

NULLIFICATION: SMA USE PERMIT NO. 118-KOHALA PRAWNS

1. Request: Allow the establishment of a prawn farm and related activities on the west side of Upolu Airport Road, Kealahewa, North Kohala, Hawaii, Tax Map Key 5-5-06:10 and 5-5-07:2-4.

2. Approval Date: December 12, 1979

3. Affected Condition: Condition No. 2 - "That construction of the facilities in Phase I shall commence within one (1) year from the effective date of the Special Management Area (SMA) Use Permit and shall be completed within three (3) years thereafter."

On February 11, 1981, Planning Commission granted a one (1) year time extension to said condition.

4. Performance Date: December 11, 1981.

5. Status:

No grading and/or grubbing permits issued.

Letters dated October 27, 1982 and January 13, 1983, requested status of compliance with said condition and intentions to pursue the proposed development. No response received.

6. Recommendation:

Nullification.

RECORD OF VOTING  
 PLANNING COMMISSION  
 County of Hawaii

Date April 7, 1983

Petitioner KOHALA PRAWNS

Planning Director's Request to nullify SMA Use Permit No. 118

Preliminary hearing     Public hearing     Request     Acti

- ACTION:     Approve  
                Deny  
                Defer  
                Continue  
                Schedule for public hearing

Other: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Commissioners	Aye	No	Excused	Abstain
FRIAS, Glenn				
IMADA, Clyde	✓			
KAGAWA, Roy <i>2nd</i>	✓			
KOI, Barbara Ann	✓			
PONTE, George <i>M</i>	✓			
THOMPSON, Donald	✓			

PLANNING COMMISSION

Planning Department  
County of Hawaii  
Hilo, Hawaii

Application for )  
SPECIAL MANAGEMENT AREA )  
USE PERMIT )  
by )  
KOHALA PRAWNS, INC. ) SMA USE PERMIT NO. 118  
for )  
THE ESTABLISHMENT OF A )  
PRAWN FARM AND RELATED ACTIVITIES )  
in )  
Kealahewa, North Kohala, Hawaii )

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SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on December 12, 1979, considered the application of KOHALA PRAWNS, INC. for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow the establishment of a prawn farm and related activities on the west side of Upolu Airport Road, Kealahewa, North Kohala, Hawaii, Tax Map Key 5-5-06:10 and 5-5-07:2, 3, and 4.

The Commission has found:

That the granting of this request is not anticipated to result in any substantial adverse environmental or ecological effect on the Special Management Area. The subject request is to allow the establishment of a prawn farm including a total of 16 acres of pond, a single family dwelling, workshop, feed silo, drainage system, and other related improvements on this 90-acre parcel.

The subject area has previously been used for intensive agricultural activities including the cultivation of sugar cane and feed corn. Consequently, the proposed improvements are not expected to increase the degree of environmental impact associated with this area. In addition, there are no known unique topographic or historical features present on this site.

The subject area is situated over 800 feet from the shoreline. Therefore, the proposed activities should not adversely affect public access to the shoreline in this area.

The major environmental impact associated with the proposed aquaculture activity involves the disposal of waste and storm water from the pond areas. However, these concerns can be resolved and/or mitigated through the development and implementation of a drainage master plan for the development. In this respect, the first phase of the overall project, involving 11 acres of pond area has been reviewed and approved by the Soil and Water Conservation District Board of Directors. However, the proposed second phase of the project has not been reviewed. Consequently, staff is recommending that prior to the approval and implementation of the second phase of the prawn farm that the petitioner shall submit plans for the review and approval of the Soil Conservation Service.

That the proposed improvements are consistent with the Land Use Element of the General Plan. This Element states as a goal to "Protect and encourage the intensive utilization of the county's limited prime agricultural land." Furthermore, the General Plan states as a specific course of action for the North Kohala district, that "the County shall assist in the development of alternative agricultural uses of sugar lands and facilities affected by the termination of sugar operations." The subject area has been identified by the General Plan Land Use Pattern Allocation Guide Map as being suitable for intensive agricultural activities. In addition, the State Department of Agriculture classifies this area as "prime agricultural land" according to the State of Hawaii Agricultural Lands of Importance Classification System. The approval of the subject request will result in the intensive utilization of this area for agricultural purposes in conformance with the stated goal and course of action of the General Plan.

Based on the above, it is determined that the approval of the subject request will not be in conflict with the purpose and intent of Rule 9 of the Planning Commission or with the Hawaii Coastal Zone Management Act as contained in Chapter 205A, Hawaii Revised Statutes.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the establishment of a prawn farm and related activities on the west side of Upolu Airport Road, Kealahewa, North 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 development of the subject property shall comply with the plans submitted and representations made by the petitioner unless otherwise required for the compliance with other conditions of approval.
2. That construction of the facilities in Phase I shall commence within one (1) year from the effective date

of the Special Management Area (SMA) Use Permit and shall be completed within three (3) years thereafter.

3. That construction of the facilities in Phase II shall commence by 1983 and shall be completed within three (3) years thereafter.
4. That prior to the commencement of construction for Phase II facilities the petitioner shall submit plans and secure the approval of the Soil Conservation Service or the Department of Public Works.
5. That the requirements of the State Department of Health, particularly in regards to the disposal of wastewaters, shall be complied with.
6. That all other applicable rules, regulations, and requirements shall be complied with.

Should any of the foregoing conditions not be met the Special Management Area (SMA) Use Permit may be deemed null and void by the Planning Commission.

The effective date of the permit shall be December 12, 1979.

Dated at Hilo, Hawaii, this 12th day of March, 1980.

*William F. Mielcke*  
for: WILLIAM F. MIELCKE  
Chairman, Planning Commission

APPROVED AS TO FORM  
AND LEGALITY:

*K. Ben Tuhazali*  
DEPUTY CORPORATION COUNSEL  
COUNTY OF HAWAII

Date: 27 Feb 80