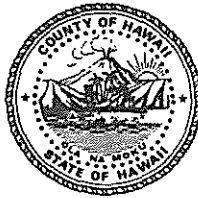


Stephen K. Yamashiro
Mayor



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

COPY

March 30, 1994

Mr. Rex Matsuno
Suisan Company, Ltd.
1965 Kamehameha Avenue
Hilo, HI 96720

Dear Mr. Matsuno:

Special Management Area (SMA) Minor Permit No. 7
Applicant: Suisan Company, Ltd.
Proposed Construction of Chill Storage Structure
TMK: 2-1-03:26 and 27; Waiakea, South Hilo, Hawaii

In our letter dated March 28, 1994, we had determined that a Special Management Area (SMA) Minor Permit is required for the proposed construction of a chill storage structure on the subject project site. Accordingly, based on the following background and findings, we hereby issue SMA Minor Permit No. 7 with conditions.

BACKGROUND

1. Suisan Company, Ltd. is requesting a Special Management Area (SMA) Minor Permit to allow the proposed construction of a chill storage structure at the existing Suisan Fish Market. The property is located on the makai side of Lihiwai Street, Waiakea, South Hilo, Hawaii TMK: 2-1-03:26 and 27.
2. Specifically, the applicant proposes to construct an approximately 48 feet by 18 feet structure which will have a total gross floor area of 880 square feet. It will be approximately 8 feet high. The new structure will replace two existing temporary chill boxes. The estimated cost of the project is \$15,000.

APR 4 - 1994

Mr. Rex Matsuno
Page 2
March 30, 1994

3. According to the applicant, the proposed chill storage structure is required to meet the Federal Food and Drug Administration Regulations relating to the Hazard Analysis Critical Control Point Program on Seafood.

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 Industrial. The County Zoning designation is Limited Industrial- 20,000 square feet (ML-20).
5. The project site is situated within the Kaiko'o Urban Renewal Project area.
6. The subject parcels are located within the Special Management Area. The proposed chill storage structure requires an SMA Permit.

DESCRIPTION OF THE PROJECT SITE AND SURROUNDING AREA

7. The project site encompasses a land area of approximately 10,525 square feet. It is the site of the existing Suisan Fish Market which includes a fish auction market, retail/wholesale fish market and a coffee shop.
8. The project area has been extensively altered and is totally covered with concrete and asphalt. As such, the likelihood of any historic sites or rare or endangered species of plant or animal life being found on the parcels is negligible.
9. The Flood Insurance Rate Map (FIRM), prepared by the Federal Emergency Management Agency, designates the area as Zone VE (coastal flood with velocity hazard) with base flood elevation at 20-22 feet. The area is within the tsunami inundation area.
10. Surrounding land uses are the Nihon Restaurant, Happiness Garden Park, Liliuokalani Gardens, Country Club Golf Course, Wailoa River Moorage Basin, and the HELCO power plant.

PUBLIC UTILITIES AND SERVICES

11. The project site fronts Lihiwai Street.

Mr. Rex Matsuno
Page 3
March 30, 1994

12. Water and other essential utilities and services are available to the site.

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 construction of the chill storage structure will improve the existing Suisan Fish Market facility in order to meet the Federal Food and Drug Administration Regulations relating to the Hazard Analysis Critical Control Point Program on Seafood. Therefore, the proposed project will not affect the environment or ecology of the shoreline area.

The proposed chill storage structure will not interfere with recreational uses, public access to shoreline areas or existing view planes as the existing Happiness Garden Park is situated between of the project site and shoreline. Further, it will not have any adverse historical or biological effects, since prior modification of the project site has already eliminated any surface remains and earlier vegetation.

Mr. Rex Matsuno
Page 4
March 30, 1994

The proposed project is consistent with the County's General Plan and the Zoning Code. The proposed chill storage structure will be used in conjunction with the existing fish market business.

Based on the above findings and given the specified conditions of approval, it is determined that the granting of this request will not impact the identified resources. The proposed project 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, successors, or assigns shall secure Final Plan Approval within one year from the date of this permit.
3. The applicant, successors, or assigns shall consolidate the subject parcels 26 and 27. Consolidation of parcels 26 and 27 shall be required as a condition of Plan Approval, Zoning Code.
4. Construction of the proposed chill storage structure shall be completed within two years from the date of this permit.
5. The applicant, successors, or assigns shall comply with all other applicable County, State and Federal laws, rules, regulations and requirements.
6. A progress report shall be submitted to the Planning Director within six (6) months from the date of this permit. The report shall include, but not be limited to, the status of the 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 and the Planning Director acknowledges that further progress reports are not required.

Mr. Rex Matsuno
Page 5
March 30, 1994


7. 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


DONNA FAYE KIYOSAKI
Chief Engineer

4/4/94
DATE

AGK:pak
SMM7

xc: Ms. Donna Faye Kiyosaki, Chief Engineer
Planning Commission
✓SMA Section