

## Planning Department

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

July 9, 1990

### CERTIFIED MAIL

Nansay Hawaii  
Kamuela Business Center, Suite 727  
P. O. Box 111222  
Kamuela, HI 96743

Gentlemen:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 90-13

Applicant: Nansay Hawaii

Tax Map Key: 7-3-9: 3 and 16

Upon careful review of your SMA Use Permit request, we have found that it complies with the requirements for a Minor Permit set forth in Rule 9.7 of the Planning Commission's Rules and Regulations Relating to Special Management Area.

Accordingly, please find enclosed an SMA Minor Use Permit No. 90-13 to drill six test holes to use to sample surface soil and brackish groundwater conditions. Five of these holes will be scattered about a 462.38 acre parcel and a sixth on a 7.752 acre parcel. The subject parcels are located about two miles south of Keahole Airport and makai of Queen Kaahumanu Highway, at Kahanaiki, North Kona, TMK: 7-3-9: 3 and 16.

Please note that the permit approval is also subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall retain an archaeologist familiar with the archaeological reports previously prepared for the subject parcel and familiar with the mapped locations of all the archaeological and historic features known to occur on the subject parcel. The archaeologist shall map and flag on the ground exact pathways for the tracked crawler drill machinery to follow in order to reach each of the six drill sites. These pathways will avoid all known archaeological and historic features and maintain a separation distance of at least 50 feet from each feature. Should any previously unrecorded or mislocated

features be encountered, they should be noted on the map prepared and be given the same 50-foot minimum avoidance distance. Particular care shall be taken to insure that no petroglyphs, alrader sites or other anthropogenic modifications of the ground surface lava flows be subject to damage by the machinery and operations of the proposed project. The King's Trail and any other trails may not be transected by the flagged pathways.

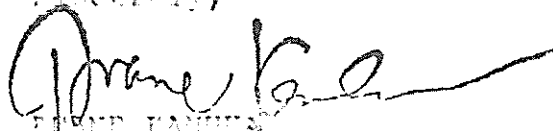
3. The applicant shall retain a biologist familiar with the anchialine ponds and native plants of the subject parcels to coordinate with the archaeologist to insure that the mapped and flagged pathways required in (2) above also maintain a 50-foot separation distance from any known or newly discovered anchialine pond and from any unusual or uncommon native plants along the proposed pathways. No drillhole site may be established within 300 feet of any anchialine pond.
4. All equipment associated with the proposed drillhole sampling project shall be required to stay on the flagged pathways and shall not take alternative route segments unless prior approval is received from the Planning Director.
5. The drilled holes shall be fitted with removable caps to prevent them from being plugged so that they may be available for future ground water sampling.
6. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to, the status of the drillhole test sampling project and to what extent the conditions of approval are being complied with. This condition shall remain in effect until all of the conditions of approval have been complied with and the Planning Director acknowledges that further reports are not required.
7. All other applicable rules, regulations and requirements shall be complied with.
8. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) 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; 2) granting of the time extension would not be contrary to the general plan or

Hanalei Hawaii  
July 2, 1990  
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zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) 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).

Should you have any questions regarding the above, please do not hesitate to contact this department at 961-8282.

Sincerely,

  
FRANK HANNES  
Planning Director

FMH:ad

Enclosures

cc: Chief Engineer

bcc: ~~BIA~~ Section

PLANNING DEPARTMENT - PLANNING COMMISSION  
COUNTY OF HAWAII  
Hilo, Hawaii

PERMIT NO. 90-13

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

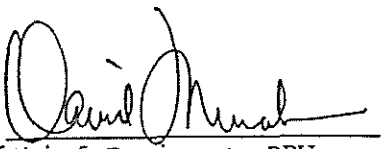
The Planning Director completed on July 9, , 19 90, an assessment on the application of Nansay Hawaii for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is ~~for~~: to drill six test holes to use to sample surface soil and brackish groundwater conditions. Five of these holes will be scattered about a 462.38 acre parcel and a sixth on a 7.752 acre parcel. The subject parcels are located about two miles south of Keahole Airport and makai of Queen Kaahumanu Highway, at Kohanaiki, North Kona, TMK 7-3-9:3 and 16

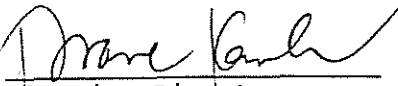
As indicated on the attached report, the Director finds that the proposed development is:

- 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

  
Chief Engineer, DPW

  
Planning Director

Attachment

6257A-5/84

SMA Minor 90-1  
NANSAY HAWAII  
Conditions

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
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3. The applicant shall retain a biologist familiar with the anchialine ponds and native plants of the subject parcels to coordinate with the archaeologist to insure that the mapped and flagged pathways required in (2) above also maintain a 50-foot separation distance from any known or newly discovered anchialine pond and from any unusual or uncommon native plants along the proposed pathways. No drillhole site may be established within 300 feet of any anchialine pond.
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