







## STATE OF HAWAI'I DEPARTMENT OF LAND AND NATURAL RESOURCES OFFICE OF CONSERVATION AND COASTAL LANDS POST OFFICE BOX 621

HONOLULU, HAWAI'I 96809

REF:OCCL:TM

Tracy Fukuda, Project Manager Wilson Okamoto Corporation 1907 S. Beretania Street, Suite 400 Honolulu, HI 96826

SUBJECT:

Site Plan Approval for Accessory Land Use Located at Ke'ei, South Kona, island

of Hawai'i, TMK: (3) 8-3-004:001

Dear Ms. Fukuda:

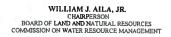
The Office of Conservation and Coastal Lands (OCCL) is in receipt of your request to upgrade the wastewater facility on the noted parcel. The majority of the noted parcel is undeveloped with Halau Maluhia located near the shoreline. Our files indicate that Halau Maluhia was constructed in the 1940's to support military defense during WWII. The facility is a large covered and open building with accessory structures including a composting toilet and storage shed. Halau Maluhia is occasionally used for educational purposes.

Field inspections of the area of potential effect on archaeological resources were conducted by T.S. Dye & Colleagues, Archaeologists, Inc. in December 2012 in addition to consultation with persons knowledgeable about the history of the area. According to Dye, field observation of the area of potential effect yielded no evidence for potentially significant historic properties and there is no likelihood of significant buried cultural deposits.

According to your information, landowner, the Kamehameha Schools would like to convert the existing composting toilet facility to an aerobic system. The improvements will be placed in a previously disturbed area that was modified during construction and maintenance of Halau Maluhia. The aerobic system will be placed underground and consist of a septic tank, aerobic unit, transmission lines and a leach field as illustrated in Exhibit A. The wastewater improvements are identified as a priority recommendation in KS' Ke'ei Management Plan.

## **ANALYSIS**

The subject area appears to be located in the State Land Use Conservation District, General subzone. The lot has been utilized as a facility prior to the advent of the Conservation District; therefore this is a nonconforming facility. The proposed upgrade will improve conditions by providing a better disposal method of wastewater and contribute to public health, safety and welfare.



ESTHER KIA'AINA

WILLIAM M. TAM DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND CASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILD LIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

SPA: HA 13-45

MAR 2 1 2013



The proposed improvement is an identified land use pursuant to the Hawaii Administrative Rules (HAR) §13-5-22, P-9, B-1, STRUCTURES, ACCESSORY, which specifically allows, construction or placement of structures accessory to existing facilities or uses.

The improvements appear to be in a previously disturbed area; are minor in scope and may be considered an exempt action under HAR, §11-200-8(a) (6) construction or placement of minor structures accessory to existing facilities. After careful review, authorization is hereby granted for an aerobic wastewater system located at Ke'ei, South Kona, TMK: (3) 8-3-004:001 subject to the following terms and conditions:

- (1) The permittee shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, state, and county governments, and applicable parts of this chapter;
- (2) The permittee, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit;
- (3) The permittee shall comply with all applicable department of health administrative rules;
- (4) Unless otherwise authorized, any work or construction to be done on the land shall be initiated within one year of the approval of such use, in accordance with construction plans that have been signed by the chairperson, and shall be completed within three years of the approval of such use. The permittee shall notify the department in writing when construction activity is initiated and when it is completed;
- (5) The permittee understands and agrees that the permit does not convey any vested right(s) or exclusive privilege;
- (6) In issuing the permit, the department and board have relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of the permit such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the department may, in addition, institute appropriate legal proceedings;
- (7) When provided or required, potable water supply and sanitation facilities shall have the approval of the department of health and the county department of water supply;
- (8) Where any interference, nuisance, or harm may be caused, or hazard established by the use, the permittee shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;
- (9) Should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact SHPD (692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;

- (10) Other terms and conditions as may be prescribed by the Chairperson; and
- (11) Failure to comply with any of these conditions shall render this approval null and void.

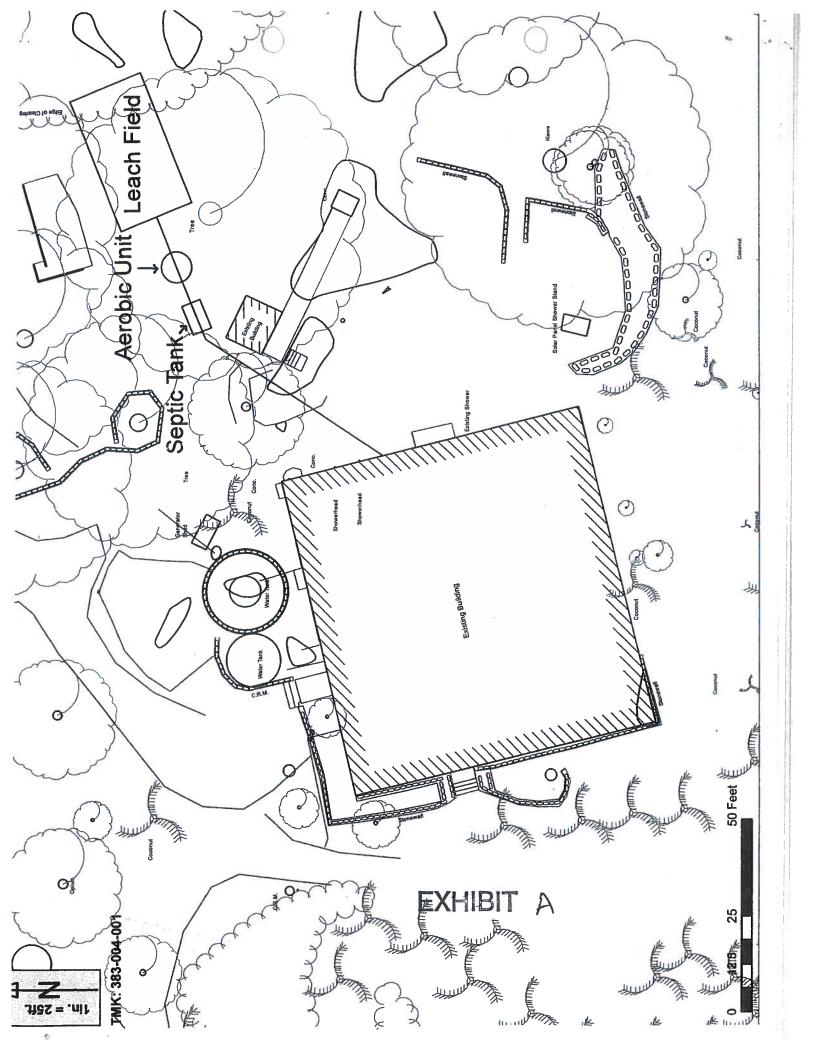
Please acknowledge receipt of this approval, with the above noted conditions in the space provided below. Please sign two copies. Retain one and return the other with a Site Plan Approval fee of \$50.00. Checks should be made out to the *State of Hawaii*. Should you have any questions regarding this approval, contact Tiger Mills of our office at 587-0382.

Sincerely,

LOVE / WAND
Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

	Date	
Applicant's Signature		

C: HDLO County of Hawaii, Planning Dept.



NEIL ABERCROMBIE GOVERNOR OF HAWAI'I



PLANNING DEPARTMENT COUNTY OF HAWAII

2013 MAR 22 PN 2: 32



## STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES OFFICE OF CONSERVATION AND COASTAL LANDS

Site Plan Approval for Accessory Land Use Located at Ke'ei, South Kona, island

POST OFFICE BOX 621 HONOLULU, HAWAI'I 96809

REF:OCCL:TM

SUBJECT:

Tracy Fukuda, Project Manager Wilson Okamoto Corporation 1907 S. Beretania Street, Suite 400 Honolulu, HI 96826

Honolulu, HI 96826

of Hawai'i, TMK: (3) 8-3-006:019

Dear Ms. Fukuda:

The Office of Conservation and Coastal Lands (OCCL) is in receipt of your request to upgrade the wastewater facility on the noted parcel. There is an existing residence approximately 1,000-ft² on the lot. Since 1962, the lot has been used as a residence. The property is fairly flat and has been slightly graded to site the house. The yard is maintained with grass and ornamental plants with bare pahoehoe lava outcrops.

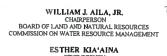
Field inspections of the area of potential effect for wastewater improvements were conducted by T.S. Dye & Colleagues, Archaeologists, Inc. in December 2012 in addition to consultation with persons knowledgeable about the history of the area. Both indicated that there are no potentially significant historic properties in the area of potential effects.

According to your information, landowner, the Kamehameha Schools would like to replace an existing cesspool on the lot with an individual aerobic system. The aerobic system will be placed underground and consist of a chlorine tank, aerobic unit transmission lines and possibly a leach field as illustrated in Exhibit A. The wastewater improvements are identified as a priority recommendation in KS' Ke'ei Management Plan.

## **ANALYSIS**

The subject area appears to be located in the State Land Use Conservation District, General subzone. For this parcel, the Board of Land and Natural Resources approved Conservation District Use Permit (CDUP) OA-425 to extend a lanai of the residence on May 25, 1973. The proposed upgrade will improve conditions by providing a better disposal method of household wastewater and contribute to public health, safety and welfare.

The proposed improvement is an identified land use pursuant to the Hawaii Administrative Rules (HAR) §13-5-22, P-9, B-1, STRUCTURES, ACCESSORY, which specifically allows, construction or placement of structures accessory to existing facilities or uses.



FIRST DEPUTY

WILLIAM M. TAM

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND CASTAL LAIDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENOMERRING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

SPA: HA 13-42

MAR 2 0 2013



The improvements appear to be in a previously disturbed area; are minor in scope and may be considered an exempt action under HAR, §11-200-8(a) (6) construction or placement of minor structures accessory to existing facilities. After careful review, authorization is hereby granted for an aerobic wastewater system located at Ke'ei, South Kona, TMK: (3) 8-3-006:019 subject to the following terms and conditions:

- (1) The permittee shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, state, and county governments, and applicable parts of this chapter;
- (2) The permittee, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit;
- (3) The permittee shall comply with all applicable department of health administrative rules;
- (4) Unless otherwise authorized, any work or construction to be done on the land shall be initiated within one year of the approval of such use, in accordance with construction plans that have been signed by the chairperson, and shall be completed within three years of the approval of such use. The permittee shall notify the department in writing when construction activity is initiated and when it is completed;
- (5) The permittee understands and agrees that the permit does not convey any vested right(s) or exclusive privilege;
- (6) In issuing the permit, the department and board have relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of the permit such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the department may, in addition, institute appropriate legal proceedings;
- (7) When provided or required, potable water supply and sanitation facilities shall have the approval of the department of health and the county department of water supply;
- (8) Where any interference, nuisance, or harm may be caused, or hazard established by the use, the permittee shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;
- (9) Should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact SHPD (692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
- (10) Other terms and conditions as may be prescribed by the Chairperson; and
- (11) Failure to comply with any of these conditions shall render this approval null and void.

Please acknowledge receipt of this approval, with the above noted conditions in the space provided below. Please sign two copies. Retain one and return the other with a Site Plan Approval fee of \$50.00. Checks should be made out to the **State of Hawaii**. Should you have any questions regarding this approval, contact Tiger Mills of our Office at 587 0382.

Sincerely,

Samuel J. Lemmo, Administrator

Office of Conservation and Coastal Lands

Receipt acknowledged:

Date

Applicant's Signature

C: HDLO

County of Hawaii, Planning Dept.

