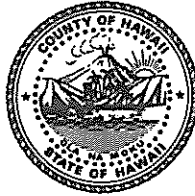


Stephen K. Yamashiro  
Mayor



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  
Z 416 229 160

August 8, 1995

Mr. Byron Maeda  
Hawaii Electric Light Co., Inc.  
P. O. Box 1027  
Hilo, HI 96721-1027

Dear Mr. Maeda:

Special Management Area (SMA) Use Permit Assessment  
Application (SMAA 95-8)  
Special Management Area (SMA) Minor Permit (SMM 31)  
Applicant: Hawaii Electric Light Co. (Byron Maeda)  
Install Overhead Utility Line to Serve Single Family  
Dwelling for Dr. Clayton Honbo  
Tax Map Key: 3-4-4:9; Maulua Iki, North Hilo, Hawaii

We have reviewed your SMA Assessment Application of February 24, 1995, for the proposed construction of an overhead utility line to serve the single family dwelling of Dr. Clayton Honbo. Under Planning Commission Rule 9, SMA Rules and Regulations, "Construction, reconstruction, or alteration of the size of any structure" is considered "development" for the purpose of the SMA review. The proposed activity is not in excess of \$125,000 in valuation and will not have a significant adverse effect on the Special Management Area; therefore, the action requires a Special Management Area Minor Permit. We hereby issue SMA Minor Permit No. 31, with the specified conditions.

#### PROJECT DESCRIPTION

- 1) Byron Maeda of Hawaii Electric Light Co., Inc., on behalf of Dr. Clayton Honbo is requesting an SMA Minor Permit to allow the proposed construction of an overhead utility line to serve the single family dwelling of Dr. Clayton Honbo. This project is located at the already developed 14.582 acre site at Maulua Bay, Maulua Iki, North Hilo, Hawaii, TMK 3-4-4:9. The project is also along the Hawaii Belt Road immediately above the property on the Waimea side of Maulua Gulch.

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- 2) The applicant proposes to install a 2,400 volt distribution pole line. The routing of the 2,400 volt distribution will cross the Hawaii Belt Road from the mauka side and approximately 1200 feet on the Waimea side of the Gulch from the point where the high voltage transmission lines cross the road. The proposed distribution line will then follow the Hawaii Belt Road on the makai side for a distance of approximately 1,000 feet, to the area where the transmission lines cross the road. Two new power poles will replace two existing telephone poles and two new power poles will be erected within the existing Hawaii Belt Road. At the site of the transmission line road crossing, the distribution line will span to the floor of the Gulch to a new pole to be erected. A 220 volt service line will then be extended to Dr. Clayton Honbo's residence via installation of another new power pole.

#### STATE AND COUNTY PLANS

- 3) The State Land Use Classification for the property and the surrounding area is Conservation and Agricultural. The General Plan Land Use Plan Allocation (LUPAG) Map designates the area as Extensive Agriculture and Open along the coast. The County zoning for the parcel is Agricultural with a minimum lot size requirement of twenty acres (A-20a).
- 4) The project site is located within the Special Management Area, therefore, the applicant requires an SMA Permit.
- 5) By letter dated July 26, 1995, the State Department of Transportation determined that the proposed improvement, portions of which will affect lands within the State highway right-of-way, is exempt from the requirement of Chapter 343, Hawaii Revised Statutes regarding Environmental Impact Statements.

#### SITE DESCRIPTION

- 6) The subject property presently includes an existing residence, an older concrete shed, and a transmission line tower in the bottom of the Gulch.

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- 7) The project site is both within the right-of-way of the Hawaii Belt Road and subsequently within the existing 55 foot wide utility easements through TMK 3-4-2:4 and TMK 3-4-4:9 when spanning to the bottom of the Gulch. At the bottom of the Gulch the service line enters the subject property and traverses to Dr. Honbo's residence.
- 8) Nearby properties are zoned Conservation and Agriculture.
- 9) The land use of the subject property is Residential and nearby properties are both Residential and Agriculture in use.
- 10) The Flood Insurance Rate Map (FIRM), prepared by the Federal Emergency Management Agency (FEMA) indicates that the project site and the subject property fall into a category "\*\*\*PANEL NOT PRINTED - MINIMAL TSUNAMI INUNDATION". Annual rainfall for the project site and the subject property is approximately 175 inches.
- 11) The land surface of the project site comprises the Hawaii Belt Road right-of-way, the steep side of Maulua Gulch and the floor of the Gulch. The floor of the Gulch was extensively grubbed in 1978, removing just exotic plants such as java plum, guava and various grasses.
- 12) The 1989 County General Plan identified Maulua Gulch as an area of natural beauty in North Hilo.

#### INFRASTRUCTURE

- 13) Primary access to the subject property is via a 20 foot driveway easement over the adjoining property, TMK 3-4-4:20, from Hawaii Belt Road. There is no other access.
- 14) Access to the project site will be from the partially paved and graveled shoulder along the portion of Hawaii Belt Road mentioned earlier and from the easement driveway mentioned above.

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#### ASSESSMENT

The purpose of Chapter 205A, HRS, and the 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 island's coastal zone areas. Special controls on development within 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 construction is consistent with State and County SMA policies, as outlined below.

- a) **Recreational Resources:** The project will not interfere with recreational uses of the coastal area, since it will be located well inland of the shoreline setback area.
- b) **Historic and Natural Resources:** The project will not have any additional adverse effect on historical or natural resources, since the site has been designated as being historically significant and no archaeological significant sites have been identified in the area.
- c) **Scenic and Open Space Resources:** The proposed structure will not interfere with the coastal view plane, unless the owners of TMK 3-4-2:4 and TMK 3-4-2:2 remove the tall grasses, guavas, bananas, and other exotic trees and plants on the makai side of the Hawaii Belt Road. High voltage transmission lines already span the distance to the bottom of the Gulch, therefore, the addition of a distribution line to that corridor will not significantly affect the scenic and open space resources in the area.
- d) **Coastal Ecosystems:** The distribution line will be located sufficiently distant from the shoreline so there will be no adverse effect on the coastal ecosystem. The service line running from the distribution line to the Honbo residence will follow the access road and cannot affect any coastal ecosystem not already grossly affected by the 1978, grubbing of the floor of the Gulch, subsequent grazing of cattle, and the recent construction of the access road and the Honbo residence.
- e) **Economic uses:** The project will provide electric power to the existing residence of Dr. Honbo.

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- f) **Coastal Hazards:** The Flood Insurance Rate Map (FIRM), prepared by the Federal Emergency Management Agency (FEMA) indicates that the project site and the subject property fall into a category "\*\*PANEL NOT PRINTED - MINIMAL TSUNAMI INUNDATION", therefore, there are no concerns regarding coastal hazards.

#### DETERMINATION

Based on the preceding assessment, the Planning Director has determined that the 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) Construction of the proposed distribution and service line shall be completed within two years from the date of this permit.
- 3) The applicant, successors, or assigns shall comply with all other applicable County, State, and Federal regulations.
- 4) A progress report shall be submitted to the Planning Director within six (6) 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 (6) months, until all of the conditions of approval have been complied with and the Planning Director acknowledges that further progress reports are not required.
- 5) An extension of time for the performance of conditions may be granted by the Planning Director only when a) the non-performance is a 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 (1) year may be extended for up to one additional year).

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- 6) The applicant, successors, or assigns shall indemnify and hold the County of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury, or 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.

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 Daryn Arai at 961-8288 if you have any questions.

Sincerely,



VIRGINIA GOLDSTEIN  
Planning Director

JEM/DSA:mjs  
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xc: Dr. Clayton Honbo  
Ms. Donna Kiyosaki, Chief Engineer  
Planning Commission  
SMA Section