

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)	
SPECIAL MANAGEMENT AREA)	SMA Use Permit
USE PERMIT)	No. 55
by)	
COUNTY OF HAWAII)	
DEPARTMENT OF PUBLIC WORKS)	
for)	
KUAWA STREET SEWER)	
LINE IMPROVEMENTS)	
in)	
Waiakea, South Hilo, Hawaii)	

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on March 22, 1978, considered the application of the 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 a 10-inch sewer main and appurtenances along the northern (makai) side of Kuawa Street in Waiakea, South Hilo, Hawaii, Tax Map Key 2-2-32.

The Commission has found:

That the proposed improvement will not be contrary to the Environmental Shoreline Protection Act (Act 176, S.L.H. 1975), Rule 9 of the County Planning Commission, or the Hawaii Coastal Zone Management Act (Act 188, S.L.H. 1977). The purpose of these statutory provisions and Rules and Regulations is to preserve, protect, and where possible to restore the natural resources of the coastal zone of Hawaii. These regulations are also intended to provide for the effective management of the Coastal zone in order to avoid the permanent loss of valuable resources and the foreclosure of management options, as well as the protection and provision of public access to natural reserves and shoreline recreational areas.

The intent of the proposed development is for the elimination of dispersed cesspools in an area which is relatively close to the coastal waters and in which the ground water table rises above sea level in several areas. The proposed project will therefore eliminate the probability of contamination of the local ground

water and near shore ocean water from seepage of sewage effluent across cesspool walls. Installation of the proposed sewer main will therefore provide further safeguards to public health, safety and welfare. The potential for short-term increases in soil erosion, noise and dust pollution during construction (at the project site) may be viewed as necessary trade-offs in the pursuit of this goal. However, adequate controls are available for the mitigation of these anticipated adverse impacts.

In addition, since the proposed improvements will be carried out within an existing road right-of-way which has undergone significant alterations in the past to facilitate the existing use and surrounding uses, the area does not provide a habitat for valuable, threatened, or endangered plant or animal species.

Although the proposed action will at times, during the construction phase, interfere with the normal flow of traffic towards the ocean, its impact on public access to shoreline recreational areas or any natural reserve, will be negligible since alternative access routes exist in the area.

It is also determined that the proposal will serve to implement in part, the Health and Sanitation objectives of the County General Plan which recognizes that "Adequate (sewage) disposal system is one which minimizes contamination of ground water supply, beaches and waterborne recreational areas and which is not a visual and odor nuisance."

Based upon the above, it is determined that the proposed project will not have any significantly adverse environmental or ecological effects, nor will it foreclose management options. Instead, the proposed action will be in the best interest of safeguarding the public health, safety and welfare and, accordingly, will promote the intent of the State and County Environmental Shoreline Protection goals, objectives and policies.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the construction of a 10-inch sewer main and appurtenances along the northern (makai) side of Kuawa Street 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 construction shall conform substantially to the representations made by the petitioner and plans submitted with the application.
2. The construction shall commence within two (2) years of the effective date of the Special Management Area Use Permit and be completed within two years thereafter.

3. That the petitioner shall comply with all applicable rules, regulations, and requirements of the State Department of Health.
4. That where practical, the petitioner shall coordinate the construction of the proposed improvements with the State Department of Transportation, Land Transportation Facilities Division's Kamehameha Avenue Drainage Improvement (State Project No. 19L-01-78).
5. That all other Rules, Regulations and Requirements 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 by the Planning Commission.

The effective date of this permit shall be March 22, 1978.

Dated at Hilo, Hawaii, this 13th day of April, 1978.



WILLIAM F. MIELCKE, CHAIRMAN
Planning Commission

APPROVED as to FORM and LEGALITY	
<i>Roxanna Garcia</i>	
ASSISTANT	CORPORATION COUNSEL COUNTY OF HAWAII
Date	APR 11 1978