



Planning Commission

Lorraine R. Inouye
Mayor

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

CERTIFIED MAIL

July 15, 1991

Mr. Kenneth Sakai
R. M. Towill Corporation
420 Waiakamilo Road, Suite 411
Honolulu, HI 96817

Dear Mr. Sakai:

Special Management Area (SMA) Use Permit Application
Applicant: County of Hawaii-Department of Public Works
Construction of Sewage Pump Station, and Related Improvements
Tax Map Key 7-4-8:2 & 3, and 7-5-5:7 & 83

The Planning Commission at its duly held public hearing on July 2, 1991, voted to approve the above application, Special Management Area (SMA) Use Permit No. 315, to allow the construction of a sewage pump station, sewage force main and related improvements. The project site begins at the Kuakini Highway-old Kona Airport runway intersection in a northerly direction connecting to the new Kealakehe Wastewater Treatment Plant (WWTP), North Kona, Hawaii.

Approval of this request is based on the following:

The purpose of Chapter 205-A, Hawaii Revised Statutes (HRS), and Rule No. 9, Special Management Area Rules and Regulations of the County of Hawaii, is to preserve, protect, and, where possible, to restore the natural resources of the coastal zone areas. Therefore, special controls on development within the area along the shoreline are necessary to avoid permanent loss of valuable resources and the foreclosure of management options.

One of the criteria for approving a development within the SMA is that it is consistent with the General Plan and zoning designation. A Course of Action for the North Kona District is to "Construct a new wastewater treatment plant at Kealakehe near Honokohau, provide sewage pumping station, force mains and interceptor sewers to handle existing and proposed wastewater flows." Approval of this request would support this course of action for North Kona.

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Another criteria in reviewing an SMA Use Permit application is that, "The development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest." The construction of a sewage pumping station and force main is not anticipated to have a substantial adverse environmental or ecological effects. The proposed sewage pump station and force main will be located within an area not known to contain any unique ecological systems nor provide habitat for any endangered plant or animal species. No adverse impacts on water quality are expected to be generated by the proposed improvements. Any potential runoff or discharge as a result of the project can be handled by on-site improvements as may be required by the Departments of Health and Public Works. The proposed improvements are part of an overall wastewater treatment system that has been designed to replace the existing Kailua-Kona Sewage Treatment Plant, which is rapidly approaching its design capacity, as well as to accommodate future development within the central Kona (Kealakehe) area. Thus, the improvements are in the interest of the general public health.

Activities associated with the construction and operation of the proposed improvements are not anticipated to have any adverse impact on coastal ecosystems or public access along the shoreline due to its considerable distance from the shoreline. The proposed improvements are for the collection and transport of sewage from the Kailua-Kona and Kealakehe areas to the new Kealakehe Wastewater Treatment Plant. The treatment and disposal/reclamation of the transported sewage will be accomplished at the new Kealakehe Wastewater Treatment Plant.

The Department of Land and Natural Resources has conducted surveys of known historical sites in the immediate vicinity of the project site, of which most are located along the shoreline areas. The applicant aligned the force main in a manner which avoids the known archaeological sites. It is the recommendation of the Department of Land and Natural Resources-Historic Preservation Division and this office that the applicant conduct an archaeological survey of the project site. The applicant shall also prepare and implement a mitigation plan for all historic sites determined to be significant and which could be affected by construction activities associated with the proposed development. This approval recommendation is also conditioned

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upon notification of the Planning Department and appropriate action taken should any unidentified sites or remains be found before or during construction activities.

The proposed improvements will not negatively affect scenic and open space resources. The proposed sewage pump station is located approximately .5 mile makai of the Queen Kaahumanu Highway. Lands mauka of the project site are zoned for Limited Industrial and General Commercial uses. In addition to the existing community center structure within Kailua Park a proposed gymnasium and swimming pool stadium are also being proposed for the area immediately adjacent to the proposed site. Potential impacts may be mitigated by the provision of landscaping. The force main will be buried within a trench and will not be visible from surrounding properties. Thus, scenic and open space reserves will be minimally affected by the proposed improvements.

The project site is not located within an area subject to coastal hazards such as storm waves, tsunami, flood erosion, or subsidence hazard.

In response to concerns expressed by the Police Department regarding access to Kailua Park and the Kona Driver's Licensing Office during construction activities, the applicant has submitted a traffic control plan which will utilize appropriate signage, traffic cones and flagmen to regulate traffic during construction activities.

Furthermore, approval of this request is subject to the following conditions:

1. The applicant, successors or assigns shall comply with all of the stated conditions of approval.
2. Secure approval from the State Board of Land and Natural Resources for that portion of the project which traverse over state lands and lands within the Conservation District.
3. Final Plan Approval for the sewage pump station, force main and related improvements shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum of forty-five days prior to the date by which plan approval must be secured.

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4. Construction shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within two years thereafter.
5. An approved archaeological survey and mitigation plan shall be submitted to and approved by the Planning Department, in consultation with the Department of Land and Natural Resources-Historic Preservation Division, prior to the submittal of plans for Plan Approval review.
6. Should any unidentified sites or remains such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walks be encountered, work in the immediate area shall cease and the Planning Department shall be 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. The applicant shall implement its traffic control plan for the duration of the proposed construction activities to regulate traffic to and from Kailua Park and the immediate area.
8. Comply with all other applicable laws, rules, regulations and requirements including those of the Department of Health.
9. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the permit. The report shall include, but not be limited to, the status of the development and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required.
10. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the

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result of their fault or negligence; b) the granting of the time extension would not be contrary to the general plan or zoning code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director shall initiate procedures to revoke the permit.

This approval does not, however, sanction the specific plans submitted with the application as they may be subject to change given specific code and regulatory requirements of the affected agencies.

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

Sincerely,



Mike Luce, Chairman
Planning Commission

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jdk

xc: Department of Public Works
Department of Water Supply
County Real Property Tax Division
West Hawaii Office
OSP, CZM Program w/background
DLNR

Bcc: Plan Approval Section