) 241-6620 of the County of Kauai, Department of Public Works.
- () The applicant should include project water demands and infrastructure required to meet water demands. Please note that the implementation of any State-sponsored projects requiring water service from the Honolulu Board of Water Supply system must first obtain water allocation credits from the Engineering Division before it can receive a building permit and/or water meter.
- () The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.
- () Additional comments: _____
- () Other: _____

Should you have any questions, please call Ms. Alyson Yim of the Planning Branch at 587-0259.

Signed:
ERIC T. HIRANO, CHIEF ENGINEER

Date: AUG 17 2006

CDUA: OA-3366
Acceptance Date: August 7, 2006
180 Day Expiration Date: February 3, 2007
SUSPENSE DATE: 21 Days from
stamped date
AUG 14 2006

MEMORANDUM:

TO: The Department of Land and Natural Resources Divisions of:

- ___ Oahu District Land Office
- ___ Conservation & Resource Enforcement
- ___ Forestry & Wildlife
- Engineering
- ___ Historic Preservation

FROM: Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

SUBJECT: REQUEST FOR COMMENTS
Draft Environmental Assessment/Conservation District Use Application OA-3366
For a Single Family Residence and Horse Barn

APPLICANT: Peter Cooper of He Mea Waiwai Loa, LLC.

TMKS: (1) 4-5-032:001

LOCATION: Kokokahi, Koolaupoko, Island of Oahu

PUBLIC HEARING: YES NO X

Please contact Tiger Mills at 587-0382, should you have any questions on this matter.

If no response is received by the suspense date, we will assume there are no comments. The suspense date starts from the date stamp.

Comments Attached

No Comments

Attachment(s)

Signature

Helber Hastert & Fee
Planners, Inc.

December 13, 2006



Mr. Eric T. Hirano, Chief Engineer
Engineering Division
Department of Land and Natural Resources
State of Hawai'i
P.O. Box 621
Honolulu, HI 96813

Dear Mr. Hirano:

Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu

Thank you for your comments dated August 17, 2006 to the Office of Conservation and Coastal Lands in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA) and Conservation District Use Application OA-3366. We note your confirmation that portions of the project site are located in Zone X (an area determined to be outside the 500-year floodplain) and Zone D (an area in which flood hazards are undetermined) according to the Flood Rate Insurance Map.

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBERT HASTERT & FEE, Planners

A handwritten signature in black ink that reads 'Scott Ezer'.

Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

PETER T. YOUNG
COMMISSIONER
BOARD OF LAND AND NATURAL RESOURCES
CHIEF OF BUREAU OF WATER RESOURCES MANAGEMENT
ROBERT K. MASUDA
DEPUTY DIRECTOR - LAND
DEAN NAKANO
ACTING DEPUTY DIRECTOR - WATER
AGRICULTURE
LANDS
CONSERVATION AND RECREATION
NATIONAL RESOURCES
STATE OF HAWAII

November 8, 2006

Samuel J. Lemmo, Administrator
Attn: Tiger Mills
Office of Conservations and Coastal Lands
P.O. Box 621
Honolulu, Hawai'i 96809

LOG NO: 2006.3676
DOC NO: 0611AJ03
Archaeology

Dear Mr. Lemmo:

**SUBJECT: Chapter 6E-8 Historic Preservation Review –
Request for Comments – Draft Environmental Assessment/Conservation District
Use Application OA-3366 for a Single Family Residence and Horse Barn
Kane'ohe Ahupua'a, Ko'olaupoko District, Island of O'ahu
TMK: (1) 4-5-032:001**

We have previously provided comments on the aforementioned draft Environmental Assessment (DEA) and Conservation District Use Application in a letter (LOG NO: 2006.3533; DOC NO: 0610AJ16) dated October 23, 2006. In this letter we stated:

A review of available documents indicates that there is one known historic property located on the subject parcel, Ahukini Heiau (SIHP No. 50-80-10-352). However, Ahukini Heiau is not located within the 5-acre APE of the proposed undertaking. We believe that Ahukini Heiau is located to the east of the current APE. In addition, based on the information and photographs provided in the DEA it is our understanding that construction activities will occur on portions of the subject property that have been previously graded for the construction of a former residence on the subject property; and, will not involve alterations to the existing terrain.

Therefore, due to the past development for residential purposes of the 5-acre APE of the proposed undertaking we believe that the undertaking will have "no effect" on historically-significant resources.

However, should the APE or the scope of work for the proposed undertaking change, or if other portions of the subject parcel are to be developed, proactive archaeological mitigation (e.g. inventory survey) will be required.

We have recently received information from Ms. Mahealani Cypher, whom conducted a site visit and prepared a Cultural Assessment of the subject parcel, which indicates that the area of potential effect (APE) of the proposed undertaking is the location of Ahukini Heiau (SIHP NO: 50-80-10-352).

Based on information provided to us, we believe that Ahukini Heiau is within the APE of the current undertaking, not to the east of the subject APE, as we originally indicated.

Mr. Lemmo
Page 2

Therefore, we must rescind our earlier letter (LOG NO: 2006.3533, DOC NO: 0610AJ16) and determination that the proposed undertaking would have "no effect" on historically-significant resources. We are concerned that there maybe unidentified historically-significant resources, including human remains/burials, present in subsurface deposits within the APE of the proposed undertaking.

We believe that any adverse effect to historically-significant resources may be mitigated through precautionary monitoring. Therefore, we recommend the following conditions be attached to the subject permit, should it be approved.

- 1) A qualified archaeological monitor shall be present during all ground-altering activities conducted in the project area in order to document any historic properties which may be encountered during the proposed undertaking and to provide mitigation measures as necessary. An acceptable archaeological monitoring plan will need to be submitted to the State Historic Preservation Division for review, prior to the commencement of any ground-altering activities. An archaeological monitoring plan must contain the following nine specifications: (1) The kinds of remains that are anticipated and where in the construction area the remains are likely to be found; (2) How the remains and deposits will be documented; (3) How the expected types of remains will be treated; (4) The archaeologist conducting the monitoring has the authority to halt the construction in the immediate area of the find in order to carry out the plan; (5) A coordination meeting between the archaeologist and construction crew is scheduled, so that the construction team is aware of the plan; (6) What laboratory work will be done on remains that are collected; (7) A schedule of report preparation; (8) Details concerning the archiving of any collections that are made; and (9) An acceptable report documenting the findings of the monitoring activities shall be submitted to the State Historic Preservation Division for review following the completion of the proposed undertaking.
- 2) The State Historic Preservation Division (O'ahu office) shall be notified via facsimile upon the on-set and completion of the proposed undertaking.

Should initial excavation reveal that all of the new digging is in previously disturbed stratum; the monitoring program may be suspended through consultation with SHPD.

Please contact Mr. Adam Johnson at (808) 692-8015 if you have any questions or concerns about this letter.

Aloha,

Melanie Chinen, Administrator
State Historic Preservation Division

AJ:

cc Peter Cooper, He Mea Waiwai Loa LLC
Mahealani Cypher, Ko'olaupoko Hawaiian Civic Club

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BOULEVARD, ROOM 555
KAPOLEI, HAWAII 96707

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSIONER IN WATER RESOURCE MANAGEMENT
ROBERT K. MASUDA
DEPUTY DIRECTOR - LAND
BEAN MAKANO
ACTING DEPUTY DIRECTOR - WATER
AQUATIC RESOURCES
DIRECTOR AND LOCAL REPRESENTATION
FOR THE LIFE SCIENCES
COMMISSIONER FOR WATER RESOURCE MANAGEMENT
CONSERVATION AND FORESTRY MANAGEMENT
DIRECTOR
FORESTRY AND WILDLIFE
RESTORE FROM NATURAL
KAWAIALEI DELAINE RESERVE COMMISSION
LARI
STATE PARKS

October 23, 2006

Samuel J. Lemmo, Administrator
Attn: Tiger Mills
Office of Conservations and Coastal Lands
P.O. Box 621
Honolulu, Hawaii 96809

Dear Mr. Lemmo:

**SUBJECT: Chapter 6E-8 Historic Preservation Review -
Request for Comments - Draft Environmental Assessment/Conservation District
Use Application OA-3366 for a Single Family Residence and Horse Barn
Kāne'ōhe Ahupua'a, Ko'olaupoko District, Island of O'ahu
TMK: (1) 4-5-032:001**

2006 OCT 23 11:05 AM
STATE HISTORIC PRESERVATION DIVISION
LOG NO: 2006.3533
DOC NO: 0610AJ16
Archaeology

Thank you for the opportunity to review the aforementioned project. We received your cover letter and the Draft Environmental Assessment (DEA) on August 16, 2006, and apologize for the delayed review. The area of potential effect (APE) of the proposed undertaking has been defined as a 5-acre area on the larger 56.28-acre property. The applicant (He Mea Waiwā Loa, LLC) proposes to construct a single family residence and a horse barn on the subject property.

A review of available documents indicates that there is one known historic property located on the subject parcel, Ahukini Heiau (SIHP No. 50-80-10-352). However, Ahukini Heiau is not located within the 5-acre APE of the proposed undertaking. We believe that Ahukini Heiau is located to the east of the current APE. In addition, based on the information and photographs provided in the DEA it is our understanding that construction activities will occur on portions of the subject property that have been previously graded for the construction of a former residence on the subject property; and, will not involve alterations to the existing terrain.

Therefore, due to the past development for residential purposes of the 5-acre APE of the proposed undertaking we believe that the undertaking will have "no effect" on historically-significant resources.

However, should the APE or the scope of work for the proposed undertaking change, or if other portions of the subject parcel are to be developed, proactive archaeological mitigation (e.g. inventory survey) will be required.

Aloha,

Melanie Chinen, Administrator
State Historic Preservation Division

AJ:gvf

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Ms. Melanie Chinen, Administrator
State Historic Preservation Division
Department of Land and Natural Resources
State of Hawai'i
601 Kamokila Boulevard, Room 555
Kapolei, HI 96813



Dear Ms. Chinen:

**Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu**

Thank you for your letters to Mr. Samuel Lemmo, Administrator of the State of Hawai'i Office of Conservation and Coastal Lands dated October 23, 2006 (LOG NO: 2006.3533; DOC NO: 0610AJ16) and November 8, 2006 (LOG NO: 2006.3676; DOC NO: 0611AJ03) in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA).

Your letter of November 8, 2006 indicates that you believe Ahukini Heiau (SIHP NO: 50-80-10-352) is within the area of potential effect (APE) of the proposed project and not to the east of the subject APE as indicated in your first letter, and that there may be unidentified historically-significant resources, including human remains/burials, present in subsurface deposits within the APE. Your letter rescinds the original determination that the proposed undertaking would have "no effect" on historically-significant resources, and recommends precautionary monitoring as a condition attached to the Conservation District Use Permit.

In response to your recent comments, Dr. Hal Hammatt of Cultural Surveys Hawai'i was consulted to determine the location and present status of Ahukini Heiau. Based on an archaeological field inspection and literature review conducted by Dr. Hammatt, we propose that Ahukini Heiau was located east of the project site adjacent to 45-254 Kokokahi Drive (Tax Map Key Parcel 4-5-031:120), and not on the area presently proposed for development. The attached report, which contains Dr. Hammatt's recent findings, is enclosed for your review and determination.

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBERT HASTERT & FEE, Planners

Scott Ezer
Principal

Enclosure

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwā Loa, LLC

Pacific Guardian Center • 733 Bishop Street, Suite 2590 • Honolulu, Hawaii 96813
Tel. 808.545.2055 • Fax 808.545.2050 • www.hhf.com • e-mail: info@hhf.com

Cultural Surveys Hawai'i Inc.

Archaeological and Cultural Impact Studies
Hallett H. Hammatt, Ph.D., President



Providing Excellence in Cultural Resource Management

Mr. Peter Cooper
977 Alahaki Street
Kailua, Hawaii 96734

O'ahu	P.O. Box 1114 Kailua, HI 96734 Ph.: (808) 262-9972 Fax.: (808) 262-4950
Maui	16 S. Market St., #2N Wailuku, HI 96793 Ph.: (808) 242-9882 Fax.: (808) 244-1994
Kaua'i	P.O. Box 498 Lawai, HI 96765 Ph.: (808) 245-4883

Subject: Archaeological Field Check and Literature Review of TMK 4-5-032:001 Kāne' ohe,
Ko'olaupoko, Oahu

Dear Peter:

The purpose of this letter is to report the results of a recent investigation which I undertook at your request to determine the location and present status of Ahukini Heiau believed to be located on a ridge in the vicinity of Kokohahi Place, Kaneohe.

This investigation was conducted in response to a letter sent to Sam Lemmo, administrator of the Office of Conservation and Coastal Lands by Ms. Melanie Chinen of the State Historic Preservation Division of the Department of Land and Natural Resources. (Log number 2006-3576)

Field Inspection

The field portion of this investigation involved a visit accompanied by you on Monday December 4th 2006 to a proposed house site and horse barn on the property. I carefully walked the entire area proposed for use and noted that the entire area proposed for development had been previously graded as evidenced by the artificially level terrain and the exposed lateritic soils. Even though this lot is on a prominent ridge which could be likened to the description of Ahukini Heiau as being located where "the ground slopes away on all sides" however, there is an existing modern concrete foundation in the graded area. And there is no evidence of any historic property in or in the vicinity of this graded lot. There is virtually no likelihood of subsurface cultural remains given the clear evidence of substantial cutting into the lateritic subsoil. After inspecting the house lot we proceeded to the residence of Mrs. Mary Mench at 45-254 Kokohahi Place. With Mrs. Mench we discussed the possible location of Ahukini Heiau in the vicinity. She related that in 1974 when she and her husband bought this lot, there were rock walls that were said to be the remains of an old heiau. These walls ran through area proposed for the construction of their house and down the back section of the ridge. She said that these walls were bulldozed when the house lot was graded and leveled. She also related that several years later an archaeologist asked to view the same area by her house which was marked on a Bishop Museum map. She related that at that time there were no walls remaining.

www.culturalsurveys.com

info@culturalsurveys.com

Peter Cooper

Page 2

December 11, 2006

I inspected the leveled and landscaped yard area to the west of her house as well as the sloping banks surrounding the yard. Along these slopes and at the base of these slopes to the west and southwest of the yard were plentiful sub angular and rounded basalt cobbles which clearly had originally been imported to the area but had been transported and concentrated on the slopes in the process of the previous grading.

Document Inspection

The most readily available source for basic information on the former location and description of Ahukini Heiau is in the 1978 publication- Sites of O'ahu by Sterling and Summers. Here the 1930's McAllister description is quoted and a map is provided showing the location of the site designated site 352. The description is quoted as follows;

"A small structure, 70 by 127 feet, built on the top of an elevation 1200 feet from the sea. The ground slopes away from the heiau in all directions. The only features remaining are the low walls, unusual because they are built of stones a few inches in size. Here and there at the bottom larger stones have been used, and at a few places the wall stands 1 foot in height, but most of the remains are scattered, for it is very easy for the cattle to disturb the small stones. Nor could the walls have been very high, for it would be very difficult to keep these small stones, which are typical of the surrounding area, in place. The heiau faces north on which side there is a gap of about 2 feet in about the middle of the wall. At the southwest corner a large stone was used, 2.5 feet in size, which stands out in contrast to the much smaller stones of the walls. There appears to have been only this one platform, which was dirt-paved, though on the end toward the mountains there are many scattered stones, also small, which may, at one time, have been used for paving a small area. When the drums on this heiau were beaten they could be herd over Kaneohe, but not just on the other side of the low ridge in Kailua."

Of particular interest in the preceding description is the mention of the cattle being free to roam in and around the site and the reference to the use of small stones in the heiau structure. The stones observed in the present field inspection appear to match the description of the stones used in the structure as described in the 1930's in a fairly intact state.

Verifying the Heiau Location

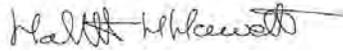
The x marked on the 1978 Sterling and Summers map matches the location of the Mench house lot and would appear to verify the statements of Ms. Mary Mench related to the structure that was adjacent to her house lot. The map location does not on the other hand indicate that the heiau stood in the vicinity of the graded area proposed for a house lot to the west of Kokohahi Drive.

In addition, an aerial photo of this portion of Kaneohe dated 1928 was obtained from the Bishop Museum Archives. This aerial view shows a rectangular mark which could be the Ahukini Heiau adjacent to Kokohahi Drive in the vicinity of what would eventually become the Mench house lot. There is no indication of a man made structure to the west on the ridge which is now proposed for construction of a house.

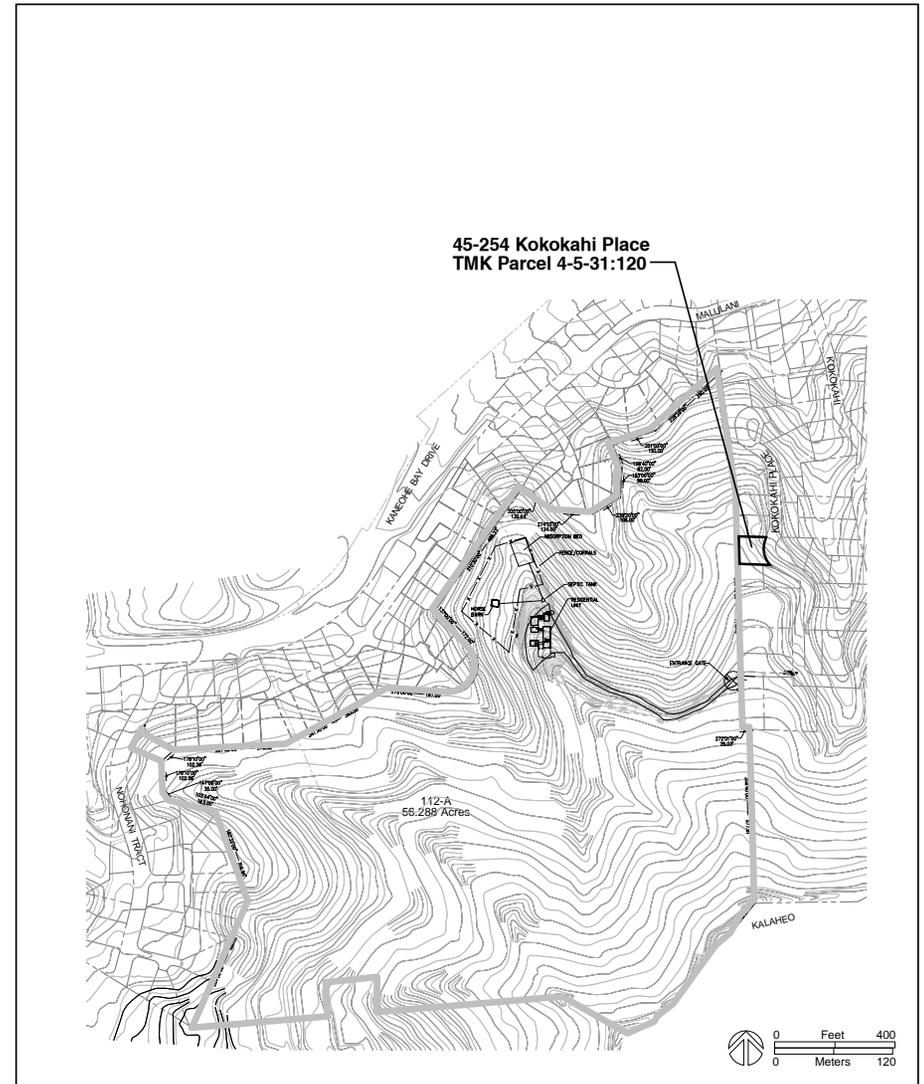
December 11, 2006

Conclusions

The field inspection, oral testimony, examination of aerial photographs and review of both the map and description of Ahukini Heiau- site 352 in Sterling and Summers, all point to the conclusion that the location of the now demolished site 352 was adjacent to 45-254 Kokohahi Drive and not on the ridge to the west, presently proposed for construction of a residence.
If there are any questions please contact me at 262-9972.



Hallett H. Hammatt, Ph.D



Property Location: TMK Parcel 4-5-31:120

Cooper Residence EA
Kāne'ohe, O'ahu, Hawai'i

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

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
ROBERT K. MASUDA
DEPUTY DIRECTOR - LAND
DEAN NAKANO
ACTING DEPUTY DIRECTOR - WATER
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES DEPARTMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAUAI/LANAI ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF:OCCL:TM

CDUA: OA-3366
Acceptance Date: August 7, 2006
180 Day Expiration Date: February 3, 2007
SUSPENSE DATE: 21 Days from
stamped date
AUG 14 2006

MEMORANDUM:

FR TO: The Department of Land and Natural Resources Divisions of:

- Oahu District Land Office
- Conservation & Resource Enforcement
- Forestry & Wildlife
- Engineering
- Historic Preservation

TO: FROM: Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

SUBJECT: REQUEST FOR COMMENTS
Draft Environmental Assessment/Conservation District Use Application OA-3366
For a Single Family Residence and Horse Barn

APPLICANT: Peter Cooper of He Mea Waiwai Loa, LLC.

TMKs: (1) 4-5-032:001

LOCATION: Kokokahi, Koolaupoko, Island of Oahu

PUBLIC HEARING: YES NO X

Please contact Tiger Mills at 587-0382, should you have any questions on this matter.

If no response is received by the suspense date, we will assume there are no comments. The suspense date starts from the date stamp.

() Comments Attached

No Comments

Attachment(s)

Cecil Santos 8/22/06
Signature
u

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS
2006 AUG 22 P 4 PM
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII
RECEIVED
LAND DIVISION
AUG 14 P 3:20

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Mr. Cecil Santos
O'ahu District Land Office
Department of Land and Natural Resources
State of Hawai'i
P.O. Box 621
Honolulu, HI 96813

Dear Mr. Santos:

Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu

Thank you for your comments dated August 22, 2006 to the Office of Conservation and Coastal Lands in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA) and Conservation District Use Application OA-3366. This letter is to acknowledge your response indicating that your office does not have any comments to offer at this time.

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBER HASTERT & FEE, Planners

Scott Ezer

Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC



PHONE (808) 594-1888

FAX (808) 594-1865



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPĪOLANI BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

2006
OCT 15 10 45
RECEIVED
NATIONAL RESOURCES
STATE OF HAWAII

October 9, 2006

Samuel Lemmo
Administrator
Office of Conservation and Coastal Lands
State Department of Land and Natural Resources
P.O. Box 621
Honolulu, HI 96809

**RE: Draft Environmental Assessment and Conservation District Use Application
OA-3366 for a Single-Family Residence, Kāneʻohe, Oʻahu, TMK: 4-5-032:001**

Dear Sam Lemmo,

The Office of Hawaiian Affairs (OHA) is in receipt of your request for comments on the above-referenced, proposed project. We apologize for the delayed response and offer the following comments.

OHA requests that if this project goes forward, should iwi or Native Hawaiian cultural or traditional deposits be found during ground disturbance, work will cease, and the appropriate agencies will be contacted pursuant to applicable law.

We recommend the applicant contact ~~Mahaelani Cypher (Koʻolaupoko Hawaiian Civic Club)~~ to expand the consultation component of the Draft Environmental Assessment. We look forward to receiving a copy of the Final Environmental Assessment, upon completion.

Thank you for the opportunity to comment. If you have further questions, please contact Kai Markell, Lead Advocate – Culture, at (808) 594-1945 or kaim@cha.org.

Sincerely,

Clyde W. Nāmuʻo
Administrator

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Clyde W. Nāmuʻo
Administrator
Office of Hawaiian Affairs
711 Kapʻiolani Boulevard, Suite 500
Honolulu, Hawaii 96813



Dear Mr. Nāmuʻo:

**Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Koʻolaupoko, Oʻahu**

Thank you for your letter to Mr. Samuel Lemmo, Administrator of the State of Hawaiʻi Office of Conservation and Coastal Lands, dated October 9, 2006 in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your comments and offer the following responses.

Iwi or Native Hawaiian Cultural or Traditional Deposits

We understand your concerns regarding ground disturbing activities and agree that Native Hawaiian cultural resources such as iwi or Native Hawaiian cultural or traditional deposits should be protected in accordance with applicable laws. All construction activities and ground disturbance will be conducted accordingly. We note that the following language was included in Section 3.7 of the Draft EA: "In the event that any significant archaeological resources or deposits are found during the development of the project, construction would be halted and immediate consultation with the SHPD would be sought in accordance with applicable regulations."

Draft EA Consultation

We thank you for your suggestion to contact Ms. Mahaelani Cypher of the Koʻolaupoko Hawaiian Civic Club to expand the consultation component of the Draft EA. The applicant consulted Ms. Cypher, who visited the project site on November 3, 2006 with Ms. Leialoha "Rocky" Kaluhiwa of the Koʻolaupoko Civic Club.

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBER HASTERT & FEE, Planners

Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU
650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 523-4432 • FAX: (808) 527-6743
DEPT. WEB SITE: www.honolulu.gov • CITY WEB SITE: www.honolulu.gov

MUFI HANNEMANN
MAYOR



HENRY ENG, FAICP
DIRECTOR

DAVID K. TANOUÉ
DEPUTY DIRECTOR

2006/ELOG-2013 (DW)

September 1, 2006

EC VE

SEF 6 Z

Mr. Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawaii
P.O. Box 621
Honolulu, Hawaii 96809

Dear Mr. Lemmo:

Re: Draft Environmental Assessment and Conservation District Use Application
For a Single Family Residence and Horse Barn at Kokokahi Place
Tax Map Key 4-5-032:001, Kaneohe, Oahu, Hawaii

Thank you for the opportunity to review the Cooper Residence at Kokokahi Place Conservation District Use Application (CDUA, OA-3366) and Draft Environmental Assessment (EA, July 2006) which have been prepared for He Mea Waiwai Loa, LLC. The issuance of a "Finding of No Significant Impact" (FONSI) is anticipated. The proposed action consists of the construction of a single-family residential dwelling and accessory detached horse barn on private property within the State Conservation District, General Subzone, located in Kaneohe, Oahu, Hawaii. We offer the following comments for your review and consideration for the Final EA report:

The subject parcel is consistent with the key element in the Koolaupoko Sustainable Communities Plan (SCP, August 2000) vision which calls for preserving and promoting open space throughout the region. The subject parcel is also consistent with the Koolaupoko SCP's planning principle pertaining to open space preservation which calls for providing passive and active open spaces. According to the Koolaupoko SCP Land Use Map, the subject parcel is located within an Open Space/Preservation Area and is outside of the Urban Community Boundary. Lands within the State Conservation District are typically included in this designation and are important to the region's open space fabric.

2 Section 1.0 (Description of the Proposed Project) of the Draft EA states that the property is currently vacant and undeveloped forest lands, with the exception of the project site which was cleared and graded for a former home and driveway. The Final EA should also include a brief description of the existing use on the R-10 Residential District zoned portion of the subject parcel.

Mr. Samuel J. Lemmo
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
September 1, 2006
Page 2

3. Section 1.1 (Technical Characteristics) of the Draft EA states that access to the subject property is via a 10-foot wide easement across TMK parcel 4-5-031:077. For the Final EA, please confirm the location of this easement (see 79/SUB-164) and state who it is in favor of. Information on this access easement should also be included in Section 2.8 (Traffic and Roadways) in the Final EA.
4. Section 3.5 (Visual Resources) of the Draft EA discusses only the visual impact of the proposed single-family residence. The Final EA should also include a description of the visual impact of the proposed horse barn and what mitigative measures, if any, are necessary.
5. The CDUA states that the proposed horse barn will be screened from view behind the large monkeypod trees. This information should be included in the Final EA and Figure 9 (Proposed Views) should be revised to correctly depict the landscape screening of the proposed horse barn.
6. Section 4.2.3 (Land Use Ordinance) of the Draft EA should state that the subject parcel has split-zoning. As described in Section 2.1 (Urban Context), the majority of the subject parcel is within the State Conservation Land Use District and is zoned P-1 Restricted Preservation District, with the exception of a small portion (about 6,000 square feet) fronting Namoku Street that is within the State Urban Land Use District and zoned R-10 Residential District.
7. Section 5.0 (Alternatives Considered) should include an alternative which proposes to build the single-family residence on the R-10 zoned portion of the subject property. Siting the house on the R-10 zoned portion supports the purpose and intent of the R-10 and P-1 zoning districts, as defined in the City's *Land Use Ordinance*. Furthermore, siting the house on the R-10 portion would likely have less of a visual impact since it would be located approximately 100 feet below the site of the proposed action.
8. The majority of the subject parcel, where the proposed action is sited, is zoned P-1 Restricted Preservation District under the City's *Land Use Ordinance*. The parcel is within the State Conservation District and thus all uses, structures and development standards are governed by the State.
9. The Final EA should describe whether the proposed action or adjacent properties may be threatened by rockfall/boulder hazards. If hazards do exist, mitigation measures should also be addressed.
10. The Final EA should address drainage impacts to adjacent properties due to increase in runoff. A drainage report may be required at a later date. In lieu of a drainage report, a statement in the Final EA that the increase in runoff would not adversely impact adjacent properties may be acceptable.

Mr. Samuel J. Lemmo
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
September 1, 2006
Page 3

11. The proposed action will be serviced by a privately owned and operated septic tank and leach field system and approval would fall under the jurisdiction of the State Department of Health.

Thank you for the opportunity to comment. We look forward to the Final EA report. Please call Dina Wong of my Community Action Plans Branch staff at 527-6073 if you have any questions.

Very truly yours, _____


Henry Eng, FAICP, Director
Department of Planning and Permitting

HE:lh
Doc. 474847

cc: OEQC
Ms. Corlyn Olson Orr, Helber Hastert & Fee, Planners

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Mr. Henry Eng, FAICP
Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, HI 96813



Dear Mr. Eng:

Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu

Thank you for your letter to Mr. Samuel Lemmo, Administrator of the State of Hawai'i Office of Conservation and Coastal Lands dated September 1, 2006 in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your comments and offer the following responses.

1. We note that the subject parcel is consistent with the key element in *the Ko'olaupoko Sustainable Communities Plan* vision to preserve and promote open space throughout the region, and supports the planning principle pertaining to open space preservation for passive and active open spaces. Section 4.2.2 of the Final EA has been revised to include this statement.
2. The portion of the parcel zoned R-10 Residential fronting Namoku Street is currently undeveloped and vacant. The statement in the Draft EA that "the property is currently vacant and undeveloped forest lands, with the exception of the project site which was cleared and graded for a former home and driveway" is correct. Section 4.2.3 has been revised to describe the current vacant condition of the R-10 zoned area.
3. Section 1.1 and Section 2.8 of the Final EA have been revised to state that there is an easement for access and utilities over TMK parcel 4-5-031:077 in favor of TMK parcel 4-5-032:001 (the subject parcel). Figure 3 of the Final EA has been revised to indicate more clearly the location of the easement.
4. The term "proposed structures" is used in Section 3.5 of the Draft EA to indicate that the discussion refers to both the proposed single-family residence and barn. We note that the proposed single-family residence will be built at the site of the formerly permitted single family home. The discussion in Section 3.5 and the illustrations in Figure 9 indicate that the proposed residence and barn would be minimally visible from surrounding areas, with appropriate colors and materials to further screen the structures.
5. A statement was added to Section 3.5 to clarify that the proposed barn would be screened from view by the large monkeypod trees. The dashed white line outlining the right half of the proposed barn structure shown in Figure 9 suggests that this portion of the barn

Helber Hastert & Fee

Planners, Inc.

Mr. Henry Eng, FAICP
Cooper Residence Draft EA and CDUA
December 13, 2006
Page 2

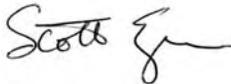
would be screened by the monkeypod tree. The use of a dashed line is a standard graphic technique to indicate that one object is located behind another.

6. Section 4.2.3 of the Final EA has been revised to state that the subject parcel is zoned both P-1 Restricted Preservation and R-10 Residential.
7. An alternative that proposes to build the single-family residence on the R-10 Residential zoned portion of the subject property has been added to Section 5.0. Although development of a house in this area would be consistent with the R-10 Residential Zoning District, construction in this area would not meet the applicant's desire to build a house away from neighboring homes and would not provide the applicant full enjoyment and use of his property.
8. We acknowledge your comment that the project site is in the State Conservation District and zoned P-1 Restricted Preservation, and that all lands in the State Conservation District are governed by the State.
9. The potential for rockfall/boulder hazards to adjacent properties is relatively insignificant. The areas proposed for construction have been previously graded and disturbed. Furthermore, construction would be concentrated on flat, stable areas where rockfall/boulder hazards are not known to exist.
10. Runoff from the roofs of the proposed house and barn would be collected and directed away from adjacent properties. We are in agreement that a drainage study should be completed prior to approval of any building permit.
11. Your comment that the State Department of Health maintains jurisdiction over the proposed septic tank and leachfield system is noted.

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBERT HASTERT & FEE, Planners



Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

October 31, 2006

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

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

2006 NOV -1 A 8:17

2006 OCT 32 A 8:16

Department of Land and Natural Resources
Office of Conservation and Coastal Lands, Attn: Tiger Mills
Post Office Box 621
Honolulu, HI 96809

DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

Dear Ms. Mills:

SUBJECT: CDUA OA-3366 For a Single Family Residence and Horse Barn, Kokokahi Place, TMK: (1) 4-5-032:001

You have been aware for quite a while that our Association is opposed to having a barn and horses on the subject property. It recently came to our attention on Monday evening, October 23, that a potentially dangerous health hazard may be created by the combination of horses and feral pigs in close proximity. We learned from a neighbor that a colleague, who is also permitted by the DLNR to trap and kill feral pigs, last year contracted, on Oahu, a swine bacterial disease known as brucellosis. This is a serious disease which in his case affected his joints, muscles and spine. He was on sick leave for 4 months and required 6 months for full recovery.

This letter is written with the hope that it will encourage the OCCL to carefully consider its governing rules in HAR 13-5-30-(c) (8). Please also note that HRS Chapter 183C-1 and DOH HAR Title 11-200-12-(B) (5) both refer to concerns about public health.

Horses will attract feral pigs which are abundant on the 56 acre parcel. Some have been seen on the proposed building site and pigs are now causing damage to abutting properties. Odor from the horses will attract pigs as will manure, urine, hay and other feed, especially fermenting corn. Our biggest concern is that the draft EA on page 6 specifies that there will be "a minimum distance of about 40 feet between the corral fencing and the property line of the nearest homes neighboring the project site".

It is unconscionable that the State of Hawaii would grant a conservation district use permit which would risk the enticing of feral pigs to a distance within 40 feet of a populated urban residential area. We believe a thorough study is required to determine the health risks of horses and feral pigs plus other infested wildlife at the proposed location so close to a down slope residential neighborhood. All facts given in this letter need to be confirmed to your satisfaction and combined with relevant facts from other professional sources. The CDC at www.cdc.gov is one source of our information.

Feral pigs also pose a physical hazard to humans and pets. Mature animals can have tusks several inches long and a mean disposition. Additional facts to be considered are that pigs can carry leptospirosis, trichinosis, and in rare cases, tuberculosis. They carry pseudo rabies which is a viral infection always fatal to dogs. The kidneys and urine of rats and mongoose, sure to be attracted to the barn, are reservoirs for the leptospirosis bacteria. Leptospira organisms have been found in horse's urine which, upon contact with humans through contaminated soil and water, can be harmful.

Page 2

A risk of disease to humans and pets is clearly identified in the photo of the proposed barn on page 23 of the draft EA. Page 12 (2.2) states "Below the proposed horse barn, the property continues to steadily descend to the neighboring homes below located off of Kaneohe Bay Drive." The soil analysis specified on page 15 (2.2) states "This soil is characterized by a rapid to very rapid runoff rate, and the erosion hazard is severe". (We live here and know about rapid runoff rates.) These two exhibits combined mean that during our heavier windward rains pig and horse urine and dirty manure infested water will rapidly run onto, over and percolate into the neighbor's soil.

Medical information and advice has been obtained from the following State of Hawaii professional personnel:

Veterinarian: Dr. Ariene Buchholz Health Dept. Disease Outbreak Control Division
Veterinarian: Dr. Edith Terwey Agriculture Dept. Livestock Disease Control Branch
Entomologist: Dr. Bill Kanour Health Dept. Disease Outbreak Control Division
Biologist: David Smith DLNR Oahu District Wildlife Biologist

Jeyan Thirugnanam, the OEQC Planner handling this CDUA, has been made aware of this brucellosis situation and he was asked to ensure that OEQC makes a competent recommendation according to their rule in HAR 11-200-12 (B) (5).

The attached article from Friday's Honolulu Advertiser emphasizes our position that pigs do affect the public's health. The article has to do with the California spinach bacteria outbreak and confirms that pigs could have spread the E.coli bacteria to the spinach field. It confirms that boar do trample fences and could have spread the bacteria through their droppings. Cattle manure also contained the same strain of bacteria. Investigators are looking at runoff, flooding, and other wildlife as possible sources. We have the same potential in our area which comes off the subject 56 acre parcel.

Regarding fencing, it is our opinion the fencing proposed in the draft EA is inadequate to stop pigs and other wildlife from getting into the pasture area. They will go under the oak boards and spook the horses. It is not uncommon for large animals to break or tear down fencing and, once free, they can cause property damage and injury. Please review the attachment addressing other concerns about this agricultural land use.

It is hard to estimate how many feral pigs roam the Oneawa Hills between the Veteran's Cemetery on Kam Highway and Kaneohe Bay Drive. We know of 50 - 60 that have been trapped during the last 2-3 years, about half at the cemetery and half on the subject 56 acre parcel. In addition, the catch on the 56 acres included 3 sows that, when eviscerated, showed 6 fetuses each that could have resulted in 18 more pigs.

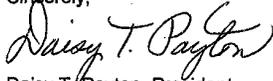
We implore the DLNR through OCCL and OEQC recommendations to stop any risky use of the subject land that so many of us long term residents have considered safe from health and safety complications. Abutting property owners are not the only residents at risk. Storm water runoff during heavy rains floods the roads in the area because the storm drains become blocked by debris. The water runs through yards and down streets and, because runoff always finds the easiest flow path, will go anywhere. If the barn and pasture area becomes contaminated, runoff will likely be contaminated.

Page 3

We have attached the signatures of about 75 residents who oppose using the subject land for agricultural purposes. Most (50-60) signed at the open house on the property the afternoon of October 29. Others signed on October 30. The reasons for our opposition are clearly stated above the signatures.

To reiterate, we are only trying to prevent the dangers anticipated by having farm animals on property not suited for agricultural use because of inappropriate terrain and closeness to urban development. We understand that the land owner has a right to rebuild the home that was destroyed by fire. We trust the Department of Planning and Permitting will see that the new home meets DLNR and LUO requirements.

Sincerely,



Daisy T. Payton, President
45-279 Kokokahi Place
Kaneohe, HI 96744
247-0401

Attachments: The Honolulu Advertiser article re: Spinach bacteria outbreak - wild pigs.
Agriculture and Anticipated Problems.
Signatures of those in opposition to agricultural use of TMK 4-5-032-001.

c: Governor Linda Lingle
Mayor Mufi Hannemann
Representative Pono Chong
Councilwoman Barbara Marshall
Director, Department of Health
Deputy Director, DLNR Land Office
Chairman, Democratic Party of Hawaii
Chairman, Kaneohe Neighborhood Board # 30
Director, Department of Planning and Permitting
Members, Board of Land and Natural Resources
Director, Office of Environmental Quality Control
Executive Officer, State of Hawaii Land Use Commission

Agriculture and Anticipated Problems

The Kokokahi Community Association noted with great surprise the use of AGRICULTURE as a vehicle to justify the 3-Horse Barn in the subject CDUA. We question the applicability of "agriculture" in this situation since agriculture is an industry which therefore implies a commercial enterprise. The following dictionary definitions support our position. Note all of the key words have a business implication.

AGRICULTURE:

farming: the occupation, business, or science of cultivating the land, producing crops, and raising livestock - Encarta World English Dictionary & Microsoft Corporation

ANIMAL HUSBANDRY:

a branch of agriculture concerned with production and care of domestic animals - Webster's Dictionary

Allowing horses described as "pets" on conservation land (see Mr. Lemmo's April 21 letter to Mr. Cooper) will surely open the door for possible commercial activity which is apparently permissible according to HAR Chapter 13-5. We question the wisdom of providing a foothold for a business venture on this land which is not suitable for public activity. Some of our reasons are:

1. Once started, any non-permitted activity would be hard to stop. Police and other enforcement officials are understaffed and really busy. Developers, investors and owners of multi-million dollar homes consider a fine of a few thousand dollars a minor cost of doing business and simply ignore the problem.
2. Car access to the property is difficult. Parking on Kokokahi Place is already bad.
3. It would be easy to board horses for profit ("care of domestic animals"). Equestrian riding and riding lessons are possible on such a large piece of property.
4. Breeding (especially artificial) is hard to monitor. Arrival of a colt will be the first clue. (See Management Plan. Two horses can breed; number three is the offspring.)
5. Easement access through the R-10 lot on Namoku Street would encourage trail riding. Cutting a riding trail between the two condos would not be difficult.

Other problems can be anticipated. For example, large animals need a lot of space. Can the horses be exercised enough in the pasture area? They probably will appear on the roadway. Pigs will follow their scent and eat the bugs around the manure.

The pasture and absorption bed share a common area. Pigs will root into the bed and pasture searching for bugs, worms, and any other useful food.

Truck and horse trailer traffic will become a real nuisance. Anticipate angry residents.

We residents take the position it will be bad judgment if these concerns are not given thorough vetting by all responsible agencies. The Dean's office at the University of Hawaii's Tropical Agriculture and Human Resources School will be a good place to start for information regarding the agricultural content in this attachment.

Spinach bacteria outbreak tracked to wild pigs

WASHINGTON — Wild pigs may have spread deadly bacteria onto a California spinach field, sparking an outbreak that killed three people and sickened more than 200 others nationwide, the Centers for Disease Control and Prevention said.

The outbreak sickened 204 people in 25 states and the District of Columbia. Investigators also are looking at wild pigs in the state's spinach fields.

Wild pigs are known to carry E. coli, a common foodborne bacterium that could contaminate spinach. E. coli spread from cattle on the ranch to the spinach field less than a mile away, Kelly said.

They first recovered the strain of bacteria from cattle in June specimens on the ranch.

Wild pigs are known to carry E. coli, a common foodborne bacterium that could contaminate spinach. E. coli spread from cattle on the ranch to the spinach field less than a mile away, Kelly said.

They first recovered the strain of bacteria from cattle in June specimens on the ranch.

CONSERVATION LAND DEVELOPMENT PROPOSAL

We, the under-signed residents, having received information on the planned conservation land development project for the first time on October 29, 2006 (see attached), **OBJECT** to the proposed AGRICULTURAL USE and 3-HORSE BARN within CONSERVATION DISTRICT TMK (1) 4-5-032:001 for the following reasons:

THREATENED HEALTH

Pigs, mongoose, rats and flies attracted by horses, manure and food supply. Brucellosis, leptospirosis, trichinosis and pseudo rabies carried by feral pigs. Increased presence of pigs, rats, mongoose and flies in our yards and roadways.

LIMITED ACCESS

Steep easement and narrow Kokokahi Place are inappropriate for horse trailers and a truck large enough to remove a two-yard dumpster containing the estimated 840 lbs of manure and bedding each week.

INCREASED EROSION AND DRAINAGE RUNOFF

Inadequate erosion and drainage control for contaminated runoff onto residential properties of Kokokahi, Moakaka, Moamahi, Mimo and Malulani.

INAPPROPRIATE USE OF PRESERVATION/OPEN SPACE

By identifying three horses and a barn as an agriculture subzone, (Hawaii Administrative Rules 13-5-23, L1), DLNR is promoting commercial activity.

We insist that State and City officials respect the intent of preservation and conservation zoning and **disallow the agricultural aspect of this proposal.**

NAME	ADDRESS	PHONE
Robert Wood	45-165 Neepapa	267-4318
Jay Jewell	45-163 Neepapa Pl.	216-8747
Shannon Jones	45-125 Awele Pl.	247-9495
Jessica C. Johnson	45-119 Awele Pl.	267-8774
Aaron Yamashiro	45-125 Awele Pl.	247-9495
CHARLOTTE MCCOY	45-247 Kokokahi Pl.	235-5238
Shy Kaneshiro	45-115 Moakaka Pl.	241-5360
Sydney M. Goto	45-119 Awele Pl.	247-4794
Miyuki Izumi	45-135 Kokokahi	247-8944
Jamie Kanayama	45-115 Awele Pl.	847-5200
Li R. Ho		
Li R. Hollander	45-113 Awele Pl.	236-1813
Aaron Rosenstein	45-267 Kokokahi Pl.	235-1861

Kevin C. Johnson 45-119 Awele Pl. 247-4794
 Aaron Jameson 45-125 Awele Pl. 247-9495
 CHARLOTTE MCCOY 45-247 KOKOKAHI Pl. 235-5238
 Ika Kanohi 45-115 Moakaka Pl 2415360
 Lydia M. Gibe 45-119 Awele Pl. 247-4794
 Wayne Izumi 45-135 Kokokahi 247-8944
 Jamie Kawana 45-115 Awele Pl. 247-5200
 Li R. Ballantyne 45-113 Awele Pl. 236-1813
 Laura M. Sandkin 45-267 Kokokahi Pl 235-1861
 Noa Hibbard 45-267 Kokokahi Pl 542-6250
 ATC 45-200 KOKOKAHI PL 247-7580
 Keoni Dayton 45-219 KOKOKAHI PL 247-0A01
 Chayn MD. 407 Uluniu St. #103 261-9700
 Dorothy Ann Lindo MD 46-318 Hauku Rd #39 247-7016
 Chantelle Kau 46-229 Kahuhipa St. 389-7429
 Katalleen Parosa 44-47172D Hui Akepa R 225-1521
 3180 Ala Hima St Hon HI 96818 258-0642
 46-229 Kahuhipa St BED3 Kaneohe HI 96744 236-2844
 713 Puopua Pl 261-7769
 3180 Ala Hima St. 258-0642
 47-048 Okana Pl. 239-6948
 53-210 Kam. Hwy 237-1144
 2489 Palani Way HAWAII 96817 258-0015
 2237 Apoepoe St. 96782 226-3279
 45-109 Kokokahi Pl. 96744 247-4693

CONSERVATION LAND DEVELOPMENT PROPOSAL

We, the under-signed residents, having received information on the planned conservation land development project for the first time on October 29, 2006 (see attached), **OBJECT** to the proposed **AGRICULTURAL USE** and **3-HORSE BARN** within CONSERVATION DISTRICT TMK (1) 4-5-032:001 for the following reasons:

THREATENED HEALTH

Pigs, mongoose, rats and flies attracted by horses, manure and food supply. Brucellosis, leptospirosis, trichinosis and pseudo rabies carried by feral pigs. Increased presence of pigs, rats, mongoose and flies in our yards and roadways.

LIMITED ACCESS

Steep easement and narrow Kokokahi Place are inappropriate for horse trailers and a truck large enough to remove a two-yard dumpster containing the estimated 840 lbs of manure and bedding each week.

INCREASED EROSION AND DRAINAGE RUNOFF

Inadequate erosion and drainage control for contaminated runoff onto residential properties of Kokokahi, Moakaka, Moamahi, Mimo and Malulani.

INAPPROPRIATE USE OF PRESERVATION/OPEN SPACE

By identifying three horses and a barn as an agriculture subzone, (Hawaii Administrative Rules 13-5-23, L1), DLNR is promoting commercial activity.

We insist that State and City officials respect the intent of preservation and conservation zoning and **disallow the agricultural aspect of this proposal.**

NAME	ADDRESS	PHONE
Ken Dewey	45-214 KOKOKAHI PL	664-0294
Nancy Somasa	45-166 Neepapa Pl	
Wilbert Yoshida	45-164 Neepapa Pl	2354005
Barbara Nekeshime	45-044 Namoku St.	
Kathryn Tyler	45-201 Kokokahi Pl	235-8900
L John Lockett	45-178 Kokokahi Pl.	235-1903
George Takashita	45-074 Malulani St	2352767
Megan Helfrich	45-274 Kokokahi Pl.	247-2523
BRIAN NAGATOSHI	45-124 MOAMAHI WAY PL	479-6501
TELANE DEWEY	45-214 KOKOKAHI PL	664-0294

Wilbert Yoshida 45-164 Neepapa Pl 2354005
 Barbara Nekeshiro 45-044 Namoku St.
 Kathryn Tyler 45-201 Kokokahi Pl 235-8000
 L John Lockett 45-178 Kokokahi Pl. 235-1903
 George Takishita 45-074 Malulani St 2352767
 Megan Pfeiffer 45-274 Kokokahi Pl. 247-2523
 BRIAN NAGATOSHI 45-124 MOAMAHI WAY PL 479-6501
 DELANE DEWEY 45-214 KOKOKAHI PL 664-0294
 Gail Watanabe 45-205 Kokokahi Pl. 247-0378
 Beth Ishim 45-205 A Kokokahi Pl. 235-9719
 Thomas B. Tyler 45-201 Kokokahi Pl. 235-8320
 Kathy Saji 45-141 Kokokahi Pl 358-9823
 Raffaele A. Sani 45-141 KOKOKAHI PL 358-9822
 [Signature] 45238 Kokokahi Pl 2470570
 [Signature] 45238 KOKOKAHI PL 2473765
 [Signature] PJ. Kierley
 [Signature] 45 236A Kokokahi Pl 2470570
 [Signature] 45-236 Kokokahi Place
 Wendy [Signature] 45-236 Kokokahi Pl.
 [Signature] 44-130 Puuohalai Pl. 247-8641
 [Signature] 45-238 Kokokahi Pl 247-0658
 [Signature] 45-238 Kokokahi Pl 256-447
 H. Daly [Signature] 236-4707
 Robert Holman 45-030 Namoku 235-0489
 [Signature] 45-161 Neepapa Pl
 Joyce Perry 45-161 Neepapa Pl. 234-0501

CONSERVATION LAND DEVELOPMENT PROPOSAL

We, the under-signed residents, having received information on the planned conservation land development project for the first time on October 29, 2006 (see attached), **OBJECT** to the proposed AGRICULTURAL USE and 3-HORSE BARN within CONSERVATION DISTRICT TMK (1) 4-5-032:001 for the following reasons:

THREATENED HEALTH

Pigs, mongoose, rats and flies attracted by horses, manure and food supply. Brucellosis, leptospirosis, trichinosis and pseudo rabies carried by feral pigs. Increased presence of pigs, rats, mongoose and flies in our yards and roadways.

LIMITED ACCESS

Steep easement and narrow Kokokahi Place are inappropriate for horse trailers and a truck large enough to remove a two-yard dumpster containing the estimated 840 lbs of manure and bedding each week.

INCREASED EROSION AND DRAINAGE RUNOFF

Inadequate erosion and drainage control for contaminated runoff onto residential properties of Kokokahi, Moakaka, Moamahi, Mimo and Malulani.

INAPPROPRIATE USE OF PRESERVATION/OPEN SPACE

By identifying three horses and a barn as an agriculture subzone, (Hawaii Administrative Rules 13-5-23, L1), DLNR is promoting commercial activity.

We insist that State and City officials respect the intent of preservation and conservation zoning and **disallow the agricultural aspect of this proposal.**

NAME	ADDRESS	PHONE
------	---------	-------

JAS Gillman Jack Gillman	Friendship Garden Kokokahi Place PO Box 2902 Honolulu 96802	7320270
Ed Bonding	45-161 Neepapa Place	234-0521
Mike Hughes	45-244 Kokokahi Pl.	247-3683
Jane T. Johnson	45-040 Namoku St.	235-6750
Daisy T. Payton	45-279 Kokokahi Pl.	247-0401
Daisy T. Payton		
Iuleni Degegne	45-218 Kokokahi Pl.	235-1285
Patty Banning	45-217 Kokokahi	247-2336

170101KIN76802

Ed Bardsong 45-161 Neepapa Place 234-0521

Mike Hogles 45-244 Kokokahi Pl. 247-3683

Jane T. Salmon 45-040 Namuku St. 235-6750

Daisy T. Payton 45-279 Kokokahi Pl. 247-0401

Daisy T. Payton 45-218 Kokokahi Pl. 235-1285

Patty Ranning 45-217 Kokokahi 247-2336

Richard Hey 45-232 Kokokahi Pl 247-8194

Joe De Costa 45-267 Kokokahi Pl. 235-6378

Bob Strain (GIL) 45-234 Kokokahi Pl 235-2357

Mary Ann " " " "

Mary Ann 45-126 Moama hi Way 235-3206

Donna 45-232-Kokokahi Place 247-8194

Norma Hunt 45-219 Kokokahi Pl. 235-2346

ROD FUKUNAGA 45-284 KOKOKAHI PL. 247-5040

Judy Lukinaga 45-284 KOKOKAHI PL. 247-5040

Donna Frenwick 45-220 Kokokahi Pl. 247-1881

Maybelle Helfrich 45-274 Kokokahi Pl. 247-2823

Phil Helfrich " " "

Richard Kanayama 45-115 Awele Pl. Kaneohe 247-5300

Elizabeth Bardsong-McDowell 45-161 NEEPAPA PL, KANELOHE 235-0489

September 18, 2006

Tiger Mills
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
PO Box 621
Honolulu HI 96809

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS

2006 SEP 20 A 7 57

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

Dear Ms. Mills,

On September 13th, 2006 16 residents of Kokokahi Place met to discuss the proposed development by Peter Cooper of property adjoining Kokokahi Place (former Cascavilla property). News of the proposed Cooper project was welcomed by the residents, who have been concerned about the development of this property. They did express a number of concerns that are discussed below.

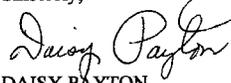
Concerns about this project are in the general categories of: I. the point of entry to the property from Kokokahi Place; II. the horse barn, paddock, and activities related to this structure; III. General concerns and the impact this project will have on the lives and activities of the current residents of Kokokahi Place.

- I. The point of entry in the vicinity of 45-234A Kokokahi Place is via a steep concrete drive that is an easement from adjacent property owners (Hey and Larson), and the adjoining Kirley property. Because of the sharp angle of approach from Kokokahi Place, this road that is the shared approach to the Hey and Larson properties, has caused the average car to scrape bottom, and has the potential to hang up truck, trailers, and other equipment. Questions: 1. Does the developer have any plans to modify this entry to the property? 2. Will the easement agreement with the Heys and Larsons address the cost of modifications to the entry? 3. Is an entry gate to the property planned? What arrangements will be made for access of emergency equipment to the property? 4. Does this single entry to the property provide sufficient access for fire and emergency vehicles? 5. Are other points of entry being considered? 6. Who is responsible for wear and tear, and damages that result from construction equipment utilizing this steep and narrow entry to the property?
- II. 1. The horse barn appears to be in addition to the 5,000 feet allowed for buildings on conservation land. Is this allowed without a special variance? 2. Where is the horse manure dumpster going to be located, and what is the plan to have it removed periodically? 3. The proposal states that the soil erosion potential is "extremely high." Is this a factor in the design and maintenance of the horse paddock to protect the properties below from flooding and mud slides in the event of heavy rains? 4. Could horse trails be established on the property? Would this be covered by the current grading permit? 5. Do any future owners automatically have a right to the barn and horses? 6. How

much insect infestation, vermin, and odor are expected if three horses are maintained on the property, and what is proposed to mitigate these impacts? 7. What is proposed to remove the manure from the property? 8. It was noted that two applications were made for hookup to the municipal sewer system, as well as a planned septic tank and leach field. Why this duplication of effort? 9. If the septic tank needs to be emptied, will there be an approach to allow the truck to do so? 10. Will horses be allowed on Kokokahi Place? 11. Could allowing a barn on the property facilitate a zoning change to multi-family residential? 12. Are there existing trail easements on the property? Will they be marked and accessible to Kokokahi residents? 13. Is access to the barn from the house planned? What would be the erosion impact of such a road?

- III. 1. With the present zoning, what are the restrictions relating to clearing land, removing mature trees, and planting additional trees and shrubs? 2. Concerns about the impact of a project of this magnitude on the residents of Kokokahi Place. (Many residents recall that Mr. Cascavilla totally blocked the upper portion of Kokokahi Place while moving a building along the street.) 3. What is the overall plan for this property? 4. At the neighborhood board meeting, it was reported that there was a discussion of possibly condo minimizing the property to include some multi-family dwellings. What are the other options being pursued, and can members of the Kokokahi Community Association be appraised of additions/modifications of the plan presented to them?

Sincerely,



DAISY PAYTON
President
KOKOKAHI COMMUNITY ASSOCIATION
45-279 Kokokahi Place, Kaneohe, HI 96744

cc Sierra Club
Conservation Council
Nature Conservancy
Trail and Mountain Club
John Reppun
96744
Ducks Unlimited
City Councilmember, Barbara Marshall (bmarshall@honolulu.gov)
Jack Gillmar, Friendship Garden Foundation

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Ms. Daisy Payton
President
Kokokahi Community Association
45-279 Kokokahi Place
Kaneohe, HI 96744-2424

Dear Ms. Payton:

Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu

Thank you for your letters dated September 18, 2006 and October 31, 2006 to Ms. Tiger Mills of the State of Hawai'i Office of Conservation and Coastal Lands in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your comments and offer the following responses.

1. Access from Kokokahi Place

We understand you are concerned that the condition of the access driveway from Kokokahi Place may make it complicated for large vehicles and trailers to maneuver. However we note that this access has been used to successfully build three homes to date. The driveway is inclined, and will require appropriate measures to safely and efficiently maneuver over it. As with the last three homes that were built utilizing the driveway access, contractors involved in construction activities and the residential use of the property would be responsible for providing traffic controls and precautions to maintain traffic safety along both Kokokahi Drive and the access driveway. The proposed plans include an entry gate which would be located on the subject parcel. There are no plans at this time to modify the driveway adjacent to Kokokahi Place. While Kokokahi Place is a public road, the driveway is a private driveway that is controlled and managed by its owners, and any improvements would require the consent of the private owners.

2. Proposed horse barn and paddock and related activities

We note your opposition to the proposed barn and horses that would be kept on the property. According to Department of Land and Natural Resources Conservation District Rules (Hawai'i Administrative Rules, Chapter 13-5), the Board of Land and Natural Resources (BLNR) maintains jurisdiction over land use within the Conservation District and will consider the merits of the application when making a decision on the proposed use.

A horse management plan was included as part of the Draft EA (Appendix F) to address the specific needs associated with the care and maintenance of horses. The horses would be personal pets that would receive daily care. Manure and soiled bedding would be removed daily, and a covered dumpster would be used to hold animal wastes. The horses would not be allowed to roam freely on the property, and would be cared for and maintained in accordance with the horse management plan and any conditions imposed by the BLNR. We assure you that all activities



Helber Hastert & Fee

Planners, Inc.

Ms. Daisy Payton, President
Cooper Residence Draft EA and CDUA
December 13, 2006
Page 2

and uses associated the proposed project would be conducted in accordance with the requirements and conditions imposed by the BLNR.

We disagree with your October 31, 2006 letter addressed to Ms. Tiger Mills that a “potentially dangerous health hazard may be created by the combination of horses and feral pigs in close proximity.” Consultation with Mr. David Smith, DLNR O’ahu District Wildlife Biologist, indicates that livestock operations (which includes horses) do not typically attract feral pigs. Homeowners adjacent to large forest reserve areas (e.g., areas such as Manoa and Palolo and along the Ko’olau mountain range) have reported feral pigs in their backyard. Feral pigs are found in these areas because the large watershed provides the habitat and area necessary to support the pigs. In comparison, the forest reserve area surrounding Kokokahi is a small, isolated watershed with limited stream resources, and is not recognized as an area where feral pigs are commonly found. In the event that feral pigs are found on the property, appropriate eradication measures would be employed.

3. Project’s compatibility with surrounding Kokokahi Place community

Your letter expresses concern regarding the possible impacts of this project on the existing Kokokahi Place residents. The Draft EA provides a description of the proposed project and presents a discussion of the potential impacts that may occur as a result of the proposed project. As described in the Draft EA, the project involves construction of a single-family residence to replace the previous residence, a 3-stall horse barn and corral, and associated utility improvements. The project area is comprised of 5 acres within the larger 56-acre property, and would consist primarily of areas that were previously occupied by the former residence. The applicant proposes to maintain as much of the existing vegetation as possible, with tree removal limited to the dead trees that pose a fire hazard and the one banyan tree that has been affected by a fallen eucalyptus. There are no plans to establish horse trails, use the property for commercial purposes, or develop multi-family dwellings. The rumor of “condominium” dwellings is false, and is an incorrect presumption resulting from the recent efforts to register the property for condominium property regime (CPR). The term “condominium” refers to a specific form of property ownership and governing process that allows the two pieces of the property with different zoning designations (P-1 Preservation District and R-10 Residential District) to be owned by separate owners. The CPR designation does not indicate a form of multi-family development. The existing zoning regulations and density for the property remain in place, under which multi-family dwellings are not permitted.

4. Community Opposition

Your efforts to organize the community and represent the community before the BLNR are admirable. We acknowledge that some of the adjacent properties owners oppose the proposed barn and horses. The petition presented to Ms. Tiger Mills in your October 31, 2006 was signed by 75 individuals. Of those 75 individuals, 41 (54.7%) were Kokokahi Place residents, 18 (24.0%) were residents from the Namoku Street (west) side of the property, and 3 (4.0%) were residents living to the north of the project site along Moamahi Way. Thirteen (17.3%) of the individuals who signed the petition do not live in the immediate vicinity of the property. Of the 41 Kokokahi Place residents, only 15 (20% of the total number of individuals) were neighbors with backyards abutting the subject property.

Helber Hastert & Fee

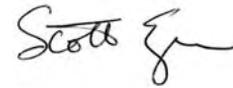
Planners, Inc.

Ms. Daisy Payton, President
Cooper Residence Draft EA and CDUA
December 13, 2006
Page 3

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBER HASTERT & FEE, Planners



Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

16 September, 2006

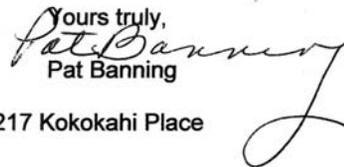
RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS

2006 SEP 19 A 11: 57

Dear Ms. Mills:

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

My neighbors and I have recently discovered that major plans for development have been proposed for our neighborhood, a 56-acre parcel on Kokokahi Place, in Kaneohe, without any of the customary notification of adjacent property owners. Because of the narrowness, the curviness, as well as the steepness of our street, I feel that extreme caution should be exercised in issuing any sort of DLNR approval. The previously existing home on the proposed building site on that lot burned to the ground in a huge fire that could be seen across Kaneohe Bay, and fire trucks could not access the property. There have been two other home fires on our street; both homes were total losses because emergency vehicle access is extremely difficult. During most heavy rains, run-off flows directly down the road, flooding into low-lying homes and filling sewer drains and depositing silt and rocks and dirt all along the street. We often have to resort to placing sandbags that the City makes available to keep water from our homes, and the City has had to create asphalt berms in several places to direct the flow of water away from homes. The proposed development area has been cleared of many trees over the last month, raising concerns about run-off. The agent for the hui that owns the property, Peter Cooper, a well-known multi-family residential property developer, claims to be building a home for himself, his family, and his horses, but he told the neighbors to an adjacent piece of property he is developing on Namoku Street that he is building his home there; we have some cause to doubt his veracity, as the Namoku property, zoned for condo use, backs up directly to the Kokokahi acreage. I hope that you at DLNR will look very carefully at the implications of this project and the impact that the development of this 56 acre parcel will have on the safety and soundness of our homes here on Kokokahi Place.

Yours truly,

Pat Banning

45-217 Kokokahi Place

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Ms. Pat Banning
45-217 Kokokahi Place
Kaneohe, HI 96744-2424

Dear Ms. Banning:

**Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu**

Thank you for your letter to Ms. Tiger Mills of the State of Hawai'i Office of Conservation and Coastal Lands dated September 16, 2006 in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your comments and offer the following responses.

Notification to Adjacent Property Owners

In response to your claim that the proposed project is being planned "without any of the customary notification of adjacent property owners," we note that the landowner, Mr. Pete Cooper, provided an initial presentation regarding the project to the Kāne'ohe Neighborhood Board No. 30 at their June 15, 2006 regular meeting. He has also attended and spoke at two subsequent Kāne'ohe neighborhood board meetings regarding his home site. We also note that the Kokokahi Community Association and the Kāne'ohe Neighborhood Board were informed of the proposed project via copy on a letter from the Office of Conservation and Coastal Lands to Mr. Cooper dated August 7, 2006. The Draft EA was published in the August 23, 2006 edition of the *Environmental Notice* issued by the State Office of Environmental Quality Control, with copies sent to the Kokokahi Community Association, the Kāne'ohe Neighborhood Board, and the Kāne'ohe Public Library. In addition, Mr. Cooper invited all adjoining property owners to attend an informal open house on October 29, 2006 to discuss his proposed plans and visit the property. There is no legal requirement to notify adjacent property owners of the publication of the Draft EA or the submittal of the Conservation District Use Application to the Department of Land and Natural Resources.

Emergency Vehicle Access

We understand your concern that Kokokahi Place is narrow and winding, nevertheless, emergency vehicles do have physical access to all of the homes on Kokokahi, as it is a county accepted and maintained road. However, given that the previous home was destroyed by fire, the single-family residence proposed to replace the previous home will incorporate additional fire protection facilities to serve the property, including a swimming pool that will serve as a water reservoir system for fire control and a fire contingency plan prepared in consultation with the appropriate agencies.

Pacific Guardian Center • 733 Bishop Street, Suite 2590 • Honolulu, Hawaii 96813
Tel. 808.545.2055 • Fax 808.545.2050 • www.hhf.com • e-mail: info@hhf.com



Helber Hastert & Fee

Planners, Inc.

Ms. Pat Banning
Cooper Residence Draft EA and CDUA
December 13, 2006
Page 2

Drainage

The drainage and flooding problems experienced along Kokokahi Place during periods of heavy rain (i.e., run-off flooding the roadway, low-lying homes and sewer drains; the use of sandbags and asphalt berms to redirect water away from homes) will not be affected by the proposed project. Although access to the project site is from Kokokahi Place, the home site is located away from Kokokahi Place, and is separated from Kokokahi Place by existing homes, a low ridge, and a driveway that measures more than 600 feet in length.

Tree Clearing

The christmas berry and other trees that were recently cleared for maintaining the access road were removed in accordance with the Conservation District rules established by the Department of Land and Natural Resources (Chapter 13-5, Hawai'i Administrative Rules). We note that the proposed project would include landscaping to cover existing bare areas that remain from the previous home to reduce run-off from the property.

Intent

In response to your concern that Mr. Cooper intends to develop multi-family dwellings on the property because two condominium lots were recently created, please rest assured that no multifamily homes will be built on the property. We note that the condominium designation refers to a specific form of ownership and governing process, and not multi-family housing development. In this instance, registering the property for condominium property regime (CPR) allows the two pieces of the property with different zoning designations (P-1 Preservation District and R-10 Residential District) to be owned by separate owners. The underlying zoning districts do not change because of the CPR designation, and there are no plans to construct multi-family dwellings on the property.

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBERT HASTERT & FEE, Planners



Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

September 22, 2006

Department of Land and Natural Resources
Office of Conservation and Coastal Lands, Attn: Tiger Mills
Post Office Box 621
Honolulu, HI 96809

Dear Tiger:

Subject: CDUA OA - 3366 (Peter Cooper residence)

You and I have had many phone conversations concerning how the DLNR process works here in Hawaii. I want you to know how much I have appreciated your help. All of us involved in this matter have learned a lot about the DLNR agency.

On this comment deadline day, I only have a couple of comments for you.

1) In the Notice published by the Office of Environmental Quality Control, it states that the proposed improvements would be concentrated on approximately three acres. The draft EA says it is 5 acres. The Notice is vague, and perhaps wrong, about the access off of Kokokahi Place (16 foot wide gravel driveway off of 45-234 Kokokahi Place). There is no mention of the easement. Is the three acre reference related to the sentence that states that only previously occupied and disturbed land would be used for improvements and activities? What activities?

I confirmed today with a lady at OEQC that they only print what the applicant submits. I suspected this after studying the thrust of the language in the Notice. The following word count is suspicious: (the number is the times the word is used in the Notice.)

Single-family	5	Dwelling	2	Horse	1
Residence/residential	8	House	1	Barn	1

Do your regulations require, if found to be inaccurate, misleading and/or vague, that a Notice must be corrected and republished?

2) My wife and I have recently returned from visiting family in the southern Minnesota highly productive corn and soy bean growing belt. Because of this abundant feed supply, raising pigs has become big business. The pigs are housed in fully automated barns with a conveyor system bringing feed in and another carrying manure out. Pigs never touch the ground and the concrete floors are washed regularly.

In spite of this care, odor is a major problem. It will carry in the wind for miles under the right atmospheric conditions. Some neighbors really get upset. It can be quite bad. Here we live downwind from the proposed horse barn and corral. A lot of manure will be between us and the trade winds off the bay.

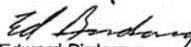
Page 2

Also, I would like for you to know that we spoke at the KNB No. 30 meeting last night. Mr. Cooper was there and heard the comments made by Laura Morgenstein and me.

During our conversation yesterday you were wondering why all of our mail was coming to you. Mr. Lemmo's letter of August 14 to the Kaneohe Public Library explains why. We have nothing else to go on except the OEQC Notice which I requested and received just last week.

We will continue to stay in touch as we prepare for the BLNR meeting. Please let us know the date as soon as it is scheduled. We would appreciate hearing soon your position concerning item 1) above since it might constitute a procedural problem.

Sincerely,


Edward Birdsong
45-161 Neepapa Place
234-0501

45-161 Neepapa Place
Kaneohe, HI 96744
September 19, 2006

Mr. Samuel J. Lemmo
Administrator
Office of Conservation and Coastal Lands
P.O. Box 621
Honolulu, Hawaii 96809

Re: Draft EA/Conservation District Use Application OA-3366 For a
Single Family Resident and Horse Barn, Kokokahi, Koolaupoki, Island of Oahu
TMK (1) 4-5-032:001

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS
2006 SEP 29 A 10:38
DEPT. OF LANDS
AND NATURAL RESOURCES
STATE OF HAWAII

Dear Mr. Lemmo,

I am writing about an issue off the main focus regarding the above application. My problem is flooding, and I strongly object to any activity on the subject 56-acre parcel that will cause more flooding on my property. This is a serious environmental impact issue that needs to be addressed now. I request that you let me know the DLNR's position relative to surface water runoff for the land owned by Mr. Cooper, but controlled as conservation and P-1 preservation by your office. My reasons for this request follow:

1. There is NO public drainage easement on the Neepapa Place side of the ridge running from Mr. Cooper's 45-020 Namoku lot up to the top of the mountain near the AT&T antenna site. Until recently (June 10 of this year), Mr. Cooper was under the impression that the drainage ditch running through my property was in favor of either him, as property owner, or C&C. It is neither. The easement is in my favor, and I am responsible for all care, maintenance, and repair. Most of the runoff south and southwest of that ridge drains across my property.
2. My property, the lowest lot on the street (TMK: 4-5-100-022), is already overburdened with runoff from the ridge. The majority of the water flows through my yard, threatening to flood my house. In fact, water did come in my home about 10 years ago. I consulted with a Hydrologist/Civil Engineer and have implemented his recommendations; still I CANNOT handle more water.
3. The proposal for horses on the parcel will certainly lead to riding trails which will disturb the land and cause unnecessary erosion, thereby creating additional runoff. We have an ongoing problem with pigs rooting, and eating vegetation, which has already caused erosion problems.

4. Flood insurance is not an option for me because I am the lowest lot and have the greatest flood potential. FEMA requires that two properties in an area be inundated before they will pay a claim.

I ask that you disapprove the proposed plan to allow horses on their property. Horses and riding trails are not essential; my land and home are.

At your earliest time please contact me concerning my drainage issue, and what the DLNR can do to help.

Thank you.

Elizabeth Birdsong-McDowell
ELIZABETH BIRDSONG-McDOWELL

cc: Councilwoman Barbara Marshall

September 7, 2006

Department of Land and Natural Resources
Office of Conservation and Coastal Lands, Attn: Tiger Mills
Post Office Box 621
Honolulu, HI 96809

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS

2006 SEP -8 A 8:18

Dear Tiger:

Subject: Request for Comments - DEA / OA - 3366

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

My recent voice mail message made you aware that I was invited to meet with the Kaneohe Neighborhood Board at their informal planning meeting on the evening of September 5. This invitation was extended because of the time sensitive nature of your request for comments by September 22. Their next regularly scheduled meeting is not until September 21. My letter to the Board and 2 of the 6 attachments are enclosed with this letter. Three of the other 4 were DLNR documents now present at the Kaneohe library: Notice of Acceptance and Preliminary Environmental Determination, the CDUA's list of names "Neighbors to 45-234A Kokokahi" and the transmittal letter to the Kaneohe Public Library signed by Mr. Lemmo. The sixth was the first 5 pages of the Declaration of Condominium Property Regime 45-020 Namoku.

Five members were present while I was there. I left with the distinct impression that none had seen any of this documentation - with one exception. I had reviewed some of it, including the DEA booklet, with the member who invited me to the meeting.

Please read carefully the enclosed letter I wrote to the Board. It explains how I became involved with Mr. Cooper's property. It also explains why I am now writing to you.

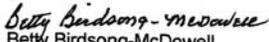
It is clear to me that no State or C&C government agency accepts responsibility for contacting the majority of the abutting neighbors listed by the DLNR. The chairman of the Kaneohe Board advised me to submit an article to the Midweek newspaper!

Page 6 of the DEA booklet indicates that the horse corral will be a minimum of 40 feet from the "nearest homes neighboring the project site". Who is supposed to contact them? They have no direct relationship to the Kokokahi Community Association.

I ask that you investigate if the DLNR notification policy regarding this CDUA OA-3366 project is adequate. If flawed, I believe an extension of the requested September 22 response date is appropriate and necessary to allow more owners to become involved.

Very truly yours,


Edward Birdsong
45-161 Neepapa Place
234-0501


Betty Birdsong-McDowell
Fee Owner
235-0489

Enclosures:

Kaneohe Neighborhood Board letter and real estate listing

September 5, 2006

Roy Yanagihara, Chairman - Board 30
Neighborhood Commission Office
400 South King Street, Room 412
Honolulu, HI 96813

Dear Chairman Yanagihara:

This letter has to do with recent events related to a matter that came before the Kaneohe Neighborhood Board on June 15. I am referring to the Public Input item in the minutes: "Plans to Construct a Home on Conservation Land" presented by Kailua resident Peter Cooper. The lack of adjacent owner notification is my issue.

I first met Mr. Cooper on June 10 to discuss the implications of severe flooding of our property during March and April caused by surface water runoff from his 56 acre parcel. Runoff from a significant percentage of Mr. Cooper's property is draining across our property through a lined, open drainage ditch. The Bay View Estates developer declared the easement to be in favor of the property owner. This means his water is crossing private property with all the maintenance, cleaning and water management burden on us. No other drainage alternative exists. Consequently, I have become very involved in the unfolding status of the Cooper acreage.

A chronology of relevant events involving this property is attached. All information has been obtained from recorded public records, DLNR and C&C DPP sources, real estate sales promotional material and Mr. Cooper himself. Pertinent comments are included. All DLNR documents referenced in this letter are now available at the Kaneohe library.

On July 3, Mr. Cooper signed a "Conservation District Use Application" (CDUA). On August 7, the DLNR chairperson signed a "Notice of Acceptance and Preliminary Environmental Determination". A copy of this Notice was sent to, among others, the Kaneohe Neighborhood Board, the Kokokahi Community Association and the Kaneohe Public Library. The DLNR has requested comments from the community by September 22. They determined a public hearing will not be required.

I believe your Board's assistance is needed with the following notification issue:

The CDUA contains 67 names of "Neighbors to 45-234A Kokokahi". There is confusion relative to which organization is responsible for contacting about 85% to 90% of these neighbors. Apparently contacting the neighbors is important because the Kokokahi Community Board received a copy of the CDUA with a request to submit comments. According to Daisy Payton, President of this organization, she would typically involve owners with a Kokokahi Place address. This amounts to only 8 of the 67 owners listed in the CDUA. Who should be contacting the Friendship Garden Foundation?

Page 2

The contact person at the DLNR Office of Conservation and Coastal Lands, Tiger Mills, (phone 587-0382) is under the impression that the Kaneohe Neighborhood Board is responsible for contacting those owners not a member of the Kokokahi group. I talked to Nola Frank the afternoon of September 1 and she confirmed with her supervisor, Dean Chu, that the Neighborhood Boards have no responsibility in these situations. In their opinion, it is up to the DLNR. I believe this confusion means that about 59 owners have no official channel for receiving information about the development of their adjacent/abutting land - 56 acres of land now legally recorded under the CPR.

I have not talked with any of the listed owners. Therefore, if I am correct with my interpretation of what these three ladies told me, as the procedure stands now less than a dozen owners will be notified of this CPR project. None will have been directly notified by an official government agency. I know about it because of flooding.

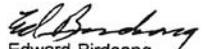
Regarding flooding, I am greatly concerned about surface water runoff caused by any future development along/on the ridge line running generally east to southeast from the 45-020 Namoku Street property and extending up to the ridge line running about northeast and southwest (location of the AT&T Wireless equipment). Our property drains most of the runoff southwest of that ridge. Any disturbance of the vegetation southwest of that ridge will affect us. Horse trails could be devastating.

I do not have a problem with Mr. Cooper's currently identified plans if the 2 single family residences are built according to applicable State and C&C ordinances. Concerns of the abutting as well as the close neighborhood owners should be thoughtfully considered. (Horse trails outside of the project area of approximately 5 acres should be prohibited.)

My major fear is that development projects adjacent to vacant land tend to "creep". This project should not be allowed to be a "foot in the door" leading to more condominiums. In this case, the vacant land is already part of the CPR.

I respectfully request that the Board arrange to contact the DLNR quickly to determine how the uninformed owners will be contacted and if the September 22 response date should be extended. Also, please arrange to have this letter entered into the Board's records for future reference.

Very truly yours,


Edward Birdsong
45-161 Neepapa Place
234-0501

Attachments (6)

Attachment: Kaneohe Neighborhood Board letter dated September 5, 2006

Chronology of events pertinent to our interest in the "45-020 Namoku" condo project.

I first met Mr. Cooper on June 10 to discuss the implications of flooding of our property caused by surface water runoff from his 56 acre parcel. I came away from this meeting with the impression that he wanted to develop the ridge above 45-020 Namoku Street. While walking the ridge, he pointed across the valley to The Summit as an example of a successful hillside project he had "developed". In 2005, an application for 3 sewer and water laterals into the 45-020 Namoku lot was submitted to the DPP. My source indicated the applicant (unknown to me) wanted to service more than 30 condo units.

Mr. Cooper appeared surprised to learn that neither he nor the C&C owned rights to the lined, open ditch easement draining the southwest part of his property. We will continue to pursue this issue with Mr. Cooper and the next owner when a sale occurs.

On June 20, a Declaration of Condominium Property Regime was recorded at the State of Hawaii Bureau of Conveyances. The "Declarant" is He Mea Waiwai Loa Limited Liability Company. The Managing Member is Peter H. Cooper. The project will be known as the "45-020 Namoku" condominium project and occupy 56.288 acres. The first 5 pages containing the primary details of the Declaration are attached.

According to a Multiple Listing Service member realtor, 56.180 acres of the condo property was listed for sale on or about June 30. I believe the remaining small part of land of approximately 6,795 square feet was split off and is the "partially" zoned R-10/conservation lot at 45-020 Namoku Street which was noted in the Board's June 15 minutes. (A slight discrepancy exists in the acreage among various documents.)

At an August 12 meeting, Mr. Cooper did not dispute my information that the property had been on the market about 45 days. He told me that a buyer for condo unit 45-020 had been identified. This is the former lot at 45-020 Namoku Street. Dower Realty is the company handling the sale of the remaining 56+ acres. The agent is Ralph Gray. The listed price is \$3,600,000. Stakes can now be seen along the Namoku Street frontage. They appear to be from recent survey activity.

On July 3, Mr. Cooper signed a "Conservation District Use Application" (CDUA).

On August 7, the DLNR chairperson signed a "Notice of Acceptance and Preliminary Environmental Determination" (NAPED). A copy of this Notice was sent to, among others, the Kaneohe Neighborhood Board, the Kokokahi Community Association and the Kaneohe Public Library. The DLNR has requested comments from the community by September 22. The DLNR determined a public hearing will not be required.

Pursuant to the CDUA, the DLNR on August 9 received a "Draft Environmental Assessment" (DEA) for the "Cooper Residence at Kokokahi Place". It is dated July 2006 and contains about 85 pages consisting of the cover page through 6 appendices. It was prepared for He Mea Waiwai Loa LLC.

I received the CDUA, NAPED, and DEA on August 15, just before leaving for a 2 week visit with family in Minnesota. A point concerning farm animal odor is forthcoming.

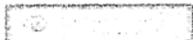
Home REALTOR® Property Information Memo Services About MBR Member Information



Vacant Land...\$3,600,000
45-234A Kokokahi Pl, Kaneohe, Island of Oahu
Vacant Land

Agent: Gray, Ralph B (RA), (808) 938-7678
Company: Power Realty, Inc., (808) 755-8838

Visit My Home Page



- MLS #: 2612339
- Status: Active
- Tax Map Key: 1-4-5-032-001
- Land Area: 56.18 Acres
- Land Area: 2451992 Square Feet
- Geographic Area: Kaneohe
- Neighborhood: KOKOKAHI
- Views: Coastline, Mountain, Ocean
- Tenure: Fee Simple



Additional Photos

Unobstructed premium ocean views from over 56 acres of privately secluded hillside land. Estate sized property with private valley's, seasonal streams, mature Monkey Pod, Mango, Java Plum, Eucalyptus, Guava and more. Application has been submitted to DLNR for a Peter Vincent designed custom home. Winding private forested driveway. See video tour at <http://www.circlepix.com/home2/WHT9FG>



Honolulu Board of REALTORS® • 1136 12th Avenue, Suite 200 • Honolulu, Hawaii 96816 USA
Phone: 808-732-3000 • Fax: 808-732-8732 • Email: hbradmin@hicalentral.com

© 1995-2006 Honolulu Board of REALTORS®. All rights reserved. Information herein deemed reliable but not guaran

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Mr. Edward Birdsong
Ms. Betty Birdsong-McDowell
45-161 Neepapa Place
Kaneohe, HI 96744



Dear Mr. Birdsong and Ms. Birdsong-McDowell:

Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu

Thank you for your letters to Ms. Tiger Mills (dated September 7, 2006 and September 19, 2006) and Mr. Samuel Lemmo (dated September 22, 2006) of the State of Hawaii Office of Conservation and Coastal Lands in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your comments and offer the following responses.

Notification to Adjacent Property Owners

In response to your concerns about the process to notify adjacent property owners, we note that the landowner, Mr. Pete Cooper, provided an initial presentation regarding the project to the Kāne'ohe Neighborhood Board No. 30 at their June 15, 2006 regular meeting. He has also attended and spoken at two subsequent Kāne'ohe neighborhood board meetings. In addition to meeting one-on-one with dozens of neighbors, Mr. Cooper has met with you twice in person and has had several phone calls with you.

We also note that the Kokokahi Community Association and the Kāne'ohe Neighborhood Board were informed of the proposed project via copy on a letter from the Office of Conservation and Coastal Lands to Mr. Cooper dated August 7, 2006. The Draft EA was published in the August 23, 2006 edition of the *Environmental Notice* issued by the State Office of Environmental Quality Control, with copies sent to the Kokokahi Community Association, the Kāne'ohe Neighborhood Board, and the Kāne'ohe Public Library. In addition, Mr. Cooper invited all adjoining property owners to attend an informal open house on October 29, 2006 (which you attended) to discuss his proposed plans and visit the property. There is no legal requirement to notify adjacent property owners of the publication of the Draft EA or the submittal of the Conservation District Use Application to the Department of Land and Natural Resources.

Neepapa Place Drainage

Your letters describe your concerns about flooding on your property owing to an existing drainage easement that involves runoff from Mr. Cooper's 56-acre property through your property to the county storm drain system. It is our understanding that you have had two retaining walls built that block the natural flow of water through this easement, and that the problem you describe involves the western (Namoku Street) side of the property which is outside the boundaries of the proposed project by approximately 1/4 mile. The proposed project involves

Helber Hastert & Fee

Planners, Inc.

Mr. Birdsong and Ms. Birdsong-McDowell
Cooper Residence Draft EA and CDUA
December 13, 2006
Page 2

the construction of a single-family residence and barn with associated utility improvements, and is limited to approximately 5 acres on the eastern (Kokokahi Place) side of the property with topsoil disturbance limited to the actual house pad and footings for the barn. There is no intent to disturb the Namoku Street side of the property as part of this project.

Proposed Barn and Horses

We note your opposition to the proposed barn and the horses that would be kept on the property. Your concerns regarding potential odor, insects, and future riding trails are appropriate, and will be considered by the Board of Land and Natural Resources during their review of the application. According to Department of Land and Natural Resources (DLNR) Conservation District Rules (Hawai'i Administrative Rules, 13-5-23, L-1 Agriculture), animal husbandry is identified as a land use that may be permitted in the Conservation District with a BLNR Permit and an approved management plan.

We note that a horse management plan was included as part of the Draft EA (Appendix F) to address the specific needs associated with the care and maintenance of horses. The horses would be personal pets that would be contained within a fenced pasture. The applicant proposes to remove manure and soiled bedding daily, and would use a covered dumpster to hold animal wastes. The horses would not be allowed to roam freely on the property, and would be cared for and maintained in accordance with the horse management plan and any conditions imposed by the BLNR. There are currently no plans to construct riding trails on the property.

Notification of Draft EA Availability

We disagree with your statement that the notification published in the August 23, 2006 edition of the *Environmental Notice* is inaccurate, misleading and vague. Although the notice incorrectly identified the project site as 3 acres (vs. the correct 5 acres), the remaining information provided in the notice is correct and factual. The purpose of the *Environmental Notice* is to announce the availability of environmental studies and reports that are undergoing agency or public review. As a tool for notification, the project summaries are intentionally brief and typically only include the pertinent information that would allow reviewers to decide whether or not they want to be involved in the public review process.

Condominium Property Regime

Your concerns and questions about "creeping development" and Mr. Cooper's June 20, 2006 declaration of a Condominium Property Regime (CPR) for 45-020 Namoku Street are noted. Please rest assured that no multifamily housing is planned for this property. The term "condominium" indicates a form of property ownership, and is not an indicator of density, or a style or type of multi-family development. The CPR action enables the two pieces of the property that have different zoning designations (P-1 Preservation District and R-5 Residential District) to be owned by separate owners. The existing zoning and density regulations for the property remain in place, under which multi-family dwellings are not permitted.

Your letter to Mr. Roy Yanagihara, Chairman of the Kāne'ōhe Neighborhood Board No. 30 (enclosed with the September 7, 2006 letter to Ms. Tiger Mills) states that "[you] do not have a problem with Mr. Cooper's currently identified plans if the 2 single family residences are built according to applicable State and C&C ordinances." We emphasize that only one single-family

Helber Hastert & Fee

Planners, Inc.

Mr. Birdsong and Ms. Birdsong-McDowell
Cooper Residence Draft EA and CDUA
December 13, 2006
Page 3

residence is being proposed, and that the DLNR Conservation Rules allow for only one single family residence to be developed on each lot within the Conservation District.

We appreciate your participation in this review process. Your letters and this response will be included in the Final EA.

Sincerely,

HELBER HASTERT & FEE, Planners



Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

September 19, 2006

Tiger Mills
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
PO Box 621
Honolulu Hawaii 96809

Dear Ms. Mills,

I would like you to give your attention to a rapidly developing real estate project that my neighbors and myself have recently discovered. Peter Cooper has purchased a 56-acre conservation parcel. Mr. Cooper, a known developer, claims he is building a home along with a horse barn on the 5,000 feet allowed on conservation land on Kokokahi Place. However, Mr. Cooper told neighbors on the adjacent street, which is Namoku Street, that he is building his home on the parcel on that side. Moreover, Mr. Cooper has condominium designation use on conservation land! I feel that Mr. Cooper's artful dodge is a distraction to conceal the fact that he wants to have a multi-family development of condominiums. This is totally contrary to the purpose of the land use intended by the DLNR and a clear misuse of the land, just for profit.

Moreover, the existing roadway to access the property is very steep and in poor condition. The majority of cars scrap the bottom of the driveway or they cannot traverse it at all. The existing street is also narrow and winding. (Approximately a half-mile long). How in the world could he have horses and the equipment to transport them up and down Kokokahi Place? Also, if he was allowed to build condominiums, it would have a major impact on the community, i.e. drainage concerns, traffic flow problems, and many other implications, not withstanding the fact that the vast majority of the land is zoned conservation.

Accordingly, I hope that you at the DNLNR will give serious thought to a project that could have an adverse effect on a wonderful neighborhood.

Sincerely,


Jose E. DaCosta
45-267 Kokokahi Place
Kaneohe, Hawaii 96744-2424
235-6378 (H)

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS

2006 SEP 21 A 10: 57

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Mr. Jose E. DaCosta
45-267 Kokokahi Place
Kaneohe, HI 96744-2424

Dear Mr. DaCosta:

Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu

Thank you for your letter to Ms. Tiger Mills of the State of Hawai'i Office of Conservation and Coastal Lands dated September 19, 2006 in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your comments and offer the following responses.

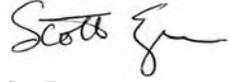
You expressed a concern about the potential development of multi-family dwellings on the project site because the owner of the property (Mr. Pete Cooper) had created two lots on the entirety of the parcel. Please rest assured that no multifamily housing is planned for this property. The term "condominium" indicates a form of property ownership, and is not an indicator of a style or type of development. Registering the property for condominium property regime (CPR) does not mean that multi-family dwellings will be constructed on the property. The CPR action enables the two pieces of the property that have different zoning designations (P-1 Preservation District and R-10 Residential District) to be owned by separate owners. The existing zoning and density regulations for the property remain in place, and there are no plans to construct any multi-family dwellings on either portion of the entire parcel.

We have passed your concerns regarding the condition of Kokokahi Place and the driveway leading to the property with Mr. Cooper. We understand you are concerned that Kokokahi Place is narrow and winding, and that the driveway access from Kokokahi Place is steep. However, we note that every other homeowner in the area (including neighbors with large houses on both sides of Mr. Cooper) has been able to successfully execute construction projects that require the use of construction vehicles and construction equipment, indicating that truck and trailer traffic can be accommodated on Kokokahi Place. In addition, three separate homes have been successfully built utilizing the access driveway to Mr. Cooper's property. As with any other construction project, contractors involved in construction activities and the residential use of the property will be responsible for providing traffic controls and precautions to maintain traffic safety along both Kokokahi Place and the access driveway.

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBERT HASTERT & FEE, Planners



Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

Pacific Guardian Center • 733 Bishop Street, Suite 2590 • Honolulu, Hawaii 96813
Tel. 808.545.2055 • Fax 808.545.2050 • www.hhf.com • e-mail: info@hhf.com



P.O. Box 2902
Honolulu, Hawaii 96802
October 12, 2006

Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
Post Office Box 621
Honolulu, HI 96809

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

Dear Mr. Lemmo,

My husband and I have long been involved with the restoration and care of a forest trail park/garden, Friendship Garden, nearby on Kokokahi Place. It is owned by the Friendship Garden Foundation, is open to the public, and is primarily used by Kokokahi area families and the Kokokahi YWCA. You may recall that we processed an application for down-zoning the 0.7 acre part of its 10 acres that was in the Urban State Land Use District and Residential in the city zoning to Conservation/ Preservation. This successful application was mostly handled by the city due to the small land area involved, and we took the time and effort for this very unusual step of down-zoning in order to keep future generations from being tempted to inappropriately develop this steep forest land.

We have recently learned from Kokokahi Place residents that a new owner of a part of urban-zoned and existing residential use 45-234 Kokokahi Place is proposing to use their access to Kokokahi Place to reach their adjacent undeveloped conservation land and build a horse stable together with a pasture and a house up there. We are familiar with the steep topography in the upper Kokokahi area, having personally been involved in building a trail connection for the Friendship Garden trail system nearby, and we also are familiar with the very steep driveway that the Coopers propose to utilize for access.

We share the concern of our Kokokahi Place neighbors and urge you to recommend to the Board of Land and Natural Resources that it deny the use of that piece of conservation land for any use beyond that of a reasonably-sized single family dwelling as allowable in the general conservation zone. Even the construction of a house up there will entail very difficult passage for the many truck deliveries necessary to build it. But at least the construction period would be finite. The indefinite regular use of it to deal with the waste management problems the horse operations would entail are a different level of problem. In addition, farm operations that include large amounts of livestock manure have historically been problematic where adjacent to, and downwind, of residences.

Thank you for consideration of our views.

Janet Gillmar

Janet Gillmar, Secretary
Friendship Garden Foundation

cc: Daisy Payton, President, Kokokahi Community Association

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Ms. Janet Gillmar
Secretary
Friendship Garden Foundation
P.O. Box 2902
Honolulu, HI 96802



Dear Ms. Gillmar:

Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu

Thank you for your letter to Mr. Samuel Lemmo, Administrator of the State of Hawai'i Office of Conservation and Coastal Lands, dated October 12, 2006 in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA).

We recognize your concerns about the proposed barn and horses that would be kept on the property. According to Department of Land and Natural Resources (DLNR) Conservation District Rules (Hawai'i Administrative Rules, 13-5-23, L-1 Agriculture), animal husbandry is identified as a land use that may be permitted in the Conservation District with a Board of Land and Natural Resources (BLNR) Permit and an approved management plan. Neighbors' concerns regarding the proposed project are being addressed through DLNR's permitting process, and by the applicant's efforts to attend neighborhood board meetings, hold open house visits on the property, and conduct one-on-one meetings with interested individuals.

In regards to the horses, we note that the Draft EA included a horse management plan (Appendix F) to address the specific needs associated with the care and maintenance of horses. The horse management plan includes a provision for the daily removal of manure and soiled bedding to minimize potential impacts from insects and odors, as well as a covered dumpster to hold animal wastes. The horses would be personal pets that would be cared for and maintained in accordance with the horse management plan and any other conditions imposed by the BLNR.

We understand you are concerned that the steepness of the access driveway from Kokokahi Place may make it complicated for large vehicles and trailers to maneuver. Please note that three homes were successfully built with large construction equipment utilizing this access to date. The driveway is a private driveway that is controlled and managed by its owners.

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBERT HASTERT & FEE, Planners

Scott Ezer

Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

Samuel J. Lemmo
 Administrator
 Office of Conservation and Coastal Lands
 Department of Land and Natural Resources
 Post Office Box 621
 Honolulu, HI 96809

9/20/06 RECEIVED
 OFFICE OF CONSERVATION
 AND COASTAL LANDS

2006 SEP 22 A 9:26

DEPT. OF LAND &
 NATURAL RESOURCES
 STATE OF HAWAII

SUBJECT: REQUEST FOR COMMENTS

Draft Environmental Assessment/Conservation District Use Application OA-3366
 For a Single Family Residence and Horse Barn, Kokokahi, Koolaupoko, Island of
 Oahu, TMK:(1) 4-5-032:001 (Cooper Residence, 45-234A Kokokahi Place)

Dear Mr. Lemmo,

I spoke with Tiger Monday and she suggested we address our comments to you. As neighbors who will share both our street and our driveway with the Coopers, and as parents of a new baby, we have some concerns about their plans, and some questions for clarification we hope you can help us with.

One concern is the steepness of our driveway, which we own part of, the Larsons at 45-234 Kokokahi Place own part of, and which the Coopers will use via an easement. We have attached a photo of this driveway from street level which shows this extreme steepness, in contrast to the photo of this easement included as photograph 1 in Section 1.1 of their Draft Environmental Assessment, which gives the mistaken impression of a much gentler driveway slope. Some delivery trucks have become immobilized in this driveway, on occasion blocking it for many hours before being towed out, and in fact the house they propose to replace burned down because the fire truck was unable to get up the driveway. In the past this was a nuisance; now that we have a child who we may need to drive to the hospital we hope there can be a requirement that they not attempt to drive large trucks up the driveway that could become stuck and prevent us from driving away. We hope Cooper will be responsible for damage to the driveway during construction. We are also concerned about the additional stress to this driveway that would be caused by the addition of his proposed barn and horses, which according to his plan would require 2 weekly round trips by a truck large enough to carry off his dumpster containing 840 lbs of manure, etc. In addition, if his proposed septic tank needs cleaning, his plan states he will pump the contents into a tank truck to haul it away. Will these trucks be capable of getting up and down the driveway? Will Cooper be responsible for repairs caused by the extra wear and tear resulting from this extra barnyard traffic, over and above that expected from his single family dwelling? His trucks carrying their tree cuttings have already scraped the driveway numerous times. Our preference of course would be to share the driveway only with the occupants of the single family residence that I thought was all that was legally allowed on conservation land when I bought our house. Does his easement automatically extend to whatever development might occur on this land? Are there any alternate routes onto his property he could use instead?

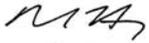
We also have concerns about the odors, flies and vermin that the horse operation will bring to our residential neighborhood and our driveway, because it's hard to believe their trucks will never spill a drop, or that they will thoroughly clean up and disinfect spills. Although they refer to the horses as "like pets", to us pets are animals that live in your house, and horses are like farm animals. We respectfully ask your board to consider how they'd react if one of their neighbors wanted to keep farm animals in their back yard, especially if they shared a driveway. His Draft Environmental Assessment plan states he will keep his horse manure dumpster at his auto court next to his house (Appendix E, p. 5), which seems most reasonable, because he's the one who wants the horses and manure and flies, so he should be the one to suffer the consequences rather than innocent neighbors who would prefer not to live in proximity to farm animals. Is he legally obligated to follow this submitted plan? What happens if he doesn't? One neighbor is convinced this manure dumpster would eventually be moved off his property entirely and onto Kokokahi Place, although we'd like to assume the State Health Dept. would prevent this. Do farm animals really belong in a residential neighborhood? What if a horse gets loose, or gets ridden down the driveway, and breaks a leg? Are we liable? I notice in this case he is a limited liability company whereas I'm just a professor with a family to protect.

Our final concern is that he is proposing to build 2 large structures with 2 separate sewage hookups, including one for the barn, or as it's referred to in the Sewer Connection Application on the last page of his Draft Environmental Assessment, a "second 4-bedroom dwelling unit". This would obviously facilitate possible future conversion of the barn to housing. Does he really require a second sewage hookup? It doesn't seem impossible that he could walk the 40 paces from the barn to the house to shower or use a toilet - that's about how far I walk from my garage to my house, and although a second sewage hookup for my garage would be convenient, it's not really necessary. If he objects this would make his house smell like horse manure perhaps he'll empathize with his neighbors who think they shouldn't have to smell horse manure in a residential neighborhood. Denying this request would prevent him, or a future owner who doesn't want the horses, from converting the barn to a second single-family residence on conservation land. Why not prevent this possibility from the beginning?

Cooper may be a fine, upstanding citizen, but there have been numerous stories of unscrupulous developers who promise one thing and then do something else. If he had any track record like this I hope DLNR would be aware of it and stop him right now, but it's hard to know what his true plans are. His submitted plan to you says he needs a barn because he loves horses, but he told one neighbor that he's planning to build the house "on spec" to sell to someone else, who may or may not want horses, and he also presently has the property advertised for sale through Dower Realty (see sign at base of driveway), and now there's a new rumor of a request for condominium rezoning. We and our neighbors worry when a developer seems to be trying to hide his true plans regarding development of this conservation land, and we hope DLNR shares our concerns.

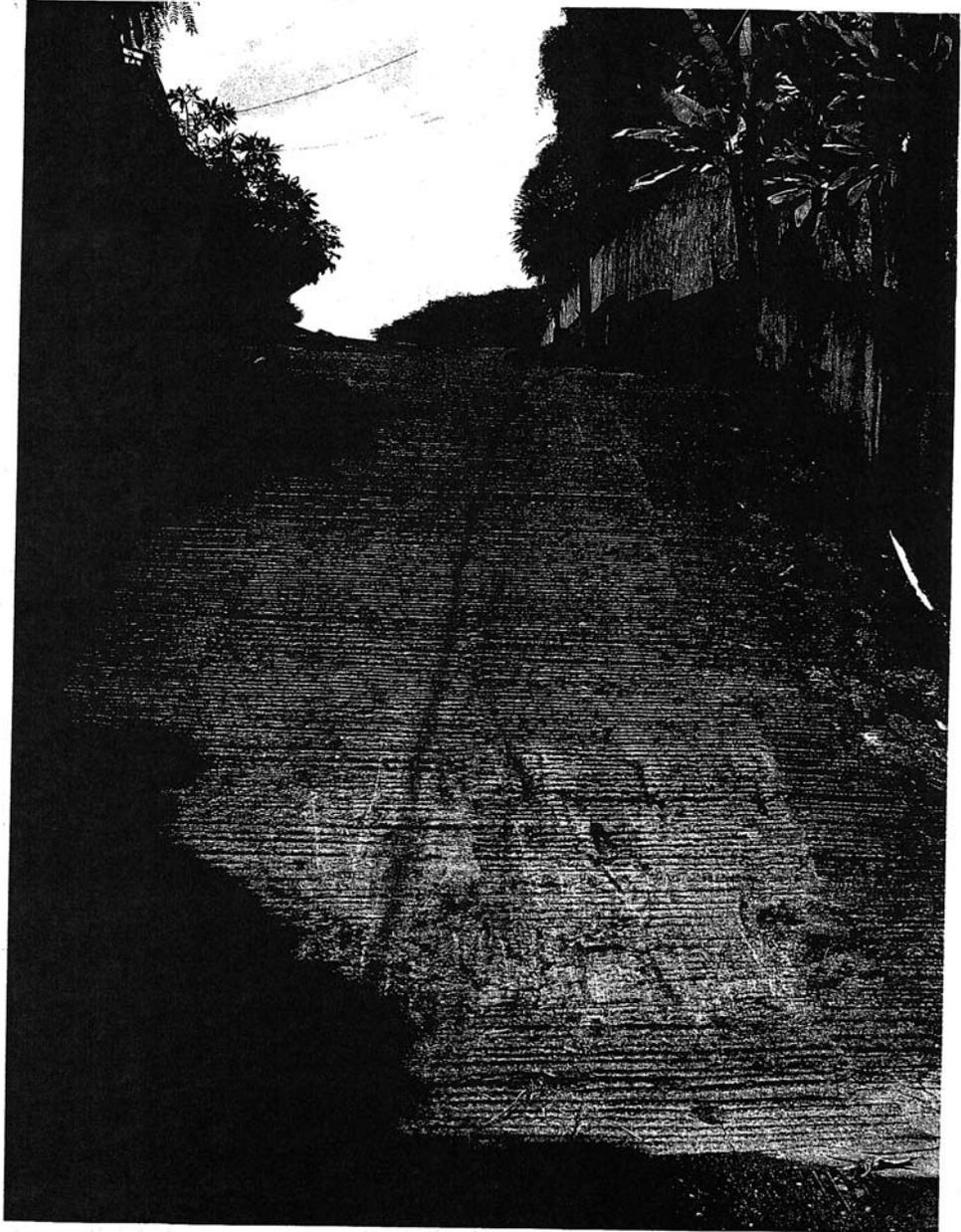
In summary, we hope you will allow only the single-family residence, without the barn and without the second sewage hookup, and that the Cooper family will enjoy living in their beautiful home in our quiet residential neighborhood. We would appreciate being added to the notification list regarding development of this conservation land. Even though technically our property might not abut theirs, they'll be using an easement over our driveway so what they do with the property certainly affects us.

Sincerely,



Richard and Donna Hey
45-232 Kokokahi Place
Kaneohe, HI 96744
247-8194

cc: Daisy Payton, President, Kokokahi Community Association
Larry Zdvoracek, Kaneohe Neighborhood Board
Administrator, State Dept of Health
Barbara Marshall, City Council



Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Mr. Richard and Ms. Donna Hey
45-232 Kokokahi Place
Kaneohe, HI 96744-2424

Dear Mr. and Ms. Hey:

Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu

Thank you for your letter to Mr. Samuel Lemmo of the State of Hawai'i Office of Conservation and Coastal Lands dated September 20, 2006 in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your comments and offer the following responses.

Kokokahi Place Access Driveway

We understand your concern that the condition of the access driveway from Kokokahi Place may make it complicated for large vehicles and trailers to maneuver. However, we also note that this same driveway access was successfully used to build your home and two other neighboring homes uphill from your home. Photograph 1 in Figure 4 of the Draft EA was not intentionally included to give the mistaken impression of a gentler driveway slope. The photograph used in the Draft EA was taken from the property boundary looking towards Kokokahi Place, and was used to illustrate the driveway in relation to the adjacent homes, yours included. Contractors involved in construction activities and the residential use of the property would be responsible for providing traffic controls and precautions to maintain traffic safety along both Kokokahi Drive and the access driveway.

Proposed Barn and Horses

We acknowledge you are concerned about the proposed barn and horses that would be kept on the property. According to Department of Land and Natural Resources (DLNR) Conservation District Rules (Hawai'i Administrative Rules, 13-5-23, L-1 Agriculture), animal husbandry is identified as a land use that may be permitted in the Conservation District with a BLNR Permit and an approved management plan. The BLNR holds the authority to approve the management plan presented in the Draft EA (Appendix F) in its current form as a part of the Conservation District Use Application, approve the plan subject to additional specified conditions, or deny the application. Neighbors' concerns regarding the proposed barn and horses will be addressed by the BLNR. The horses would be personal pets that would be cared for and maintained in accordance with the horse management plan and any other conditions imposed by the BLNR. The landowner would be held liable for any accidents or injuries that may result from the horses.



Helber Hastert & Fee
Planners, Inc.

Mr. Richard and Ms. Donna Hey
Cooper Residence Draft EA and CDUA
December 13, 2006
Page 2

Number of Dwellings

You expressed a concern about the potential of developing the barn structure and later converting it into a second house because the barn would include a separate toilet and sink. This is not possible as the standards allow for only one single family residence to be developed on each lot within the Conservation District.

Condominium Property Regime

In response to your concern over the false rumor that Mr. Cooper intends to develop multi-family dwellings on the property, we note that the condominium designation refers to a specific form of ownership and governing process, and not multi-family housing development. In this instance, registering the property for condominium property regime (CPR) allows the two pieces of the property with different zoning designations (P-1 Preservation District and R-10 Residential District) to be owned by separate owners. The underlying zoning districts and densities do not change because of the CPR designation, and there are no plans to construct multi-family dwellings.

Public Hearing

Your request to be placed on DLNR's mailing list for meeting agendas and public hearing notifications is noted. Board of Land and Natural Resources meetings are typically scheduled for the second and fourth Friday of each month, with meeting agendas posted approximately one week prior to the date of the meeting. Current meeting announcements (agendas and minutes) can be obtained from the BLNR's website at:
<http://www.hawaii.gov/dlnr/chair/meetings/index.htm>

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBERT HASTERT & FEE, Planners

Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

September 18, 2006

Department of Land and Natural Resources
Office of Conservation and Coastal Lands
P.O. Box 621
Honolulu, HI, 96809

Dear Ms. Mills,

I have recently learned of the proposal for development on TMK (1) 4-5-032:001. This one TMK number includes the 56-acre Conservation parcel with access to Kokokahi Pl. and the abutting R10 zoned, 6,795 sq. ft. lot with access to Namoku Street. My questions concern the interaction between these two pieces of land, which until lately, were both owned by He Mea Waiwai Loa Limited Liability Company.

1. Why is there no mention of the Declaration of Condominium Property Regime for the 56-acre parcel in the DEA and why does Mr. Cooper need this designation if construction for one house is already allowed?
2. Why do the acreage amounts differ between the Condominium Regime document and the Draft Environmental Assessment?
3. Why do the easement numbers differ between documents?
4. Why is the 56-acre parcel called Namoku when the access is from Kokokahi Place?
5. Since both lots have a Condominium Declaration, can one lot be connected to the other?
6. Can the easement to Kokokahi Pl. (12' wide) be made into a 27' wide roadway like the one currently staked off on the Namoku Street side? Kokokahi is narrow and winding (only 19 feet wide at one point) and unable to safely handle large trucks, horse trailers etc. Fire trucks were unable to access this site when a previous structure burned down.
7. Can new sewer connections for the R10 lot be connected to the conservation lot as well, now that they both have condominium declarations?

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS

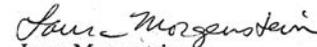
2006 SEP 20 A 7:58

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

8. What is the drainage plan for water running off the ridge to the Namoku side as well as the Kokokahi side? Kaneohe Bay was brown this year from construction runoff from a nearby project. Is the hillside soil stable enough to prevent this from happening again? Kokokahi Pl. does not have adequate drainage even without the clearing and grading of land.
9. The DEA mentions that the barn site has been cleared before. Where is the evidence for this? If it has not previously been graded can it be graded now? How close is the barn to the R10 lot?
10. Why has DLNR allowed the cutting of large trees? There are owls in this area and I feel their habitat should be preserved. Other animals have been displaced since the acreage has been cleared including a boar recently seen in the "Friendship Garden". I fear pigs may now move into our yards.
11. Why is there no current Cultural and Archaeological report? The comments are from the 1970's.

I feel that without proper management and protection by DLNR, encroachment of urban uses into this Conservation District from the Namoku lot is likely to occur. Please protect our conservation land.

Sincerely,


Laura Morgenstein
45-267 Kokokahi Pl.
Kaneohe, HI 96744
235-1861

PS: I request to be on the mailing list for DLNR meeting agendas and notified of any public hearing.

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Ms. Laura Morgenstein
45-267 Kokokahi Place
Kaneohe, HI 96744

Dear Ms. Morgenstein:

**Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu**

Thank you for your letter to Ms. Tiger Mills of the State of Hawai'i Office of Conservation and Coastal Lands dated September 19, 2006 in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your comments and offer the following responses.

Condominium Property Regime

The Proposed Action analyzed in the EA involves construction of a proposed single-family residence and barn and associated utility improvements. The condominium property regime (CPR) action that was recently completed is a separate action unrelated to the Proposed Action. A CPR is not a requirement for the proposed project, and was therefore not discussed in the EA. Furthermore, a CPR is not one of the nine specific conditions that trigger environmental review under Chapter 343, Hawai'i Revised Statutes.

The Draft EA states that Tax Map Key (TMK) Parcel Number 4-5-032:001 has a total land area of 56.288 acres, of which the project area comprises approximately 5 acres. This description of the TMK parcel is consistent with the combined acreage of the 56.13 acres in the State Conservation District and the 6,795 square feet (0.16 acres) in the R-10 Zoning District described in the CPR Declaration.

Registering the property for condominium property regime (CPR) does not mean that multi-family dwellings will be constructed on the property. The term "condominium" refers to a specific form of property ownership and governing process, and is not an indicator of a style or type of multi-family development. The CPR action allows the two pieces of the property with different zoning designations (P-1 Preservation District and R-10 Residential District) to be owned by separate owners. The existing zoning and density regulations for the property remain in place, under which multi-family dwellings are not permitted.

The Department of Commerce of Consumer Affairs has jurisdiction over CPR actions, and would be the appropriate agency to answer your specific questions concerning the recent CPR.

Pacific Guardian Center • 733 Bishop Street, Suite 2590 • Honolulu, Hawaii 96813
Tel. 808.545.2055 • Fax 808.545.2050 • www.hhf.com • e-mail: info@hhf.com



Helber Hastert & Fee
Planners, Inc.

Ms. Laura Morgenstein
Cooper Residence Draft EA and CDUA
December 13, 2006
Page 2

Kokokahi Place Access Driveway

We understand you are concerned that Kokokahi Place is narrow and winding, and we also understand you are concerned regarding the degree of steepness of the access driveway from Kokokahi Place that serves 45-232, 45-234 and 45-234A Kokokahi Place. Kokokahi Place is a City-owned road that has provided access to construct all of the existing homes on Kokokahi Place, including the three homes that were successfully built utilizing the driveway access. The driveway is a private driveway that is controlled and managed by its owners. Driveway improvements such as those you are proposing would require the consent of the private owners.

Drainage

The proposed development, which is more than 700 feet away from Kokokahi Place, will not add any additional drainage water to Kokokahi Place. Runoff from the roofs of the proposed house and barn will be collected and directed away from adjacent properties. Specific drainage improvements would be developed and reviewed prior to the issuance of the building permit. The drainage and flooding problems you describe along Kokokahi Place and Namoku Street would not be affected by the proposed project because of the property's topography and location. Although access to the project site is from Kokokahi Place, the site is located away from Kokokahi Place, and is separated from Kokokahi Place by existing homes and a low ridge that slopes away from Kokokahi Place. Similarly, two low ridgelines and a valley are between the project site and the property boundary along Namoku Street.

Proposed Barn

The proposed residence and barn are located on the eastern side of the property, while the R-10 zoned section is located on the western side of the property next to Namoku Street. The zoning designations for the subject property and the surrounding areas are presented in Figure 6 of the Draft EA. We note that the proposed barn will be constructed in an area that is relatively level. Grading and foundation work are not anticipated for construction of either the house or the barn.

Tree Removal

The trees that were recently removed from the project site were removed in accordance with the Conservation District rules established by the Department of Land and Natural Resources (Chapter 13-5, Hawai'i Administrative Rules). No mature trees or native plants would be removed as a result of the proposed project, excluding the various dead trees on the property that pose a fire hazard and a banyan tree whose trunk has been compromised by a fallen eucalyptus tree. The proposed house would be built in the area occupied by the former dwelling. The barn would be located between existing trees to disturb as little of the existing vegetation as possible. The entire project site (i.e. proposed house, barn and corral) would occupy approximately 5 acres of the larger 56-acre parcel in the Conservation District, and the remainder of the Conservation District lands would remain as undeveloped forest lands.

Cultural and Archaeological Resources

Cultural and archaeological studies should not be considered prerequisites to the environmental review process. Each project is unique, and the technical requirements are determined by the specific site characteristics. Initially this instance, technical studies addressing the cultural and archaeological resources were not prepared because the project site that had been previously disturbed and graded for the construction of a former residence, and the proposed project would

Helber Hastert & Fee

Planners, Inc.

Ms. Laura Morgenstein
Cooper Residence Draft EA and CDUA
December 13, 2006
Page 3

be concentrated within areas that had been previously disturbed. We consulted with the State Historic Preservation Division to make this determination. However, during the public review period for the Draft Environmental Assessment, it came to our attention that there was confusion concerning the location of the Ahukini Heiau in relation to the project site.

Therefore, we retained Dr. Hal Hammatt of Cultural Resources Hawaii, Inc. to investigate this issue. His findings indicate that the Ahukini Heiau was located on the opposite (east) side of the ridge away from the project site. Dr. Hammatt's findings have been included in the Final EA.

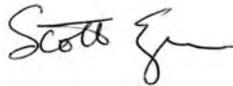
Public Hearing

Your request to be placed on DLNR's mailing list for meeting agendas and public hearing notifications is noted. Current BLNR meeting announcements (agendas and minutes) can be obtained from the BLNR's website at: <http://www.hawaii.gov/dlnr/chair/meetings/index.htm>

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBER HASTERT & FEE, Planners



Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

Department of Land and Natural Resources
Office of Conservation and Coastal Land
P.O. Box 621
Honolulu, Hawaii 96809
Attention : Tiger Mills

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS

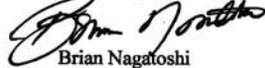
2006 SEP 19 A 9 17

DEPT. OF LAND AND NATURAL RESOURCES
STATE OF HAWAII Date : 9/18/2006

Dear Tiger Mills,

My name is Brian Nagatoshi and I live at 45-124 Moamahi Way in Kaneohe. I was informed this pass weekend by the President of Kokokahi Community Association Daisy Payton regarding plans for this 56 acres parcel behind of where we live. I was told that a new resident will be built & a new structure for a barn to house livestock will also be built. It is our concern for future erosion of the land, possible run offs of animal waste will be flowing into our property and the smell of these animals. Will there be a public hearing regarding these building plans and to discuss our on concerns. This is a notice to you that my neighbors and I were never informed of such plans and we feel strongly against it. Please let me know if there will be a meeting held. You can call me at 479-6501 if you have any questions.

Thank you,



Brian Nagatoshi

Brian Nagatoshi
P.O. Box 17038
Honolulu , Hawaii 96817-0038

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Mr. Brian Nagatoshi
P.O. Box 17038
Honolulu, HI 96817-0038

Dear Mr. Nagatoshi:

Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu

Thank you for your letter to Ms. Tiger Mills of the State of Hawai'i Office of Conservation and Coastal Lands dated September 18, 2006 in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your comments and offer the following responses.

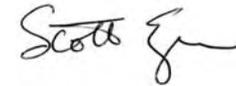
A horse management plan was included as part of the Draft EA (Appendix F) to address the specific needs associated with the care and maintenance of horses. The horse management plan recognizes that proper pasture management is essential for healthy horses and healthy relationships with neighbors, and includes a provision for the daily removal of manure and soiled bedding to minimize potential impacts from insects and odors. A covered dumpster would be used to hold animal wastes, and a waste management company would empty the dumpster weekly.

In terms of a public hearing, the Board of Land and Natural Resources (BLNR) will be responsible for considering the applicant's request and making a determination on the application. This is an open public meeting that the community is welcome to attend. BLNR meetings are typically scheduled for the second and fourth Friday of each month, with meeting agendas posted approximately one week prior to the date of the meeting. Additional information can be obtained from the BLNR's website at: <http://www.hawaii.gov/dlnr/chair/meetings/index.htm>

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBER HASTERT & FEE, Planners



Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

Pacific Guardian Center • 733 Bishop Street, Suite 2590 • Honolulu, Hawaii 96813
Tel. 808.545.2055 • Fax 808.545.2050 • www.hhf.com • e-mail: info@hhf.com



9/21/2006

Dept. of Land + Natural Resources:

I was recently informed by Daisey Payten that developer Peter Cooper has intentions of building an approximate 5,000 sq. foot residence and a 3 stall barn above the homes on Moamahi Way. If this is correct shouldn't we have been informed about this project? We were definitely not.

I have concerns this project, if they decide to remove some of the trees might affect our properties below during the heavy rains.

When we bought our home, we were informed that the land above was conservation land. We thought that there would not be anything built there. As years went by a residence was built and destroyed by fire. Now we have this developer who wants to build a residence and a barn for horses. We are not oppose to the residence but we are to the barn. We would like this to be a residential area only, not for livestock.

I would appreciate very much if you would look into this problem and inform me of your findings.

Thank You,

Mrs Meryle Nishimura
45-126 Moamahi Way
Kaneohe HI 96744

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Mrs. Meryle Nishimura
45-126 Moamahi Way
Kāne'ohe, HI 96744

Dear Mrs. Nishimura:

**Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu**

Thank you for your letter to the Department of Land and Natural Resources dated September 21, 2006 in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your comments and offer the following responses.

Notification to Adjacent Property Owners

In response to your question about notification to neighboring property owners, we note that the landowner, Mr. Pete Cooper, provided a presentation on the proposed project to the Kāne'ohe Neighborhood Board No. 30 at their June 15, 2006 regular meeting, and attended and spoke at two subsequent Kāne'ohe Neighborhood Board meetings. We also note that the Kokokahi Community Association and the Kāne'ohe Neighborhood Board were informed of the proposed project via copy on a letter from the Office of Conservation and Coastal Lands to Mr. Cooper dated August 7, 2006. A notice concerning the Draft EA for the project was published in the August 23rd edition of the *Environmental Notice* issued the State Office of Environmental Quality Control, with copies of the Draft EA sent to the Kokokahi Community Association, the Kāne'ohe Neighborhood Board, and the Kāne'ohe Public Library. In addition, Mr. Cooper invited all adjoining property owners to attend an informal open house on October 29, 2006 to discuss his proposed plans and visit the property. There is no legal requirement to notify adjacent property owners of the publication of a Draft EA or that a Conservation District Use Application has been submitted to the Department of Land and Natural Resources.

Tree Removal

In response to your concerns about the possibility of tree removal, Mr. Cooper does not have any plans to remove any mature trees or native plants from the property. The only trees proposed for removal include the various dead trees on the property that pose a fire hazard and a banyan tree whose trunk has been compromised by a fallen eucalyptus tree. The proposed house would be built in the area occupied by the former dwelling. The barn would be located within an open area between existing mature trees to disturb as little of the existing vegetation as possible.

Proposed Barn

We note your opposition to the proposed barn and horses that would be kept on the property. The Board of Land and Natural Resources (BLNR) is the authority responsible for considering the

25th
ANNIVERSARY
1980 - 2005



Helber Hastert & Fee

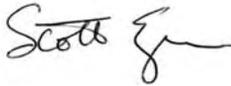
Planners, Inc.

Ms. Meryle Nishimura
Cooper Residence Draft EA and CDUA
December 13, 2006
Page 2

applicant's request and making a determination on the application. According to Department of Land and Natural Resources Conservation District Rules (Hawai'i Administrative Rules, 13-5-23, L-1 Agriculture), animal husbandry is identified as a land use that may be permitted in the Conservation District with a Board of Land and Natural Resources (BLNR) Permit and an approved management plan. Current BLNR meeting announcements (agendas and minutes) can be obtained from the BLNR's website at: <http://www.hawaii.gov/dlnr/chair/meetings/index.htm>
We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBERT HASTERT & FEE, Planners



Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

September 19, 2006

Kimberly "Tiger" Mills
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
P.O.Box 621
Honolulu HI 96809

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS

2006 SEP 22 A 9: 26

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

RE: **TMK:** (1) 4-5-032:001 (por.)

Dear Ms. Mills:

As homeowners on Kokokahi Place, Kaneohe, we have numerous questions and concerns regarding He Mea Waiwai Loa LLC's proposal "to construct a single-family residential dwelling and detached horse barn on private property within the State Conservation District in Kaneohe, O'ahu, Hawai'i" per the Office of Environmental Quality Control notice dated August 23, 2006.

Primarily, what deemed this property to be zoned Conservation? We trust significant and thorough consideration was made in determining this land to be placed within the State Conservation District, yet, we please request of you what constituted a ruling of this order. And, for the purposes of this letter, in not yet having this informative explanation, our questions and concerns may seem excessive, but truly they stem from our desire to comprehensively understand the applicant's proposal for development and its potential implications.

As we understand it, the applicant's contact person, Peter H. Cooper attended the June 2006 Kaneohe Neighborhood Board on advisement by DLNR and in the course of the discussion as per the minutes, Mr. Cooper told the Board that DLNR would be sending letters to the surrounding neighbors (yet from our neighbors sharing, none were sent), and that he agreed (presumably with Board member, Sager, who he offered a site tour) that the parcel of 56 acres should be kept conservation.

So, when it was told to us by a neighbor that there is a declaration of Condominium Property Regime for the Kokokahi Place parcel, it makes us wonder what this means? We were also informed that a residential zoned property on Namoku, Kaneohe, also owned by the applicant/contact person, abuts this conservation parcel and also has a CPR declaration. Would it be naive of us to not infer that possibly these conjoining properties is a developers' keen tactic of future condominiumizing for the purpose of putting in multi-family dwellings? Especially since the request to build the detached horse barn would also require the kind of adequate infrastructure that must be in place for condominiumizing to be legal. Is it true that permits for three sewer connections have been requested?

We are members of the Kokokahi Community Association, and as such, endorse KCA President Daisy Payton's letter in our also wanting answers to the questions and concerns posed in it. In

addition, we have a concern about the applicant's intent to grow California Grass (aka Para Grass) on the property. How much irrigation would this grass require and what would the means be for irrigating the property? Referring to water, specifically run-off, will pesticides and herbicides be used or prohibited; what method will be used to direct run-off so as to reduce silted water? How will horse trough water, along with any standing water, be dealt with to curb mosquito population increase? There are so many questions . . .

We are concerned that a thorough reconnaissance has been conducted to verify that there will be no significant environmental impacts. . . again, the questions posed by the Kokokahi Community Association and subsequent individual homeowners' letters sent please need your direct attention as we are entrusting your agency to protect and preserve the conservation land on Kokokahi Place.

Sincerely,

Virgil Rewick Donna L. Rewick

Virgil (Budge) and Donna Rewick
45-220 Kokokahi Place
Kaneohe, HI 96744

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Mr. Virgil and Ms. Donna Rewick
45-220 Kokokahi Place
Kāne'ohe, HI 96744



Dear Mr. and Ms. Rewick:

**Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu**

Thank you for your letter to Ms. Tiger Mills of the State of Hawai'i Office of Conservation and Coastal Lands dated September 19, 2006 in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your concerns and offer the following responses.

In regards to your question about the characteristics that deemed the subject property to be placed within the State Conservation District, we refer you to Chapter 205, Hawai'i Revised Statutes which established the boundaries of the Conservation District as "the forest and water reserve zones" (Section 205-2) that were in existence in 1961 when the State Land Use Law was originally adopted. The Department of Land and Natural Resources (DLNR) maintains jurisdiction over land use within the Conservation District and will consider the merits of the application when making a decision on the proposed use. All activities and uses associated with the proposed project would be conducted in accordance with the requirements and conditions imposed by the DLNR. We agree that the subject property is a valuable natural resource that enhances the region's recreational, scenic, and open space qualities, and note that Section 4.1.2 of the Draft EA provides a discussion of the State Conservation District and the project's consistency with the criteria used to evaluate the merits of proposed land uses within the Conservation District.

You also expressed a concern about the potential development of multi-family dwellings on the project site because the owner of the property (Mr. Pete Cooper) had created two lots on the entirety of the parcel. Please rest assured that no multifamily units are being developed on this site. The term "condominium" indicates a form of property ownership, and is not an indicator of a style or type of development. Registering the property for condominium property regime (CPR) does not mean that multi-family dwellings will be constructed on the property. The CPR action enables the two pieces of the property that have different zoning designations (P-1 Preservation District and R-10 Residential District) to be owned by separate owners. The existing zoning regulations and density for the property remain in place, and there are no plans to construct any multi-family dwellings on either portion of the entire parcel.

We note your concerns regarding the proposed project and its compatibility with the surrounding community. Neighbors' concerns regarding the proposed project are being addressed through DLNR's permitting process, and by the applicant's efforts to attend neighborhood board

Helber Hastert & Fee
Planners, Inc.

Mr. Virgil and Ms. Donna Rewick
Cooper Residence Draft EA and CDUA
December 13, 2006
Page 2

meetings, hold open house visits on the property, and conduct one-on-one meetings with interested individuals.

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBER HASTERT & FEE, Planners

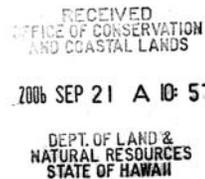
A handwritten signature in black ink that reads 'Scott Ezer'.

Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

September 18, 2006

Tiger Mills
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
P.O. Box 621
Honolulu, HI 96809



Dear Ms. Mills,

According to the Kaneohe Neighborhood Board June 15, 2006 minutes, the DLNR advised Peter Cooper to address the board regarding his plans of building a house and barn on the 56 acre property located at 45-234 A Kokokahi Place. Letters would be sent to surrounding neighbors and the public relative to a public hearing.

Where is our letter of notification? Our address is 45-201 Kokokahi Place. This is a breach of responsibility by the DLNR that has been documented in the Kaneohe Neighborhood Board Meeting on June 15, 2006.

You have failed to inform the Kokokahi neighborhood of important information that will adversely affect our neighborhood.

Reasons for not wanting horses on the 45-234 A Kokokahi Place Property:

Traffic is the primary concern for our neighborhood. There are too many parked cars along the street and the congested road is already suffering difficulties in letting large vehicles through. Fire trucks and ambulances have already experienced this difficult road and frequently practice maneuvering up the Kokokahi Place cul de sac. Horse trailers driving up the winding road would be a hazard to the public.

Allowing horses on a steep hillside will cause erosion and run offs into Kaneohe Bay. If horses run loose, what is the emergency plan? Who will be liable? The adjacent Friendship Garden is privately owned. If someone gets injured by a run away horse at Friendship Garden, will the Friendship Garden owner be liable? How will the neighboring ancient Hawaiian Heiaus be protected by the horses?

These are just a few of the many concerns we have. We urge you to hear our voices.

Thank you,


Thomas & Kathryn Tyler

Helber Hastert & Fee
Planners, Inc.

December 13, 2006

Mr. Thomas and Ms. Kathryn Tyler
45-201 Kokokahi Place
Kāne'ohe, HI 96744



Dear Mr. and Ms. Tyler:

Cooper Residence at Kokokahi Place
Draft Environmental Assessment and Conservation District Use Application
Tax Map Key Parcel: (1) 4-5-032:001
Kokokahi, Ko'olaupoko, O'ahu

Thank you for your letter to Ms. Tiger Mills of the State of Hawai'i Office of Conservation and Coastal Lands dated September 18, 2006 in response to the Cooper Residence at Kokokahi Place Draft Environmental Assessment (EA). We have reviewed your comments and offer the following responses.

In regards to your question about notification from the Department of Land and Natural Resources (DLNR) regarding a public hearing, we note that the Board of Land and Natural Resources (BLNR) will be the authority considering the applicant's request and making a determination on the application. The BLNR has yet to schedule a public hearing for this project. BLNR meetings are typically scheduled for the second and fourth Friday of each month, with meeting agendas posted approximately one week prior to the date of the meeting. Current meeting announcements (agendas and minutes) can be obtained from the BLNR's website at: <http://www.hawaii.gov/dlnr/chair/meetings/index.htm>

Your concerns regarding the congestion along Kokokahi Place are noted. With the narrowness of Kokokahi Place making it difficult for large vehicles to maneuver, construction contractors and others using trailers or large vehicles to transport equipment and materials would be advised to exercise caution and take special measures to ensure traffic safety along Kokokahi Place.

A horse management plan was included as part of the Draft EA (Appendix F) to address the specific needs associated with the care and maintenance of horses. The horses would be personal pets that would be contained within a fenced pasture of approximately 3.5 acres located next to the proposed barn. The horses would not be allowed to roam freely on the property, and would be cared for and maintained in accordance with the horse management plan and any conditions imposed by the BLNR. The landowner would be held liable for any accidents or injuries that may result from the horses.

We appreciate your participation in this review process. Your letter and this response will be included in the Final EA.

Sincerely,

HELBERT HASTERT & FEE, Planners



Scott Ezer
Principal

cc: Mr. Samuel J. Lemmo, DLNR Office of Conservation and Coastal Lands
Ms. Genevieve Salmonson, Office of Environmental Quality Control
Mr. Pete Cooper, He Mea Waiwai Loa, LLC

Pacific Guardian Center • 733 Bishop Street, Suite 2590 • Honolulu, Hawaii 96813
Tel. 808.545.2055 • Fax 808.545.2050 • www.hhf.com • e-mail: info@hhf.com



KANEOHE NEIGHBORHOOD BOARD NO. 30

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

REGULAR MEETING MINUTES
THURSDAY, SEPTEMBER 21, 2006
WINDWARD COMMUNITY COLLEGE, AKOAKOA HALE

CALL TO ORDER: Chair Roy Yanagihara called the meeting to order at 7:03 p.m., a quorum was present.

MEMBERS PRESENT: Patty Yamashiro-Hironaka, Niko Koga, Felipe San Nicolas, Wendell Lum, Roy Yanagihara, Paul Friel, John Flanigan, Elizabeth Gaisthia, L.C. Morris, Larry Zdvoracek, Bill Sager.

MEMBERS ABSENT: Rick Karasaki, Clyde Morita, John Sabas, Glenn Ida.

GUESTS: K. Marrone (Neighborhood Security Watch), Joan Wallace, Annette Tashiro, Lynn Platteborze, Sid Tsubata, Brian Nagatoshi, Leila Uyehara, Ted Kanemori, Lani Almanza (American Cancer Society), Lt. Dave Eber and Major Janna Mizuo (Honolulu Police Department - District 4), Gil Larson, Marion Larson, and Richard Hey (Kokokahi Community Association); Sarah Fry (Marine Corps Base Hawaii), Tammy Rodriguez, Ikaika Rodriguez, Cindy Turse, Jim Turse, Kathryn Tyler, Tom Tyler, Honi Morales, Mr. Morales, Ed Birdsong, Acting Captain George Kaopuiki (Honolulu Fire Department, Kaneohe Station), Pete Cooper, Myron Daniels, Representative Pono Chong, Pat Banning, Daisy T. Payton, Laura Morgenstein, Phil Helfrich, Les Chang (Mayor's Office/ Department of Parks and Recreation Director), Katherine Thomason (Governor's Office), Venus Acoba (Councilmember Barbara Marshall's Office), Nola J. Frank (Neighborhood Commission Office staff).

FILLING OF VACANCIES SUBDISTRICT 1 AND 11: There were no interested persons present to fill the vacancies.

APPROVAL OF AUGUST 2006 REGULAR MEETING MINUTES – The following corrections/additions were made:

Page 4, Marine Corps Base Hawaii should read, "...Sarah Fry reported follow up to last month's concerns included: Initiatives are being considered for a canoe regatta at Marine Corps Base Hawaii, Kaneohe Bay, which has not been held at Kaneohe Bay since 1995 or 1996.

Page 7, Questions, answers and comments item 1 and 2, **move to page 8 under Civil Defense Presentation...**"

Page 8, (top of page) item 2 should read, "...Chair Yanagihara pointed out that water damage is not covered by flood insurance..."

Zvoracek moved and seconded by Flanigan to accept the August 2006 regular meeting minutes as amended. The motion carried unanimously, 11-0-0.

APPROVAL OF AUGUST AGENDA PLANNING AND COMMITTEES' MEETING MINUTES – No minutes were available.

TREASURER'S REPORT: Treasurer Gaisthia reported the following: September 2006 – Expenditures in the Operating Account was \$49.77, leaving a balance of \$1,386.21; the Publicity Account incurred no expenditures leaving the balance at \$2,367.00; incurring no expenditures, the Refreshment Account remains at \$120.00.

Flanigan moved and seconded by Zdvoracek to accept the September 2006 treasurer's report, subject to audit. There were no objections.

Chair Yanagihara asked Board members to review the July 2006 and August 2006 statements, which were provided for review. **Being there were no objections, the July 2006 and August 2006 statements were accepted, subject to audit.**

PUBLIC SAFETY AND MILITARY REPORT:



Oahu's Neighborhood Board system – Established 1973

KANEOHE NEIGHBORHOOD BOARD NO. 30
THURSDAY, SEPTEMBER 21, 2006

REGULAR MEETING MINUTES
PAGE 6

- Homeless Projects – The next step is to house the homeless at a Kalaeloa building. A third of the families to be housed have children. The structure should be completed by the end of the year. A short-term shelter with a 12 – 18 month stay will be built in Waianae. A monthly update will be given on the progress of the project.
- The request for additional funding for the beautification project is on hold, due to ADA ramp issues.**
- Koolau Villages bulky item pickup was done on August 24, 2006.
- The lane striping at Puahala Road and Kaneohe Drive will be changed by the State Department of Transportation.

Questions, answers and comments:

- It was requested to ask Scott Ishikawa of the State Department of Transportation to attend the October meeting.
- Flanigan mentioned that the runaway truck ramp on Likelike Highway closed, and suggested the closure sign be placed further up the highway before the hill.

Kathy Thomason was thanked for attending the meeting.

U.S. Congressman Ed Case – No representative present.

Senator BOB Hogue – No representative present.

Senator Clayton Hee – No representative present.

Representative Ken Ito – No representative present

Representative Pono Chong – Representative Chong distributed his Community Report and noted the following:

- He is still in the discussion process with the City for sidewalks to be installed on Waikalua and Lilipuna Roads.
- A million dollars has been secured for King Intermediate School parking lot and turnaround area, which should help address parking problems on the roadside.
- He is in communication with Major Mizuo regarding the Alii Shores subdivision matters.
- HPD is monitoring speeding in the area.

Questions, answers and comments:

- Lum relayed that he spoke with Environmental Services about the Waikalua and Lilipuna Roads improvements.
- Sager commended Representative Chong for attending meetings and taking Neighborhood Boards seriously.

Representative Pono Chong was thanked for attending the meeting.

COMMUNITY GROUPS AND ORGANIZATIONS:

Hawaii Pacific University – No representative was present.

Hope Chapel – No representative was present.

UNFINISHED BUSINESS – There was no unfinished business.

NEW BUSINESS: Kokokahi Place Peter Cooper Property (4-5-032:001): Ed Birdsong explained that residents and the Kokokahi Community Association have been working together (from both sides of the ridge) regarding the

development of a condominium at 45-020 Namoku Street. Concerns were expressed relative to the topography, the nature, and location of the condominiums to be built. He does not have a problem with a condo residence at the address mentioned above being built so long as they are built in compliance with the Land Use Ordinance rules and regulations. The Draft Environmental Assessment specifies details at the Kokokahi site, and he was informed about plans for the Namoku Street site. Birdsong questioned why abutting property owners are kept in the dark on important development issues that affect the lifestyles and pocketbooks. This issue will be addressed with the State Legislature at the appropriate time. In summary, Birdsong said he would do his best to closely follow what is happening on the property and plans to testify before the Board of Land and Natural Resources in December or January.

Daisy Payton, President for the Kokokahi Community Association relayed the following: Sixteen residents met with the State Department of Land and Natural Resources on September 13, 2006. Concerns expressed were the point of entry in the vicinity of 45-234A Kokokahi Place, a steep concrete drive that is in an easement from adjacent property owners. Does the developer have any plans to modify this entry? Will the easement agreement with the adjacent property owners address the cost of modifications to the entry? Is an entry gate planned? What arrangements will be made for access of emergency equipment? Is a single entry sufficient to accommodate fire and emergency vehicles? Who will be responsible for the wear and tear and damages resulting from construction equipment utilizing this steep and narrow entry? Payton asked if a special variance is needed for an additional building on conservation land for the horse barn. Concerns were also expressed regarding the disposal of horse manure in a timely manner. Does the current grading permit cover this addition? Payton wanted specifics as to restrictions pertaining to clearing land and the removal of mature trees. It was pointed out that Mr. Cooper should keep the safety of abutting homeowners in mind.

Questions, answers and comments:

1. The Environmental Assessment (EA) was sent to press a week ago, followed by an Office of Environmental Quality Control (OEQC) review.
2. Birdsong pointed out that he has three (EA) booklets, but each one is inconsistent. Regarding a letter from the Environment Quality Control, Lum suggested having the groups contact person ask if the concerns warrant an Environmental Impact Statement (EIS).
3. Deadline for public input is September 22, 2006. It was suggested to ask for a deadline extension.
4. Chair Yanagihara informed Mr. Birdsong that the Board would delay a resolution this evening. The issue may be tentatively put on the October agenda for a progress report.

Kamehameha School Preschool – Resident Mr. Morales informed the Board and guests that the issue is in litigation relative to the property.

Mr. Morales was thanked for attending the meeting.

Nomination of Person of the Year – Chair Yanagihara announced that nominations are being accepted for the Board's for Person of the Year award. The person chosen will be announced at the October meeting.

COMMITTEE REPORTS:

Environmental Committee – Sager reported that several months ago a resolution was passed to allow board members to be certified as an emergency first responder with the O'ahu Civil Defense. Classes for the Community Emergency Response Training (CERT) are scheduled for October 14-21-28 and January 6-13-20. Each session will run for three Saturdays. Interested persons may contact Jeff Spencer (O'ahu Civil Defense) at 523-4121.

Sager also suggested checking the National Flood Insurance program, which is available statewide through insurance agents. The source of information was from the Engineering Division of the Department of Land and Natural Resources. Log on to www.floodsmart.gov for more information.

Bill Sager was thanked for his report.

OMPO Citizen Advisory Committee – Lum reported funding appropriation for Castle Hills flooding 2007-2011; possible inclusion of the Middle Street Transit Station before 2011.

Wendell Lum was thanked for his report.



KANEHOE NEIGHBORHOOD BOARD NO. 30

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

**REGULAR MEETING MINUTES
THURSDAY, OCTOBER 19, 2006
WINDWARD COMMUNITY COLLEGE
AKOAKOA HALE**

CALL TO ORDER: Chair Roy Yanagihara called the meeting to order at 7:05 p.m., a quorum was present.

MEMBERS PRESENT: Rick Karasaki, Clyde Morita, Patty Yamashiro-Hironaka, John Sabas, Felipe San Nicolas, Wendell Lum, Roy Yanagihara, Paul Friel, John Flanigan, Glenn Ida, Larry Zdvoracek, Bill Sager. (12 of 17)

MEMBERS ABSENT: Niko Koga, Elizabeth Gaisthia, and L. C. Morris. (2 vacancies)

GUESTS: Thomas K. Perri, Dianne English, Harry Kumabe, Cynthia Chun (King Intermediate School, Principal), Derek Kimura, Ted Kanemori (Alii Shores Subdivision), Tammy and Ikaika Rodriguez, Annette Tashiro (WNSWCG), Major Janna Mizuo and Lt. Robert Robinson (Honolulu Police Department-District 4, Kaneohe), Ed Birdsong, Senator Clayton Hee, Captain Elliot Mattos (Honolulu Fire Department-Kaneohe), Jean Wallace, Representative Pono Chong, Les Young, Art Machado, Jr. (Kaneohe Christmas Parade), Lea Albert (Windward District Office- DOE), Justin Dotson (Honolulu Advertiser), Leve and Keala Watson, Scott Sunaoka (Hope Chapel-Kaneohe Bay), David Cramer, Nola J. Frank (Neighborhood Commission Office staff).

FILLING OF VACANCIES SUBDISTRICT 1 AND 11: There were no interested persons present to fill the vacancies.

APPROVAL OF SEPTEMBER 2006 Regular MEETING MINUTES – Flanigan moved and Zdvoracek seconded to approve the September regular meeting minutes as circulated. The motion carried unanimously, 9-0-0.

APPROVAL OF AUGUST AGENDA PLANNING AND COMMITTEES' MEETING MINUTES – No minutes were available.

TREASURER'S REPORT: Deferred.

7:10 Sabas arrived (10 members present).

PUBLIC SAFETY AND MILITARY REPORT:

Marine Corps Base Hawaii (MCBH)– Sarah Fry was unable to attend tonight's meeting; the monthly written report was available for interested persons to review.

PUBLIC INPUT AND RESIDENTS' CONCERNS:

Kaneohe Christmas Parade – Art Machado, Chairperson for the parade circulated a 2006 Kaneohe Christmas Parade entry form including parade information, and noted: the theme for this year's Christmas parade is "The Twelve Days of Christmas" which is schedule for Saturday, December 2, 2006. T-shirts are available for purchase and donations are welcomed. In past years the Honolulu Police Department participated at no charge. However, this year it would cost approximately \$3,000 to hire off-duty officers. The committee is currently seeking a waiver from Mayor Hannemann to have officers participate as a community service. The parade will include nine bands and various community organizations. They are looking for volunteers from community members to help out with this huge undertaking. Parade meetings are held on the last Wednesday of each month, and more frequently the closer we get to the parade date. For more information contact Art Machado at (B) 845-4111 or (H) 239-9003.

Questions, answers and comments: 1) Kaneohe Christmas Parade is the longest running parade in the state, and this year they are looking at having 5,000 participants. Chair Yanagihara added it has been a long-standing practice of the Board to assist. Machado offered the Chair a VIP car to ride in the parade. Chair asked if a letter in support of the



Senator Clayton Hee – Senator Hee mentioned that board issues are City issues. The board was encouraged to submit resolutions to assist district legislators with potential legislation for upcoming legislature session.

For efficiency, it was recommended complaints regarding traffic lights are emailed to his office, and he will receive the responses directly and the response would be relayed to the community.

Questions, answers and comments:

1. Resolutions not addressed when submitted the first time can be reintroduced the second year.
2. Relative to the concern about the care home on Pahia Street, amending the existing law would not help because the other party could be grand-fathered in. The concern to the City Department of Planning and Permitting (DPP) should be the flood zone. It was suggested that the State Department of Health might be of assistance.

Senator Clayton Hee was thanked for attending the meeting.

Representative Ken Ito – No representative present

Representative Pono Chong – Representative reported on follow up issues:

- A letter was sent to the Kokokahi Drive residents.
- The Lilipuna/Waikalua Streets sidewalk issue: According to the federal law the DOT must be aware of available funding, hire a coordinator, and then proceed with the project. Chair stated that the board would like an update from DOT at the November meeting.

Questions, answers and comments: Regarding the Lilipuna/Waikalua sidewalk issue, once the project coordinator is hired the funding will be looked at, the City makes a request to DOT who then requests the release of the money from the Governor.

Representative Pono Chong was thanked for attending the meeting.

COMMUNITY GROUPS AND ORGANIZATIONS:

Hawaii Pacific University – No representative was present. Chair asked that this item be removed from future agendas.

Hope Chapel – Scott Sunaoka reported letters of thanks were received from students who benefited from the school drive, with donations still being accepted. Hope Chapel plans to make the school drive an annual event. Approximately 100 members from the congregation are in Iraq. Several months ago cookies were sent to the soldiers from the church. Care packages will be sent to the soldiers from Christmas. Chair Yanagihara thanked Suneoka and Hope Chapel for the good work they are doing in the community.

Scott Sunaoka was thanked for attending the meeting.

UNFINISHED BUSINESS:

Kokokahi Place Peter Cooper Property Follow up – Ed Birdsong (spokesperson for Pohai Nani and the Kokokahi Community Association) gave the following update:

Concerns previously expressed were zoning, easement, and drainage, with continued work to resolve the issues. A Draft Environmental Assessment (DEIS) is being prepared. A call to the Department of Planning and Permitting informed him that no activity on the 56 acres is in process at this time. To his understanding the R-10 property has been sold for the development of condominium units. Abutting owners continue to be contacted. Requested to be placed on the November agenda with an updated report.

Questions, answers and comments:

1. Chair mentioned to his understanding there has been no follow up from the Department of Land and Natural Resources (DLNR). Birdsong said he did not know for certain, but the DLNR Board may meet in December or January.
2. Lum noted the 30 days has passed if the DEIS is being worked on. In answer, the deadline was September 22, 2006, but extended until November 1 for responses.
3. Property owner Peter Cooper with the following: He owns the 56 acres of property; the Draft EIS is specifically for the acreage; received a permit in 1980 for a road and grading; the original house burned down six years ago; the Conditional Use Permit (CUP) came with the property he inherited. He stated he is not developing the hillside. The Preservation-1 section of the property is in the process for a barn and a few more horses.
4. Chair mentioned the issue is the Condominium Property Regime (CPR) action. Cooper replied the property has a split residential zone (R-10) one house on the left the other on the right. He receives two separate property tax bills.
5. Chair asked if the CPR allows the right to build multiple complexes. The response was there are two buildings, one zoned R-10 and one where the previous house was. It is allowed by law to construct another house (R-10) where the previous one burned down and Cooper stated he is not asking for more.
6. Zdvoracek remarked he does not understand the condominium process. In answer, according to the law one cannot build more than is allowed. The CPR allows one TMK and two condominium units on the lot; the CPR does not increase density.
7. Birdsong inquired how is it that Cooper is receiving two tax bills but has only one TMK because of different zoning on the property. Birdsong agreed with what Cooper was explaining and noted details would be worked out. The issue is the property for sale. The board was asked to assist because what Cooper mentioned would be passed on to the new property owner.
8. Cooper added the final Environmental Assessment binds the development to the property, could possible change the process repeated.
9. This item will be placed on the November agenda for an updated report.

Ed Birdsong and Peter Cooper were thanked for attending the meeting.

Ali'i Shores Subdivision Residents' Concern – King Intermediate School Principal Response – Chair recapped that last month the problem was brought to the board by Ali'i Shores subdivision residents and circulated handouts.

King Intermediate School Principal Cynthia Chun circulated and read a letter of response to the Board members relative to concerns expressed by the Ali'i Shores subdivision residents about student behavior and attitudes off campus. The school will continue to promote positive behaviors to the students and good relationships with the neighbors. The disrespectful actions of a few students should not be considered the norm for the rest of the school. The staff continues to seek ways to improve the education offered to the students who are part of the community and have a right to walk through any public street safely. Thoughtful suggestions and ideas are appreciated. Chun added if a fight occurs off campus the school would still like to be notified.

Ted Kanemori, Ali'i Shores Neighborhood Security Watch update – A meeting took place on October 16, 2006 with the Police Department, King Intermediate School principal Cynthia Chun, Windward Complex Area Superintendent Lea Albert, Representative Pono Chong and Ali'i Shores residents. Items of discussion were jaywalking, criminal property damage, fighting, loitering, and drugs. Assistance was asked for in the following areas: jaywalking, consequences for unaccepted behavior off campus, slowing of cars (after school) near Kamehameha Highway and Hee'ia Street not yielding to students in crosswalk, effective way of rules to reach students, better control of school dances (suggested day dances rather than night). During an HPD discussion the matter was brought up of girls leaving the school dance early walking around in the dark unescorted.

Per Cynthia Chun if a fight occurs off campus the school would still like to be notified.