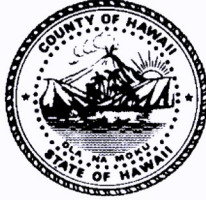


Mitchell D. Roth  
*Mayor*

Deanna S. Sako  
*Managing Director*

West Hawai'i Office  
74-5044 Ane Keohokālole Hwy  
Kailua-Kona, Hawai'i 96740  
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## County of Hawai'i

### PLANNING DEPARTMENT

Zendo Kern  
*Director*

Jeffrey W. Darrow  
*Deputy Director*

East Hawai'i Office  
101 Pauahi Street, Suite 3  
Hilo, Hawai'i 96720  
Phone (808) 961-8288  
Fax (808) 961-8742

May 16, 2024

Kim Chiodo  
c/o Land Planning Hawaii  
194 Wiwoole St.  
Hilo, HI 96720  
VIA EMAIL

Dear Ms. Chiodo:

**SUBJECT: Special Management Area (SMA) Use Permit Assessment Application  
(PL-SAA-2024-000223)  
Special Management Area (SMA) Minor Permit  
(PL-SMM-2024-000062)**

**Applicant: Division of State Parks**  
**Landowner: State of Hawaii**  
**Request: Construct Veterans War Memorial – Wailoa River State Park**  
**TMK: (3) 2-2-013:003, South Hilo District, Island of Hawai'i**

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We have reviewed the subject Special Management Area Use Permit Assessment Application (PL-SAA-2024-000223) received by this office on April 9, 2024. The 12.932-acre subject parcel is zoned Open (ope) by the County and designated as Urban (land area) and Conservation (water area) by the State Land Use Commission (LUC). The subject parcel is designated as Open (ope) by the Hawai'i County General Plan Land Use Pattern Allocation Guide (LUPAG) map. The subject parcel is located entirely within the Special Management Area (SMA) however, it is not located within the "shoreline area" as defined by section 205A-41, Hawai'i Revised Statutes (HRS) and as such no shoreline certification is required.

#### **Site History:**

- **August 15, 1988** – Special Management Area Minor Permit No. SMM-88-17 was approved to construct the Vietnam War memorial on the subject parcel.

#### **Proposed Project:**

At this time the applicant is proposing to construct a new veteran war memorial and flagpoles between the existing Korean War Memorial and Vietnam War Memorial within Wailoa River State

Kim Chiodo  
Land Planning Hawai'i  
DLNR/State Parks  
May 16, 2024  
Page 2

Park. The new memorial would consist of a five (5) foot curved memorial wall and three (3) flagpoles. Two (2) flagpoles would be 25 feet tall, and one (1) flagpole would be 30 feet tall. A four (4) foot concrete walkway would connect the new memorial with the existing Korean and Vietnam memorials. The site would also be ADA accessible.

The valuation of the proposed project will be approximately \$280,000.

**Special Management Area Determination:**


According to Hawai'i Revised Statutes (HRS) Chapter 205A-44 and Planning Commission (PC) Rule No. 9-4(e)(1)(E), "development" includes "*Grading, removing, dredging, mining or extraction of any materials; Placement or erection of any solid material or any gaseous, liquid, or thermal waste; and Construction, reconstruction, demolition, or alteration of the size of any structure.*" Therefore, the proposed construction of a new war memorial and related development is considered to be development and will require a review against the Special Management Area rules and regulations.

We find that the proposed project is not exempt from the definition of "development;" however, the project will not have a cumulative impact or a significant adverse environmental or ecological effect on the SMA. Therefore, pursuant to Planning Commission Rule Section 9-10(e), Special Management Area Minor Permit No. PL-SMM-2024-000062 is hereby issued for the project as described above. It is the applicant's responsibility to read and comply with the conditions listed in the enclosed permit.

While further review of the proposed project against the Special Management Area rules and regulations will not be required, all other applicable Zoning Code and Building Code requirements must be satisfied. Additionally, any future development or activities not included in this approval shall require further review and approval as provided under Chapter 205A, HRS and Rule 9, Planning Commission Rules of Practice and Procedure.

If you have questions regarding this document, please contact Alex J. Roy of this office at (808) 961-8140 or via email at [alex.roy@hawaiiicounty.gov](mailto:alex.roy@hawaiiicounty.gov).

Sincerely,

  
Jeffrey W. Darrow (May 16, 2024 15:29 HST)  
JEFFREY W. DARROW  
Deputy Planning Director

AJR:sklo

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Kim Chiodo  
Land Planning Hawai'i  
DLNR/State Parks  
May 16, 2024  
Page 3

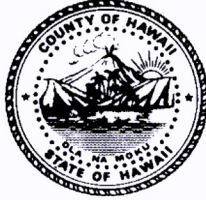
Enclosure: SMA Minor Permit No. PL-SMM-2024-000062  
Exhibit 1 – Site Plan

cc via email w/enclosure: Shichao Li, State-OPSD  
Lisa E. Webster, State-OPSD  
Rachel Beasley, State-OPSD  
GIS Section

Mitchell D. Roth  
Mayor

Deanna S. Sako  
Managing Director

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## County of Hawai'i

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Hilo, Hawai'i 96720  
Phone (808) 961-8288  
Fax (808) 961-8742

## **Special Management Area Minor Permit No. PL-SMM-2024-000062**

**Project:** Construct Veterans War Memorial – Wailoa River State Park  
**Applicant(s):** Division of State Parks  
**Landowner(s):** State of Hawai'i  
**TMK(s):** (3) 2-2-013:003  
**Location:** South Hilo District, Island of Hawai'i  
**Land Area:** 12.932 acres.

### **Applicant's Request**

**1. Project Description:**

Construct a new veteran war memorial and flagpoles between the existing Korean War Memorial and Vietnam War Memorial within Wailoa River State Park. The new memorial would consist of a five (5) foot curved memorial wall and three (3) flagpoles. Two (2) flagpoles would be 25 feet tall, and one (1) flagpole would be 30 feet tall. A four (4) foot concrete walkway would connect the new memorial with the existing Korean and Vietnam memorials. The site would also be ADA accessible.

**2. Project Valuation:** \$280,000.

**3. Determination:** According to Hawai'i Revised Statutes (HRS) Chapter 205A-44 and Planning Commission (PC) Rule No. 9-4(e)(1)(E), "development" includes "*Grading, removing, dredging, mining or extraction of any materials; Placement or erection of any solid material or any gaseous, liquid, or thermal waste; and Construction, reconstruction, demolition, or alteration of the size of any structure.*" Therefore, the proposed construction of a new war memorial is considered to be development and will require a review against the Special Management Area rules and regulations. Our review has resulted in the issuance of a SMA Minor Permit.

### **State and County Plans**

- 4. State Land Use District:** The project area is within the State Land Use Urban District.
- 5. General Plan:** The parcel is designated as Open (ope) by the Hawai'i County General Plan Land Use Pattern Allocation Guide (LUPAG) Map.
- 6. County Zoning:** The parcel is currently zoned as Open (ope).
- 7. Special Management Area:** The project parcel is located within the Special Management Area (SMA); however, it is not located within the "shoreline area" as defined by section 205A-41, Hawai'i Revised Statutes (HRS) and as such, no shoreline certification is required.



- 8. Flood Zone:** The subject parcel is designated as Flood Zone VE, which are areas subject to inundation by the 1-percent-annual-chance flood event with additional hazards due to storm- induced velocity wave action.

<p><b>Compliance with Objectives and Policies of Chapter 205A, Hawai‘i Revised Statutes (HRS), Regarding the Special Management Area</b></p>
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Check all objectives and policies found to be consistent with proposed development. Issuance of SMA Minor Permit requires that activity be consistent with all objectives & policies.

**The proposed development is consistent with the following objectives and policies:**

- ☒ Development will not have any significant adverse environmental or ecological effect, except as any adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest. Those adverse effects shall include but not be limited to the potential cumulative impact of individual developments, each of which taken by itself might not have a significant adverse effect and the elimination of planning options.
- ☒ The proposed development is consistent with the Hawai‘i County General Plan, community plan, and zoning; provided that a finding of consistency shall not preclude concurrent processing where a general plan, community plan, or zoning amendment may also be required.
- ☒ The proposed development does not conflict with the following objectives of Chapter 205A, HRS (as amended), to:
  - ☒ Provide coastal recreational opportunities accessible to the public.
  - ☒ Protect, preserve, and where desirable, restore those natural and man-made historic and pre-historic resources in the coastal zone management area that are significant in Hawaiian and American history and culture.
  - ☒ Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources.
  - ☒ Protect valuable coastal ecosystems, including reefs, beaches, and coastal dunes, from disruption and minimize adverse impacts on all coastal ecosystems.
  - ☒ Provide public or private facilities and improvements important to the State’s economy in suitable locations.
  - ☒ Reduce hazard to life and property from coastal hazards.

- ☒ Improve the development review process, communication, and public participation in the management of coastal resources and hazards.
- ☒ Stimulate public awareness, education, and participation in coastal management.
- ☒ Protect beaches and coastal dunes for: Public use and recreation; The benefit of coastal ecosystems; Use as natural buffers against coastal hazards; and Coordinate and fund beach management and protection.
- ☒ Promote the protection, use, and development of marine and coastal resources to assure their sustainability.
- ☒ The proposed development is consistent with the following policies of Chapter 205A, HRS, relating to:
  - ☒ Recreational Resources
  - ☒ Historic Resources
  - ☒ Scenic and Open Space Resources
  - ☒ Coastal Ecosystems
  - ☒ Economic Uses
  - ☒ Coastal Hazards
  - ☒ Managing Development
  - ☒ Public Participation
  - ☒ Beach and Coastal Dune Protection
  - ☒ Marine and Coastal Resources
- ☒ The proposed development conforms to the requirements of Chapter 343, HRS, regarding Environmental Impact Statements.

<b>Findings</b>
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1. As discussed above, the proposed activities 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.

2. The proposed development is consistent with the objectives, policies, and SMA guidelines of Chapter 205A, HRS.
3. The estimated project cost of \$280,000 is not in excess of \$500,000.

<b>Approved Uses, Activities and Operations</b>
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Pursuant to Planning Commission Rule Section 9-10(e), **Special Management Area Minor Permit No. PL-SMM-2024-000062** is hereby approved for the proposed project as described above, subject to the applicants' compliance with the conditions of approval as specified below.

<b>Conditions of Approval</b>
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The Planning Director has approved **SMA Minor Permit No. PL-SMM-2024-000062**, subject to the following conditions:

1. The applicant(s), its successor(s), or assign(s) (Applicant) shall be responsible for complying with all stated conditions of approval.
2. The applicant shall secure all necessary approvals and permits from other affected federal, state, and county agencies as necessary to comply with all applicable laws and regulations.
3. All earthwork and grading activity shall conform to Chapter 10, Erosion and Sedimentation Control of the Hawai'i County Code.
4. All construction and maintenance activities on the subject parcel shall comply with Chapter 27, Floodplain Management, of the Hawai'i County Code.
5. In the event that surface or subsurface historic resources, including human skeletal remains, structural remains (e.g., rock walls, terraces, platforms, etc.), cultural deposits, marine shell concentrations, sand deposits, or sink holes are identified during the demolition and/or construction work, the Applicant shall cease work in the immediate vicinity of the find, protect the find from additional disturbance and contact the State Historic Preservation Division at (808) 933-7651. Subsequent work shall proceed upon an archaeological clearance from DLNR-SHPD when it finds that sufficient mitigation measures have been taken.
6. Any further development, including but not limited to, the construction of structures or improvements not included in this determination shall require further review and approval as provided under Chapter 205A, HRS, and Rule 9, Planning Commission Rules of Practice and Procedure.
7. That in issuing this permit, the Department has relied on the information and data that the applicant has provided in connection with this permit. If, subsequent to issuance of this

permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings.

8. The Planning Director shall initiate procedures to revoke this permit should any of the conditions not be met or substantially complied with in a timely fashion.

If you have any questions, please feel free to contact Alex Roy at (808) 961-8140 or via email at [alex.roy@hawaiicounty.gov](mailto:alex.roy@hawaiicounty.gov)

APPROVED:

*Jeffrey W. Darrow*  
Jeffrey W. Darrow (May 16, 2024 15:29 HST)  
JEFFREY W. DARROW  
Deputy Planning Director

May 16, 2024  
\_\_\_\_\_  
Date

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PLANNING DEPARTMENT - PLANNING COMMISSION  
COUNTY OF HAWAII  
Hilo, Hawaii

PERMIT NO. 88-17

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

The Planning Director completed on August 15, 1988, an assessment on the application of Vietnam War Memorial Steering Committee for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: the construction of a Vietnam Veterans Memorial in the Wailoa River State Recreation Area, TMK: 2-2-13: 10

As indicated on the attached report, the Director finds that the proposed development is:

- 1) not in excess of \$65,000; and
- 2) will not significantly affect the SMA.

Therefore, with concurrence of the Chief Engineer, the Director hereby grants to the applicant a minor use permit under the authority vested in him by Section 9.7.C of said Rules, with the following condition(s) that:

See attached conditions

*for* David Murakami  
Chief Engineer, DPW

a. d. g.  
Planning Director

Attachment

6257A-5/84

SMA Minor 88-17: Vietnam War Memorial Steering Committee  
Conditions

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1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. Secure Final Plan Approval within one year from the effective date of approval of this SMA Minor Use Permit.
3. Construction shall commence within one year from the date of Final Plan Approval and shall be completed within two years thereafter.
4. Comply with all requirements of the Board of Land and Natural Resources.
5. Comply with all other applicable rules, regulations, and requirements.

## BACKGROUND

Councilwoman Merle K. Lai on behalf of the Vietnam War Memorial Steering Committee is requesting a Special Management Area (SMA) Use Permit to allow the construction of a Vietnam War Memorial in the Wailoa River State Recreation Area. More specifically, the proposed building site is located mauka of the confluence of the Waiolama Canal and the Waiakea Pond, in the vicinity of the Wailoa Visitor's Center, Tax Map Key: 2-2-13:10.

The Vietnam War Memorial Committee, a Steering Committee of the Vietnam War Veterans Post 1, has proposed that a permanent memorial to the veterans from the Big Island who were killed during the Vietnam Conflict be erected in the Wailoa River State Recreation Area. More specifically the proposed building site is identified by Tax Map Key 2-2-13:10.

The Board of Land and Natural Resources approved the project in August 1987 and approved the plans for the memorial on July 20, 1988. The Steering Committee has raised sufficient funds to construct the project in time for its dedication on Veterans Day, November 11, 1988, during the Veterans of the Vietnam War Incorporated National Conference in Hilo.

The objectives of the project are centered around the desire to show tangible recognition of the 43 Big Island veterans who died in the Vietnam War. The memorial is designed to offer a perpetual tribute to their memories by the erection of the monument and its symbolic everlasting flame. The memorial will also serve as a tribute to those Missing in Action and become a symbolic beacon and rallying point for



the surviving families, friends, other Vietnam veterans and the community. It will provide a focus for all who may wish to contemplate the war and the meaning of the lives lost there. Most of all, it will show that the Vietnam Veterans have a place in history and are both remembered and honored.

#### DESIGN AND CONSTRUCTION

The memorial will be a square concrete monument (14 feet by 14 feet), six feet high and topped with a concrete bowl containing an everburning flame. The flame will be fueled by propane. A propane tank will also be installed as part of this project. The names of the veterans from the island of Hawaii who died in the Vietnam War will be inscribed on the granite insets on the sides of the memorial. Four concrete benches facing the four sides of the monument will provide a place for use by veterans, their families and friends and the general public.

The memorial has been planned to complement the existing structures, such as Wailoa Center and the Shinmachi Memorial and is scaled and sited to enhance the open space and scenic vistas. The site will be close to the parking lot by the largest mango tree makai of the State Building. Conveniently located parking and the sloped design of the concrete slab floor will make the memorial accessible to the handicapped.

#### DESCRIPTION OF THE AREA INVOLVED

This Monument will be located in a grassy area northwest of Wailoa Center between the west end of the former Hoakimau Fish Pond and the State Building. The area is presently used by walkers, joggers,

visitors to the Wailoa Center, and the Shinmachi Memorial and others at the Park for sightseeing, fishing or picnicking. One outstanding tree is the huge mango tree by a parking lot near the memorial site.

The surrounding area is grassy park land and a parking lot which is used by visitors to Wailoa Center and the rest of Wailoa Park. The site is zoned as Open, is used as open space and for recreation. The General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the area for Open Use.

#### DESCRIPTION OF IMPACTS AND MITIGATING MEASURES

During site preparation and construction, there will be some noise and a little trampling of the grass at the site. These will be for only a few days and are considered insignificant.

Recreational Resources: The memorial will enhance the existing recreational resources. It will provide a place for quiet contemplation and fits in well with the other uses of the park, such as walking, fishing, viewing exhibits at Wailoa Center, eating and sitting on benches, visiting the Shinmachi Memorial, and enjoying the scenic vistas.

Historic Resources: The memorial will provide a new historic resource commemorating the Vietnam Veterans. Names of those veterans from the Big Island who died in the Vietnam War will be engraved in the granite insets.

Scenic and Open Space Resources: The memorial will be located just north of the big mango tree makai of the State Building. Its simple unobtrusive design and appropriately scaled size will enhance scenic and open space resources at the Wailoa River State Recreation Area.

Coastal Ecosystems: The project's impact on coastal ecosystems will be negligible.

Economic Uses: No economic uses are foreseen for the memorial.

Coastal Hazards: The project is located in a V27 Coastal High Hazard Zone but is considered exempt under Section 27-6 of the Hawaii County Code, subsections 4, 6 and 11, as a monument appears to be a combination of a sign, a wall and other similar structures. The monument will be built of concrete and granite and may well escape damage from any future tsunamis.

The total cost of the project is \$30,000.

#### RECOMMENDATION

An SMA Minor Use Permit is issued based on the following findings:

1. The total valuation of the project will not exceed \$65,000; and
2. The project will not result in a significant adverse effect on the Special Management Area.

The proposal is consistent with the Special Management Area objectives, policies, and guidelines. These were established to provide guidance for the preservation, protection and development of coastal resources of the State and County. The guidelines identify several areas of management concerns including recreational, historic, and scenic and open space resources, coastal ecosystems, economic uses, and coastal hazards.

Since the building site is within the Wailoa River State Recreation Area and is presently part of the grassed open area, the construction activity will not adversely impact the management area concerns. The proposed use is consistent with the current Zoning and General Plan

designation.

Based on the foregoing, the granting of the request will not create a significant adverse on the environment 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 Hawaii County Zoning Code; or the Hawaii County General Plan.

A Special Management Area Minor Use Permit is approved subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. Secure Final Plan Approval within one year from the effective date of approval of this SMA Minor Use Permit.
3. Construction shall commence within one year from the date of Final Plan Approval and shall be completed within two years thereafter.
4. Comply with all requirements of the Board of Land and Natural Resources.
5. Comply with all other applicable rules, regulations, and requirements.