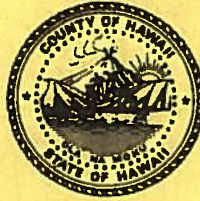


William P. Kenoi
Mayor



BJ Leithead Todd
Director

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County of Hawai'i
PLANNING DEPARTMENT

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October 27, 2011

Ms. Tracy Fukuda
Wilson Okamoto Corporation
Artesian Plaza, Suite 400
1907 South Beretania Street
Honolulu HI 96826

Dear Ms. Fukuda:

Subject: Special Management Area Inquiry
Potable Waterline Improvements
Landowner: Kamehameha Schools (KS)
TMK: 8-3-4:1 & 8-3-5:1, Ke'ei, South Kona, Hawai'i

This is to acknowledge receipt of your October 4, 2011 inquiry regarding what SMA permits or other approvals would be required for the proposed replacement of the existing potable water lines along the makai side of Puuhonua Road and continuing along the existing private road leading to KS's Halau Maluhia.

TMK: 8-3-4:1, consisting of 410.23 acres and TMK: 8-3-5:1, consisting of 24.55 acres, are both designated Conservation by the State Land Use Commission, zoned Open (O) by the County and in the Special Management Area. Although they both have ocean frontage, the project area is over 120 feet from the coastline. Therefore, it is not located in a "shoreline area" as defined by Section 205A-41, Hawai'i Revised Statutes (HRS).

To improve potable water service and to meet County fire flow requirements, KS proposed to replace the "Drisco" lines with an 8-inch waterline, covered with base course or similar materials. Fire hydrants would be located along the line to meet fire protection requirements and lateral lines will be constructed to serve KS parcels.

The Department of Land and Natural Resources, Office of Conservation and Coastal Lands have determined that a Conservation District Use Permit would be required. They have also determined that the proposed project is considered an exempt action pursuant to Chapter 343, HRS, as amended, and HAR, Title 11, Department of Health, Chapter 200.

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Ms. Tracy Fukuda
Wilson Okamoto Corporation
October 27, 2011
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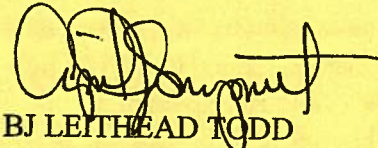
Planning Commission Rule 9-4(e)(2)(D) states that "Development" does not include *"Repair and maintenance of utility lines, including but not limited to water, sewer, power, and telephone and minor appurtenant structures such as pad mounted transformers and sewer pump stations"*.

Although the proposed potable waterline improvements may be determined to exempt from the definition of "development", we are requiring that a Special Management Area Use Permit Assessment Application be submitted for the following reasons:

1. A letter of no effect will be required from the Department of Land and Natural Resources, State Historic Preservation Division for the location of the proposed waterline improvements.
2. Portions of the project site are within or close to the "AE" and "VE" designated areas. Review from the Department of Public Works, Engineering Division for compliance with Chapter 27, Floodplain Management will be required.
3. In accordance with the February, 2010 Memorandum between the County of Hawai'i, Department of Land and Natural Resources and the National Park Service – Ala Kahakai National Historic Trail, we will need to examine the need for conditions to address the lack of any formal provisions for public access to and along the shoreline and/or historic trails.

Should you have any questions, please contact Esther Imamura of this office at 961-8139.

Sincerely,


BJ LEITHEAD TODD
Planning Director

ETI:

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cc: Long Range Planning
Planning Department, Kona
Mr. Rick Gmirkin, National Park Service
Mr. Irving Kawashima, Na Ala Hele
Mr. Allen Salavea, Kamehameha Schools