

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA)
USE PERMIT)
by)
COUNTY OF HAWAII)
DEPARTMENT OF PUBLIC WORKS)
for) SMA Use Permit No. 30
WASTEWATER TREATMENT FACILITIES)
AND RELATED IMPROVEMENTS)
in)
Papaikou, South Hilo, Hawaii)
_____)

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on April 14, 1977, considered the application of COUNTY OF HAWAII, DEPARTMENT OF PUBLIC WORKS for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow the construction of wastewater treatment facilities and related improvements such as a sewer outfall, access road and the subdivision of the property on the Waipahi Point side of Mokiheva Bay, Papaikou, South Hilo, Hawaii, Tax Map Key 2-7-04:Portion of 25.

The Commission has found:

That approval of the subject request will not be contrary to the Environmental Shoreline Protection Act (Act 176, SLH 1975) or Rule 9 of the 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 Hawai'i. 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 public-owned or used beaches, recreation areas, and natural reserves.

The purpose of the proposed development is to provide a facility for the treatment of raw sewage prior to its disposal. At the present time there are four raw sewage discharge points within the general area. The proposed project will include the transmission of sewage from the various sources to a centralized facility. The pollutant load of the raw sewage will be removed and the effluent and sludge will be treated to acceptable Department of Health and Federal standards.

The effluent will be disposed of into the ocean, while the treated sludge, or solids, will be removed to County-operated sanitary landfills. The treatment of the sewage will ensure the protection of public health and safety and will minimize adverse impacts upon the environment. The proposed facilities

will, in fact, improve the quality of the environment and in particular the quality of nearshore coastal waters in accordance with State and Federal standards. The proposed action is also in accordance with the County General Plan which calls for the elimination of raw sewage discharges into the ocean.

Further, the proposed action will not interfere with any known publicly owned or used accesses to the shoreline, any recreational areas, or any natural reserves. The site under consideration has been in sugar cane cultivation for many years and is not an environmentally sensitive area in terms of rare or endangered species of plants or animals. The area has long been altered from its natural state by crop cultivation. In addition, the shoreline consists of a 60-foot high sea cliff which is not readily accessible except at gulches and from the ocean. It is not a major ocean-oriented recreational area.

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.

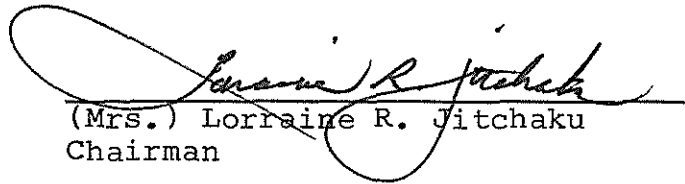
Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the construction of wastewater treatment facilities and related improvements such as a sewer outfall, access road and the subdivision of the property on the Waipahi Point side of Mokiheva Bay, Papaikou, South 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:

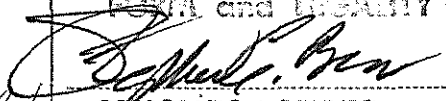
1. That the proposed facilities shall conform substantially to the representations made by the petitioner and the plans submitted with the application.
2. That the petitioner/representative shall submit plans for preliminary subdivision approval within one year from the effective date of Special Management Area Use Permit, and shall be responsible for securing final subdivision approval.
3. That the petitioner or its authorized representative shall submit plans, including landscaping, for plan approval within one (1) year from the receipt of final subdivision approval. Construction shall commence within one (1) year from the receipt of final plan approval and be completed within two (2) years thereafter.
4. That the petitioner shall comply with the rules and regulations of the State Department of Health.
5. That the petitioner shall submit plans for access off of the Hawai'i Belt Road to the District Engineer of the State Highways Division for review and approval.
6. That all other applicable rules and regulations shall be complied with.

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

APPROVED as to
FOIA and LEGALITY

Acting CORPORATION COUNSEL
COUNTY OF HAWAII
Date 4/28/77