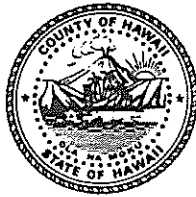


Stephen K. Yamashiro  
Mayor



## County of Hawaii

### PLANNING COMMISSION

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

July 22, 1993

Donna Kiyosaki, Chief Engineer  
County of Hawaii  
Department of Public Works  
25 Aupuni Street  
Hilo, HI 96720

Dear Ms. Kiyosaki:

Special Management Area Use Permit Application (SMA 93-3)  
Applicant: County of Hawaii Department of Public Works  
Request: Alenaio Stream Flood Control Improvements  
Tax Map Key 2-2-6:Por. of 1, 21, & 26 and 2-2-7:42 & Por. of 18

The Planning Commission at its duly held public hearing on July 15, 1993, voted to approve the above application. Special Management Area Use (SMA) Permit No. 342 is hereby issued, for the Alenaio Stream Flood Control Improvements. The project site is situated makai of and between Kilauea Avenue and Kamehameha Avenue, near the south (Puna) side of Ponahawai Street. The site lies within the Wailoa River State Recreation Area and northwest of the existing soccer fields, City of Hilo, South Hilo, Hawaii.

Approval of this request is based on the following:

The purpose of Chapter 205-A, Hawaii Revised Statutes, 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.

The development is consistent with the County General Plan and Zoning. The proposed project does conform to the General Plan LUPAG Map, which designates the project area as Open Area. The proposed project also conforms with the goals and policies under the Flood Control and Drainage element of the General Plan in the following respects:

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The project will help accomplish the General Plan's goal to "Protect human life."

The project also meets the General Plan's goals to "Prevent damage from inundation" and to "Reduce surface water and sediment runoff."

The project will further the General Plan's policy which states that "It is the responsibility of both the government and the private sector to maintain and improve existing drainage systems and to construct new drainage facilities."

The proposed project to construct a levee, concrete lined channel, earth channel and related improvements makai of Kilauea Avenue in conjunction with the overall Alenaio Stream Flood Control improvements will protect human life and reduce flood damage to the residential and commercial developments in the Hilo floodplain area. One of the Courses of Action for the South Hilo District is "The proposals of the 'Final Report and Environmental Impact Statement of Alenaio Stream' shall be implemented."

The project is consistent with the Hawaii County Zoning Code in that the subject area will remain in open space. The project is to improve the existing drainage conditions of an existing floodplain area.

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 project is not anticipated to have any substantial adverse environmental or ecological effects. The project site is located within an area where flooding has been occurring and is not known to contain any unique ecological systems nor provide habitats for any endangered plant or animal species.

There will be an increase in turbidity in Waiolama Canal during construction; however, this effect can be reduced or eliminated through the use of a temporary dam or silting basin between the end of the project and Waiolama Canal. After construction the water quality in the canal will likely not be significantly different than that it is presently.

There are no physical remains of cultural resources in the area of the project. The area of possible subsurface

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agricultural features makai of Kilauea Avenue will be monitored during construction to determine if subsurface physical remains of such features exist, and if so, to recover the information they contain.

A small area of the project site has been found to contain hydrocarbon compounds in the soil. However, these contaminated soils will be treated, handled and monitored in full and total compliance with all statutes and regulations, including those of Environmental Protection Agency (EPA) and State Department of Health (DOH). Moreover, the U.S. Army Corps of Engineers Hazardous Waste Division will be closely supervising all activities associated with this contaminated soil program with the applicant.

No adverse impacts on air are expected to be generated by the proposed project. Construction activities will increase dust and vehicle exhaust emissions in the project area. However, these effects will be temporary and can be mitigated through compliance with existing regulations.

Noise levels will be increased during construction by the operation of heavy construction equipment. Noise generated from machinery can be mitigated by adhering to existing noise regulations. The noise impact will be temporary in nature and will not continue beyond the construction period.

The development is consistent with the objectives and policies as provided by Chapter 205-A, HRS, and the Special Management Area Guidelines. The project will not disturb the existing recreational activities in the area as there is sufficient area further toward Kumu Street for such activities. The project will extensively reduce flooding to the park area.

There are no physical remains of cultural resources in the area. The project area will be monitored during construction for any uncovered subsurface agricultural features.

The project site is situated mauka of Kamehameha Avenue and within the open space park area. The project will include landscaping along the levee and channel alignment.

There will be an increase in turbidity in Waiolama Canal, however, this will be on a short-term basis during construction activities. The contaminated soils are confined to a small area of the project site and treatment and monitoring of the contaminated soils will be closely coordinated with the Corps of Engineers Hazardous Waste Division.

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The project site is the downstream portion of Alenaio Stream and the grassed portion of the Wailoa River State Recreation Park where no active recreational activities are occurring. It is anticipated that the project will not result in any change in the economic uses of the area.

The project will be consistent with the objective and policy as it will reduce stream flooding, damage to existing developments and properties as well as reduce hazard to life.

Approval of this request is subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. Construction of the proposed improvements shall be completed within five (5) years from the effective date of the SMA Use Permit.
3. In coordination with the U.S. Army Corps of Engineers, the applicant, its successors or assigns shall submit a mitigation plan for the treatment of the hydrocarbon soil to the Planning Department for review and approval, in consultation with the Environmental Protection Agency and the State Department of Health, prior to the submittal of construction plans for grading/grubbing activities.
4. On-site monitoring shall be conducted by a qualified archaeologist during the initial phase of grading/grubbing activities in the vicinity of the existing banyan tree.
5. 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.
6. Comply with all other laws, rules, regulations and requirements.
7. An extension of time for the performance of conditions within the SMA Use Permit may be granted by the Planning Director upon the following circumstances: a) the

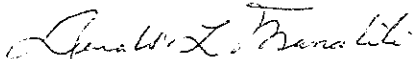
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non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicants, successors or assigns, and that are not the result of their fault or negligence; b) granting of the time extension would not 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.

Should you have any questions, please feel free to contact Rodney Nakano or Alice Kawaha of the Planning Department at 961-8288.

Sincerely,



Donald L. Manalili, Chairman  
Planning Commission

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LCount01.PC

xc: Honorable Stephen K. Yamashiro, Mayor  
Planning Director  
Department of Public Works  
Department of Water Supply  
Department of Health  
County Real Property Tax Division  
Office of State Planning, CZM Program w/background  
Department of Land and Natural Resources  
U S Army Corps of Engineers  
Plan Approval Section