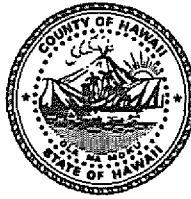


Stephen K. Yamashiro  
Mayor



## County of Hawaii

### PLANNING COMMISSION

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

CERTIFIED MAIL  
P 101 317 829

AUG 17 1999

Mr. Glen T. Koyama  
Belt Collins Hawaii, Ltd.  
680 Ala Moana Boulevard, First Floor  
Honolulu, HI 96813-5406

Dear Mr. Koyama:

Special Management Area Use Permit Application (SMA 99-002)  
Applicant: Kamehameha Investment Corporation  
Request: Allow Infrastructural and Landscape Improvements at Kuakini  
Highway-Kamehameha III Road Intersection and Kamehameha III Road  
Tax Map Key: 7-8-10:2, 20, 50 & 85

The Planning Commission at its duly held public hearing on August 6, 1999, voted to approve the above-referenced application. Special Management Area (SMA) Use Permit No. 394 is hereby issued to allow the construction of infrastructural and landscape improvements and related improvements at Kuakini Highway-Kamehameha III Road intersection and on Kamehameha III Road, between Kuakini Highway and Kealii Street. The project site is located within the existing road rights-of-way and portions of various parcels, Kahaluu 1st, North Kona, Hawaii.

Approval of this request is based on the following:

The purpose of Chapter 205A, Hawaii Revised Statutes (HRS), and 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.

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. Such adverse effect shall include, but not be limited to, the potential cumulative impact of individual developments, each one of which taken in itself might not have a substantial adverse effect and elimination of planning options. The proposed development will consist of : 1) highway acceleration and deceleration lane addition; 2) fill within existing right-of-way for lane additions; 3) portions of landscape entry rockwalls; 4)

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portions of curb and gutter street drainage system; 5) new textured traffic islands and portions of intersection restriping; 6) traffic signage; and 7) portions of the entry landscaping. In addition, improvements located makai of the Kuakini Highway include entry features and associated fill outside of the State and County rights-of-way, new rock walls, sidewalk and landscape trees along Kamehameha III Road, realigned water line, realigned utility lines through switching station, water fountain/pond feature and rock planters along Kealii Street intersection and Kamehameha III Road shoulder widening cut and fill in the adjacent private lands.

The proposed development is not anticipated to have any substantial adverse environmental or ecological effects to the physical environment within the immediate area. Surveys conducted for biological resources, historic and cultural resources, visual impacts, recreation aspects, socio-economic impacts support this conclusion. The goals and objectives of the SMA with respect to coastal, recreational, scenic, historic and economic resources can be met with an approval with conditions.

The proposed development is consistent with the objectives and policies as provided by Chapter 205A, HRS, and Special Management Area guidelines contained in Rule No. 9 of the Planning Commission Rules of Practice and Procedure. Any potential runoff or discharge which could reach ocean waters can be handled by on-site improvements. Any impacts from soil erosion and runoff during site preparation and construction phases can be adequately mitigated through compliance with existing regulations. With these precautionary measures in place, the proposed development is not anticipated to have any substantial adverse effects on the coastal resources or environment.

The proposed development is consistent with the County General Plan and Zoning Code. This project is consistent with the General Plan's Environmental Quality, Natural Resources, Shoreline, Flood Control and Drainage and Transportation elements, goals, policies and courses of action.

#### Transportation

##### Goals

- o Provide a transportation system whereby people and goods can move efficiently, safely, comfortably and economically.

##### Policies

- o A framework of transportation facilities which will promote and influence desired land use shall be established by concerned agencies.
- o The improvement of transportation service shall be encouraged.
- o Transportation and drainage systems shall be integrated where feasible.

#### Thoroughfares and Streets - Goals

- o Provide a system of thoroughfares and streets for the safe, efficient and comfortable movement of people and goods between and within the various sections of the County.
- o The County shall encourage the programmed improvement of existing thoroughfares and streets by both public and private sectors.

#### Environmental Quality

- o The County of Hawaii shall take positive action to further maintain the quality of the environment for residents both in the present and in the future.

#### Natural Resources and Shoreline

- o The County shall encourage public and private agencies to manage the natural resources in a manner that avoids or minimizes adverse effects on the environment and depletion of energy and natural resources to the fullest extent.

Mindful of the type of service the applicant will provide to the residents of West Hawaii, the proposed use will be consistent with the following goals and policies of the General Plan:

#### Historic Sites

- o Protect and enhance the sites, buildings and objects of significant historical and cultural importance to Hawaii.
- o The County of Hawaii shall encourage the restoration of significant sites on private lands.

According to the applicant's report, an archaeological inventory survey was conducted by Paul H. Rosendahl, Inc. (PHRI). This study covered the north parcel (Parcel 2) adjacent to the intersection. A total of three separate sites are located near the roadway improvements. These sites consisted of kuaiwi walls, mounds, terraces and modified outcrop, rock wall, and an enclosure consisting of blocky basalt boulders and cobbles. Two of the sites are important for information content and recommended that further study be conducted. One site was adequately recorded and no further archaeological work was required. Parcel 50 was surveyed by Cultural Resources of Hawaii and revealed no sites in the project area. An intensive archaeological study was undertaken by Paul H. Rosendahl, Inc. (PHRI) on Parcel 85 for the switching station and power line corridor site. This parcel contains a walled compound with enclosures and terraces. Mitigation measures were undertaken. The segment of the utility line will be realigned to avoid this site, if it has been determined by the State Historic Preservation Division (SHPD) to be significant.

A condition of approval will be included stating that the applicant fully implement the recommendations of the State Department of Land and Natural Resources Historic Preservation Division prior to the securing of any land alteration

permits for the proposed development. The implementation of a mitigation plan will satisfy the SMA objective to "Protect, preserve and where desirable restore significant historic and cultural resources."

#### Land Use and Open Space

- o Protect scenic vistas and view planes from becoming obstructed.

#### Environmental Quality, Natural Resources and Shoreline

- o Protect and promote the prudent use of Hawaii's unique, fragile, and significant environmental and natural resources.

The property is located mauka of Alii Drive and there is no visual impact to the ocean due to the topographical nature of the project site and design standards. Therefore, the proposed project will not adversely impact any recreational or visual resources to the shoreline and coastal ecosystems from the nearest Government Road. Although residents on the mauka side of Kuakini Highway expressed that some proposed landscaping tree plantings would impact their viewplanes to the ocean, a condition has been included to minimize their concerns.

According to the applicant's report, plant species found on the adjacent parcels are common varieties such as kiawe, koa haole, ohia lehua, Christmas berry tree, monkeypod, pua-pilo, morning glory and hialoa. There are no listed or proposed endangered plant life or threatened plant species within the project area; therefore, the proposed project would have no significant effect on vegetation resources.

According to the applicant's report, the Hawaiian Hoary Bat has been observed in the area; however, its presence at the project site has not been documented. Some of the predominate species include the Japanese white-eye, yellow-billed cardinal, zebra dove, common mynah, house sparrow, house finch, golden plover and mongoose. The proposed project would have no significant effect on fauna resources.

#### Economic Uses

- o Provide residents with opportunities to improve their quality of life.
- o Economic development and improvement shall be in balance with the physical and social environments of the island of Hawaii.

This project is consistent with the State and County policies governing the Special Management Area, and the County's General Plan. The proposed infrastructural and landscape improvements are needed for the urbanizing activities and growth in the area.

Based on the above findings, it is determined that the proposed development will not have any substantial adverse impacts on the surrounding area, nor will its approval be contrary to the objectives and policies of Chapter 205A, HRS, relating to Coastal Zone Management and Rule No. 9 of the Planning Commission relating to the Special Management Area.

Approval of this request is subject to the following conditions. Should any of the foregoing conditions not be met or substantially complied with in a timely fashion, the Planning Director may initiate procedures to revoke the Special Management Area Major Use Permit.

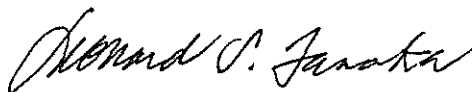
1. The applicant, its successor or assigns shall be responsible for complying with all stated conditions of approval.
2. Final Plan Approval for the proposed improvements shall be secured from the Planning Department in accordance with Chapter 25-2-71 of the Zoning Code.
3. Construction of the proposed development, meeting the approval of the Department of Public Works, shall be completed within five (5) years from the effective date of this permit.
4. Drainage improvements shall be constructed in a manner meeting with the approval of the Department of Public Works.
5. During construction, measures shall be taken to minimize the potential of both fugitive dust and runoff sedimentation. Such measures shall be in compliance with construction industry standards and practices utilized during construction projects of the State of Hawaii.
6. Should any remains of historic sites, such as walls, terraces, platforms, marine shell concentrations or human burials be encountered, work in the immediate area shall cease and the Department of Land and Natural Resources-Historic Preservation Division (DLNR-HPD) shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the DLNR-HPD when it finds that sufficient mitigative measures have been taken.
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. 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.
  - 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).
8. In order that the viewplanes of the residents on the mauka side of the road not be disturbed, any plantings at full growth shall not be allowed to exceed the existing floor elevation of the existing residences on the mauka side of Kuakini Highway.

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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 contact Eleanor Mirikitani of the Planning Department West Hawaii Office at 327-3510 or Alice Kawaha of the Planning Department Hilo Office at 961-8288.

Sincerely,



Leonard S. Tanaka, Chairman  
Planning Commission

LKIC01.PC

cc: Louis A. Kau, KIC  
Department of Public Works  
Department of Water Supply  
County Real Property Tax Division  
West Hawaii Office  
Office of Planning, CZM Program (w/Background)  
Department of Land and Natural Resources  
Kazu Hayashida, Director/DOT-Highways, Honolulu  
Mr. Norman Hayashi