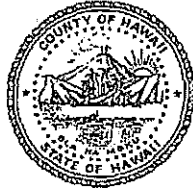


Harry Kim
Mayor

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PARKS & RECREATION
COUNTY OF HAWAII



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-8742

June 14, 2001

Mr. James Leonard
PBR Hawaii
101 Aupuni Street, Suite 310
Hilo, HI 96720

Dear Mr. Leonard:

Special Management Area Use Permit Assessment Application (SMAA 01-14)
Special Management Area (SMA) Minor Use Permit No. 99 (SMM 99)
Applicant: County of Hawaii Department of Parks and Recreation
Request: Construction of a parking lot, rock walls, pedestrian pathway, picnic area, picnic tables and grills at La'aloa Beach Park
TMK: 7-7-8: 106; Por. Govt. Road; 7-7-10: 36 La'aloa Beach Park

This is to acknowledge receipt of your amended Special Management Area Use Permit Assessment Application on June 13, 2001, for proposed improvements at La'aloa Beach Park.

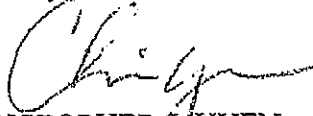
According to the applicant, the proposed activity is not in excess of \$125,000 in valuation and will not have a significant adverse impact on the Special Management Area. Therefore, we are issuing Special Management Area (SMA) Minor Use Permit No. 99 to allow the construction of a parking lot, rock walls, pedestrian pathways, picnic area including picnic tables and grills at La'aloa Beach Park. The applicant will be responsible for complying with all of the conditions as stated in the permit.

In addition, enclosed is an application for Final Plan Approval. Pursuant to the Hawaii County Zoning Code Chapter 25 Sections 25-2-71(c)(2) and 25-4-11(c), Final Plan Approval must be

Mr. James Leonard
PBR Hawaii
Page 2
June 14, 2001

secured from the Planning Director prior to the commencement of any construction on the property. If you have any further questions, please contact Norman Hayashi of this office at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

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Enclosure

cc: Mr. Daryn Arai, West Hawaii Office
Long Range Planning
Mr. Rodney Nakano, Ministerial Division
Ms. Pat Englehard, Department of Parks & Recreation
Mr. John Nakagawa, State Office of Planning

SPECIAL MANAGEMENT AREA MINOR USE PERMIT NO. 99

Approved Development (describe in detail):

Improvements to La'aloa Beach Park include: a new parking area, rock walls and pedestrian pathways, and picnic area including picnic tables and grills. The existing parking area will be paved, and approximately 2-3 ft. high rock walls will be constructed at the mauka and makai edges of the new parking lot. Pedestrian pathways are proposed to link the new parking lot, existing restroom facility, picnic area and archaeological sites. Portions of the path will be ADA accessible. The proposed new parking lot will alleviate congestion and traffic problems on Ali'i Drive and surrounding roadways. The work consists of paving of the parking area to eliminate the dust nuisance to nearby residences that currently results from the unpaved lot. ADA accessible stalls (one existing, one proposed), two lifeguard stalls, and turn-around for emergency vehicles will be provided. New picnic tables and grills will also be provided.

Applicant's Name: Hawaii County Department of Parks and Recreation

TMK: 7-7-8:106; Por. Govt. Road; 7-7-10:36

Land Area: 1.944 acres

7-7-8: 106 (20,003 sq. ft.)

7-7-10:36 (64,676 sq. ft.)

Compliance with Objectives and Policies of Chapter 205-A, Hawaii Revised Statutes regarding the Special Management Area

Check all objectives and policies found to be consistent with proposed development.
Issuance of SMA Minor Use Permit requires that activity be consistent with all objectives & policies.

- ☒ Development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest. Such adverse effect shall include, but not be limited to, the potential cumulative impact of individual developments, each one of which taken in itself might not have a substantial adverse effect and the elimination of planning options.
- ☒ The proposed development is consistent with the Hawaii County General Plan and Zoning Code.

**Compliance with Objectives and Policies of Chapter 205-A, Hawaii Revised Statutes
regarding the Special Management Area**

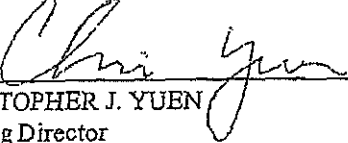
Check all objectives and policies found to be consistent with proposed development.
Issuance of SMA Minor Use Permit requires that activity be consistent with all objectives & policies.

- ☒ The proposed development does not conflict with the following objectives of Chapter 205A, Hawaii Revised Statutes to:
 - ☒ Provide coastal recreational opportunities accessible to the public.
 - ☒ Protect, preserve, and where desirable, restore those natural and man-made historic and pre-historic resources in the coastal zone management area that are significant in Hawaiian and American history and culture.
 - ☒ Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources.
 - ☒ Protect valuable coastal ecosystems from disruption and minimize adverse impacts on all coastal ecosystems.
 - ☒ Provide public or private facilities and improvements important to the State's economy in suitable locations.
 - ☒ Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence and pollution.
 - ☒ Improve the development review process, communication, and public participation in the management of coastal resources and hazards.
 - ☒ Stimulate public awareness, education, and participation in coastal management.
 - ☒ Protect beaches for public use and recreation.
- ☒ The proposed development is consistent with the following policies of Chapter 205A, Hawaii Revised Statutes relating to:
 - ☒ Recreational resources
 - ☒ Historic resources
 - ☒ Scenic and Open Space resources
 - ☒ Coastal Ecosystems
 - ☒ Economic Uses
 - ☒ Coastal Hazards
 - ☒ Managing Development
 - ☒ Public Participation
- ☒ Beach Protection
- ☒ The proposed development conforms with the requirements of Hawaii Revised Statutes Chapter 343, Environmental Impact

Conditions of Approval

1. The applicant(s), its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. SMA Minor Permit No.99 is valid for a period of three (3) years from the Planning Director's date of approval, stated below. All project improvements approved by this permit shall be completed within the three-year period.
3. Discovery of any unidentified sites or remains, for example, artifacts, shell, bone or charcoal deposits, human burials, rock or coral alignments, pavings or walls will require that all work in the immediate area shall cease and the Planning Director shall be immediately notified. Subsequent work may proceed with an archaeological clearance from the Planning Director. The archaeological clearance requires a finding that sufficient mitigation measures have been taken, with written guidance from the State Historic Preservation Division of the Department of Land and Natural Resources.
4. Prior to the start of construction, Final Plan Approval shall be secured from the Planning Director, in accordance with Chapter 25, Section 25-2-71(c)(2) and Section 25-4-11(c).
5. The applicant shall comply with the requirements of all affected agencies, including the Department of Public Works:
 - a. all development generated runoff shall be disposed of on-site and shall not be directed toward any adjacent properties.
 - b. if drywells are included on the property, the applicant shall consult with the State Department of Health for an Underground Injection Control (UIC) permit.
 - c. a drainage system shall be constructed, meeting with the approval of the Department of Public Works.
 - d. as the property is located in Flood Zone "VE", any new construction or substantial improvements will be subject to the requirements of Chapter 27 - Flood Control, of the Hawaii County Code. The flood zone shall be shown on the grading plans. No fill will be allowed in the VE zone.
 - e. all earthwork and grading shall conform to Chapter 10, Erosion and Sediment Control, of the Hawaii County Code. Submit the grading permit application for review to the State Historic Preservation Division for their review and approval.
 - f. solid waste management shall conform to the rules and regulations of the Department of Public Works.
 - g. all driveway connections to a County road shall conform to Chapter 22, Streets and Sidewalks, of the Hawaii County Code. Driveways shall conform to County standards details R-37 and R-38. All sight distances shall meet the requirements of the Hawaii Statewide Uniform Design Manual.
 - h. Install street lights, signs and markings meeting with the approval of the Department of Public Works.
6. Request(s) for an extension of time shall be submitted to the Planning Director. Pursuant to SMA Rule 9-11E, written requests shall be filed sixty (60) days before the expiration of this permit. The request shall state the length of time requested and the reasons for the time extension.
7. The Planning Director may grant an extension of time upon the following circumstances:
 - a) non-performance is a result of unforeseen conditions or conditions beyond the control of the applicant, successors, assigns, and are not a 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).
8. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to revoke the permit.

APPROVAL:


CHRISTOPHER J. YUEN
Planning Director

6/21/01
Date

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