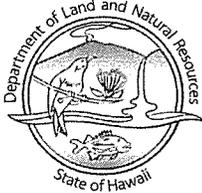


DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

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HISTORIC PRESERVATION
KAHO'OLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF: OCCL:LY

CDUA OA-3759

Acceptance Date: November 20, 2015
180 Day Expiration Date: May 18, 2016

Mr. Adam Mikes, P.E.
91-2105 Kaioli Street, #2303
'Ewa Beach, Hawaii 'i 96706

NOV 23 2015

Dear Mr. Mikes

**NOTICE OF ACCEPTANCE AND ENVIRONMENTAL DETERMINATION
Conservation District Use Application (CDUA) OA-3759
(Departmental Permit)**

This acknowledges the receipt and acceptance for the processing of your client's CDUA for after-the-fact improvements done on the subject property located at 1551 Moani Street, Kamanaiki Valley, O'ahu, Hawaii'i, further identified as Tax Map Key (TMK): (1) 1-4-001:047. Improvements on the property include excavation, grubbing, and grading work as well as exterior additions to the existing single family residence (SFR). The subject property is located within the Resource subzone of the State Land Use Conservation District.

Based on the information provided, the after-the-fact work being applied for includes:

- Grubbing, grading, minor excavation for a total of 9,800 square feet and the use of 125 cubic yards of fill as a gravel base topper over the widened driveway, parking lot area, and pathway;
- Construction of earth retaining walls and non-earth retaining walls; and
- Construction of two (2) exterior decks on the second floor of the existing single family residence (100 square feet and 65 square feet). The landowner would like to complete the construction of these decks which also includes the installation of deck railings.

Additional work is also being proposed to help mitigate some of the earlier work that had already been done. Work proposed includes the following:

- Additional grading to stabilize the hillside that was disturbed for the widening of the parking lot area;
- Demolition of the existing, dilapidated shed;
- Use of already available rock boulders to mitigate the disturbed hillside area along the pathway, by placing them against the cut area to shore-up the hillside area;
- Installation of 5,700 square feet of grass pavers in the driveway/parking lot area that was already previously cleared;
- Installation of 11 photovoltaic (PV) panels (65 inches x 39 inches each) on the roof of the existing SFR; and

- Installation of five (5) no trespassing signs (2 ft. x 3 ft.) along the northern property line.

The property is located on a hillside that is mainly planted with ulu, niu, iron wood, Taiwan Koa, and a few Banyan trees. The low ground cover and brush includes laua'e, taro, ti leaf, Christmas berry, and California grass. While wild boars are known to be present in the Kalihi area, the homeowner has not seen any roaming on the property. The only know animals observed on the property are loose chickens and various species of birds.

The homeowner and his family have been living on the property for over 30 years and have not witnessed the performance of any Hawaiian rituals or rights on the property, nor have they encountered any remains or artifacts. Additionally, this area does not serve as public access to any known landmarks or recreational areas.

After reviewing the application, the Department finds that:

1. The previously conducted work and the additional proposed work are identified land uses within the Conservation District, pursuant to the following:
 - Hawai'i Administrative Rules (HAR) §13-5-22, P-13 LAND AND RESOURCE MANAGEMENT (C-2) *Erosion control, including replanting of trees and groundcover, placement of biodegradable or synthetic materials for slope stabilization, construction of minor swales and check dams, not to include shoreline erosion control structures;*
 - HAR §13-5-23, L-2 LANDSCAPING (C-1) *Landscaping (including clearing, grubbing, and tree removal), including chemical and mechanical control methods, in accordance with state and federal laws and regulation, in an area of less than 10,000 square feet; and*
 - HAR 13-5-22, P-8 STRUCTURES AND LAND USES, EXISTING (B-1) *Demolition, removal, or minor alteration of existing structures, facilities, land, and equipment.*
2. Pursuant to HAR §13-5-40 HEARINGS, a Public Hearing will not be required.
3. In conformance with Chapter 343, Hawai'i Revised Statutes (HRS), as amended, and HAR, Title 11, Department of Health, Chapter 200, Environmental Impact Statement Rules, Subchapter 8, §11-200-8 (a)(4) *Minor alterations in the conditions of land, water, or vegetation*, the proposed use is exempt; and
4. The proposed project is not located within the Special Management Area (SMA).

Upon completion of the application review process, the subject CDUA will be reviewed by the Chairperson for consideration. Should you have any questions, please contact Lauren Yasaka at the Office of Conservation and Coastal Lands at (808) 587-0386.

Sincerely,



SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources

c: Oahu Board Member
DOFAW/ENG/ODLO/HP
DOH/OHA/OEQC
C&C, DPP
Kalihi Valley NB No. 16
Kalihi-Palama Public Library