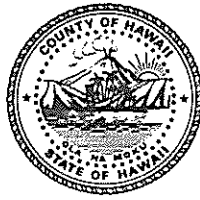


Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director

Norman Olesen  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
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#### CERTIFIED MAIL

October 26, 1993

Mr. Keith Ahue, Chairperson  
Board of Land and Natural Resources  
P. O. Box 621  
Honolulu, HI 96809

Dear Mr. Ahue:

Special Management Area (SMA) Minor Permit No. 93-21  
Applicant: State DLNR-Division of Boating and Ocean  
Recreation  
Proposed Temporary Construction Staging Area at Kawaihae  
Boat Harbor  
TMK: 6-1-3:26 (Por.); Kawaihae, South Kohala, Hawaii

Pursuant to our letter dated September 30, 1993, we had determined that a Special Management Area (SMA) Minor Permit is required for the proposed temporary construction staging area for equipment, materials, and worker parking area on portion of the subject property situated at the Kawaihae Boat Harbor. Accordingly, based on the following background and findings we hereby issue SMA Minor Permit No. 93-21 with conditions.

#### BACKGROUND INFORMATION

The applicant, State DLNR-Division of Boating and Ocean Recreation, is requesting a Special Management Area (SMA) Minor Permit to allow the proposed temporary construction staging area for equipment, materials, and worker parking area on portion of the subject property in order to facilitate the proposed development of offshore navigation improvements. The property is portion of the Kawaihae Harbor area located in South Kohala, Tax Map Key: 6-1-3:26 (Por.).

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The portion of the land designated as the access road and staging area as well as the area set aside for future shoreside facilities for the small boat harbor is owned by the Department of Transportation Harbors Division (DOT-HAR). Due to the transfer of the Boating program to the Department of Land and Natural Resources Division of Boating and Ocean Recreation (DLNR-DBOR), these areas will be transferred from the Harbors Division to the Division of Boating and Ocean Recreation.

The proposed staging area will encompass approximately 2 acres of land mauka of the existing mooring basin area. It will be temporary as it is needed in conjunction with the proposed extension of an existing breakwater and the construction of a new one for the eventual development of a 90 vessel small boat harbor facility. Upon completion of the navigation improvements, the subject area will be restored to its original condition.

#### LAND USE

The General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the majority of the property as Industrial, portion as Medium Density Urban, and along the shoreline as Open. The County Zoning designation is General Industrial - 1 acre (MG-1a), and Open along the shoreline. The State Land Use District classification is Urban. The property is situated within the Special Management Area (SMA).

The Final Environmental Impact Statement (FEIS) for the development of Kawaihae Boat Harbor was accepted by the Governor on September 30, 1985. The FEIS addressed both proposed developments of the onshore small boat facilities and the offshore navigation improvements.

#### DESCRIPTION OF PROPERTY AND SURROUNDING AREA

Much of the subject project area is bare coral fill land created from the dredging of the adjacent draft harbor and Operation Tug Boat. The project area is presently sparsely vegetated with coconut trees and beach naupaka. No known threatened or endangered species nor critical habitats were identified within the project area.

There are no archaeological features within the project area. As stated earlier, the area is coral fill land. The shoreline is the existing rock revetment which has not changed since the Kawaihae Harbor development in 1970.

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The Flood Insurance Rate Map (FIRM), prepared by the Federal Emergency Management Agency (FEMA), classifies along the shoreline area as Zone VE, coastal flood with velocity hazard and base flood elevation determined to be 9 feet. The majority of the property, however, is classified Zone X, area determined to be outside the 500-year flood plain.

Lands in the surrounding area are similarly zoned for open, commercial and general industrial uses. Land uses to the south include the Pu'ukohala Heiau National Historic Site and the Samuel Spencer County Park. Lands to the east and north of the project site are in commercial activities.

#### FINDINGS AND DETERMINATION

Upon review of the request against the guidelines for granting a Special Management Area Permit, the Planning Director hereby approves a Special Management Area Minor Permit based on the following findings:

The purpose of Chapter 205A, HRS, and Planning Commission Rule No. 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 the area along the shoreline are necessary to avoid permanent loss of valuable resources and the foreclosure of management options.

The total valuation of the proposed staging area will not exceed \$125,000; and the proposal will not result in a significant adverse effect on the Special Management Area.

The proposed action is consistent with the Objectives, Policies and SMA Guidelines which 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, recreation, scenic resources, coastal ecosystems, economic use, and coastal hazards.

The proposed temporary construction staging area will be located mauka of an existing dirt roadway and at a considerable distance from the shoreline. However, in conjunction with the offshore improvements there will be transiting activities occurring between the proposed staging area and to and makai of the existing revetment shoreline.

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It should be noted that recreational boating would be enhanced with the improvements to the offshore areas and the eventual development of a small boat harbor. Public access to the shoreline will continue in the vicinity.

Based on the above findings, the nature of the proposed staging area and given the proposed conditions, it is determined that the granting of this request will not impact the identified resources. Therefore, the granting of this request will not be contrary to the purpose and intent of Chapter 205A, HRS, relating to Coastal Zone Management; Rule No. 9 of the Planning Commission relating to the Special Management Area; the Hawaii County Zoning Code; or the General Plan.

A Special Management Area Minor Permit is further approved 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 comply with all other applicable laws, rules, regulations and requirements.
3. Prior to commencing any staging activities, the Planning Department shall be notified to conduct a site inspection of the proposed staging area.
4. The project area shall be restored to its original natural state upon completion of the proposed offshore navigation improvements. Within two weeks after completion, the Planning Department shall be notified to conduct a post site inspection for compliance.

Should any of the foregoing conditions not be met or substantially complied with in a timely fashion, the Planning Director shall initiate procedures to revoke the permit.

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Should you have any questions, please feel free to contact Alice Kawaha or Rodney Nakano of this office at 961-8288.

Sincerely,

  
VIRGINIA GOLDSTEIN

Planning Director

 10/27/93  
p Chief Engineer Date

AGK:mjs

xc: Ms. Donna Kiyosaki, Chief Engineer  
West Hawaii Office  
Planning Commission  
SMA Section  
Mr. Elton Teshima, DOT-Harbors Division