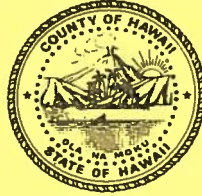


Harry Kim  
Mayor



Christopher J. Yuen  
Director

Roy R. Takemoto  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 • Fax (808) 961-8742

June 24, 2002

Mr. Robert A. Stuit  
1250 Oceanside Partners  
78-6831 Alii Drive #K15  
Kailua-Kona, HI 96740-2440

Dear Mr. Stuit:

**SMA Permit No. 401✓ - Shoreline Park**  
**SMA Permit No. 402 – Mamalahoa Bypass**  
**SMA Permit No. 403 – Members' Lodge**  
**SMA Permit No. 404 – WasteWater Treatment Plant**  
**Special Permit No. 1056 – Wastewater Treatment Plant**  
**Applicant: 1250 Oceanside Partners**  
**Subject: 2002 Annual Progress Report**  
**Tax Map Key: 7-9-12:por. of 3; 7-8-10:por. of 30 & 8-1-4:por. of 3**

This is to acknowledge receipt of your detailed annual progress reports dated May 1, 2002 relating to the above referenced Special Management Area permits and Special permit. We apologize for our delay in acknowledging the submittal of your annual progress reports.

Thank you for your attention to this matter. The reports will be forwarded to the Planning Commission for their reference. We look forward to the submittal of your next annual progress report on or before May 5, 2003.

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Mr. Robert Stuit  
1250 Oceanside Partners  
Page 2  
June 24, 2002

In the meantime, please feel free to contact Eileen O'Hora-Weir or Susan Gagorik of our office at 961-8288 should you have any questions.

Sincerely,



CHRISTOPHER J. YUEN  
Planning Director

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xc w/reports: Planning Commission  
Planning Dept. - Kona

# HOKULIA

May 1, 2002

Mr. Christopher J. Yuen, Planning Director  
County of Hawaii Planning Department  
Mrs. Geraldine M. Giffin, Chairperson  
County of Hawaii Planning Commission  
25 Aupuni St., Room 109  
Hilo, Hawaii 96720

**Subject: Hokuli'a 2002 Annual Reports**  
**SMA Permit 401 Shoreline Park**  
**Condition No. 16**  
**Tax Map Key: 7=9-012: portion of 003, TMK: 8-1-004: portion of 3**

**SMA Permit 402 Mamalahoa Highway Bypass**  
**Condition No. 8**  
**Tax Map Key: 7-8-010: Portion of 030**

**SMA Permit 403 80-unit Members' Lodge**  
**Condition No. 11**  
**Tax Map Key: 8-1-004: Portion of 003**

**SMA Permit 404 WasteWater Treatment Plan**  
**Condition No. 10**

**Special Permit No. 1056 – Wastewater Treatment Plant**  
**Condition No. 10**  
**TMK: 8-1-004: portion of 3**

Dear Mr. Yuen:

This letter is sent to fulfill the annual report requirement as required by each of the above referenced Special Management Area Major Use Permits (SMA) and Special Permit conditions of approval that was approved by the Planning Commission on May 5, 2000. Since these permits have conditions that are common across each permit, the report

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A R A R E F I N D I N T H E P A C I F I C I S L E S .

1250 Oceanside Partners · 78-6831 Ali'i Drive · Suite K15 · Kailua-Kona, Hawai'i · 96740-2440

Mr. Christopher J. Yuen, Planning Director

May 1, 2002

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addresses those conditions that are similar in bulk, while those individual conditions that are unique to separate permits are addressed separately in the Matrix for each of the above-referenced permits.

#### Archaeology

An Integrated Archaeology Mitigation Plan consisting of a Data Recovery Plan, Preservation Plan, Interpretive Plan and Monitoring Plan for the entire Hokuli'a project, was approved by DLNR-SHPD in 1999. The final detailed preservation plan is in preparation and will be submitted shortly. The Burial Treatment Plan was submitted to the Burial Program and final recommendations and determinations were approved by the Hawaii Island Burial Council in 1999. Mitigation, preservation and treatment measures are currently under implementation at the Hokuli'a project for the golf course and first subdivision. Data recovery fieldwork has been completed and the analysis and report are currently in preparation.

Separately for the Bypass, an Archaeological Inventory Survey and Data Recovery Plan have been approved by DLNR-SHPD. Data recovery fieldwork is currently in progress.

In regard to the Shoreline Park, the Board of Land and Natural Resources approved a Conservation District Use Application in November 17, 2000 (CDUA No. HA-2977). A detailed site plan for improvements on the park is currently in preparation and will be submitted concurrently with the final archaeological preservation plan for the shoreline area. The site plan will include first phase improvements including signage, trails, landscape and other related improvements. The park improvements are designed to comply with and implement the measures from the comprehensive public access plan, including measures for access, parking, signage, emergency response, use restrictions, recreational improvements, restroom facilities, trails and archaeological preservation and interpretive measures. This first phase of the park shall be open within 30 days following the opening of the golf course, scheduled for later this year.

All improvements and construction are subject to Chapter 27 of the Hawaii County Code and related State regulations. Construction measures will be implemented to minimize the potential of fugitive dust and runoff sedimentation.

In regard to the wastewater treatment plant (WWTP) engineering and construction documents are currently in progress and submittals for State and County approval should be ready for submittal later this year.

#### WWTP

We are in the process of the preparation of plans for this facility. Upon completion of these plans that will indicate proposed structures, traffic, driveway access and parking, landscaping, as well as noise and/or visual mitigation measures, they shall be submitted for final plan approval. The system will be constructed in a manner consistent with the requirements and the approval of the State Department of Health.

Mr. Christopher J. Yuen, Planning Director

May 1, 2002

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Improvements will include a drainage system that is approved by the Department of Public Works, as well as a Solid Waste Management Plan implemented with the approval of the Department of Public Works. This solid waste plan has been submitted to Department of Public Works for approval.

Control measures to minimize the potential of fugitive dust and runoff sedimentation shall be implemented during construction. Notification of inadvertent discoveries of historic items shall be provided to DLNR-SHPD and the Burials Program and subsequent work shall proceed upon clearance for DLNR-SHPD.

#### Lodge

In regard to the members lodge, design of the facility is currently undergoing and documents for plan approval should be ready for submittal later this year. The plans include underground electrical communications and wastewater utilities. The wastewater system will be constructed in a manner consistent with the requirements and the approval of the State Department of Health and/or the Department of Public Works. With regard to the performance period established by the Planning Commission for SMA No. 403 for the 80 unit members lodge, the concurrent Change of Zone Ordinance No. 97-36 that redesignated the subject area from Agricultural 5-acre (A-5a) to Resort (V-6) for the 80 unit members lodge was granted an administrative time extension by the Planning Director on February 18, 2002, to comply with all conditions of approval of Change of Zone Ordinance No. 97-36 by March 13, 2007.

The plans will comply with Chapter 27 of the Hawaii County code and a detailed drainage study shall be submitted to Department of Public Works for review and approval prior to submittal of plans for plan approval. A solid waste management plan for the entire project has been submitted to Department of Public Works for review and approval.

During construction measures shall be taken to minimize fugitive dust and runoff sedimentation notification of the inadvertent discovery of historic items shall be provided to DLNR-SHPD and subsequent work shall proceed upon clearance from DLNR-SHPD.

Oceanside will be responsible for complying with all conditions of approval as well as all applicable laws, rules, regulation and requirements. Again for your reference, please find attached, a separate matrix for each of the above-referenced permits that shows the status and compliance of each condition.

I trust this report provides the information adequate for the annual report condition for the above-referenced permits.

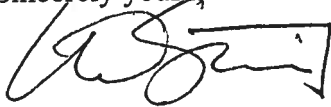
Should you have any questions regarding this information, please contact me at (808) 324-4212.

Mr. Christopher J. Yuen, Planning Director

May 1, 2002

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Sincerely yours,

A handwritten signature in black ink, appearing to read "R. Stuit", enclosed within a rectangular box.

Robert A. Stuit

Vice President of Design and Planning

cc: John DeFries  
David Wong  
Phil Schneider  
Dennis Moser  
Bob Triantos

Attachment

**Hokuli'a**  
**Special Management Area Major Use Permit No. 401 (Effective Date: May 5, 2000)**  
**Request: To Allow Development of a Shoreline Park and Related Uses**  
**Tax Map Key: 7-9-012: portion of 003; 8-1-004: portion of 003**  
**2002 Annual Report**  
**Page 1 of 5**  
**05/01/02**

Condition No.	Condition	Due Date	Status	Date of Compliance	Comments/Next Steps
SMA 401-1	Comply with Stated Conditions of Approval	None Stated	On going		Hokuli'a agrees that it will comply with all stated conditions of approval.
SMA 401-2	A CDUA shall be secured from DLNR	None Stated	Completed	1. CDUA No. HA-2977 approved November 17, 2000 with 26 conditions of approval.	Hokuli'a agrees to comply with this condition.
SMA 401-3	Shoreline Park shall comply with the Final Comprehensive Public Access Plan (FCPAP) approved by the Planning Director in consultation with DLNR.	None Stated	In Process		Hokuli'a agrees to comply with this condition.
SMA 401-4	25% of Total Park shall be developed and improved within 5 years from the date of Final Subdivision approval, September 18, 1999.  The First Phase shall be completed and open to the public within 30 days following the opening of the golf course.	September 19, 2004  Within 30 days following opening of golf course	In Process  In Process		
SMA 401-5	Opening of 1 <sup>st</sup> phase of park, 25 public parking stalls to be provided. Additional parking stalls may be required with subsequent park phases.	None Stated	In Process		Hokuli'a agrees to comply with this condition.

**Hokuli'a**  
**Special Management Area Major Use Permit No. 401 (Effective Date: May 5, 2000)**  
**Request: To Allow Development of a Shoreline Park and Related Uses**  
**Tax Map Key: 7-9-012: portion of 003; 8-1-004: portion of 003**  
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Condition No.	Condition	Due Date	Status	Date of Compliance	Comments/Next Steps
SMA 401-6	A Program for the long term management of the coastal area and shoreline marine resources shall be implemented with the participation of an advisory committee consisting of community groups, the park owner, park management, and others	None Stated	In Process		Hokuli'a agrees to comply with this condition.
SMA 401-7	A Solid Waste Management Plan shall be prepared meeting with the approval of DPW, prior to submitting for Final Plan Approval.	Prior to submittal for Final Plan Approval	In Process	1. A Solid Waste Management Plan was approved by the DPW on October 31, 2000.	Hokuli'a agrees to comply with this condition.
SMA 401-8	Minimize dust and runoff sedimentation. Measures shall be in compliance with industry standards and practices.	None Stated	Ongoing		Hokuli'a agrees to comply with this condition.
SMA 401-9	All electrical and communication utilities and systems shall be placed underground.		In Process	1. The utility improvements for Phase 1 and 2 were bonded in accordance with Section 23-81 of the Subdivision Code and Paragraph 13 of Development Agreement No. 1.	Hokuli'a agrees to comply with this condition.



**Hokuli'a**  
**Special Management Area Major Use Permit No. 401 (Effective Date: May 5, 2000)**  
**Request: To Allow Development of a Shoreline Park and Related Uses**  
**Tax Map Key: 7-9-012: portion of 003; 8-1-004: portion of 003**  
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Condition No.	Condition	Due Date	Status	Date of Compliance	Comments/Next Steps
SMA 401-10	Construct wastewater disposal system meeting with the approval of DOH or DPW	None Stated	In Process	1. The wastewater disposal system improvements for Phase 1 and 2 was <u>bonded in accordance</u> with Section 23-81 of the Subdivision Code and Paragraph 13 of Development Agreement No. 1.	Hokuli'a agrees to comply with this condition.
SMA 401-11	Improvements in shoreline park shall comply with Chapter 27 Flood Control. Campsites should not be located within the flood zones.	None Stated	Ongoing	See FCPAP approved on January 29, 1999	Hokuli'a agrees to comply with this condition.
SMA 401-12	Interpretation plan to be submitted to PD for approval, consult with DLNR and Hawaiian community organizations. Plan shall also include a map of known lava tube/caves systems located within the shoreline park.	Prior to or in conjunction with any land alteration activity	Ongoing		Hokuli'a agrees to comply with this condition.

**Hokuli'a**  
**Special Management Area Major Use Permit No. 401 (Effective Date: May 5, 2000)**  
**Request: To Allow Development of a Shoreline Park and Related Uses**  
**Tax Map Key: 7-9-012: portion of 003; 8-1-004: portion of 003**  
**2002 Annual Report**  
**Page 4 of 5**  
**05/01/02**

Condition No.	Condition	Due Date	Status	Date of Compliance	Comments/Next Steps
SMA 401-13	Proposed mitigation treatment for burial sites must be approved by the DLNR-SHPD, Hawaii Island Burial Council before detailed mitigation plans area finalized for these sites. A copy of the approved Final Data Recovery Plan and Preservation Plan.	Plan shall be submitted to the Planning Director for its files prior to submitting plans for any land alteration permits	Ongoing		Hokuli'a agrees to comply with this condition.
SMA 401-14	Should any unrecorded remains of historic sites or human burials be encountered, work in the affected area shall cease and the DLNR-HPD shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the DLNR-HPD.	None Stated	Ongoing		Hokuli'a agrees to comply with this condition.
SMA 401-15	The applicant shall comply with all applicable laws, rules, regulations and requirements.	None Stated	Ongoing		Hokuli'a agrees to comply with this condition.

**Hokuli'a**  
**Special Management Area Major Use Permit No. 401 (Effective Date: May 5, 2000)**  
**Request: To Allow Development of a Shoreline Park and Related Uses**  
**Tax Map Key: 7-9-012: portion of 003; 8-1-004: portion of 003**  
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**05/01/02**

Condition No.	Condition	Due Date	Status	Date of Compliance	Comments/Next Steps
SMA 401-16	Provide annual progress reports prior to each anniversary date of the approval of this permit. Effective date: May 5, 2000	May 5 <sup>th</sup> of each year	On-Going	1. 2001 Annual Report submitted on May 4, 2001. 2. 2002 Annual Report submitted on May 3, 2002.	Hokuli'a agrees to comply with this condition.
SMA 401-17	Acknowledges that a time extension for compliance with the conditions of approval may be granted.	None Stated	On-Going		Hokuli'a acknowledges that a time extension for compliance with the conditions of approval may be granted by the Planning Director.