

**FINAL ENVIRONMENTAL ASSESSMENT
AND FINDING OF NO SIGNIFICANT IMPACT
DEMOLITION/RECONSTRUCTION OF WILSON SINGLE-FAMILY
HOME IN THE CONSERVATION DISTRICT**

TMK (3rd) 8-3-05:06
Kahauloa 2nd, South Kona District, Island of Hawaii, State of Hawaii

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**ACCEPTING
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CLASS OF ACTION:

Action in Conservation District
Action in Historic District

This document is prepared pursuant to:
the Hawaii Environmental Protection Act,
Chapter 343, Hawaii Revised Statutes (HRS), and
Title 11, Chapter 200, Hawaii Department of Health Administrative Rules (HAR).

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COUNTY OF HAWAII

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REMARKS

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SUMMARY OF PROJECT, ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Project Summary

The project consists of the demolition and reconstruction of a single-family home on a 0.623-acre property. The home is within an area of residential houselots situated on the shoreline about 3/4-miles south of the Napoopoo Boat Ramp. The parcel is surrounded by single-family homes on all sides. A somewhat dilapidated single-family home is already present on the parcel and will be demolished as part of the project. The proposed one-story home would be 3,498 sf, including the house, guest wing, carport storage, the swimming pool and other water features. The house will have three bedrooms and two-and-a-half baths, and will be set back 40 feet from the shoreline. The pool will be set back 32 feet from the shoreline. An Individual Wastewater System in compliance with State Department of Health regulations will be built. The lot, which now contains various ornamental shrubs and trees, will be partially re-landscaped.. The cost of the improvements is about \$400,000, and all funding is private (no public funds are involved).

Short Term Impacts

Construction Impacts: Landclearing and construction activities will produce short-term impacts to noise, air quality, access and scenery. In addition, potentially hazardous materials may be present in the home and should be properly treated and disposed of during demolition. In order to ensure that construction-related damage to the land and adjacent ocean is avoided or minimized, the following mitigation measure is proposed as a condition to the Conservation District Use Permit:

1. The demolition contractor will be required to determine whether hazardous materials are present, and if so, to properly demolish and dispose of such materials in conformance with all applicable State and federal laws. Construction activities with the potential to produce polluted runoff will be limited to periods of low rainfall; cleared areas will be replanted or otherwise stabilized as soon as possible; and construction materials, petroleum products, wastes, debris, and landscaping substances (herbicides, pesticides, and fertilizers) will be prevented from blowing, falling, flowing, washing or leaching into the ocean.

Long Term Impacts

In general, no sensitive biological, hydrological, archaeological or other important resources are present and no adverse long-term impacts are expected to result from the project. An easement for the segment of the Keawaiki Trail which traverses the lot is proposed to be relocated about 90 feet to the mauka boundary of the lot, facilitating the ultimate development of a useable trail. The following mitigation measure is proposed as conditions to the Conservation District Use Permit:

2. If any previously unidentified sites, or remains such as artifacts, shell, bone or charcoal deposits, human burials, rock or coral alignments, pavings, or walls are encountered, work will stop immediately and SHPD will be consulted to determine the appropriate mitigation. Care will be taken during ground preparation to ensure that, in the unlikely event that human burials are present, they are recognized and dealt with appropriately.

PART 1: PROJECT DESCRIPTION

1.1 Project Description and Location

Mr. Alexander Wilson proposes to demolish an existing home and reconstruct a single-family home on his 0.623-acre property, which is located in Keawaiki Beach Lots on the shoreline about 3/4-miles south of the Napoopoo Boat Ramp (Figs. 1-3). The parcel is surrounded by single-family homes on all sides. A somewhat dilapidated single-family home built in 1968 is already present on the parcel and will be completely demolished as part of the project. The proposed one-story home would be 3,498 sf, including the house, guest wing, carport storage, the swimming pool and other water features (Fig. 4). The house will have three bedrooms and two-and-a-half baths, and will be set back 40 feet from the shoreline. Plans currently call for the decking of the pool to be set back a minimum of 32 feet from the shoreline (if plans remain the same, a Shoreline Setback Variance will be required). An Individual Wastewater System in compliance with State Department of Health regulations will be built. The lot, which now contains various ornamental shrubs and trees, will be partially re-landscaped.. The cost of the improvements is about \$400,000, and all funding is private (no public funds are involved).

1.2 Summary of Environmental Assessment Requirements

This Environmental Assessment (EA) process was conducted in accordance with Chapter 343 of the Hawaii Revised Statutes (HRS). This law, along with its implementing regulations, Title 11, Chapter 200, of the Hawaii Administrative Rules (HAR), is the basis for the environmental impact process in the State of Hawaii. *An EA for this project is necessary because it lies within the State Land Use Conservation District and the Kealakekua Bay Historic District and is not considered an exempt activity.*

According to Chapter 343, an EA is prepared to determine impacts associated with an action, to develop mitigation measures for adverse impacts, and to determine whether any of the impacts are significant according to thirteen specific criteria. If a study concludes that no significant impacts would occur from implementation of the proposed action, a Finding of No Significant Impact (FONSI) will be prepared and an action will be permitted to occur. If a study finds that significant impacts are expected to occur as a result of a proposed action, then an Environmental Impact Statement (EIS) is prepared in order to allow wider investigation of impacts and public involvement.

Section 2 considers alternatives to the proposed project, and Section 3 discusses the existing environment and impacts associated with this project. Section 4 issues the determination (anticipated determination in the Draft EA), and Section 5 lists the criteria and the findings made by the applicant in consultation with the State of Hawaii Department of Land and Natural Resources for this project.

1.3 Public Involvement and Agency Coordination

The following agencies, organizations and individuals have been consulted during the Environmental Assessment Process:

County:

Planning Department
Hawaii County Council

Department of Water Supply

State:

Department of Land and Natural Resources, Historic Preservation Division
Department of Land and Natural Resources, Na Ala Hele Program
Department of Land and Natural Resources, Aquatic Resources Division
Office of Hawaiian Affairs

Private:

Kona Outdoor Circle
Sierra Club

Copies of communications received during preconsultation are contained in Appendix 1A.

[Notice of the availability of the Draft EA was published by the Hawaii State Office of
[Environmental Quality Control (OEQC) in the Environmental Notice of 8 August
[2000. This initiated a 30-day comment period during which the public was invited to
[respond to the Draft EA with comments or questions. Two comment letters were
[received. Both letters and the responses to them are included in Appendix 1B. The
[Final EA has been revised and expanded to incorporate revisions based on additional
[assessment of cultural impacts. Areas where information has been added to Final EA
[are denoted by brackets in the left-hand margin, as in this paragraph.

PART 2: ALTERNATIVES

2.1 Proposed Project

The proposed project is described in Section 1.1 above and illustrated in Figures 1-4.

[An alternative for the project would be to construct all improvements, including the pool
[and colored concrete decking, outside the Shoreline Setback area, i.e., more than 40 feet
[back from the Certified Shoreline. This would avoid the need for a Shoreline Setback
[Variance. In general, such an action might also reduce any potential impact to resources
[within the Shoreline Setback area. However, on this particular parcel, the eight feet
[Shoreline Setback area that would be used for a portion of the pool and colored concrete
[decking (see Fig. 4) lacks any biological, cultural, hydrological, or other sensitive
[resources.

[The area is behind a shoreline cliff, approximately 18 feet above sea level, well outside
[the zone in which coastal processes occur here. It is also outside the coastal floodplain.
[This area has been graded in the past and is now landscaped, and no sensitive flora or
[fauna or historic/cultural sites are present. This area is not part of any Mauka-Makai or
[lateral public access ways, nor does it have any other public recreational value. As the
[proposed improvements would intrude only eight feet into the Shoreline Setback area, as
[there are no sensitive resources within the area to be affected, and therefore as there
[would be negligible effect to shoreline values from the actions proposed within this area,
[there is little if any advantage from an environmental standpoint to locating outside the
[Shoreline Setback area. Therefore, although it would be possible to locate the pool and
[decking outside of the Shoreline Setback, this alternative was not selected.

2.2 No Action

Under the No Action Alternative, no new home would be built. According to Mr. Wilson, the existing home is not adequate for habitation, and in fact is in such a state of disrepair that it would not be economical to rehabilitate it. If the project to build the new single-family home were not implemented, the existing home would eventually be demolished. This EA considers the No Action Alternative as the baseline by which to compare environmental effects from the project.

No other Alternatives have been considered by Mr. Wilson or are addressed in this EA.

PART 3: ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

3.1 Basic Geographic Setting

The project site is a level area, 0.623 acres in extent, which has served as a house lot for about three decades and currently contains a home and landscaping (Figs. 2-3). The lot borders the shoreline and is 20 to 24 feet above mean sea level. The surface geology consists of lava flows from Mauna Loa erupted approximately 750 years ago (Wolfe and Morris 1996). Soil is minimal and the area is classified as Lava, 'A'a Flows (virtually no soil) . The ground is highly permeable, and runoff and soil erosion hazard are minimal. (U.S. Soil Conservation Service 1973). Annual rainfall averages approximately 40 inches (U.H. Hilo-Geography 1998:57).

3.2 Physical Environment

3.2.1 Drainage, Flooding and Hazards

Environmental Setting

The project site is designated "X", defined as areas outside the 500 year flood plain, on the Flood Insurance Rate maps (FIRM). Maps printed by the Hawaii County Civil Defense Agency locate the parcel in the area that should be evacuated during a tsunami warning.

The entire Big Island is subject to geologic hazards, especially lava flows and earthquakes. The project site is located in Lava Flow Hazard Zone 3 (on a scale of ascending risk 9 to 1). Zone 3 consists of areas on both sides of the northeast and southwest rift zones (Heliker 1990). About 15-20 percent of Zone 3 areas have been covered by lava flows in the last 750 years. The nearest lava flow is the northern branch of the 1950 lava flow, about 7 miles south. As such, there is some risk of lava inundation over relatively short time scales.

In terms of seismic risk, the entire Island of Hawaii is rated Zone 4 Seismic Probability Rating (Uniform Building Code, Appendix Chapter 25, Section 2518). Zone 4 areas are at risk from major earthquake damage, especially to structures that are poorly designed or built.

Impacts and Mitigation Measures

In general, geologic and drainage conditions impose no substantial constraints on the project. All structures associated with the proposed home would conform to the Uniform Building Code. Although the project is located in an area exposed to a certain amount of

hazard from lava flows and earthquake, the project presents no additional hazard to the public. Landowners and residents of high-hazard lava inundation areas have been made aware of the potential and accept the risk when they purchase and/or inhabit such areas.

3.2.2 Flora and Fauna, Wetlands, and Threatened and Endangered Species

Flora and Fauna

The site was inspected for biological resources in June 1999. The area is completely landscaped, and contains individuals of various ornamental species including coconut (*Cocos nucifera*), Cook pine (*Araucaria columnaris*), plumeria (*Plumeria* spp.), African tulip tree (*Spathodea campanulata*), sea grape (*Coccoloba uvifera*), and umbrella tree (*Schefflera actinophylla*). Several naturally occurring indigenous shoreline species are also present, including naupaka (*Scaevola sericea*), hala (*Pandanus tectorius*), uhaloa (*Waltheria indica*), and kou (*Cordia subcordata*). All animals observed and expected on the site were introduced species, including various birds and feral mammals. No listed, candidate or proposed endangered animal or plant species were found or would be expected in the area. In terms of conservation value, no botanical or zoological resources requiring special protection are present. No streams, wetlands or special aquatic sites are present.

Kealahkekua Bay is celebrated for its excellent marine biota, including healthy coral-based ecosystems. Special protection to aquatic resources is provided in the Kealahkekua Bay Marine Life Conservation District (MLCD), in which marine organisms and their habitat are protected, while still allowing the public the opportunity to view them in their natural setting. The nearest boundary of the MLCD is located several hundred yards north of the Wilson lot.

Impacts and Mitigation Measures

Because of the lack of native terrestrial ecosystems and threatened or endangered plant species, no adverse impacts would occur as a result of clearing and improvements. The applicant is planning to landscape the property through retention of some flora elements (trees, shrubs, and other plants) and planting of others. Much will consist of native plants that are adapted to the dry, warm climate of the area and do not require excessive watering or maintenance. The precautions for preventing any effects to water quality during construction listed below in Section 3.2.4 should prevent any adverse impact on aquatic biological resources in Kealahkekua Bay.

3.2.3 Air Quality, Noise, and Scenic Resources

Environmental Setting

Air pollution in the Kona area is mainly derived from volcanic emissions of sulfur dioxide, which convert into particulate sulfate and produce a volcanic haze (vog) that persistently blankets the district. Drier areas experience blowing dust, especially during construction in high wind episodes.

Noise on the site is very low because no substantial roads are located nearby and adjacent land use consists of scattered residences.

The area shares the quality of scenic beauty along with most of the Kona coastline. The Hawaii County General Plan contains Goals, Policies and Standards intended to preserve areas of natural beauty and scenic vistas from encroachment. The Plan refers to the importance of preserving views of Kealahou Bay and Palemano Point from various roads and viewpoints. The existing house does not intrude on these viewplanes. Figure 5 comprises photographs of Kahauloa Bay and Keawaiki taken from successively closer and lower viewpoints along the Mamalahou Highway and Napo'opo'o Road. Although the presence of homes in the area is ascertainable, no individual homes protrude on the horizon or detract from views of Kealahou Bay or Palemano Point. The existing Wilson home is difficult to see because of its modest size and surrounding vegetation.

Impacts and Mitigation Measures

The project would not affect air quality or noise levels, except for very minor and brief effects during construction. No substantial impact to scenery is expected, because the lot is part of a developed subdivision and will contain a home and landscaping that matches with its neighbors. The reconstructed home will be single-story, and, similar to the existing home, will be difficult to see from any roads, scenic lookouts, or other likely public viewpoints. It will not interfere with views of Kealahou Bay or Palemano Point or detract in any way from the scenic beauty of the area.

3.2.4 Hazardous Substances, Toxic Waste and Hazardous Conditions

Based on onsite inspection and information on file, it appears that the site contains no hazardous or toxic substances and exhibits no other hazardous conditions. Just as with demolition of any structure in Hawaii built prior to 1980, demolition could involve treatment and disposal of materials that potentially contain lead, arsenic and/or asbestos. In order to ensure that materials are disposed of properly and that construction-related damage is avoided or minimized, the following will be implemented:

Mitigation Measure: The demolition contractor will be required to determine whether hazardous materials are present, and if so, to properly demolish and dispose of such materials in conformance with all applicable State and federal laws. Construction activities with the potential to produce polluted runoff will be limited to periods of low rainfall; cleared areas will be replanted or otherwise stabilized as soon as possible; and construction materials, petroleum products, wastes, debris, and landscaping substances (herbicides, pesticides, and fertilizers) will be prevented from blowing, falling, flowing, washing or leaching into the ocean.

3.3 Socioeconomic and Cultural

3.3.1 Land Ownership and Land Use, Designations and Controls

Existing Environment

The property is owned by Alexander Wilson. Surrounding land is owned by various private landowners (Fig. 2). The surrounding land use is residential subdivision. The property borders the shoreline, which is formed of 'a'a and is very rough (Fig. 3).

Zoning is Open (Agriculture, minimum lot size 5 acres). The State Land Use District is Conservation, and the Subzone is General. The Land Use Pattern Allocation Guide Maps identify the area as Open. The site is within the Special Management Area.

Construction of a single-family home within such designation is permitted if a Conservation District Use Permit and a Special Management Area Use Permit (or exemption) are obtained. This Environmental Assessment is part of the process for obtaining the permits. The consistency of the project with the regulations and policies of the Conservation District and Special Management Area are discussed in Section 3.7.

3.3.2 Socioeconomic Characteristics

Existing Environment: Social Characteristics and Recreation

The project site is within the ahupua'a of Kahauloa in the South Kona District of the island of Hawaii. Although Kona was an important district in pre-Contact Hawaii, by 1900 it had become a sleepy rural district of scattered coffee farms and cattle ranches, with more traditional fishing villages such as Ke'ei and Napo'opo'o still present on the coast. Many parts of Kona have experienced high rates of growth associated with the booming visitor industry in West Hawaii. Population has grown rapidly in all of West Hawaii and particularly in North Kona, where the number of inhabitants increased from 4,832 in 1970

to 25,447 in 1990 (DBEDT 1997). South Kona has experienced lower rates of growth, and was estimated to have 8,619 residents in 1995 (Ibid).

Population in the Kealahou Bay area is not monitored as a discrete unit in census data, but several hundred homes are present lining Napo'opo'o Road and along the shoreline between Napo'opo'o and Ke'ei. Residents enjoy spectacular views of the coastline, pleasant weather and good ocean conditions for swimming, diving and boating. Land uses include residential, agricultural, and conservation.

Public accesses to the shoreline in the general area include Napo'opo'o County Beach Park, the Napo'opo'o Boat Ramp, and along the shoreline in Ke'ei (see Fig. 1).

Real property tax maps show a trail traversing the mid-section of the Keawaiki Beach Lots (see Fig. 2). Encumbrance No. 5 of the deed document to grantee, Alexander M. Wilson and Beverlee E. Wilson from grantor, trustees of the Estate of Bernice Pauahi Bishop, states "rights of others to use the trail shown upon the map attached to Lease No. 12,156." According to the tax maps, the trail (which may be called the Keawaiki Trail) connects TMK 8-3-05:13 to TMK 8-3-05:14, and does not intersect any public road, right-of-way, shoreline, or other trail. It essentially connects private parcels that have other road access. In fact, however, the trail does not exist on the ground, and its theoretical position is instead occupied by several homes and walls. To the applicant's knowledge, no public or private party has ever claimed a need to use the trail. Recognizing all these facts, the Na Ala Hele Program of the Hawaii State Department of Land and Natural Resources (DLNR) has stated that it is "willing to negotiate a suitable alignment that will still enable construction of the proposed single-family dwelling" (see App. 1 for May 10, 2000, coordination letter from Na Ala Hele).

The applicant recognizes that preservation of trails in Hawaii and access along them are of vital interest for the State and federal governments and also for recreational users.

Impacts and Mitigation Measures

No adverse socioeconomic impacts are expected to result from the project, given a suitable resolution of the issue of the Keawaiki Trail. The applicant proposes to relocate the trail easement about 90 feet east to the mauka (and eastern) boundary of the lot, where a private road currently exists (see Figs. 1B & 2). Although this does not provide public access to the trail (none now exists), it would provide for eventual development of a trail connecting Keawaiki Road and Kahauloa Road, which could provide public access to the trail, as well as a purpose for the trail. This public access would of course not occur until other lot owners relocated the portions of their trails to a similar alignment, either voluntarily or through conditions of future Conservation District or Special Management Area Permits. The proposed action would, however, set a precedent for this eventual relocation and the opening of a route between Keawaiki Road and Kahauloa Road.

The applicant also considered relocation of the trail easement to the makai border to the property. However, the shoreline characteristics and landholding setting do not favor development or use of a trail in this portion of the lot. As shown in the photos in Figure 3, the shoreline here consists of a rough 'a'a cliff. The only access to a trail lining the makai border of Wilson's property would be through members of the public scrambling over the rough shoreline and surmounting the cliff. Furthermore, the trail would have no purpose. Therefore, the applicant does not consider the makai alternative to be sensible.

3.3.3 Archaeology, Historic Sites and Cultural Setting

Archaeology: Environmental Setting, Impacts and Mitigation Measures

The State Historic Preservation Division (SHPD) was invited by letter to comment on the potential for historic sites on April 17, 2000. As of May 20, 2000, no correspondence from SHPD had been received.

No archaeological or historic site resources appear to be present. Although the entire Kealahou Bay area is within the Kealahou Historic District, the National or State Registers of Historic Places list no sites on or near the lot. As the lot has been totally altered through grading, landscaping, and construction of a home in 1968, no historic sites would be expected to remain, if any ever existed.

As a precaution against inadvertent archaeological or burial finds, the following additional mitigation measure will be implemented:

Mitigation Measure: If any previously unidentified sites, or remains such as artifacts, shell, bone or charcoal deposits, human burials, rock or coral alignments, pavings, or walls are encountered, work will stop immediately and SHPD will be consulted to determine the appropriate mitigation. Care will be taken during ground preparation to ensure that, in the unlikely event that human burials are present, they are recognized and dealt with appropriately.

Cultural Value: Environmental Setting, Impacts and Mitigation Measures

[NOTE: THIS SECTION HAS BEEN EXPANDED FOR THE FINAL EA THROUGH
[INCORPORATION OF ADDITIONAL RESEARCH.

[The cultural value of the land on which the parcel is located was also assessed as part of this
[EA. The purpose of this investigation was to determine whether the property supported
[any traditional gathering uses, was vital for access to traditional cultural sites, or had other
[important symbolic associations for native Hawaiians. Sources for the information included

[examination of maps associated with a Land Commission award of the kuleana at
[Kahauloa, consultation of published materials (Kelly 1983; Handy 1972; Newman 1972)
[and interviews with local residents knowledgeable about the Kahauloa ahupua'a.

[Traditional land use in the Napo'opo'o to Ke'ei area was focused on marine and shoreline
[resources - including opihi, fish, sea urchin, sea cucumber and limu, as well as coconut.
[Limited farming of sweet potatoes, wauke and other dry-tolerant crops would
[occur (Kelly 1983). Residents of Kahauloa ahupua'a would also have used upland areas,
[where gardens of breadfruit, ti, bananas and taro would be located. Today, the area around
[Ke'ei is still renowned for coconut groves and fishing. In modern times, kiawe wood has
[been gathered, both for firewood and charcoal.

[The informants consulted were Marion Keliikipi, a Hawaiian born in Napo'opo'o, with
[many memories of pre-1950 traditional land use and practices, and the family of Alan
[Wilcox, who has lived adjacent to the Wilson property for 26 years. Mr. Wilcox is half-
[Hawaiian from the island of Kauai, with Napo'opo'o roots through his great-grandmother.
[Both individuals recollected that the shoreline here has been consistently used for
[gathering of marine resources such as opihi, limu and ha'uke'uke (edible sea urchin). Limu
[has become scarce and is rarely gathered anymore, according to the Wilcox family. Mrs.
[Keliikipi recalled walking along a trail parallel to the coastline in her youth. The trail
[apparently fell into disuse after about 1950, and the a number of homes were built along its
[path. According to the Wilcox family, the trail has not been useable for many years, and to
[their knowledge there has been no problem with shoreline access, which is available in a
[variety of alternative routes.

[Other than the use of marine resources seaward of the area proposed for construction, no
[information was uncovered concerning either past or present gathering or other traditional
[uses or features at the specific site. Mrs. Keliikipi expressed concern that the shoreline area
[tends to have burials, care should be taken in site preparation. Based on the fact that the
[subject lot is small, has been completely graded, and has been in residential use for the last
[32 years, it appears unlikely that any impact to native Hawaiian gathering or other
[traditional practices would result as a use of demolishing and reconstructing the home.
[Careful adherence to the mitigation measure outlined under *Archaeology*, above, should
[ensure that, in the unlikely event that burials are discovered, they are dealt with
[appropriately. In summary, no cultural impacts are expected to occur as a result of the
[project

3.4 Public Facilities and Utilities

Environmental Setting

Access to the lot is provided by Keawaiki Road (see Fig. 2), a non-dedicated unpaved road easement extending from Puuhonua Road to Keawaiki Beach Lots. The site is serviced by overhead power lines from HELCO and telephone lines via Keawaiki Road. No public parks exist in the area. Water is provided via a private system owned by the Keawaiki Beach Lots Homeowners Association that distributes water from the County Department of Water Supply (DWS). A 4-inch DWS line extends down Kahauloa Road to the 1-1/2-inch master meter located near TMK 8-3-5:13. A private 2-inch line then distributes this water to seven homes in Keawaiki Beach Lots. The existing home has a cesspool for wastewater treatment, which is not in use, as the home is unoccupied.

Impacts and Mitigation Measures

Road access is adequate, and no improvements are planned or necessary. Wastewater treatment will occur via a septic system in conformance with Hawaii State Department of Health rules and regulations. In conformance with a request from DWS (see App. 1 for coordination letter from DWS of April 26, 2000) a backflow preventer will be installed for water quality assurance. No adverse impact to public facilities or utilities will occur.

3.5 Secondary and Cumulative Impacts

The small scale of the proposed project will not produce any secondary impacts, such as population changes or effects on public facilities.

Cumulative impacts result when implementation of several projects that individually have limited impacts combine to produce more severe impacts or conflicts in mitigation measures. Various single-family homes are in construction along the two miles of coastline between Napo'opo'o and Ke'ei. The adverse effects of the Wilson project – very minor and temporary disturbance to air quality, noise, and visual quality during construction – are negligible. Other than the precautions for preventing any effects to water quality during construction listed above in Section 3.2.4, no special mitigation measures should be required to counteract the small adverse cumulative effect.

3.6 Required Permits and Approvals

County of Hawaii:

- [Special Management Area Permit or Exemption
- Building Permit
- Shoreline Setback Variance (potentially)

State of Hawaii

Conservation District Use Permit

3.7 Consistency With CD/SMA Rules, Guidelines and Objectives

The property is in the State Land Use Conservation District, Subzone General. Any proposed use must undergo an examination for its consistency with the goals and rules of this district and subzone. The applicant has concurrently prepared a Conservation District Use Application (CDUA), to which this EA is an Appendix. The CDUA includes a detailed evaluation of the consistency of the project with the criteria of the Conservation District permit process. Because it is located in the Special Management Area (SMA), the CDUA must also address the consistency of the project with SMA objectives. Briefly, the following individual consistency criteria should be noted:

- The development of this single family residence is an identified land use within the General Subzone and is consistent with the purpose of the district as defined in Chapter 13-5, HAR. 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. The proposed action is a permitted use in the General Subzone and will not negatively impact the natural resources of the State or be detrimental to the public health, safety or welfare. All construction on the subject property will be consistent with the Building Code requirements of the County of Hawaii. The proposed land use complies with provisions and guidelines contained in Chapter 205A, Hawaii Revised Statutes (HRS), entitled *Coastal Zone Management*. Single family residences may be determined to be an exempt action under the County's Special Management Area (SMA) guidelines. The proposed use would be consistent with Chapter 205A because it would not affect public access to recreational areas, historic resources, scenic and open space resources, coastal ecosystems, economic uses, or coastal hazards. The Hawaii County Planning Department is expected to confirm that the proposed action is exempt from SMA Rules.
- The proposed land use will not cause substantial adverse impact to existing natural resources within the surrounding area, community or region. The construction activities of this single family residence will be confined to the owner's lot and will not have any adverse impact on the natural resources of the area, community or region.

- The proposed land use, including buildings, structures and facilities are compatible with the locality and surrounding areas, appropriate to the physical conditions and capabilities of the specific parcel or parcels. The lot was created as part of a residential subdivision in 1968. The proposed use is compatible with other residences in the area and is appropriate to the existing uses and physical conditions of the property.
- The existing physical and environmental aspects of the land, such as natural beauty and open space characteristics, will be preserved or improved upon, whichever is applicable. The physical beauty of the lot will be improved with the removal of the dilapidated home and the installation of landscaping.
- Subdivision of land will not be utilized to increase the intensity of land uses in the Conservation District. The proposed action will not subdivide the property and will not lead to any increase in intensity of use beyond the permitted single family residence.

PART 4: DETERMINATION

Based on evaluation of the environmental setting and impacts, the Hawaii State Department of Land and Natural Resources had determined that the proposed action would not have a significant effect upon the environment and has issued a Finding of No Significant Impact (FONSI).

PART 5: FINDINGS AND REASONS

Chapter 11-200-12, Hawaii Administrative Rules, outlines those factors agencies must consider when determining whether a project has significant effects:

1. *The proposed project will not involve an irrevocable commitment or loss or destruction of any natural or cultural resources.* No valuable natural or cultural resource would be involved, committed or lost. No native ecosystems or historic sites are present.
2. *The proposed project will not curtail the range of beneficial uses of the environment.* No restriction of beneficial uses would occur.
3. *The proposed project will not conflict with the State's long-term environmental policies.* The State's long term environmental policies are set forth in Chapter 344, HRS. The broad goals of this policy are to conserve natural resources and enhance the quality of life. The project is minor and basically environmentally benign, and it is thus consistent with all elements of the State's long-term environmental policies.
4. *The proposed project will not substantially affect the economic or social welfare of the community or State.* The project will not have any substantial effect on the economic or social welfare of the Kona community or State.

5. *The proposed project does not substantially affect public health in any detrimental way.* The project will not affect public health and safety in any way.
6. *The proposed project will not involve substantial secondary impacts, such as population changes or effects on public facilities.* As the project involves the replacement of one single-family home, no secondary effects are expected.
7. *The proposed project will not involve a substantial degradation of environmental quality.* The project is minor and environmentally benign, and it would thus not contribute to environmental degradation.
8. *The proposed project will not substantially affect any rare, threatened or endangered species of flora or fauna or habitat.* The site supports entirely alien vegetation. No rare, threatened or endangered species of flora or fauna are known to exist on the project site, and none would be affected by any project activities.
9. *The proposed project is not one which is individually limited but cumulatively may have considerable effect upon the environment or involves a commitment for larger actions.* The project is not related to other activities in the region in such a way as to produce adverse cumulative effects or involve a commitment for larger actions.
10. *The proposed project will not detrimentally affect air or water quality or ambient noise levels.* No substantial effects to air, water, or ambient noise would occur. Brief, temporary effects would occur during construction and will be mitigated.
11. *The project does not affect nor would it likely to be damaged as a result of being located in environmentally sensitive area such as a flood plain, tsunami zone, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal area.* Although the proposed project is located in zone exposed to earthquake and volcanic hazard, there are no reasonable alternatives that would avoid such exposure, the project presents no additional hazard to the public, and the project is not imprudent for landowner.
12. *The project will not substantially affect scenic vistas and viewplanes identified in county or state plans or studies.* The project does not impact the views listed in any plan, particularly those of Kealahou Bay and Palomares Point listed in the Hawaii County General Plan. Furthermore, the project will not impair views of or along the coastline.
13. *The project will not require substantial energy consumption.* Negligible amounts of energy input will be required for construction.

For the reasons above, the proposed project will not have any significant effect in the context of Chapter 343, Hawaii Revised Statutes and section 11-200-12 of the State Administrative Rule.

REFERENCES

- Gagne, W., and L. Cuddihy. 1990. "Vegetation," pp. 45-114 in W.L. Wagner, D.R. Herbst, and S.H. Sohmer, eds., *Manual of the Flowering Plants of Hawaii*. 2 vols. Honolulu: University of Hawaii Press.
- Handy, E.S.C., et al. 1972. *Native Planters in Old Hawaii: Their Life, Lore and Environment*. B. P. Bishop Museum Bulletin 223. Honolulu: B. P. Bishop Museum.
- Hawaii State Department of Business Economic Development and Tourism (DBEDT). 1997. *State of Hawaii Data Book*. Honolulu: DBEDT.
- Heliker, C. 1990. *Volcanic and Seismic Hazards on the Island of Hawaii*. Washington: U.S. GPO.
- Kelly, M. 1983. *Na Mala o Kona: Gardens of Kona. A History of Land Use in Kona, Hawaii*. Honolulu: Dept. of Anthropology, B. P. Bishop Museum.
- Newman, T.S. 1972. *Hawaiian Fishing and Farming on the Island of Hawaii in A.D. 1778*. Honolulu: Hawaii State Division of State Parks.
- U.S. Bureau of the Census. 1991. *1990 Census of Population, General Population Characteristics*. 1990 CP-1-13. Washington: GPO.
- U.S. Soil Conservation Service. 1973. *Soil Survey of Island of Hawaii, State of Hawaii*. Washington: U.S.D.A. Soil Conservation Service.
- University of Hawaii at Hilo, Dept. of Geography. 1998. *Atlas of Hawaii*. 3rd ed. Honolulu: University of Hawaii Press.
- Wolfe, E.W., and J. Morris. 1996. *Geologic Map of the Island of Hawaii*. USGS Misc Investigations Series Map i-2524-A. Washington, D.C.: U.S. Geological Survey.

APPENDIX 1A

COMMENT LETTERS

FROM AGENCIES AND ORGANIZATIONS

IN RESPONSE TO PRE-CONSULTATION



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

25 AUPUNI STREET • HILO, HAWAII 96720
TELEPHONE (808) 961-8660 • FAX (808) 961-8657

April 24, 2000

Geo Metrician
ATTENTION: MR. RON TERRY, Ph.D.
HC 2 Box 9575
Keaau, HI 96749

**PRE-CONSULTATION ON ENVIRONMENTAL ASSESSMENT FOR CONSTRUCTION OF
WILSON SINGLE-FAMILY DWELLING AT TAX MAP KEY: 8-3-005:006
KAHAULOA 2ND, SOUTH KONA**

The Department requests a written assurance that a backflow preventer is installed for water quality assurance because of the swimming pool being constructed.

We have no need for a copy of the completed environmental assessment.

If you have any questions, please call Mr. Kenneth Ikemori of our staff at 961-8665.

Sincerely yours,

Milton D. Pavao, P.E.
Manager

KI:gms

copy – Mr. Michael Watanabe, DWS Micro Lab

... Water brings progress...



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

April 26, 2000

Ron Terry, Ph.D.
Geo Metrician
HC 2 Box 9575
Keeau, Hawaii 96749

(PC # 88)

Subj: Pre-Consultation on Environmental Assessment for Construction of
Wilson Single-Family Dwelling at TMK 8-3-05:06
Kahauloa 2nd, South Kona, Hawai'i

Dear Dr. Terry:

Thank you for the opportunity to comment on the above referenced project. According to your letter, the landowner proposes to demolish an existing home on the parcel and rebuild a 3498 square foot single family home.

At this time the Office of Hawaiian Affairs has no comment to the proposed project. We kindly request a copy of the Environmental Assessment when completed. If you have any questions, please contact Mark A. Mararagan, Policy Analyst at 594-1945.

Sincerely,

A handwritten signature in cursive script, appearing to read "Colin C. Kippen, Jr.".

Colin C. Kippen, Jr.
Deputy Administrator

cc: OHA Board of Trustees
Kona CRS



NA ALA HELE
Hawai'i Trail & Access System

May 10, 2000

Ron Terry, Ph. D.
Geo Metrician
HC 2 Box 9575
Keaau, HI 96749

Dear Mr. Terry:

Encumbrance No. 5 of the deed document to grantee, Alexander M. Wilson and Beverlee E. Wilson from grantor, trustees of the Estate of Bernice Pauhi Bishop state, "Rights of others to use the trail shown upon the map attached to Lease No. 12,156 and upon Tax Map Plat 8-3-05."

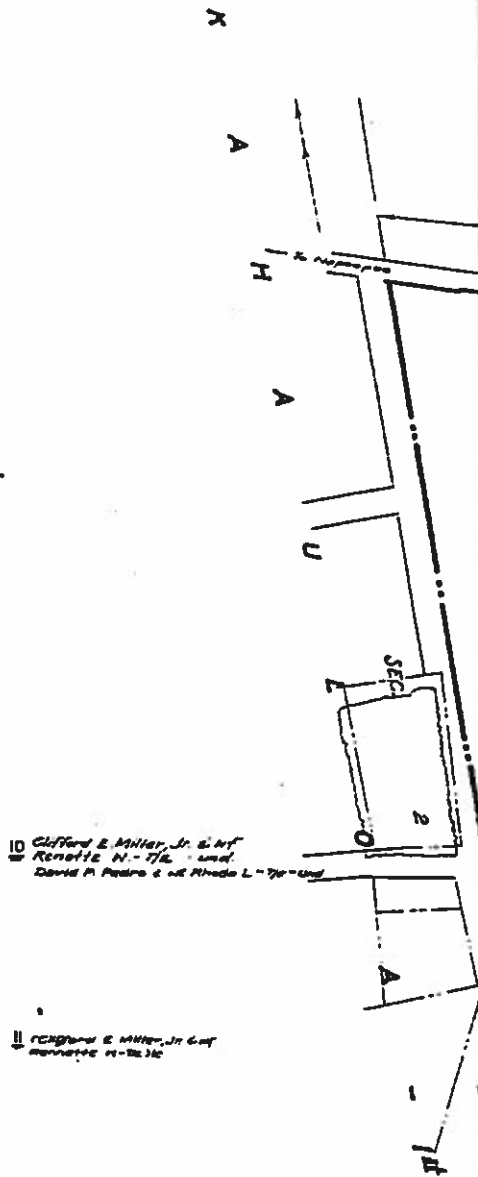
Under the circumstances, Na Ala Hele is willing to negotiate a suitable alignment that will still enable construction of the proposed single-family dwelling. The Environmental Assessment should address viable alternatives available in the disposition of the Keawaiki Trail.

Sincerely,


Rodney T. Oshiro
Na Ala Hele

Attachment: TMK 8-3-05

Source : Tax Maps Bureau - Field Survey
By : I.K.H. & S.L.G. June, 1936.



Parcels dropped: 2, 4.

also owned by
Shaw Est.
therefore noted.

| | | | |
|------------------------|------|----------|--|
| THIRD | | DIVISION | |
| ZONE | SEC. | PLAT | |
| 8 | 3 | 05 | |
| CONTAINING | | PARCELS | |
| SCALE: 1 in. = 100 ft. | | | |

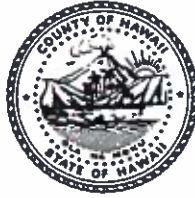
PRINTED.

PORTION of KAHALO, E SHEET
NO CHANGE

APPENDIX 1B

COMMENT LETTERS IN RESPONSE TO DRAFT EA AND RESPONSES

Hilo
Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Norman Olesen
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

August 25, 2000

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-9615

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

Dear Mr. Uchida:

Conservation District Use Permit Application No. HA-2990

Applicant: Alexander Wilson

Request: To Allow Construction of a Single Family Dwelling &
Related Improvements

TMK: 8-3-05: 6: Keawaiki Beach Lots, Kahauloa 2nd, South Kona, Hawaii

Thank you for your letter dated July 27, 2000, requesting our review and comment of the above-described application. We have completed our review and have the following comments to offer for your consideration:

1. The proposed improvements consist of the construction of a single family dwelling, pool, concrete decking and related improvements. Plans also indicate that the pool and its concrete decking will be situated within the County's 40-foot wide shoreline setback area. A pool and its concrete decking is not permitted within the County's shoreline setback area. Therefore, a shoreline setback variance must be secured from the Planning Commission to allow such improvements. Please note that the application for a shoreline setback variance also triggers the need for compliance with the requirements of Chapter 343, HRS regarding Environmental Impact Statements. The draft environmental assessment must disclose the need for a shoreline setback variance as a requirement and discuss the potential impacts of the proposed project upon the shoreline setback area.
2. The plans show improvements immediately mauka of the 40-foot wide shoreline setback area. We question the need for grading and site preparation for the house pad which could affect lands within the shoreline setback area. The grade within the shoreline setback area shall not be altered.

Mr. Dean Y. Uchida


Page 2

August 25, 2000

3. Information within the environmental assessment makes an incorrect assumption that the construction of the single family dwelling is exempt from SMA review. Improvements within the SMA are not exempt unless declared to be exempt by me. To date, no such exemption has been issued by this office for the proposed construction of the single family dwelling on the subject property.

Thank you for providing our office with the opportunity to comment on the subject application. Please don't hesitate to contact Daryn Arai of this office should you have any questions regarding this matter.

Sincerely,


VIRGINIA GOLDSTEIN
Planning Director

DSA:rld

CDUA HA2990.doc

xc: West Hawaii Office



GEO METRICIAN

Ron Terry, Ph.D.

HC 2 Box 9575

Keaau, Hawaii 96749

(808) 982-5831

October 22, 2000

Virginia Goldstein, Director
Hawaii County Planning Department
25 Aupuni Street, Room 109
Hilo, HI 96720

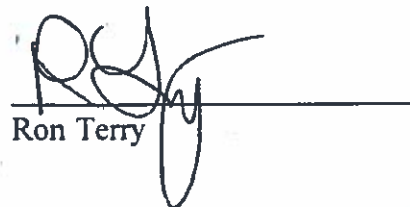
Dear Ms. Goldstein:

Thank you for your letter of August 25, 2000, concerning the Draft EA for the Demolition/ Reconstruction of Wilson Single-Family Home in the Conservation District. The following are detailed responses to your individual comments:

1. *Improvements situated within 40-foot shoreline setback area.* The Final EA has been amended to state that there is potentially a need for a Shoreline Setback Variance. Whether the final design for the home will induce this need will be determined during the approval process for the CDUP.
2. *Grading and site prep outside the immediately outside the shoreline setback area.* If there are no improvements within the shoreline setback area, the grade within there will not be altered.
3. *Improvements not exempt from SMA requirements until declared exempt.* This has been clarified in the Final EA. A letter requesting exemption has been sent to your office.

Again, thank you for your comments on the Draft EA.

Sincerely,



Ron Terry

cc: Eric Hill, Hawaii DLNR
Greg Mooers, GMP Associates

BENJAMIN J. CAYETANO
GOVERNOR



GENEVIEVE SALMONSON
DIRECTOR

STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

238 SOUTH BERYTANIA STREET
SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 588-4188
FACSIMILE (808) 588-4188

September 7, 2000

VIA STATE MESSENGER

TO: Dean Uchida
Administrator, Land Division, Department of Land and Natural Resources

FROM: Director
Office of Environmental Quality Control

We submit the following comments on the May 2000, draft environmental assessment for Conservation District Use Application for the Demolition and Construction of a Single Family Home, Kahauloa 2nd, South Kona, Island of Hawai'i, TMK: (3) 8-3-05:06.

1. GUEST ADDITIONS: The Office is concerned that the single family residence appears to be fragmented into two separate structures, the family structure and the guest additions. The nexus between these two structures appears to simply be a "breezeway." We do not believe that the guest additions as planned should be permitted. Guest quarters should be structurally integrated into the main family residence, and not linked by a covered walkway known as a "breezeway." Such structures have the potential to be misused for things such as bed and breakfast units.
2. CULTURAL IMPACT ASSESSMENT: Pursuant to Act 50, Session Laws of Hawai'i 2000, the proposed project needs to assess impacts such as public access to, and effects on cultural resources such as 'opihi, ha'u'ke'u'ke, limu and fish near the 'a'a cliffs fronting the Wilson lot. Enclosed is a copy of the Environmental Council's Guidelines for Assessing Cultural Impacts.

Thank you for the opportunity to comment. If there are any questions, please call Leslie Segundo at (808) 586-4183.

A handwritten signature in dark ink, appearing to read "Genevieve Salmonson".

GENEVIEVE SALMONSON
Director

c: Alexander Wilson
✓ Gregory Mooers



GEO METRICIAN

Ron Terry, Ph.D.

HC 2 Box 9575

Keaau, Hawaii 96749

(808) 982-5831

October 22, 2000

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


Dear Ms. Salmonson:

Thank you for your letter of September 7, 2000, concerning the Draft EA for the Demolition/ Reconstruction of Wilson Single-Family Home in the Conservation District. The following are detailed responses to your individual comments.

1. *Guest Additions.* The structure has been designed from the beginning strictly as a single-family home meeting the needs and matching the tastes of the owner-resident. The owner has no intention of utilizing the property as a bed-and-breakfast or for any other commercial purpose. Since the Draft EA was issued, the applicant has worked with DLNR to redesign the structure to conform to the precise requirements of the Land Use District and Subzone. The sitting room and wetbar have been removed and the entire structure downsized.
2. *Cultural Impact Assessment.* The cultural impact section has been expanded through additional consultation dealing with cultural issues, including public access, opihi, ha'uke'uke', limu and fish resources near the 'a'a cliffs fronting the lots. We would note that the lot is already completely graded and contains a home, and that no alteration in the character of or access to/along the shoreline is proposed. The analysis presented in the Final EA confirms our original conclusion that the proposed demolition and reconstruction would induce no adverse cultural impacts.

Again, thank you for your comments on the Draft EA.

Sincerely,



Ron Terry

cc: Eric Hill, Hawaii DLNR
Greg Mooers, GMP Associates

APPENDIX 2

FIGURES

FIGURE 1B

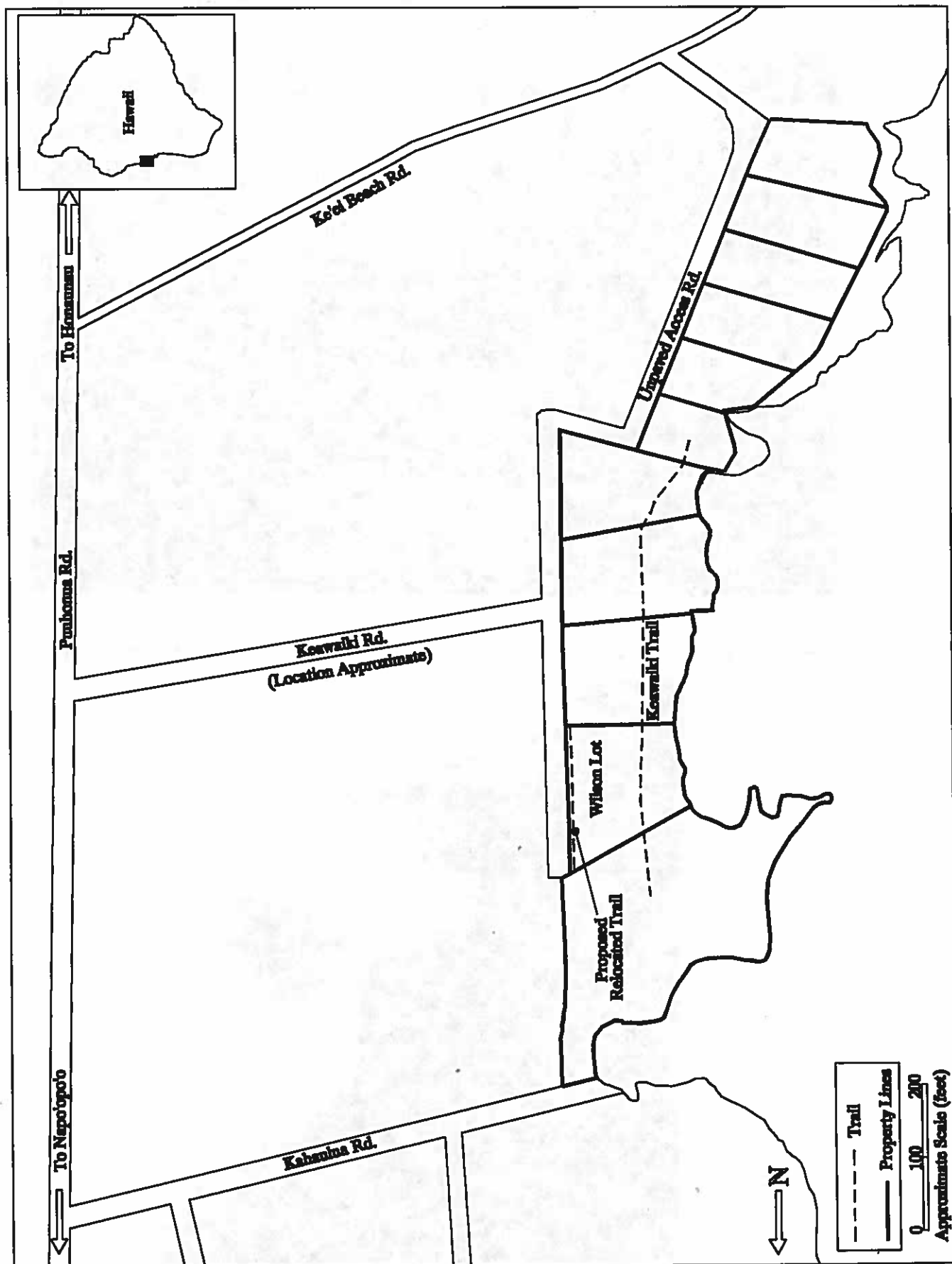
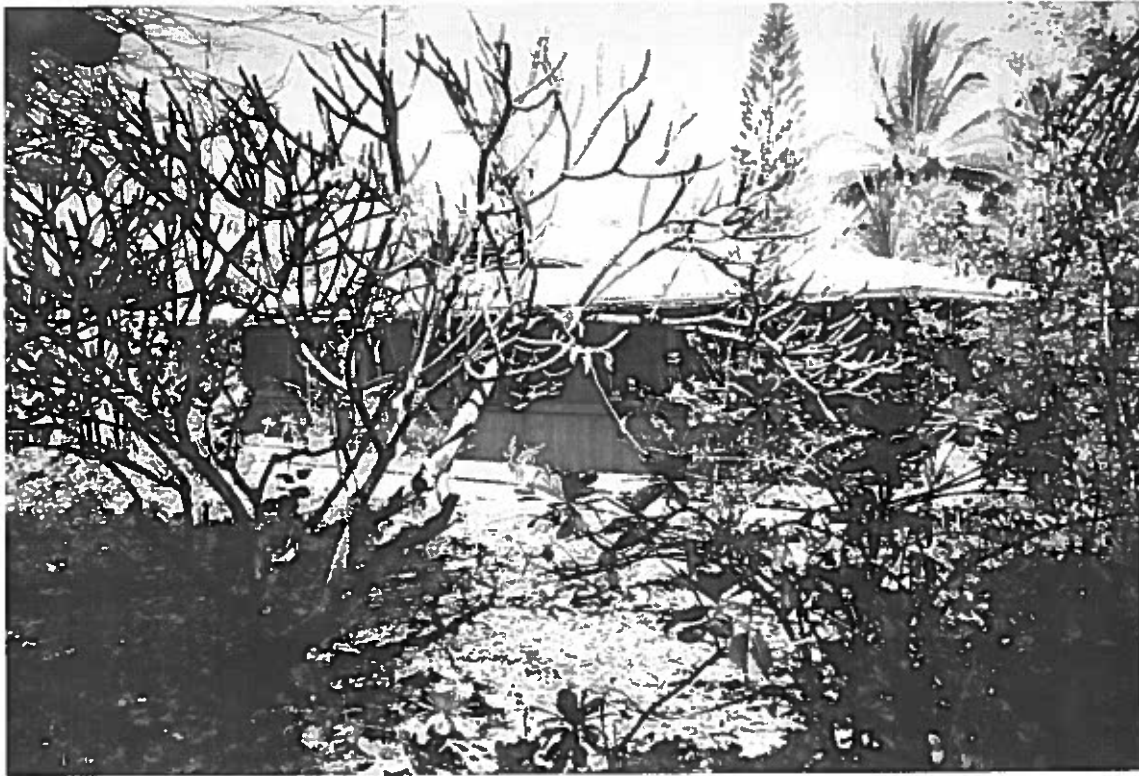


FIGURE 3A

PROJECT SITE PHOTOGRAPHS



Existing Home on Wilson Lot ▲

▼ 'A'a Cliffs Fronting Wilson Lot



FIGURE 3B

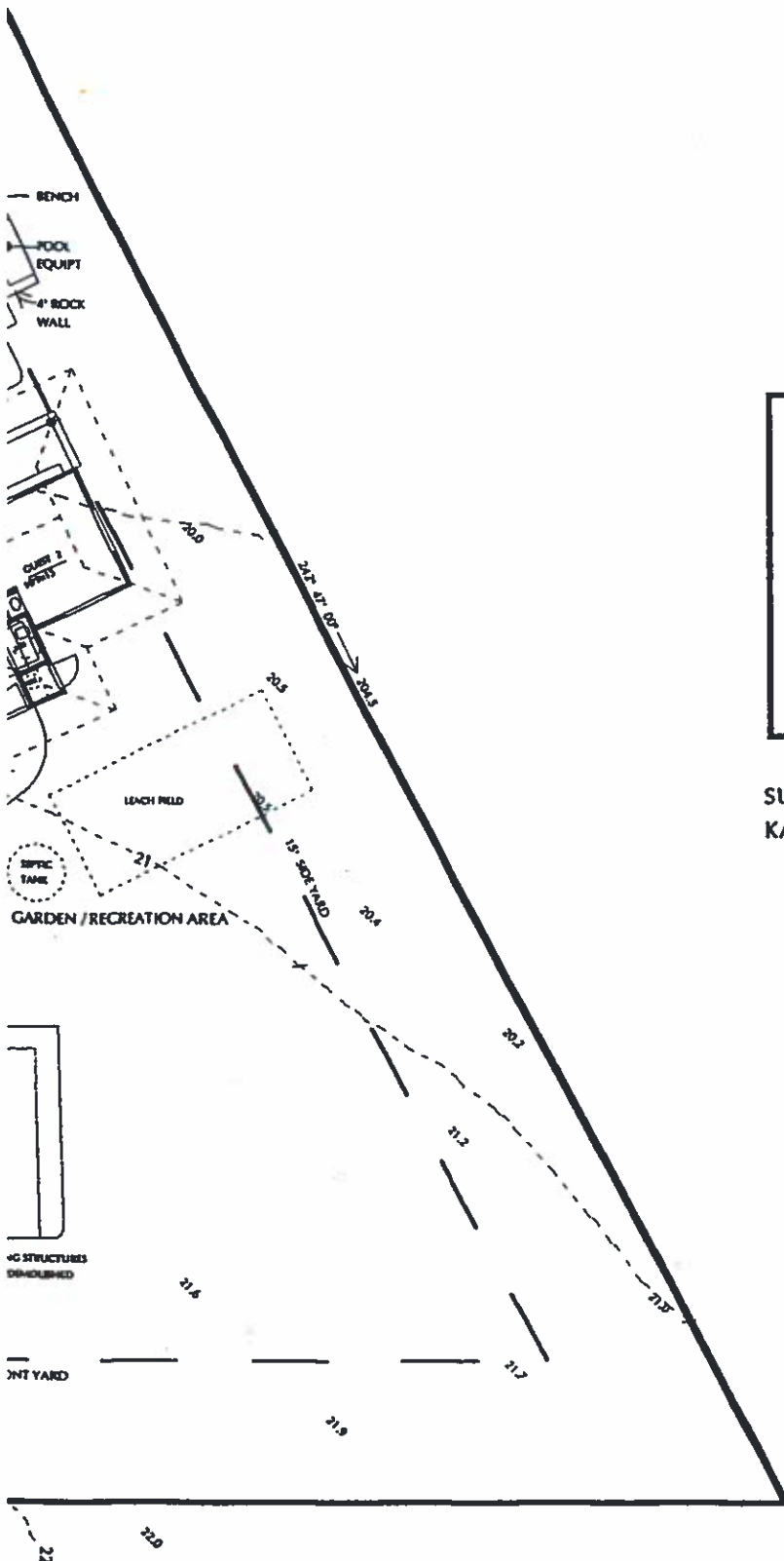


View to South From Roof of Existing Home ▲



FIGURE 4

SITE PLAN



AREAS:

| | |
|----------------------|----------------|
| HOUSE | 2323 |
| GUEST WING | 706 |
| CARPORT STORAGE | 73 |
| POOL, WATER FEATURES | 396 |
| TOTAL | 3498 SF |

SURVEY DATA FROM MAP BY WES THOMAS & ASSOCIATES, INC.
KAILUA KONA, HAWAII. PROJECT NUMBER: 13171, JULY, 1992

**JOHN
PARAZETTE
ARCHITECT AIA**
P.O. BOX 14 KAILUA-KONA, HI 96745
TEL. (808) 329-1151 FAX (808) 329-9625

**WILSON RESIDENCE
KAHAULOA**

TMK: 8-3-05: 06
SOUTH KONA, HAWAII

SCHEMATIC DESIGN

1 of 6

SCALE 0 10 20 30 40 50 60 FEET

JAN. 20 2000

FIGURE 5 VIEW TO KAHAULOA BAY FROM VIEWPOINTS
Kahauloa Bay, with Keawaiki Beach Lots just to South, Indicated by Arrows

Mamalahoa Highway



Upper Napo'opo'o Road



Lower Napo'opo'o Road



Lower Napo'opo'o Road



