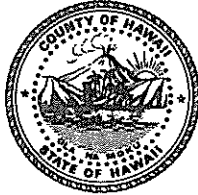


Stephen K. Yamashiro
Mayor



County of Hawaii

PLANNING COMMISSION

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-9615

CERTIFIED MAIL

Z 095 324 884

JAN 07 2000

Mrs. Susan Kusunoki
Tesoro Hawaii Corporation
P.O. Box 3379
Honolulu, HI 96842

Dear Mrs. Kusunoki:

Special Management Area (SMA) Use Permit No. 319
Applicant: Pacific Resources Terminals, Inc.
Request: 8" Black Oil Line and Piping for Future Diesel Line
Tax Map Key: 2-1-7:Portion of 2 and 16

The Planning Commission at its duly held meeting on December 17, 1999, voted to revoke Special Management Area (SMA) Use Permit No. 319, granted to Pacific Resources Terminals, Inc. which allowed for the installation of a black oil line and a pipeline to be used for future diesel and related improvements. The property is located in the vicinity of Kuhio Wharf on the makai side of Kalaniana'ole Street, Waiakea, South Hilo, Hawaii.

By telephone call, the applicant stated that the project has been abandoned. By letter dated October 29, 1999, the Planning Department acknowledged and confirmed their request in writing. Therefore, SMA Use Permit No. 319 is hereby revoked.

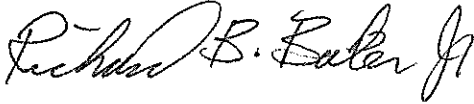
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JAN 07 2000

Mrs. Susan Kusunoki
Page 2

Should you have questions regarding the above, please contact Susan Gagorik or Alice Kawaha of the Planning Department at 961-8288.

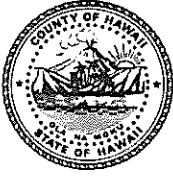
Sincerely,



Richard B. Baker, Jr., Chairman
Planning Commission

Lpacificresources01pc

cc: Department of Public Works
Department of Water Supply
Real Property Tax Division
Department of Health
Office of Planning, CZM Program
Department of Land and Natural Resources
Mr. Norman Hayashi
Mr. Jeffrey Darrow



Planning Commission

Lorraine R. Inouye
Mayor

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

CERTIFIED MAIL

September 13, 1991

Mr. Roger Goenner
Pacific Resources Terminals, Inc.
P.O. Box 3379
Honolulu, HI 96842

Dear Mr. Goenner:

Special Management Area Use Permit Application (SMA91-14)

Applicant: Pacific Resources Terminals, Inc.

Request: 8" Black Oil Line and Piping for
Future Diesel Line

Tax Map Key: 2-1-7:Portions of 2 & 16

The Planning Commission at its duly held public hearing on September 5, 1991, voted to approve your application, Special Management Area (SMA) Use Permit No. 319, to allow the installation of a black oil line and a pipeline to be used in the future for diesel and related improvements. The affected area is the site of the Pacific Resources Terminal (700 Kalaniana'ole Street), including an area adjacent and to the north (makai) side of the PRTI Terminal #1 and the Shell Oil Terminal, Waiakea, South Hilo, 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. The project site is located within an area designated as Industrial by the General Plan and Zoning Code. As a standard of the Industrial Element of the General Plan, "Industrial development shall maintain or improve the quality of

SEP 16 1991

Mr. Roger Goenner
September 13, 1991
Page 2

the present environment." According to the applicant, "Pipelines have the best and safest record for the transfer of petroleum products." The use of other methods of product transfer would require more steps, thereby potentially increasing the possibility of land/water spill, fire and environmental contamination. Therefore, the limited nature of the proposed improvements and the modernization of the petroleum transfer process would maintain or conceivably improve the quality of the environment by reducing the likelihood of petroleum transfer accidents.

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 proposed improvements will be located within an area not known to contain any unique ecological systems nor provide habitat for any endangered plant or animal species. Air emissions generated during the construction phase can be mitigated by existing regulations. No adverse impacts on water quality are expected to be generated by the proposed improvements. Negative impacts resulting from soil erosion and runoff during site preparation and construction phases are unlikely due to the extremely stony soil cover and pahoehoe lava bedrock. However, should erosion and runoff occur, they can be adequately mitigated through compliance with existing regulations. According to the applicant, the construction and operation of the pipelines will be in accordance with standards approved and/or adopted by the Federal, State and local governments as well as those of the petroleum industry. Furthermore, standards utilized by the applicant's engineering department will also be utilized. Therefore, the installation of subsurface pipelines for the transport of petroleum products is not anticipated to have substantial adverse environmental or ecological effects.

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 the project sites considerable distance from the shoreline.

There are no known archaeological or historical sites located within the project site. This approval recommendation

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

The proposed improvements will not negatively affect scenic and open space resources. The majority of the proposed improvements will be located underground. Above-ground improvements will essentially replace existing facilities. In addition, the location of the project site within an area heavily developed with other industrial activities would effectively mitigate any adverse visual impacts the proposed improvements may generate.

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 comments from the Department of Public Works, it is recommended that the applicant consult with the Department of Public Works regarding the installation of subsurface pipelines within a future road right-of-way.

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. Final Plan Approval for the construction of the subsurface pipelines 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. Plans submitted for Final Plan Approval review shall receive prior approval from the Department of Public Works.
3. Construction shall commence within one year from the date of receipt of Final Plan Approval and shall be completed within one year thereafter.
4. Should any unidentified sites or remains such as artifacts, shell, bone, or charcoal deposits, human burials, rock or

Mr. Roger Goenner
September 13, 1991
Page 4

- 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.
5. Comply with all other applicable laws, rules, regulations and requirements including those of the Department of Health.
 6. 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.
 7. 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 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.

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

Sincerely,

Mike Luce

Mike Luce, Chairman
Planning Commission

6657d
jdk

xc: Department of Public Works
Department of Water Supply
County Real Property Tax Division
Department of Health
OSP, CZM Program w/background
DLNR
Plan Approval Section