

2010 FEB -2 PM 2: 02

# geometrician

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integrating geographic science and planning

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January 29, 2010

Bobby Jean Leithead-Todd, Director  
Hawai'i County Planning Department  
101 Pauahi Street, Suite 3  
Hilo HI 96720

**Subject: Response to Comments on Conservation District Use  
Application HA-3530 and Draft Environmental Assessment for  
Gating of Access Roads in the Conservation District at  
Kahauloa, TMK: (3) 8-3-005:001, Kahauloa, South Kona  
District, Island of Hawai'i**

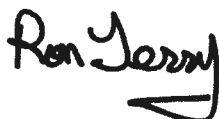
Dear Ms. Leithead-Todd:

Thank you for your comment letter addressed to Sam Lemmo and dated December 18, 2009, on the Draft EA and CDUA. In answer to your specific comments:

1. *Trail within Keawaiki.* Thank you for the information that your Department is awaiting a decision on how to proceed with the SMA permit pending an abstract on a trail to determine if Keawaiki Road is considered a trail under the Highways Act of 1892. As a matter of correction, there was information regarding this road and other paths within the Draft EA, particularly on Page 22. It is our understanding that the road(s) you are referring to were built after subdivision of the Keawaiki Beach Lots.

We very much appreciate your review of the document. If you have any questions about the EA, please contact me at (808) 969-7090.

Sincerely,



Ron Terry, Principal  
Geometrician Associates

Cc: Sam Lemmo, DLNR-OCCL





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February 16, 2010

Audrey Barker  
Office of Conservation and Coastal Lands  
P.O. Box 621  
Honolulu, Hawaii 96809

**Re: Conservation District Use Application (CDUA HA-3530)**  
**TMK: (3) 8-3-005:001, 020, & 021**  
**Kahauloa, South Kona, Hawaii**  
**Applicant: Charles and Diane Bundrant**

Dear Audrey:

Thank you for forwarding the comment letter from Dennis Kau'i Hart on the application identified above. As you noted in your transmittal to me it is too late to include a response in the Environmental Assessment process, but not too late to include a response for your staff review of the CDUA. I truly appreciate this opportunity to address Mr. Hart's concerns, and to complete the record.

The first four paragraphs and paragraphs six and seven refer to the alleged destruction of a trail that is not on the subject property and is not in any way related to the proposed gating of these private roads. Na Ala Hele previously researched the history of trails in this area and determined that there was no evidence of this alignment of a trail on any map predating 1892, and that absent such evidence, ownership of the trail could not be confirmed in favor of the State of Hawaii. This issue was addressed in two previous CDUPs that I am aware of.

It is noted that pedestrian access will not be denied on these private roads, only vehicular gating is proposed and pedestrian paths will be associated with the gates to insure pedestrian access is uninterrupted. Please see the exhibits associated with the application.

In regard to paragraph seven, Dr. Bob Rechtman did not prepare an Environmental Assessment for the subject area. It was prepared by Dr. Ron Terry.

I hope this addresses the issues raised by Mr. Hart. If you or your staff has any questions, or if you require additional information, please contact me. Thank you for your prompt review of this application.

Sincerely,

Gregory R. Mooers  
President

## Imamura, Esther

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**From:** Greg Mooers [gmooers@hawaii.rr.com]  
**Sent:** Wednesday, February 24, 2010 10:51 AM  
**To:** 'Esther Imamura'  
**Attachments:** late comment response.doc

Esther:

Please find attached my response to OCCL on Mr. Hart's comments.

Greg