

COUNTY OF HAWAI‘I PLANNING DEPARTMENT
BACKGROUND REPORT

DUSTIN JAMES HOLLENBACK, ESZTER TRUST
SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION
(PL-SMA-2025-000070)

DUSTIN JAMES HOLLENBACK, ESZTER TRUST has submitted the following Application for a Special Management Area Use Permit to construct a two-story, approximately 7,738-square foot single-family dwelling, a two-story, approximately 5,080-square foot commercial agriculture building to support future taro and cacao farming activities, and related improvements on a 2.5-acre shoreline parcel within the Special Management Area. The subject property is located at 32-962 Hawai‘i Belt Road, on the makai side of a section of Old Mamalahoa Highway, approximately 300 feet north of the Ninole Post Office, Waikaumalo-Maulua Homesteads, North Hilo, Hawai‘i, TMK: (3) 3-2-003:001.

PROPOSED DEVELOPMENT

1. **Request:** The proposed project involves the development of a farm dwelling and a commercial agricultural structure on a 2.50-acre parcel located at 32-962 Hawai‘i Belt Road in Ninole, within the North Hilo District of Hawai‘i County. The subject parcel, identified as TMK (3) 3-2-003:001, lies entirely within the Special Management Area (SMA) and is the basis for the Special Management Area Use Permit application under consideration. The applicants, Dustin James Hollenback and the Eszter Trust, intend to establish a permanent residence and engage in long-term commercial agricultural operations that align with the zoning and land use designations for the site. The proposed farm dwelling is a single-family, two-story residence designed with a footprint of 5,000 square feet (50 feet by 100 feet). Complementing the dwelling is a planned commercial agriculture structure, which will be a split-level building with a 2,400-square-foot footprint (approximately 60 feet by 40 feet) and a 60-foot by 12-foot upper-level deck on the makai side. This configuration minimizes grading by adapting to the site’s slope and reduces environmental disturbance. The agricultural structure will include vehicle and equipment storage on the mauka side, a dedicated produce cleaning and cold storage area on the makai side with sinks, shelving, and a large refrigerator (Coolbot system), and a

second-floor office with an external-access bathroom to support safe and hygienic farm operations. The applicants plan to use the site for diversified commercial agriculture, including the cultivation of taro (kalo) and cacao. The kalo cultivation will occupy approximately 5,000 square feet, enclosed by a four-foot hog wire fence, and will consist of 24 beds measuring one foot by 100 feet each. These beds will be planted in two-month intervals in groups of four, with harvesting commencing nine months after planting. Each bed will contain two offset rows of taro plants spaced 18 inches apart, supporting a total of 3,120 plants across all beds. The kalo corms and leaves will be sold to local food processors, with surplus tubers marketed through Hawaii Farm to Car and the Hawai‘i ‘Ulu Cooperative. Full production is expected to yield an estimated \$15,000 in annual revenue. In addition, the project includes a cacao orchard composed of 130 trees, planted simultaneously in a terrain-responsive layout with ten-foot spacing to optimize sun exposure and airflow. These trees are anticipated to begin producing pods within three to five years, with biannual harvesting aligned to pod maturity. The cacao beans will be marketed to local chocolatiers through the East Hawaii Cacao Association, with projected annual revenue reaching \$35,000 once the orchard reaches maturity. The agricultural activities will be further supported by an established apiary of five honeybee hives, each housing approximately 50,000 to 60,000 bees. These hives have been strategically sited for optimal pollination, weather protection, and access to nearby water sources. The bees will support crop productivity while also generating honey for sale to local artisans who use it in culinary and value-added products. Annual honey yield is currently estimated at 50 gallons. **(Planning Department Exhibit 1 – SMA Use Permit Application Packet dated January 14, 2025).**

2. **Project Objectives:** The purpose of the project is to develop a functional agricultural-residential homestead.
3. **Cost/Time of Project:** The total estimated cost of the project is \$1,500,000, which exceeds the \$500,000 threshold for requiring an SMA Major Use Permit. The project will begin as soon as all permits and approvals are granted.
4. **Landowner:** Dustin James Hollenback, Eszter Trust

BACKGROUND INFORMATION

5. **Chapter 343, HRS:** The proposed improvements are not subject to the requirements of Chapter 343, Hawai‘i Revised Statutes regarding Environmental Impact Statements as there is no work proposed within either the Conservation District or the Shoreline Setback Area.
6. **IWS File No. 63874:** On April 7, 2020, a letter was provided by the State Dept. of Health in regard to a proposed Individual Wastewater System (IWS) and the submitted plans conformance with provisions of HAR Ch. 62.

STATE AND COUNTY PLANS

7. **State Land Use Designation:** Agriculture and Conservation
8. **General Plan LUPAG MAP:** Open (ope) and Important Ag. Lands (ial).
9. **County Zoning:** Agricultural 20-acres (A-20a).
10. **Hamakua Community Development Plan (HCDP):** The Hamakua Community Development Plan was developed under the framework of the February 2005 County of Hawaii General Plan and was adopted in 2018 via Ordinance 2018-78 by the Hawaii County Planning Commission.
11. **Special Management Area (SMA):** The entire project area is located within the Special Management Area (SMA) as well as located within the “shoreline area” as defined by section 205A-41, Hawai‘i Revised Statutes (HRS). Due to the location of the proposed development being approximately 60-feet from the top-of-pali which is designated as the “shoreline” location on this parcel, the Planning Director waived the requirement for a certified shoreline survey.

DESCRIPTION OF PROJECT AREAS AND SURROUNDING AREA

12. **Subject Project Area:** The subject parcel is positioned on the lower flank of Mauna Kea and is bordered on the north and south by two perennial streams—Ka‘aheiki (historically referenced as Kaoheiki) and Waikolu—whose streambanks help define the lateral boundaries of the property. The makai boundary of the parcel is demarcated by a steep shoreline pali, approximately 200 feet in height, which separates the project area from the ocean below and serves as a natural barrier to coastal access. Geomorphologically, the site consists of gently to moderately sloping terrain, having been historically graded and

cleared for sugarcane cultivation in the 20th century. The parcel's average slope ranges from 5 to 15 percent, with steeper topography occurring near the midsection of the lot. Elevation across the site varies from approximately 245 feet above mean sea level at the mauka (inland) boundary to about 200 feet near the top of the shoreline pali. The property is underlain by basaltic lava flows from the Hāmākua Volcanic Series, which are estimated to be between 65,000 and 250,000 years old.

13. **Surrounding Land Zoning/Uses:** Adjoining parcels to the north, east (mauka), and west (makai) are similarly zoned for agricultural use, while properties located farther to the south and beyond the Hawai'i Belt Road transition into lands designated as Rural (R-0.5a), reflecting a pattern of mixed rural residential and small-scale agricultural development. Existing land uses in the immediate vicinity of the subject property include pasture lands, small-scale farms, and rural homesteads. Many of the neighboring parcels were historically part of the sugarcane cultivation economy and have since been converted into low-density agricultural homesteads or remain in grazing and fallow conditions. Residences in the area tend to be modest, single-family dwellings, with some dating back to the 1930s and 1940s, as documented by the Hawai'i County Real Property Tax Office. The parcel immediately mauka of the subject parcel contains a single-family residence with a designated viewplane corridor that affects the siting of structures on the subject property. Other nearby properties also host scattered homes, outbuildings, and agricultural sheds. The community of Ninole itself is a small, historically rooted settlement that includes residential, agricultural, and cultural features.
14. **Soil Type:** The project area's soils are classified by the USDA Natural Resources Conservation Service (NRCS) as *Hilo hydrous silty clay loam* with 10 to 20 percent slopes. These soils are described as volcanic ash fields overlying basalt lava flows. The site exhibits good infiltration, as observations during site visits revealed no channelized flow, ponding, or hydric soils or vegetation. These characteristics suggest that stormwater runoff is generally absorbed on-site under normal conditions, with runoff likely occurring only during heavy rainfall events. The soil conditions are considered suitable and not limiting for the proposed agricultural and residential development.

15. **Land Study Bureau's Detailed Land Classification System:** The subject property includes soils classified as “Class E” (poor) and “unclassified” under the LSB system.
16. **Flood Insurance Rate Map (FIRM):** The subject property is located within FEMA Flood Zone X, which denotes areas outside the 500-year floodplain and considered to be of minimal flood hazard.
17. **Flora/Fauna Resources:** The floral and faunal composition of the project site reflects its history of agricultural use and current status as a managed, open landscape dominated by non-native vegetation. The majority of the property is covered by guinea grass (*Megathyrsus maximus*). Along the stream corridors and the top of the shoreline pali, the vegetation includes a mix of non-native and some native species. Notable flora in these peripheral areas includes hau (*Hibiscus tiliaceus*), rose apple (*Syzygium jambos*), guava (*Psidium guajava*), octopus tree (*Schefflera* spp.), and cultivated banana plants. Scattered native species such as hala (*Pandanus tectorius*) and ‘ōhi‘a (*Metrosideros polymorpha*) are also present, particularly along the shoreline pali and within the Conservation District portion of the subject parcel. The applicant has indicated that no rare, threatened, or endangered plant species have been identified on the parcel, and there is no record of a professional botanical survey having been conducted. However, based on site observations, the past history of sugarcane cultivation, and the predominance of ruderal species, the presence of sensitive floral resources is considered unlikely.

In terms of fauna, the site does not support any known native terrestrial animal populations and is mostly frequented by common non-native species such as feral cats, rats, mice, and pigs, which are observed occasionally. Although no formal wildlife survey has been conducted, the application notes the potential for the Hawaiian hoary bat (*Lasiurus semotus*) to occasionally roost in the larger trees along the property’s margins, though human activity likely discourages frequent use. Additionally, seabirds such as the black noddy (*Anous minutus*), white tern, and white-tailed tropicbird (*Phaethon lepturus*) are known to frequent the area, particularly near the shoreline pali. The application also acknowledges that native forest birds like the ‘io (*Buteo solitarius*), pueo (*Asio flammeus*), and ‘ua‘u (*Pterodroma sandwichensis*) may occasionally fly over the property, though no nesting or critical habitat areas have been identified on-site. Overall,

the project is not expected to impact any protected floral or faunal species, and development will be confined to already cleared areas, avoiding the more densely vegetated gulch and shoreline zones.

The site also includes an established apiary of five honeybee hives, with each hive housing approximately 50,000 to 60,000 bees during peak seasons. The existing apiary on the subject property was established prior to the current development proposal and is actively maintained by the property owners. These hives have been strategically located on the property to maximize pollination benefits for both existing and future agricultural crops—particularly taro (kalo) and cacao—while minimizing exposure to strong trade winds.

18. **Archaeological Resources:** No archaeological features, artifacts, structural remains, or burial sites have been identified on the property through either documentation or landowner observation. The subject property was historically used for sugarcane cultivation, and site conditions today—characterized by cleared, graded terrain—reflect significant prior disturbance. As part of the Special Management Area (SMA) Use Permit process, the proposed project was submitted to the State Historic Preservation Division (SHPD) for formal review via the Hawai‘i Cultural Resource Information System (HICRIS) on December 11, 2024. SHPD reviewed the materials and issued a letter dated January 13, 2025, concluding with a determination of “*No historic properties affected*” pursuant to Hawai‘i Administrative Rules §13-284-7(a)(1). While SHPD acknowledged that the property is within a broader area cataloged as Site 50-10-16-07396 (Ninole District), they noted that no archaeological studies have previously been conducted on the parcel, and that no historic properties have been documented. Supporting this conclusion, both historical and recent aerial imagery reveal that the land has been substantially altered by agriculture and vegetation clearing.
19. **Cultural/Historic Resources:** The cultural and historical resource assessment for the project site indicates that no known cultural, historical, or traditional practices or sites are present on the 2.50-acre parcel. The property has been historically used for sugarcane cultivation and is currently maintained as mowed pasture and managed open space. According to the application, the landowners have not observed any cultural practices,

such as fishing, gathering, or ceremonial use, occurring on or near the property during their tenure. To further support this conclusion, the applicants consulted with neighboring landowners, none of whom were aware of any traditional or customary Native Hawaiian uses associated with the parcel. The shoreline, which forms the makai boundary of the property, is defined by a steep pali approximately 200 feet in height, severely limiting access to the ocean. As a result, the shoreline is not used for traditional subsistence fishing or gathering, and there is no evidence of lateral shoreline access being exercised in the area. While the possibility of fishing or gathering in the vicinity cannot be categorically ruled out, the steep and hazardous terrain makes such activities highly improbable on this site. There are no identified wahi pana (storied or sacred places), historic structures, or recorded cultural sites within the project area. As part of the project's compliance with Hawai'i Revised Statutes Chapter 6E-42, the application was submitted to the State Historic Preservation Division (SHPD), which issued a determination of "No historic properties affected" following review of the SMA Use Permit packet and supporting materials.

20. **Recreational/Scenic and Open Space Resources:** The subject property and its immediate surroundings do not contain any known or designated recreational, scenic, or open space resources, and there is no indication of active or passive public recreational use occurring on-site or in the vicinity. The parcel is located on the seaward side of Hawai'i Belt Road (Highway 19) in the community of Ninole and is bordered on its north and south sides by perennial streams—Ka'aheiki and Waikolu. The makai boundary is defined by a rugged shoreline pali approximately 200 feet in height, which descends steeply to a narrow and rocky coastal strip. Due to this steep topography and hazardous terrain, public access to the shoreline is impractical and likely unsafe, and there is no evidence—historical or contemporary—of recreational use such as fishing, hiking, or gathering along this stretch of coast. Regarding scenic and open space resources, the application confirms that the property is not visible from the Hawai'i Belt Road or any other public thoroughfares, due to the area's topography and vegetation. The County of Hawai'i Planning Commission's SMA guidelines, which discourage development that interferes with viewplanes toward the sea from public roads, are addressed by the

project's design, which respects a viewplane corridor on the adjacent mauka parcel (TMK: 3-2-003:040). Structures have been carefully sited to avoid intruding upon this designated corridor.

21. **Coastal Hazards:** The project site is not subject to significant coastal hazards due to its elevated position atop a steep 200-foot-high sea cliff (pali), which forms a natural shoreline barrier along the makai edge of the property. According to the Flood Insurance Rate Map (FIRM), the entire parcel lies within Flood Zone X, indicating that it is located outside of the 500-year floodplain and is considered to have minimal flood risk. Additionally, the property is located outside the tsunami evacuation zone, and there are no recorded impacts from storm surge, wave run-up, or sea level rise affecting this site. With respect to run-off and drainage, the site's soils—classified as Hilo hydrous silty clay loam—are highly permeable volcanic ash soils that promote infiltration. Observations at the site reveal no ponding, hydric conditions, or channelized flow under normal rainfall. As a result, stormwater is expected to be absorbed into the soil under typical conditions, with surface runoff likely occurring only during heavy or prolonged rainfall events. To minimize the risk of sedimentation or erosion during construction, the applicant has committed to implementing Best Management Practices (BMPs), including the use of silt fencing, stabilized construction zones, and restrictions on grading during heavy rain. Vegetative cover on the property will be largely retained, especially near stream corridors and the shoreline pali, which will further limit runoff and prevent erosion or sediment transport into the coastal zone. Wastewater will be treated on-site using an approved Individual Wastewater System (IWS), which will be located as far as possible from the shoreline, between the two main structures. This system is designed to meet Department of Health standards and minimize any potential for contamination of groundwater or coastal waters.

PUBLIC UTILITIES AND SERVICES

22. **Access:** The site is accessed from Hawai'i Belt Road (State Route 19) via a shared access and utility easement identified as "RU-1," which incorporates a remnant segment of the Old Mamalahoa Highway and continues through an additional easement across the adjacent mauka parcel (TMK: 3-2-003:040) to reach the subject property.

23. **Water:** Potable water service to the proposed farm dwelling will be provided by the County of Hawai‘i Department of Water Supply (DWS) from an existing 4-inch waterline located within a private easement. This waterline and its associated service lateral were established during the prior subdivision of the property (SUB-08-000705). However, because the subject property does not front directly on a DWS-owned waterline, only one (1) unit of water—defined as 400 gallons per day, the average for a single-family residence—is allowed via a 5/8-inch meter, and this meter may only serve the farm dwelling. The proposed agricultural building must rely on a separate private water system, such as rainwater catchment or a private well, since it cannot share the existing DWS meter. To accommodate both residential and agricultural water use, the applicant will need to segregate potable water usage, with DWS-provided water allocated exclusively to the residence and alternative systems used for farm-related activities, such as crop irrigation, produce washing, and equipment cleaning. The Department of Water Supply has no objection to the proposed development, but outlined the following conditions and requirements for water service:
- Only one (1) meter (5/8-inch) is allowed, serving the farm dwelling only.
 - A Policy and Conditions for Water Service, or “Out-of-Bounds Agreement,” must be signed by the applicant, acknowledging their responsibility for installation and maintenance of the customer waterline from the meter to the home, including securing any necessary permits and easements.
 - A reduced pressure type backflow prevention assembly must be installed within five (5) feet of the existing meter on private property.
 - The applicant is responsible for relocation or adjustment of any affected DWS water system facilities if required during project construction.
24. **Wastewater:** Wastewater for the proposed project will be managed by an Individual Wastewater System (IWS) previously approved by the Hawai‘i State Department of Health (DOH) under File No. 63874. This existing system, originally designed for a smaller residential use, will be amended to accommodate the expanded wastewater demands of the proposed development, which includes a two-story farm dwelling and a commercial agricultural building. The amended system will support a total of six

bathrooms shared between the two structures and will be centrally located on the property between them. The applicant has indicated that they will work with DOH to update the IWS permit accordingly, ensuring compliance with health and sanitation standards. The system will be designed to handle both domestic wastewater from the residence and sanitary flows associated with limited farm labor and processing activities, with all design and installation subject to DOH review and approval.

25. **Other Essential Utilities and Services:** Electricity, telephone, and internet services are already present or available to the site.

AGENCIES' COMMENTS

26. **DLNR - Engineering:** (Planning Department Exhibit 2 – July 9, 2025, Memo).
27. **State Office of Planning and Sustainable Development (OPSD):** (Planning Department Exhibit 3 – July 1, 2025, Letter).
28. **State Department of Health:** (Planning Department Exhibit 4 – June 18, 2025, Memo).
29. **County Department of Water Supply:** (Planning Department Exhibit 5 – July 8, 2025, Letter).
30. **DLNR – Office of Conservation and Coastal Lands:** (Planning Department Exhibit 6 – July 2, 2025, Letter).
31. **Couty Police:** (Planning Department Exhibit 7 – June 24, 2025, Memo).
32. **State Historic Preservation Division (SHPD):** (Planning Department Exhibit 8 – January 13, 2025, Letter).
33. **State Commission on Water Resource Management (CWRM):** (Planning Department Exhibit 9 – July 14, 2025, Memo).

AGENCIES - NO RESPONSE

34. **County Dept. of Public Works – Engineering & Building; County Dept. of Environmental Management, County Fire Dept.; State Department of Agriculture; NRCS.**

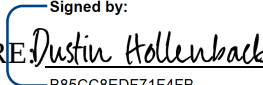
PUBLIC COMMENTS

35. **No comments have been received.**

SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION

COUNTY OF HAWAII PLANNING COMMISSION (Type or legibly print the requested information)

APPLICANT(S): Dustin James Hollenback, Eszter Trust

APPLICANT'S SIGNATURE:  DATE: 1/14/2025
Signed by: B85CC8EDF71F4FB...

ADDRESS: PO Box 166, Ninole, HI 96773-0166

LIST APPLICANT'S INTEREST (if not owner): _____

PHONE: (Bus.) (480) 455-2024 (Res.) _____ (Email) dustin@dustinhollenback.com
eszti@esztiollenback.com

REQUEST: SMA Use permit for the proposed farm dwelling and agricultural structure described in the attached application.

TAX MAP KEY: (3rd) 3-2-003:001 ZONING: Ag-20a

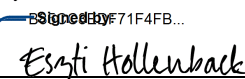
SIZE OF PROPERTY / AREA OF REQUESTED USE: 2.50-acres / approx. 7,400 sq ft

LANDOWNER(S): Dustin James Hollenback, Eszter Trust

FEE SIMPLE LANDOWNER(S) WRITTEN AUTHORIZATION

(may be provided by letter with the below statement included):

 DATE: 1/14/2025
Signed by: 71F4FB...

 DATE: 1/14/2025
Signed by: 56111CDA44FC470...

AGENT: Matthew M. Graves

AGENT ADDRESS: PO Box 804, Honokaa, HI 96727

PHONE: (Bus.) (808) 927-5770 (Res.) _____ (Email) matt@mmgarch.com

Please indicate to whom original correspondence and copies should be sent.

ORIGINAL: Matthew M. Graves COPIES: Dustin Hollenback

Planning Dept.
Exhibit 1

Special Management Area Use Permit Application
Hollenback Property Farm Dwelling and Commercial Agriculture Structure
TMK (3rd) 3-2-3:001, 2.5-acres
32-962 Hawai'i Belt Road
Ninole, North Hilo District, County of Hawai'i
Owners and Applicants: Dustin James Hollenback, Eszter Trust

A. Background Information

1. Description of Proposed Project

The entirety of the 2.50-acre property is situated within the Special Management Area. Based on this, we hereby submit this report in support of a Special Management Area Use Permit for review and approval by the Hawai'i County Planning Department and the Windward Planning Commission.

The owners/applicants propose to construct a farm dwelling and commercial agriculture structure on the approximately 2.50-acre parcel subject property with TMK (3rd) 3-2-003:001 and street address of 32-962 Hawai'i Belt Road, located within the Special Management Area (see Location Map and SMA Map, Figures 1 and 2, respectively). The proposed farm dwelling is under design and would consist of a single-family, two-story residence with a total footprint of 5,000 square feet (i.e., 50 feet by 100 feet).

The owners/applicants also propose to construct a commercial agriculture shed structure, which would be split-level with a proposed footprint of 2,400 square feet (i.e., approximately 60 feet by 40 feet), and an upper-level deck of 60 feet by 12 feet on the makai side. The split-level shed design would require less excavation and fill than a single-level design.

The proposed agricultural shed structure multi-use building would support commercial agricultural activities. The single-story mauka side of this building will store vehicles/tractors and farm equipment such as tractor implements and farm tools. A separate area on the lower makai side of the building would be for crop cleaning and cold storage, including multiple sinks for cleaning and storage shelving. The commercial agriculture shed structure will also contain a large refrigerator (Coolbot) to store clean crops before sending offsite for final processing to extend the life of the produce. This area will also contain a separate bathroom that is directly accessible from outside to allow isolated cleaning. Upstairs on the makai side will be a clean storage room, office, and bathroom for the office.

Drawings are presented in Figure 3 through Figure 10.

In addition to setbacks, siting of the structures would also be constrained by an approximately 108.44-foot wide view plane corridor located makai of the residence on parcel TMK (3rd) 3-2-003:040, an adjacent property on the mauka side.

The subject property would be accessed via a shared access and utility easement ("RU-1") that extends from along the Hawai'i Belt Road (SR 19), a portion of which also provides access to the owners of parcels TMK (3rd) 3-2-003:002 and TMK (3rd) 3-2-003:040. This access easement utilizes a portion of the Old Mamalahoa Highway, and a second easement allows ingress/egress for the subject property through the adjacent property on the mauka side. Figure 11 presents

the consolidation/subdivision map, showing the access and utility easements. The proposed project also includes retaining walls along the driveway and access easement.

Electricity would be supplied to the site by HELCO, entering the subject property through a utility easement, although the owner/applicant may install a photovoltaic system instead of connecting to HELCO, which is a decision that will be made closer to the build, depending on costs at that time. Water would be provided by the Hawai'i County DWS, entering the property through easement "W3" (Figure 11). Wastewater would be managed with the construction of an on-site basic individual wastewater system (IWS) permitted by the State Department of Health, which would be sited between the two structures and be used by both structures. The septic system will go through an amended septic permit to increase the previously approved septic plan (IWS File No: 63874) to support 6 bathrooms.

Objectives of and Reasons for the Proposed Project

The purpose of the proposed project is both the construction of a farm dwelling for long-term residence by the owners and a commercial agricultural building to support commercial agriculture. The owner/applicant intends to use the subject property for commercial agriculture activities including taro and cacao cultivation, and would comply with Hawai'i County rules pertaining to agricultural use.

The commercial farm will include a cacao orchard and kalo/taro field occupying approximately 5,000 square feet fenced with a four foot hogwire fence. Cacao will take several years to produce pods that can be processed. Proposed locations for the cacao trees are shown in Figure 3. Mature cacao pods would be processed by a local chocolate company.

The owners/applicants propose to cultivate 24 kalo beds of 1 foot by 100 feet each, with one foot foot paths. Each bed will have two offset rows of taro plants, spaced 18 inches apart within each row, resulting in 65 plants per row and 3,120 plants in total in all beds. The 5,000 square foot kalo patch would be fenced with a four-foot hog wire fence.

Four beds will be planted every two months, on a continuous rotation cycle. Each bed will be ready for harvest nine months after planting, with harvesting of mature beds scheduled every two months. Irrigation water would be supplied as needed using temporary and mobile irrigation equipment connected to the main buildings.

It will require approximately nine months to start producing viable kalo corms which would be sold to a local food processor to compete with imported kalo. Additionally, some rows would be alternated to be dedicated to harvesting of the kalo leaves which would also be sold to a local food processor.

Unprocessed kalo tubers would be sold directly through Hawaii Farm to Car, of which the owners/applicants are current members. Surplus would be sold to the Hawaii 'Ulu cooperative expecting to generate \$15,000 per year once all beds are in production.

The cacao orchard would be organized in loose rows based on the terrain, with each tree spaced 10 feet apart to ensure optimal sunlight exposure and airflow. This layout facilitates ease of access for maintenance and harvesting, while supporting the healthy growth of cacao trees. The owners/applicants would plant 130 trees, all at one time.

Regular maintenance, including pruning, fertilizing, and pest management, will follow an established schedule to promote tree health and productivity. When needed, water would be

supplied by temporary irrigation equipment connected to the main buildings. Cacao trees would begin producing pods three to five years after planting. Harvesting would occur biannually, depending on tree maturity and pod development.

Cacao beans will be marketed to local chocolatiers through the East Hawaii Cacao Association, expecting to generate \$35,000 per year once all trees are mature.

Farming activities would include an apiary, which is already established with 5 hives of honeybees. These hives have been strategically placed on the property to enhance pollination. This setup will not only improve the yields and quality of our future crops but will also provide the added financial benefit of honey production.

Each hive houses approximately 50,000-60,000 bees during peak season, ensuring robust pollination activity. Given our location on an oceanfront parcel, which experiences frequent weather and wind, the hives have been positioned to protect them from harsh weather conditions while maintaining proximity to nearby pollination sources. The placement also allows for convenient maintenance and honey extraction.

Regular maintenance of the apiary would continue, including inspecting hives for health, managing pests or diseases (e.g., varroa mites), and ensuring appropriate hive ventilation. All management practices adhere to sustainable and ethical beekeeping standards. There is an abundance of nearby water from streams that ensures a year-round water supply for the bees.

Honey extraction will be performed in bulk on-site using equipment stored in the agricultural shed structure, ensuring efficiency and hygiene. A clean and dedicated environment will be maintained for extraction to meet quality standards and ensure the safety of the final product. The existing five hives currently produce approximately 50 gallons of honey per year. This honey is sold in bulk to local artisans, supporting the creation of value-added products such as honey infusions and culinary ingredients. By collaborating with local artisans, our apiary contributes to the local ecosystem and economy.

Agricultural Shed Description

The main floor would serve as the central hub for farm equipment storage, offering secure and weather-protected housing for essential machinery such as a tractor, implements, and other tools. Proper storage ensures that equipment remains in optimal working condition, minimizing wear and tear caused by exposure to the elements, enabling consistent farm operations throughout the year, and reducing the risk of property theft. Additionally, this floor would include a dedicated storage room for farm supplies, such as fertilizers, seeds, irrigation equipment, and other materials critical to ongoing cultivation efforts. This centralized storage approach promotes organization and efficient workflow.

To further support the farm's administrative needs, a small office space would be integrated into the main floor. This office would provide a quiet, designated area for record-keeping, planning, and coordinating farm activities. It will also serve as a meeting space to engage with business partners, customers, or agricultural advisors, thereby enhancing the farm's professional operations.

The lower floor is specifically designed to facilitate the cleaning and storage of harvested produce. This space would be equipped with appropriate infrastructure to handle post-harvest activities, including washing stations and storage areas essential for maintenance of proper temperature and humidity levels to preserve the freshness and quality of produce. By dedicating a portion of the building to these activities, the farm would comply with food safety standards

and ensure that products meet the highest quality expectations of consumers and distribution partners.

2. Description of Subject Property, Uses, Structures, and Topography

The subject property is located in the rural community of Ninole approximately 20 miles north of Hilo. More specifically, the subject property is located a short distance makai of the Mamalahoa Highway (SR 19) along a small portion of the Old Mamalahoa Highway, now access easement RU-1.

The subject property is generally smoothly sloping, with steeper slopes along a rise near the midsection. A portion of the subject property is used for intensive agriculture, and is mostly vacant, although the grass is regularly mowed and vegetation is maintained. The subject property has been apparently previously graded for sugar cane cultivation, with a smooth, graded surface, and has an average slope varying between roughly 5% to 15%. Steeper areas are located near the midsection of the property. The elevation of the subject property above the shoreline pali varies from about 200 feet above mean sea level along the shoreline pali to about 245 feet above mean sea level at the mauka boundary and near the property midsection.

The subject property presently contains several non-permanent structures that would be removed prior to grading. These include a small resin storage shed, a viewing platform, and two dirt-floor tarp sheds (see Appendix 1 – Site Photos).

The property boundary on the makai side is formed by the shoreline, on the mauka side by the boundary with adjacent parcels. On the lateral sides, the property boundary appears to follow the middle of Keoheki Stream on the north side and the middle of Waikolu Stream on the south side.

The area is located on the lower flank of Mauna Kea volcano, on basaltic lava flows of the Hamakua volcanics series of 65,000 years to 250,000 years of age. The topography of the area is cut by a number of perennial and transient streams that flow to the coast over terrain that is moderately sloping, with an average slope in the range of 5% to 10%. The shoreline in this area is rugged, being constantly eroded by the incident trade wind swells, and has a shoreline pali about 200 feet in height. This combination of copious orographic precipitation, gently sloping terrain and deeply weathered soils makes the area particularly attractive for agricultural uses.

The two streams bordering the subject property, Ka'aheiki to the north and Waikolu to the south, are both perennial streams. Ka'aheiki is apparently a misspelling of Kaoheiki on the 1966 USGS topographic map (Place Names of Hawaii). The ahupua'a name is apparently derived from Ha'iku point, the easternmost (i.e., makai) portion of the subject property. This name literally means "speak abruptly or sharp break" perhaps deriving from the sound of waves breaking upon this topographic feature.

The vicinity is a mix of residential and agricultural uses, with residential uses being part of the community of Ninole. Mauka areas include pasturelands and homesteads, some of which occupy former sugar cane lands. Much of the vicinity was in sugar cane cultivation during the 20th century (HDOH 2024), apparently including the subject property.

The history of modern settlement of the area appears to go back to the 19th century. In 1914 the nearby community of Honohina had a population of 300, located about 1.0 mile south of the subject property. Notable community features from this era also include the original Honohina Hongwanji, constructed in 1916 and located about 0.5 miles towards Hilo from the subject property, and the Pohakupuka School, later called the John Ross school, formerly located about

0.5 mile towards Hamakua from the subject property. Clearly, Ninole and nearby Honohina was a small but vibrant community during the era of sugar cane cultivation. Evidence of this is shown in the construction dates of residences on neighboring parcels, mostly in the range of 1930 to 1940, according to the Hawaii County Real Tax Office. Therefore, the proposed use is in keeping with historical uses of the subject property and vicinity.

The subject property above the shoreline pali is virtually completely grassed with trees lining the slopes of the streams on the lateral property boundaries. The subject property does not appear to contain any vegetation that is considered rare, or listed as threatened or endangered under the Endangered Species Act. The applicant would not remove or alter any of these trees, including those located makai of the shoreline pali as is Conservation District s this activity would not be permitted without a Conservation District Use Application and permit.

Siting of the two proposed structures would respect both the 40 foot minimum shoreline setback and the Conservation District boundary. In the absence of a Certified Shoreline Survey, the shoreline is assumed to be the top of the shoreline pali, a more conservative constraint. The Conservation District boundary (Figures 3 and 11) appears to follow the top of the shoreline pali except for near the northern portion of the subject property, where it obliquely turns in a mauka direction, meeting the northern property boundary at Keiheiki Stream approximately 60 feet from the mauka property boundary.

Construction on the subject property is subject to a viewplane restriction for the midsection of the subject property, proscribing development in this area. This viewplane corridor is 150 feet in width, and is located directly makai of the single-family dwelling located on parcel TMK (3rd) 3-2-003:040.

The majority of the site's soils are classified by the NRCS as Hilo hydrous silty clay loam with 10 to 20 percent slopes, described as volcanic ash fields over basalt lava flows. Observations of the site do not reveal any areas of channelized flow, hydric soils or plants, or areas where water ponds or collects, suggesting that stormwater runoff is infiltrated effectively into the site's soils under normal conditions. Therefore, it is likely that stormwater runoff leaves the subject property only during heavy rainfall events. The soil conditions do not appear to preclude the proposed use.

The area is located on the lower flank of Mauna Kea volcano, on basaltic lava flows of the Hamakua volcanics series of 65,000 years to 250,000 years of age. The topography of the area is cut by a number of perennial and transient streams that flow to the coast over terrain that is moderately sloping, with an average slope in the range of 5% to 10%. The shoreline in this area is rugged, being constantly eroded by the incident trade wind swells, and has a shoreline pali about 200 feet in height. This combination of copious orographic precipitation, gently sloping terrain and deeply weathered soils makes the area particularly attractive for agricultural uses. The two streams bordering the subject property, Ka'aheiki to the north and Waikolu to the south, are both perennial streams. Ka'aheiki is apparently a misspelling of Kaoheiki on the 1966 USGS topographic map (Place Names of Hawaii, Pukui & Elbert 1966). The ahupua'a name is apparently derived from Ha'iku point, the easternmost (i.e., makai) portion of the subject property. This name literally means "speak abruptly or sharp break" perhaps deriving from the sound of waves breaking upon this topographic feature.

3. Total Cost of the Proposed Use

The estimated total cost of the proposed project is approximately \$1,500,000.

4. State and County Plans Affecting the Subject Request

The County of Hawai'i General Plan Land Use Pattern Allocation Guide ("LUPAG") map designates the majority of the subject property as Important Agricultural Lands, with areas appearing to coincide with the Conservation District designated as Open (Figure 12). The proposed project is consistent with this designation, and no construction would occur within the portion of the subject property that is designated Open.

The proposed project would be consistent with the goals, policies, and standards of the Hawai'i County General Plan. This includes economic opportunities by creation of short-term construction work, and the possibility for landscaping, maintenance and agricultural work, in addition to property tax revenue. Agricultural sustainability, as well as maintaining and improving the quality of the environment, is a serious concern of the owners/applicants. The General Plan identified five areas of environmental concerns: air pollution, water quality, soil pollution, solid waste disposal and noise pollution. The proposed project would not cause any significant pollution or impact water quality, and would utilize County waste disposal services via private haulers or by residents.

The General Plan emphasizes that developments be mindful of an area's natural beauty. The proposed project would have a negligible impact on the appearance of the surroundings, principally because it would be a significant distance from the shoreline and would not be visible from the Hawai'i Belt Road.

The proposed project would be compatible with the surrounding area, and is consistent with the LUPAG designation, the zoning designation, and State Land Use District.

With these facts in mind, the project would fulfill the following pertinent goals, policies, and standards of the General Plan:

- Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County.
- The County shall encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment.
- Promote and encourage the rehabilitation and use of urban areas that are serviced by basic community facilities and utilities.
- Provide for suitable living environments that accommodate the physical, social, and economic needs of the Island residents.
- Attain safe, sanitary, and livable housing for the residents of the County of Hawaii.
- Attain a diversity of socioeconomic housing mix throughout the different parts of the County.
- Maintain a housing supply which allows a variety of choice.
- Develop better places to live in Hawaii County by creating viable communities with decent housing and suitable living environments for our people.
- Improve and maintain the quality and affordability of the existing housing stock.
- Ensure that housing is available to all persons regardless of age, sex, marital status, ethnic background and income.
- Zoning requests shall be reviewed with respect to General Plan designation, district goals, regional plans, State Land Use District, compatibility with adjacent zoned uses, availability of public services and utilities, access and public need.

The Hawaii County General plan enumerates several Natural Beauty Sites in the vicinity of the subject property (Hawaii County General Plan, Table 5, pg. 51), including Honohina Falls and Nanue Gulch-Makai. The subject property would not impact viewplanes of these features, or any other noted sites noted in the General Plan, in any way.

In summary, the proposed project would be consistent with pertinent goals and policies of the Hawai'i County General Plan.

5. Relationship With the Objectives and Policies of Chapter 205A, HRS, and the Special Management Area Guidelines

In this section we evaluate the conformity of the project with the objectives and policies of HRS 205A, Coastal Zone Management Program.

a. Recreational Resources

The proposed project would not affect recreational resources in any way, as none appear to be present. The shoreline does not appear to be used for fishing, as the steep shoreline pali prevents access or makes shoreline access extremely hazardous. The owners are not aware of their property being used for recreational purposes. Neighbors have also been queried for such information, but none was aware of any recreational uses on the subject property or in the vicinity. However, the project would not prevent the future use of the shoreline for fishing or other recreational and cultural activities.

b. Historic Resources

No historic resources are known to exist on the subject property. No such resources are listed on the State and Federal list of historic properties. The proposed project would therefore not impact historic resources.

c. Scenic and Open Space Resources

The guidelines contained in Rule 9 of the Hawaii County Planning Commission Rules, which pertain to the SMA, express the intent to minimize development that would, "substantially interfere with or detract from the line of sight toward the sea from the State Highway nearest the coast or from other scenic areas identified in the General Plan." The subject property is not visible from any public thoroughfares in the vicinity, including the Hawaii Belt Road (SR 19). Therefore the proposed project would not impact scenic or open space resources. The proposed use of a farm dwelling is consistent with historical uses, as well as proposed uses as enumerated in the General Plan LUPAG maps, zoning, and land use district designation.

d. Coastal Ecosystems

Given that the height of the shoreline pali is about 200 feet, the pali slope about 50%, the distance from the proposed construction to the shoreline would be approximately 240 feet including setbacks, neglecting consideration of the narrow and rocky beach at the shoreline. Hence the potential for impacts on coastal ecosystems would be negligible. Siting of all structures would adhere to all mandated setbacks.

No threatened or endangered animal or plant species are known to be present, or are expected to be present. No adverse impacts to flora, fauna, or ecosystems would be expected to result from the proposed development or any activities associated with it. The potential for stormwater runoff to impact coastal ecosystems during the construction period would be minimized through the BMPs listed herein including construction of silt fences. The proposed project would minimize the potential for erosion and subsequent water quality impacts through maintenance of vegetated slopes and retaining wall construction.

e. Economic Uses

The proposed project would have a very minor positive impact on the larger socioeconomic environment by supporting commercial agriculture, apart from the short-term construction expenditures. The proposed action is entirely consistent with the regulatory intent for the

property, which is designated for development in the intended manner (i.e., agricultural activities including farm dwellings).

f. Coastal Hazards

The subject property is a shoreline property but is physically separated from the shoreline by the shoreline pali, which is about 200 feet high in this area. The average gradient from the top of the shoreline pali to the shoreline is about 50% in this area, according to the USGS Papa'aloa 1992 topographic map. While erosion is ongoing on the coastal shoreline pali, the subject property does not appear to be susceptible to mass wasting or slope instability.

Site photographs are presented in Appendix 1.

g. Managing Development

This portion of HRS 205A appears to pertain to government functions and does not pertain to the actions of the owners/applicants.

h. Public Participation

The applicant will comply with requirements for public notice. Other portions of HRS 205A pertaining to public participation are not pertinent to the proposed project.

i. Beach Protection

The shoreline located makai of the proposed project consists of a rocky beach with a narrow wave impact zone. The applicant will maintain vegetative cover for the majority of the property, and the applicant's activities would serve to reduce stormwater runoff and would minimize potential erosion. Further, the proposed project would be a significant distance from the shoreline, and would not impact the shoreline. Therefore the project would have no adverse impact on the shoreline and would serve to reduce shoreline erosion.

j. Marine Resources

The shoreline located makai of the proposed project consists of a rocky beach with a narrow wave impact zone located 200 feet below the shoreline pali, a significant distance that would minimize the potential for impacts to marine resources. The applicant would maintain vegetative cover on the property, which would reduce the potential for stormwater runoff to leave the property, minimizing potential erosion. The IWS would be sited as far as possible from the shoreline, between the farm swelling and agricultural shed structure. Therefore the project would have no adverse impacts on marine resources.

6. Surrounding Zoning and Land Uses.

The subject property's zoning is designated agricultural (Ag-20a, Figure 13). The proposed project is consistent with this zoning designation. The vicinity is mostly zoned agricultural, although the adjoining property to the south, and those beyond located makai of the Hawai'i Belt Road, are zoned Rural (R-0.5a). The agricultural and rural zoning reflects the dominant land use in the area, composed of a variety of pasture lands and other agricultural uses, with residential uses mixed in.

7. Flood Insurance Rate Map Designation

The property is located within Flood Zone X, outside of the 500-year flood area, and is not located within the tsunami inundation zone. The subject property would not appear to be affected by coastal erosion, as the certified shoreline is located a significant distance from the ocean. Furthermore, as the subject property is located more than 200 feet above mean sea level, sea level rise would not affect the subject property or the proposed project.

8. Archaeological, Historic and Cultural Resources

The subject property has no known archaeological or historic resources. The site is not used for gathering, ceremonial, or other cultural purposes by Native Hawaiians, therefore there appears to be no potential for impact to culturally valued resources or cultural practices. The landowner and neighbors, who have been queried for such information, have no knowledge concerning cultural uses and have not observed the shoreline being accessed and used for fishing.

The subject property shows no evidence of historic properties. The subject property has apparently been used for sugarcane cultivation during the 20th century. The subject property is not used for gathering, ceremonial, or other cultural purposes by Native Hawaiians, therefore there appears to be no potential for cultural impacts. Protecting archaeological and cultural resources is an important aspect of the SMA guidelines, and the proposed project is conformant with these guidelines.

The proposed project was submitted to the State Historic Preservation Division (SHPD) for review on December 11, 2024 via the HICRIS system and given number 2024PR01447.001. SHPD responded on January 13, 2025 with a statement of **No historic properties affected** pursuant to HAR 13-284-7(a)(1) (Appendix 2).

If historic properties such as lava tube openings, concentrations of artifacts, structural remains or human skeletal remains are found during construction activities work would cease immediately in the immediate vicinity of the find, the find would be protected from additional disturbance, and the SHPD would be contacted at (808) 933-7651.

9. Floral and Faunal Resources

The majority of the site is covered with guinea grass (*Megathyrsus maximum*), with the periphery along the north and south sides including hau (*hibiscus tiliaceus*), rose apple (*syzygium jambos*) and cultivated banana. No known threatened or endangered plant species are known on the subject property, nor are any anticipated to be present. Larger trees found at the periphery of the subject property, particularly along the shoreline pali and the gulches, would not be impacted by the proposed use. The top of the shoreline pali contains hala, octopus tree (*Schefflera* spp.), widelia, hau, and guava.

Although the portion of the subject property located makai of the shoreline pali has not been surveyed, we do not expect the presence of threatened or endangered species.

The portion of the subject property that would be disturbed contains no known native fauna species, nor does it contain non-native fauna species apart from the occasional transient feral cats, rats, feral pigs and mice.

The Hawaiian Hoary Bat (*Lasiurus semotus*) may potentially roost in the larger trees found on the periphery of the property, although they are more likely to avoid the area due to the degree of human activity. These trees, however, would not be impacted by the proposed use.

The author notes that No'io (black noddy, *Anous minutus*), white terns, and koa'e kea (white-tailed tropic bird, *phaethon lepturus*) frequent the Ninole area, and the latter may have roosts in the area. The proposed project would not impact and potentially occurring roosts as the shoreline pali would not be impacted. Native bird species that may pass over the subject property include 'Io (Hawaiian Hawk, *Buteo solitarius*), Pu'eo (short-eared owl, *Asio flammeus*),

and 'Ua'u (Hawaiian Petrel, *Pterodroma sandwichensis*), the latter of which roost in montane lands. The proposed project would comply with Hawaii County Code Chapter 14, Article 9 Outdoor Lighting. The proposed project would also maintain most of the property as open and unforested space.

10. Valued Cultural Resources

The subject property and vicinity do not appear to contain any traditional and customary native Hawaiian rights that are exercised. Fishing is a traditional and customary native Hawaiian practice that could potentially be exercised along the shoreline. However, no shoreline fishing activities have been observed on the subject property and in the area, likely owing principally to the steep and hazardous shoreline pali that severely limits shoreline access. The proposed project, however, would not adversely impact lateral shoreline access. Other traditional and customary native Hawaiian practices in the area include gathering of forest products and stream fishing (eg., of 'o'opu, 'opae, etc.), however, the proposed project would not adversely impact the potential for either activity to occur.

11. Public Access

The shoreline portion of the subject property does not appear to be used for fishing or other activities. The landowners have not observed such uses during the duration of their tenure. Neighbors have been asked whether they are aware of such uses, but none have any information regarding uses for fishing or other traditional cultural activities on the subject property or in the vicinity.

12. Description of Access to the Area

Easements are shown in the Site Photos (Appendix 1). As noted, the owners utilize both the shared easement RU-1 extending from SR 19 to a second access easement and driveway from parcel TMK (3rd) into the subject property.

13. Traffic Impacts

The proposed project would result in no more than several vehicle trips to and from the subject property per day. This minimal increase would cause no significant impacts on traffic and vehicle infrastructure.

14. Availability of Utilities (Water, electricity, sewage disposal)

Water and electricity are available to the site and would require no additional construction. Wastewater would be managed with an HDOH-permitted individual wastewater system sited between the farm dwelling and agricultural shed structure.

15. Previous Assessments

The applicant is not aware of any critical areas of concern delineated by the director.

B. Impacts of the Proposed Development on the Special Management Area

This application follows the order of questions presented on the Special Management Area Use Application as downloaded from the County of Hawaii Planning Department website in January 2025. As the application contains several questions that are repeated or are similar, they are also repeated in this application.

1. Description of the Environmental Setting

The subject property is generally smoothly sloping towards the ocean, having been previously graded for sugar cane cultivation, and has an average slope varying between roughly 5% to 15%. Steeper areas are located near the midsection of the property. Mauka of the shoreline

pali, the elevation of the subject property varies from about 200 feet above mean sea level along the shoreline pali to about 245 feet above mean sea level at the mauka boundary and near the property midsection.

The area is located on the lower flank of Mauna Kea volcano, on basaltic lava flows of the Hamakua volcanics series of 65,000 years to 250,000 years of age. The topography of the area is cut by a number of perennial and transient streams that flow to the coast over terrain that is moderately sloping, with an average slope in the range of 5% to 10%. The shoreline in this area is rugged, being constantly eroded by the incident trade wind swells, and has a shoreline pali about 200 feet in height. This combination of copious orographic precipitation, gently sloping terrain and deeply weathered soils makes the area particularly attractive for agricultural uses.

Two perennial streams border the subject property, Ka'aheiki to the north and Waikolu to the south. Ka'aheiki is apparently a misspelling of Kaoheiki on the 1966 USGS topographic map (Place Names of Hawai'i). The ahupua'a name is apparently derived from Ha'iku point, the easternmost (i.e., makai) portion of the subject property. This name literally means "speak abruptly or sharp break" perhaps deriving from the sound of waves breaking upon this topographic feature.

The vicinity is a mix of residential and agricultural uses, with residential uses being part of the community of Ninole. Mauka areas include pasturelands and homesteads, some of which occupy former sugar cane lands. Much of the vicinity was in sugar cane cultivation during the 20th century (HDOH 2024), apparently including the subject property. The history of modern settlement of the area appears to go back to the 19th century. In 1914 the nearby community of Honohina had a population of 300, located about 1.0 mile south of the subject property. Notable community features from this era also include the original Honohina Hongwanji, constructed in 1916 and located about 0.5 miles towards Hilo from the subject property, and the Pohakupuka School, later called the John Ross school, formerly located about 0.5 mile towards Hamakua from the subject property. Ninole was a small but vibrant community during the era of sugar cane cultivation. Evidence of this is shown in the construction dates of residences on neighboring parcels, mostly in the range of 1930 to 1940, according to the Hawaii County Real Tax Office.

2. The Relationship of the Proposed Action to Land Use Plans, Policies, and Control of the Affected Area

The subject property's zoning is designated agricultural (Ag-20a, Figure 13). The proposed project is consistent with these zoning designations. The majority of the vicinity is also zoned agricultural, although the adjoining property to the south, and those beyond makai of the Hawai'i Belt Road, are zoned Rural (R-0.5a). The agricultural zoning reflects the dominant land use in the area, composed of a variety of pasture lands and other agricultural uses.

The owner/applicant would comply with Hawai'i County agricultural zoning by qualifying for short- or long-term agricultural dedication, including preparation and submittal of a farm plan, and will comply with the final rules for agricultural dedication when they are released.

The State Land Use designation of the subject property is Agricultural District and Conservation District makai of the shoreline pali and the aforementioned "slice" on the northern side (Figure 14). The proposed project is consistent with this designation.

The County of Hawai'i General Plan Land Use Pattern Allocation Guide ("LUPAG") map designates the majority of the subject property as Important Agricultural Lands, with areas apparently coinciding with the Conservation District designated as Open (Figure 12). The

proposed project is consistent with this designation, and no construction would occur within the portion of the subject property that is designated Open.

The proposed project would be consistent with the goals, policies, and standards of the Hawai'i County General Plan. This includes economic opportunities by creation of short-term construction work, and the possibility for landscaping, maintenance and agricultural work, in addition to property tax revenue. Agricultural sustainability, as well as maintaining and improving the quality of the environment, is a serious concern of the owner/applicant. The General Plan identified five areas of environmental concerns: air pollution, water quality, soil pollution, solid waste disposal and noise pollution. The proposed project would not cause any significant pollution or impact water quality, and would utilize County waste disposal services via private haulers or by residents.

The General Plan emphasizes that developments be mindful of an area's natural beauty. The proposed project would have a negligible impact on the appearance of the surroundings, principally because it would be a significant distance from the shoreline and would not be visible from the Hawai'i Belt Road.

The proposed project would be compatible with the surrounding area, and is consistent with the LUPAG designation, the zoning designation, and State Land Use District.

With these facts in mind, the project would fulfill the following pertinent goals, policies, and standards of the General Plan:

- Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County.
- The County shall encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment.
- Promote and encourage the rehabilitation and use of urban areas that are services by basic community facilities and utilities.
- Provide for suitable living environments that accommodate the physical, social, and economic needs of the Island residents.
- Attain safe, sanitary, and livable housing for the residents of the County of Hawaii.
- Attain a diversity of socioeconomic housing mix throughout the different parts of the County.
- Maintain a housing supply which allows a variety of choice.
- Develop better places to live in Hawaii County by creating viable communities with decent housing and suitable living environments for our people.
- Improve and maintain the quality and affordability of the existing housing stock.
- Ensure that housing is available to all persons regardless of age, sex, marital status, ethnic background and income.
- Zoning requests shall be reviewed with respect to General Plan designation, district goals, regional plans, State Land Use District, compatibility with adjacent zoned uses, availability of public services and utilities, access and public need.

The Hawaii County General plan enumerates several Natural Beauty Sites in the vicinity of the subject property (Table 5, pg. 51), including Honohina Falls and Nanue Gulch-Makai. The subject property would not impact viewplanes of these features, or any other noted sites noted in the General Plan, in any way.

In summary, the proposed project would be consistent with pertinent goals and policies of the Hawai'i County General Plan.

3. The Probable Impact of the Proposed Actions on the Environment

Generally speaking, the proposed project would involve the direct physical impacts of ground disturbance and construction. Adverse impacts, including traffic, impacts to cultural and recreational resources, social impacts, visual impacts and others, would not be significant.

Positive economic impacts due to the proposed projects would include increased tax revenue and a minor increase in locally-produced food supply.

The potential for short-term impacts due to construction relating to water quality would be mitigated through implementation of BMPs, listed herein.

The proposed project would have negligible impacts on the area and vicinity, and impacts would be limited to the direct physical impacts of construction. Construction of the farm dwelling would have negligible or no impacts on coastal ecosystems. Adverse impacts to water quality would not be expected due to both the large vegetated area located makai of the proposed construction, as well as the small area of impermeable surface being constructed. The proposed project would have a very minor impact on electrical demand, unless a photovoltaic system is installed, in which case there would be no increase in electrical demand.

Apart from the nearby shoreline, the subject property and vicinity would not appear to contain flora or fauna resources that would be utilized for gathering. There do not appear to be any other valued cultural, historical or natural resources, including any existing traditional and customary native Hawaiian rights, practiced on or near the subject property. The shoreline in this area does not appear to be used for fishing, likely owing to the steep shoreline pali.

Inquiries and observations made by the owner have not revealed any traditional cultural practices that may occur on the subject property, including fishing. There do not appear to be any sites on the subject property, or in the immediate vicinity, that are noted for their *wahi* pana, or Hawaiian lore or their sacred or special cultural meaning. Therefore, the proposed project would not adversely impact any traditional and customary native Hawaiian rights or traditional cultural practices. In the unlikely event that archaeological resources or human remains are encountered during construction activities, work in the immediate area of the discovery would be halted and DLNR-SHPD contacted as outlined in Hawai'i Administrative Rules Chapter 13-275.

Archaeological resources are highly unlikely to exist on the subject property, which has likely been used for commercial agriculture. The proposed project was submitted to the State Historic Preservation Division (SHPD) for review on December 11, 2024 via the HICRIS system and given number 2024PR01447.001. SHPD responded on January 13, 2025 with a statement of **No historic properties** affected pursuant to HAR 13-284-7(a)(1) (Appendix 2).

Figure 15 shows an aerial photograph of the subject property and vicinity from 1954. This photograph clearly shows dense vegetation along the stream at the northern property boundary, but does not clearly show sugar cane cultivation on the subject property as it does for areas located mauka of the Hawai'i Belt Road, and possibly the adjoining property to the north. However, as this aerial photograph shows the subject property as largely devoid of trees, it is likely that it was either used for pasturing or sugar cane cultivation. The railroad line along the mauka boundary of the subject property is clearly shown, however. Other features shown appear surprisingly like they do today, including the scattering of single-family dwellings along the Hawai'i Belt Road and the remnant portion of the Old Mamalahoa Highway.

Figure 16 shows portions of historical USGS topographic maps from 1915 (scale 1:62500) and 1966 (scale 1:24000). The 1915 map shows a railroad traversing along the apparent mauka boundary of the subject property, and may show a flume paralleling the Old Mamalahoa Highway. The 1966 map does not show the railroad, but does show five structures located

makai of the Hawaii Belt Road between Kaaheiki and Waikolu Streams, with no structures or other features mapped on the subject property.

These historical uses strongly suggest that the subject property has been highly modified by agricultural uses. Therefore, archaeological resources are not likely to be present on the subject property, and any archaeological resources formerly present would have been removed by these past uses. Furthermore, no historic properties are present that would be impacted by the proposed project.

As noted above, vegetation on the proposed site is predominantly composed of guinea grass, with trees located along the stream channels and below the shoreline pali, including some hala and ohia, in addition to non-native species like umbrella tree. Although no professional flora and fauna surveys have been performed, the owners/applicants do not believe that rare or endangered floral or faunal resources are located on the subject property. The owners/applicants do not intend to remove any trees.

If historic properties such as lava tube openings, concentrations of artifacts, structural remains or human skeletal remains are found during construction activities work would be ceased immediately in the immediate vicinity of the find, the find would be protected from additional disturbance, and the SHPD would be contacted at (808) 933-7651.

4. Any Potentially Adverse Environmental Effect Which Cannot Be Avoided

There are no apparent potentially adverse unavoidable environmental effects that would result from the proposed project.

5. Alternatives to the Proposed Action

The owners have not considered other alternatives to the proposed action, as the subject property is appropriate for the proposed use and they do not possess other properties that may be considered as alternatives.

6. Mitigating Measures Proposed to Minimize Impact

BMPs that would be implemented prior to grading to minimize the potential for impacts to the shoreline and water quality include the following:

- i. The driveway would be constructed first, to minimize the potential for soil disturbance by construction vehicles.
- ii. Construction of a silt fences bordering all soil-disturbing activities, including the single-family dwelling, the commercial agricultural structure and the IWS.
- iii. Construction of a construction fence or other barrier along the 40 foot shoreline setback and the Conservation District Boundary where above the shoreline setback to prevent any construction activities in the setback.
- iv. A stabilized construction area would be constructed for storage of construction materials and vehicles.
- v. A chemical containment area and spill kit would be placed in the stabilized construction area for storage of hazardous materials including fuels.
- vi. Site work and grading would not be performed during periods of heavy rainfall.

7. Any Irreversible and Irretrievable Commitment of Resources

The proposed project would not appear to involve any irreversible and irretrievable commitment of resources apart from the physical space occupied by construction.

E. Shoreline Survey

The applicant has requested a waiver for this requirement, as the applicant has chosen to apply setbacks from the top of the shoreline pali.

G. List of Neighbors for
Notification

AGUIAR, GENE TRST
PO BOX 111
NINOLE HI 96773 0111

ANSARI, CAMERON
DAVAR 2901 Bammel Ln
APT 29
HOUSTON TX 77098 1133

CADABONA, JOHN C PO BOX 119
NINOLE HI 96773 0119

CADABONA, JO
HN CHARLES
PO BOX 119
NINOLE HI
96773 0119

DODGE, SAMUEL
PO BOX 800289
PAPAALOHA HI
96780 0250

HERTZ, JUSTIN TED PO
BOX 158
HONOMU HI 96728 0158

HINES, ELIZAB
ETH ESTHER
PO BOX 106
NINOLE HI
96773 0106

HIROWATARI, GEORGE MASAO
PO BOX 78
NINOLE HI 96773 0078

KUMAGAI, DA
VID MAKOTO
PO BOX 80
NINOLE HI
96773 0080

PERREIRA, JOHNNALYN M
JOHNNALYN PERREIRA MARGHEIM
PO BOX 6
NINOLE HI 96773 0006

PERREIRA, JULIET M TRST
PO BOX 6
NINOLE HI 96773

PERREIRA, JU
LIET M TRST
PO BOX 759
HONOKAA HI
96727 0759

TOLEDO, CHRISTY L
65 MAKANI CIR
HILO HI 96720 3435

TOLEDO, KENWORT
H KEI 474
KALANIKOA ST STE
D HILO HI 96720 4578

TOLEDO, RICHARD B V JR TR
65 MAKANI CIR
HILO HI 96720 3435

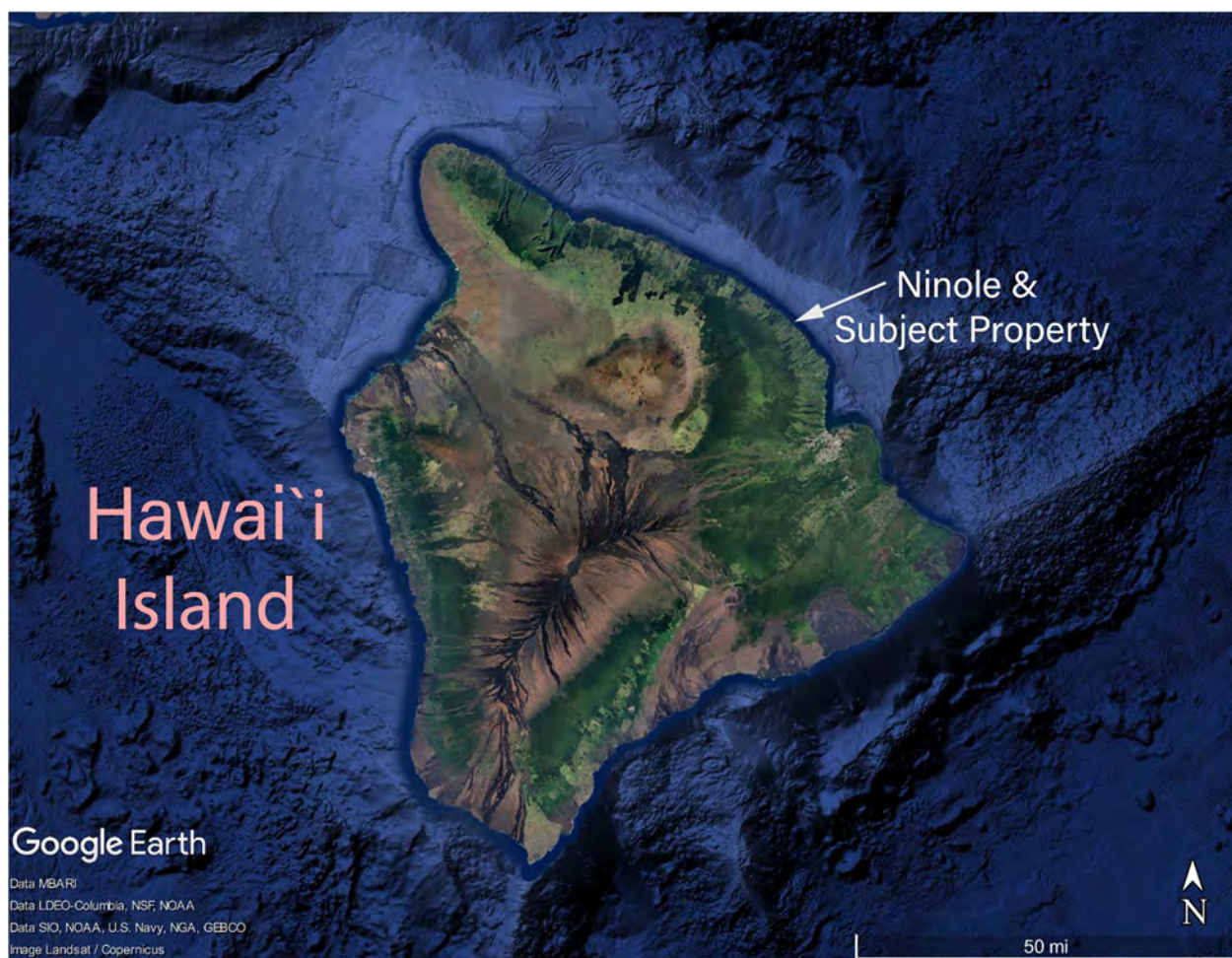


Figure 1. Site Location Map



Figure 2. Special Management Area Map. All of the subject property is located within the SMA, shown as the cross-hatched area.

Figure 3. A01, Site Plan.

Figure 4. A02, Section Drawings, Farm Dwelling and Agricultural Shed

Figure 5. A03, Basement Floor Floor Plan, Farm Dwelling

Figure 6. A04, Main Floor Plan, Farm Dwelling

Figure 7. A05, Farm Dwelling Elevation Drawings

Figure 8. A06, Lower Floor Plan, Agricultural Shed

Figure 9. A07, Upper Floor Plan, Agricultural Shed

Figure 10. A08, Agricultural Shed Elevation Drawings

Figure 11. Consolidation/Resubdivision Map of 2008. This map shows the boundaries of the subject property, the Land Use District Boundaries, and easements. The shed mapped on the subject property does not appear to exist.

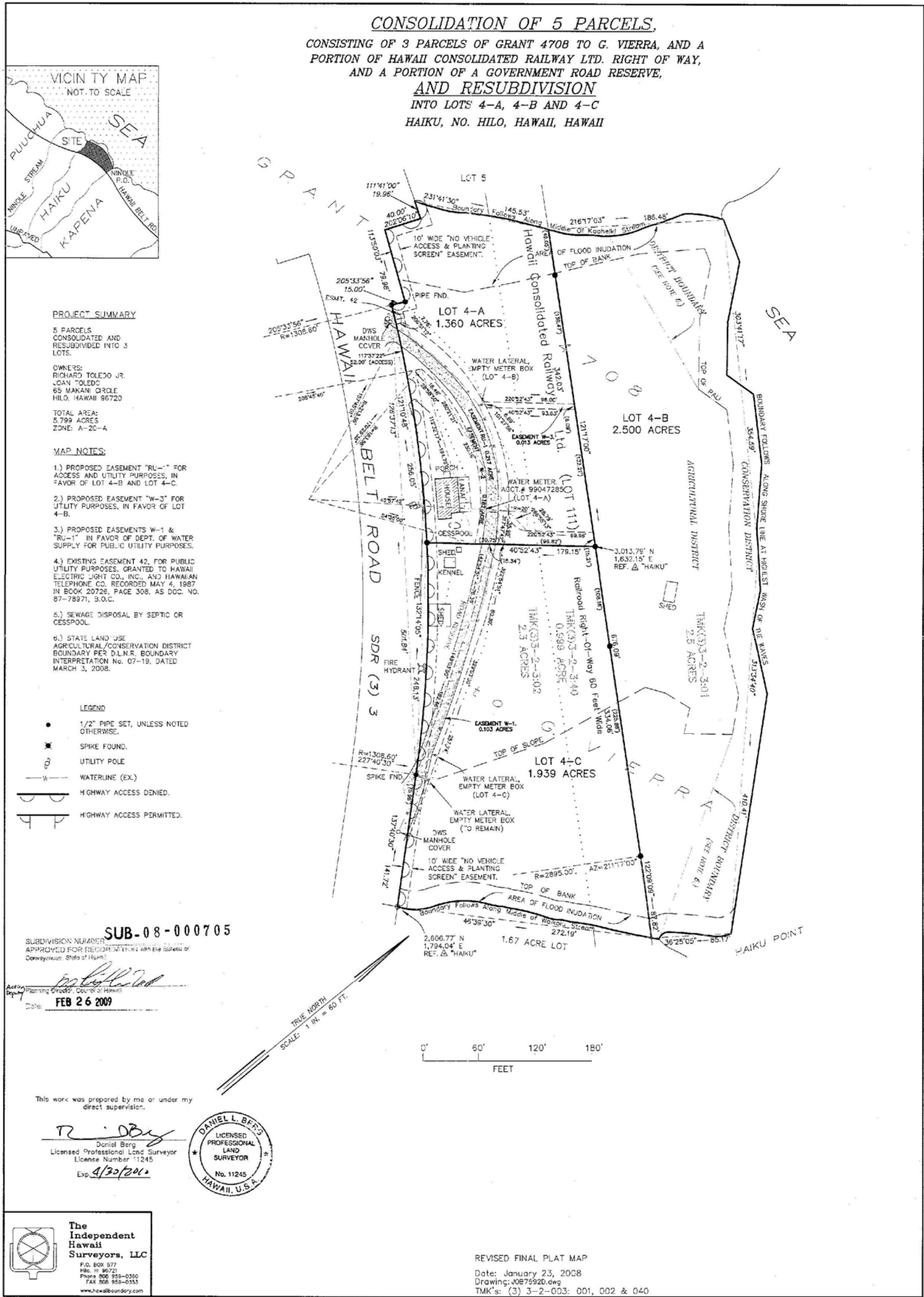


Figure 12. County Zoning Designations for Subject Property and Vicinity.



Figure 7. State Land Use District Designations of the Subject Property and Vicinity

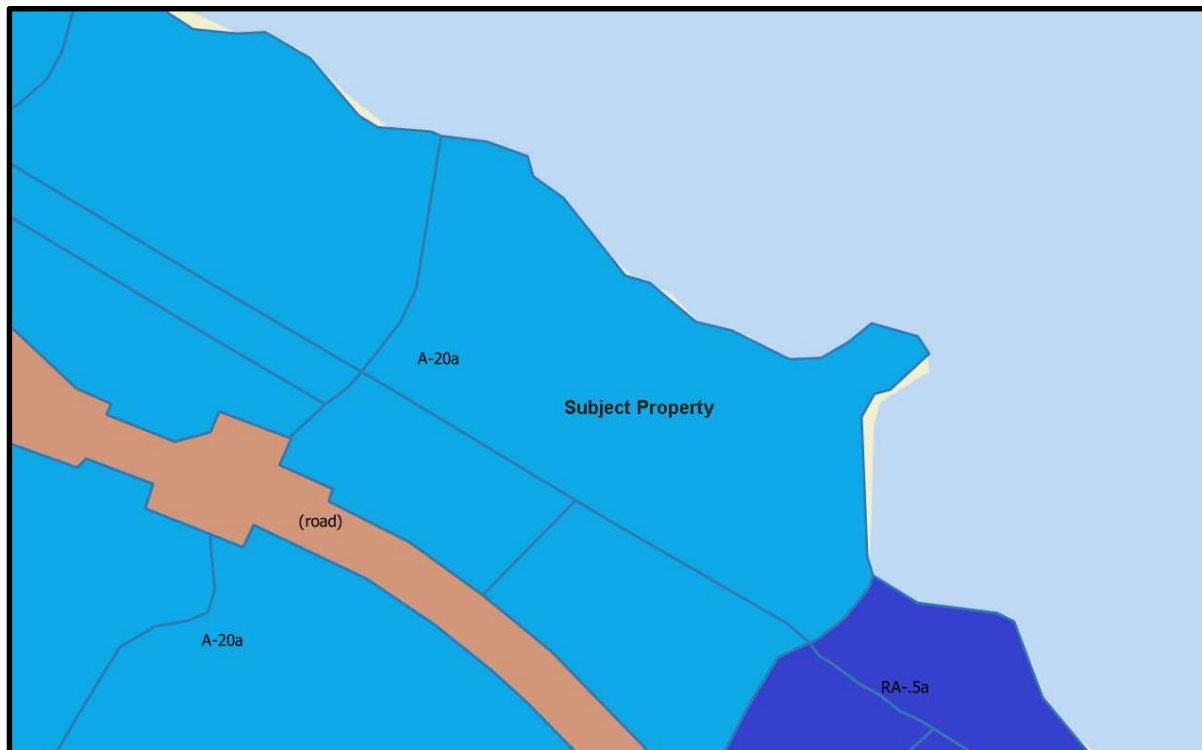


Figure 13. County LUPAG Map Designations of the Subject Property and Vicinity.

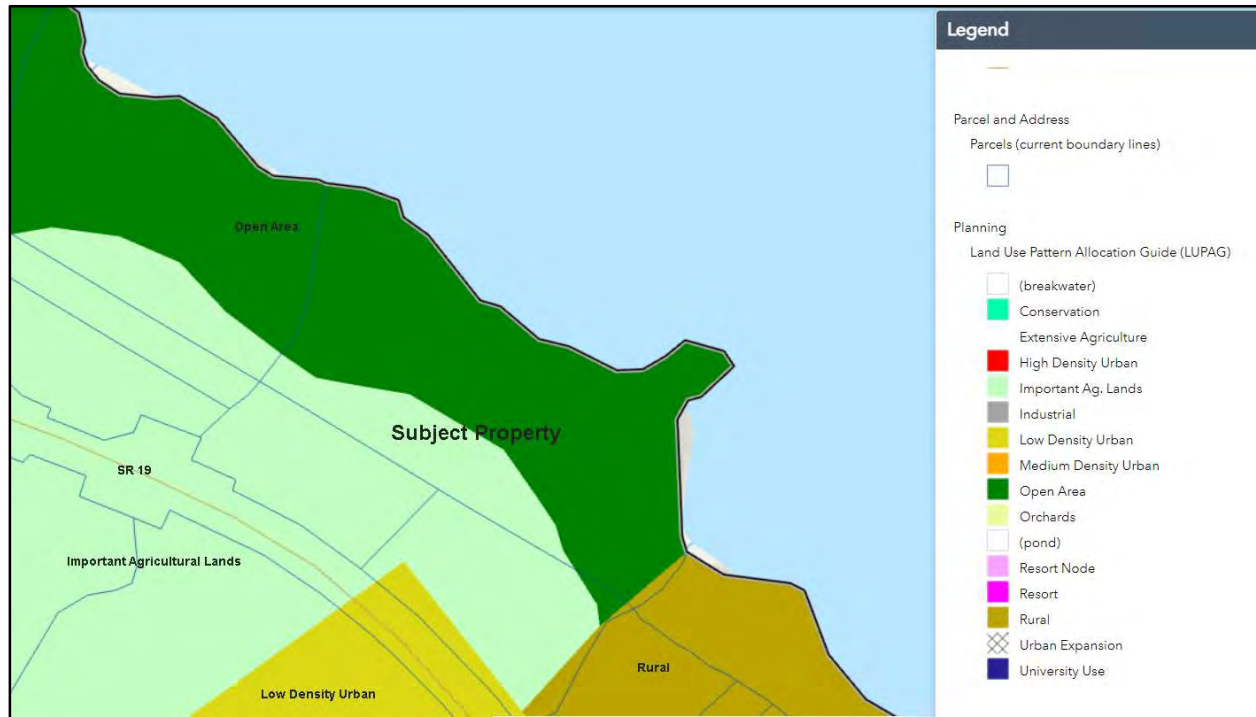


Figure 14. 1954 Aerial Photo with the Approximate Boundaries of the Subject Property Superimposed. This illustrates historical use of the subject property and vicinity, with sugar cane cultivation on the subject property and on both sides of the Hawai'i Belt Road. This also shows the long-term presence of the Ninole community including residential uses.



Figure 15. 1915 and 1966 USGS Topographic Maps. The 1915 map shows no structures present and a railroad line traversing near the mauka boundary of the subject property. The 1966 map similarly shows no structures on the subject property, no railroad line, and a number of structures nearby along the Hawai'i Belt Road and the Old Mamalahoa Highway. The 1966 map shows most of the subject property as open, suggesting that it was used for agricultural purposes, and the vicinity traversed by numerous cane-haul roads.



APPENDIX 1 – Site Photographs



1. View looking roughly north from near the midsection of the subject property. Site is nearly completely surfaced by grasses, with the trees in the distance along Kaohekeili Stream. The structure visible near top center is used as a storage area, is temporary, and will be removed prior to grading and construction.



2. Looking mauka along the access easement. The owner is working with the neighbor to widen this easement to accommodate retaining walls for a portion of the easement.



3. A view looking roughly south (i.e., towards Hilo) showing the southern portion of the subject property. The mauka property boundary is to left, and the shed seen near center is temporary and would be removed prior to construction.



4. View roughly north from near the mid-section and shoreline pali.



5. A view roughly south from near the northern/makai corner. This photo illustrates the rise in the midsection of the property, and shows the viewplane corridor makai of the residence at top right.



6. A view of the shoreline pali looking south from near the midsection of the subject property. The Conservation District area contains mostly non-native trees like umbrella trees (*schefflera spp.*), but also some native trees including hala (shown) and ohia.



7. A recent aerial photo with the locations of temporary structures numbered. Each is shown in subsequent site photos and are described as follows: (1) is a temporary resin shed on a temporary platform, (2) is a 20 foot x 24 foot temporary platform with piers, (3) is a 10 foot x 20 foot tarp shed with a dirt floor and (4) is a 10 foot by 20 foot tarp sheet with a dirt floor. All of these structures would be removed before grading.



8. The resin shed on the northern portion of the subject property, which would be removed before grading.



9. The temporary platform on the northern portion of the subject property, which would be removed before grading.

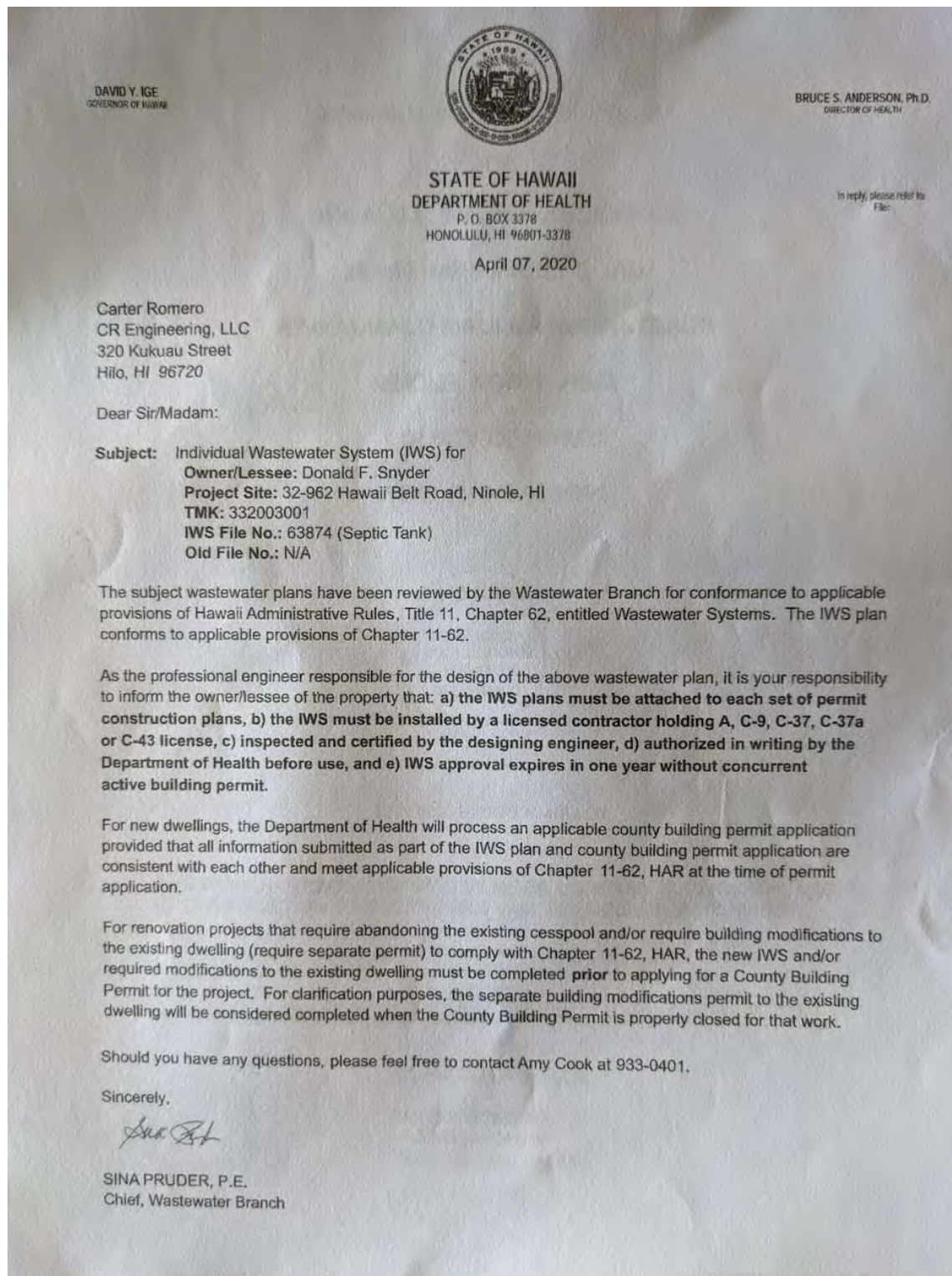


10. The 10 foot by 20 foot tarp shed with dirt floor, which would be removed before grading.

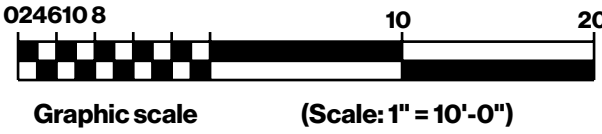
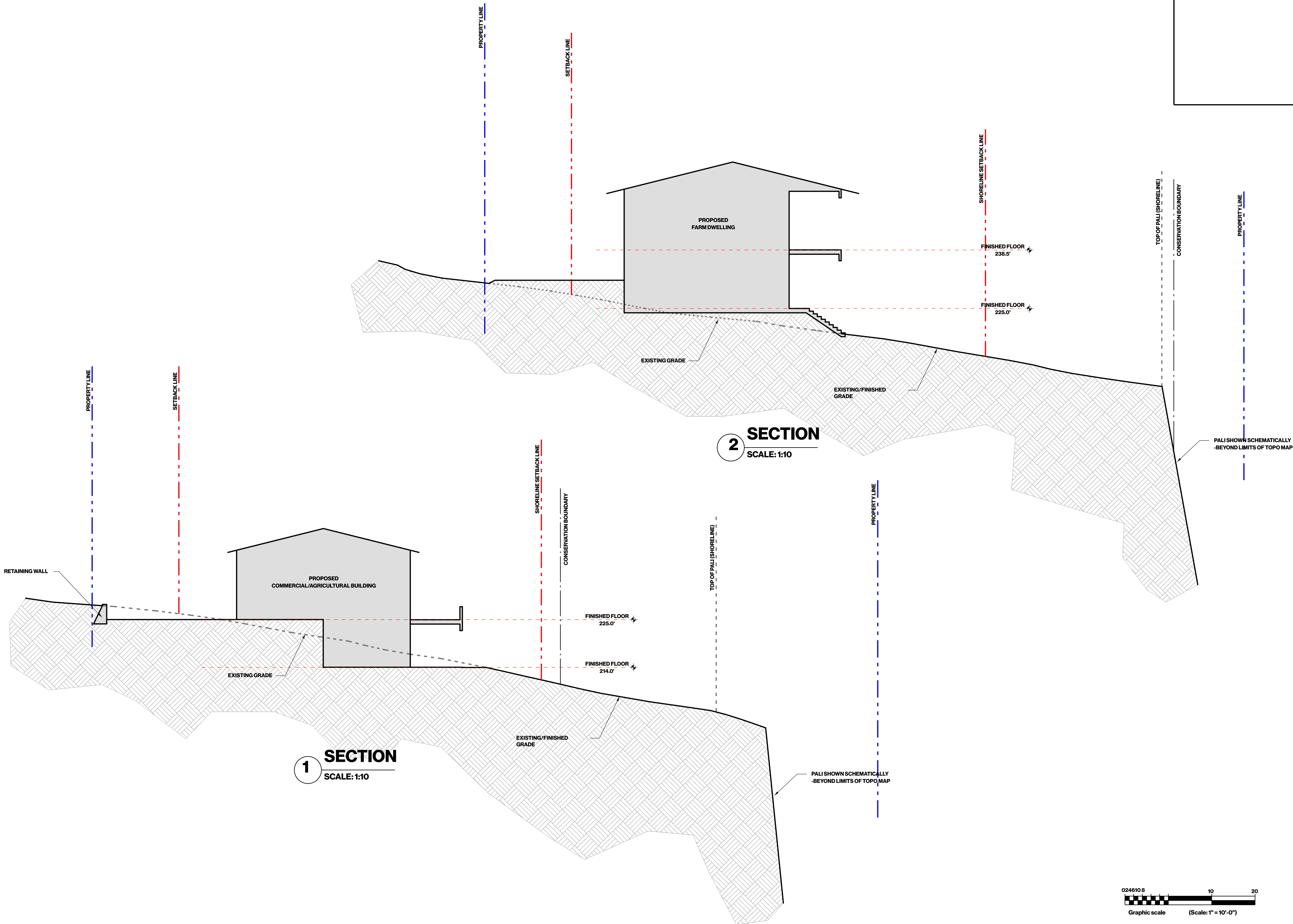


11. The original south 10 foot by 20 foot tarp shed on the southern portion of the subject property, which would be removed before grading.

APPENDIX 3 – Previous IWS Approval



APPENDIX 3 – SHPD Letter of No Effect to Historic Properties



PROPOSED IMPROVEMENTS FOR **HOLLENBACK, DUSTIN**
JAMES/ESZTER TR 32-962 HAWAII BELT ROAD NINOLE, HI
967201MK:3-2-003-001

REVISIONS

NO	DATE

DRAWINGS:
SITE SECTIONS

DATE: 3/27/25

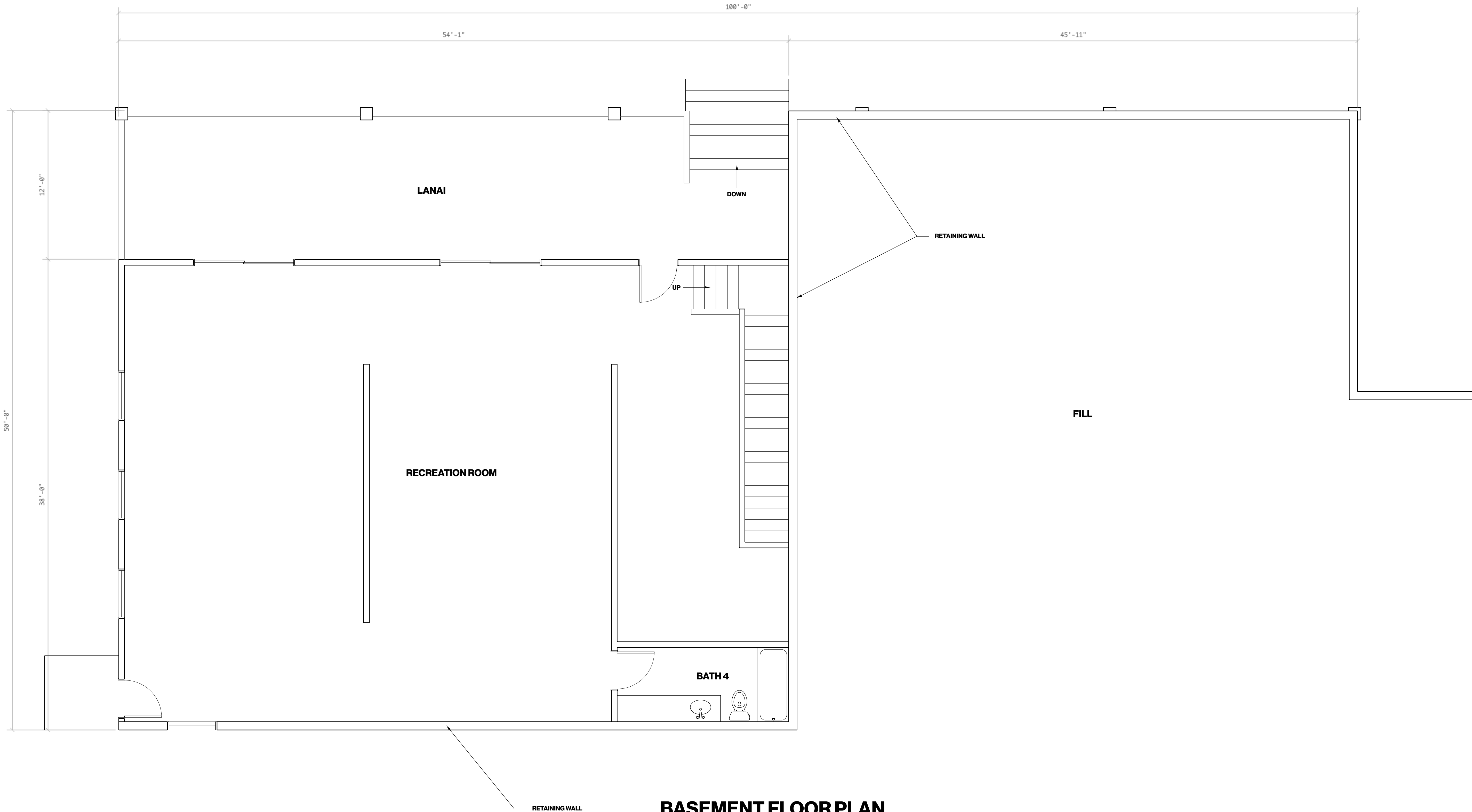
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DRAWN: MG

DRAWING NUMBER
A02

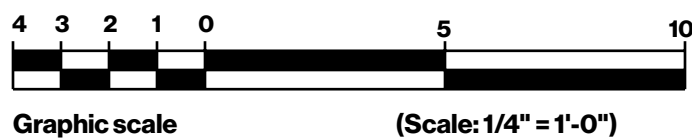
MATTHEW M. GRAVES, AIA P O BOX
804 HONOKAA, HAWAII 96727 (808) 927-5770
E-MAIL: MATTHEW@MGARCH.COM

4/30/26
Signature
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BASEMENT FLOOR PLAN

SCALE: 1/4" = 1'-0"



AREA CALCULATIONS

UPSTAIRS LIVING AREA:	3,171 SF
DOWNSTAIRS LIVING AREA:	2,081 SF
UPSTAIRS LANAI AREA:	1,200 SF
UPSTAIRS ENRTY AREA:	101 SF 528
GARAGE AREA:	SF 657 SF
DOWNSTAIRS LANAI AREA:	

TOTAL ENCLOSED AREA:	5,252 SF
TOTAL ACCESSORY AREA:	2,486 SF

PROPOSED IMPROVEMENTS FOR HOLLENBACK, DUSTIN

JAMES/ESZTER TR

32-962 HAWAII BELT ROAD
NINOLE, HI 96720 TIK.
3-2-003-001

MATTHEW M. GRAVES, AIA P O BOX
804 HONOKAA, HAWAII 96727 (808) 927-5770
EMAIL: MATTHEW@MGRCH.COM

4/30/26: This drawing was prepared by me under my supervision.
CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY
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REVISIONS

NO	DATE

DRAWINGS:
HOUSE BASEMENT
FLOOR PLAN

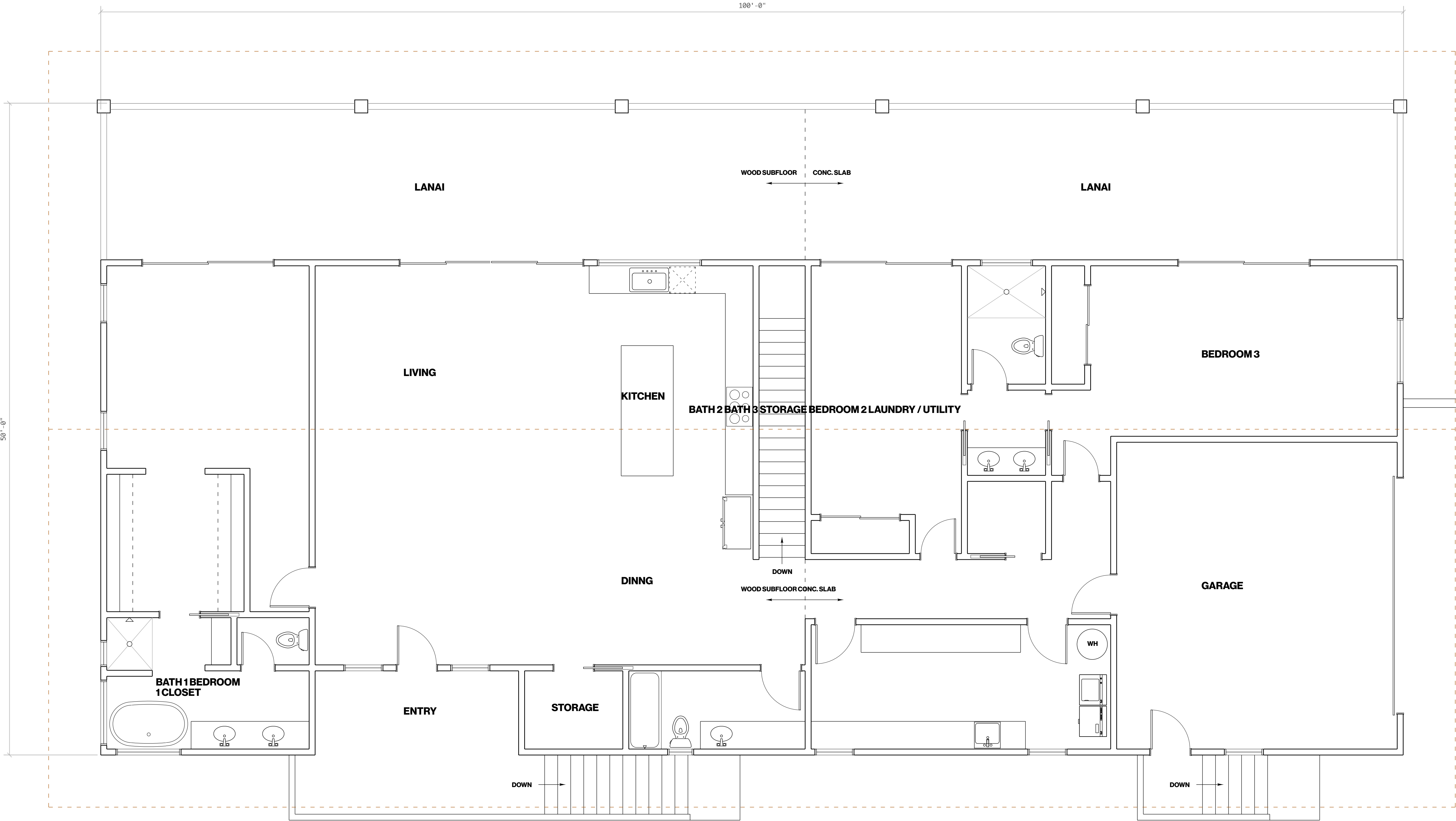
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SCALE: 1/4" = 1'-0"

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DRAWING NUMBER

A03



AREA CALCULATIONS

UPSTAIRS LIVING AREA:	3,171 SF
DOWNSTAIRS LIVING AREA:	2,081 SF
UPSTAIRS LANAI AREA:	1,200 SF
UPSTAIRS ENRTY AREA:	101 SF 528
GARAGE AREA:	SF 657 SF
DOWNSTAIRS LANAI AREA:	
TOTAL ENCLOSED AREA:	5,252 SF
TOTAL ACCESSORY AREA:	2,486 SF

MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"



PROPOSED IMPROVEMENTS FOR **HOLLENBACK, DUSTIN**
JAMES/ESZTER TR 32-962 HAWAII BELT ROAD NINOLE, HI
96720 TMK: 3-2-003-001

REVISIONS

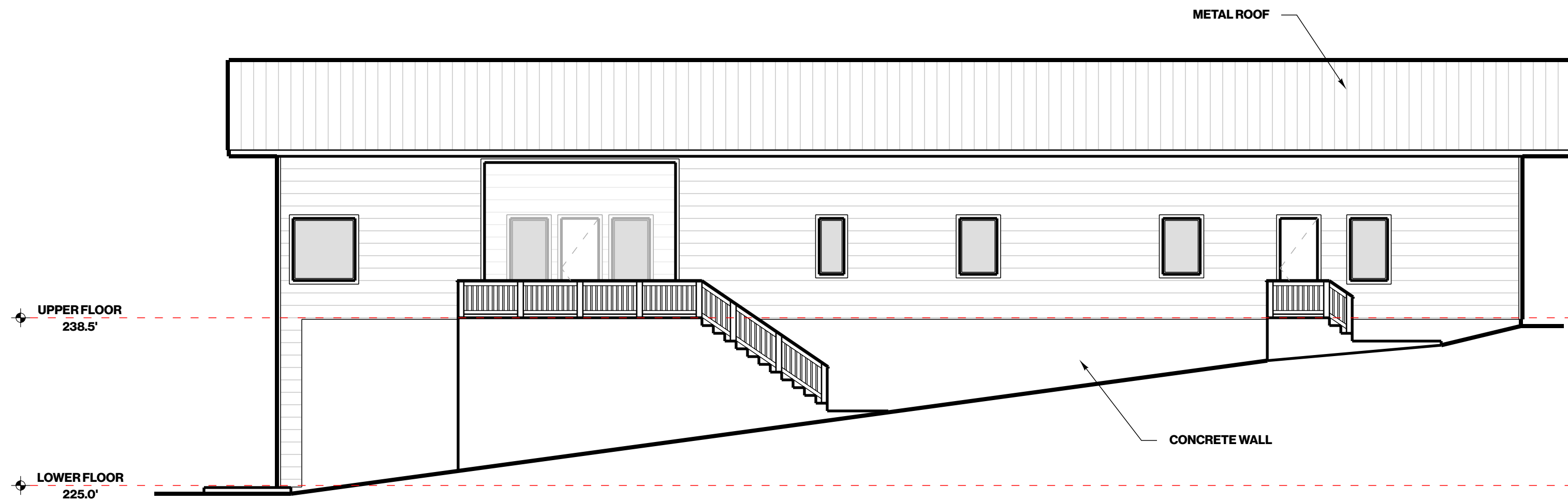
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DRAWINGS:
DRAWING NUMBER: **A04**
HOUSE MAIN FLOOR
DATE: 3/27/25

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DRAWN: MG

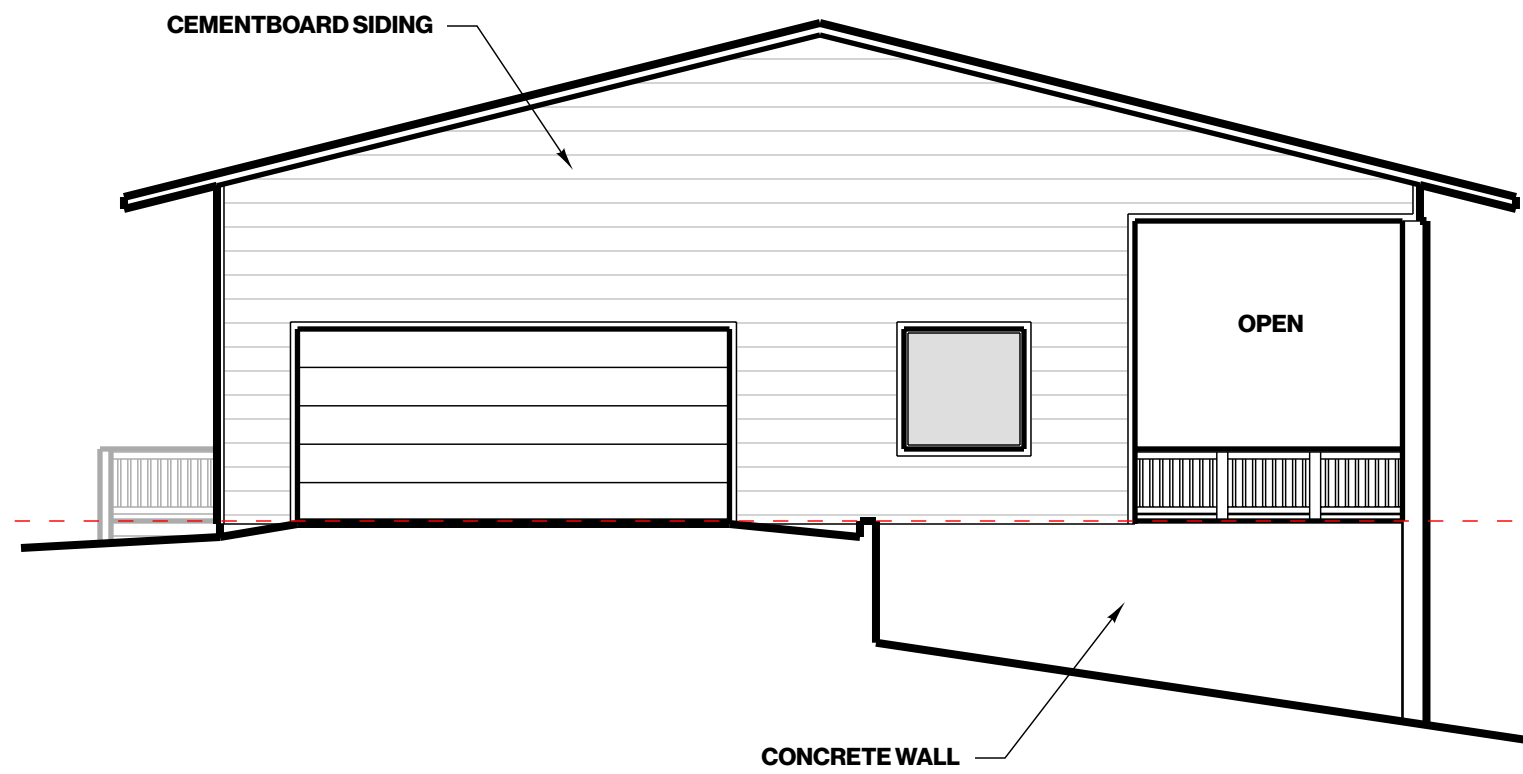
MATTHEW M. GRAVES, AIA P O BOX
804 HONOKAA, HAWAII 96727 (808) 927-5770
EMAIL: MATTHEW@MGAARCH.COM

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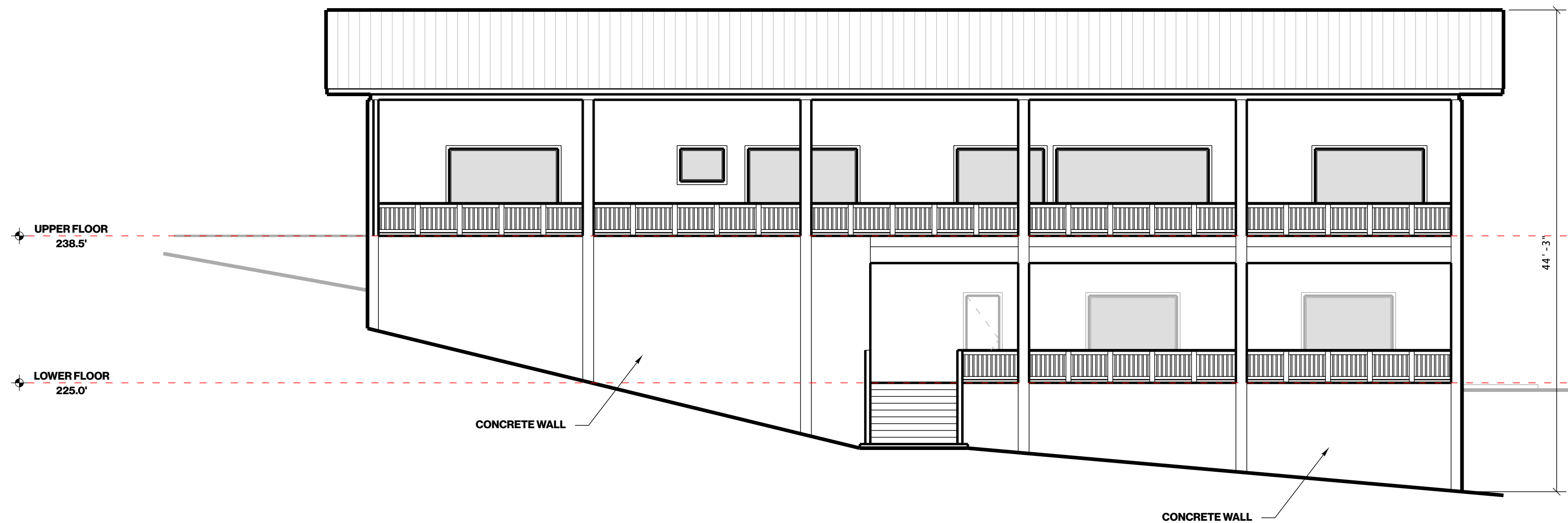
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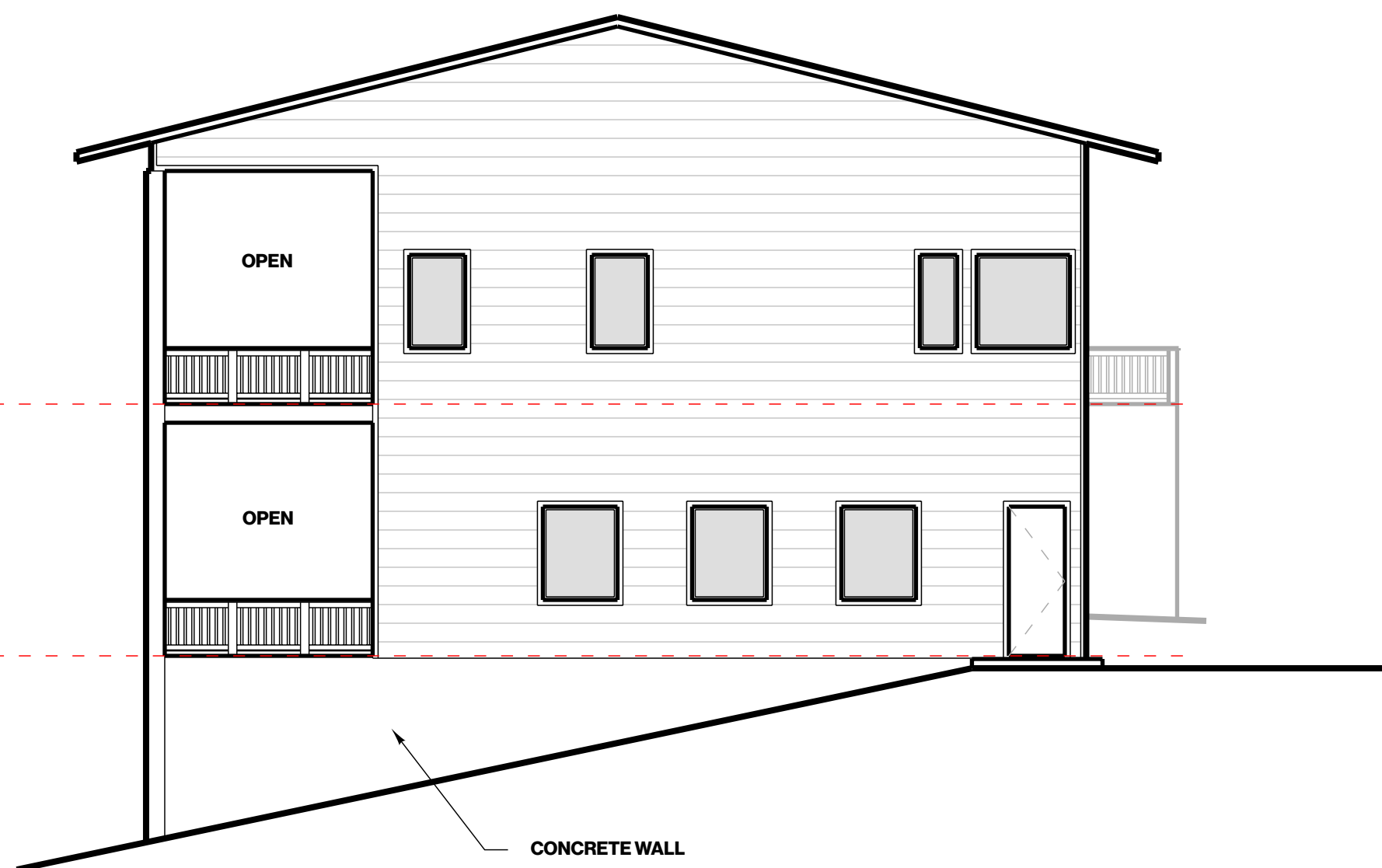
EAST ELEVATION

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



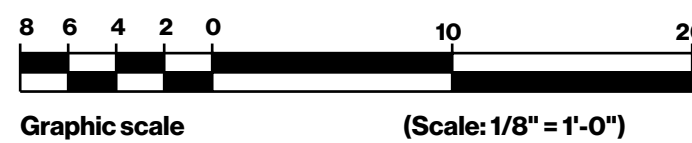
NORTH ELEVATION

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



WEST ELEVATION

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



MATTHEW M. GRAVES, AIA o box
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Expiration Date
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PROPOSED IMPROVEMENTS FOR **HOLLENBACK, DUSTIN**
JAMES/ESZTER TR
32-962 HAWAII BELT ROAD
NINOLE, HI 96720 T.M.K.
3-2-003-001

REVISIONS	
NO	DATE

DRAWINGS:
HOUSE ELEVATIONS

DATE: 3/27/25
SCALE: 1/8" = 1'-0"
DRAWN: MG
DRAWING NUMBER
A05

UPSTAIRS ENCLOSED AREA: 2,400 SF
DOWNSTAIRS ENCLOSED AREA: 1,240 SF
UPSTAIRS DECK AREA: 720 SF
DOWNSTAIRS LANAI AREA: 720 SF

The floor plan illustrates the second floor layout. On the left is a large **LANAI** (20'-0" wide by 40'-0" high) with a vertical dimension of 14'-0" for a section. To the right of the lanai is **BATH 2**, which includes a toilet, sink, and shower. Adjacent to the bath is a staircase labeled **UP** and a circular room labeled **WH**. A **RETAINING WALL** is indicated on the right side. The central area is the **PRODUCE CLEANING AREA**. Below this area are two storage rooms: **DRY PRODUCE STORAGE** and **REFRIGERATED PRODUCE STORAGE**, both 10'-0" wide. A counter with three sinks is located between these two storage rooms. The overall dimensions of the main area are 20'-0" wide by 40'-0" high.

4 3 2 1 0 5 10

Graphic scale (Scale: 1/4" = 1'-0")

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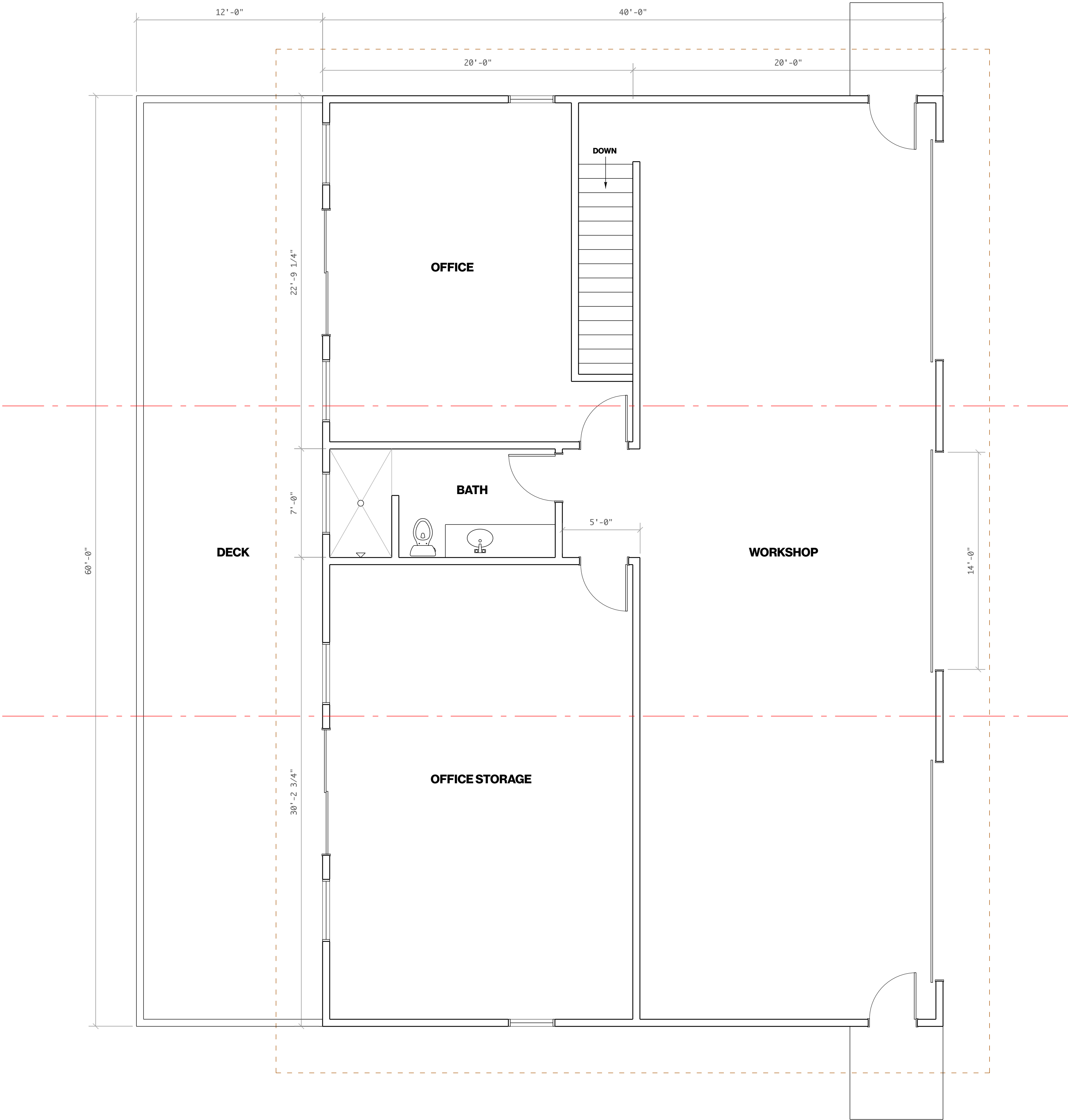
REVISIONS

A06

AREA CALCULATIONS

UPSTAIRS ENCLOSED AREA:	2,400 SF
DOWNSTAIRS ENCLOSED AREA:	1,240 SF
UPSTAIRS DECK AREA:	720 SF
DOWNSTAIRS LANAI AREA:	720 SF

TOTAL ENCLOSED AREA:	3,640 SF
TOTAL ACCESSORY AREA:	1,440 SF



UPPER FLOOR PLAN

SCALE: 1/4" = 1'-0"



PROPOSED IMPROVEMENTS FOR
HOLLENBACK, DUSTIN JAMES/ESZTER TR

32-962 HAWAII BELT ROAD
NINOLE, HI 96720
TMK: 3-2-003-001

REVISIONS

NO	DATE

DRAWINGS:
AG BUILDING UPPER
FLOOR PLAN

DATE: 3/27/25

SCALE: 1/4" = 1'-0"

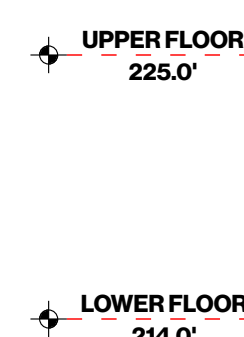
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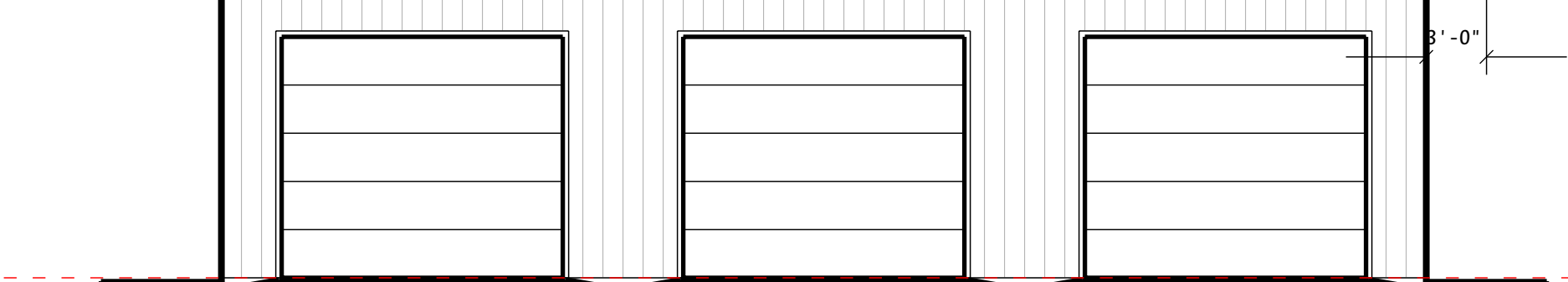
A07

MATTHEW M. GRAVES, AIA P O BOX
804 HONOKAA, HAWAII 96727 (808) 927-5770
EMAIL: MATTHEW@MGARCH.COM

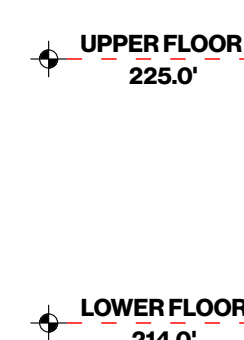
4/30/26
Signature
THIS DOCUMENT PREPARED BY ME OR UNDER MY
SUPERVISION, CERTIFICATION OF THIS PROJECT
DATE OF MY CERTIFICATION



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



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



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



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



MATTHEW M. GRAVES, AIA P O BOX
804 HONOKAA, HAWAII 96727 (808) 927-5770
E-MAIL: MATT@MMGARCH.COM

4/30/26 Signature Expiration Date THIS WORK WAS
PREPARED BY ME OR UNDER MY SUPERVISION;
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PREPARED BY THE PREPARED FOR
HOLLENBACK, DUSTIN JAMES/ESZTER TR
 NINOLE HILBERT/INK
 3-2008-901

REVISIONS

[illegible]

DRAWINGS:
AG BUILDING
ELEVATIONS

DATE: 3/27/25

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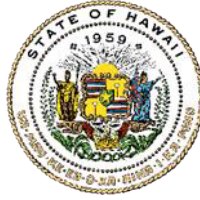
DRAWN: MG

DRAWING NUMBER

A08

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
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

January 13, 2025

Jeff Darrow, Director
Planning Department
County of Hawaii
101 Pauahi Street, Suite 3
Hilo, HI 96720
planning@hawaiicounty.gov

IN REPLY REFER TO:
Project No. 2024PR01447
Doc. No. 2501JG05
Archaeology

Dear Jeff Darrow:

SUBJECT: **Hawaii Revised Statutes (HRS) Chapter 6E-42 Historic Preservation Review**
County of Hawaii Special Management Area Use Permit
Permit Number: PL-SAA-2024-000251
Ha'ikū Ahupua'a, North Hilo District, Island of Hawaii
TMK: (3) 3-2-003:001

This letter provides the State Historic Preservation Division's (SHPD's) review of the subject County of Hawaii Special Management Area (SMA) Assessment permit application received by our office on December 11, 2024. The submittal included a SMA Use Permit packet, site plans, grading plans, and photos of the project area. The proposed project area comprises a 0.169-acre portion of the 2.50-acre parcel. The project proponent proposes to construct a farm dwelling that will measure 100 ft. long by 50 ft. wide and a commercial agriculture structure that will measure 60 ft. long by 40 ft. wide. Additionally, the project may involve the construction of retaining walls in the vicinity of the existing access easement.

The submittal information indicates that the proposed project area was previously impacted by commercial agriculture. SHPD records indicate that no archaeological studies have been conducted within the project area and that no archaeological historic properties been documented. However, SHPD GIS data indicates that the subject parcel is included as part of Site 50-10-16-07396 (Ninole District). Historic (1965) and contemporary aerial imagery indicates that the current project area has been previously impacted by commercial agriculture and subsequent vegetation clearing.

Based on available information, SHPD's determination is **No historic properties affected** pursuant to HAR §13-284-7(a)(1). Pursuant to HAR §13-284-7(e), when the SHPD agrees that the action will not affect any significant historic properties, this is the SHPD's written concurrence, and the historic preservation review ends. The HRS §6E historic preservation review process is ended. The permit issuance process may continue.

Attach to permit: If historic properties such as lava tube openings, concentrations of artifacts, structural remains or human skeletal remains are found during construction activities please cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division at (808) 933-7651.

Please contact Joshua Gastilo at Joshua.gastilo@hawaii.gov for any questions regarding archaeological resources or concerns regarding this letter.

Jeff Darrow
January 13, 2025
Page 2

Aloha,

A handwritten signature in black ink, appearing to read 'JPuff'.

Jessica L. Puff
Administrator, State Historic Preservation
Deputy State Historic Preservation Officer

cc: Graham Knopp, gpknopp@gkenvllc.com

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

June 19, 2025

MEMORANDUM

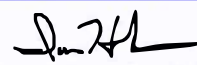
FROM: ~~TO:~~

DLNR Agencies:

- ☐ Div. of Aquatic Resources (kendall.i.tucker@hawaii.gov)
- ☐ Div. of Boating & Ocean Recreation (richard.t.howard@hawaii.gov)
- ☒ **Engineering Division** (DLNR.ENGR@hawaii.gov)
- ☒ Div. of Forestry & Wildlife (rubyrosa.t.terrago@hawaii.gov)
- ☐ Div. of State Parks (curt.a.cottrell@hawaii.gov)
- ☒ Commission on Water Resource Management (DLNR.CWRM@hawaii.gov)
- ☒ Office of Conservation & Coastal Lands (sharleen.k.kuba@hawaii.gov)
- ☒ Land Division – Hawaii District (candace.m.martin@hawaii.gov)
- ☒ Aha Moku Advisory Committee (leimana.k.damate@hawaii.gov)

TO: ~~FROM:~~

SUBJECT:

Ian C. Hirokawa, Acting Land Administrator 
Special Management Area (SMA) Use Permit (PL-SMA-2025-000070) request
for new Single Family Farm Dwelling and related ag improvements in Ninole,
North Hilo, Hawaii

LOCATION: Ninole, North Hilo, Hawaii; TMK: (3) 3-2-003:001 (por.)

APPLICANT: Matthew M. Graves, Architect on Behalf of Dustin and Eszti Hollenback,
applicant and landowner

Transmitted for your review and comment is information on the above-referenced subject matter.
Please submit comments by **July 8, 2025**. If no response is received by the above date, we will
assume your agency has no comments. Should you have any questions about this request,
please contact Raymond Severn at raymond.severn@hawaii.gov. Thank you.

BRIEF COMMENTS:

- ☐ We have no objections.
- ☐ We have no comments.
- ☐ We have no additional comments.
- ☒ Comments are included/attached.

Signed:

Print Name: Dina U. Lau, Acting Chief Engineer

Division: Engineering Division

Date: Jul 9, 2025

Attachments

cc: Central Files

Planning Dept.
Exhibit 2

**DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION**

LD/Ian C. Hirokawa

**Ref: Special Management Area (SMA) Use Permit (PL-SMA-2025-000070)
request for new Single Family Farm Dwelling and related ag improvements
in Ninole, North Hilo, Hawaii**

Location: Ninole, North Hilo, Hawaii

TMK(s): (3) 3-2-003:001 (por.)

**Applicant: Matthew M. Graves, Architect on Behalf of Dustin and Eszti
Hollenback, applicant and landowner**

COMMENTS

The rules and regulations of the National Flood Insurance Program (NFIP), Title 44 of the Code of Federal Regulations (44CFR), are in effect when development falls within a Special Flood Hazard Area (high-risk areas). Be advised that 44CFR, Chapter 1, Subchapter B, Part 60 reflects the minimum standards as set forth by the NFIP. Local community flood ordinances may stipulate higher standards that can be more restrictive and would take precedence over the minimum NFIP standards.

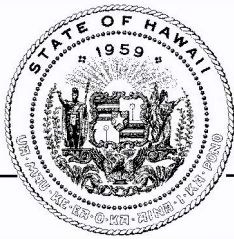
The owner of the project property and/or their representative is responsible for researching the Flood Hazard Zone designation for the project. Flood zones subject to NFIP requirements are identified on FEMA's Flood Insurance Rate Maps (FIRM). The official FIRMs can be accessed through FEMA's Map Service Center (msc.fema.gov). Our Flood Hazard Assessment Tool (FHAT) (fhathawaii.gov) could also be used to research flood hazard information.

If there are questions regarding the local flood ordinances, please contact the applicable County NFIP coordinating agency below:

- Oahu: City and County of Honolulu, Department of Planning and Permitting (808) 768-8098.
- Hawaii Island: County of Hawaii, Department of Public Works (808) 961-8327.
- Maui/Molokai/Lanai: County of Maui, Department of Planning (808) 270-7139.
- Kauai: County of Kauai, Department of Public Works (808) 241-4849.

Signed: 
DINA U. LAU, ACTING CHIEF ENGINEER

Date: Jul 9, 2025



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawai'i 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawai'i 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: <https://planning.hawaii.gov/>

DTS202506161225HE

Coastal Zone
Management
Program

July 1, 2025

Environmental Review
Program

Land Use Commission

Land Use Division

Special Plans Branch

State Transit-Oriented
Development

Statewide Geographic
Information System

Statewide
Sustainability Branch

Mr. Jeffrey W. Darrow, Director
Department of Planning
County of Hawai'i
East Hawaii Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720

Attn: Alex Roy

Dear Mr. Darrow:

Subject: Special Management Area Use Permit Application (PL-SMA-2025-000070) to Construct a Two-Story Farm Dwelling, Agricultural Building and Related Improvements, Nīnole, North Hilo, Hawai'i; Tax Map Key: (3) 3-2-003: 001

Thank you for the opportunity to provide comments on the Special Management Area (SMA) Use Permit Application (PL-SMA-2025-000070), transmitted via memorandum dated June 16, 2025, for construction of a farm dwelling and agricultural building with related improvements, North Hilo, Hawai'i.

According to the subject SMA Use Permit Application, the owner proposes to construct a farm dwelling and commercial agriculture shed structure on an approximately 2.50-acre property, entirely located within the SMA. The property boundary on the makai side is formed by the shoreline, and on the mauka side by the boundary with adjacent parcels. The shoreline in this area is rugged, being constantly eroded by the incident Tradewind swells, and has a shoreline *pali* about 200 feet in height.

The proposed farm dwelling would consist of a single-family, two-story residence with a total of 5,000 square feet. The agriculture shed structure would be split-level with a proposed footprint of 2,400 square feet and an upper-level deck of 720 square feet on the makai side to support commercial agricultural activities, including taro and cacao cultivation. The single-story mauka side of this agriculture shed building will store vehicles/tractors and farm equipment such as tractor implements and farm tools. A separate area on the lower makai side of the building would be for crop cleaning and cold storage, including multiple sinks

Planning Dept.
Exhibit 3

Mr. Jeffrey W. Darrow
July 1, 2025
Page 2

for cleaning and storage shelving. Upstairs on the makai side will be a clean storage room, office, and bathroom. An individual wastewater system would be situated between the two structures to support six bathrooms.

The subject property would be accessed via a shared access and utility easement that extends from along the Hawai'i Belt Road. The proposed project will include retaining walls along the driveway and access easement.

No historic resources are known to exist on the subject property.

The property is located within Flood Zone X, an area outside of the 500-year flood, and is not located within the tsunami inundation zone.

The cost of the proposed development is estimated at \$1,500,000.

The Office of Planning and Sustainable Development (OPSD) has reviewed the subject SMA Use Permit Application, and has the following comments to offer:

1. The County of Hawai'i General Plan Land Use Pattern Allocation Guide ("LUPAG") map designates the majority of the subject property as Important Agricultural Lands. The County of Hawai'i Planning Department shall ensure that the proposed residential and commercial agriculture shed structure development is consistent with the county land use policies and zoning before a SMA use permit is granted pursuant to Hawai'i Revised Statutes (HRS) § 205A-26.
2. The application states that the siting of the two proposed structures would respect both the 40-foot minimum shoreline setback and the Conservation District boundary. The applicant shall ensure no structures and construction activities will occur within the shoreline area as defined by HRS § 205A-41. The applicant shall be required to place and maintain stakes and flags at the location of the shoreline setback line, which may be more than 40 feet away from the shoreline, during the construction, and these stakes and flags shall be clearly visible for the purpose of inspection and monitoring.
3. The OPSD recommends that the applicant provide site-specific mitigation measures, including building height and design, building color and landscaping, to minimize the alteration of natural landforms and existing public views to and along the coast, and ensure the proposed two-story building structure is compatible with the existing visual environment.
4. All exterior lighting and lamp posts associated with the proposed residential development shall be cut-off luminaries to provide the necessary shielding to mitigate potential light pollution in the coastal areas, and lessen possible seabird strikes. No

Mr. Jeffrey W. Darrow
July 1, 2025
Page 3

artificial light, except as provided in HRS §§ 205A-30.5(b) and 205A-71(b), shall be directed to travel across the property boundaries toward the shoreline and ocean.

5. The OPSD recommends that site-specific Best Management Practices (BMPs), including silt fences, filter socks, sediment traps, berms and soil stabilization, shall be developed and implemented to prevent runoff, sediment, soil and debris potentially resulting from associated construction activities and staging area from adversely impacting the coastal ecosystems, including reefs, beaches and dunes, and the State waters as specified in Hawai'i Administrative Rules Chapter 11-54.
6. Specific Low Impact Development (LID) BMPs, including infiltration basins or trenches, rain gardens, green roofs, and vegetated filter strips, should be considered to mitigate stormwater runoff to the ocean from the proposed dwelling and agricultural shed structure on the shoreline parcel. The OPSD recommends the following LID Guide for stormwater runoff mitigation measures at https://files.hawaii.gov/dbedt/op/czm/ormp/ormp_implementation/2023LIDPractitionersGuide.pdf

If you respond to this comment letter, please include DTS202506161225HE in the subject line. For any questions regarding this letter, please contact Shichao Li of our office at (808) 587-2841 or by email at shichao.li@hawaii.gov.

Sincerely,



Mary Alice Evans
Director



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

MEMORANDUM

DATE: June 18, 2025

TO: Mr. Jeffrey W. Darrow
Planning Director, County of Hawaii

FROM: Eric Honda
District Environmental Health Program Chief

SUBJECT: Special Management Area Use Permit Application (PL-SMA-2025-000070)
Applicants: Dustin James Hollenback and Eszter Trust
Request: To Construct a New Two (2) Story Farm Dwelling, Agricultural
Building and Related Improvements
Tax Map Key: (3) 3-2-003:001, Nīnole, North Hilo, Hawai'i

In most cases, the District Health Office will no longer provide individual comments to agencies or project owners to expedite the land use review and process.

Agencies, project owners, and their agents should apply Department of Health "Standard Comments" regarding land use to their standard project comments in their submittal. Standard comments can be found on the Land Use Planning Review section of the Department of Health website: <https://health.hawaii.gov/epo/landuse/>. Contact information for each Branch/Office is available on that website.

Note: Agencies and project owners are responsible for adhering to all applicable standard comments and obtaining proper and necessary permits before the commencement of any work.

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

Clean Air Branch

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.

2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.
3. Standard comments for the Clean Air Branch are at: <https://health.hawaii.gov/epo/landuse/>

Clean Water Branch

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55.
 1. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55: <https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standard-comments/>.

Hazard Evaluation & Emergency Response Office

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at: <https://health.hawaii.gov/epo/landuse/>.

Indoor and Radiological Health Branch

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, and 11-504.
2. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
3. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

Safe Drinking Water Branch

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related to the Safe Drinking Water program: <https://health.hawaii.gov/sdwb/>.
2. Standard comments for the Safe Drinking Water Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Solid & Hazardous Waste Branch

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H, and 342I, and HAR Chapters 11-58.1 and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse, and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.
3. Underground Storage Tank Program – The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Wastewater Branch

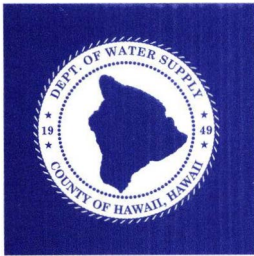
For comments, please email the Wastewater Branch at doh.wwb@doh.hawaii.gov.

Sanitation / Local DOH Comments:

1. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure. A demolition permit is required prior to demolition.

Other

1. [CDC - Healthy Places - Healthy Community Design Checklist Toolkit](#) recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Hawaii District Health Office, at (808) 933-0917.



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAII 96720

TELEPHONE (808) 961-8050 • FAX (808) 961-8657

July 8, 2025

COH PLANNING DEPT
JUL 10 2025 PM4:22

TO: Mr. Jeffrey Darrow, Director
Planning Department

REC'D HAND DELIVERED

FROM: Keith K. Okamoto, Manager—Chief Engineer

SUBJECT: Special Management Area Use Permit Application (PL-SMA-2025-000070)
Applicants: Dustin James Hollenback and Eszter Trust
Request: To Construct a New Two (2) Story Farm Dwelling, Agricultural Building
and Related Improvements
Tax Map Key 3-2-003:001

We have reviewed the subject application and have the following comments and conditions.

As the property does not front on the Department's existing waterline, the Department can only allow for one (1) unit of water, or one (1) 5/8-inch meter. For your information, one (1) unit of water is equal to an average usage of 400 gallons per day, which is the estimated average daily usage for a single-family dwelling. The water meter can only serve one (1) structure. Therefore, service can only be provided for the proposed farm dwelling.

Water can be made available from an existing 4-inch waterline within a private easement in accordance with the Department's existing water availability conditions, which are subject to change without notice. There is an existing service lateral and easement that were designated for this property during subdivision SUB-08-000705.

We have no objection to the applicant's use of a private water system (i.e. rainwater catchment or a private well) with the installation of a backflow preventer to serve the proposed agricultural building. However, we cannot approve or comment as to the adequacy of those systems as they do not meet the requirements of the Department's Water System Standards. Further, should the application be approved, the dwelling shall not share the existing meter.

We recommend that the owner consult with the County of Hawai'i, Planning Department, Department of Public Works and/or the State of Hawai'i, Department of Health, to determine any other guidelines, recommendations, or regulations regarding the use of a private water system.

Further, as the applicant indicates that there is proposed agricultural activity within the subject parcel, a reduced pressure type backflow prevention assembly must be installed within five (5) feet of the existing meter on private property. The installation of the backflow prevention assembly must be

inspected and approved by the Department. A copy of the Department's backflow prevention handout is attached to help the applicant understand this requirement.

The Department has no objection to the proposed application, subject to the applicant understanding and accepting the following conditions:

1. Subject to the property not fronting on the Department of Water Supply's existing water system facilities, a Policy and Conditions for Water Service, or "Out-of-Bounds Agreement" must be signed.

The agreement is an understanding with the applicant that they are responsible for the installation and maintenance of the customer waterline from the meter to the subject parcel as well as obtaining any necessary permits, easements, or other access for the customer waterline.

2. Based on the proposed usage, a reduced pressure type backflow prevention assembly would have to be installed on private property within five (5) feet of the existing meter. The installation must be inspected and approved by the Department.
4. Subject to other agencies' requirements to construct improvements within the project area, the applicant shall be responsible for the relocation and adjustment of the Department's affected water system facilities, should they be necessary.

Should there be any questions, please contact Ms. Robyn Matsumoto of our Water Resources and Planning Branch at (808) 961-8070, extension 255.

Sincerely yours,



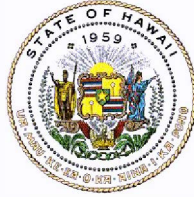
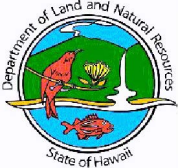
Keith K. Okamoto, P.E.
Manager-Chief Engineer

RM:makk

copy – Dustin James Hollenback and Eszter Trust
Matthew M. Graves
DWS Customer Service Section (Hilo)
DWS Cross-Connection Section

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
Office of Conservation and Coastal Lands
P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
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

REF: OCCL: KS

COR: HA 25-216

Melissa Dacayanan-Salvador
Windward Planning Commission
County of Hawaii, Planning Department
101 Pauahi Street, Suite 3
Hilo, Hawaii 96720

Jul 2, 2025

SUBJECT: Request for Comment for Special Management Area Use Permit (PL-SMA-2025-000070) For Single-Family Farm Dwelling, Agricultural Building and Related Improvements
Located at 32-962 Hawaii Belt Road
Ninole, North Hilo, Island of Hawaii
Tax Map Key (TMK): (3) 3-2-003:001

Dear Melissa Dacayanan-Salvador:

The Office of Conservation and Coastal Lands has reviewed your memorandum and attachments regarding the subject property. According to the memorandum, the County of Hawaii Planning Department is requesting comments for the Special Management Area Use Permit (PL-SMA-2025-000070) for a new single-family farm dwelling, agricultural building, and related agricultural improvements. Portions of the TMK (3) 3-2-003:001 lie within the State Land Use Agricultural District and within the State Land Use Conservation District.

The OCCL regulates land uses in the State Land Use Conservation District. According to the information provided, the proposed construction of the single-family farm dwelling, agricultural building, and related agricultural improvements will be constructed in the portion of the parcel in the State Land Use Agricultural District. Therefore, it does not appear to be under the jurisdiction of the Department or Board of Land and Natural Resources.

The applicant may want to consider getting a Boundary Interpretation, from the Land Use Commission (LUC), to determine the boundary between the State Land Agricultural District and the State land Use Conservation District. The LUC website is <https://luc.hawaii.gov/>.

Should the scope of the project change and land uses are being proposed within the Conservation District, review and potential authorization from the Department or Board shall be required.

Should you have any questions regarding this letter, feel free to contact Kariann Stark of the Office of Conservation and Coastal Lands at (808) 587-0380 or kariann.stark@hawaii.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Cain", written in a cursive style.

Michael Cain, Administrator
Office of Conservation and Coastal Lands

CC: *Hawaii Land Division*

C. Kimo Alameda, Ph.D.
Mayor



Benjamin T. Moszkowicz
Police Chief

William V. Brilhante, Jr.
Managing Director

Reed K. Mahuna
Deputy Police Chief

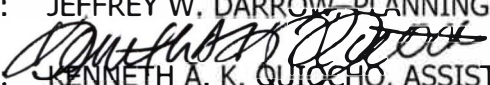
County of Hawai'i

POLICE DEPARTMENT

349 Kapi'olani Street • Hilo, Hawai'i 96720-3998
(808) 935-3311 • Fax (808) 961-2389

June 24, 2025

COH PLANNING DEPT
JUN 25 2025 AM 10:10

TO : JEFFREY W. DARROW, PLANNING DIRECTOR
FROM :  KENNETH A. K. QUIOCHO, ASSISTANT POLICE CHIEF
AREA I OPERATIONS BUREAU

REC'D HAND DELIVERED

SUBJECT: SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION
(PL-SMA-2025-000070);
APPLICANT: DUSTIN JAMES HOLLENBACK AND ESZTER TRUST;
REQUEST: TO CONSTRUCT A NEW TWO (2) STORY FARM DWELLING,
AGRICULTURAL BUILDING AND RELATED IMPROVEMENTS;
TAX MAP KEY: (3) 3-2-003:001; NINOLE, NORTH HILO, HAWAII

Staff, upon reviewing the provided documents, does not anticipate any significant impact to traffic and/or public safety concerns.

Thank you for allowing us the opportunity to comment.

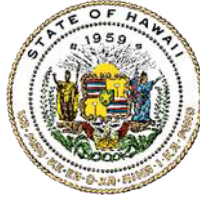
If you have any questions, please contact Captain Reynold Kahalewai, Hamakua Patrol, at 775-7533 or via email at reynold.kahalewai@hawaiiicounty.gov.

RK:ws/25HQ0557

Planning Dept.
Exhibit 7

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE
FIRST DEPUTY

CIARA W.K. KAHAHANE
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

January 13, 2025

Jeff Darrow, Director
Planning Department
County of Hawaii
101 Pauahi Street, Suite 3
Hilo, HI 96720
planning@hawaiicounty.gov

IN REPLY REFER TO:
Project No. 2024PR01447
Doc. No. 2501JG05
Archaeology

Dear Jeff Darrow:

SUBJECT: **Hawaii Revised Statutes (HRS) Chapter 6E-42 Historic Preservation Review**
County of Hawaii Special Management Area Use Permit
Permit Number: PL-SAA-2024-000251
Ha'ikū Ahupua'a, North Hilo District, Island of Hawaii
TMK: (3) 3-2-003:001

This letter provides the State Historic Preservation Division's (SHPD's) review of the subject County of Hawaii Special Management Area (SMA) Assessment permit application received by our office on December 11, 2024. The submittal included a SMA Use Permit packet, site plans, grading plans, and photos of the project area. The proposed project area comprises a 0.169-acre portion of the 2.50-acre parcel. The project proponent proposes to construct a farm dwelling that will measure 100 ft. long by 50 ft. wide and a commercial agriculture structure that will measure 60 ft. long by 40 ft. wide. Additionally, the project may involve the construction of retaining walls in the vicinity of the existing access easement.

The submittal information indicates that the proposed project area was previously impacted by commercial agriculture. SHPD records indicate that no archaeological studies have been conducted within the project area and that no archaeological historic properties been documented. However, SHPD GIS data indicates that the subject parcel is included as part of Site 50-10-16-07396 (Ninole District). Historic (1965) and contemporary aerial imagery indicates that the current project area has been previously impacted by commercial agriculture and subsequent vegetation clearing.

Based on available information, SHPD's determination is **No historic properties affected** pursuant to HAR §13-284-7(a)(1). Pursuant to HAR §13-284-7(e), when the SHPD agrees that the action will not affect any significant historic properties, this is the SHPD's written concurrence, and the historic preservation review ends. The HRS §6E historic preservation review process is ended. The permit issuance process may continue.

Attach to permit: If historic properties such as lava tube openings, concentrations of artifacts, structural remains or human skeletal remains are found during construction activities please cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division at (808) 933-7651.

Please contact Joshua Gastilo at Joshua.gastilo@hawaii.gov for any questions regarding archaeological resources or concerns regarding this letter.

Planning Dept.
Exhibit 8

Jeff Darrow
January 13, 2025
Page 2

Aloha,

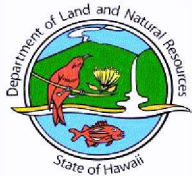
A handwritten signature in black ink, appearing to read 'JPuff'.

Jessica L. Puff
Administrator, State Historic Preservation
Deputy State Historic Preservation Officer

cc: Graham Knopp, gpknopp@gkenvllc.com

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
LAND DIVISION

P.O. BOX 621
HONOLULU, HAWAII 96809

July 14, 2025

Alex Roy, Planner
County of Hawai'i
Planning Department
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720

via email: planning@hawaiiicounty.gov

SUBJECT: Special Management Area Use Permit Application (PL - SMA-2025-000070)
application for Dustin and Eszti Hollenback for a Single-Family Residence and
related ag-improvements in Ninole, Hawai'i; TMK (3) 3-2-003:001 (por.)

Dear Mr. Roy:

Thank you for the opportunity to review and comment on the subject matter. The Land Division of the Department of Land and Natural Resources (DLNR) distributed or made available a copy of your request to the DLNR Divisions for their review and comments and we provided a previous reply with comments dated July 9, 2025.

We are providing you with the attached late comment from the Division of Forestry and Wildlife dated July 9, 2025, but received by our division on July 11, 2025.

If you have any questions, please contact Raymond Severn at (808) 587-0554 or email raymond.severn@hawaii.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Ian C. Hirokawa".

Ian C. Hirokawa
Acting Land Administrator

Enclosures
cc: Central Files

Planning Dept.
Exhibit 9



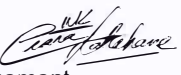
STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF LAND AND NATURAL RESOURCES | KA 'OIHANA KUMUWAIWAI 'ĀINA
COMMISSION ON WATER RESOURCE MANAGEMENT | KE KAHUWAI PONO
P.O. BOX 621
HONOLULU, HAWAII 96809

CIARA W.K. KAHAHANE
DEPUTY DIRECTOR

July 9, 2025

REF: RFD.6469.8

TO: Mr. Ian Hirokawa, Acting Administrator
Land Division

FROM: Ciara W.K. Kahahane, Deputy Director 
Commission on Water Resource Management

SUBJECT: Special Management Area (SMA) Use Permit (PL-SMA-2025-000070)

FILE NO.: RFD.6469.8
TMK NO.: (3) 3-2-003:001

Thank you for the opportunity to review the subject document. The Commission on Water Resource Management (CWRM) is the agency responsible for administering the State Water Code (Code). Under the Code, all waters of the State are held in trust for the benefit of the citizens of the State, therefore all water use is subject to legally protected water rights. CWRM strongly promotes the efficient use of Hawaii's water resources through conservation measures and appropriate resource management. For more information, please refer to the State Water Code, Chapter 174C, Hawaii Revised Statutes, and Hawaii Administrative Rules, Chapters 13-167 to 13-171. These documents are available via the Internet at <http://dlnr.hawaii.gov/cwrm>.

Our comments related to water resources are checked off below.

- ☐ 1. We recommend coordination with the county to incorporate this project into the county's Water Use and Development Plan. Please contact the respective Planning Department and/or Department of Water Supply for further information.
- ☐ 2. We recommend coordination with the Engineering Division of the State Department of Land and Natural Resources to incorporate this project into the State Water Projects Plan.
- ☐ 3. We recommend coordination with the Hawaii Department of Agriculture (HDOA) to incorporate the reclassification of agricultural zoned land and the redistribution of agricultural resources into the State's Agricultural Water Use and Development Plan (AWUDP). Please contact the HDOA for more information.
- ☒ 4. We recommend that water efficient fixtures be installed and water efficient practices implemented throughout the development to reduce the increased demand on the area's freshwater resources. Reducing the water usage of a home or building may earn credit towards Leadership in Energy and Environmental Design (LEED) certification. More information on LEED certification is available at <http://www.usgbc.org/leed>. A listing of fixtures certified by the EPA as having high water efficiency can be found at <http://www.epa.gov/watersense>.
- ☒ 5. We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project to the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMPs may earn credit toward LEED certification. More information on stormwater BMPs can be found at <http://planning.hawaii.gov/czm/initiatives/low-impact-development/>
- ☐ 6. We recommend the use of alternative water sources, wherever practicable.
- ☐ 7. We recommend participating in the Hawaii Green Business Program, that assists and recognizes businesses that strive to operate in an environmentally and socially responsible manner. The program description can be found online at <http://energy.hawaii.gov/green-business-program>.
- ☒ 8. We recommend adopting landscape irrigation conservation best management practices endorsed by the Landscape Industry Council of Hawaii. These practices can be found online at http://www.hawaiiscape.com/wp-content/uploads/2013/04/LICH_Irrigation_Conservation_BMPs.pdf.

- ☒ 9. There may be the potential for ground or surface water degradation/contamination and recommend that approvals for this project be conditioned upon a review by the State Department of Health and the developer's acceptance of any resulting requirements related to water quality.
- ☐ 10. The proposed water supply source for the project is located in a designated water management area, and a Water Use Permit is required prior to use of water. The Water Use Permit may be conditioned on the requirement to use dual line water supply systems for new industrial and commercial developments.
- ☐ 11. The Hawaii Water Plan is directed toward the achievement of the utilization of reclaimed water for uses other than drinking and for potable water needs in one hundred per cent of State and County facilities by December 31, 2045 (§174C-31(g)(6), Hawaii Revised Statutes). We strongly recommend that this project consider using reclaimed water for its non-potable water needs, such as irrigation. Reclaimed water may include, but is not limited to, recycled wastewater, gray water, and captured rainwater/stormwater. Please contact the Hawai'i Department of Health, Wastewater Branch, for more information on their reuse guidelines and the availability of reclaimed water in the project area.
- ☐ 12. A Well Construction Permit(s) is (are) are required before the commencement of any well construction work.
- ☐ 13. A Pump Installation Permit(s) is (are) required before ground water is developed as a source of supply for the project.
- ☐ 14. There is (are) well(s) located on or adjacent to this project. If wells are not planned to be used and will be affected by any new construction, they must be properly abandoned and sealed. A permit for well abandonment must be obtained.
- ☐ 15. Ground-water withdrawals from this project may affect streamflows, which may require an instream flow standard amendment.
- ☐ 16. A Stream Channel Alteration Permit(s) is (are) required before any alteration can be made to the bed and/or banks of a stream channel.
- ☐ 17. A Stream Diversion Works Permit(s) is (are) required before any stream diversion works is constructed or altered.
- ☐ 18. A Petition to Amend the Interim Instream Flow Standard is required for any new or expanded diversion(s) of surface water.
- ☐ 19. The planned source of water for this project has not been identified in this report. Therefore, we cannot determine what permits or petitions are required from our office, or whether there are potential impacts to water resources.
- ☐ OTHER:

If you have any questions, please contact Ryan Imata of the Groundwater Regulation Branch at (808) 587-0225 or Katie Roth of the Planning Branch (808) 587-0216.