

December 16, 1983

CERTIFIED MAIL

Ms. Evelyn Bly
Weiser Cedar Sales, Inc.
P. O. Box 5
Kahului, Maui, HI 96732

Dear Ms. Bly:

SMA Use Permit No. 171
Tax Map Key: 6-1-06:06

A review of our files shows that the subject SMA permit was granted by the Planning Commission effective December 3, 1981 to allow the construction of a warehouse, wood-treating plant and related improvements.

Further, the Planning Commission granted a time extension until December 3, 1983 to comply with Condition No. 2 of the permit which stipulated the submission of plans and securing of final Plan Approval. In addition, the final phase of the permit was amended to read, "Should any of these conditions not be met, the Special Management Area Use Permit shall be automatically void."

Please be advised that as of this date, we have not received any plans for the proposed project and, as such, final plan approval was not granted. Therefore, due to non-compliance with Condition No. 2, this is to notify the Planning Commission via a copy of this letter that SMA Use Permit No. 171 is hereby nullified.

Should you have any questions on this matter, please feel free to contact our office at 961-8288.

Sincerely,

SIDNEY FUKU
for Director

AK:y
cc: Planning Commission
Dept. of Water Supply
Building Division, Dept. of Public Works
Kona Services Office
bcc: Plan Approval Section

DEC 19 1983

CERTIFIED MAIL

December 8, 1981

Ms. Evelyn Bly
Weiser Cedar Sales, Inc.
P. O. Box 5
Kahului, Hawaii 96732

Dear Ms. Bly:

Special Management Area Use Permit Application
TMK: 6-1-06:6

The Planning Commission at its duly held public hearing on December 3, 1981, voted to approve your application, Special Management Area (SMA) Use Permit No. 171, to allow the construction of a warehouse, wood-treating plant and related improvements at Kawaihae, South Kohala, Hawaii.

Approval of this request is based on the following:

That the proposed development is not anticipated to have any substantial adverse environmental or ecological effects. The purpose of the request is to allow development of an existing industrial lot for various activities including a wood treatment and warehousing facility.

The subject property and the surrounding area have been extensively graded as part of previous construction activities. As a result of these past activities, there are no rare or endangered flora or fauna associated with the subject area, nor is there the likelihood of archaeological sites. Furthermore, the proposed improvements are situated mauka of the Akoni Pule Highway, over 400 feet from the shoreline and therefore should not have a direct impact on the coastal waters nor interfere with existing coastal areas, recreational or public access to the shoreline.

Furthermore, although industrial chemicals will be used during the wood treatment process, these chemical solutions will be delivered and stored in completely enclosed systems. Excess fluid will be recycled or shipped off the island for processing and disposal. Consequently, no industrial chemicals shall be discharged into the proposed sewage system.

DEC 10 1981

Mr. Evelyn Bly
Page 2
December 8, 1981

The subject parcel is not located within any known potential tsunami inundation or flood hazard area. Therefore, the potential of damages from flood action should be minimal if at all.

While there may be temporary impacts with respect to dust and erosion problems associated with the construction phase of the proposed improvement, these impacts can be mitigated by existing construction practices and regulations.

The proposed development is consistent with the Objectives, Policies and Special Management Area Guidelines as established by Chapter 205-A, Hawaii Revised Statutes. These Objectives and Policies provide guidance for the preservation, protection and development of coastal resources of the State and County. Because of the distance of the subject area from the shoreline, the nature of the proposed improvements and prior development of the subject and surrounding areas, the granting of this request will not have a significant impact on the historic and recreational resources. In addition, coastal ecosystems and hazardous concerns should not be affected as previously discussed. Furthermore, the proposed development is consistent with the economic element by increasing the use of a facility important to the State's economy in suitable locations.

While there may be impacts associated with the scenic resources, these impacts may be mitigated through the imposition of landscaping requirements during the County's approval review.

That the proposed development is consistent with the General Plan, the Zoning Code and other applicable ordinances. The General Plan Land Use Pattern Allocation Guide (LUPAG) Map identifies the Kaei area for industrial uses. The General Plan also encourages a broader diversification of local industries by providing opportunities for new industries and strengthening existing industries.

Based on the foregoing, it is therefore determined that the proposed development will not have any substantial adverse impacts on the surrounding area. Furthermore, its approval will be consistent with the objectives and policies of Chapter 205-A, HRS, Relating to Coastal Zone Management and Rule 9 of the County of Hawaii Relating to the Special Management Area and the General Plan of the County of Hawaii.

Approval of this SMA Use Permit request is subject to the following conditions:

1. That the petitioner, Weiser Cedar Sales, Inc., will be responsible for complying with all of the stated conditions

Ms. Evelyn Bly
Page 3
December 8, 1981

of approval. Until such time that the proposed improvements have been completed by the petitioner, the permit shall be non-transferable. Non-compliance with this condition shall result in the automatic nullification of the Permit.

2. That plans for the proposed improvements shall be submitted to the Planning Department and Final Plan Approval secured in accordance with Article 22 of Chapter 8 (Zoning Code) of the Hawaii County Code, within one (1) year from the effective date of the Special Management Area Use Permit.
3. That detailed landscaping plans shall be included in the plans submitted for Plan Approval which will screen the proposed improvements from Akoni Pule Highway.
4. That construction of the improvements shall commence within one (1) year from receipt of Final Plan Approval and shall be completed within two (2) years thereafter.
5. That chemical solutions used in the wood treatment process shall be delivered and stored in completely enclosed systems. Excess fluid shall be recycled or shipped off the island for processing and disposal. No industrial chemical solutions shall be discharged into the proposed sewage system.
6. That all other applicable rules, regulations, and requirements, including those of the State Department of Health and the County Departments of Public Works and Water Supply, shall be complied with.

Should any of the foregoing conditions not be met, the Special Management Area Use Permit may be nullified by the Planning Commission.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



BERT H. NAKANO
Chairman, Planning Commission

lgv

cc: Department of Public Works
Department of Water Supply
Department of Health
Kona Services Office

bcc: Land Use Controls Division, Planning Dept.