

CERTIFIED MAIL

September 4, 1986

Mr. David Higa, Chief
State Department of Transportation
Harbors Division
79 South Nimitz Highway
Honolulu, HI 96813

Dear Higa:

Special Management Area Use Permit and
Shoreline Setback Variance Applications
Tax Map Key: 2-1-09:7 & 13

The Planning Commission at its duly held public hearing on August 28, 1986, voted to approve your applications, Special Management Area Use Permit No. 244 and Shoreline Setback Variance No. 633, to allow the construction of a storage yard, comfort station, and related improvements at Hilo Harbor, adjacent to Radio Bay, Waiakea, South Hilo, Hawaii.

Approval of this request is based on the following:

The proposed project is consistent with the Special Management Area objectives, policies, and guidelines. These were established to provide guidance for the preservation, protection and development of the coastal resources of the State and County. The guidelines identify several areas of management concerns including recreational, historic, and scenic and open space resources, coastal ecosystems, economic uses, and coastal hazards. The project is determined to also be consistent with the objectives, policies and guidelines relating to Shoreline Setback. These were established to protect the shoreline from encroachment of structures and from disturbance of the natural shoreline processes, to assure continued public use and access, and to prevent damage to residential structures and loss of life from high waves and tsunamis.

The proposed project will improve the recreational value of the area by providing safer public access to the boat berthing area and the comfort station. Public access to the shoreline will in no way be restricted. The new comfort station will be located 30 feet from the shoreline thereby not inhibiting lateral access along the shoreline.

SEP 4 1986

Mr. David Higa, Chief
September 4, 1986
Page 2

There are no historic sites that will be affected by the project. The National and State Registers of Historic Places do not list any historic sites on the property.

Though the project includes clearing approximately 40,000 square feet of an undeveloped area to provide the storage area, the vegetation and trees along the shoreline will be untouched to preserve the natural visual scenery. The area to be cleared consists of Ironwood trees and various shrubs and grasses. There are no known rare or endangered species of plant or animal life in this area. The comfort station will be built on a site that has been extensively altered by past development and is already cleared of vegetation.

The coastal ecosystem will not be significantly disrupted by the project. Since the project will be constructed within the existing Hilo Harbor boundaries, it will not endanger any marine or other wildlife. The new comfort station will be connected with the existing County sewer system. During the construction of the facility, there will be a temporary increase in the noise, dust, and internal combustion engine emissions. However, these impacts will be minimal and intermittent in nature. Provisions will be made in the project specifications to control and minimize the temporary adverse effects of construction.

By upgrading the facilities of Hilo Harbor, the economic uses of the area will be benefitted. There will be an increase in the efficiency of equipment use by allowing the project to be completed.

Although the project site is within the Coastal High Hazard area, there are no habitable structures to be built.

The proposed project is encouraged by the following goals as stated in the General Plan:

"Provide transportation terminals and related facilities for the safe, efficient and comfortable movement of people and goods." - Transportation Element.

"Promote and encourage the rehabilitation of industrial areas which are serviced by basic community facilities and utilities." - Land Use Element, Industrial Sub-element.

These same goals are stated in the Hilo Community Development Plan. Finally, the project is consistent with the County Zoning Code which permits...warehousing, and storage buildings and yards..., transportation and tour terminals,...buildings and uses normally considered directly accessory to the above permitted uses.

Mr. David Higa, Chief
September 4, 1986
Page 3

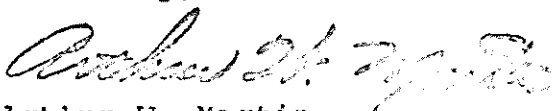
Based on the foregoing, it is determined that the granting of the request will not create a significant adverse effect on the environment and, therefore, will not be contrary to the purpose and intent of Chapter 205-A, HRS, relating to Coastal Zone Management; Rule 9 of the Planning Commission relating to the Special Management Area; Rule 8 of the Planning Commission relating to Shoreline Setback, the Hawaii County Zoning Code; or the General Plan. Furthermore, it is determined that the approval of the subject shoreline setback variance request will be consistent with and supportive of the public interest.

Approval of the SMA Use Permit and Shoreline Setback Variance requests are subject to the following conditions:

1. The petitioner, its successors or assigns shall be responsible for complying with all conditions of approval.
2. Plans for the proposed improvements shall be submitted to the Planning Department for Plan Approval within one year from the effective date of this SMA Use Permit.
3. Construction of the storage area and the comfort station shall commence within one year from the date of receipt of Final Plan Approval and be completed within two years thereafter.
4. Comply with Fire Department requirements.
5. Comply with all other applicable rules, regulations and requirements.
6. The Planning Director may administratively grant extensions to the foregoing conditions. Further, should the Director determine that any of the conditions have not been met or substantially complied with in a timely fashion, the Director shall initiate procedures to nullify the permit.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



Arthur W. Martin
Chairman Pro Tem, Planning Commission

cc: DPED, CZM Program w/background
Department of Public Works
Department of Water Supply
County Real Property Tax Division

bcc: Plan Approval Section