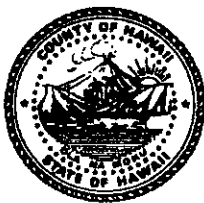


William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
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County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

Special Management Area Minor Permit No. 12-000253

Project: Allow Existing and Additional Telecommunication Facility on the Rooftop of the Hilton Waikoloa Village
Applicant: AT&T Wireless
Land Owner(s): Global Resort Partners and Hilton Land Investment I LLC
Location: Anaehoomalu, South Kohala, Hawai'i
TMK: (3) 6-9-007:014 **Land Area:** 61.354 acres

Applicant's Request

1. Project Description:

The applicant proposes the approval of the existing telecommunication facility already in operation on the rooftop of the existing Hilton Waikoloa Village's Ocean Tower. AT&T is also proposing an upgrade that will involve the addition of new antennas and equipment to the rooftop. The new antenna will be mounted to the exterior wall of the rooftop mechanical room, and the new equipment cabinets will be located inside of the mechanical room. There will be a total of fifteen (15) panel antennas. AT&T will also be adding six (6) radio remote units and three (3) surge suppressors to be installed on the exterior walls of the mechanical room and below the new antennas. In addition, one (1) new GPS antenna will be mounted on the top of the mechanical room.

2. Purpose of Project:

The objectives of this project are to upgrade the existing facility in order to bring the latest in wireless digital technology to the local community. By upgrading its statewide network, AT&T will be able to better serve the local community as well as many visitors to this area with more reliable service and faster connection speeds.

3. Project Valuation: \$45,000

4. Determination:

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(e) (1) (E) relating to the Special Management Area, the "Construction, reconstruction, demolition, or alteration of the size of any structure" is defined as "development." Therefore, the approval of the existing telecommunications facility and proposed improvements require an 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 subject property for Resort Node and Open.
3. **County Zoning:** The subject property is zoned Resort-Hotel (V-1.25) and Open.
4. **Special Management Area:** The subject property is located in the SMA, but the project site is not located in a "shoreline area" as defined by Section 205A-41, Hawai'i Revised Statutes (HRS).
5. **Flood Zone:** X

Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes (HRS), Regarding the Special Management 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 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.
- ☒ 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 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 \$47,000 is not in excess of \$500,000.

The enclosed Department of Public Works, Engineering Division memorandum dated March 20, 2012, states the following:

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

We have determined that Ocean Tower is located within Flood Zone "XX" according to the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA).

The above information is based on the most recent FIRM for the County of Hawai'i. Zone "X" is not a designated Special Flood Hazard Area. A Zone "X" designation does not imply that the referenced property will be free from flooding or flood damage. A property not in a Special Flood Hazard Area may be damaged by a greater flood than that predicted on the FIRM or from a local drainage problem not shown on the map. Should a watercourse affect the property, it shall not be altered without first obtaining approval from DPW and a grading permit. A flood study may be required under Chapter 27 of Hawai'i County Code for watercourse alterations."

Pursuant to Planning Commission Rule Section 9-10(e), **Special Management Area Minor Permit No. 12-000253** is hereby approved for the existing telecommunications facility and proposed improvements, subject to the applicant's compliance with the conditions of approval as specified below.

Conditions of Approval

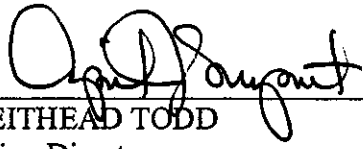
The Planning Director has approved SMA Minor Permit No. 12-000253, subject to the following conditions:

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. Applicant shall secure Plan Approval for the telecommunications facility and proposed improvements within one year from the effective date of this SMA Minor Permit.
4. 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.
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.

If you have questions, please feel free to contact Bethany Morrison of this department at 961-8138.

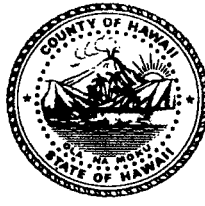
APPROVED:



for BJ LEITHEAD TODD
Planning Director

12-21-12
Date

Harry Kim
Mayor



Michael Yee
Director

Daryn Arai
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
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County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

April 3, 2018

Mr. Mark Bullard
Wireless Network Support
mark@wirelessns.net

Dear Mr. Bullard:

SUBJECT: Special Management Area Minor Permit No. 12-000253 (SMM-12-000253)
Landowner: Hilton Land Investment 1 LLC
Request: Proposed Upgrades to the AT&T Facility
Tax Map Key: (3) 6-9-007:014; 'Anaeho'omalu, South Kohala, Hawai'i

This is to acknowledge receipt on March 15, 2018, of the subject request to upgrade AT&T's equipment at their telecommunication facility on the Hilton Waikoloa Village's Ocean Tower.

SMM 12-000253 allowed for the existing and additional telecommunication facility on the rooftop of the Hilton Waikoloa Village's Ocean Tower. Proposed is replacement of 6 antenna masts and 6 antennas, addition of 3 Remote Radio Units, replacement of 6 RRUs and addition of 3 DC6 Surge Suppressors. Final count will be 12 antennas and 15 RRUs.

The subject parcel consists of 48.267 acres. The parcel is zoned Resort-Hotel (V-1.25) by the County and is designated Urban by the State Land Use Commission. In addition, the Hawai'i County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the parcel as Resort Node and Open. The property is located entirely within the Special Management Area (SMA); however, the project site is not located in a "shoreline area" as defined by Hawai'i Revised Statutes (HRS) Chapter 205A-41.

After review of the subject request, the Planning Department has determined that the proposed scope of work on the subject property is consistent with the conditions of SMM 12-000253. It is the landowner's responsibility to adhere to all conditions set forth by the enclosed SMM 12-000253.


While further review of the request to upgrade AT&T's equipment against the Special Management Area rules and regulations will not be required, all other applicable Zoning and Building Code requirements must be satisfied.

APR 03 2018

Mr. Mark Bullard
Wireless Network Support
April 3, 2018
Page 2

If you have questions or require further information, please feel free to contact Esther Imamura of this office at (808) 961-8139.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Yee", with a large, stylized flourish at the end.

En MICHAEL YEE
Planning Director

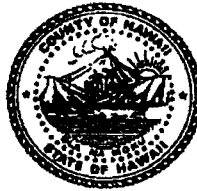
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Enclosure: SMM 12-000253

cc: Planning Department, Kona

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

West Hawai'i Office
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Special Management Area Minor Permit No. 12-000253

Project: Allow Existing and Additional Telecommunication Facility on the Rooftop of the Hilton Waikoloa Village
Applicant: AT&T Wireless
Land Owner(s): Global Resort Partners and Hilton Land Investment I LLC
Location: Anaehoomalu, South Kohala, Hawai'i
TMK: (3) 6-9-007:014 **Land Area:** 61.354 acres

Applicant's Request

1. Project Description:

The applicant proposes the approval of the existing telecommunication facility already in operation on the rooftop of the existing Hilton Waikoloa Village's Ocean Tower. AT&T is also proposing an upgrade that will involve the addition of new antennas and equipment to the rooftop. The new antenna will be mounted to the exterior wall of the rooftop mechanical room, and the new equipment cabinets will be located inside of the mechanical room. There will be a total of fifteen (15) panel antennas. AT&T will also be adding six (6) radio remote units and three (3) surge suppressors to be installed on the exterior walls of the mechanical room and below the new antennas. In addition, one (1) new GPS antenna will be mounted on the top of the mechanical room.

2. Purpose of Project:

The objectives of this project are to upgrade the existing facility in order to bring the latest in wireless digital technology to the local community. By upgrading its statewide network, AT&T will be able to better serve the local community as well as many visitors to this area with more reliable service and faster connection speeds.

3. Project Valuation: \$45,000

4. Determination:

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(e) (1) (E) relating to the Special Management Area, the "Construction, reconstruction, demolition, or alteration of the size of any structure" is defined as "development." Therefore, the approval of the existing telecommunications facility and proposed improvements require an 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 subject property for Resort Node and Open.
3. **County Zoning:** The subject property is zoned Resort-Hotel (V-1.25) and Open.
4. **Special Management Area:** The subject property is located in the SMA, but the project site is not located in a "shoreline area" as defined by Section 205A-41, Hawai'i Revised Statutes (HRS).
5. **Flood Zone:** X

Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes (HRS), Regarding the Special Management 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 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 \$47,000 is not in excess of \$500,000.

The enclosed Department of Public Works, Engineering Division memorandum dated March 20, 2012, states the following:

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

We have determined that Ocean Tower is located within Flood Zone "XX" according to the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA).

The above information is based on the most recent FIRM for the County of Hawai'i. Zone "X" is not a designated Special Flood Hazard Area. A Zone "X" designation does not imply that the referenced property will be free from flooding or flood damage. A property not in a Special Flood Hazard Area may be damaged by a greater flood than that predicted on the FIRM or from a local drainage problem not shown on the map. Should a watercourse affect the property, it shall not be altered without first obtaining approval from DPW and a grading permit. A flood study may be required under Chapter 27 of Hawai'i County Code for watercourse alterations."

Pursuant to Planning Commission Rule Section 9-10(e), **Special Management Area Minor Permit No. 12-000253** is hereby approved for the existing telecommunications facility and proposed improvements, subject to the applicant's compliance with the conditions of approval as specified below.

Conditions of Approval

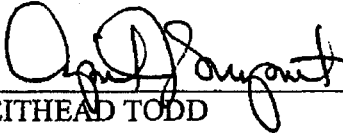
The Planning Director has approved **SMA Minor Permit No. 12-000253**, subject to the following conditions:

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. Applicant shall secure Plan Approval for the telecommunications facility and proposed improvements within one year from the effective date of this SMA Minor Permit.
4. 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.
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.

If you have questions, please feel free to contact Bethany Morrison of this department at 961-8138.

APPROVED:



for BJ LEITHEAD TODD
Planning Director

12-21-12
Date