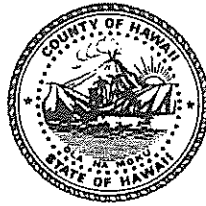


William P. Kenoi  
Mayor



BJ Leithead Todd  
Director

Margaret K. Masunaga  
Deputy

## County of Hawaii

### PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720  
Phone (808) 961-8288 • Fax (808) 961-8742

April 15, 2009

Mr. Brian H. Sekiguchi  
Deputy Director – Airports  
State of Hawai'i, DOT  
Airports Division  
400 Rodgers Boulevard, Suite 700  
Honolulu HI 96819-1880

Dear Mr. Sekiguchi:

**Subject:** Special Management Area Use Permit Assessment Application  
(SAA 09-000425)  
Special Management Area Minor Permit No. 09-000105  
**Applicant:** State of Hawaii, Department of Transportation, Airports Division  
**Land Owner:** State of Hawaii  
**Request:** Install a Remote Noise Monitoring Station  
**Tax Map Key:** 2-2-13:3, Waiākea, South Hilo, Hawai'i

This is to follow up on our April 6, 2009 letter relating to the above-referenced Special Management Area Assessment Application to install a remote noise monitoring station on the subject parcel.

This property is designated Urban by the State Land Use Commission. It is designated Open by the General Plan's Land Use Pattern Allocation Guide (LUPAG) Map and is zoned Open (O) by the County.

According to Chapter 205A-22, Hawai'i Revised Statutes (HRS), and Planning Commission Rule No. 9-4(10)A(v) relating to Special Management Area, the proposed project 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. 09-000105 is hereby issued to install a remote noise monitoring station on the parcel, subject to compliance with the conditions of approval as specified in the permit.

APR 21 2009

Mr. Brian H. Sekiguchi  
Deputy Director – Airports  
State of Hawai'i, DOT  
Airports Division  
Page 2  
April 16, 2009

Finally, all other applicable Zoning and Building Code requirements must also be satisfied.

Should you have questions, please feel free to contact Esther Imamura of this department at 961-8288, extension 253.

Sincerely,



BJ LEITHEAD TODD  
Planning Director

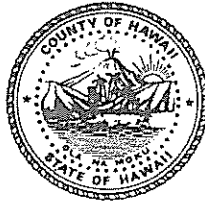
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Enclosure - SMM No. 09-000105

xc w/encls: Long Range Planning  
Mr. Norman Hayashi, Planning Commission

xc ltr only: Mr. Abbey S. Mayer, Director  
State of Hawaii, Office of Planning  
Department of Business, Economic Development & Tourism  
P.O. Box 2359  
Honolulu, HI 96804



## County of Hawaii

### PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720  
Phone (808) 961-8288 • Fax (808) 961-8742

### Special Management Area Minor Permit No. 09-000105

**Project:** Install a Remote Noise Monitoring Station  
**Applicant:** State of Hawaii, Department of Transportation, Airports Division  
**Location:** Waiākea, South Hilo, Hawai'i  
**TMK:** 2-2-13:3 **Land Area:** 12.932 acres

#### Applicant's Request

#### 1. Project Description:

The unmanned remote noise monitoring station will consist of a digital microphone mounted on a 20-foot tall folding mast, and a controller, communications modem, and power supply mounted in two weather-tight enclosures on the lower portion of the mast. The mast will be mounted on a three foot tall, 18-inch diameter concrete pedestal. The instrument will be connected to power and phone lines through buried cables.

The remote station is a passive recorder which consume very little power, operates silently and does not radiate electromagnetic energy. It will be connected via modem to a computer in the Airport Manager's office. Approximately once yearly, the mast will be folded down for instrument calibration.

#### 2. Project Location:

The instrument will be located in an easement. The mast will be sited ten feet from the edge of the existing parking lot pavement and occupy an area of approximately five square feet during operation.

#### 3. Purpose of Project:

Construction and operation of the noise monitoring system allows Hilo International Airport to more accurately assess and respond to noise complaints arising from the surrounding area.

4. **Project Valuation:** \$25,000

5. **Determination:**

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(10)A(v) relating to the Special Management Area, the "*Construction, reconstruction, demolition, or alteration of the size of any structure*" is defined as "development." Therefore, the proposal to install a remote noise monitoring system requires a SMA Minor Permit.

<b>State and County Plans</b>
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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 subject property for Open use.
3. **County Zoning:** The subject property is zoned Open (O).
4. **Land Use Permit:** Hawaii County Zoning Code Section 25-4-11(c) states that "*Public uses, structures and buildings and community buildings are permitted uses in any district, provided that the director has issued plan approval for such use.*"  
  
Public use, public building and public structure "*means a use conducted by or a structure or building owned or managed by the federal government, the State of Hawai'i or the County to fulfill a governmental function, activity or service for public benefit and in accordance with public policy.*"
5. **Special Management Area (SMA):** Although the subject property is located in the SMA, the project site is mauka of Kamehameha Avenue and over 800 feet from the shoreline.
6. **Flood Zone:** VE

<b>Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes (HRS), Regarding the Special Management Area</b>
--

As stated above, the project site is over 800 feet from the shoreline. Therefore, the proposed improvements will not affect the recreational resources available to the public.

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 \$25,000 is not in excess of \$125,000.

The enclosed Department of Public Works, Engineering Division memorandum dated April 9, 2009, states the following:

*"We have reviewed the subject application for compliance with Chapter 27, Floodplain Management, forwarded by your memo dated March 31, 2009 and have no objections to the request.*

*The proposed location of the remote noise monitoring system is located within Flood Zone VE as designated on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Flood Zone VE is the Special Flood Hazard Area inundated by the 100-year coastal flood with velocity hazard.*

*Construction within the designated FEMA flood zone shall comply with the requirements of Chapter 27, Floodplain Management, of the Hawai'i County Code."*

Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 09-000105** is hereby approved to install a remote noise monitoring station, subject to the applicant's compliance with the conditions of approval as specified below.


## Conditions of Approval

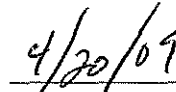
The Planning Director has approved **SMA Minor Permit No. 09-000105** subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. The applicant shall secure Plan Approval for the proposed development within two (2) years from the date of approval of this permit.
3. All construction activities in connection with this project shall be completed within two (2) years from the date of Plan Approval. The applicant shall immediately notify the Planning Department, in writing, upon the completion of the construction activities.
4. 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.

5. An extension of time for the performance of the conditions contained herein 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 of not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended up to one additional year).
6. Should any of the conditions not be met or substantially complied with in a timely fashion, the Planning Director shall initiate procedures to revoke the permit.

APPROVED:

  
\_\_\_\_\_  
BJ LEITHEAD TODD  
Planning Director

  
\_\_\_\_\_  
Date

DEPARTMENT OF PUBLIC WORKS  
COUNTY OF HAWAII  
HILO, HAWAII

DATE: April 9, 2009

Memorandum

TO: BJ Leithead Todd, Planning Director

FROM:  Department of Public Works

SUBJECT: **SMA USE PERMIT ASSESSMENT APPLICATION (SAA 09-000425)**

Applicant: State, Department of Transportation, Airports Division

Request: Install Remote Noise Monitoring Station

Tax Map Key: 2-2-13: 003

We have reviewed the subject application for compliance with Chapter 27, Floodplain Management, forwarded by your memo dated March 31, 2009 and have no objections to the request.

The proposed location of the remote noise monitoring system is located within Flood Zone VE as designated on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Flood Zone VE is the Special Flood Hazard Area inundated by the 100-year coastal flood with velocity hazard.

Construction within the designated FEMA flood zone shall comply with the requirements of Chapter 27, Floodplain Management, of the Hawaii County Code.

Questions may be referred to Kelly Gomes at ext. 8327.

