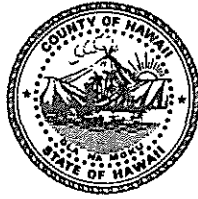


Stephen K. Yamashiro
Mayor



County of Hawaii

PLANNING COMMISSION

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

CERTIFIED MAIL
7099 3220 0000 4869 7671

APR 04 2000

Mr. Jason K. Inaba
Inaba Engineering, Inc.
273 Waiianuenue Avenue
Hilo, HI 96720

Dear Mr. Inaba:

Special Management Area Use Permit Application (SMA 00-002)
Applicant: Hawaii County Department of Water Supply
Request: To Allow Improvements to the Haaheo Booster Pump
Tax Map Key: 2-6-015:42

The Planning Commission at its duly held public hearing on March 17, 2000, voted to approve the above-referenced application. Special Management Area Use (SMA) Permit No. 399 is hereby issued to allow the construction of the Haaheo Booster Pump Improvement project, including upgrading the existing water system, and related improvements. The property is located between Wainaku Street and Hawaii Belt Road, approximately 400 feet north of the Hau Street-Kaiwiki Road intersection, Mokuhonua, South Hilo, 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, and to insure that adequate public access is provided to public-owned or used beaches, recreation areas, and natural reserves by dedication or other means.

The proposed project will not have any significant adverse environmental or ecological effect. The proposed request involves the replacement of the Haaheo Booster Pump Station No. 1 with a new facility at a new location. A new booster pump facility

003257

APR 05 2000

will be installed approximately 1,500 feet north of the existing pump station. The existing Haaheo Booster Pump Station No. 1 is fed from the 1.0 MG Piihonua Reservoir No. 3 and pumps water to the Haaheo Booster and Reservoir No. 2. From Reservoir No. 2, the water is then processed through a series of four reservoirs. This system serves the Kaiwiki and Wainaku areas. Upon completion of the new facility, the existing pump station facility will be removed and the site restored to match the surrounding area. The demolition of the existing pump station is not a part of this request, as the demolition or removal of structures is an exempt classification, according to Planning Commission Rule 9-4(10)B(vii), relating to Special Management Areas. The primary purpose of the project is to upgrade the existing system for capacity and efficiency and to provide safer access and parking for maintenance personnel and service vehicles. The existing site is confined and located along a narrow section of Wainaku Street. A hazardous situation exists when DWS staff services the site due to limited space for maintenance vehicles to safely park along the roadway. The existing 30 year old pump system has a pumping capacity of 150 gpm and is operating below desired efficiency and capacity levels. The existing 9' x 11' pump shed will be tested for hazardous materials and proper handling and disposal procedures will be established for the demolition phase of the project. The new site will provide adequate space for the new facilities and safer off-street parking for maintenance vehicles.

As the area was previously used by the old Wainaku Sugar Mill for its sugar processing operations, the likelihood of any threatened or endangered species of flora or fauna on the site is remote. However, fern shoots growing wild in Mokuhonua Stream may be of some cultural value. The applicant will ensure that all structures and improvements will conform to Chapter 27 of the Hawaii County Code in order to avoid impacts to the floodplain. There will be an increase in noise levels and dust during construction activities. However, these temporary, short-term impacts generated during the construction phase will be mitigated by existing construction regulations. Therefore, impacts to the physical environment within the immediate area will be minimal.

The proposed project is consistent with the objectives, policies and guidelines of the Special Management Area. The guidelines were established to provide guidance for the preservation, protection and development of coastal resources of the State and County. They identify several areas of management concerns including historic, recreational, scenic resources, coastal ecosystems, economic use and coastal hazards. The subject property is currently vacant and is overgrown with weeds and native vegetation. Mokuhonua Stream borders the property to the north, and to the south is a remainder of a lot owned by Mauna Kea Agribusiness, Inc. Mokuhonua Stream is a perennial stream, but for safety reasons, the applicant plans to erect a fence around the perimeter of the useable 5,500 square foot portion of the property. According to the applicant, the fence will not block the access to the stream. As only 23 per cent of the 23,433 square foot property is useable, and the proposed improvements will be situated

towards the southern portion of the property, any impacts to Mokuhonua Stream is minimal. Portions of the adjacent site are used for a telephone communication facility and there are water meters that service the new C. Brewer Company corporate offices. There are no known significant historic or archaeological features in the project area. No adverse impacts on water quality are expected to be generated by the proposed project. Any potential runoff or discharge as a result of the project can be handled by on-site improvements as may be required by the Department of Public Works and the Department of Health. The project would not interfere with any recreational resources or natural shoreline processes, nor impact the viewplane to the coastal area.

Activities associated with the proposed development are not anticipated to have any significant adverse impacts on coastal ecosystems or public access along the shoreline, as the parcel is an inland lot that does not abut the shoreline. Potential adverse impacts to coastal waters from soil erosion and runoff during construction can be adequately mitigated through compliance with existing construction regulations. Compliance with existing governmental regulations to control runoff, drainage and erosion would mitigate any adverse impact to the area's environment or the ecology of the area's coastal waters.

The proposed project within the Special Management Area is consistent with the General Plan and Zoning Code. The proposed improvements on the subject property are consistent with the existing General Industrial (MG-1a) land use designation. This request is consistent with the permissible uses in the MG zoned district under Section 25-5-152 (61) and (62) of the Hawaii County Zoning Code. It is also consistent with Section 25-4-11, which states "any substation used by a public utility for the purpose of furnishing telephone, gas, electricity, water, radio, or television shall be a permitted use in any district provided that the use is not hazardous or dangerous to the surrounding area and the director has issued plan approval for such use." By letter dated May 12, 1999 (included in Appendix B of the application), the Planning Director has determined that the new pump station will not manifest any hazard or danger to the surrounding area, according to the applicant's project description. Final Plan Approval will be required of the applicant.

The approval of the request would conform to the General Plan Land Use Pattern Allocation Guide (LUPAG) Map which designates the area as Low Density Urban. This designation allows for single family residential and ancillary public uses. The proposed booster pump facility for the Department of Water Supply is consistent with a residential ancillary public use. The proposed project would also complement the Public Utilities element of the General Plan:

Public Utilities

- Ensure that adequate, efficient and dependable public utility services will be available to users.
- Maximize efficiency and economy in the provision of public utility services.
- Improvement of existing utility services shall be encouraged to meet the needs of users.
- Improve and replace inadequate systems.

Approval of this request will be consistent with the general purpose of the General Plan and the Zoning Code.

Based on the above, the proposed project will not have any substantial adverse impacts to the subject or surrounding area, and therefore will not be contrary to the purpose and intent of Chapter 205-A, HRS, relating to Coastal Zone Management, Rule 9 of the Planning Commission relating to the Special Management Area, the General Plan and Zoning Code of the County of Hawaii.

Approval of this request is subject to the following conditions. (Should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to revoke the permit.)

1. The applicant, successors or assigns shall be responsible for complying with all of the stated conditions of approval.
2. Construction of the proposed improvements shall be completed within five (5) years from the effective date of this permit. Prior to commencing construction, Final Plan Approval shall be secured from the Planning Department in accordance with the Zoning Code Section 25-2-72. Plans shall identify existing and proposed structures, parking associated with the proposed uses and landscaping where appropriate.
3. All grading shall meet with the approval of the Department of Public Works.
4. Comply with all applicable laws, rules, regulations and requirements of affected agencies.
5. Should any remains of unidentified historic sites such as rock walls, terraces, platforms, or human burials be encountered, work in the immediate area shall

Mr. Jason K. Inaba
Page 5

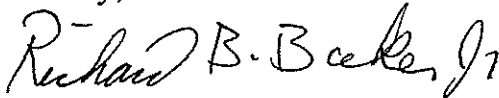
cease and the Department of Land and Natural Resources-Historic Preservation Division (DLNR-HPD) shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the DLNR-HPD when it finds that sufficient mitigation measures have been taken.

6. 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 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).

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 Phyllis Fujimoto or Alice Kawaha of the Planning Department at 961-8288.

Sincerely,



Richard B. Baker, Jr., Chairman
Planning Commission

Ldws01PC

cc: Milton Pavao, Manager/Department of Water Supply
Department of Public Works
County Real Property Tax Division
Office of Planning, CZM Program (w/Background)
Department of Land and Natural Resources
Kazu Hayashida, Director/DOT-Highways, Honolulu
Mr. Norman Hayashi
Mr. Jeffrey Darrow
Plan Approval Section