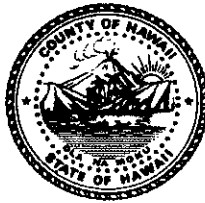


William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy Director

County of Hawai'i

PLANNING DEPARTMENT

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Special Management Area Minor Permit No. 11-000189

Project: Eradication of Red Mangrove and Pickleweed,
Replanting with Native Coastal Flora, and
Installation of an Interpretative Sign
Applicant: Malama O Puna: Rene Siracusa & Ann Kobsa
Land Owner: State of Hawaii
Tax Map Key: 7-4-8:71 **Land Area:** 218.45 acres

Applicant's Request

1. Project Description:

The proposal is to eradicate the alien invasive Red Mangrove and Pickleweed, and replant with native coastal flora. Larger mangroves will be cut low to the ground using hand saws, machetes, and/or chain saws. Mangrove keiki will be cut using sickles and clippers. Pickleweed will also be cut or pulled and removed from the area. Regrowth will be cut or burned with a weed torch.

By letter dated July 19, 2011, the Department of Land and Natural Resources stated that "This project is exempt from conducting an Environmental Assessment pursuant to HAR §11-200-8 (4) *Minor alterations in the conditions of land, water, or vegetation.*"

Also proposed is the installation of a reef etiquette sign for Alula Bay. It will be a 36"x24" 2-post pedestal attached with tamper-proof bolts in a concrete footing. The proposed location will be just to the north of the access trail to the beach, near the parking area.

2. Purpose of Project:

The primary objective is the protection of the coastline from the alien nuisance species red mangrove and to reclaim the Alula Bay area from the thick growth of Mangrove and Pickleweed that has invaded 0.7 acres of the tidal zone there. Natural

terrestrial plant communities will be restored and preserved which would aid in maintaining the native ecology of the area.

The sign will educate people to the fragility of the reefs and marine life prior to entering the water. Alula Beach, also known as Crescent Beach, is a snorkeling/diving area near the mouth of Honokōhau Harbor.

3. Project Valuation: \$32,000

4. Determination:

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(e)(1)(B) and (A) relating to the Special Management Area, “development” includes “*Grading, removing, dredging, mining, or extraction of any materials*” and “*Placement or erection of any solid material or any gaseous, liquid, solid, or thermal waste*”, respectively. Therefore, the proposed project requires a SMA Minor Permit.

State and County Plans

- 1. State Land Use District:** The subject property is designated Conservation and Urban by the State Land Use Commission.
- 2. General Plan:** The Hawai‘i County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the parcel as Open.
- 3. Kona Community Development Plan (KCDP):** The proposed activity is not contrary to the goals, objectives and policies of the KCDP.
- 4. County Zoning:** The subject property is zoned Open (O).
- 5. Special Management Area (SMA):** The subject parcel is located in the SMA and has frontage along the shoreline.
- 6. Flood Zone:** Flood Zone “VE”, “AE” and “X”.

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

The subject parcel has frontage along the coastline. Though public access to the shoreline or public use of the shoreline area may be affected intermittently throughout the life of the project, the area is currently infested with Mangroves and Pickleweed. One outcome of the project is that it will improve accessibility to the shoreline with the removal of this impassable vegetation.

It is also anticipated that the proposed sign will not have any negative impact on public access to the shoreline or negatively affect shoreline 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 Hawai'i 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, 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 Hawai'i 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 \$32,000 is not in excess of \$125,000.

By enclosed memorandum dated August 11, 2011, the Department of Public Works, Engineering Division had the following comments:

"We reviewed the subject application and our comments are as follows:

We have determined that the subject property is located within Flood Zone "VE", "AE", & "X" according to the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA).

Alterations within Zones AE and VE are subject to the requirements of Chapter 27, Flood Plain Management, of the Hawai'i County Code. However, the proposed removal of invasive vegetation, with hand tools, is exempt from regulation by Chapter 27."

Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 11-000189** is hereby approved to allow for the eradication of Red Mangrove and Pickleweed, replanting with native coastal flora, and the installation of an interpretative sign, subject to conditions of approval as specified below.

Conditions of Approval

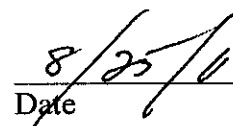
The Planning Director has approved **SMA Minor Permit No. 11-000189** subject to the following conditions:

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. All activities shall be completed within three (3) years of the date of approval of the last required Federal and State permits.

4. Only hand tools such as hand saws, machetes, chain saws, sickles, clippers and a weed torch will be used for the removal of the Mangroves and the Pickleweed.
5. Since there may be ponds in the area that have surface connection to the sea, areas located a good distance from the sea can still be affected by tidal action. Therefore, all debris from vegetation cutting shall be removed to avoid the possibility of any cut material making its way to the tidal zones and marine waters.
6. All green waste shall be collected and disposed of off-site at appropriate locations designated by the Department of Environmental Management for green waste.
7. The installation of the sign shall be done using only hand tools. The use of heavy equipment is prohibited.
8. Prior approval by the Planning Director is required if there is any change in the location of the sign.
9. 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.
10. 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 determination; 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).
11. Should any of the conditions not be met, the Planning Director shall initiate procedures to revoke the permit.

APPROVED:


BJ LEITHEAD TODD
Planning Director


Date