

CERTIFIED MAIL

June 15, 1984

Mr. Hans Wedemeyer  
Hokuloa, Inc.  
P. O. Box 411  
Paauilo, HI 96776

Dear Mr. Wedemeyer:

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

The Planning Commission at its duly held public hearing on June 13, 1984, voted to approve your application, SMA Permit No. 209, at Kawaihae, South Kohala, Hawaii.

Approval of this request is based on the following:

The proposed development will not create any significant adverse impact on the environmental or ecological resource of the Special Management Area. The applicant proposes the construction of six (6) warehouses, fish/meat processing facility, deluxe restaurant and a public safety building with related improvements. There are no known rare or endangered flora or fauna in the area. As such, the proposed project will not result in an increase of environmental impact to the subject or surrounding area.

While there may be some adverse effect from noise and other impacts associated with the construction phase of the project, these impacts, however, will be short term and can be mitigated by existing regulations.

The proposed project is consistent with the objectives, policies, and SMA Guidelines. These were established to provide guidance for the preservation, protection, and the development of coastal resources of the State and County. They identify several areas of management concern including historic, recreational/scenic resources, coastal ecosystems, economic use, and coastal hazards.

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Since the property was previously graded the presence of archaeological or historical sites of value or interest is slight. The project area is over 400 feet from the shoreline at its closest point. Therefore, no significant adverse impact to the coastal ecosystems is expected to result from this action.

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.

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 and due to the nature of the proposed improvements as well as the prior development of the subject and surrounding areas, it is determined that 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 of the General Plan 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 Plan Approval review.

Based on the foregoing, it is determined that the proposed development will not have any substantial adverse effects on the environment and therefore, will not be contrary to the purposes and intent of Chapter 205-A, HRS, relating to Coastal Zone Management and Rule No. 9 of the Planning Commission relating to the Special Management Area or the General Plan or the Zoning Code of the County of Hawaii.

Approval of this Special Management Area (SMA) Use Permit is subject to the following conditions:

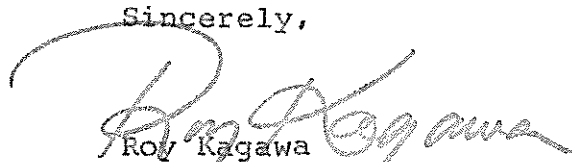
1. The petitioner, successors or assigns shall be responsible for complying with all of the stated conditions of approval.

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2. Plans shall be submitted to the Planning Department and Final Plan Approval secured within one year from the effective date of the Special Management Area Use Permit.
3. Detailed landscaping plans shall be included in the plans submitted for Plan Approval which will screen the proposed improvements from Akoni Pule Highway.
4. Construction shall commence within one year from date of receipt of Final Plan Approval and shall be completed within two years thereafter.
5. Secure a grading permit from the Department of Public Works and comply with the drainage and construction requirements.
6. Access to the property shall meet with the approval of the Department of Public Works.
7. All other applicable rules, regulations and requirements, including those of the Department of Water Supply and the State Department of Health, shall be complied with.
8. Should the Planning Department determine that any of the foregoing conditions have not been met or substantially complied with in a timely fashion, the Special Management Area Use Permit shall be void.

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

Sincerely,



Roy Kagawa  
Chairman, Planning Commission

cc: Mr. Dennis Shigeoka  
Real Property Tax Division  
Chief Engineer  
Building Dept.  
Kona Services Office  
Dept. of Water Supply

bcc: Plan Approval Section

October 10, 1985

Mr. Hans Wedemeyer  
Hokuloa, Inc.  
P. O. Box 411  
Paauilo, HI 96776

Dear Mr. Wedemeyer:

Special Management Area (SMA) Use Permit No. 209  
Effective Date: June 13, 1984  
Tax Map Key 6-1-06:6

A review of our files shows that the subject SMA permit was approved by the Planning Commission effective June 13, 1984, to allow the construction of six warehouses, fish/meat processing facility, a restaurant and a public safety building with related improvements.

Condition No. 2 of that permit states that plans must be submitted and Final Plan Approval secured within one year from the effective date of the permit, which would have been by June 13, 1985. In addition, the final condition stipulates "Should the Planning Department determine that any of the foregoing conditions have not been met or substantially complied with in a timely fashion, the Special Management Area Use Permit shall be void."


Since the due date for compliance with Condition No. 2 has lapsed and we have not received your plans nor granted Final Plan Approval for the proposed project, SMA Use Permit No. 209 has been determined to be void.

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Should you have any questions regarding this nullification,  
please feel free to contact us.

Sincerely,



ALBERT LONO LYMAN  
Planning Director

CRK/<sup>ALL</sup>ds/aeb

cc: Dennis Shigeoka  
DPW  
Planning Commission  
bcc: Masa Onuma