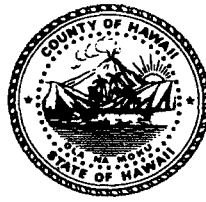


Harry Kim  
Mayor



Michael Yee  
Director

Daryn Arai  
Deputy Director

West Hawai'i Office  
74-5044 Ane Keohokalole Hwy  
Kailua-Kona, Hawai'i 96740  
Phone (808) 323-4770  
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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

February 26, 2018

Mr. Ralph D. Blancato  
P.O. Box 310  
Kapa'au, HI 96755  
<ralphblancato@gmail.com>

Dear Mr. Blancato:

**SUBJECT: Special Management Area (SMA) Use Permit Assessment Application  
(SAA 17-001525)**

**Special Management Area (SMA) Minor Use Permit (SMM 18-000384)**

**Applicant: Ralph D. Blancato**

**Land Owner(s): Ralph D. Blancato and Craig O. Matkin Trust**

**Project: Conversion of Farm Shed into a Second Additional Farm  
Dwelling and Drilling of a New Water Well**

**TMK: (3) 5-4-009:026, North Kohala, Hawai'i**

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We have reviewed the subject Special Management Area Use Permit Assessment Application (SAA 17-001525), submitted on August 3, 2017. Additional materials required for application review were received through October 27, 2017. Thank you for your patience while we processed the subject application.

The applicant proposes the following improvements: 1) increase the footprint of the existing farm shed by 342 square feet and remodel to include 2 bedrooms and 1 bathroom, 2) change the use of the existing farm shed from agricultural storage to a second additional farm dwelling, and 3) drill a well to supply the property with a reliable source of ground water.

The subject 13.166 acre parcel is zoned Agricultural (A-20a) by the County of Hawai'i and is situated within the State Land Use Agricultural and Conservation districts. According to the County of Hawai'i General Plan 2005 (as amended) Land Use Pattern Allocation Guide (LUPAG) map, the subject property is designated as Important Agricultural Lands and Open. The entire property is located within the Special Management Area (SMA) and abuts the shoreline; however, the project area is not located in a "shoreline area" as defined by Section 205A-41, Hawai'i Revised Statutes (HRS). As the project area is not located in a "shoreline area," the requirement to submit a current certified shoreline survey is waived for the above-listed scope of work.


**Special Management Area Determination:**

According to Chapter 205A-22, Hawai'i Revised Statutes (HRS), and Planning Commission (PC) Rule No. 9-4 (e)(1)(E) relating to Special Management Area (SMA), "*construction, reconstruction, demolition or alteration of the size of any structure,*" the "*change in the density or intensity of use of land,*" and the "*change in the intensity of use of water, ecology related thereto, or of access thereto*" is defined as "development." Therefore, the proposed alteration of the existing farm shed and associated change of use from agricultural storage to residential, and the drilling of a water well on the property is considered "development" and requires a review against the Special Management Area rules and regulations and requires an SMA Minor Permit.

We find that the proposed actions will not have a cumulative impact or a significant adverse environmental or ecological effect on the SMA. Therefore, pursuant to Planning Commission Rule Section 9-10(e), Special Management Area, Minor Permit No. SMM 18-000384, is hereby issued for the project as described above. 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,



*MY* MICHAEL YEE  
Planning Director

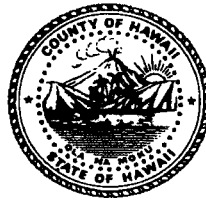
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Enclosures: SMM No. 18-000384  
DPW Memorandum dated March 4, 2010

cc w/Encls.: Administrative Permits Division (via email)

cc ltr. only: Mr. Leo Asuncion, Director  
Office of Planning, DBEDT  
State of Hawai'i Department of Business, Economic  
Development & Tourism  
P.O. Box 2359  
Honolulu, HI 96804-2359

Harry Kim  
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## County of Hawai'i

### PLANNING DEPARTMENT

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### **Special Management Area Minor Permit No. 18-000384**

**Project:** Conversion of a Farm Shed into a Second Additional Farm Dwelling and Drilling of a New Water Well

**Applicant:** Ralph D. Blancato

**Owner:** Ralph D. Blancato and Craig O. Matkin Trust

**Location:** North Kohala, Hawai'i

**TMK:** (3) 5-4-009:026 **Land Area:** 13.166 acres

#### **Applicant's Request**

**1. Project Description:**

The applicant proposes the following improvements: 1) increase the footprint of the existing farm shed by 342 square feet and remodel to include 2 bedrooms and 1 bathroom, 2) change the use of the existing farm shed from agricultural storage to a second additional farm dwelling, and 3) drill a water well to supply the property with a reliable source of ground water.

**2. Purpose of Project:**

The proposed actions are in support of the farm-related activities on the parcel.

**3. Project Valuation:** \$42,000

**4. Determination:**

According to Chapter 205A-22, Hawai'i Revised Statutes (HRS), and Planning Commission (PC) Rule No. 9-4 (e)(1) relating to Special Management Area (SMA), "*construction, reconstruction, demolition or alteration of the size of any structure,*" the "*change in the density or intensity of use of land,*" and the "*change in the intensity of use of water, ecology related thereto, or of access thereto*" is defined as "development." Therefore, the proposed alteration of the existing farm shed and associated change of use from agricultural storage to residential, and the drilling of a water well on the property is considered "development" and requires a review against the Special Management Area rules and regulations and requires an SMA Minor Permit.

#### **State and County Plans**

- 1. State Land Use District:** The parcel is designated Agricultural and Conservation by the State Land Use Commission; the project site is located within the Agricultural district.

2. **General Plan:** The parcel is designated as Important Agricultural Lands (IAL) and Open by the Hawai‘i County General Plan Land Use Pattern Allocation Guide (LUPAG) Map.
3. **County Zoning:** The parcel is zoned Agricultural (A-20a).
4. **Special Management Area:** The subject property is located within the SMA and does abut the shoreline; however, the project area is not located in a “shoreline area” as defined by Section 205A-41, Hawai‘i Revised Statutes (HRS).
5. **Flood Zone:** “X”

<p style="text-align: center;"><b>Compliance with Objectives and Policies of Chapter 205A, Hawai‘i Revised Statutes (HRS), Regarding the Special Management Area</b></p>
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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.

<b>Findings</b>
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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. Pursuant to SMA Minor Permit No. 10-000143, the Shoreline Setback Line was established at 350 feet mauka (inland) from the top of the sea cliff. All proposed improvements within SMA Minor Permit No. 18-000384 are mauka of the established Shoreline Setback Line and therefore are outside of the Shoreline Area and the State Land Use Conservation district.
3. The proposed development is consistent with the objectives, policies, and SMA guidelines of Chapter 205A, HRS.
4. The estimated project cost of \$42,000 for new construction is not in excess of \$500,000.
5. The enclosed Department of Public Works, Engineering Division memorandum dated March 4, 2010, states the following:

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

*"[...] 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 Hawaii County Code for watercourse alterations."*

### **Approved Uses, Activities and Operations**

Pursuant to Planning Commission Rule Section 9-10(e), **Special Management Area Minor Permit No. 18-000384** is hereby approved to: 1) increase the footprint of the existing farm shed by 342 square feet and remodel to include 2 bedrooms and 1 bathroom, 2) change the use of the existing farm shed from agricultural storage to a second additional farm dwelling, and 3) drill a water well to supply the property with a reliable source of ground water, 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. 18-000384**, 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 apply for a second additional farm dwelling from this Department prior to applying for a building permit for the conversion of the farm shed into a second additional farm dwelling. The granting of this minor permit does not imply the approval of a second additional farm dwelling agreement is warranted. Should a second farm dwelling agreement not be secured within one year of the date of this permit, this permit shall be considered void.
4. All activities authorized by this permit shall take place a minimum of 350 feet mauka of the sea cliff, which is the shoreline setback line for the property established through SMA Minor Permit No. 10-00143. Any work makai of this shoreline setback line will require further approvals from this office and appropriate authorization from the State with respect to actions within the State Land Use Conservation district.
5. Any further uses, activities or operations proposed for the subject property shall require further review and approval as provided under Chapter 205A of the Hawai'i Revised Statutes, and Rule 9 of Planning Commission Rules of Practice and Procedure.
6. If discoveries of historic properties, such as lava tube openings, concentrations of artifacts (shell, bone or charcoal deposits, etc.), structural remains or human skeletal remains are made, the applicant shall cease work in the immediate vicinity of the find, protect the find from additional disturbance and contact the State Historic Preservation Division at (808) 933-7651 for further guidance. 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 DLNR-SHPD.

7. 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).
8. 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 feel free to contact Lucas Mead at (808) 961-8140.

APPROVED:

  
MICHAEL YEE  
Planning Director

2/26/18  
Date

DEPARTMENT OF PUBLIC WORKS  
COUNTY OF HAWAII  
HILO, HAWAII

DATE: March 4, 2010

**Memorandum**

**TO :** B.J. Leithead-Todd, Planning Director  
Planning Department

**FROM :** Galen M. Kuba, Division Chief *GK*  
Engineering Division

**SUBJECT :** Special Management Area Use Permit  
Assessment Application (SAA 10-000537)  
Applicant: Ralph D. Blancato and Craig O. Matkin  
Request: Construct Additional Farm Dwelling  
Location: Laaumana and Portion of Kapaau, North Kohala  
TMK: 3 /5-4-009:026

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

We have determined that the subject property is located within Flood Zone "X" 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 Hawaii. This memo does not imply that the referenced property will be free from flooding or flood damage. Zone "X" is not a designated Special Flood Area. 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 Hawaii County Code for watercourse alterations.

Should there be any questions concerning this matter, please feel free to contact Kiran Emler of our Kona Engineering Division office at 327-3530.

KE  
copy: ENG-HILO/KONA

