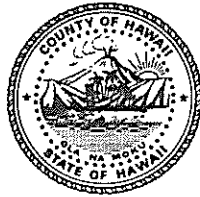


Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director

Norman Olesen  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

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

#### CERTIFIED MAIL

December 16, 1993

Ms. Hoaliku L. Drake  
Department of Hawaiian Home Lands  
State of Hawaii  
335 Merchant Street  
Honolulu, HI 96813

Dear Ms. Drake:

Special Management Area (SMA) Minor Permit No. 93-04  
Applicant: State Department of Hawaiian Home Lands  
Proposed Construction of Roadway Widening and Utility  
Improvements at Keaukaha Residential Subdivision  
TMK: 2-1-20:Pors. of 50 to 60 & 70; South Hilo, Hawaii

With regards to the above-referenced project, we had determined that a Special Management Area (SMA) Minor Permit is required for the proposed construction of roadway widening and utility improvements of an existing 25-foot right-of-way at the subject site. Accordingly, based on the following background and findings, we hereby issue SMA Minor Permit No. 93-04 with conditions.

#### BACKGROUND

1. State Department of Hawaiian Home Lands is requesting a Special Management Area (SMA) Minor Permit to allow the proposed Increment III construction of roadway widening and utility improvements of an existing 25-foot right-of-way. The project site is located on the mauka side of Kalaniana'ole Avenue within Keaukaha Residential Subdivision, South Hilo, Hawaii TMK: 2-1-20.
2. The overall master plan project involves the existing "paper" rights-of-way to be widened from 25 to 50 feet in order to allow the construction of road shoulders,

drainage swales, dry wells (if necessary), water lines, fire hydrants, overhead electricity, telephone and CATV lines and/or street lighting systems. Subsequent consolidation and/or resubdivision of existing lots within the existing Keaukaha Residential Subdivision will be processed in order to create new homesites.

The major portion of the overall master plan project is situated outside of the Special Management Area. A 12- 1/2 foot wide strip, approximately 1,300 linear feet, along the makai portion of the proposed widened roadway, from Kauhane Avenue to Pua Avenue, lies within the Special Management Area. The cost of this portion of the project is estimated at \$62,100.

3. The purpose of the improvements is to provide access and existing utilities to new and existing houselots for DHHL lessees. Subsequent consolidation and resubdivision of the existing lots would provide additional housesites available to DHHL applicants.

#### **STATE AND COUNTY PLANS**

4. The State Land Use District classification is Urban. The General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the area as Low Density Urban Development. The County Zoning designation is Single Family Residential with a density of 10,000 square feet of land area per dwelling (RS-10).
5. Portion of the project site is located within the Special Management Area. The proposed roadway improvements require an SMA Permit.
6. A Final Environmental Assessment-Negative Declaration was prepared pursuant to Chapter 343, Hawaii Revised Statutes, and subsequently published in the December 8, 1993 Bulletin of the Office of Environmental Quality Control.

#### **DESCRIPTION OF THE PROJECT SITE AND SURROUNDING AREA**

7. The project site is located mauka of Kalaniana'ole Avenue, over 700 feet from the shoreline at Puhi Bay. The landscape was previously divided into houselots, and used or reserved for residential purposes. No rare or endangered species of flora or fauna have been identified in the area.
8. According to the report "Soil Survey of Island of Hawaii", prepared by the U.S.D.A. Soil Conservation Service, the soils are classified as Keaukaha series rocky muck, 6 to 20 percent slopes. The Keaukaha series consists of well-drained, thin organic soils overlaying pahoe-hoe lava bedrock. The soil above the lava is rapidly permeable.

The pahoehoe lava is very slowly permeable, but water moves rapidly through the cracks. Runoff is medium, and the erosion hazard is slight.

9. There are no historic sites identified at the project site.
10. According to the Flood Insurance Rate Map (FIRM), prepared by the Federal Emergency Management Agency, the project site is determined to be in Zone X, area outside the 500-year floodplain.
11. Surrounding lands of the DHHL houselots are similarly zoned for residential uses. Surrounding land uses include single family residences and vacant lands.

#### **PUBLIC UTILITIES AND SERVICES**

12. Water, wastewater and other essential utilities and services are available to the subject area as well as the entire Keaukaha Residential Subdivision.

#### **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 project 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 concern including historic, recreation, scenic resources, coastal ecosystems, economic use, and coastal hazards.

The project site is not expected to have any adverse historical or biological effects, given that prior modification of the subject lands has already eliminated any surface remains and earlier vegetation.

The proposed roadway and utility improvements are not anticipated to interfere with recreational uses, public access to shoreline areas or existing view planes as the project site is located mauka of a government coastal road and is over 700 feet from the shoreline. Therefore, the proposed project would not affect the environment or ecology of the shoreline area.

The proposed construction of roadway and utility improvements and the subsequent consolidation and/or resubdivision of existing lots in the Keaukaha Residential Subdivision is consistent with land use controls and existing uses of the area.

Based on the above findings, the limited nature of the project 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, successors, or assigns shall be responsible for complying with all of the stated conditions of approval.
2. The applicant, its successors or assigns shall indemnify and hold the County of Hawaii harmless from and against any loss, liability, claim or demand for the property damage, personal injury and death arising out of any act or omission of the applicant, its successors or assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit.
3. The applicant shall secure final approval of construction plans within one year from the effective date of this permit.
4. Construction of the proposed improvements shall be completed within two years of the date of final approval of the construction plans.

Ms. Hoaliku L. Drake  
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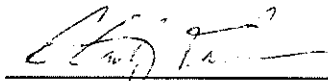
5. An extension of time for the performance of conditions within this permit may be granted by the Planning Director upon the following circumstances: (a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the result of their fault or negligence; (b) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and (c) 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 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.

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

Sincerely,

  
VIRGINIA GOLDSTEIN  
Planning Director

  
for Chief Engineer      12/20/93  
Date

AGK:mjs

xc: Ms. Donna Kiyosaki, Chief Engineer  
Planning Commission  
Mr. Douglas B. Lee, Barrett Consulting Group, Inc.