

William P. Kenoi  
Mayor



BJ Leithead Todd  
Director

Margaret K. Masunaga  
Deputy

## County of Hawai'i

### PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720  
Phone (808) 961-8288 • Fax (808) 961-8742

December 18, 2009

Mr. Samuel J. Lemmo  
Department of Land and Natural Resources  
Office of Conservation and Coastal Lands  
P. O. Box 621  
Honolulu HI 96809

Dear Mr. Lemmo:

**SUBJECT: Request for Comments: CDUA HA-3530  
Gates on Private Access Road for Keawaiki Beach Lots  
TMK: 8-3-5:1, 20 & 21, Kahauloa, South Kona, Hawai'i**

This is in response to the application to install gates on the private access road for Keawaiki Beach Lots.

The County has no jurisdiction since all three parcels are designated Conservation by the State Land Use Commission.

However, a Special Management Area Use Permit Assessment Application (SAA 09-000496) was received by our Department on October 22, 2009. By our letter dated November 19, 2009, a determination was made that either a Special Management Area Minor Permit or a Special Management Area (Major) Use Permit would be required for the installation of the gates.

The November 2009 Draft Environmental Assessment submitted with the application mentioned a trail within the subject properties. Since no other information was included, we requested comments from Mr. Irv Kawashima, Trail and Access Specialist for the Department of Land and Natural Resources, Division of Forestry and Wildlife. Subsequently, we were informed that an abstract to determine if Keawaiki Road is considered a trail under the Highways Act of 1892 is currently under way.

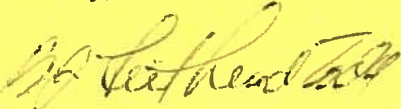


Mr. Samuel J. Lemmo  
Department of Land and Natural Resources  
Office of Conservation and Coastal Lands  
Page 2  
December 18, 2009

Therefore, our final decision on the SMA assessment application is pending a determination on the status of Keawaiki Road.

Should you have any questions, please feel free to contact Esther Imamura of this department at 961-8139.

Sincerely,



BJ LEITHEAD TODD  
Planning Director

ETI

P:\Public\Wpwin60\ETICDUA\Lemmo Bundrant 8-3-5-1 20 21.Rtf

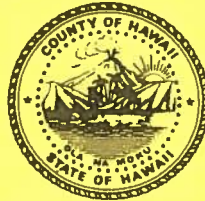
xc: Planning Department – Kona

TRANSMISSION VERIFICATION REPORT

TIME : 12/22/2009 08:55  
NAME : PLANNING  
FAX : 808-9618742  
TEL : 808-9618288  
SER.# : 000H9N993697

DATE, TIME	12/22 08:54
FAX NO./NAME	918085870322
DURATION	00:00:34
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM

William P. Kenoi  
Mayor



BJ Leithead Todd  
Director

Margaret K. Masunaga  
Deputy

## County of Hawai'i

### PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720  
Phone (808) 961-8288 • Fax (808) 961-8742

#### MEMORANDUM

November 19, 2009

**TO: IRV KAWASHIMA**  
**Trail and Access Specialist**  
**DLNR, Division of Forestry and Wildlife**

**FROM: BJ LEITHEAD TODD** *BKT*  
**Planning Director**

**SUBJECT: Special Management Area Use Permit Assessment Application (SAA 09-000496)**  
**Applicant: Charles and Diane Bundrant**  
**Land Owner: B.P. Bishop Estate Trustees**  
**Request: Installation of Two Security Gates on Keawaiki Road**  
**Tax Map Key: 8-3-5:1, Kahauloa, South Kona, Hawai'i**

We received a Special Management Area Use Permit Assessment Application for the installation of two security gates on the privately owned Keawaiki Road.

The Planning Department is responsible for all Special Management Area (SMA) Assessments for development within the SMA. Upon our review, if the proposed project is not exempt from SMA rules and constitutes "development", this department issues a SMA Minor Permit or the Planning Commission may grant a SMA (Major) Use Permit.

If it is determined that the project will require a SMA Minor Permit, we are required to obtain an SMA review from the Department of Public Works for compliance with Chapter 27, Floodplain Management.

According to the Draft Environmental Assessment dated November 2009, Part 3.3.3 Cultural and Archaeological Resources, *Archaeological Studies and Current Assessment* on Page 21, there is mention of a trail identified within the subject property. Therefore, we would like to have your comments on trails that may have been documented within this area.

IRV KAWASHIMA  
Trail and Access Specialist  
DLNR, Division of Forestry and Wildlife  
Page 2  
November 19, 2009

According to Planning Commission Rule No. 9-10(D) regarding the Special Management Area, action must be taken within 35 days from the date of receipt of the application in this office. By this memo, we are requesting your cooperation in providing an expeditious review in light of the 35-day deadline.

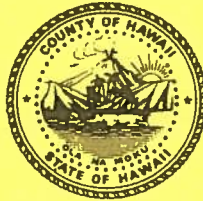
Should you have questions, please contact Esther Imamura at 961-8139.

ETI:cs

P:\Public\Wpwin60\CZM\MEMOS\Memos 2009\SAA 09-496 Bundrant Mooers Na Ala Hele.Rtf

Enclosure

William P. Kenoi  
Mayor



BJ Leithead Todd  
Director

Margaret K. Masunaga  
Deputy

## County of Hawai'i

### PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720  
Phone (808) 961-8288 • Fax (808) 961-8742

#### MEMORANDUM

November 19, 2009

**TO:** WARREN E. LEE  
Director, Department of Public Works

**FROM:** BJ LEITHEAD TODD *BJL*  
Planning Director

**SUBJECT:** Special Management Area Use Permit Assessment Application (SAA 09-000496)  
Applicant: Charles and Diane Bundrant  
Land Owner: B.P. Bishop Estate Trustees  
Request: Installation of Two Security Gates on Keawaiki Road  
Tax Map Key: 8-3-5:1, Kahauloa, South Kona, Hawai'i

This is to acknowledge receipt of a Special Management Area Use Permit Assessment Application for the installation of two security gates on the privately owned Keawaiki Road located on the subject parcel.

The Planning Department is responsible for all Special Management Area (SMA) Assessments for development within the SMA. Upon our review, if the proposed project is not exempt from SMA rules and constitutes "development", this department issues a SMA Minor Permit or the Planning Commission may grant a SMA (Major) Use Permit.

If it is determined that the project will require a SMA Minor Permit, we are required to obtain an SMA review from the Department of Public Works for compliance with Chapter 27, Floodplain Management.

According to Planning Commission Rule No. 9-10(D) regarding the Special Management Area, action must be taken within 35 days from the date of receipt of the application in this office. By this memo, we are requesting your cooperation in providing an expeditious review in light of the 35-day deadline.

Should you have questions, please contact Esther Imamura at 961-8139.

ETI:cs

P:\Public\Wpwin60\CZM\MEMOS\Memos 2009\SAA 09-496 Bundrant Mooers.Rtf

Enclosure