

CERTIFIED MAIL

May 3, 1982

Mr. Carl L. Simons, President
West Hawaii Concrete
P. O. Box 3000
Kailua-Kona, HI 96740

Dear Mr. Simons:

Special Management Area Use Permit Application (82-1)
and Special Permit Application
-Petitioner: West Hawaii Concrete/Mauna Lani Resort, Inc.
TMK: 6-8-01:Portion of 22

The Planning Commission at its duly held public hearing on April 29, 1982, voted to approve your applications, Special Management Area (SMA) Use Permit No. 178 and Special Permit No. 511, to allow the retention of a temporary concrete batching plant and baseyard on 5.25 acres of land situated within the State Land Use Agricultural District for the purpose of supplying on-site construction materials to Mauna Lani Resort, Inc. at Waikoloa, South Kohala, Hawaii.

Approval of these requests are based on the following:

That the subject requests are not anticipated to have any substantial adverse environmental or ecological effects. The purpose of the requests is to allow the retention of a temporary concrete batching plant and baseyard on 5.25 acres of land situated within the State Land Use Agricultural District.

The subject requests are consistent with the Objectives, Policies and Special Management Area Guidelines. These objectives, policies, and guidelines were established by Chapter 205A, Hawaii Revised Statutes to provide guidance for the preservation, protection, and development of the coastal resources of the State and County. They identify several areas of management concern including historic, recreational, and scenic resources, coastal ecosystems, economic uses, and coastal hazards.

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No adverse impacts on coastal ecosystems, aesthetic resources or air and water quality are expected to be generated by this project. The nature and siting of the batching plant and baseyard, situated approximately 5400 feet mauka of the shoreline and 3800 feet makai of the Queen Kaahumanu Highway will minimize any potential impacts to coastal ecosystems or the aesthetic environment of the area. Although the batcher will create some dust, the problem will be locally restricted to Mauna Lani's property. Truck traffic over unpaved sections of the roadways will also create some dust but this can be controlled by periodic sprinkling of these areas.

The area is not known to contain any unique ecological systems, nor provide habitats for any endangered plant or animal species. It also does not contain any known archaeological or historical features. In addition, this project will not have any adverse impacts on public access along the shoreline since the area is quite a distance from the shoreline.

The development is consistent with the County General Plan. The Land Use Pattern Allocation Guide Map component of the General Plan designates the area as Extensive Agricultural/Alternate Urban Expansion. The Alternate Urban Expansion designation applies to potential urbanizing areas or in areas where the urban form of a community has not yet been firmly established. The subject area is situated next to a new development where the urban form of the community has not been firmly established.

That the proposed use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. The purpose of the Land Use Law and Regulations is to protect, preserve, and encourage the development of lands in the State for the public health and welfare of the people of the State of Hawaii. The area under consideration is classified as Agricultural by the State Land Use Commission. The Agricultural District not only includes lands with a high capacity or potential for agricultural uses, but also lands which are surrounded by or contiguous to agricultural and ancillary activities by reason of topography, soils, and other related characteristics. The subject area's dominant soil types are Aa and Pahoehoe lava flows. Aa and Pahoehoe lava flows are rated low for agricultural activities. Although it is possible that some agricultural activities may be conducted on the subject property, it is determined that approval of the subject requests

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would not be contrary to the objectives of the State Land Use Law and Regulations given the low agricultural potential for the subject area and the above-cited criterion for determining the Agricultural District.

That the proposed uses will not adversely affect the surrounding properties and their improvements. The area being proposed for the development is not highly visible from surrounding properties. The site is screened from view by topography and is designed to be compatible with the surrounding area. No other adverse impacts are anticipated at this time.

That the proposed uses will not unreasonably burden public agencies to provide roads and streets and other infrastructures and services. All essential utilities and services are or will be available to the subject area.

That unusual conditions, trends and needs have arisen since the district boundaries and regulations were established. In December 1974, the State Land Use Commission, as part of their five-year urban boundary review, granted a 614-acre urban reclassification to former Conservation and Agricultural designated lands. This change enabled Mauna Lani to proceed with the development of a resort destination which represents a significant shift in conditions, trends and needs for the area.

Based on the foregoing findings, it is determined that the temporary concrete batching plant and baseyard is a reasonable use of land situated within the agricultural district and will promote the effectiveness and objectives of Chapter 205, HRS, as amended.

Approval of this SMA Use Permit and Special Permit requests are subject to the following conditions:

1. That the petitioner or its authorized representative(s) shall be responsible for complying with the stated conditions of approval.
2. That the petitioner or its authorized representative(s) shall receive the necessary permit(s) from the State Department of Health.
3. That the petitioner or its authorized representative(s) shall submit a grading plan and/or program using the

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guidelines of the grading ordinance to the Chief Engineer for his review and approval.

4. That the petitioner or its authorized representative(s) provide on-site detention for runoff meeting with the approval of the Chief Engineer.
5. That within three months from the date of termination of the operation, the land shall be graded to blend with the surrounding areas.
6. That the petitioner or its authorized representative(s) shall submit to the Planning Department a metes and bounds description and map delineating the exact location of the site.
7. That a landscaping plan shall be submitted to the Planning Director for his review and approval.
8. That the petitioner or its authorized representative(s) shall be responsible for taking all necessary precautions so as not to create any inconvenience to surrounding properties particularly with regard to dust problems.
9. That the batching plant activity shall be restricted to supplying materials for projects within the boundaries of Mauna Lani, Inc.'s project area.
10. That the Special Permit for the concrete batching plant and baseyard shall be in effect for a maximum of five years.
11. That within six months from the date of approval of the Special Permit, Mauna Lani Resort Inc. shall submit to the Planning Director a report which describes plans for any additional urban support facilities that may be proposed within the State Land Use Agricultural District. This report shall include a schematic drawing which includes all existing facilities, the location of any proposed additions, and the infrastructural improvements which may accompany these developments.
12. That all other applicable rules, regulations and requirements shall be complied with.

Should any of the foregoing conditions not be met, the SMA Use Permit and Special Permit shall be automatically void.

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

Sincerely,

Guia Whitmore

for

ALFREDO ORITA
CHAIRMAN, PLANNING COMMISSION

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cc: Mauna Lani Resort, Inc.
Department of Public Works
Department of Water Supply
Department of Health
Kona Services Office

bcc: Land Use Controls Division, Planning Dept.