

CERTIFIED MAIL

August 21, 1986

Mr. Susumu Ono, Chairperson  
Board of Land and Natural Resources  
P. O. Box 621  
Honolulu, HI 96809

Dear Mr. Ono:

Special Management Area (SMA) Use Permit Application  
TMK: 6-6-02:35 & portion of 41

The Planning Commission at its duly held public hearing on August 13, 1986, voted to approve your application, Special Management Area Use Permit No. 242, to allow the construction of a food, beach accessories, and lodging rental concession building and related improvements, including a 2-lot subdivision at Hapuna Beach State Park, Lalamilo, South Kohala, Hawaii.

Approval of this request is based on the following:

The proposed improvements involve the construction and operation of a food, beach services and lodge rental concession structure with related improvements and a two (2)-lot subdivision. These activities are not anticipated to create any adverse environmental or ecological effects which cannot be mitigated through conditions of approval or current regulations. Moreover, the negative impacts are outweighed by the degree of public safety (lifeguard services) which will be provided by the concessionaire for the public beach users. In addition, these activities are keeping with Rule 9, SMA Rules and Regulations of the Planning Commission, which, in part, states that adequate accessible, and diverse recreational opportunities be provided in the coastal zone management area.

Air and noise quality levels will be temporarily affected by the grading and construction activities. However, these can be mitigated through the use of acceptable construction rules and practices.

Since the site has been extensively altered for the beach park activities, it is unlikely that any rare or endangered species of plant or animal can be found. Similarly, no archaeological sites are within the project area.

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The coastal ecosystems, recreational areas, and public access will not be significantly impacted due to the distance of the proposed improvements from the shoreline.

The proposed development is consistent with the objectives, policies and guidelines of the Special Management Area established under Chapter 205-A, Hawaii Revised Statutes, which provide guidance for the preservation, protection and development of coastal resources of the state and county. Because of the similar nature of the proposed development with the existing uses on the subject property, the granting of this request will not significantly increase impacts to the coastal resources.

The proposal is consistent with the General Plan and the Hawaii County Zoning Code, which designate the area for park recreational uses. Furthermore, the proposed recreational facility supports the General Plan goal set forth in the Recreational Element that states, "Provide a wide variety of recreational opportunities for the residents of the County."

Based on the foregoing, it is determined that the granting of this permit will be consistent with Chapter 205-A, HRS, relating to Coastal Zone Management; Rule No. 9 of the Planning Commission relating to the Special Management Area; the Hawaii County General Plan and the Zoning Code.

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

1. The petitioners, its successors or assigns shall be responsible for complying with all of the stated conditions.
2. Subdivision plans shall be submitted within one year from the effective date of the Special Management Area Use Permit.
3. Plans for the proposed improvements shall be submitted for Plan Approval review within one year from the effective date of the SMA Use Permit.
4. Construction shall commence within one year from the date of receipt of Final Plan Approval and be completed within two years thereafter.
5. All concession stand activities, including equipment rental activities, shall be conducted at the concession stand location only.

Mr. Susumu Ono, Chairperson

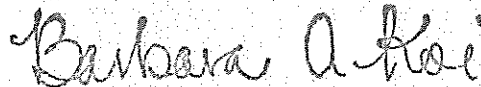
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6. Should any unidentified sites or remains such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings or walls be encountered, work shall cease and the Planning Department immediately notified. Subsequent work shall proceed upon an archaeological clearance from the Planning Department, when it finds that sufficient mitigative measures have been taken.
7. Comply with all other applicable rules and regulations.
8. The Planning Department may administratively grant extensions to the foregoing time conditions. Further, should the Director determine that any of the conditions have not been met or substantially complied with in a timely fashion, the permit shall be void.

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

Sincerely,



Barbara A. Koi  
Chairperson, Planning Commission

cc: DPED, CZM Program w/background  
Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
Hawaii County Services, Deputy Managing Director's Office

bcc: Plan Approval Section