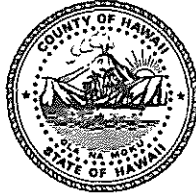


Stephen K. Yamashiro
Mayor



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

July 6, 1994

Mr. George Yoshida
Parks & Recreation Director
Department of Parks and Recreation
25 Aupuni Street, Room 210
Hilo, HI 96720

Dear Mr. Yoshida:

Special Management Area (SMA) Minor Permit No. 15
Applicant: County of Hawai'i, Department of Parks and
Recreation
Request: Proposed Wastewater System and Accessibility
Improvements at Punalu'u Beach Park
Tax Map Key: 9-6-1:6 & 11; Punalu'u, Ka'u, Hawai'i

Pursuant to our memo of July 5, 1994, we hereby issue SMA Minor Permit No. 15 to allow the construction of the proposed improvements.

PROJECT DESCRIPTION

- 1) The County of Hawai'i Department of Parks and Recreation is proposing to backfill the existing cavitette/cesspool system at Punalu'u Beach Park and to construct a new septic tank/absorption bed system to service the public restrooms at the park. The Department also proposes to construct a new concrete walkway from the northeast corner of the parking lot to the existing pavilion and restroom area. The new walkway will be designed to accommodate wheelchairs. The proposed improvements will be located on a portion of a 5.992 acre parcel, TMK: 9-6-1:6, and a portion of a .442 acre parcel, TMK: 9-6-1:11, which are leased by the County from the B. P. Bishop Estate. Punalu'u Beach Park is located in Punalu'u, Ka'u, Hawai'i.

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- 2) According to the SMA application, the existing cavitette system will be demolished and backfilled and the existing cesspool will be abandoned and backfilled. A new 7,500 gallon septic tank, with a 6,000 gallon capacity, and a 36 by 60 foot absorption bed will be constructed in the area between the existing pavilion and the two existing picnic huts. If necessary, the existing waterline to the pavilion will be relocated to accommodate the new septic system. The proposed septic tank will conform to U. S. Public Health Service standards, as well as to applicable County and State standards. The contractor will comply with all applicable regulations governing noise, dust, and erosion control. All areas disturbed during construction will be backfilled to their original grade, and new grass will be planted once the work is completed. The construction area is outside of the 40-foot shoreline setback area, so the Planning Department does not require a shoreline survey for this project.
- 3) In order to increase accessibility to the park for disabled persons, the Department of Parks and Recreation also proposes to remove a portion of the existing wall and walkway at the northeast end of the parking lot. A new 6-foot wide concrete walkway will then be constructed, which will allow wheelchair access from the parking lot to the main pavilion. Additional modifications to existing structures are proposed at the southwest end of the parking lot, to allow wheelchair access to the two existing picnic huts. These modifications do not, however, require an SMA permit, pursuant to our memo of July 5, 1994.
- 4) The estimated cost of the proposed wastewater system and accessibility improvements is \$60,000.

STATE AND COUNTY PLANS

- 5) Roughly half of Punalu'u Beach Park, the makai portion, is located in the State Land Use Conservation district. The mauka portion of the park is within the Urban district. The proposed improvements are located in the Conservation district, and are therefore subject to review by the Board of Land and Natural Resources (BLNR) prior to implementation. On April 26, 1976, the BLNR approved a Conservation District Use Permit (CDUP) for various recreational improvements at the park. Condition No. 5 of this permit specified "that the applicant pursue, weighing environmental and economic factors, the alternative of a closed vault cavitette with periodic maintenance until such time as funds become available toward the installation of a

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pump station and force main to the Ninole system." On August 25, 1976, the BLNR authorized the applicant to construct the existing "basic" cavitette system, as opposed to a closed vault system. The existing "basic" system was deemed to be more economical and more reliable when subjected to excessive loads.

- 6) The General Plan Land Use Pattern Allocation Guide (LUPAG) Map designation for the project site is Open, and the County zoning is Open.
- 7) The project site is within the Special Management Area; therefore, the project is subject to SMA review.
- 8) The project has been determined to be exempt from further environmental review under Chapter 343, HRS, relating to Environmental Impact Statements. Therefore, this project does not require the preparation of an environmental assessment, a negative declaration, or an environmental impact statement.

SITE DESCRIPTION

- 9) The project site is situated downslope of the Sea Mountain condominium and golf course development, which are located to the northwest. To the east are two private residences and Punalu'u Bay and boat ramp. To the west are scattered fish ponds and Ninole Cove, on land which is owned by the State, Punalu'u Development Inc., and other private interests. The ocean is located to the south.
- 10) The project site is composed of exposed pahoehoe lava, with scattered pockets of soil and grassy areas. The developed area of the park consists of a pavilion/restroom area, two picnic shelters, a paved parking lot, a camping area, a shower, and scattered picnic tables. These features are located inland on a cleared lawn, with exposed rock tidal areas closer to the shoreline.
- 11) According to the applicant's site plan, the existing cesspool and the pavilion are located approximately 52 feet from the shoreline, or outside of the 40-foot shoreline setback area. According to the site plan, the proposed improvements should not impede access to the shoreline or intrude upon the shoreline setback area.
- 12) The site has been extensively developed as a County beach park, and the proposed improvements should not further impact any natural resources or historic sites in the area.

- 13) The Flood Insurance Rate Map (FIRM) prepared by the Federal Emergency Management Agency designates the area as Zone VE-21 feet, or within an area subject to coastal flooding with tsunami inundation hazards. The base flood elevation of the site is 21 feet above mean sea level.

INFRASTRUCTURE

- 14) Access to the property from the west is from Alanui Road, a two-lane paved private roadway. Access from the east is via an unimproved jeep road from Punalu'u Bay, which connects to a two-lane paved County road. Both the private and County access roads connect to the Mamalahoa Highway.
- 15) Water, electricity, and other essential services are available at the site.

ASSESSMENT

The purpose of Chapter 205A, HRS, and Planning Commission Rule No. 9, Special Management Area Rules and Regulations of the County of Hawai'i, is to preserve, protect, and where possible, to restore the natural resources of the island's coastal zone areas. Special controls on development in these areas have been enacted, to prevent permanent loss of valuable resources. Upon review of the applicant's request for a Special Management Area Permit, the Planning Director finds that the proposed improvements are consistent with State and County SMA policies, as outlined below:

- a) **Recreational Resources:** The project should not cause more than a temporary disturbance to recreational uses of Punalu'u Beach Park. Noise, dust, and erosion caused by the grading and excavation of the new septic system will be mitigated through compliance with applicable County and State regulations. Barricades and warning signs will be erected to separate the work area from public use areas and to prevent accidents. The new walkway will make the park more accessible to disabled persons, and the new wastewater system will lessen the risk of contaminating the coastal ecosystem.
- b) **Historic and Natural Resources:** The project will not have any additional adverse effect on historical and natural resources, since the site is already extensively developed as a County beach park. The new septic system should enhance waste management at the park, and thus help to preserve the valuable natural resources which inhabit the nearshore waters there.

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- c) **Scenic and Open Space Resources:** The proposed improvements will not result in the erection of any new structures at the park, and should therefore not interfere with the coastal view plane.
- d) **Coastal Ecosystems:** The proposed replacement of the existing cesspool with a septic system should reduce the risk of contamination of coastal waters. This project will help to ensure the protection of the coastal ecosystem.
- e) **Economic Uses:** This project is consistent with State and County policies governing the Special Management Area. The proposed walkway will increase accessibility to one of Ka'u district's few public parks, and the proposed septic system will ensure adequate waste disposal for park users.
- f) **Coastal Hazards:** Although the project will be constructed in an area which is subject to tsunami inundation, the project will not intensify coastal hazards at the site. The project will not involve any above-ground features at the park.

DETERMINATION

Based on the preceding assessment, the Planning Director has determined that this proposal will not be contrary to State and County policies governing the Special Management Area. The Planning Director hereby approves a Special Management Area Minor Permit, **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, successors, or assigns shall secure a Conservation District Use Permit (CDUP) for the proposed improvements within **one year** of the date of this permit, if applicable. If the project is determined by the BLNR to be exempt from further review, the applicant, successors, or assigns shall submit a copy of the determination letter to the Planning Director within **one year** of the date of this permit.
- 3) Construction of the proposed improvements shall be completed within **two years** from the date of the CDUP or determination of exemption by the BLNR.
- 4) The applicant, successors, or assigns shall comply with all other applicable County, State, and Federal regulations.

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- 5) A progress report shall be submitted to the Planning Director within **six months** from the date of this permit. This report shall include the status of the project and to what extent the conditions of approval are being complied with. Additional progress reports will be required every six months, until all of the conditions of approval have been complied with and the Planning Director acknowledges that further progress reports are not required.
- 6) An extension of time for the performance of conditions may be granted by the Planning Director only when 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; and 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 these conditions not be met or substantially complied with in a timely fashion, the Planning Director shall initiate procedures to revoke this permit.

Please feel free to contact staff members Linda Copman or Alice Kawaha at 961-8288 if you have any questions.

Sincerely,


VIRGINIA GOLDSTEIN
Planning Director



Chief Engineer

7/13/94

Date

LC:mjh
SMM15

xc: Ms. Donna Kiyosaki, Chief Engineer
Mr. Keith Ahue, Chairperson - BLNR
Planning Commission
SMA Section *gm*