

Hokuli`a
Special Management Area Major Use Permit No. 345 (Effective Date: October 27, 1993)
Request: To Allow Development of a 27-hole golf course, Golf Clubhouse, Driving Range and Related Improvements
Tax Map Key: 7-9-006: portion of 001; 7-9-012: portions of 003,004,005, & 011; 8-1-004: portion of 003
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Condition No.	Condition	Due Date	Status	Date of Compliance	Comments/Next Steps
SMA 345-1	Comply with Stated Conditions of Approval	None Stated	On going		Hokuli`a agrees that it will comply with the stated conditions of approval.
SMA 345-2	Indemnify the County for any loss or claim arising under this permit.	None Stated	Completed	1. Indemnification has been incorporated into Project's CC&R's	Hokuli`a has complied with this requirement
SMA 345-3	<p>Submit Archaeological Mitigation and Interpretation Plan to PD and DLNR-HPD and Hawaiian community organizations prior to submitting plans for plan approval review.</p> <p>Approved mitigation plans shall be implemented prior to or in conjunction with any land alteration.</p> <p>Plan shall include detailed map of known lava tubes to ensure the golf course and related improvements do not impact these caves.</p>	<p>Prior to submitting plans for plan approval review.</p> <p>Prior to or in conjunction with any land alteration</p>	Completed	<p>1. State Historic Preservation Division approved the Data Recovery Plan and Preservation/Interpretive/Monitoring Plans on 8/4/99 and 9/15/99, respectively</p> <p>2. Letter from PD compliance with Condition No. 3 on 9-23-1999</p> <p>3. Grading Permit No. 90283 issued for golf course on 12/01/00</p> <p>4. Interim Preservation Plan approved on 1/8/99.</p>	Hokuli`a has complied with this requirement.
SMA 345-4	Cease work if unidentified sites or remains are encountered.	None Stated	On-going		Hokuli`a will comply with this requirement.

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SMA 345-5	Prepare a detailed drainage study by DPW prior to submission of plans for Plan Approval. Install drainage improvements prior to issuance of Certificate of Occupancy or golf course opening	Prior to submission of plans for plan approval Prior to issuance of Certificate of Occupancy or golf course opening	Complied Complied	1. Detailed drainage study for golf course submitted to DPW on 8-4-99. 2. Final approval on 9/12/99 3. Drainage System installed.	Hokuli`a has complied with this requirement.
SMA 345-6	Use of pesticides and herbicides shall conform with applicable regulations of appropriate government agencies.	None Stated	On-going	1. Integrated Golf Course Management Plan approved July 14, 1999.	Hokuli`a will continue to comply with this requirement.
SMA 345-7	Minimize dust and runoff sedimentation. Measures shall be in compliance with industry standards and practices.	None Stated	Complied	1. Construction of golf course completed.	Hokuli`a has complied with this requirement.

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Condition No.	Condition	Due Date	Status	Date of Compliance	Comments/Next Steps
SMA 345-8	<p>Comprehensive Public Access Plan shall be prepared in consultation with community groups to PD in conjunction with golf course plans submitted for plan approval. The Final CPAP shall be developed in consultation with DLNR</p> <p>Public shoreline access plan shall integrate access to interpretative trails and archaeological sites in conjunction with mitigation plan.</p> <p>Apply for CDUA and SMA within 1 year from the date of approval of the Final CPAP by the PD.</p>	In conjunction with golf course plans submitted for plan approval	Complied	<p>1. Letter dated Jan 29, 1999 from PD approval of the comprehensive public access plan.</p> <p>Hokuli`a has secured the SMA and CDUA approvals for the shoreline park. SMA No. 401 approved on May 5, 2000 by Planning Commission CDUA HA-2977 approved on November 17, 2000 by DLNR Board.</p>	Hokuli`a has complied with this requirement.
SMA 345-9	Alii Drive-Haleki'i Street extension shall allow for perpetual public use by easement or dedication	None Stated	Complied	Subdivision No. 7168 included bond and agreement for dedication of Halekii Street extension to the County on Sept. 18, 1999.	Hokuli`a has complied with this requirement.

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SMA 345-10	<p>Areas of the affected properties located within the State Land Use Conservation district shall be set aside as public shoreline access areas in a manner consistent with the approved final comprehensive public access plan via covenants recorded with the Bureau of conveyances. Upon approval of the FCPAP, draft covenants rights, obligations and privileges of the public, the county of hawaii and the applicant, its successors or assigns shall be submitted to the PD for approval.</p> <p>The approved covenants shall be recorded prior to the receipt of final subdivision approval for the golf course or the subdivision of any portion of the Agricultural-zoned area within the project site, whichever occurs first. These covenants shall be encumbrances running with the land and shall be binding upon all parties and persons claiming under them.</p>	<p>Prior to the receipt of final subdivision approval for the golf course or the subdivision of any portion of the Agricultural-zoned area within the project site</p>	<p>Complied</p>	<p>1. Approved public covenant document No. 99-206268 recorded with Bureau of Conveyances on December 29, 1999</p>	<p>Hokuli'a has complied with this requirement.</p>

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Condition No.	Condition	Due Date	Status	Date of Compliance	Comments/Next Steps
SMA 345-11	<p>Prior to the commencement of construction of any portion of the proposed golf course development, an overall monitoring plan on the potential pollution to groundwater and coastal waters shall be submitted to the PD for approval in consultation with the DOH. A golf course best management plan and integrated groundwater monitoring plan shall be component parts of this overall monitoring plan.</p>	<p>Prior to the commencement of construction of any portion of the proposed golf course development</p>	<p>Complied</p>	<ol style="list-style-type: none"> 1. Letter from DOH acceptance of Comprehensive Nearshore area Coastal Water Quality Monitoring Program in support of the Villages of Hokukano development on April 27, 1999 2. Letter from PD compliance with Condition No. 11 on June 29, 1999 3. Water monitoring program approved on July 14, 1999 	<p>Hokuli'a will comply with this requirement.</p>
SMA 345-12	<p>Prepare and submit to the PD for approval a landscaping plan for the golf course and golf clubhouse along with plans for submitted for plan approval review. The Plan shall discuss the method of preservation and/or propagation and use of native plants, such as the Prosopis tree, Capparis, and wiliwili tree, within and around the golf course and golf clubhouse facilities.</p>	<p>With plans for plan approval</p>	<p>Complied</p>	<ol style="list-style-type: none"> 1. Final Plan Approval for golf course and landscaping plan on December 4, 2000. 	<p>Hokuli'a has complied with this requirement.</p>
SMA 345-13	<p>All electrical and communication utility lines shall be underground (except for main 69 KV line).</p>	<p>None Stated</p>	<p>On going</p>		<p>Hokuli'a will comply with this requirement.</p>

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SMA 345-14	Comply with all applicable laws, regulations and requirements.	None Stated	On going		Hokuli`a will comply with this requirement.
SMA 345-15	Provide annual progress reports prior to each anniversary date of the approval of this permit. Effective date: October 27, 1993.	October 27 of each year	On going	<ol style="list-style-type: none"> 1. 1994 report submitted on 6-29-95 2. 1995 report submitted on 12-14-95 and acknowledged by PD on 3-18-96 3. 1996 report submitted on 10-16-96 and acknowledged by PD on 10-30-96 4. 1997 report submitted on 10-24-97 and acknowledged by PD on 11-4-97 5. 1998 report submitted on 9-28-98 and acknowledged by PD on 11-24-98 6. 1999 report submitted on 11-1-99 7. 2000 report submitted on 11/8/00 8. 2001 report submitted on January 3, 2001 	Hokuli`a will comply with this requirement.
SMA 345-16	Acknowledges that a time extension for compliance with the conditions of approval may be granted.	None Stated	On going		Hokuli`a will comply with this requirement. Hokuli`a acknowledges that a time extension may be granted by the Director.

Hokuli`a
Use Permit No. 115 (Effective Date: October 27, 1993)
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Condition No.	Condition	Due Date	Status	Date of Compliance	Comments/Next Steps
UP 115 - 1	Comply with Stated Conditions of Approval	None Stated	On going		Hokuli`a agrees that it will comply with the stated conditions of approval.
UP 115 - 2	Indemnify the County for any loss or claim arising under this permit.	None Stated	Complied	1. Indemnification has been incorporated in project CC&Rs.	Hokulia has complied with this requirement
UP 115 - 3	Provide assurance that water sources to support the golf course is available to PD and DLNR-CWRM, DOH prior to Certificate of Occupancy or golf course opening whichever occurs first.	Prior to Certificate of Occupancy or golf course opening whichever occurs first.	Complied	1. Well completion reports prepared and submitted to DLNR-CWRM on August 13, 2002 & December 10, 2001 for irrigation wells 1 & 2 respectively.	Hokuli`a has complied with this requirement.
UP 115 - 4	Secure Final Plan Approval for the golf course. The Planning Director shall determine the related improvements and accessory uses to the golf course not consistent with the applicable provisions of the Zoning Code at the time of plan approval review	None Stated	Complied	1. Final Plan Approval approved for golf course on 12-4-2000	Hokuli`a has complied with this requirement.
UP 115 - 5	Complete the golf course within 5 years from Final Plan Approval. Effective date: October 27, 1993	December 4, 2005	Complied	1. Golf course completed in July of 2002.	Hokuli`a has complied with this requirement.

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UP 115 - 6	<p>Prepare a detailed drainage study by DPW prior to submission of plans for Plan Approval.</p> <p>Install drainage improvements prior to issuance of Certificate of Occupancy or golf course opening</p>	<p>Prior to submission of plans for Plan Approval.</p> <p>prior to issuance of Certificate of Occupancy or golf course opening</p>	Complied	<ol style="list-style-type: none"> 1. Detailed drainage study for golf course submitted to DPW on 8-4-99 2. DPW approved drainage study on 9/12/99. 3. Drainage system installed 	Hokuli`a has complied with this requirement.
UP 115 - 7	<p>Golf course design shall comply with Guidelines for Golf Course Design. The planning director shall determine appropriate setback requirements (i.e. building and property line) at the time of plan approval review. Easements for golf course purposes over and across abutting lots, either existing or proposed, shall not be permissible, except as may be approved by the Planning Director.</p>	None Stated	Complied	<ol style="list-style-type: none"> 1. Submittal of golf course design on March 22, 1999 to PD 2. Approval of golf course design received on May 20, 1999 from PD 3. Final Plan Approval granted on December 4, 2000. 4. Golf course completed in July of 2002 	Hokuli`a has complied with this requirement.

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UP 115 - 8	<ol style="list-style-type: none"> 1. Construct the Alii Drive-Haleki'i Street extension prior to issuance of Certificate of Occupancy or golf course opening 2. Alii Drive-Haleki'i Street extension shall allow for perpetual public use by easement or dedication. 3. No golf cart crossing shall be allowed to cross over the Alii Drive-Haleki'i Street extension except as may be approved by the Director and DPW. 4. Direct access for residential lots from this road will not be allowed. 	Prior to Date of Certificate of Occupancy	Complied	<ol style="list-style-type: none"> 1. Improvements included in Final Subdivision Approval No. 7168 and bond and agreement 9/18/99 2. Subdivision No. 7168 included bond and agreement for dedication of Haleki'i Street Extension to the County 9/18/99 3. No vehicular access easement recorded for applicable lot in Phase 1 and 2 	Hokuli`a has complied with this requirement.
UP 115 - 9	Intersection improvements at the Mamalahoa Highway-Haleki'i Street intersection including traffic signals and channelization approved by DOT and DPW, shall be installed prior to issuance of Certificate of Occupancy or golf course opening whichever	Prior to issuance of Certificate of Occupancy or golf course opening whichever occurs first.	Complied	<ol style="list-style-type: none"> 1. Improvements completed on January 11, 1999. 	Hokuli`a has complied with this requirement.

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UP 115-10	<p>occurs first.</p> <p>Submit Archaeological Mitigation and Interpretation Plan to PD and DLNR-HPD and Hawaiian community organizations prior to submitting plans for plan approval review. Approved mitigation plans shall be implemented prior to or in conjunction with any land alteration. Plan shall include detailed map of know lava tubes to ensure the golf course and related improvements do not impact these caves.</p>	Prior to submitting plans for plan approval review.	<p>Complied</p> <p>Complied</p>	<ol style="list-style-type: none"> 1. State Historic Preservation Division approved the Data Recovery Plan and Preservation/Interpretive/Monitoring Plans on 8/4/99 and 9/15/99, respectively 2. Letter from PD compliance with condition no. 10 on September 23, 1999. 3. Plans and profiles for caves submitted to PD on September 22, 1999. 4. Interim preservation plan approved on 1/18/99. 	Hokuli`a has complied with this requirement.
UP 115-11	Cease work if unidentified sites or remains are encountered.	None Stated	On-going		Hokuli`a will comply with this requirement.
UP 115-12	Use of pesticides and herbicides shall conform with applicable regulations of appropriate government agencies.	None Stated	On-going	<ol style="list-style-type: none"> 1. Integrated Golf Course Management Plan approved July 14, 1999 by PD 	Hokuli`a will comply with this requirement.

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UP 115-13	Minimize dust and runoff sedimentation. Measures shall be in compliance with industry standards and practices.	None Stated	Complied	1. Golf course completed in July of 2002	Hokuli`a has complied with this requirement.
UP 115-14	Demonstrate to the satisfaction of the Planning Director that all off-site construction material is from an approved quarry prior to construction of golf course.	Prior to construction of golf course.	Complied	1. Letter to PD for approval of off-site material on 2/3/97.	Hokuli`a has complied with this requirement.
UP 115-15	Public play program shall be approval prior to issuance of Certificate of Occupancy or golf course opening	Prior to issuance of Certificate of Occupancy or golf course opening	Complied	1. Public play program submitted to PD on June 14, 2000 2. Letter from PD approving public play program on July 20, 2000 with condition. 3. Letter from Hokulia to PD confirming 8/14/2000 approval.	Hokuli`a has complied with this requirement.

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UP 115-16	Establish employee housing program for review and approval by the Planning Director and approval by the County Housing Agency together with the submittal of plans for plan approval of the golf course and clubhouse. The approval shall be secured prior to the issuance of a certificate of occupancy with the golf course.	Secured prior to the issuance of a certificate of occupancy with the golf course.	Complied	<ol style="list-style-type: none"> 1. Ord. No. 01-151 approved by Hawaii County Council on December 4, 2001 2. Letter from Planning Department dated January 16, 2002 	Hokuli`a has complied with this requirement.

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UP 115-17	A job training program for operating phase of the golf course and clubhouse shall be developed and submitted to PD for review and approval prior to issuance of Certificate of Occupancy or golf course opening, whichever occurs first.	Prior to issuance of Certificate of Occupancy or golf course opening, whichever occurs first.	Complied	<ol style="list-style-type: none"> 1. Golf Course Employee Job Training program submitted to Planning Dept on August 22, 2002. 2. Letter from Planning Dept dated September 12, 2002 stating compliance with Condition No. 17. 	Hokuli`a has complied with this requirement.
UP 115-18	Comply with all applicable laws, regulations and requirements, including those of DOH and DPW.	None Stated	On going		Hokuli`a will comply with this requirement.
UP 115-19	Provide annual progress reports prior to each anniversary date of the approval of this permit. Effective date: October 27, 1993.	October 27 th of each year	On going	<ol style="list-style-type: none"> 1. 1994 report submitted on 6-29-95 2. 1995 report submitted on 12-14-95 and acknowledged by PD on 3-18-96 3. 1996 report submitted on 10-16-96 and acknowledged by PD on 10-30-96 4. 1997 report submitted on 10-24-97 and acknowledged by PD on 11-4-97 5. 1998 report submitted on 9-28-98 and acknowledged by 	Hokuli`a will comply with this requirement.

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UP 115-20	Acknowledges that a time extension for compliance with the conditions of approval may be granted.	None Stated	On going	PD on 11-24-98 6. 1999 report submitted on 11-1-99 7. 2000 report submitted on 11/8/2000 and acknowledged by PD on 11/13/2000. 8. 2001 report submitted on January 3, 2001	Hokuli`a will comply with this requirement. Hokuli`a acknowledges that a time extension may be granted by the Director.