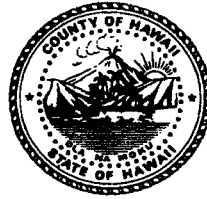


Harry Kim
Mayor



Michael Yee
Director

Daryn Arai
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
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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

January 12, 2018

Mr. Bob Kirk
12-159 Mapuana Ave.
Pāhoa, HI 96778

Dear Mr. Kirk:

**SUBJECT: Special Management Area (SMA) Assessment Application No. 17-001555
(SAA 17-001555)**

Special Management Area Minor Permit No. 18-000379 (SMM 18-000379)

Applicant: Hazen Komraus

Owner: Kalapana Seaview Estates

**Request: Removal of Existing Mailbox and Construction of a
New 500-unit Mailbox Shelter**

Tax Map Key: (3) 1-2-034:009, Ke'ekē'e-Kehena, Puna, Hawai'i

We have reviewed the subject Special Management Area Use Permit Assessment Application (SAA 17-001555), submitted on July 10, 2017. Also acknowledged is receipt of additional information and a time extension to January 12, 2018, in which to review the application. Proposed is the construction of a 475 square-foot mailbox shelter to house and protect 500 individual mailboxes for the Seaview community. The existing mailbox structure was determined to be encroaching into the County right-of-way, and the owner has been directed to remove it.

The subject 1.5947 acre project location is zoned Agricultural (A-3a) by the County and designated Agricultural by the State Land Use Commission. The parcel is also designated as Rural (Rur) by the Hawai'i County General Plan Land Use Pattern Allocation Guide (LUPAG) Map. Although the entire parcel is located within the Special Management Area, the project site is not currently located in a "shoreline area" as defined by Section 205A-41, Hawai'i Revised Statutes (HRS). Therefore the requirement to submit a current certified shoreline survey is waived.

Special Management Area Determination:

According to Hawai'i Revised Statutes (HRS) Chapter 205A-22 and Planning Commission (PC) Rule No. 9-4(e)(1)(E) and 9-4(e)(1)(B), "development" includes "Construction, reconstruction,

JAN 12 2018

Mr. Bob Kirk
January 12, 2018
Page 2

demolition, or alteration of the size of any structure.” Therefore, we have determined that the proposed removal of the existing mailbox structure and construction of a new 475 square-foot mailbox shelter to house and protect 500 individual mailboxes is considered “development” and requires a review against the SMA rules and regulations.

Based on the above and pursuant to Planning Commission Rule Section 9-10(e), Special Management Area Minor Permit No. 18-000379 is hereby issued for removal of the existing mailbox structure and construction of a new 475 square-foot mailbox shelter to house and protect 500 individual mailboxes for the Seaview community. It is the applicant’s responsibility to read and comply with the conditions listed in the enclosed permit.

If you have any questions, please contact Lucas Mead of this office at (808) 961-8140.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Yee', with a long horizontal flourish extending to the right.

MICHAEL YEE
Planning Director

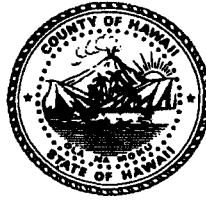
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Encl. Special Management Area Minor Permit No. 18-000379

Cc: Bob Kirk <punabob@gmail.com>
Hazen Komraus <hazenkomraus@hotmail.com>

Harry Kim
Mayor



Michael Yee
Director

Daryn Arai
Deputy Director

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Special Management Area Minor Permit No. 18-000379

Project: Seaview Mailbox Shelter
Applicant: Hazen Komraus
Owner: Kalapana Seaview Estates
Request: Removal of Existing Mailbox and Construction of a New 500-unit Mailbox Shelter
Location: Ke'ekē'e-Kehena, Puna, Hawai'i
TMKs: (3) 1-2-034:009 **Land Area:** 1.5947 acres

Applicant's Request

1. Project Description:

The applicant proposes the removal of the existing mailbox structure and construction of a new 475 square-foot mailbox shelter to house and protect 500 individual mailboxes.

2. Purpose of Project:

The existing mailbox structure was determined to be encroaching into the County right-of-way, and the owner has been directed to remove it. The proposed replacement is a 475 square-foot mailbox shelter to house and protect 500 individual mailboxes.

3. Project Valuation: \$25,000

4. Determination:

According to Hawai'i Revised Statutes (HRS) Chapter 205A-22 and Planning Commission (PC) Rule No. 9-4(e)(1)(E) and 9-4(e)(1)(B), "development" includes "*Construction, reconstruction, demolition, or alteration of the size of any structure.*" Therefore, we have determined that the proposed removal of the existing mailbox structure and construction of a new 475 square-foot mailbox shelter to house and protect 500 individual mailboxes is considered "development" and requires a review against the SMA rules and regulations.

State and County Plans

- 1. State Land Use District:** The project area is located in the State Land Use Agricultural district.
- 2. General Plan:** The project area is designated Rural (Rur) by the Hawai'i County General Plan Land Use Pattern Allocation Guide (LUPAG) Map.
- 3. County Zoning:** The parcel is zoned Agricultural (A-3a) by the County of Hawai'i.
- 4. Special Management Area:** The parcel is located entirely within the Special Management Area (SMA).

5. Flood Zone: X.

<p align="center">Compliance with Objectives and Policies of Chapter 205A, Hawai'i Revised Statutes (HRS), Regarding the Special Management Area</p>

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, regarding Environmental Impact Statements.

Findings

1. 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.
2. The proposed development is consistent with the Hawai'i County General Plan and Zoning Code.
3. The proposed development is also consistent with the objectives, policies, and SMA guidelines of Chapter 205A, HRS.
4. The estimated project cost of \$25,000 is not in excess of \$500,000.
5. Consultation with the Department of Public Works, Engineering Division, indicates the property is located within Zone X according to the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Zone X is the area determined to be outside the 0.2% annual chance floodplain.
6. Pursuant to PC Rule Section 9-10(e), the Planning Director hereby approves the removal of the existing mailbox structure and construction of a new 475 square-foot mailbox shelter to house and protect 500 individual mailboxes as substantially presented in Special Management Area Assessment Application No. 17-001555 (SAA 17-001555).

Conditions of Approval


This SMA Minor Permit is 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 demolition and construction activity shall be completed within two (2) years from the date of this permit.
4. All waste shall be properly disposed of subject to the requirements of Chapter 20 - Refuse, of the Hawai'i County Code and may require a Landfill Disposal Permit from the Department of Environmental Management, Solid Waste Division.

5. All new construction shall occur outside of the County right-of-way.
6. Any further grading, grubbing, filling or other construction activity including but not limited to the construction of structures of any type shall require further review and approval as provided under Chapter 205A, HRS and Rule 9, Planning Commission Rules of Practice and Procedure.
7. 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.
8. 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).
9. 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 any questions, please contact Lucas Mead of this department at (808) 961-8140.

APPROVED:



MICHAEL YEE
Planning Director

1/12/18

Date