

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA))
USE PERMIT)
by)
STATE OF HAWAII)
DEPT. OF TRANSPORTATION)
HIGHWAYS DIVISION)
for)
REALIGNMENT OF ROADWAY)
in)
Kea'alau and Kapehu)
North Kona, Hawaii)
_____)

SMA Use Permit No. 28

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on April 14, 1977, considered the application of the STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow the realignment of a 1.01-mile portion of the Hawaii Belt Highway in the vicinity of Kapehu Camp, Kea'alau and Kapehu, North Hilo, Hawaii, Tax Map Key 3-5-02:portion of 1 and 3-5-03:portion of 41.

The Commission has found:

That approval of the subject request will not be in conflict with the Environmental Shoreline Protection Act (Act 176, SLH 1975) or Rule 9 of the County Planning Commission. The purpose of the Environmental Shoreline Protection Act and of Rule 9 is to preserve, protect and, where possible, restore the natural resources of the coastal zone of Hawaii. These regulations are also intended to avoid the permanent loss of valuable resources and the foreclosure of management options, as well as to insure that adequate public access is provided to publicly owned or used beaches, recreation areas, and natural reserves.

The purpose of the proposed action is to correct hazardous conditions in a portion of the existing alignment of the Hawaii Belt Road. At the present time there are four (4) unsafe areas within the 1.014-mile distance. The petitioner's intent is to realign this length of highway so that these conditions will be eliminated. The proposed project will not modify drainage patterns and cuts and fills will be kept to a minimum.

The proposed realignment will meet existing roadway standards. It is also in accordance with the County General Plan which explicitly states that this portion of the Hawaii Belt Road should be realigned.

The area under consideration has a shoreline which is characterized by sea cliffs between 100 to 200 feet high. The area is not a habitat for any rare or endangered species of plants or animals and does not have any known historical sites. In addition, the subject area has been in sugar cane cultivation for many years and is not an environmentally sensitive area. The proposed action is also not expected to interfere with any known publicly owned or used access to the shoreline, any recreational areas, or any natural reserves. In that the proposed action will also not modify any drainage patterns, no adverse impacts are expected on nearshore waters or on streams.

Based on the above, it is determined that the proposed action will not have any substantially adverse environmental or ecological effect nor will it foreclose management options. The proposed action will be in the best interest of the public health and safety and will, in essence, promote the spirit and purpose of the Environmental Shoreline Protection Act, Rule 9, and the County General Plan.

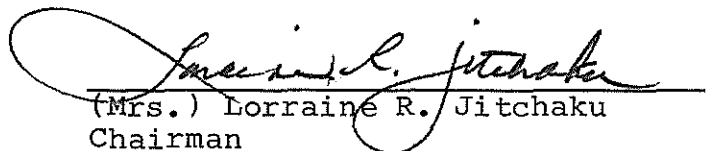
Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the realignment of a 1.01-mile portion of the Hawaii Belt Highway in the vicinity of Kapehu Camp, Kea'alau and Kapehu, North Hilo, Hawaii, pursuant to the authority vested in it by Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, subject to the following conditions:

1. That the proposed project shall conform substantially to the representations made by the petitioner.
2. That the petitioner shall submit plans for preliminary subdivision approval within one (1) year from the effective date of the Special Management Area Use Permit. The petitioner shall also be responsible for obtaining final subdivision approval.
3. That construction shall commence within one (1) year from the receipt of final subdivision approval and be completed within two (2) years thereafter.
4. That the petitioner shall comply with all other applicable rules and regulations, including the conditions of approval of the Conservation District Use Application.

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

The effective date of this permit shall be April 14, 1977.

Dated at Hilo, Hawaii, this 21st day of April, 1977.


(Mrs.) Lorraine R. Jitchaku
Chairman

