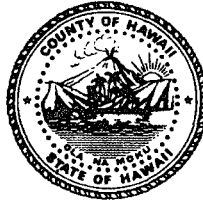


William P. Kenoi
Mayor



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

August 25, 2009

Dr. Ann Kobsa
Malama O Puna
P.O. Box 1520
Pahoa, HI 96778

Dear Dr. Kobsa:

Subject: Special Management Area Use Permit Assessment Application (SAA 09-000469)
Special Management Area Minor Permit No. 09-000124
Applicant: Malama O Puna: Rene Siracusa, Ann Kobsa
Land Owner(s): County of Hawai'i
Request: Onekahakaha Habitat Restoration/ Mangrove Eradication Project
Tax Map Key: 2-1-014:013 and 035, Keaukaha, South Hilo, Hawai'i

This letter is in response to the Special Management Area Assessment Application we received on July 2, 2009 for eradication of the alien invasive plant, red mangrove (*Rhizophora mangle*), from Onekahakaha Beach Park in Hilo, Hawai'i. Also acknowledged was additional supporting material from Department of Land and Natural Resources (DLNR) on July 8, 2009, from County of Hawai'i Department of Parks and Recreation on August 4, 2009, and a letter from you granting a time extension to allow the processing of the subject application on August 5, 2009.

These parcels are designated Urban by the State Land Use Commission and designated Open and Resort by the County's General Plan Land Use Pattern Allocation Guide (LUPAG) Map. County of Hawai'i zoning for the parcels is Open. Both parcels are located entirely within the Special Management Area (SMA).

According to Chapter 205A-22(2) and (4), Hawai'i Revised Statutes (HRS), and Planning Commission Rule No. 9-4(10)(A)(ii) and (iv) 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.

AUG 26 2009

Dr. Ann Kobsa
Malama O Puna
Page 2
August 25, 2009

For this reason and pursuant to Planning Commission Rule Section 9-10(E), Special Management Area Minor Permit No. 09-000124 is hereby issued for the Onekahakha Habitat Restoration/Mangrove Eradication Project on the subject parcels, subject to compliance with the conditions of approval as specified in the permit. Since the project does not involve the construction of any structures on the subject parcels, the requirement for a certified shoreline survey is hereby waived for the purposes of this project.

The applicant is responsible for securing appropriate permits from all other agencies with jurisdiction over the proposed project including, but not limited to, the State of Hawai'i Department of Land and Natural Resources, State of Hawai'i Department of Health, and the United States Army Corps of Engineers.

Should you have questions, please feel free to contact Dana Okano of this department at 961-8134.

Sincerely,



BJ LEITHEAD TODD
Planning Director

DO:cs

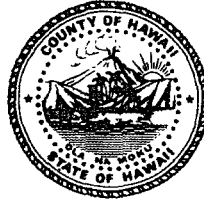
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Enclosure - SMM No. 09-000124
Department of Public Works Memorandum dated August 13, 2009

xc w/encls: Long Range Planning Division
Mr. Norman Hayashi, Planning Division
Department of Parks and Recreation

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

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

Special Management Area Minor Permit No. 09-0000124

Project: Onekahakaha Habitat Restoration/Mangrove Eradication Project
Applicant: Malama O Puna: Rene Siracusa, Ann Kobsa
Location: Keaukaha, South Hilo, Hawaii
TMKs: 2-1-014:013 and 035
Land Area: 21.091 and 7.383 acres respectively

Applicant's Request

1. Project Description:

The applicant proposes to eradicate the alien invasive plant, red mangrove (*Rhizophora mangle*), from Onekahakaha Beach Park in Hilo, Hawaii. This entails the application of herbicide and physical cutting of the mangroves until they are successfully eradicated from the site. Large trees will be killed using a drill and inject method, while smaller trees will be manually sprayed with herbicide.

2. Purpose of Project:

The purpose of this project is to protect and reclaim the Onekahakaha Beach Park coastline by eradicating the 4-acre infestation of red mangrove from the tidal zone and adjacent lands.

3. Project Valuation: \$15,750.

4. Determination:

According to Chapter 205A-22(2), Hawaii Revised Statutes (HRS), and Planning Commission (PC) Rule No. 9-4(10)A(ii) relating to the Special Management Area, "Grading, removing, dredging, mining, or extraction of any materials;" and HRS Chapter 205A-22(4) and PC Rule No. 9-4(10)A(iv) relating to the SMA, "Change in the intensity of use of water, ecology related thereto, or of access thereto," 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:** Urban
2. **General Plan:** Open and Resort
3. **County Zoning:** Open
4. **Special Management Area (SMA):** The parcels are all located in the SMA, and have frontage along the coastline.
5. **Flood Zone:** Zone VE as designated on the Flood Insurance Rate Map (FIRM). Flood zone VE is the Special Flood Hazard Area inundated by the 100-year coastal flood.

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

The project area is along the coastline and into the intertidal zone of the subject parcels. Therefore, public access to the shoreline or public use of the shoreline area may be affected intermittently throughout the life of the project. However, the project area is currently infested with mangroves, which themselves impede accessibility to the shoreline. One outcome of the project is that it will improve accessibility to the shoreline with the removal this impassable vegetation.

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 tsunامي, 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.

While the project is to occur on County owned lands, this project has been declared exempt from the preparation of an environmental assessment as required by HRS Chapter 343 and HAR Chapter 11-200. This exemption is based on County of Hawai'i Department of Parks and Recreation of *Landscaping within existing parks*, exemption class 4, as approved on August 8, 2001.

The estimated project cost of approximately \$15,750 is not in excess of \$125,000.

The enclosed Department of Public Works memorandum dated August 13, 2009, stated the following:

"We have reviewed the subject application for compliance with Chapter 27, Floodplain Management, forwarded by your memo dated August 5, 2009, and have no objections to the request.

The subject parcels are 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."

Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 09-000124** is hereby approved for the eradication of the alien invasive red mangrove (*Rhizophora mangle*) from the subject parcels. 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. 09-000124** 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. The applicant shall cut trees and vegetation by hand only and shall take care to minimize disturbance to the soil when removing the vegetation.
4. All debris from vegetation cutting shall be removed from the SMA and disposed of in a county approved green waste facility to avoid the possibility of any cut material making its way to the tidal zones and marine waters.

5. 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:



B. LEITHEAD TODD
Planning Director


Date

PLANNING DEPARTMENT
COUNTY OF HAWAII

2009 AUG 14 AM 10:20

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: August 13, 2009

Memorandum

TO: BJ Leithead Todd, Planning Director

FROM: *for* Department of Public Works

SUBJECT: SMA USE PERMIT ASSESSMENT APPLICATION (SAA 09-000469)

Applicant: Malama O Puna: Rene Siracusa, Ann Kobsa

Land Owner: County of Hawaii

Request: Coastal Habitat Restoration though Eradication of Red Mangrove

Location: Keaukaha, South Hilo, Hawaii

Tax Map Key: 2-1-14: 013 & 035

We have reviewed the subject application for compliance with Chapter 27, Floodplain Management, forwarded by your memo dated August 5, 2009, and have no objections to the request.

The subject parcels are 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.

Questions may be referred to Mr. Kelly Gomes at 961-8327.

