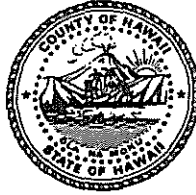


Stephen K. Yamashiro  
Mayor



## County of Hawaii

### PLANNING COMMISSION

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

OCT 28 1994

Ms. Donna Kiyosaki  
Chief Engineer  
Department of Public Works  
25 Aupuni Street  
Hilo, HI 96720

Dear Ms. Kiyosaki:

Special Management Area Use Permit Application (SMA 94-7)  
Applicant: County, Department of Public Works  
Request: To allow construction of sewage pump stations,  
gravity and forcemain sewers and other related  
improvements

Tax Map Key: 7-5-18; Portions of 7 & 8 and 7-6-14:4 & 27

The Planning Commission at its duly held public hearing on October 20, 1994, voted to approve the above-referenced application. Special Management Area Use (SMA) Permit No. 349 is hereby issued to allow the construction of wastewater pipelines and sewage pump stations for the Alii Sewer Project. Phase I and II of this project will connect pump stations located at Holualoa Bay and Waiaha, Hawaii.

Approval of this request is based on the following:

The purpose of Chapter 205-A, Hawaii Revised Statutes, and Rule 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 an 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 Special Management Area (SMA) 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 installation of

1856] OCT 28 1994

forcemain sewers at Waiaha and the construction of the Waiaha and Holualoa Sewer Pump Stations will not have a significant adverse impact to the environment. Approval of the construction of these sewerage system improvements will benefit the entire southern zone region extending from Waiaha to Kahalu'u. The location of the project sites mauka of Alii Drive would preclude severe adverse impacts to the coastal environment. The temporary effects of noise, dust and runoff which may be generated during construction activities can be controlled utilizing current construction practices and compliance with applicable construction regulations.

The project sites are not inhabited by endangered or rare species of flora or fauna due to the disturbed nature of one of the project sites and their location adjacent to a busy roadway and surrounding urbanized areas.

A second criteria for review is that the development is consistent with the objectives and policies as provided by Chapter 205A, HRS, and the Special Management Area guidelines. The proposed development is not expected to have any adverse impact to public access to or along the shoreline due to the location of the project sites along the mauka side of Alii Drive. Construction activities may restrict, but not prevent, access along Alii Drive and will be temporary.

Archaeological features which may be impacted by the proposed improvements includes a lava tube cave, which appears to have been used for temporary habitation or as a work area associated with a residential complex, which may be impacted by the installation of forcemain sewers within the Waiaha easement. Excavation and additional mapping of this site is recommended by the applicant's archaeological consultant. Within the Waiaha Pumping Station site, 8 sites were located consisting of habitation enclosures, walls, a trail and various agricultural features. One of these sites, a paved area which was possibly a work or storage area associated with a permanent prehistoric residence, may be impacted by the construction of the Waiaha Sewer Pump Station. Further data collection is recommended for this site. The Department of Land and Natural Resources-Historic Preservation Division (DLNR-HPD) is currently reviewing the archaeological reports prepared by the applicant. It is recommended that an archaeological inventory survey and mitigation plan be prepared for the review and approval of the DLNR-HPD. The recommended mitigation measures as may be required by the DLNR-HPD shall be fully implemented by the applicant prior to commencing construction or any land alteration activities. The DLNR-HPD concluded that the construction of the Holualoa Sewer Pump Station will have no adverse impacts to historical resources.

As mentioned, construction of the proposed improvements will allow for the treatment of wastewater generated within the southern zone and which is currently being disposed of within cesspools and injection wells. The expansion of sewer services will reduce the amount of surface wastewater disposal, which may contaminate the regions ground and coastal waters. Therefore, approval of the subject improvements will protect and restore the coastal ecosystem.

The proposed sewerage system improvements will not have significant adverse impacts to surrounding properties. The applicant will be implementing specific design controls and odor attenuating devices to ensure that any odors generated by the proposed facilities are controlled. Visually, the control buildings at the pump station sites will be constructed with residential characteristics to help it blend with surrounding areas. All noise generating equipment will be located within the control building, which will be designed with the assistance of an acoustical engineer to ensure compliance with governmental noise standards. It is recommended that extensive landscaping be provided along the boundaries of these pump station sites to assist in mitigative any potential noise or visual impacts which may be generated.

A third criteria in reviewing an SMA Use Permit application is that it is consistent with the General Plan and Zoning Code. The proposed development conforms to the following applicable goals, policies, standards and courses of action of the General Plan;

- o Maintain and, if feasible, improve the existing environmental quality of the island.
- o Protect and conserve the natural resources of the County of Hawaii from undue exploitation, encroachment and damage.
- o There shall be a minimum of visual and odor pollution emanating from sewerage treatment facilities.
- o Construct wastewater pumping stations, force mains, and interceptor sewers along Alii Drive, between Keauhou and Kailua. The waste flow will be conveyed to the new wastewater treatment facility at Kealakehe.

Approval of this request is subject to the following conditions:

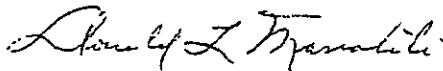
1. The applicant, its successors, or assigns shall be responsible for complying with all of the stated conditions of approval.
2. Final Plan Approval of the proposed improvements shall be secured from the Planning Department. Plans to be submitted shall indicate all proposed surface and subsurface structures associated with the proposed sewerage system improvements, driveway access/parking and archaeological sites. Plans shall also indicate extensive landscaping along the boundaries of the Waiaha and Holualoa Sewer Pump Stations sites for the purpose of noise and visual mitigation. The plans for Plan Approval review shall consist of architectural drawings showing the paint color selection of the exterior of the buildings which shall be restricted to earth tone colors compatible with the coloring of the surrounding environment and final selection to be approved by the Planning Director.
3. Construction of the proposed sewerage system improvements shall be completed within five (5) years from the effective date of this permit.
4. An archaeological inventory survey and mitigation plan for those project sites identified by TMK: 7-5-18:7 and 8 shall be prepared for the review and approval of the Planning Director, in consultation with the Department of Land and Natural Resources-Historic Preservation Division, prior to commencing construction of the proposed sewerage improvements or any land alteration activities on these affected parcels. This condition shall not apply to TMK: 7-6-14:4 and 27.
5. Should any unidentified sites or remains, such as lava tubes, artifacts, shell, bone or charcoal deposits, human burials, rock or coral alignments, pavings or wall be encountered, work in the affected area 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.
6. Comply with all other applicable laws, rules, regulations and requirements including those of the Department of Land and Natural Resources, Department of Health, Department of Water Supply and Department of Public Works.

7. An initial extension of time for the performance of conditions within this 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) granting of the time extension would not be contrary to the General Plan or the 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 the revocation of 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 Daryn Arai of the Planning Department at 961-8288.

Sincerely,



Donald L. Manalili, Chairman  
Planning Commission

RKN:jdk  
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xc: Honorable Stephen K. Yamashiro, Mayor  
Planning Director  
Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
West Hawaii Office  
Office of State Planning, CZM Program w/background  
Department of Land and Natural Resources  
Plan Approval Section