



STATE OF HAWAII  
BOARD OF LAND AND NATURAL RESOURCES

RECEIVED

2024 OCT -7 AM 11:26

PETITION FOR A CONTESTED CASE HEARING

DEPT. OF LAND  
& NATURAL RESOURCES  
STATE OF HAWAII

OFFICIAL USE ONLY	
Case No.	Date Received
Board Action Date / Item No.	Division/Office

INSTRUCTIONS:

- File (deliver, mail or fax) this form within ten (10) days of the Board Action Date to:  
 Department of Land and Natural Resources  
 Administrative Proceedings Office  
 1151 Punchbowl Street, Room 130  
 Honolulu, Hawaii 96813  
 Phone: (808) 587-1496, Fax: (808) 587-0390
- DLNR's contested case hearing rules are listed under Chapter 13-1, HAR, and can be obtained from the DLNR Administrative Proceedings Office or at its website (<http://dlnr.hawaii.gov/forms/contested-case-form/>). Please review these rules before filing a petition.
- If you use the electronic version of this form, note that the boxes are expandable to fit in your statements. If you use the hardcopy form and need more space, you may attach additional sheets.
- Pursuant to §13-1-30, HAR, a petition that involves a Conservation District Use Permit must be accompanied with a \$100.00 non-refundable filing fee (payable to "DLNR") or a request for waiver of this fee. A waiver may be granted by the Chairperson based on a petitioner's financial hardship.
- All materials, including this form, shall be submitted in three (3) photocopies.

A. PETITIONER		
(If there are multiple petitioners, use one form for each.)		
1. Name VAL SANJARA	2. Contact Person VAL SANJARA	
3. Address P.O. Box 687	4. City KALAHED	5. State and ZIP HI 96741
6. Email VSANJARA@YAHOO.COM	7. Phone 808 212-7939	8. Fax

B. ATTORNEY (if represented)		
9. Attorney Name	10. Firm Name	
11. Address	12. City	13. State and ZIP
14. Email	15. Phone	16. Fax



Val Sanjara  
PO Box 687  
Kalaheo, HI 96741

Board of Land and Natural Resources  
PO Box 621  
Honolulu, HI 96809

September 27, 2024.

SUBJECT: Petition For A Contested Case Hearing For ENF: KA 22-17, Agenda Item No: K-1 Regarding the Alleged Unauthorized Placement of a Shed, Accessory Structures, and Landscaping within the Conservation District Located on Wainiha Powerhouse Road, TMK:(4)5-8-005:026

Dear members of the Board of Land and Natural Resources (Board):

This is written testimony to contest the Board action for KA 22-17, Agenda Item No: K-1. According to the County of Kauai Tax Assessment parcel history, the subject property TMK: (4)5-8-005:026 was taken from the County Residential Zoning and placed in the Limited Subzone of the State Land Use Conservation District in 1994. We purchased the subject property in 2011. The land parcel was overgrown with 150 feet tall albezia trees and other invasive species. Please see Exhibit 1. The local people used the land parcel for dumping old cars, household items, and other trash.

We purchased the subject property with intention of being able to build on it, because before 1994 it was a buildable lot. We removed the rusted vehicles, all trash, the albezia trees, and other invasive species from the land parcel in compliance with HAR § 13-5. The subject property was not graded or landscaped. We preserved and replanted some of the plants, which are non-invasive and which were already growing on the property.

According to Rules and Regulations of the Conservation District the routine maintenance of the subject property is allowed. One of the albezia trees fell, breaking the power lines, blocking Powerhouse road, leaving some of the local residents trapped and the rest of the north shore residents without electricity for about two days (Exhibit 2). Luckily, no one was injured. Albizias are very invasive species, and they grow about 20 feet per a year if the property is not maintained (Exhibit 3).

The property was fenced (Exhibit 4), except that the gate and some sections of the fence were broken, and people were getting through dumping trash and doing other impermissible activities on the property prior to our purchase. We replaced the broken fence and gate and brought RV trailer for storing our maintenance equipment because our tools and equipment were disappearing. We removed our RV trailer when we were allowed to replace it with a shed at the Prehearing Conference, which was held on October 25, 2018, pursuant to HAR Section 13-1-36, DLNR File No. KA 17-01, and the site visit was conducted on

November 2, 2018 to confirm that we were in compliance (Exhibit 5). The Contested Case, DLNR File No. KA 17-01, took place on December 13, 2018, and the alleged violation charges were dropped and the case was dismissed by DLNR on July 31, 2019 (Exhibit 6).

We always strive to be in compliance with the Rules and Regulations of the Conservation District. In past several years the weather disasters and then Covid outbreak slowed our activities on Kauai. An architect prepared the drawings of the tool shed and the service platform for us to be able to file the Site Plan Approval Application (Exhibit 7).

The septic system was designed by Hydro Kai Engineering Company, and it was approved in 2013 by the State of Hawaii, Department of Health, Individual Water System (IWS) File No. 49768, and installed by a licensed contractor in compliance with applicable provisions of Chapter 11-62 (Exhibit 8).

Throughout the years of our ownership of the subject property we talked with the County Planning Department, Real Estate attorneys, a number of Land Use planners, who were convinced that we should be able to build on our land parcel. After contacting an experienced Land Use planner, Lee Sichter, 808 382-3836, www.leesichter.com, who worked in the Land Use field for a several decades. He still lectures at the Hawaii State University. He taught and worked with a few Land Use planners who worked for DLNR. His professional opinion on why our land parcel was placed in Limited Subzone is that it was due to an error. Typically, the Limited Subzone is reserved for lands with very steep slopes (45 degrees and steeper), that is why residential development is restricted. According to Mr. Sichter's experience (Exhibit 9), the USGS Quad Maps were utilized in the late 1960's, when the subzones were created. The USGS Quad Maps have a very large scale (1 inch equals several hundred feet). In addition, the boundary lines were drawn, literally, by felt tipped markers.

Our land parcel has mostly even terrain, with a couple of gentle slopes on both ends of the parcel (Exhibit 10), and using contemporary mapping techniques, it will not line up with the subzone line that was drawn sixty years ago. The private graveyard, located at the top rectangular area (Exhibit 11) of the subject parcel is a proof of even terrain.

We request the Board of Land and Natural Resources for a rule amendment in order to correct the error made many years ago by moving the subject parcel out of Limited Subzone into General Subzone, where building a single family residence is permitted.

In order to protect and support native family heritage, we also request the Board of Land and Natural Resources to subdivide the subject parcel, TMK:(4) 5-8-005:026, located in SLU Conservation District into two (2) separate subject parcels with two (2) separate tax map keys. Currently, the subject parcel is ~41,905 square feet. The proposed subdivision would be a two-thirds split ~13,968 square feet and ~27,936 square feet respectively (Exhibit 12).

As it was mentioned before, there is an existing private graveyard, located at the top of the property. We would like to provide access and/or easement to the Kanei

Ohana gravesite. For the record, the site is not registered as Department of Land and Natural Resources, Historic Preservation Site and it is not registered under the Department of Health as cemetery. We request subdivision of the subject parcel pursuant to HAR, Section 13-5-22, P-10 SUBDIVISION OF PROPERTY.

Sincerely,



Val Sanjara.

EXHIBIT 1



EXHIBIT 2

**SHIRAMIZU LOO & NAKAMURA**  
A LIMITED LIABILITY LAW PARTNERSHIP  
4357 RICE STREET, SUITE 201  
LIHUE, KAUAI, HAWAII 96766

CURTIS H. SHIRAMIZU  
LAUREL LOO  
GALEN T. NAKAMURA

TELEPHONE (808) 632-2267  
FACSIMILE (808) 440-0399

September 19, 2013

Val Sanjara  
P.O. Box 687  
Kalaheo, HI 96741

Certified Mail, RRR

Re: Wainiha Power House Road, TMK 5-8-05-026

Dear Val Sanjara:

This firm is counsel to Kauai Island Utility Cooperative ("KIUC").

On Monday, September 2, 2013 at approximately 6 p.m., a large albizia tree on property owned by you fell onto poles and wires on Wainiha Powerhouse Road. This resulted in a power outage in the area that lasted until the next day, and labor, construction and other costs to KIUC on that Labor Day weekend. Those costs are continuing to today because work to install permanent cables and other equipment has not yet been completed.

Our employees who responded to the call identified the albizia tree's location as occurring on parcel 26 at Wainiha Powerhouse Road, which county tax records show as being owned by you. See the enclosed map and notation of the tree.

Of particular concern to KIUC is that the tree that fell was purposely "girdled" so as to intentionally damage the tree, and that there exist nearby other girdled or decaying trees on your property that present an immediate danger not only to property but also to passing motorists. See enclosed color photos which show not only the tree that fell, but also nearby damaged trees and an example of another girdled tree.

The girdling of such large trees is egregious because it was intentional and there was no regard for when, how, and where the tree would fall. Unfortunately, one tree fell directly onto KIUC's property and caused the most damage possible except for injury to persons.

It is clear the law recognizes a landowner is under a legal obligation to take reasonable care that neither the tree nor its branches shall fall into the roadway

Val Sanjara  
September 19, 2013  
Page Two

and injure persons or property. 65A C.J.S. *Negligence* §593 (2000). This obligation exists if the owner has knowledge of the dangerous condition of the tree. Id. This rule also applies to landowners in rural areas. Id.

In this case it is clear that you as landowner had knowledge of the dangerous condition of the tree. Not only was the girdling done intentionally, but the trees are located close enough to the roadway that any cursory inspection of the property by an owner or tenant would have revealed the dangerous condition of the tree.

KIUC's estimated labor and equipment costs, including hiring contractors to trim the tree and remove debris and dirt now total \$82,426.01. The costs of a new telecable which has not yet been installed is not included in this calculation.

KIUC would like to settle this claim expeditiously and without having the expense of a court case. More importantly, KIUC requests you immediately have all other dangerous trees near its power lines professionally removed as soon as possible.

To that end, KIUC offers to settle this claim with you for immediate payment of 50% of its current estimated costs, or \$41,213. If you agree, KIUC will forego the remaining half of its current estimated costs, as well as any future costs of labor or equipment resulting from the September 2 outage. This offer is withdrawn if another tree on your property damages its power lines before you respond to this letter.

This letter is made for compromise purposes only and is made pursuant to Rule 408 of the Hawaii Rules of Evidence. This letter is inadmissible at trial. This offer expires at the close of business on September 30, 2013.

Please do not hesitate to call me if you have any questions.

Sincerely yours,



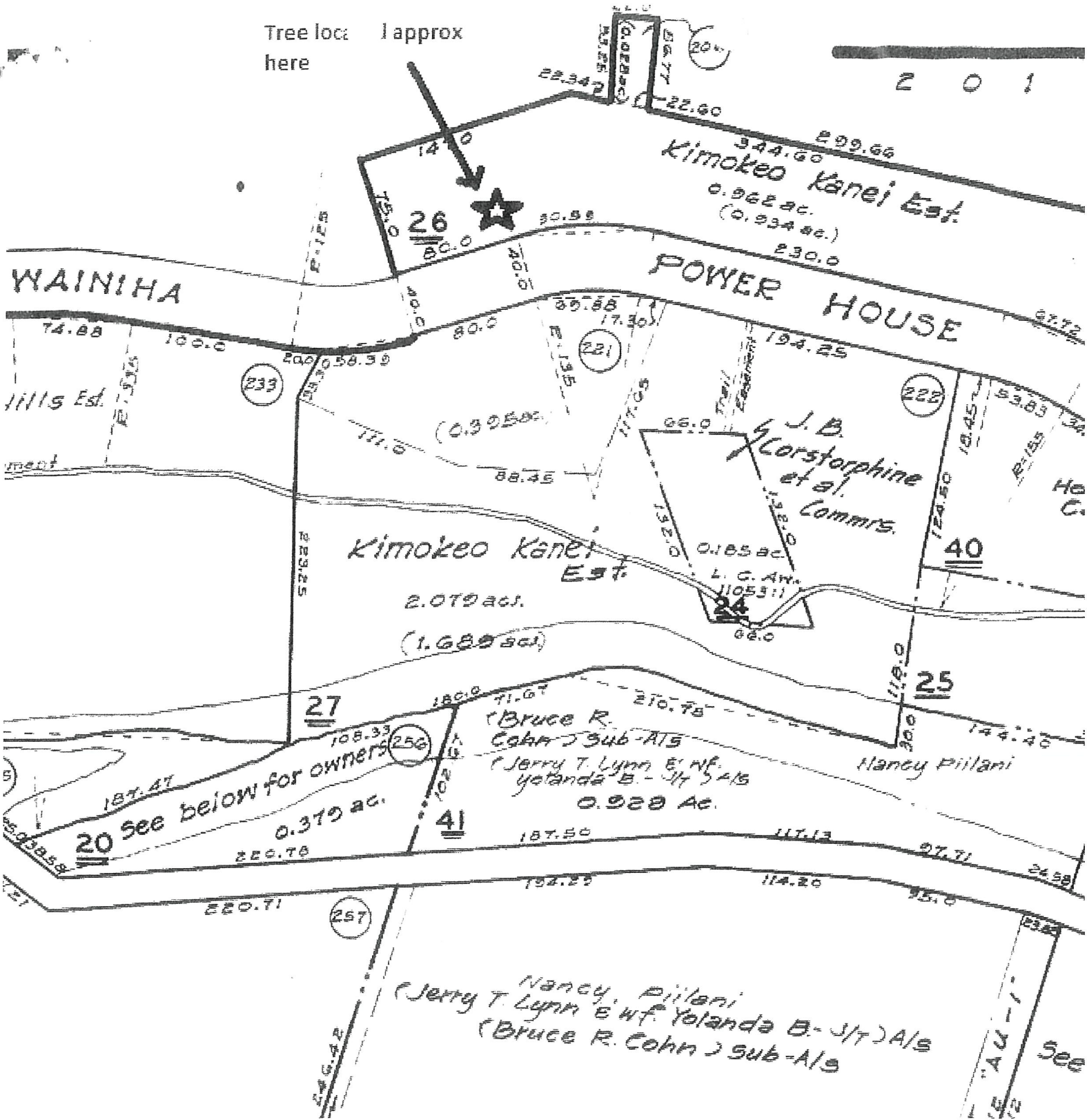
LAUREL LOO

cc: KIUC

Enclosures

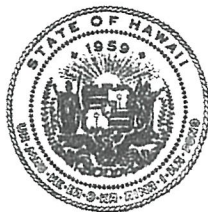
Tree loc. approx here

201





NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

OFFICE OF CONSERVATION AND COASTAL LANDS  
POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI  
FIRST DEPUTY

WILLIAM M. TAM  
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:TM

ENF: KA 12-26

Val Sanjara  
PO Box 687  
Kalaheo, HI 96741

MAR 20 2012

SUBJECT: Maintenance Clearing and Removal of Invasive Species in the Conservation District  
Located at Wainiha Powerhouse Road, Wainiha, Kauai, TMK: (4) 5-8-005:026

Dear Mr. Sanjara:

The Office of Conservation and Coastal Lands (OCCL) is in receipt of your response to our inquiry regarding land clearing. In addition, a phone discussion with you, clarified what occurred on your property. According to your information, the growth of vegetation was too thick to access and survey the property. There were a number of dead and entangled trees. Some albizia and Java plum trees were cut down with the stumps left in place. Vines, brush and thorny cat's claw was cleared from the lot.

Useful trees such as fruit and noninvasive shade trees were retained. The work was done manually. No heavy machinery was utilized. No grubbing and grading was conducted. The majority of the vegetative waste was removed from the lot and taken to an authorized waste station.

You would like to clear some additional trees that pose a hazard to electrical lines. You would also like to continue clearing out more brush and seedlings of the invasive plants that were removed. You believe that the clearing was conducted in compliance with Chapter 13-5, Hawaii Administrative Rules, §13-5-22, P-4 Removal of Invasive Species; P-11 Tree Removal; and P-13 under (A-1) of each section.

The OCCL notes the .926-acre parcel lies within the Limited subzone of the Conservation District. The work conducted does appear to be in compliance with the rules and regulations of the Conservation District. Therefore the OCCL shall be closing Enforcement KA 12-26 as no violation has occurred.

Regarding the removal of the hazardous trees, please document the hazardous condition through photos and describe how the work will be conducted and forward this information to the OCCL to review. You may want to concurrently contact the electric company and address any concerns the electric company may have while you await our response. We have no objects to the maintenance clearing of your lot. However should you need to grub or grade the land, authorization from our Office may be required so please inquiry with the OCCL prior to conducting any grubbing or grading.

Should you have any questions regarding this correspondence, contact Tiger Mills of our Office at (808) 587-0382.

Sincerely,

  
Samuel J. Lemmo, Administrator  
Office of Conservation and Coastal Land

C: Chairperson  
KDLO  
County of Kauai, Planning Dept.

Exhibit 2: Written Statement from Val Sanjara

Exhibits Page 13



EXHIBIT 3

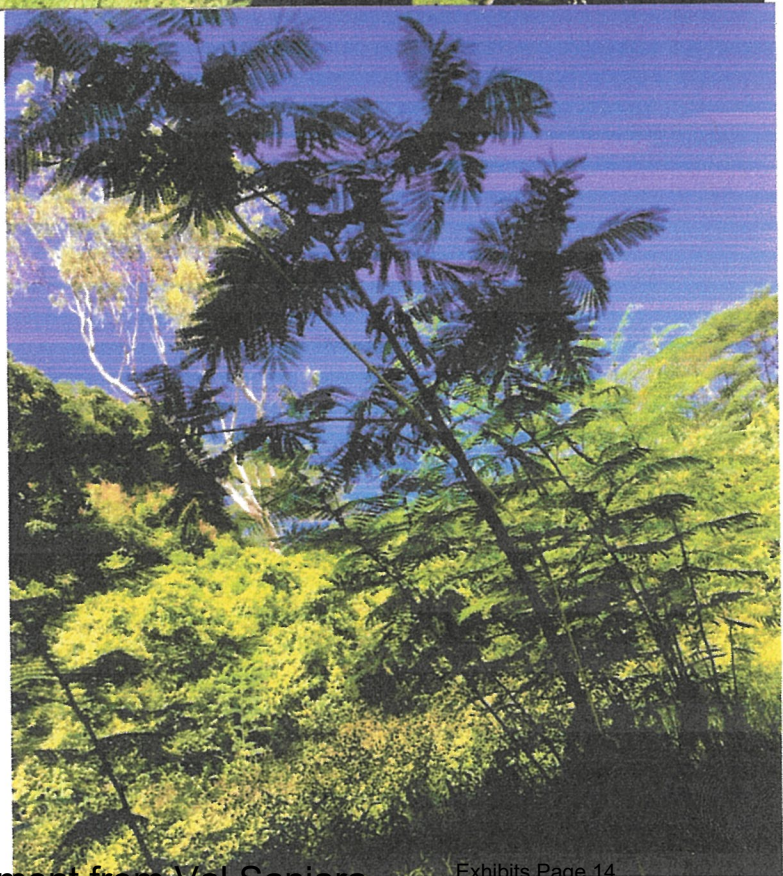




EXHIBIT 4







EXHIBIT 5

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAII

In the matter of a Contested Case Petition  
Regarding Enforcement Case (ENF) KA-15-  
34, for Alleged Unauthorized Land Uses in  
the Conservation District, Located at  
Wainiha, Hanalei District, Island of Kauai  
on TMK: (4) 5-8-005:026.

DLNR File No. KA-17-01

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the following documents:

A. *OCCL Staff Site Visit Report*

was duly served upon the following parties as indicated, by means of State Messenger or U.S.  
Mail, postage prepaid on NOV 30 2016, addressed as follows:

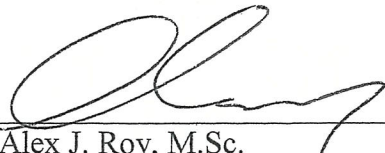
Val Sanjara  
P.O. Box 1713  
Hanalei, HI 96714

Kitty K. Kamaka  
Attorney at Law  
P.O. Box 3392  
Honolulu, HI 96801-3332

Daniel A. Morris  
Deputy Attorney General  
Land Transportation Division  
465 South King St., Ste. 300  
Honolulu, Hawaii 96813

Michael A, Chambrella  
Deputy Attorney General  
Administration Division  
425 Queen Street  
Honolulu, Hawaii 96813

Dated: Honolulu, Hawaii, NOV 30 2016

  
\_\_\_\_\_  
Alex J. Roy, M.Sc.  
Department of Land & Natural Resources  
State of Hawai'i

**Sanjara Site Visit by OCCL Staff – November 2, 2018**  
**Contested Case: KA-17-01**

Statement by OCCL staff:

Sam Lemmo and Salvatore Saluga visited the site on November 2, 2018. OCCL staff were accompanied by Les Milnes of the County of Kauai enforcement division. The weather was clear and dry. Once on the property we noticed a well-constructed shed structure (not prefab). The structure was approximately 8-12 feet in diameter. Construction was wood with a roof and solar panels. The structure appeared to have been built recently as it appeared to be new. There was also a plastic tool cabinet located next to the shed.

The land appeared to be well maintained with terraced grassy areas at different elevations. On a terrace approximately 10-12 higher in elevation than the shed, there was a wooded foundation (nothing more).

The RV and Tent were not present on the parcel.

The entrance of the property was guarded by a steel gate.

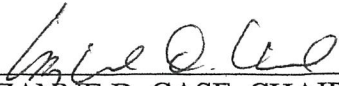







penalties for alleged violations of HRS §183C-7 and HAR §13-5-23, as indicated by the signatures below.

DATED: Honolulu, Hawaii, July 30, 2019.

  
\_\_\_\_\_  
SUZANNE D. CASE, CHAIRPERSON

Board of Land and Natural Resources

  
\_\_\_\_\_  
VAL SANJARA

SO ORDERED BY THE  
HEARINGS OFFICER:

  
\_\_\_\_\_  
KITTY K. KAMAKA, Hearings Officer

EXHIBIT 7



## SITE PLAN APPROVAL APPLICATION (SPA)

File No:	
Acceptance Date:	30-Day Expiration Date:
Assigned Planner:	
<i>for DLNR Use</i>	

Pursuant to Hawai'i Administrative Rules (HAR) §§13-5-22 through 24, identified land uses beginning with letter (B) require a site plan approval by the department.

### PROJECT NAME:

Conservation District Subzone: LIMITED SUBZONE

Identified Land Use: L-1, AGRICULTURE, C-1  
(Identified Land Uses are found in HAR §13-5-22 through §13-5-25)

Project Address: WAINIHA POWERHOUSE ROAD, KAUAI

Tax Map Key(s): (A) 5-8-005:026

Ahupua'a:

District: HANALEI

Island: KAUAI

Proposed Commencement Date: 10/07/2024

Proposed Completion Date:

Estimated Project Cost: \$ 2,000.00

Total size / area of proposed use: ~ 41,905 SF

### ATTACHMENTS

- \$50 application fee (ref §13-5-32 through 34)
- Location map
- Site plan
- Construction, grading, site restoration, landscaping, or fire buffer plans, as applicable

Note: The application fee for State projects is waived pursuant to HAR §13-5-32.

**REQUIRED SIGNATURES**

**Applicant**

Name / Agency: VAL SANJARA  
Street Address: P.O. Box 687  
KALAHEO, HI 96741  
Contact Person & Title: VAL SANJARA  
Phone: 808 212-7939 Fax:  
Email: V.SANJARA@YAHOO.COM  
Interest in Property: PROPERTY OWNER

Signature: Val Sanjara Date: 09/27/2024  
*Signed by an authorized officer if for a Corporation, Partnership, Agency or Organization*

**Landowner (if different than the applicant)**

Name:  
Title; Agency:  
Mailing Address:

Phone: Fax:  
Email:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
*For State and public lands, the State of Hawai'i or government entity with management control over the parcel shall sign as landowner.*

**Agent**

Agency:  
Contact Person & Title:  
Mailing Address:

Phone: Fax:  
Email:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**For DLNR Managed Lands**

State of Hawai'i  
Chairperson, Board of Land and Natural Resources  
State of Hawai'i  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawai'i 96809-0621

Signature \_\_\_\_\_ Date: \_\_\_\_\_

## EVALUATION CRITERIA

The Department or Board will evaluate the merits of a proposed land use based upon the following eight criteria (ref §13-5-30 (c)):

1. The purpose of the Conservation District is to conserve, protect, and preserve the important natural and cultural resources of the State through appropriate management and use to promote their long-term sustainability and the public health, safety, and welfare. (ref §13-5-1)  
How is the proposed land use consistent with the purpose of the conservation district?  
INVASIVE SPECIES REMOVAL AND LAND AND RESOURCE MANAGEMENT WILL IMPROVE PUBLIC SAFETY, PROTECT PUBLIC UTILITIES, AND PRESERVE ENDEMIC SPECIES. IT IS CONSISTENT WITH HAR, §13-5-22, P-4 REMOVAL OF INVASIVE SPECIES.
2. How is the proposed use consistent with the objectives of the subzone of the land on which the land use will occur? (ref §13-5-11 through §13-5-15)  
THE PROPOSED LAND USE IS CONSISTENT WITH THE OBJECTIVES OF THE LIMITED SUBZONE; PURSUANT TO HAR, SECTION 13-5
3. Describe how the proposed land use complies with the provisions and guidelines contained in chapter 205A, HRS, entitled "Coastal Zone Management" (see 205A objectives on p. 8).  
N/A - THE LAND PARCEL IS ABOUT ONE MILE AWAY FROM COASTAL ZONE.
4. Describe how the proposed land use will not cause substantial adverse impact to existing natural resources within the surrounding area, community or region.  
THE PROPOSED LAND USE WILL PROVIDE SUSTAINABILITY TO NATIVE ECO SYSTEM AND HABITAT, WITHOUT ADVERSE IMPACT TO EXISTING NATURAL RESOURCES WITHIN THE AREA.
5. Describe how the proposed land use, including buildings, structures and facilities, is compatible with the locality and surrounding areas, appropriate to the physical conditions and capabilities of the specific parcel or parcels.  
THE LAND USE IS COMPATIBLE TO RESIDENTIAL AND AGRICULTURAL LOCAL PROPERTIES SURROUNDING THE SUBJECT PROPERTY, LOCATED ALONG POWERHOUSE ROAD IN WAINIHA.
6. Describe how the existing physical and environmental aspects of the land, such as natural beauty and open space characteristics, will be preserved or improved upon.  
THE NATURAL BEAUTY AND ENVIRONMENTAL ASPECTS OF THE LAND WILL BE PRESERVED AND IMPROVED UPON BY THE LAND AND RESOURCE MANAGEMENT.
7. If applicable, describe how subdivision of land will not be utilized to increase the intensity of land uses in the Conservation District. THE SUBDIVISION WILL RESULT IN DECREASE OF THE LOCAL INTENSITY OF DUMPING TRASH AND OF OTHER ILLEGAL ACTIVITIES, THUS PROVIDING HEALTHY ECOLOGICAL ENVIRONMENT. THE LAND WILL BE TREATED WITH RESPECT AND CARE, ESPECIALLY, WHEN THE NATIVE HERITAGE IS PROTECTED BY THIS SUBDIVISION WHICH ALLOWS KANEI OHANA TO TAKE CARE OF THE GRAV
8. Describe how the proposed land use will not be materially detrimental to the public health, safety and welfare.  
THE PROPOSED LAND USE WILL RESULT IN SIGNIFICANT SAVINGS OF WAINIHA POWERHOUSE ROAD MAINTENANCE, PUBLIC SAFETY, AND PUBLIC WELFARE. THE PROPER LAND AND RESOURCE MANAGEMENT WILL MAKE THE LOCAL ENVIRONMENT AND COMMUNITY FLOURISH.

**CERTIFICATION**

I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application and all attachments and exhibits is complete and correct. I understand that the failure to provide any requested information or misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, or for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the Land Board.

I hereby authorize representatives of the Department of Land and Natural Resources to conduct site inspections on my property. Unless arranged otherwise, these site inspections shall take place between the hours of 8:00 a.m. and 4:30 p.m.



\_\_\_\_\_  
*Signature of authorized agent(s) or if no agent, signature of applicant*

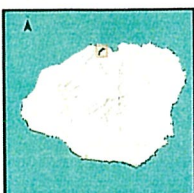
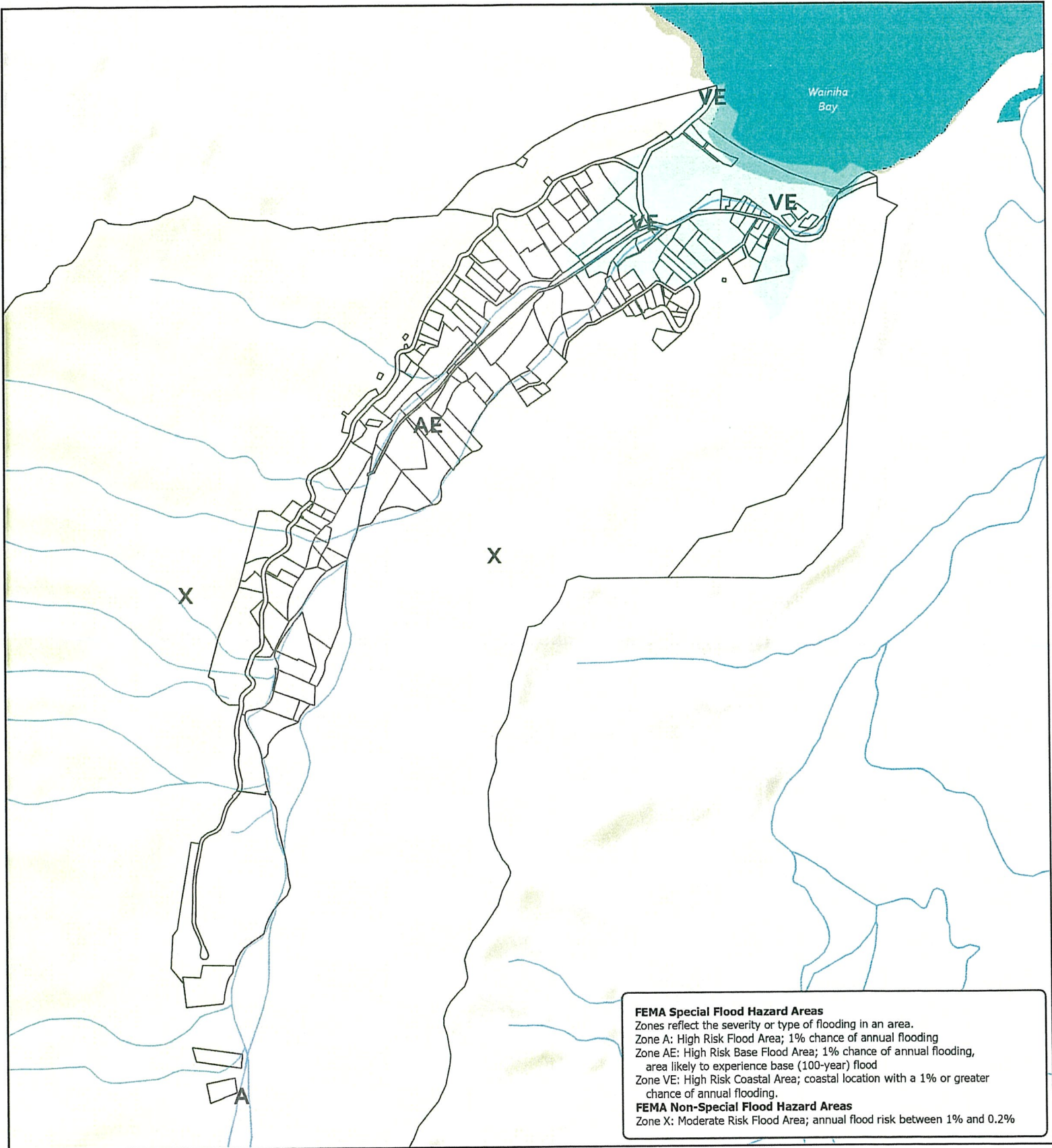
**AUTHORIZATION OF AGENT**

I hereby authorize \_\_\_\_\_ to act as my representative and to bind me in all matters concerning this application.

\_\_\_\_\_

\_\_\_\_\_  
*Signature of applicant(s)*

# Flood Hazard Areas



## Flood Zone

A  
 AE  
 VE  
 X

TMK Parcel

0 1,000 2,000 3,000 US Feet



## Exhibit 2: Written Statement from Val Sanjara





Val Sanjara  
 6 Powerhouse Road  
 Vannah, HI 96714  
 T.M.K. (4) 5-9-003:026

PROJECT:	
DATE:	24-10
T.M.K. No.:	03-1-1010101
Print No.:	071-1010101
Sheet No.:	A01
Date:	07/02/24
Scale:	1" = 30' F

**SITE PLAN**

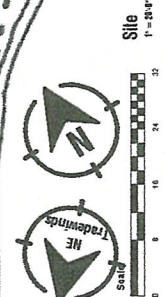
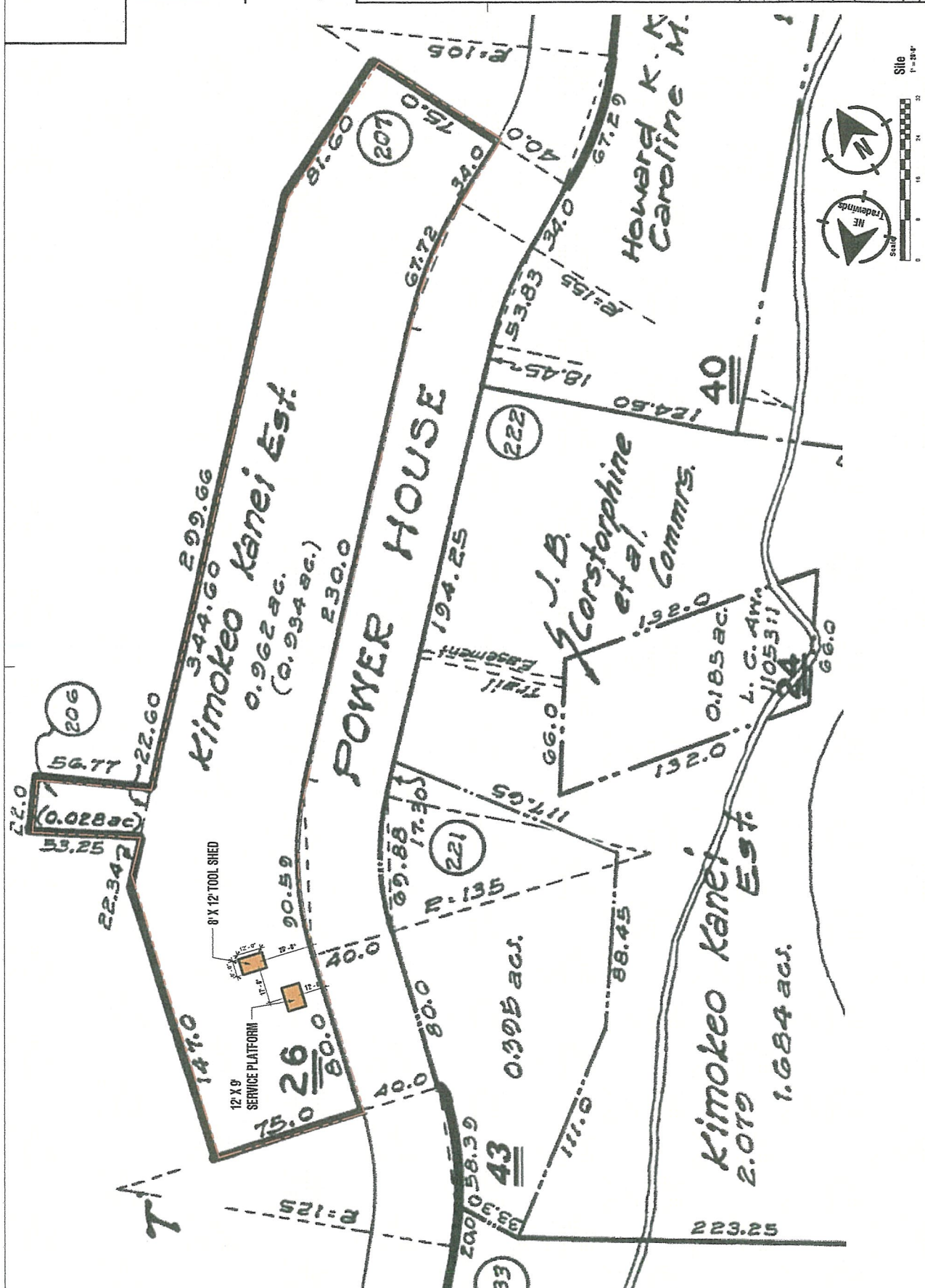


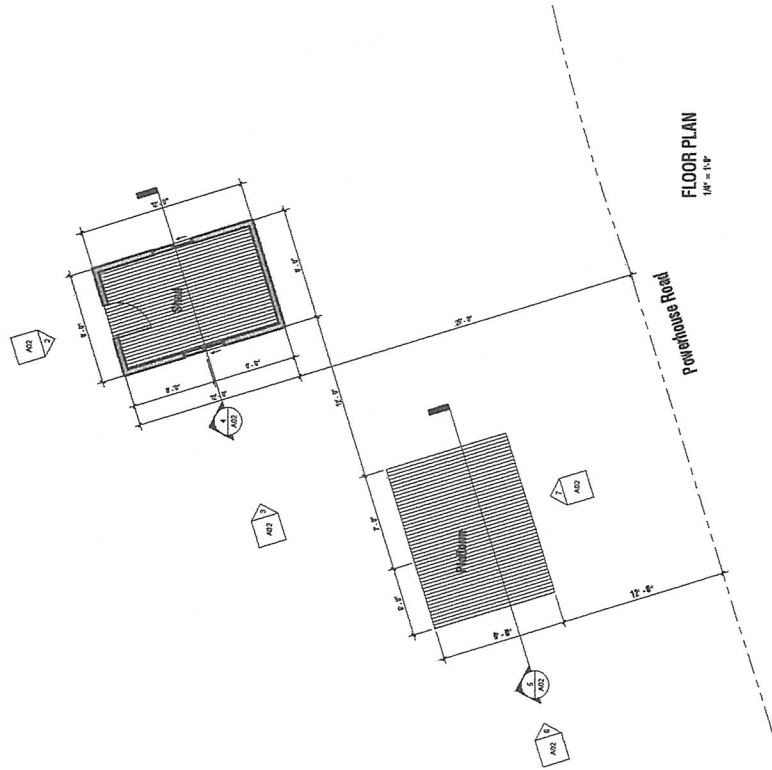
Exhibit 2: Written Statement from Val Sanjara



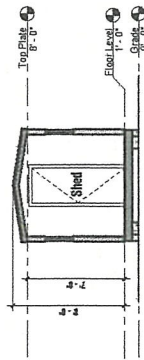
Val Sanjara  
 LICENSED PROFESSIONAL ARCHITECT  
 AR-16983

**Tool Shed & Service Platform**  
 6 Powehouse Road  
 Wahiwa, HI 96714  
 T.M.K. (4) 5-8-003-026  
 Val Sanjara

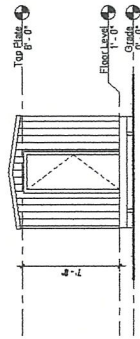
Project No.	015-4-181-026
Drawn By	BP24-11000000
Checked By	
Scale	1/4" = 1'-0"
Date	07/26/2024
Sheet No.	A02



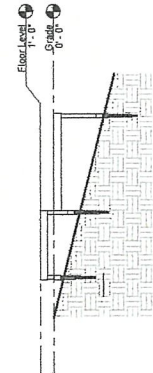
**FLOOR PLAN**  
 1/4" = 1'-0"



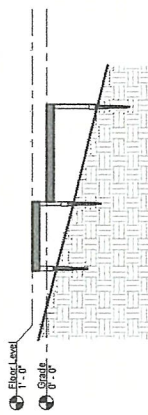
**SECTION-SHED**  
 1/4" = 1'-0"



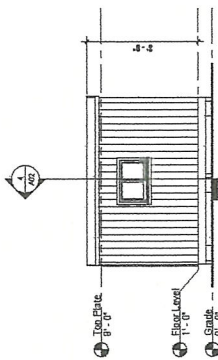
**WEST ELEVATION-SHED**  
 1/4" = 1'-0"



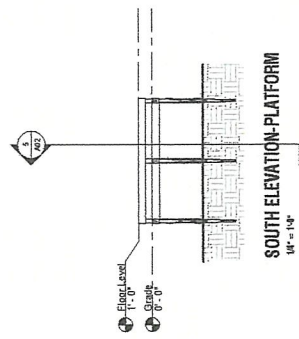
**EAST ELEVATION-PLATFORM**  
 1/4" = 1'-0"



**SECTION-PLATFORM**  
 1/4" = 1'-0"



**SOUTH ELEVATION-SHED**  
 1/4" = 1'-0"



**SOUTH ELEVATION-PLATFORM**  
 1/4" = 1'-0"

**FLOOR PLAN, ELEVATIONS & SECTIONS**

TMK: (4) 5-8-005 : 026

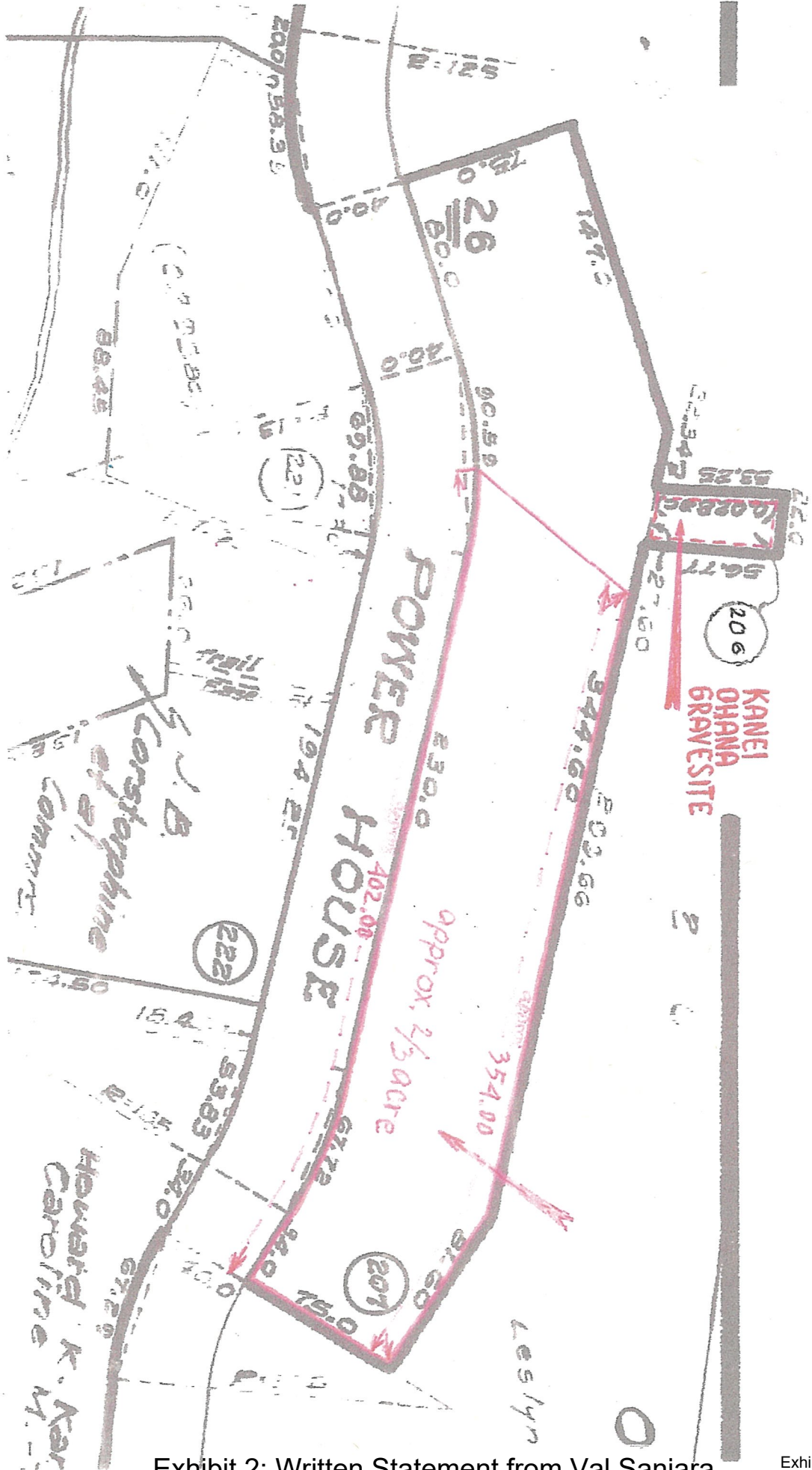


Exhibit 2: Written Statement from Val Sanjara

EXHIBIT B

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



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

LORETTA J. FUDDY, A.C.S.W., M.P.H.  
DIRECTOR OF HEALTH

In reply, please refer to:  
File:

May 15, 2013

Fred A. Reyes  
P.O. Box 477  
Anahola, HI 96703-0477

Dear Sir/Madam:

**Subject:** Individual Wastewater System (IWS) for  
Owner/Lessee: Val Sanjara  
Project Site: Wainiha Powerhouse Road, Hanalei, HI  
TMK: 458005026  
IWS File No.: 49768 (Septic Tank)  
Old File No.: N/A

The subject wastewater plans have been reviewed by the Wastewater Branch for conformance to applicable provisions of Hawaii Administrative Rules, Title 11, Chapter 62, entitled Wastewater Systems. The IWS plan conforms to applicable provisions of Chapter 11-62.

The Department of Health will sign an applicable county building permit application provided that all information submitted as part of the IWS plan and county building permit application are consistent with each other and meet applicable provisions of Chapter 11-62 at the time of permit signature.

As the professional engineer responsible for the design of the above wastewater plan, it is your responsibility to inform the owner/lessee of the property that:

- A) The IWS plans must be attached to each set of permit construction plans, or provided to the contractors.
- B) The IWS can only be installed by a licensed contractor holding an A, C9, C-37, C-37a or C-43 license, and
- C) The IWS must be inspected by the engineer, and authorized in writing by the Department before use.

Should you have any questions, please feel free to contact Lori Vetter at 241-3323.

Sincerely,

A handwritten signature in black ink, appearing to read "Sina Pruder".

SINA PRUDER, P.E.  
Acting Chief, Wastewater Branch

# Lee Sichter LLC

leesichter@gmail.com

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## Experience

Since 1979, Lee Sichter has specialized in the field of land use policy and environmental assessment in the State of Hawaii. During this time, he has held various positions in both the public and private sectors which have led to him being recognized as an expert in both these subject areas.

In addition to representing land owners and agencies as a planning consultant, he is a regular guest lecturer at the University of Hawaii at Manoa's Department of Urban and Regional Planning and at the School of Travel Industry Management. He has been a frequent speaker at public forums including the Natural Resources Section of the Hawaii Chapter of the American Bar Association, the Hawaii Chapter of the American Planning Association, and the Honolulu Chamber of Commerce. He has been accepted as an expert in land use and environmental policy by the State Land Use Commission, the State Board of Land and Natural Resources, the State Department of the Attorney General, and most recently the Hawaii State Legislature where he served on the State Senate's Environmental Working Group.

Before opening his consulting practice in 2011, he was a Principal Planner at Belt Collins Hawaii. Prior to joining Belt Collins in 1987, he served as the planning advisor to the Chair of the Honolulu City Council, the Honorable Patsy T. Mink. He also worked as a planner at the Hawaii Housing Authority; the State's Department of Hawaiian Home Lands, the Department of Planning and Economic Development (predecessor to the Department of Business, Economic Development and Tourism), the Oahu Metropolitan Planning Organization; and the City and County of Honolulu's Department of General Planning and Department of Land Utilization (predecessors to the Department of Planning and Permitting).

Lee Sichter holds a Master of Urban and Regional Planning degree and a Bachelor of Arts in Political Science degree (with distinction), both from the University of Hawaii at Manoa.

He has also trained in Multi-Party Conflict Management and Dispute Negotiation with the Neighborhood Justice Center of Honolulu.

He is a member of the Phi Beta Kappa Society. In 1981, he was a member of a graduate student practicum that was awarded the American Planning Association's Best Student Project for 1981 for *The Moloka'i Data Book: Community Values and Energy Development*.

He has received honoring resolutions from the Honolulu City Council (1986) and the Hawaii State Senate (2010). In 1999, he co-authored with Mr. Kepa Maly the Ka'upulehu Integrated Resources Management Plan, which won the American Planning Association Hawaii Chapter's Environmental/Preservation award.



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# EXHIBIT 10



EXHIBIT 11



Exhibit 2: Written Statement from Val Sanjara

