

June 4, 1976

Mr. Melvin E. Lepine  
Chief, Harbors Division  
Dept. of Transportation  
79 So. Nimitz Highway  
Honolulu, HI 96813

Re: SMA Use Permit Application  
Tax Map Key 6-1-03

The Planning Commission at its duly held continuing public hearing on June 3, 1976 considered your application for a Special Management Area (SMA) Use Permit to allow landscaping activity and installation of an irrigation system at Kawaihae Harbor, Kawaihae 1st, South Kohala, Hawaii.

The Commission voted to approve your application effective June 3, 1976, subject to the following conditions:

1. That the project shall commence within one (1) year from the effective date of approval of the Special Management Area Use Permit.
2. That the petitioner shall comply with the requirements of the Department of Water Supply regarding the water consumption for the proposed project.
3. That all other applicable rules and regulations be complied with.

Should any of the foregoing conditions not be met, the Special Management Area Use Permit shall be deemed null and void.

We will be forwarding the official Special Management Area Use Permit as soon as the document is prepared. In the meantime,

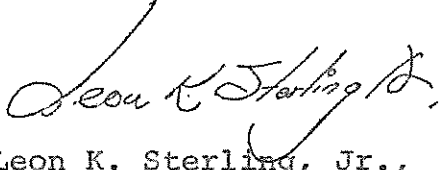
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should you have any questions, please feel free to contact Norman Hayashi or Ilima Piianaia of the Planning Department at 961-8288.

A handwritten signature in cursive script that reads "Leon K. Sterling, Jr.".

Leon K. Sterling, Jr.,  
Chairman, Planning Commission

lat

cc Chief Engineer, Public Works

PLANNING COMMISSION

Planning Department  
County of Hawaii  
Hilo, Hawaii

Application for SPECIAL )  
MANAGEMENT AREA USE PERMIT )  
by )  
STATE OF HAWAII DEPARTMENT OF )  
TRANSPORTATION, HARBORS DIVISION ) SMA USE PERMIT NO. 8  
for )  
LANDSCAPING AND INSTALLATION OF )  
IRRIGATION SYSTEM )  
in )  
Kawaihae 1st, South Kohala, Hawaii )

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on June 3, 1976, considered the application of the State of Hawaii Department of Transportation, Harbors Division for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow landscaping activity and installation of an irrigation system at Kawaihae Harbor, Kawaihae 1st, South Kohala, Hawaii, TMK: 6-1-03.

The Commission has found:

That the proposed project will not have any substantial adverse environmental or ecological effect. The purpose of the proposed project is to enhance the existing Kawaihae Harbor area by providing a landscaping strip. The subject action will entail a minimum of alteration to the area, particularly in terms of the alterations which have already taken place within the harbor complex. The subject area has long been committed to harbor use and that use will not change in the future.

Further, the proposed project has been previously determined to have minimal or no significant adverse environmental effect. Landscaping projects by the Department of Transportation are deemed to be an exempt class of action under the Environmental Quality Commission Regulations.

The proposed project is determined to not be in conflict with the purpose of the Environmental Shoreline Protection Act in that it does not entail a permanent loss of valuable resources nor does it foreclose management options.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow landscaping activity and installation of an irrigation system at Kawaihae Harbor, Kawaihae 1st, South Kohala, Hawaii pursuant to the authority vested in it by Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, subject to the following conditions:

1. That the project shall commence within one (1) year from the effective date of approval of the Special Management Area Use Permit.
2. That the petitioner shall comply with the requirements of the Department of Water Supply regarding the water consumption for the proposed project.
3. That all other applicable rules and regulations be complied with.

Should these conditions not be met, the Special Management Area Use Permit shall be deemed null and void.

The effective date of this permit shall be June 3, 1976.

Dated at Hilo, Hawaii, this 24th day of June.

*Leon K. Sterling, Jr.*  
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Leon K. Sterling, Jr., Chairman

APPROVED as to FORM AND CONTENT
<i>E. W. Noh</i>
DEPUTY COMMISSIONER COUNTY OF HAWAII
Date <i>6/8/76</i>