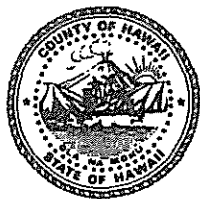


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arry Kim
Mayor



Christopher J. Yuen
Director

Brad Kurokawa, ASLA
LEED® AP
Deputy Director

County of Hawaii
PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-4224
(808) 961-8288 • FAX (808) 961-8742

October 12, 2007

Mr. Gordon C. Heit
DLNR, Land Division
75 Aupuni Street, Room 204
Hilo HI 96720

Dear Mr. Heit:

Subject: Special Management Area Use Permit Assessment Application (SAA 07-000284)
Special Management Area Minor Permit No. 07-000067
Applicant: State of Hawaii, Department of Land and Natural Resources
Request: Routine Maintenance and Tree Cutting
TMK: 2-1-7:15, Waiakea, South Hilo, Hawaii

This is to follow up on our September 13, 2007 letter relating to the above-referenced Special Management Area Assessment Application for the routine maintenance and tree cutting on the subject parcel.

This 16,735 square feet property is zoned General Industrial (MG-1a) by the County and designated Urban by the State Land Use Commission. It does not have frontage along the coastline.

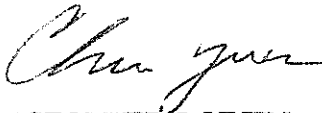
According to Chapter 205A-22, Hawai'i Revised Statutes (HRS), and Planning Commission Rule No. 9-4(10)A(ii) relating to Special Management Area, the proposed activity does not qualify as exempt from the definition of "development". Therefore, a Special Management Area Minor Permit is required.

For this reason and pursuant to Planning Commission Rule Section 9-10(E), Special Management Area Minor Permit No. 07-000067 is hereby issued to allow for the routine maintenance and tree cutting on the subject property.

Mr. Gordon C. Heit
DLNR, Land Division
Page 2
October 12, 2007

If you have questions, please feel free to contact Esther Imamura of this department at 961-8288, extension 257.

Sincerely,



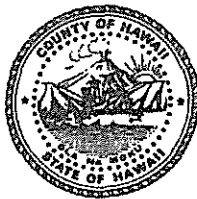
CHRISTOPHER J. YUEN
Planning Director

ETI:cd
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Enclosure: SMM No. 07-000067

xc w/encls: Ms. Esther Imamura, Long Range Planning Division
Mr. Norman Hayashi, Planning Commission
Ms. Mary Lou Kobayashi, Acting Director – Office of Planning, DBED&T

Harry Kim
Mayor



Christopher J. Yuen
Director

Brad Kurokawa, ASLA
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Deputy Director

County of Hawaii
PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-4224
(808) 961-8288 • FAX (808) 961-8742

Special Management Area Minor Permit No. 07-000067

Project: Routine Maintenance and Tree Cutting
Applicant: State of Hawaii, Department of Land and Natural Resources
Location: Waiakea, South Hilo, Hawaii
TMK: 2-1-7:15 **Land Area:** 16,735 square feet

Applicant's Request

1. Project Description:

The applicant requests for routine maintenance and tree cutting on the subject parcel.

2. Purpose of Project:

The applicant wishes to conduct routine maintenance consisting of the felling of noxious trees and other vegetation within a fifty-foot wide section of the State land along the adjacent private property. It is also anticipated that it will mitigate some of the coqui frog infestation on the property.

3. Project Valuation: \$5,000.

4. Determination:

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(10)A(ii) relating to the Special Management Area, "*Grading, removing, dredging, mining, or extraction of any materials*" is not exempt from the definition of "development." Therefore, the proposed project requires a SMA Minor Permit.

State and County Plans

- 1. State Land Use District:** The subject property is designated Urban by the State Land Use Commission.
- 2. General Plan:** The Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the property as Industrial.
- 3. County Zoning:** The subject property is zoned General Industrial (MG-1a).

4. **Special Management Area (SMA):** Although the subject property is located in the SMA, it does not have frontage along the coastline. It is also mauka of Ocean View Drive and approximately 150 feet from the shoreline.

5. **Flood Zone:** Zone X.

Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes (HRS), Regarding the Special Management Area
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The project area does not have frontage along the coastline and is mauka of Ocean View Drive. Therefore, the proposed improvements will not affect public access to the shoreline or public use of the shoreline area.

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

The proposed development is consistent with the following objectives and 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 the Zoning Code.
- ☒ The proposed development does not conflict with the following objectives of Chapter 205A, HRS, 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 tsunamis, 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.
- ☒ Promote the protection, use, and development of marine and coastal resources to assure their sustainability.
- ☒ The proposed development is consistent with the following policies of Chapter 205A, HRS, relating to:
 - ☒ Recreational Resources
 - ☒ Historic Resources
 - ☒ Scenic and Open Space Resources
 - ☒ Coastal Ecosystems
 - ☒ Economic Uses
 - ☒ Coastal Hazards
 - ☒ Managing Development
 - ☒ Public Participation
 - ☒ Beach Protection
 - ☒ Marine Resources
- ☒ The proposed development conforms to the requirements of Chapter 343, HRS, regarding Environmental Impact Statements.

Findings

As discussed above, the proposed 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.

The proposed development is consistent with the Hawaii County General Plan and Zoning Code.

The proposed development is consistent with the objectives, policies, and SMA guidelines of Chapter 205A, HRS.

The estimated project cost of approximately \$5,000 is not in excess of \$125,000.

The enclosed Department of Public Works, Engineering Division memorandum dated September 20, 2007, stated the following:

"We have reviewed the subject application for compliance with Chapter 27, Flood Control, forwarded by your memo dated September 13, 2007 and have no objections."

The subject parcel is in an area designated as Zone X on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Zone X is an area determined to be outside the 500-year floodplain."

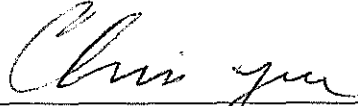
Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 07-000067** is hereby approved for the routine maintenance and tree cutting on the subject parcel. This approval is subject to the applicant's compliance with the conditions of approval as specified below.

Conditions of Approval

The Planning Director has approved **SMA Minor Permit No. 07-000067** subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. The applicant shall secure all necessary approvals and permits from other affected federal, state, and county agencies as necessary to comply with all applicable laws and regulations.
3. Discovery of any unidentified sites or remains, such as 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. The Planning Director shall be immediately notified. Work may proceed with an archaeological clearance from the Planning Director. The archaeological clearance requires a finding that sufficient mitigative measures are taken for the discovery; with written guidance from the State Historic Preservation Division of the Department of Land and Natural Resources.

APPROVED:



CHRISTOPHER J. YUEN
Planning Director

OCT 12 2007

Date

2007 SEP 2 PM 1 28
FAX
COUNTY OF HAWAII

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: September 20, 2007

Memorandum

TO: Christopher J. Yuen, Planning Director

FROM: *for*  Department of Public Works

SUBJECT: SMA USE PERMIT ASSESSMENT APPLICATION (SAA 07-000284)
Applicant: State of Hawaii, Department of Land and Natural Resources
Request: Routine Maintenance and Tree Cutting
Tax Map Key: 2-1-07: 015

We have reviewed the subject application for compliance with Chapter 27, Flood Control, forwarded by your memo dated September 13, 2007 and have no objections.

The subject parcel is in an area designated as Zone X on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Zone X is an area determined to be outside the 500-year floodplain.

Questions may be referred to Kelly Gomes of the Engineering Division at ext. 8327.

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