COUNTY OF HAWAI‘I PLANNING DEPARTMENT
BACKGROUND REPORT

BOAZ, LLC
SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION
(PL-SMA-2025-000072)

BOAZ LLC has submitted the following application for a Special Management Area Use Permit No. PL-SMA-2025-000072 to construct a four (4) story, thirty-four (34) unit condominium building with a pool and related improvements on a 1.195-acre shoreline parcel within the Special Management Area. The subject property is located on the makai side of Ali’i Drive, approximately 0.75 miles south of Lunapule Road, Puapua’a 2nd, North Kona District, Hawai‘i Island, TMK: (3) 7-5-020:021

APPLICANTS' REQUEST

1. **Proposed Use:** The proposed use entails the construction of a multi-family residential development on a 1.195-acre parcel located at 75-6092 Ali‘i Drive in North Kona, Hawai‘i. Specifically, the applicant proposes the development of a four-story, 34-unit condominium building along with associated improvements such as a swimming pool, parking areas, public access pathways, and utility connections. The condominium structure is designed to include a range of unit types, from 1-bedroom to 3-bedroom units with dens, all featuring kitchens, living rooms, and private lanais. The building will be approximately 45 feet tall and include 34 parking spaces beneath the building and an additional 13 mauka-side parking stalls, of which 3 will be dedicated for public shoreline access. A loading zone is also included. Appurtenant features of the development include a pool situated on the makai side of the structure, outside the required 40-foot shoreline setback. Drainage improvements, drywells, roof drains, trench drains, and a retaining wall are part of the site design. Public access easements are to be maintained and enhanced, providing both lateral and mauka-makai pedestrian pathways, consistent with a prior “*Grant of Easement for Public Access and Parking*.” Infrastructure improvements will also include roadway modifications such as a left-turn lane on Ali‘i Drive and a 5-foot road widening easement along the property’s frontage. Utilities including water, sewer, electricity, and telecommunications will be connected through existing County and public systems.

Overall, the proposed use reflects a continuation of previously approved but unexecuted plans (from SMA Use Permit No. 437), with minor enhancements and modifications.

2. **Reason for the Request:** This project represents an opportunity to renew stewardship of an unused property in a location well suited and currently zoned for multi-family residential use.

3. **Supportive Information:** The applicant has submitted the attached in support of the request: **(Planning Department Exhibit 1 – Use Permit Application dated November 7, 2024).**

4. **Landowner:** BOAZ LLC

STATE AND COUNTY PLANS

5. **State Land Use District:** Urban.

6. **County Zoning:** Multiple-Family Residential 1,500 square feet (RM-1.5).

7. **General Plan Land Use Pattern Allocation Guide (LUPAG) Map Designation:** Medium Density Urban (mdu) and Open (ope).

8. **Kona Community Development Plan (KCDP):** The KCDP was adopted by Ordinance No. 08-131, which became effective on September 25, 2008, as amended by Ordinance 19 091, effective September 18, 2019. The property is within the boundary of the Kona Urban Area.

9. **Special Management Area (SMA):** The subject property is within the Special Management Area and is considered a "shoreline" property. A new shoreline survey was certified by the Department of Land and Natural Resources (DLNR) on September 13, 2024, and was included with the application.

10. **Background Information:**

    April 1, 1981 - **SMA Use Permit No. 155** was approved for the development of a 25-unit condominium and related movements within one 2-story and one 3-story structure. The SMA was revoked on April 11, 1990, in order to obtain a new SMA Use Permit for this site.

    April 11, 1990 – **SMA Use Permit No. 297** was approved to develop a 34-unit condominium project and related improvements. SMA No. 297 included provisions for a public access plan. This SMA was revoked by the PC on September 7, 2001 in order to apply for the new SMA permit.

October 3, 2003 – **SMA Use Permit No. 437** was approved for the development of a 4-story, 32-unit condominium building and related improvements. The proposed building height was 42.5 feet. SMA No. 437 is being revoked under this current request in order to pursue the new SMA Use permit.

DESCRIPTION OF PROPERTY AND SURROUNDING AREAS

11. **Description of Property:** The subject property is located on the makai side of Ali‘i Drive in North Kona, Hawai‘i, between the Casa De Emdeko condominium complex to the north and the Kona Isle condominium complex to the south, approximately 0.75 miles south of Lunapule Road. Covering 1.195 acres, the parcel is primarily rectangular in shape, extending from the shoreline inland to about 30 feet in elevation. The land is predominantly covered with overgrown grasses, notably Guinea Grass (Megathyrsus maximus), and is scattered with Coconut Palms (Cocos nucifera) and Kiawe trees (Prosopis pallida). Additional ornamental vegetation, including Areca Palm (Dypsis lutescens), Royal Poinciana (Delonix regia), and Plumeria (Frangipani sp.), are present near the site, contributing to its coastal landscape character.

12. **Surrounding Zoning/Land Uses:** The area surrounding the subject property is characterized primarily by residential and resort uses. Immediately adjacent to the north is the Casa De Emdeko condominium complex (**124-units, approximately 40-feet high**), while the Royal Sea Cliff Kona by Outrigger lies about 0.2 miles further north. To the south, the Kona Isle condominium complex (**74-units, approximately 40-feet high**) abuts the subject parcel, with Aston Kona by the Sea located approximately 0.15 miles south on the makai side of Ali‘i Drive. On the mauka side of Ali‘i Drive, the Ali‘i Palms subdivision is located directly across from the property, and Ali‘i Lani Townhomes are situated slightly further west. In terms of zoning, areas to the north along the makai side of Ali‘i Drive are zoned RS-15 (Residential), V-12.5, and V-1.5 (Resort-Hotel districts). The mauka side is zoned RM-2 (Multiple-Family Residential) and A-5a (Agricultural). To the south, the makai side is zoned RM-1.5, while the mauka side includes RS-7.5 (Residential) and A-5a zoning. Further west, zoning includes RS-10 (Residential). Overall, the mix of multi-family, single-family residential, and resort uses in the surrounding area is consistent with the proposed development’s character and intended use.

13. **Flood Zone:** According to the application, the Federal Emergency Management Agency

(FEMA) Flood Insurance Rate Map (FIRM) identifies the majority of the parcel in Flood Zone X, which is outside the 500-year floodplain. A small makai section of the property falls within Flood Zone AE, meaning it is subject to inundation by the 1-percent-annual-chance flood event and associated base flood elevations. Additionally, the coastal edge of the site, along with many surrounding properties, is in Flood Zone VE, which represents areas subject to inundation by the 1-percent-annual-chance flood event combined with storm-induced velocity wave action. Importantly, the proposed building will be entirely located within Flood Zone X, avoiding construction in the higher-risk AE and VE zones

14. **Flora/Faunal Resources:** The subject property is located in a highly urbanized and previously disturbed area and does not contain any unique ecological systems or habitats for endangered plant or animal species. The vegetation on the parcel is dominated by common, non-native species, specifically Guinea Grass (Megathyrsus maximus) and Haole Koa (Leucaena leucocephala). There are no native plant species of conservation concern documented on the site. As for faunal resources, it is noted that although the property itself does not serve as critical habitat, some native Hawaiian species may pass through or utilize nearby areas. Notably, the Hawaiian Hoary Bat (Lasiurus cinereus semotus), a State-listed endangered species, could potentially roost in nearby trees. Similarly, the Hawaiian Hawk (Buteo solitarius), another State-listed species, may occur in the vicinity, requiring pre-construction nest surveys by a qualified ornithologist if tree cutting is planned between March and September. Additionally, it is possible to find other wildlife such as the Hawaiian Owl (Pueo) (Asio flammeus sandwichensis) in the area, as well as common non-native animals like cats, dogs, rats, and mongoose. There are no known seabird nesting sites on the property.

15. **Archaeological/Cultural/Historical Resources:** An Archaeological Inventory Survey (AIS) was conducted for the project site by Paul H. Rosendahl, Ph.D., Inc. (PHRI) in October 1989. The survey, which involved fieldwork, aimed to identify archaeological resources within the approximately 1.2-acre Puapua'a 2nd Development Parcel in North Kona. During the survey, two sites were documented: Site 12911 and Site 12912, both interpreted as historic clearing mounds composed of basalt and coral cobbles. A test excavation at Site 12911 revealed no significant cultural materials aside from some minor shell fragments, and both sites were assessed to hold significance solely for their

informational content, with no further action recommended. A letter from the State Historic Preservation Division (SHPD) dated April 11, 1990, concurred with the "no effect" finding on significant historic sites. Historically, the project area lies within the Kona Field System (Site 6601), a large complex of traditional Hawaiian dryland agricultural fields and habitation sites that is eligible for listing on the National Register of Historic Places (NRHP). However, prior intensive land use, modern development, and the site's narrow dimensions have likely eradicated any significant prehistoric surface features within the subject parcel. Documentary research, including studies by Silva (1985) and Walker and Rosendahl (1985a), found no direct mythological or historical references specifically associated with the parcel. Nevertheless, the greater Puapuaʼa area has historical significance linked to prominent Hawaiian chiefs such as ʻUmi-a-Līloa, Kalaniʻōpuʻu, and Kamehameha I, who lived in the Kailua-Kona region during the pre-contact and early historic periods. No culturally significant properties are recorded on the General Plan Historic Element or the State and Federal Registers of Historic Places for the subject property.

16. **Public Access:** The proposed project will establish and maintain public shoreline access by providing two designated pathways and accompanying parking facilities. Specifically, a ten (10) foot wide mauka-makai (east-west) pathway will be constructed from Aliʻi Drive to the shoreline, facilitating direct pedestrian access to the beach. In addition, there will be a ten (10) foot wide north-south lateral access pathway running along the shoreline across the property, enabling public movement parallel to the coast. To support vehicular access, the project includes the provision of three (3) public parking stalls exclusively designated for public shoreline users. These parking spaces, together with the pathways, are part of a non-exclusive public access easement established under the "Grant of Easement for Public Access and Parking" recorded as Document No. 91-014902 with the Bureau of Conveyances on February 4, 1991. The applicant will maintain vegetation to prevent overgrowth onto the public access pathways and will install public access signage to clearly mark the access points for easy identification.

17. **Coastal Resources:** The shoreline adjacent to the property is currently used by Native Hawaiians for coastal gathering and fishing, and these activities will not be adversely impacted by the proposed development. In addition, if documented claims for Native

Hawaiian traditional gathering or access rights are made, the applicant has committed to honoring and facilitating such access within the site.

18. **Recreational Resources:** The public shoreline access provides recreational access which will remain in its current state throughout construction and use of the parcel. No other changes to the site are proposed.

19. **Scenic and Open Space Resources:** The proposed project is situated within the Kona Urban Area along Ali‘i Drive and is surrounded by existing condominium developments. As such, the project area does not contain any unique or designated valued scenic resources identified in the County General Plan. The proposed development will conform to the existing visual character of the surrounding area and maintain compatibility with the current urbanized coastal environment. Public views to and along the shoreline will not be significantly altered by the project, and the existing vegetation already partially obstructs ocean views from inland viewpoints. In terms of open space, the project will preserve shoreline open space resources by adhering to the required 40-foot shoreline setback. This ensures a buffer area along the coast that remains free from structures and maintains a natural, undeveloped coastal corridor. Additionally, the project will enhance public enjoyment of the coastline through the creation of public access easements: a ten (10) foot wide mauka-makai pathway and a ten (10) foot wide lateral shoreline pathway, along with three public parking stalls for shoreline users. These features directly contribute to the maintenance and accessibility of coastal open space. Mitigating measures will be implemented to minimize visual impacts, including controls on artificial lighting to protect night sky visibility and avoid negative effects on the shoreline environment. Furthermore, the project is expected to have negligible visual impacts when viewed from Kuakini Highway, the nearest state highway to the project site.

20. **Traffic**: A Traffic Impact Analysis Report (TIAR) was initially prepared in July 2003 by M&E Pacific, Inc., and later updated in November 2024 by Warren Israelson, P.E., to evaluate the potential traffic impacts associated with the proposed project. The updated 2024 traffic study confirmed the findings of the original report. The studies concluded that the proposed project will not generate enough trips to create an adverse traffic impact at any of the study intersections. The existing roadway system along Ali‘i Drive has sufficient capacity to accommodate the forecasted growth in both ambient traffic and the additional

traffic from the proposed development. The outbound movements from the project driveway are expected to operate at Level of Service B during both the morning and afternoon peak periods, and left turns into the project are expected to function at Level of Service A, indicating very acceptable conditions. To further support traffic flow, it was recommended that the existing two-way left-turn lane on Aliʻi Drive be extended southward to service the new project driveway. This improvement would accommodate left-turning traffic into the site and assist in maintaining good traffic operations. Although traffic impacts are not a direct review criterion under the Special Management Area (SMA) rules, previous project iterations discussed traffic issues particularly in relation to evacuation scenarios for coastal hazards such as tsunamis. As a result, the applicant has committed to comply with any required conditions, including turn lane installation, to mitigate potential impacts.

Staff notes that the request is for a SMA Permit and not a zone change. As such, the zoning code's concurrency requirement for a traffic impact analysis report is not required. Further relative to the SMA permit, based on the *Topliss v. Hawai'i County Planning Commission* decision of the State Intermediate Court of Appeals, the Court opined that traffic is relevant only if the request is shown to have a substantial adverse effect on the coastal environment, and as such, should not be used as a basis to deny the SMA permit.

PUBLIC SERVICES AND FACILITIES

21. **Roadway Access**: The project parcel will be accessed directly from Aliʻi Drive, a County-owned and maintained two-lane collector roadway with a 50-foot right-of-way and an average pavement width of 40 to 50 feet. To facilitate access, the applicant proposes to extend the existing two-way left-turn lane on Aliʻi Drive to accommodate northbound left-turn movements into the development. Additionally, a 5-foot-wide road widening setback easement will be provided along the property's frontage, with a paved shoulder constructed in accordance with County Department of Public Works requirements. Staff notes that the Department of Public Works Traffic Division did not comment on this proposed project, however, the Planning Department included comments from the previous SMA Use permit (No. 437) into this project's conditions of approval.

22. **Water:** According to the County of Hawaiʻi Department of Water Supply (DWS), potable

water can be made available from an existing 6-inch water line within Ali'i Drive fronting the subject parcel. There is an existing 2-inch service lateral installed to the parcel that is capable of accommodating a 1-1/2-inch meter, which is limited to an average usage of 400 gallons per day. The final water demand will be determined in consultation with DWS based on water calculations specific to the proposed 32-unit condominium. These calculations, to be prepared by a licensed professional engineer, will include the estimated peak flow in gallons per minute and the maximum daily water usage in gallons per day, accounting for both domestic consumption and landscape irrigation needs. If necessary, water conservation measures will be implemented to minimize demand, such as using low-flow plumbing fixtures, timed shut-offs in bathrooms, and best management practices for landscape irrigation, including smart controllers, drip irrigation systems, and xeriscaping with native and non-invasive plants.

23. **Wastewater:** The proposed project will dispose of wastewater by connecting to the existing County of Hawai'i wastewater system that runs along Ali'i Drive. The County system has sufficient capacity to accommodate the project's needs. This connection will serve all domestic wastewater generated by the proposed 32-unit condominium development. Additionally, water-efficient practices—such as the use of low-flow plumbing fixtures and conservation-oriented landscape irrigation—will help minimize the volume of wastewater produced. The applicant will ensure compliance with Department of Environmental Management standards, including obtaining all necessary approvals prior to the issuance of a Certificate of Occupancy.

24. **Other Essential Utilities and Services**: Telephone and electrical power service is currently available along the Ali'i Drive frontage on the property. Police, fire and medical services are available in Kailua-Kona.

AGENCIES' COMMENTS

25. **State Department of Health: (Planning Department Exhibit 2 – February 26, 2025, Memo)**

26. **Department of Water Supply: (Planning Department Exhibit 3 – April 3, 2025, Memo)**

27. **Fire Department: (Planning Department Exhibit 4 – February 26, 2025, Email)**

28. **State Office of Planning: (Planning Department Exhibit 5 – March 18, 2025, Letter)**

29. **Department of Public Works – Building Div.: (Planning Department Exhibit 6 – February 27, 2025, Memo)**

AGENCIES – NO COMMENTS/CONCERNS

30. Police Department

AGENCIES – NO RESPONSE

31. State Department of Land and Natural Resources (DLNR)- Engineering, Land, OCCL, SHPD Divisions; Civil Defense; Dept. of Environmental Management (DEM); Dept. of Public Works – Engineering and Traffic Divisions; State Dept. of Transportation.

PUBLIC COMMENTS

32. Alii Lani Resident Testimony **(Planning Department Exhibit 7 – March 17, 2025 Letter).**
33. Berg Testimony **(Planning Department Exhibit 8 – April 23, 2025 Email).**
34. Melendez Testimony **(Planning Department Exhibit 9 – April 25, 2025 Email)**
35. Tobias Testimony **(Planning Department Exhibit 10 – April 20, 2025 Email)**
36. Joy Testimony **(Planning Department Exhibit 11 – March 31, 2025 Letter)**
37. Safarik Testimony **(Planning Department Exhibit 12 – May 2, 2025 email)**
38. Huurman Testimony **(Planning Department Exhibit 13 – May 3, 2025 email)**

PREVIOUS COMMENTS

39. **Department of Public Works – Engineering Division: (Planning Department Exhibit 14 – September 1, 2003 Memo).**

SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION

COUNTY OF HAWAI'I
PLANNING COMMISSION

(Type or legibly print the requested information)

APPLICANT(S): BOAZ LLC

APPLICANT'S SIGNATURE: _____ DATE: 11/7/2024

ADDRESS: 635 Kenolio Road, Kihei, HI 96753

LIST APPLICANT'S INTEREST (if not owner): _____

PHONE: (Bus.) 612-290-2963 (Res.) _____ (Email) warren@kjwalk.com

REQUEST: To obtain a SMA Permit to allow for the construction of a 4-story, 34-unit condominium building with a pool and related improvements

TAX MAP KEY: (3) 7-5-020:021 ZONING: RM-1.5

SIZE OF PROPERTY / AREA OF REQUESTED USE: 1.195 acres / 1.195 acres

LANDOWNER(S): BOAZ LLC

FEE SIMPLE LANDOWNER(S) WRITTEN AUTHORIZATION
(may be provided by letter with the below statement included):

_____ DATE: _____

_____ DATE: 11/7/2024

AGENT: Land Planning Hawaii LLC

AGENT ADDRESS: 194 Wiwoole Street, Hilo, HI 96720

PHONE: (Bus.) 808-333-3393 (Res.) _____ (Email) info@landplanninghawaii.com

Please indicate to whom original correspondence and copies should be sent.

ORIGINAL: Agent COPIES: Applicant

Planning Dept.
Exhibit 1

SPECIAL MANAGEMENT AREA USE PERMIT APPLICATION
BOAZ LLC
KAILUA-KONA, NORTH KONA, HAWAI‘I
TMK (3) 7-5-020: 021

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EXHBITS

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Exhibit C: No effect letter from SHPD 1990
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Exhibit E: Traffic Assessment Update

I. BACKGROUND INFORMATION

A. EIS

The proposed project was evaluated with respect to Hawai‘i Revised Statues Chapter 343-5 and no triggers were identified. Therefore, further environmental review should not be required beyond what is detailed in this report.

B. Project Description, Objectives, and Reasons

Project Description

BOAZ LLC ("**applicant**") is requesting a Special Management Area Use Permit to allow for the construction of a 4-story, 34-unit condominium building with a pool and related improvements on the subject property identified as TMK (3) 7-5-020: 021.

The subject property contains 1.195-acres and is located at 75-6092 Ali‘i Drive on the *makai* side between the Casa De Emdeko complex and the Kona Isle condominium complex. The site is approximately 0.75 miles south of Lunapule Road in Puapua‘a, North Kona, Hawai‘i (**Figure 1**).

The subject parcel is zoned Multiple-Family Residential with a minimum land area per dwelling or rental unit of 1,500 square feet (RM-1.5) and thus the zoning of the parcel allows for the proposed development. However, this is a shoreline parcel located within the Special Management Area (SMA) and thus the proposed development requires an SMA Use Permit. A previous landowner obtained SMA Use Permit No. 437 in October, 2003, which approved the construction of a 4-story, 32-unit condominium building and related improvements on the subject parcel. The SMA permit required construction of the proposed development to be completed within five (5) years of the permit issuance. However, construction was never completed, rendering this condition incomplete. The applicant intends to construct a condominium of a similar nature and seeks a new SMA Use Permit in order to complete the project.

The project would provide economic opportunities by creating short-term construction work associated with building the condominium. Long-term maintenance, management, and landscaping services would also be required for the development. Further, the project is anticipated to have indirect benefits to nearby businesses due to increased spending in the area. The resultant project should add revenues to the County and State coffers while providing needed, albeit limited, employment opportunities to the area and County.

The proposed use of the subject parcel will help to concentrate urban uses in an area designated for urban growth and adjacent to developed lands. The success of the Casa De Emdeko complex to the north, the Kona Isle condominium complex to the south, as well as Ali‘i Lani Townhomes to the east speaks to the suitability of this area for condominiums.

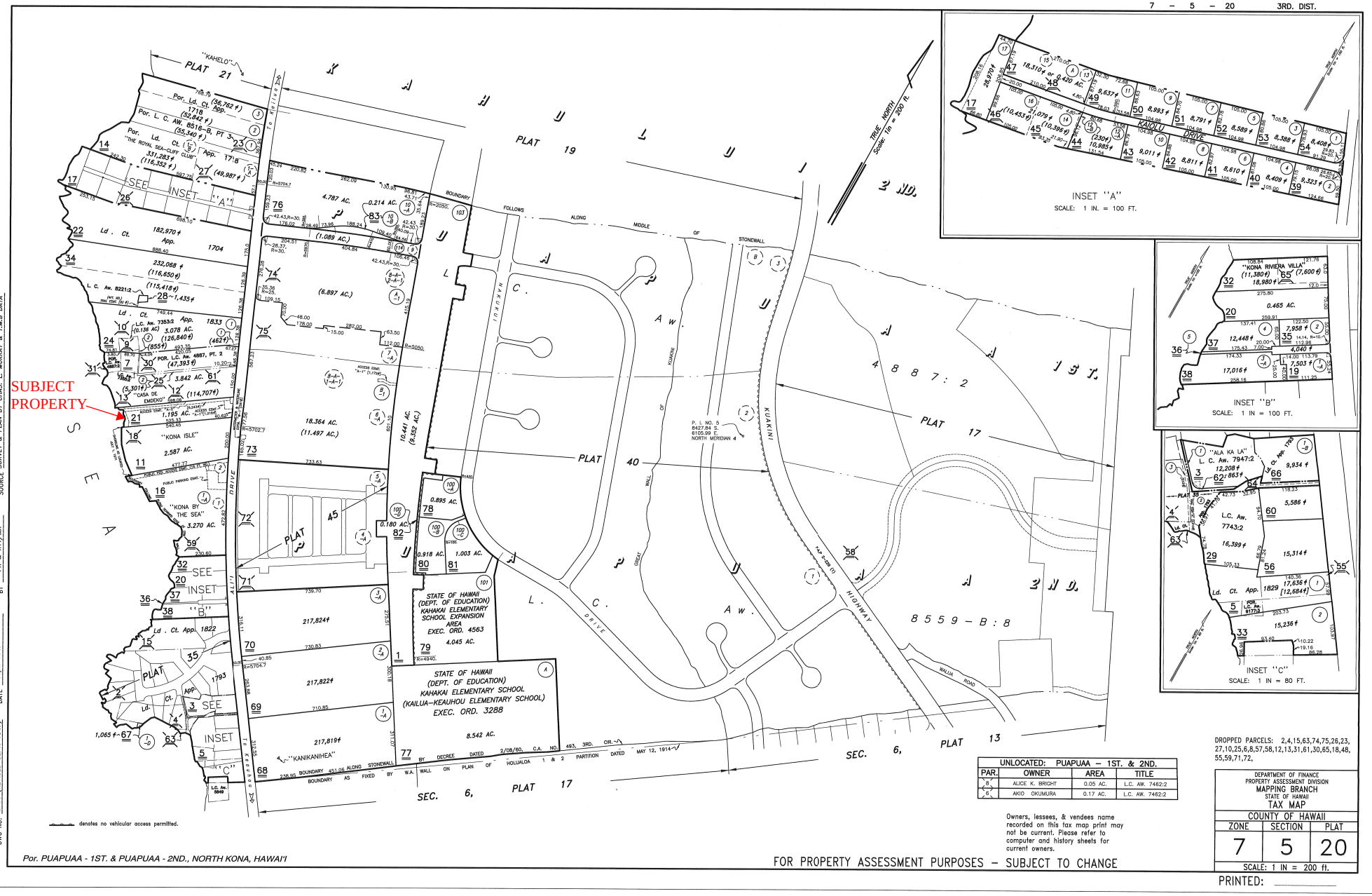

SUBJECT PROPERTY
7 – 5 – 20 3RD. DIST.
INSET "A"
SCALE: 1 IN. = 100 FT.
INSET "B"
SCALE: 1 IN = 100 FT.
INSET "C"
SCALE: 1 IN = 80 FT.
PLAT 21
PLAT 19
PLAT 17
PLAT 40
PLAT 45
PLAT 13
SEE INSET "A"
SEE INSET "B"
SEE INSET "C"
"KONA ISLE"
"KONA BY THE SEA"
"CASA DE ENDEKO"
"KANIKANIHEA"
"KAHELO"
"ALA KA LA"
"KONA RIVIERA VILLA"
KUAKINI HIGHWAY
KUAKINI DRIVE
ALII DRIVE
WALUA ROAD
STATE OF HAWAII (DEPT. OF EDUCATION) KAHAKAI ELEMENTARY SCHOOL EXPANSION AREA EXEC. ORD. 4563 4.045 AC.
STATE OF HAWAII (DEPT. OF EDUCATION) KAHAKAI ELEMENTARY SCHOOL (KAILUA–KEAUHOU ELEMENTARY SCHOOL) EXEC. ORD. 3288 8.542 AC.
8887:2
8559-B:8
SEC. 6, PLAT 17
SEC. 6, PLAT 13
denotes no vehicular access permitted.
Por. PUAPUAA - 1ST. & PUAPUAA - 2ND., NORTH KONA, HAWAI'I
FOR PROPERTY ASSESSMENT PURPOSES – SUBJECT TO CHANGE
UNLOCATED: PUAPUAA – 1ST. & 2ND.
PAR. | OWNER | AREA | TITLE
8 | ALICE K. BRIGHT | 0.05 AC. | L.C. AW. 7462:2
6 | AKIO OKUMURA | 0.17 AC. | L.C. AW. 7462:2
Owners, lessees, & vendees name recorded on this tax map print may not be current. Please refer to computer and history sheets for current owners.
DROPPED PARCELS: 2,4,15,63,74,75,26,23, 27,10,25,6,8,57,58,12,13,31,61,30,65,18,48, 55,59,71,72,
DEPARTMENT OF FINANCE
PROPERTY ASSESSMENT DIVISION
MAPPING BRANCH
STATE OF HAWAII
TAX MAP
COUNTY OF HAWAII
ZONE 7 | SECTION 5 | PLAT 20
SCALE: 1 IN = 200 ft.
PRINTED:
4/22/19
7/20/22
DWG NO. 2736 (REVISED SEPT. 1942) DATE Sept. 1947 BY PK & RYT/MA SOURCE SURVEY & PLAN BY CHAS. L. MURRAY & T.M.B DATA

FIGURE 1

Project Objective

The project objective is to develop a 4-story, 34-unit condominium building with a pool and related improvements on the subject property.

Project Components

Condominium Building

The proposed project would consist of a 4-story structure with three (3) condominium units on the first floor, ten (10) units on the second and third floor, and eleven (11) on the fourth floor, for a total of thirty-four (34) units. The proposed building height is just below 45-feet. A conceptual site plan, floor plans, and elevation drawings are attached as **Figures 2-5**. A new shoreline survey was certified by the Department of Land and Natural Resources on September 13, 2024 (**Figure 6)**. No structures are proposed within the 40 ft shoreline setback area. A public access sidewalk is shown extending slightly into the shoreline setback area on the north side of the property but would be modified if required to not extend into the setback.

There are only minor changes in the project since its approval under SMA Use Permit 437 in October of 2003. The current project proposes two (2) additional residential units which are supported by the allowable density and size of the property. The proposed pool location has been moved from the mauka side of the building as previously proposed to the makai side and outside of the shoreline setback area.

Thirty-four (34) parking spaces are proposed on the ground floor beneath the building including 2 ADA accessible spaces. An additional thirteen (13) parking spaces are proposed mauka of the building including three (3) public parking spaces for shoreline access. A loading zone is also proposed in addition to the parking spaces described above.

The building would offer ten (10) types of condominium units ranging from a 782 square foot, 1-bedroom, 1-bathroom unit to a 1,754 square foot, 3-bedroom, 3-bathroom unit with a den. Each unit includes a kitchen, living room, and a private lanai.

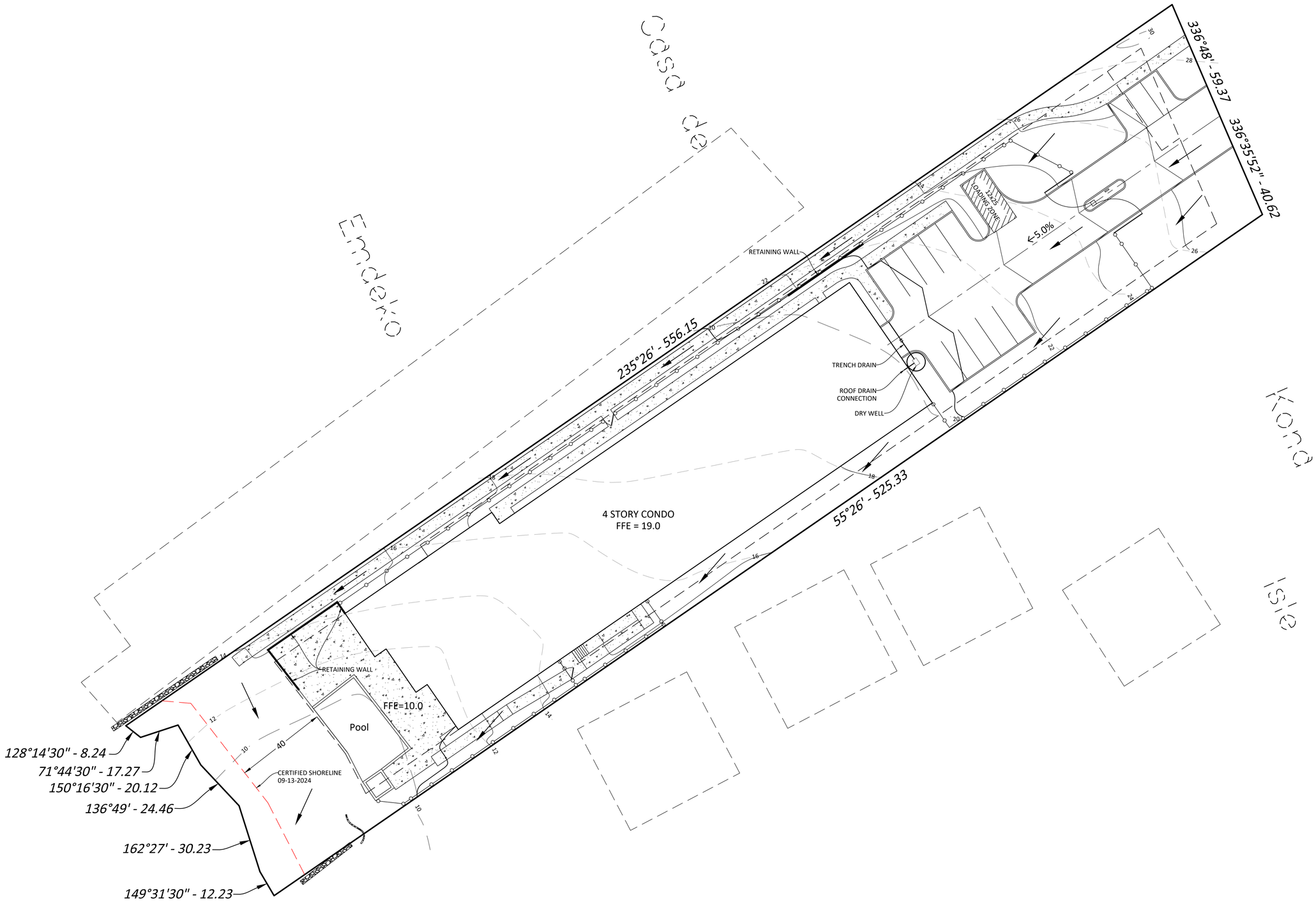
Access

Access to the site is from Aliʻi Drive, a County owned and maintained roadway with a 50-foot right-of-way and an average pavement width of 40 to 50 feet. Consistent with Condition 7 of SMA 437, if required, the applicant will extend the existing two-way left turn lane on Aliʻi Drive to accommodate northbound left turns into the proposed development in the manner specified by the Department of Public Works.

Consistent with Condition 9 of SMA 437, the applicant will provide a 5-foot-wide future road widening setback easement along the entire frontage of the property along Aliʻi Drive. The road widening setback easement shall be dedicated to the County upon request at no cost

Lava Reef

PARCEL AREA = 1.195 ACRES
ZONING = RM-1.5



LEGEND

- DRAINAGE ARROW
- DRY WELL
- RETAINING WALL
- PRIVACY FENCE

N

0 20 40 60

KJwalk INC.
6001 Egan Drive, Ste 100, Savage, MN 55378
Phone: 952.222.4419 Web: www.kjwalk.com

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly registered engineer under the laws of the State of Hawaii

Warren John Israelson
Registration #: 12324 Date: 9/30/2024

Date:	Revision:
09/30/24	Original

Lava Reef

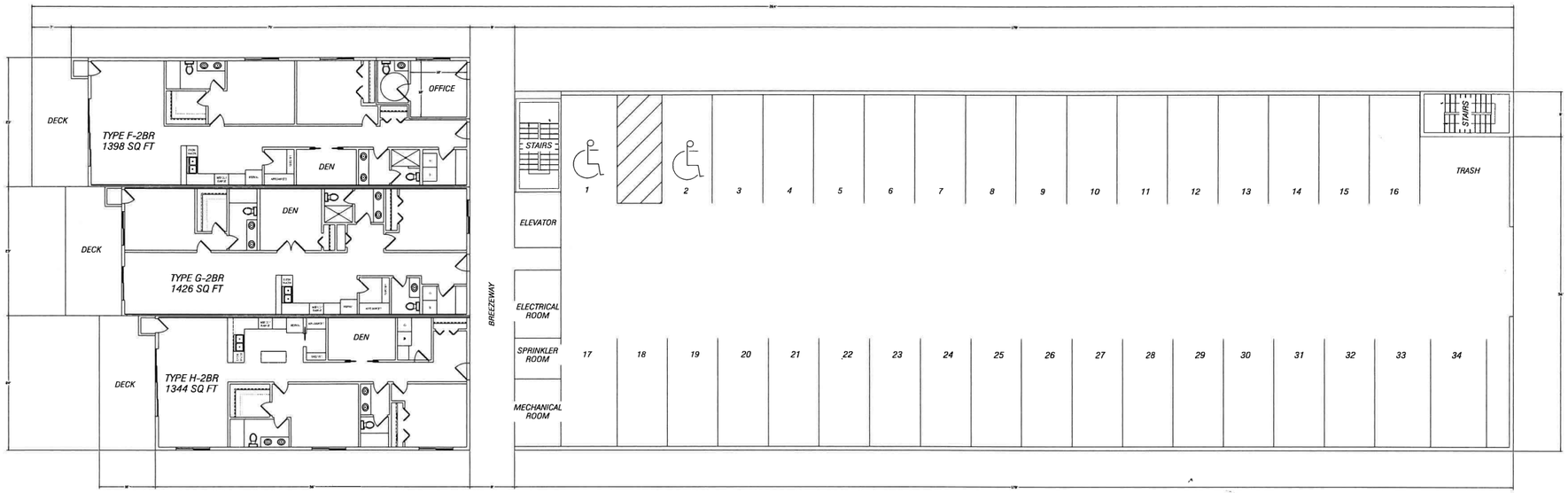
Kailua Kona, Hawaii
TMK: (3) 7-5-020-021

For Review Only
September 30, 2024
Concept

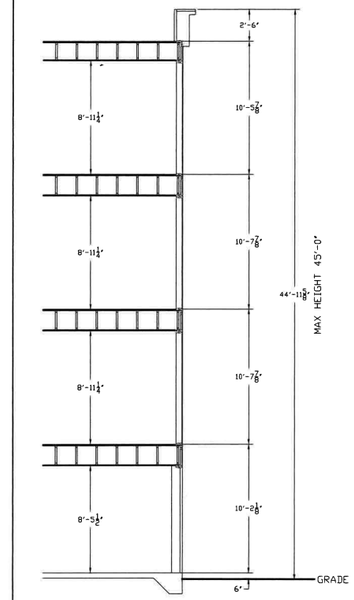
SHEET 1 of 1

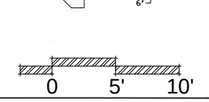
FIGURE 2

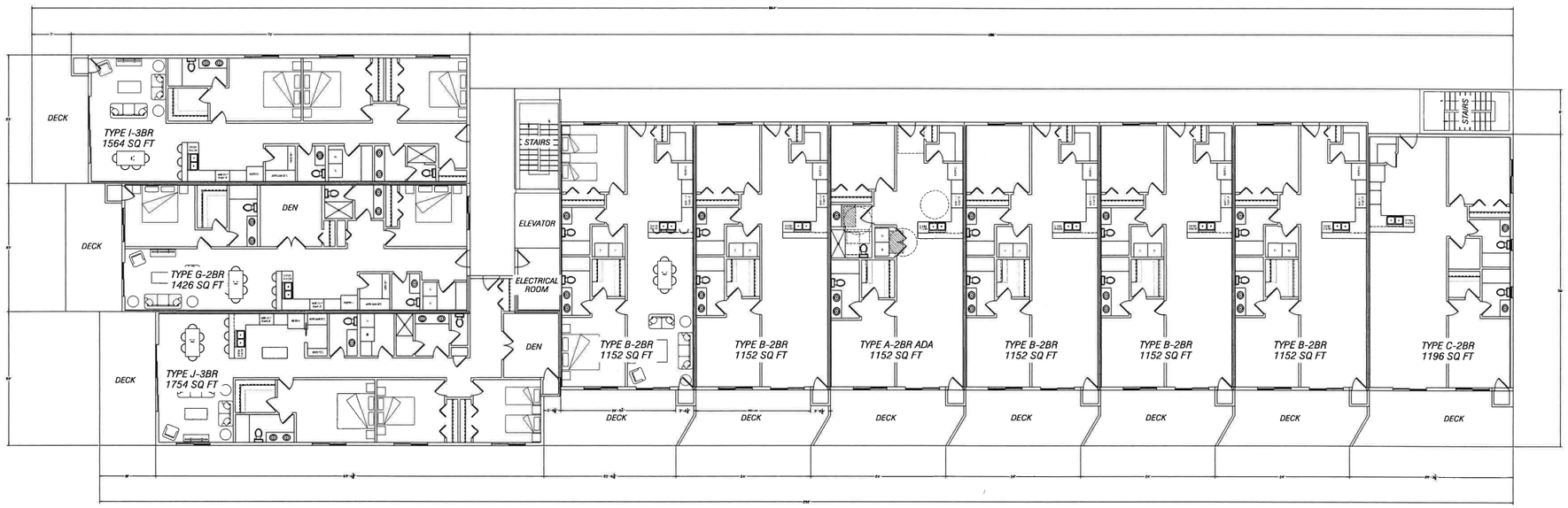
SCALE 1" = 20'



1ST FLOOR







2ND FLOOR

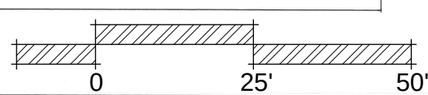
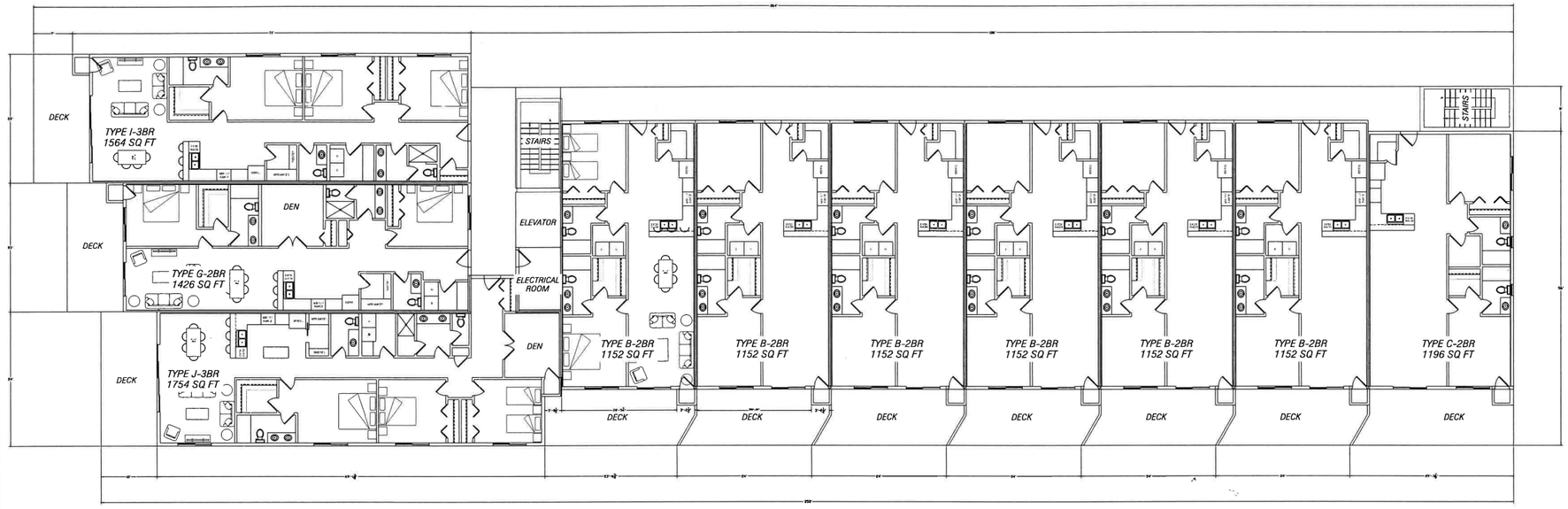


FIGURE 3

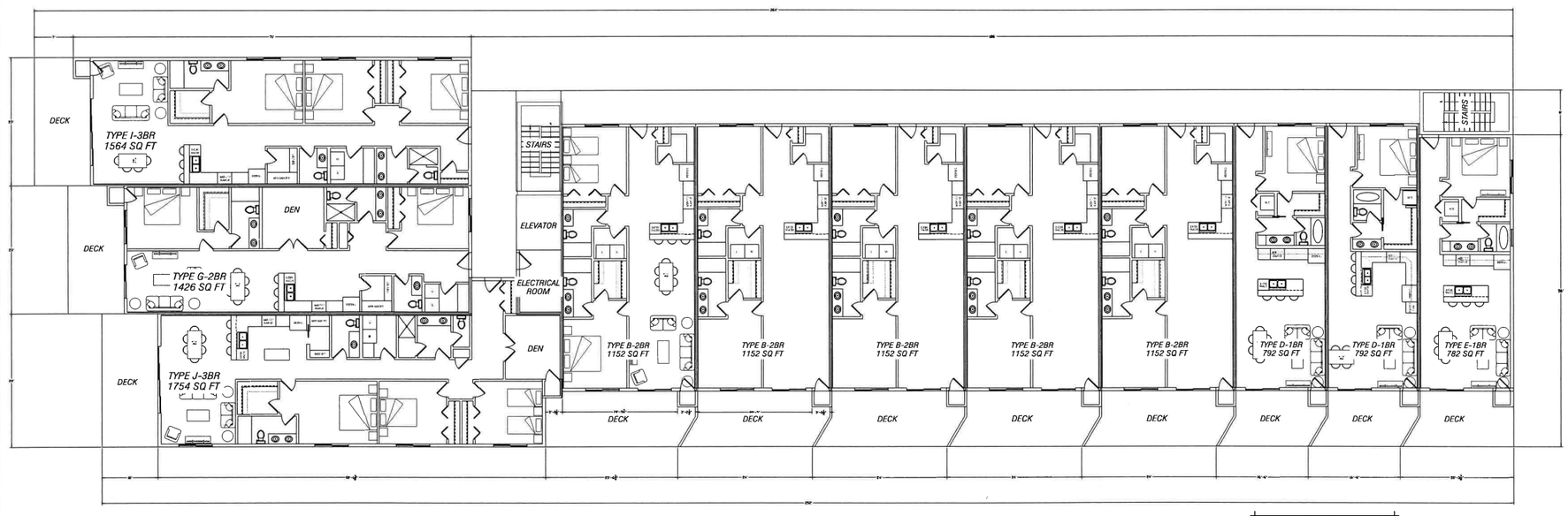
6001 Egan Drive, Ste 100, Savage, MN 55378
Phone: 952.222.4419 Web: www.kjwalk.com

LAVA REEF: KONA, HAWAII
CONCEPT FLOOR PLANS

A 0.2



3RD FLOOR



4TH FLOOR

0 25' 50'

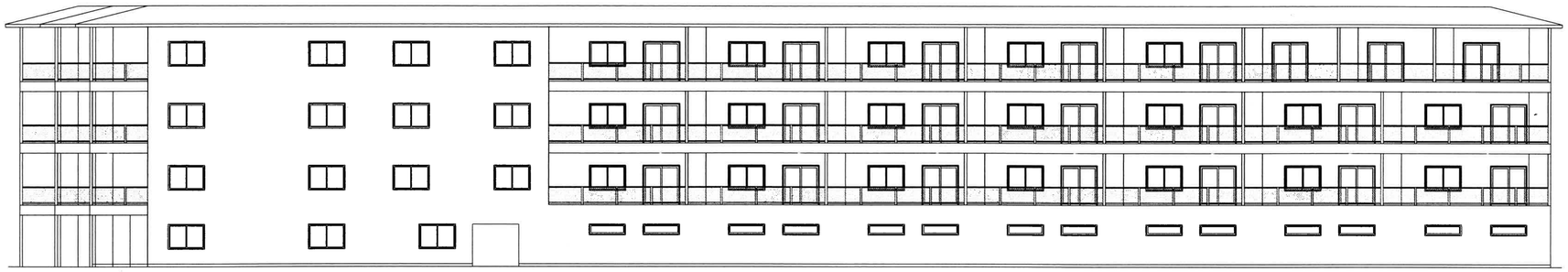
FIGURE 4

6001 Egan Drive, Ste 100, Savage, MN 55378
Phone: 952.222.4419 Web: www.kjwalk.com

12/01/2023

LAVA REEF: KONA, HAWAII
CONCEPT FLOOR PLANS

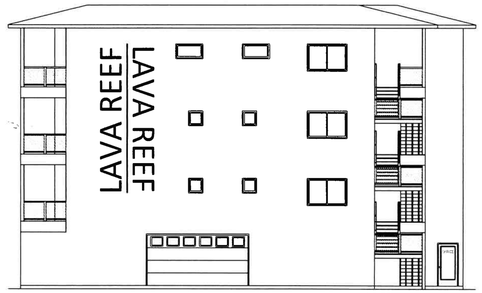
A0.3



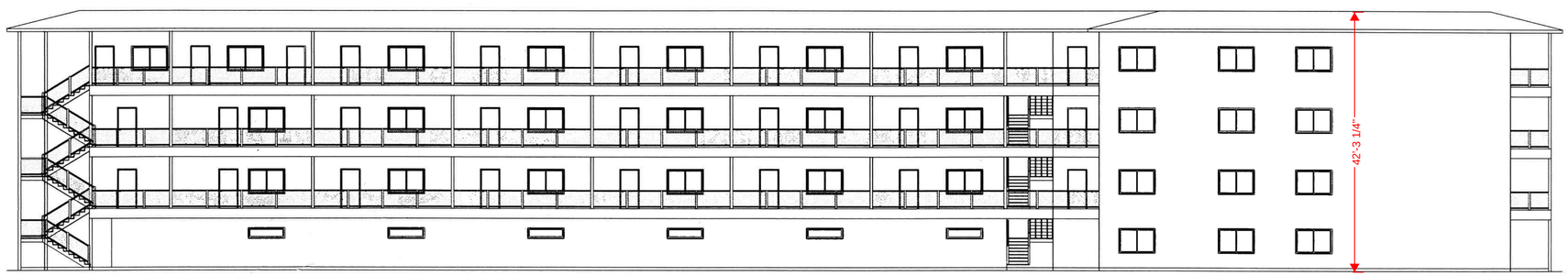
SOUTH ELEVATION



WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION

FIGURE 5

Scale 3/32" = 1'

6001 Egan Drive, Ste 100, Savage, MN 55378
Phone: 952.222.4419 Web: www.kjwalk.com

LAVA REEF: KONA, HAWAII
CONCEPT ELEVATION PLANS

A 0.1

TRUE NORTH
SCALE: 1 INCH = 20 FEET

(3) 7-5-020: 007
Casa De Emdeko, et al.
(Owners)

CRM Retaining Wall
Rebar (Found)
CRM Retaining Wall
Iron Pin (Found)
128°14'30" 8.24
19.21
94°57' 12.69
1/2 Inch Pipe (Set)
71°44'30" 17.27
150°16'30" 20.12
(0.032 Acres, More or Less)
142°13' — 55.12
138°49' — 24.46
Nail (Found)
Naill (Found)
30.23
35.74
162°27' —
132°56' —
149°31'30" 12.23
16.24
Nail (Found)
Stonewall
Stonewall
Shoreline delineated along upper reaches of the reef platform as evidenced by wrack lines on surveyed on May 7, 2024
Shoreline Previously Certified on January 31, 2006, April 3, 2008 and August 16, 2018

235°26' — 556.15
536.94

Easement "A-2" (Revised)
For Pedestrian Access Purposes
(Beach and Shoreline Access)

Existing Easement "A-1"
For Vehicular and Pedestrian
Access Purposes
(Document No. 91-014902)

Portion of R.P. 7819, L.C. Aw. 8559-B, Ap. 8 to William C. Lunalilo

1.195 ACRES,
MORE OR LESS
(1.163 Acres, More or Less)

P U A P U A A 2 N D

1,406.26 Ft. South
769.62 Ft. East
Ref. "KAHELO"
Nail (Found on wall)

A L I I D R I V E

To Kailua

336°48' — 59.37
Rebar (Found)
R=5754.70
336°35'52.1" — 40.82
Spike in Concrete (Found)
66°23'44.2"

509.09
55°26' — 525.33

(3) 7-5-020: 011
Kona Isle Inc., et al.
(Owners)

To Keauhou

The shoreline as delineated in red is hereby certified as the shoreline as of
SEP 13 2024
Chairperson, Board of Land and Natural Resources

SHORELINE CERTIFICATION MAP SHOWING

A PORTION OF
R. P. 7819, L. C. AW. 8559-B, AP. 8
TO WILLIAM C. LUNALILO

At Puapuaa 2nd, North Kona
Island and County of Hawaii, State of Hawaii

NOTES:

1. [1] Denotes photograph number and direction of view.
2. [1] Denotes number in photograph.
3. The features, shown hereon, represent ground conditions existing between August 14, 2002 and May 7, 2024.
4. Shoreline Point Numbers 1 and 2 have been intentionally left off.

20 10 0 20 40 60
SCALE IN FEET

Prepared For:
BOAZ LLC (OWNER)
c/o Warren Israelson
KJ Walk Inc.
6001 Egan Drive, Suite 100
Savage, Minnesota 55378
STREET ADDRESS: 75-6092 ALII DRIVE

FIGURE 6

Prepared By:
WES THOMAS ASSOCIATES
-- Land Surveyors --
75-5749 Kalawa Street, Suite 201
Kailua-Kona, Hawaii 96740-1817
TEL. (808) 329-2353
FAX (808) 329-5334 EMAIL surveys@wtahawaii.com

NICOLAS K. YAMASAKI
LICENSED PROFESSIONAL LAND SURVEYOR
No.12052
HAWAII, U.S.A.

This work was prepared by me or under my direct supervision.

NICOLAS K. YAMASAKI
Licensed Professional Land Surveyor
State of Hawaii Certificate Number LS-12052
Expiration Date: April 2026

PROJECT NO.: 10941.53
DATE: . . . . . JUNE 24, 2024
FIELD BOOK NO.: . . 1146, 1152, 1209, 1241, 1359 AND 1433
TAX MAP KEY: . . . . 7-5-020:021 (3RD DIVISION)

P:\10500-10999\10941.53\DGN\10941153st.dgn

to the County. A paved shoulder along the entire frontage of the property to the right-of-way will be provided meeting the approval of the Department of Public Works.

Public Access

The applicant will comply with conditions of the "Grant of Easement for Public Access and Parking" for the subject property recorded as Document No. 91-014902 with the Bureau of Conveyances on February 4, 1991 (**Exhibit A**). This document requires the establishment of a non-exclusive public access easement with a ten (10) foot wide east to west pathway and a ten (10) foot wide north to south pathway along with three (3) public parking stalls for vehicular and pedestrian access. Public access signage will also be a requirement.

Utilities

Water is available through the Hawai'i County Department of Water Supply. Water capacity will be determined in consultation with DWS based on water calculations for the proposed use. Wastewater will be handled through the county sewer system. Electricity is available through the Hawaiian Electric Light Company (HELCO).

SMA 437 Conditions

1. *The applicant, its successor or assigns shall be responsible for complying with all stated conditions of approval.*

The applicant will comply with this condition.

2. *Construction of the proposed development shall be completed within five (5) years from the date of this permit. Prior to construction, the applicant shall secure Final Plan Approval from the Planning Director in accordance with Sections 25-2-70, Chapter 25 (Zoning Code), Hawaii County Code. Plans shall identify all existing and proposed structures, landscaping, paved driveway access and parking stalls associated with the proposed development. Landscaping shall be provided as required by Planning Department Rule 17 (Landscaping Requirements.)*

The applicant will comply with this condition.

3. *A drainage study shall be prepared and submitted to the Department of Public Works for review and approval prior to the issuance of a grading permit and submittal of plans for Plan Approval review. Drainage improvements, if required, shall be constructed, meeting with the approval of the Department of Public Works prior to the issuance of a Certificate of Occupancy.*

The applicant will comply with this condition.

4. *A public access plan, which includes the 10-foot wide mauka-makai access, designated lateral shoreline access, and public access parking stalls as required by the "Grant of Easement for Public Access", sufficient public access signage and related improvements shall be submitted to and approved by the Planning Director prior to Final Plan Approval. The applicant shall be required to comply (with) the conditions of the "Grant of Easement for Public Access" recorded as Document No. 91-014902 with the Bureau of Conveyances on February 4, 1991. All required improvements shall be in place prior to the issuance of a certificate of occupancy for any portion of the development.*

The applicant will comply with this condition.

5. *During construction, measures shall be taken to minimize the potential of both fugitive dust and runoff sedimentation. Such measures shall be in compliance with construction industry standards and practices utilized during construction projects of the State of Hawaii.*

The applicant will comply with this condition.

6. *The 40-foot shoreline setback line shall be staked by a registered surveyor prior to any grading or grubbing activity. A letter confirming staking shall be submitted to the Planning Department.*

The applicant will comply with this condition.

7. *The applicant shall extend the existing two-way left turn lane on Alii Drive to accommodate northbound left turns into the proposed development in the manner specified by the Department of Public Works.*

While traffic impacts are not a criterion for SMA review, this condition was intended to facilitate emergency evacuation from coastal hazards. If required, the applicant will comply with this condition.

8. *Install street lights, signs and markings meeting with the approval of the Department of Public Works, Traffic Division.*

The applicant will comply with this condition.

9. *The applicant shall provide a 5-foot wide future road widening setback easement along the entire frontage of the property along Alii Drive. The road widening setback easement shall be dedicated to the County upon request at no cost to the County. A paved shoulder along the entire frontage of the property extending to the right-of-way shall be provided meeting with the approval of the Department of Public Works.*

The applicant will comply with this condition.

10. Any vehicular security gate shall be located a minimum of 45 feet from Alii Drive pavement. Further, a turn around on the Alii Drive side of the gate shall be provided.

The applicant will comply with this condition. Plans show a vehicular gate approximately 65 to 70 feet from the property line (farther from the Alii Drive pavement).

11. A Solid Waste Management Plan shall be submitted to the Department of Environmental Management for review and approval prior to the issuance of a Certificate of Occupancy.

The applicant will comply with this condition.

12. The applicant shall connect to the existing sewer line on Alii Drive, meeting with the approval of the Department of Environmental Management prior to the issuance of a Certificate of Occupancy.

The applicant will comply with this condition.

13. Should any remains of historic sites, such as rock walls, terraces, platforms, marine shell concentrations or human burials be encountered, work in the immediate area shall cease and the Department of Land and Natural Resources- Historic Preservation Division (DLNR-HPD) shall be immediately notified. Subsequent work shall proceed upon an archaeological clearance from the DLNR-HPD when it finds that sufficient mitigation measures have been taken.

The applicant will comply with this condition.

14. An Emergency Preparedness and Response Plan shall be submitted to the Hawaii County Civil Defense Agency for review and approval prior to the issuance of a Certificate of Occupancy.

The applicant will comply with this condition.

15. An annual progress report shall be submitted to the Planning Director prior to the anniversary date of the approval of the permit. The report shall include, but not be limited to, the status of the development and compliance with the conditions of approval. This condition shall remain in effect until all of the conditions of approval have been satisfied and the Planning Director acknowledges that further reports are not required.

The applicant will comply with this condition.

16. Comply with all applicable laws, rules, regulations and requirements of other affected agencies, including the Department of Public Works, the Department of Water Supply relative to potable water, the Department of Environmental Management Solid Waste Division and the Department of Health.

The applicant will comply with this condition.

17. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances:

a. The non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the result of their fault or negligence.
b. Granting of the time extension would not be contrary to the original reasons for the granting of the permit.
c. The time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year).

The applicant will comply with this condition.

C. Property Description

General

The subject property is located on the *makai* side of Ali‘i Drive, between the Casa De Emdeko complex and the Kona Isle condominium complex, approximately 0.75 miles south of Lunapule Road in North Kona, Hawai‘i.

Vegetation on the property is mostly overgrown grasses such as Guinea Grass (*Megathyrsus maximus*). Coconut palm (*Cocos nucifera*) and kiawe (*Prosopis pallida*) are also scattered on site. Ornamentals exist nearby including Areca Palm (*Dypsis lutescens*), Royal Poinciana (*Delonix regia*), and Plumeria (*Frangipani sp*.).

D. Project Valuation

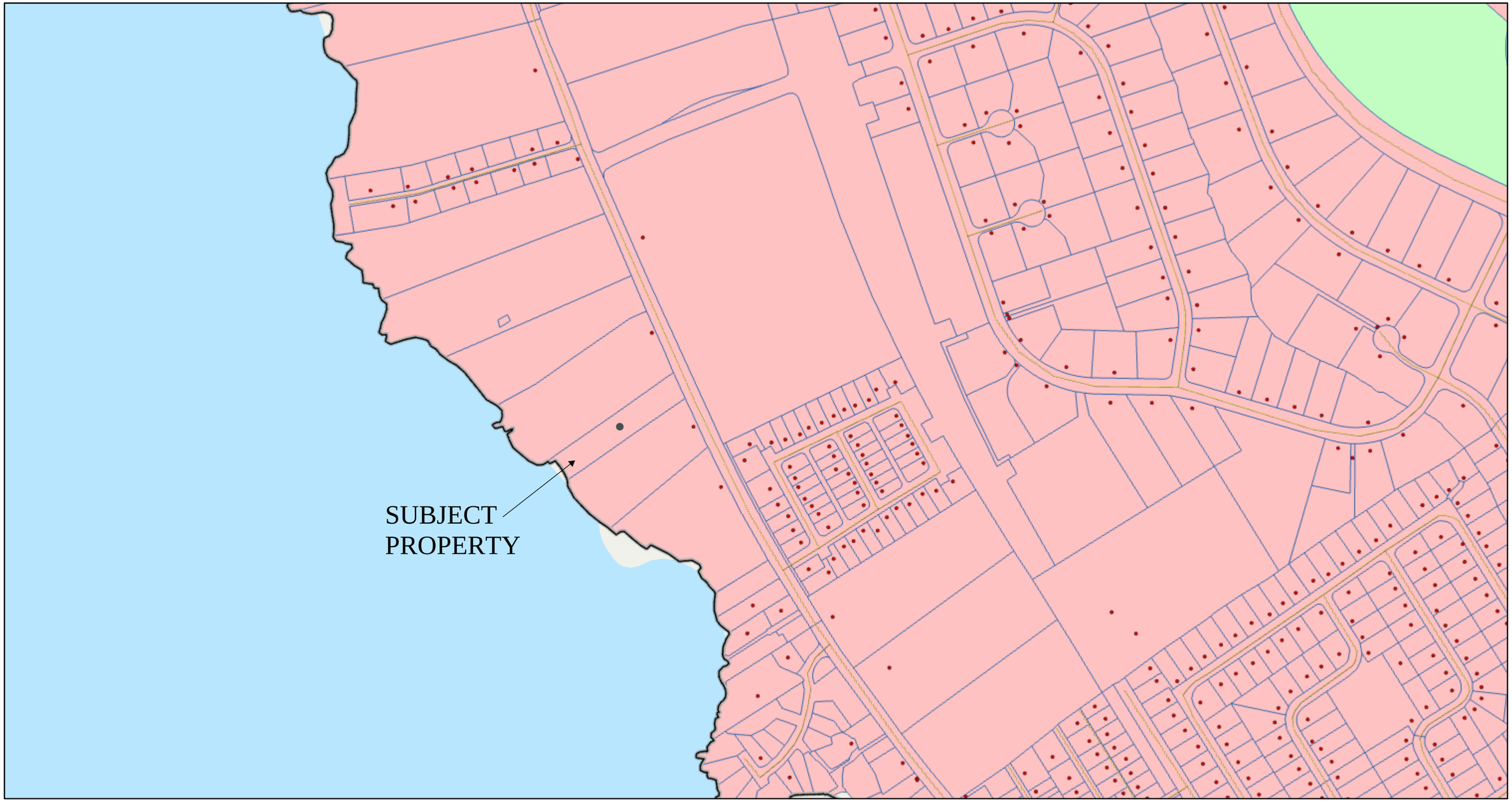
Tentatively, plans call for securing all necessary permissions and permits by late-2025. Project improvements are planned to be completed by 2028. The estimated cost of the project will be approximately $12,000,000.

E. State/County Plans Affecting Request

State Land Use

The State Land Use Designation of the subject property is Urban (**Figure 7**). The request does not change the land use designation or zoning, and the proposed use is consistent with the SLU Urban designation. As such, the County can process this application.

State Land Use Designation Map of TMK (3) 7-5-020: 021



3/6/2024, 8:54:52 AM

State Land Use Classifications (SLU)
- Agricultural
- Urban

Parcels (current boundary lines)
Address Points
Street Centerlines

Hawaii County District Boundary
Coastline

1:4,514

0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km

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FIGURE 7

Web AppBuilder for ArcGIS
The contents of this map were prepared for informational and planning purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes.

DLNR Conservation District

The property is located outside the Department of Land and Natural Resources Conservation District.

County General Plan

The General Plan provides for the long-range comprehensive development of the island of Hawai‘i. It provides direction for balanced growth to the County. The County General Plan Land Use Pattern Allocation Guide (LUPAG) map designates approximately 50 percent of the site as Medium Density Urban and 50 percent as Open (**Figure 8**).

Medium Density Urban areas are intended for village and neighborhood commercial and single-family and multiple family residential type uses and related functions with a maximum density of up to 35 units per acre. Given that the subject parcel is 1.195 acres and the plans call for a 34-unit condominium, the proposed use would conform to this LUPAG designation.

Open areas are generally intended for parks and other recreational areas, along with open shoreline. The proposed use is consistent with the Open designation as it will incorporate 40-foot shoreline setbacks, preserving shoreline open space and public access. Additionally, this area of Ali‘i Drive is developed with many other condominium buildings including the Casa De Emdeko complex to the north, the Kona Isle condominium complex to the south, and Ali‘i Lani Townhomes to the east.

The proposed action will retain the essential character of the land and will be consistent with the surrounding area, and the goals, policies, and standards of the General Plan document.

The proposed condominium and associated improvements would provide temporary employment for local construction workers and would support the **economy** through the purchase of construction materials from on-island suppliers. This will stimulate and support the general economic stability and development of Hawai‘i Island by allowing for local businesses to thrive and gain income from the proposed project. In the long term, the development will bring in additional property taxes, adding revenue to the County coffers. The request will have a positive impact on long-term economic opportunities including landscaping, building maintenance, and property management services.

The proposed development would not provide adverse effects on the **environment** or the natural resources of the region. The General Plan identifies five (5) areas of environmental concerns - air pollution, water quality, soil pollution, solid waste disposal, and noise pollution. As proposed, the project would not be contrary to any of those objectives.

The project will be **energy** conscious through its use and/or encouragement of solar energy and design features that take advantage of sun and wind patterns.

The proposed project is not expected to cause significant or long-term impacts to **air quality or noise levels.** Although there may be limited impacts during construction, these will be

Land Use Pattern Allocation Guide (LUPAG) Map of TMK (3) 7-5-020: 021

SUBJECT PROPERTY

3/6/2024, 8:53:53 AM

Land Use Pattern Allocation Guide (LUPAG)
- Low Density Urban
- Medium Density Urban
- Open Area

- Urban Expansion
- Parcels (current boundary lines)
- Address Points

- Street Centerlines
- Hawaii County District Boundary
- Coastline

1:4,514

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, US Census Bureau, USDA, USFWS, County of Hawaii IT Department, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA,

FIGURE 8

Web AppBuilder for ArcGIS

The contents of this map were prepared for informational and planning purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes.

mitigated through Best Management Practices (BMPs). All construction and operational activities will comply with Hawai‘i Administrative Rules Title 11, Chapter 46, 59, and 60.1 related to noise and air quality. Construction related air pollutants will be short-term and limited, mainly from construction equipment exhaust and dust. Reasonable measures to control airborne and visible fugitive dust from construction areas are outlined by the Department of Health's Clean Air Branch and are discussed in Section II, subsection A of this report. During operation, the project will not contribute significantly to air pollution due to its residential nature. Existing noise levels in the area are moderate due to traffic, residences, and recreation.

Noise from the proposed project will not significantly increase above ambient levels in the general area. Noise will be consistent with several other condominium buildings nearby, including the adjacent properties to the north and south.

The proposed project will comply with Hawaii County Code, Chapter 10 relating to erosion and sedimentation. Established construction Best Management Practices will be strictly followed to mitigate impacts to **water quality and coastal resources.** Construction BMPs will also prevent impacts from stormwater runoff. These are discussed in Section I, Subsection P of this report. Pursuant to County drainage requirements, appropriate drywells and/or similar means to capture runoff from any improvements will be built, if necessary, in conjunction with the appropriate permitting process.

The proposed development will have negligible **visual impacts** from Kuakini Highway, the nearest State highway to the coast. The project is not expected to substantially interfere with or detract from the line of sight toward the ocean, which is already obstructed by vegetation on the site.

All State and County requirements to minimize the possibility for spills and **hazardous materials** will be followed during construction phases. These are discussed in Section II, Subsection A of this report. Similarly, **solid waste** will be managed by commercial haulers. A waste management plan can be prepared and implemented if necessary.

With regards to **flooding**, the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) identifies the majority of the parcel in Flood Zone X, which is outside the 500-year floodplain. A small *makai* section of the site is in Flood Zone AE, which are areas subject to inundation by the 1-percent-annual-chance flood event and base flood elevations. The coastal area of the site, along with the majority of parcels in the area, are in Flood Zone VE, which are areas subject to inundation by the 1-percent-annual-chance flood event with additional hazards due to storm- induced velocity wave action. The proposed building will be constructed entirely within Flood Zone X.

The subject site is located within the County of Hawai‘i Tsunami Evacuation Zone. Civil defense sirens are located approximately 0.75 miles northeast at the intersection of Lunapule Road and Kuakini Highway (HA604) as well as 0.6 miles south on Royal Poinciana Drive (HA603). Both sirens are operational. An Emergency Preparedness and Response Plan will

be submitted to the Hawai‘i County Civil Defense Agency for review and approval prior to the issuance of a Certificate of Occupancy.

With regards to **historic sites**, an Archaeological Inventory Survey conducted on site in 1989 (**Exhibit B**), identified two sites (12911 and 12912), both of which were possible clearing mounds. A test excavation of Site No. 12911 determined that these mounds held significance solely in terms of informational content, and no further action was recommended. Additionally, a letter of comment from the Department of Land and Natural Resources dated April 11, 1990, supported a "no effect" classification on significant historical sites (**Exhibit C**). The subject property is not listed in the General Plan Historic element or the State and Federal Register of Historic Places. However, in the event any archaeological or historical features are found during any ground disturbance activity, work will stop within the affected area and appropriate clearances from the State DLNR-SHPD and County Planning Department will be secured before work resumes.

The General Plan also emphasizes that developments be mindful of an area's **natural beauty**. No valued scenic resource listed in the County General Plan will be impacted by this request. Mitigating measures will be put in place to ensure artificial lighting does not adversely impact the night sky or shoreline areas.

Public shoreline access will be available through established easements running east-west and north-south on the subject property for pedestrian access plus three (3) parking stalls for vehicular access. As such, no **recreational resources** will be affected by the proposed use.

The proposed project also fulfills the **housing** goals by providing thirty-four (34) condominium units in reasonable proximity to employment centers, which would contribute to housing options in an area where housing of all types is needed.

Given the above, the project specifically fulfills the following pertinent **land use** goals, policies, and standards of the General Plan:

- *Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County.*
- *Promote and encourage the rehabilitation and use of urban areas that are serviced by basic community facilities and utilities.*
- *Encourage the development and maintenance of communities meeting the needs of its residents in balance with the physical and social environment.*
- *Encourage urban development within existing zoned areas already served by basic infrastructure, or close to such areas, instead of scattered development.*

In view of the foregoing goals and policies, it is noted that the requested Special Management Area Use Permit would not be contrary to the County General Plan. The proposed development will complement the goals, policies, and standards of the Land Use Elements of the General Plan. The project will be designed and constructed in conformance with the character of the surrounding neighborhood and will result in an intensity of land use that is no higher than what is permitted by the existing zoning.

Kona Community Development Plan

The Kona Community Development Plan (KCDP) was developed through the implementation of the 2005 County of Hawai‘i General Plan. CDP’s are designed to translate and implement the goals, policies, and standards of the General Plan as they apply to specific communities and districts. Additionally, they provide an important framework for a community’s intended outcome and vision and are often used as a forum for community input in terms of land-use, availability of public resources, and overall development.

The KCDP designates the subject parcel as part of the Kona Urban Area, and further within the outer boundary of the Kailua Village Transit-Oriented Development (TOD) area. The proposed use is conducive to the following policies and objectives outlined in the KCDP as amended by Ordinance 19-091 effective September 18, 2019:

Policy LU-1.2: Urban Area. *The majority of future growth in Kona shall be directed to the Kona Urban Area shown on the Official Kona Land Use Map, which spans from the Kona International Airport to Keauhou subject to the policies set forth under Objective LU-2 Urban Area Growth Management.*

The proposed development is located within the Kona Urban Area and is consistent with the level of development that surrounds it.

Policy LU-1.4: Consistency with Land Use Pattern Allocation Guide (LUPAG). *The current LUPAG accommodates the vision and needs for the Kona CDP area planning horizon and should be amended only for compelling reasons. Any rezoning application shall be consistent with the LUPAG.*

The County General Plan Land Use Pattern Allocation Guide (LUPAG) map designates approximately 50 percent of the site as Medium Density Urban and 50 percent as Open. Medium Density Urban areas are intended to encourage village-style neighborhoods and allow for multiple-family residential development up to 35 units per acre. Additionally, Open areas are generally intended for parks and other recreational areas, along with open shoreline. Given that the proposed project is within the range of Medium Density Urban development, and that it will enable shoreline access and preserve shoreline open space, the proposed project will be consistent with its LUPAG designations.

Objective LU-2: Urban Area Growth Management. *Recognizing that the LUPAG Urban Area is larger than needed in order to accommodate the projected growth within the planning horizon, future growth within the Urban Area shall be encouraged in a pattern of compact villages at densities that support public transit.*

The KCDP guiding principle to *direct future growth patterns toward compact villages preserving Kona’s rural, diverse, and historical character* will be furthered by the proposed development as it is proposed in the Kona Urban Area with adequate access to utilities and roadways. Additionally, the proposed

development will be located between existing similar developments. Furthermore, the proposed project will not impact the shoreline setback area, nor will it negatively impact the public access along the shoreline and in so doing will preserve the coastline.

F. Special Management Area & HRS 205A Guidelines Discussion

HRS 205A-2 Objectives

(1)(A) Provide coastal recreational opportunities accessible to the public.

The proposed project will support public coastal recreational opportunities by not interfering with or impeding on any public shoreline access. In fact, public shoreline recreation access will be improved by the easement pathways and parking spaces provided by the proposed project. Public access to the parcel's shoreline will be available through established non-exclusive easement pathways running east-west and north-south on the subject property for pedestrian access plus three (3) parking stalls for vehicular access

(2)(A) Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

An Archaeological Inventory Survey conducted on site in 1989 identified two sites (12911 and 12912), both of which were possible clearing mounds. A test excavation of Site No. 12911 determined that these mounds held significance solely in terms of informational content, and no further action was recommended. Additionally, a letter of comment from the Department of Land and Natural Resources dated April 11, 1990, supported a "no effect" classification on significant historical sites. The subject property is not listed in the General Plan Historic element or the State and Federal Register of Historic Places. In the event any archaeological or historical features are found during any ground disturbance activity, work will stop within the affected area and appropriate clearances from the State DLNR-SHPD and County Planning Department will be secured before work resumes.

(3)(A) Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources.

The proposed project will not have a significant impact on the quality of the immediate area's coastal, scenic, and open space resources. Located along Ali'i Drive, in an area identified by the Kona CDP as the Kona Urban Area, the proposed development conforms to the character of the surrounding parcel's existing condominiums. Additionally, by enabling public access to the shoreline, open space through public easements and public parking spaces (as noted in *(1)(A)* above), the proposed project will contribute to the enjoyment of these resources. Further, the proposed project will adhere to required shoreline setbacks that preserve shoreline scenic and open space resources.

(4)(A) Protect valuable coastal ecosystems, including reefs, beaches, and coastal dunes, from disruption and minimize adverse impacts on all coastal ecosystems.

The proposed project will be developed in accordance with construction Best Management Practices to minimize adverse impacts to air pollution, sedimentation, and erosion, control stormwater runoff, and wastewater management. The project will connect to the County sewer system. Relative to coastal ecosystems, there should be little, if any, adverse impacts.

(5)(A) Provide public or private facilities and improvements important to the State's economy in suitable locations.

The proposed development would provide temporary employment for local construction workers and would support the local economy through the purchase of local construction materials. Overall, the project would stimulate and support the general economic stability and development of the County.

(6)(A) Reduce hazard to life and property from coastal hazards.

The subject property lies directly adjacent to the shoreline and within the tsunami evacuation zone. Civil defense sirens are located approximately 0.75 miles northeast at the intersection of Lunapule Road and Kuakini Highway (HA604) as well as 0.6 miles south on Royal Poinciana Drive (HA603). Both sirens are operational. An Emergency Preparedness and Response Plan will be submitted to the Hawai‘i County Civil Defense Agency for review and approval prior to the issuance of a Certificate of Occupancy. Further, the proposed project would be required to improve traffic conditions on Ali‘i Drive through compliance with Conditions 7 & 9 of SMA Use Permit 437, providing for a turn lane off Ali‘i Drive and future road widening and frontage improvements. While traffic considerations are not directly a consideration for SMA review, these traffic related improvements are intended to mitigate the impacts of additional project related traffic on the tsunami evacuation process.

(7)(A) Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

The public participation policies relate to promoting public involvement and dissemination of information with respect to coastal zone management. These are managing authority related policies and are not applicable to this application . However, the public will be able to participate in the proposed project during the Planning Commission public meetings and testimony process to voice support and/or concerns.

(8)(A) Stimulate public awareness, education, and participation in coastal management.

Public notices and the public Planning Commission meeting on the proposed project will assist in stimulating public participation in Coastal Zone Management.

(9)(A) Protect beaches and coastal dunes for:

(i) Public use and recreation;
(ii) The benefit of coastal ecosystems; and
(iii) Use as natural buffers against coastal hazards

The proposed project will not have an adverse impact on beaches, coastal dunes, public use, or recreation. As noted above, public use and recreation will be enhanced through public access easements and public parking spaces. Proposed mitigating measures for storm water and wastewater concerns will prevent impacts to public use, recreation and coastal ecosystems.

(9)(B) Coordinate and fund beach management and protection.

As this is a managing authority related policy, it is not applicable to this project.

(10)(A) Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

By utilizing a previously disturbed area, potential adverse impacts to natural landscapes and ecosystems on alternative locations are avoided. The project will control stormwater runoff generated by new impervious surfaces and will connect to the County sewer system for its wastewater needs. The project will also comply with Grubbing and Grading permitting requirements and construction Best Management Practices to protect marine and coastal resources.

HRS 205A-2 Policies

(1)(A) Improve coordination and funding of coastal recreational planning and management.

As this is a managing authority related policy, it is not applicable to this application.

(1)(B) Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:

(i) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;
(ii) Requiring restoration of coastal resources that have significant recreational and ecosystem value, including but not limited to coral reefs, surfing sites, fishponds, sand beaches, and coastal dunes, when these resources will be unavoidably damaged by development; or requiring monetary compensation to the State for recreation when restoration is not feasible or desirable;
(iii) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;
(iv) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;

(v) Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;
(vi) Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;
(vii) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and
(viii) Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting that dedication against the requirements of section 46-6;

The recreational resources policies pertain to improving coordination and funding of coastal recreational planning and management and providing adequate, accessible, and diverse recreational opportunities in the coastal zone management area. As these are managing authority related policies, they are not applicable to this application. However, as previously stated, the proposed project will improve public access and recreational resources.

More specifically, the proposed project will enable public access by dedicating an exclusive easement for three (3) public parking stalls, together with a non-exclusive easement for vehicular and pedestrian access, and a non-exclusive easement composed of a ten (10) foot wide mauka-makai (east-west) pathway for beach access, as well as a ten (10) foot wide (north-south) pathway along the shoreline for lateral access across the subject property.

(2)(A) Identify and analyze significant archaeological resources;
(2)(B) Maximize information retention through preservation of remains and artifacts or salvage operations; and
(2)(C) Support state goals for protection, restoration, interpretation, and display of historic resources;

An Archaeological Inventory Survey conducted on site in 1989, identified two sites (12911 and 12912), both of which were possible clearing mounds. A test excavation of Site No. 12911 determined that these mounds held significance solely in terms of informational content, and no further action was recommended. Additionally, a letter of comment from the Department of Land and Natural Resources dated April 11, 1990, supported a "no effect" classification on significant historical sites. The subject property is not listed in the General Plan Historic element or the State and Federal Register of Historic Places. However, in the event any archaeological or historical features are found during any ground disturbance activity, work will stop within the affected area and appropriate clearances from the State DLNR-SHPD and County Planning Department will be secured before work resumes.

(3)(A) Identify valued scenic resources in the coastal zone management area;

(3)(B) Ensure that new developments are compatible with their visual environment by designing and locating those developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;
(3)(C) Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and
(3)(D) Encourage those developments that are not coastal dependent to locate in inland areas;

As noted above, the subject parcel lies within the Kona Urban Area; the proposed development will conform to the character of other developments in the area and will be compatible with the existing visual environment. Public views to and along the shoreline will not change significantly. Additionally, the development will be sited to maintain the open space near the shoreline and will promote public access through public easements. No valued scenic resources listed in the County General Plan will be impacted by this request. Mitigating measures will be put in place to ensure artificial lighting does not adversely impact the night sky or shoreline areas. The proposed development will have negligible visual impacts from Kuakini Highway, the nearest State highway to the coast (see simulated aerial view from Kuakini Highway attached as **Figure 9**). The project is not expected to substantially interfere with or detract from the line of sight toward the ocean, which is already obstructed by vegetation on the site.

(4)(A) Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;

The proposed project will practice an overall conservation ethic towards natural resource management and will not have any significant long-term impacts on water quality, coastal resources, flora or fauna, air quality, noise pollution, or scenic resources. Relative to coastal ecosystems, there should be little, if any, adverse impacts. The development will integrate with the County sewer system and will control potential stormwater runoff. By utilizing a previously disturbed site, potential adverse impacts to natural landscapes and ecosystems on alternative locations are avoided.

(4)(B) Improve the technical basis for natural resource management;

As this is a managing authority related policy, it is not applicable. However, as discussed above, the project will practice stewardship in the protection of all natural resources.

(4)(C) Preserve valuable coastal ecosystems of significant biological or economic importance, including reefs, beaches, and dunes;

A County grading and grubbing permit and possibly a NPDES permit will be required to prevent impacts to water quality and coastal resources. Wastewater will be handled through the County sewer system and stormwater runoff will be managed by best management practices, including a SWPPP if necessary. Pursuant to County drainage requirements, appropriate drywells and/or similar means to capture runoff from any

Simulated View of Project From Kuakini Highway.



FIGURE 9

improvements will be built, if necessary, in conjunction with the appropriate permitting process.

(4)(D) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and

The planned development proposes no stream diversions, channelization or similar drainage or water use components.

(4)(E) Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures;
(5)(A) Concentrate coastal dependent development in appropriate areas;

As these are managing authority related policies, they are not applicable to this application. However, this area is identified in the County General Plan and the Kona Community Development Plan for urban development.

(5)(B) Ensure that coastal dependent development and coastal related development are located, designed, and constructed to minimize exposure to coastal hazards and adverse social, visual, and environmental impacts in the coastal zone management area; and

The proposed project is planned, with appropriate mitigating measures, to minimize potential adverse social, visual, and environmental impacts. Coastal hazards are minimized by the proposed project by compliance with shoreline setback and flood zone requirements. Further, the proposed project would be required to improve traffic conditions on Ali‘i Drive through compliance with Conditions 7 & 9 of SMA Use Permit 437, providing for a turn lane off Ali‘i Drive and future road widening and frontage improvements. These traffic related improvements are intended to mitigate the impacts of additional project related traffic on the tsunami evacuation process. Any adverse effect that may result will be minimized to the extent practicable and is clearly outweighed by public health, safety, welfare, and other compelling public interests, including providing much needed housing to the County.

(5)(C) Direct the location and expansion of coastal development to areas designated and used for that development and permit reasonable long-term growth at those areas, and permit coastal development outside of designated areas when:
(i) Use of designated locations is not feasible;
(ii) Adverse environmental effects and risks from coastal hazards are minimized; and
(iii) The development is important to the State's economy;

The proposed project is located within the Kona Urban Area. The Kona CDP through Policy LU-1.2 seeks to concentrate the majority of future growth in the Kona Urban Area. Many properties in the Kona Urban Area contain similar condominiums; the

proposed project is served by adequate utilities, and will be in keeping with existing development in the area.

(6)(A) Develop and communicate adequate information about the risks of coastal hazards;
(6)(B) Control development, including planning and zoning control, in areas subject to coastal hazards;
(6)(C) Ensure that developments comply with requirements of the National Flood Insurance Program; and
(6)(D) Prevent coastal flooding from inland projects;
(7)(A) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;
(7)(B) Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and;
(7)(C) Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process;

The managing development policies relate to use, implementation and enforcement of laws, processing of applications for development permits and communication of coastal development impacts to the public. As these are managing authority related policies, they are not applicable to this application.

(8)(A) Promote public involvement in coastal zone management processes;
(8)(B) Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and
(8)(C) Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts;

The public participation policies relate to promoting public involvement and dissemination of information with respect to coastal zone management. These are managing authority related policies and are not applicable to this application. The public will be able to participate in the proposed project during the Planning Commission public meetings and testimony process to voice support and/or concerns.

(9)(A) Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;

(9)(B) Prohibit construction of private shoreline hardening structures, including seawalls and revetments, at sites having sand beaches and at sites where shoreline hardening structures interfere with existing recreational and waterline activities;
(9)(C) Minimize the construction of public shoreline hardening structures, including seawalls and revetments, at sites having sand beaches and at sites where shoreline hardening structures interfere with existing recreational and waterline activities;

(9)(D) Minimize grading of and damage to coastal dunes;

All uses of the proposed project, a 34-unit condominium, will be located outside of the 40-foot shoreline setback, preventing interference with natural shoreline processes. The State of Hawai‘i Sea Level Rise Exposure Map (SLRXA) (**Figure 10**) indicates that the expected exposure area due to 3.2 ft of sea level rise is still at or near the makai property boundary. Therefore, taking into account anticipated seal level rise at the subject property, it is expected that the 40-foot shoreline setback will be adequate to address the potential impacts on the property relating to Sea Level Rise.

No shoreline hardening structures are included in the proposed project, and there are no coastal dunes in or near the subject parcel.

(9)(E) Prohibit private property owners from creating a public nuisance by inducing or cultivating the private property owner's vegetation in a beach transit corridor; and
(9)(F) Prohibit private property owners from creating a public nuisance by allowing the private property owner's unmaintained vegetation to interfere or encroach upon a beach transit corridor.

The landscaped vegetation on the subject property will be maintained and will not encroach upon or disrupt public shoreline access. Recently, the applicant’s attempts to maintain the site have been interrupted by the expiration of the SMA Use Permit. Shoreline public access will be enhanced by the project as noted previously.

(10)(A) Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;
(10)(B) Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;
(10)(C) Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;
(10)(D) Promote research, study, and understanding of ocean and coastal processes, impacts of climate change and sea level rise, marine life, and other ocean resources to acquire and inventory information necessary to understand how coastal development activities relate to and impact ocean and coastal resources; and
(10)(E) Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.

The marine resources policies relate to the development of marine and coastal resources, coordination of marine and coastal activities, forging State partnerships, promoting research of ocean and coastal processes, and encouraging new technologies for exploring, using, and protecting marine and coastal resources. These are managing authority related policies and are not applicable to this application.

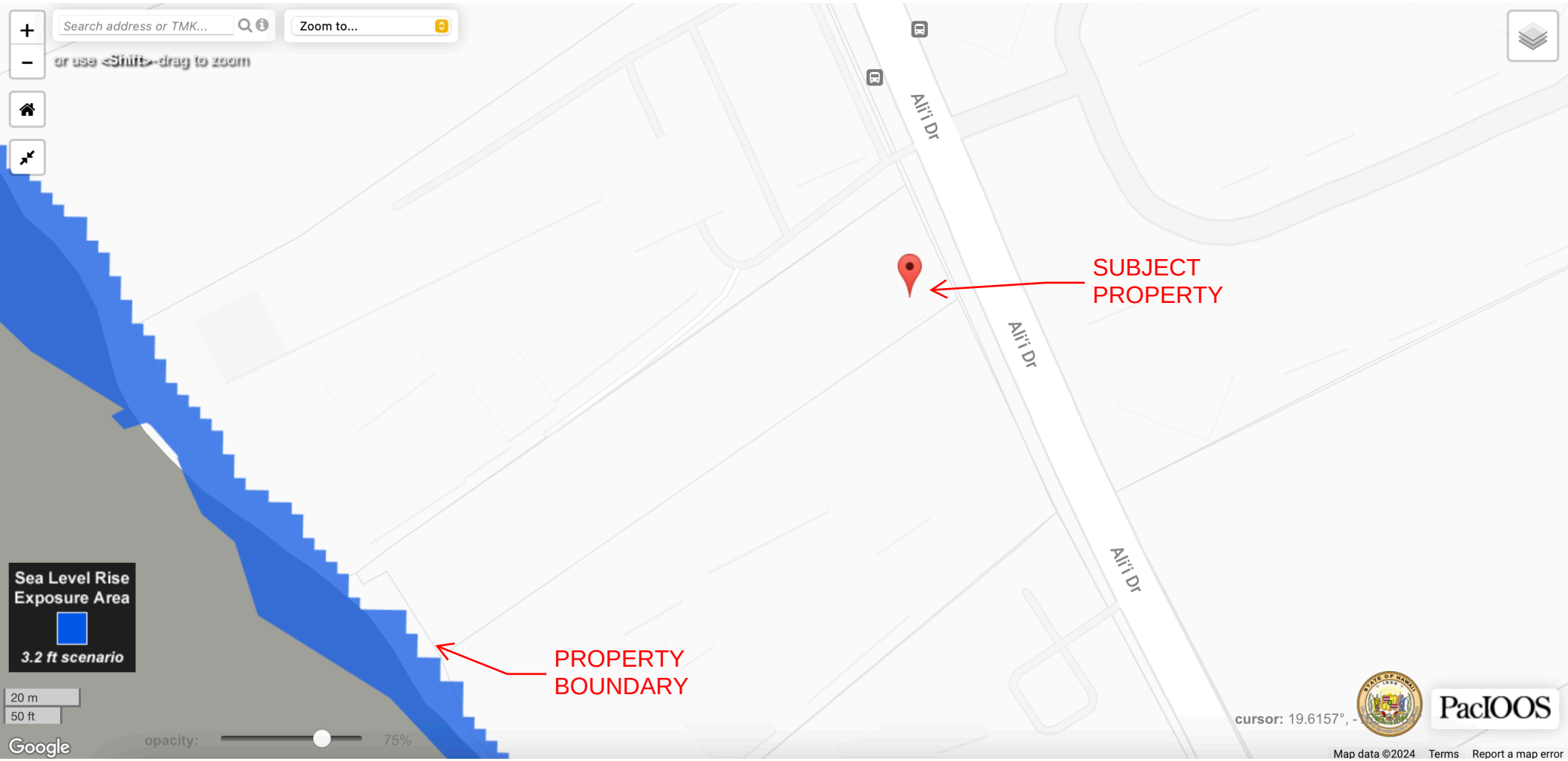

Search address or TMK...
Zoom to...
or use <Shift>-drag to zoom
Ali'i Dr
Ali'i Dr
Ali'i Dr
SUBJECT PROPERTY
PROPERTY BOUNDARY
Sea Level Rise Exposure Area
3.2 ft scenario
20 m
50 ft
opacity:
75%
Google
cursor: 19.6157°, -
PacIOOS
Map data ©2024
Terms
Report a map error

FIGURE 10

G. Surrounding Zoning and Land Uses

The general area surrounding the subject property is used for residential and resort type uses. Casa de Emdeko is adjacent to the north and Royal Sea Cliff Kona by Outrigger is 0.2 miles to the north. Kona Isle complex is adjacent to the south. Aston Kona by the Sea is 0.15 miles to the south on the *makai* side of Aliʻi Drive, and Aliʻi Palms subdivision is on the *mauka* side. Directly west across Aliʻi Drive is Aliʻi Lani Townhomes.

In terms of zoning, to the north, along the *makai* side of Aliʻi Drive, the area is zoned RS-15, V-12.5, and V-1.5. The *mauka* side is zoned RM-2 and A-5a. To the south, the *makai* side of Aliʻi Drive is zoned RM-1.5 and the *mauka* side includes RS-7.5 and A-5a. Further west the zoning includes RS-10 (**Figure 11**). This mix of Multi-family & Single-family dwellings and Resort land uses nearby are consistent with the proposed use.

H. Flood Insurance Rate Map

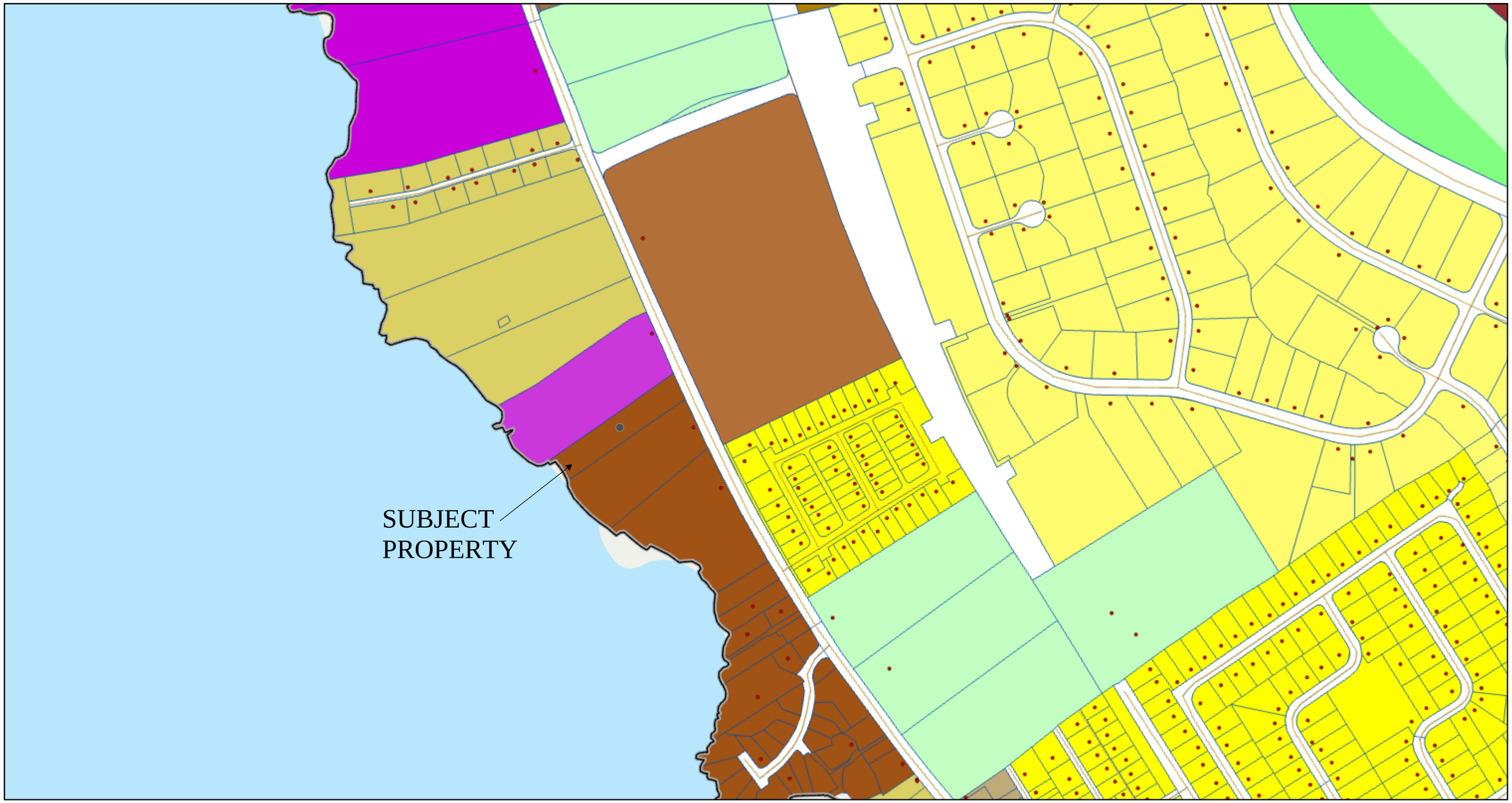
The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) identifies the majority of the parcel in Flood Zone X, which is outside the 500-year floodplain. A small *makai* section of the site is in Flood Zone AE, which are areas subject to inundation by the 1-percent-annual-chance flood event and base flood elevations. The coastal area of the site, along with the majority of parcels in the area, are in Flood Zone VE, which are areas subject to inundation by the 1-percent-annual-chance flood event with additional hazards due to storm- induced velocity wave action (**Figure 12**). The proposed building will be constructed entirely within Flood Zone X.

The State of Hawaiʻi Sea Level Rise Exposure Map (SLRXA) indicates that the proposed development is well outside the exposure area (**Figure 10**). The SLRXA map indicates that the expected exposure area due to 3.2 ft of sea level rise is still at or near the makai property boundary. Therefore, taking into account anticipated seal level rise at the subject property, it is expected that the 40-foot shoreline setback will be adequate to address the potential impacts on the property relating to Sea Level Rise.

I. Archaeological Resources

An Archaeological Inventory Survey conducted on site in 1989, identified two sites (12911 and 12912), both of which were possible clearing mounds. A test excavation of Site No. 12911 determined that these mounds held significance solely in terms of informational content, and no further action was recommended. Additionally, a letter of comment from the Department of Land and Natural Resources dated April 11, 1990, supported a "no effect" classification on significant historical sites. The subject property is not listed in the General Plan Historic element or the State and Federal Register of Historic Places. However, in the event any archaeological or historical features are found during any ground disturbance activity, work will stop within the affected area and appropriate clearances from the State DLNR-SHPD and County Planning Department will be secured before work resumes. If needed, an archaeological monitoring program can be instituted during any earthwork activity.

County Zoning Map of TMK (3) 7-5-020: 021



3/6/2024, 8:54:26 AM

Hawaii County Zoning
(road)
A-1a
A-5a
RD-3.75
RM-1.5
RM-2
RM-2.5
RM-4
RM-7
RS-10
RS-15
RS-7.5
V-1.25
V-1.5
Parcels (current boundary lines)
Address Points
Street Centerlines
Hawaii County District Boundary
Coastline

1:4,514

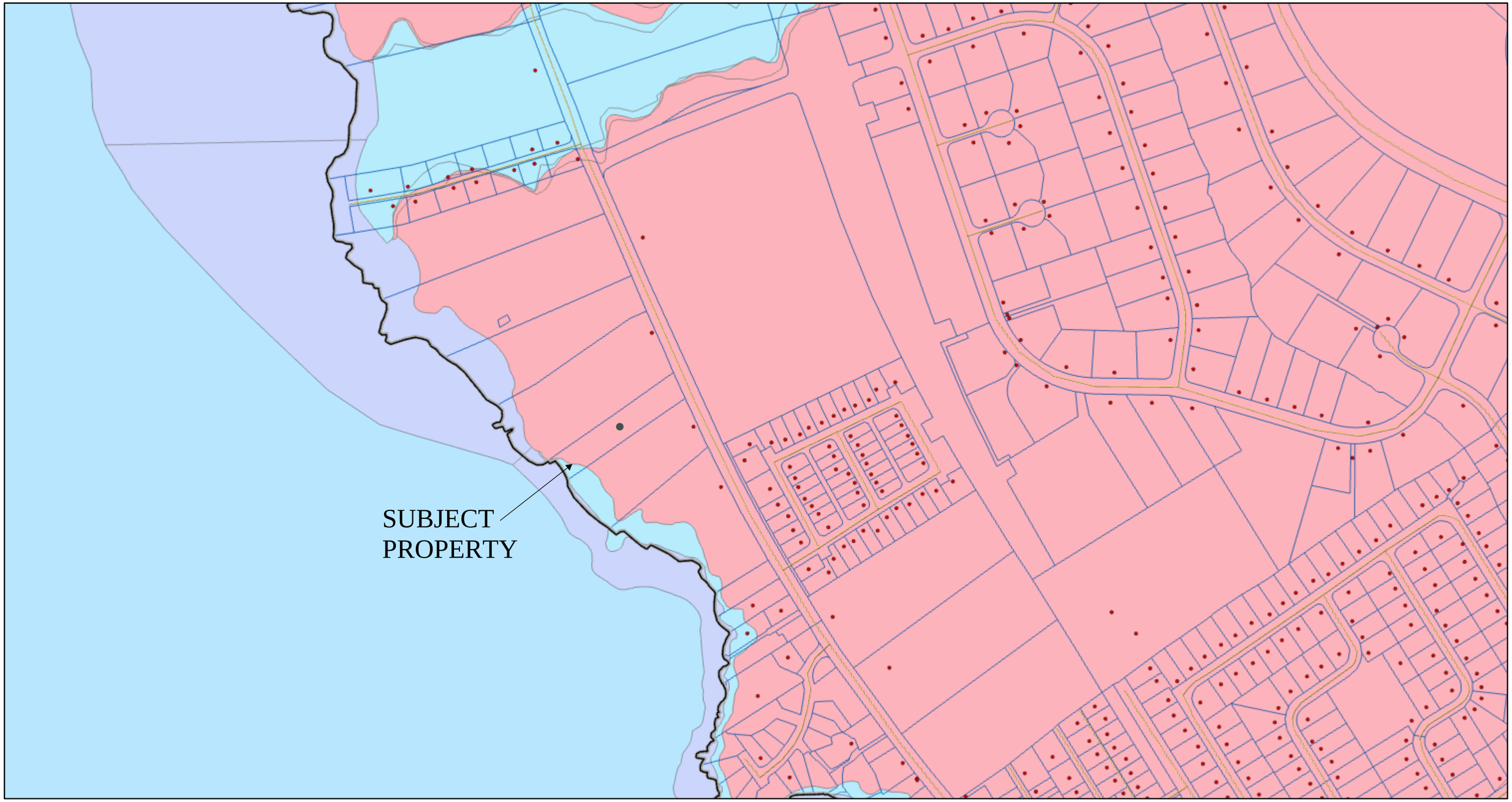
0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km

Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, US Census Bureau, USDA, USFWS, County of Hawaii IT Department, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA,

FIGURE 11

Web AppBuilder for ArcGIS
The contents of this map were prepared for informational and planning purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes.

Flood Hazard Map of TMK (3) 7-5-020: 021



3/6/2024, 8:56:04 AM

National Flood Hazard Layer Flood Zones
- AE
- VE
- X
- Parcels (current boundary lines)
- Address Points
- Street Centerlines
- Hawaii County District Boundary
- Coastline

1:4,514

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, US Census Bureau, USDA, USFWS, County of Hawaii IT Department, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA,

FIGURE 12

Web AppBuilder for ArcGIS

The contents of this map were prepared for informational and planning purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes.

J. Floral and Faunal Resources

The property is located within an area that has been extensively developed and is not known to contain any unique ecological systems or provide habitats for any endangered plant or animal species. Vegetation on the subject site consists of common weeds, primarily guinea grass (*Megathyrsus maximus)* and haole koa (*Leuceana leucocephala*).

It would also be possible to find the Hawaiian Hawk (I‘o) (*Buteo solitarius*), the Hawaiian Owl (Pueo) (*Asio flammeus sandwichensis*), and the Hawaiian Hoary Bat or ‘Ope‘ape‘a (*Lasiurus cinereus semotus*) flying over, roosting, or utilizing resources near the property. In addition, domestic animals such as cats and dogs, and other animals like rats and mongoose are also common. These are all common and not endangered.

K. Valued Cultural Resources

In view of the Hawai‘i State Supreme Court’s “PASH” and “*Ka Pa`akai O Ka`Aina* decisions, the issue relative to native Hawaiian gathering and fishing rights must be addressed. Specifically, there must be a discussion on the cultural, historical, and natural resources, as well as the associated traditional and customary practices of this site.

It is not known whether the subject or immediate surrounding area was used in the recent past for the gathering of plants by Native Hawaiians. The applicant has not observed any Native Hawaiians gathering plants on the site. Thus, it would appear unlikely that the site would serve such purpose today. The proposed project would establish and maintain a new public shoreline access trail and public shoreline access parking. The applicant will maintain all vegetation on site and will prevent overgrowth onto public access areas.

The shoreline adjacent to the subject property is currently used for coastal gathering and fishing by native Hawaiians. These activities will not be impacted by the proposed project.

Use of the site itself for traditional and customary rights is not known. Over time Native vegetation has been replaced by invasive species so gathering of native plants is unlikely. There are no trails crossing the property to mauka forested areas. Further, the parcel has undergone intensive archaeological surveys and SHPD has determined that no historic properties would be affected by the development. years. Thus, the project does not appear to present any cultural impacts. However, in the event documented claims of gathering or access are made of this site the applicant will honor them.

Additionally, the proposed project will enable public access by providing (3) public parking stalls, together with a ten (10) foot wide mauka-makai (east-west) pathway for beach access, as well as a ten (10) foot wide (north-south) access along the shoreline for lateral access across the grantor’s property. In the event that legitimate gathering claims are made by Native Hawaiians, the applicant intends to respect and honor such claims and provide the legal and needed access within the site.

Based on the above, it does not appear that the project would have any potential adverse impact relative to the cultural and historical resources of the area.

L. Public Access

The applicant will comply with conditions of the "Grant of Easement for Public Access and Parking" for the subject property recorded as Document No. 91-014902 with the Bureau of Conveyances on February 4, 1991. This document requires the property establishes a non-exclusive public access easement with a ten (10) foot wide east to west pathway and a ten (10) foot wide north to south pathway along with three (3) public parking stalls for vehicular and pedestrian access. Public access signage will also be a requirement.

M. Description of Access

Access to the site is from Aliʻi Drive, a County owned and maintained roadway with a 50-foot right-of-way and an average pavement width of 40 to 50 feet. If required, the applicant will extend the existing two-way left turn lane on Aliʻi Drive to accommodate northbound left turns into the proposed development in the manner specified by the Department of Public Works.

The applicant will provide a 5-foot-wide future road widening setback easement along the entire frontage of the property along Aliʻi Drive. The road widening setback easement shall be dedicated to the County upon request at no cost to the County. A paved shoulder along the entire frontage of the property will be provided meeting the approval of the Department of Public Works.

N. Traffic Impacts

The subject property is located between Lunapule Road and Royal Poinciana Drive, which are the two main roadway outlets from Aliʻi Drive in the area.

A Traffic Impact Analysis Report was completed in July 2003 by M&E Pacific (**Exhibit D**) and updated in November 2024 by Warren Israelson P.E. (**Exhibit E**). The updated 2024 Traffic Study confirmed the findings of the 2003 study. While traffic impacts are not a criterion for SMA review, previous incarnations of this project had discussed the issue with respect to evacuation from coastal hazards such as tsunamis. As such, condition (#7) relating to installing turn lanes within Alii Drive is expected to be carried forward with this application and if required, the applicant will comply.

O. Availability of Utilities

Water

County water is available to the site to support the proposed development.

Water demand will be determined in consultation with DWS based on water calculations for the proposed use. The water usage calculations will be prepared by a professional engineer licensed in the State of Hawai‘i and will include the estimated peak-flow in gallons per minute and the total estimated maximum daily water usage in gallons per day, including all irrigation and landscaping use. Based on the water demand calculations, the Department will determine the appropriate service lateral and meter size required for the proposed development.

If necessary, water efficient fixtures will be installed and implemented throughout the building and during landscape practices to reduce the demand on water resources. These include low flow systems and timed shut off for appropriate devices in all bathrooms, which will also reduce wastewater. If necessary, BMPs to preserve water for landscaping purposes will also be followed. These may include:

1. Irrigation system plans and specifications should include post-construction documentation, including drawing of record (as-built drawings), maintenance recommendations, design precipitation rates and manufacturer’s operational guide.
2. Design irrigation system with sprinklers spaced with head-to-head coverage or better.
3. Irrigate with a precipitation rate not exceeding soil infiltration rate.
4. Design systems to irrigate similar hydrozones such as slope, sun exposure, soil conditions, and plant materials with similar water use.
5. Use smart controllers.
6. Encourage the use of drip irrigation for individual specimen plants, shrubs, and trees during establishment period.
7. Use flow sensors with smart controllers to detect leaks or drastic changes in water use.
8. Use an irrigation submeter that measures water use on large sites.
9. Use water conservation irrigation components, such as rotary nozzles, pressure regulated spray heads and valves, rain switches, and high efficiency nozzles.
10. Sprinklers in low-lying areas and slopes should be equipped with check valves.
11. Incorporate Low Impact Development (LID) storm water design methods, including rain gardens, infiltration beds, rain barrels, swales, and basins, that allow water to collect and soak into the ground on site.
12. Preserve existing native trees and non-invasive vegetation where feasible during development and do not install irrigation in these areas.
13. Incorporate compost into soils at planting.
14. Encourage xeriscaping practices to include native and non-invasive ornamental plants.
15. Encourage the use of non-potable water for irrigation.
16. Use a qualified irrigation designer, irrigation supplier, landscape architect and installation contractor.

Wastewater

The wastewater system will integrate with the County’s wastewater system that runs along Ali‘i Drive with sufficient capacity to support the proposed use. Water efficient practices discussed above will also reduce wastewater if deemed necessary to implement.

Other Utilities

All other utilities such as telephone, internet and electrical services are available to the site.

P. Potential Areas of Concern

Coastal Hazards

The subject parcel is adjacent to the shoreline and may be subject to coastal hazards. In order to mitigate coastal hazard concerns, best practices will be used in siting and designing the proposed project's primary structure, which will be constructed in accordance with current building codes and will be sited within Flood Zone X. All structures will also be outside of the 3.2-foot sea level rise exposure area and outside of the 40-foot shoreline setback.

The subject parcel is located within the County of Hawai'i Tsunami Evacuation Zone. Civil defense sirens are located approximately 0.75 miles northeast at the intersection of Lunapule Road and Kuakini Highway (HA604) as well as 0.6 miles south on Royal Poinciana Drive (HA603). Both sirens are operational. An Emergency Preparedness and Response Plan will be submitted to the Hawai'i County Civil Defense Agency for review and approval prior to the issuance of a Certificate of Occupancy.

Coastal Resources

All construction activities will follow Best Management Practices to minimize adverse point and non-point pollution to coastal resources and surrounding areas. The following BMPs will be followed. This is not a comprehensive list; any other mitigating measures identified during the permitting process that are required to prevent significant impacts will be adhered to.

1. Soil loss and erosion will be minimized by stabilizing slopes and disturbed areas of soil. All exposed areas will be stabilized within seven (7) days of soil disturbance. Initiation of stabilization will commence within one (1) calendar day of soil-disturbing activities.
2. Sediment loss will be minimized by placing structural controls including silt fences, gravel bags, sediment ponds, check dams, and other barriers.
3. Sediment wattles and protective covers will be applied to soil and material stockpiles.
4. Stockpiles of debris will be located away from waterways and low spots. Debris will be removed periodically from the subject site to prevent large stockpiles.
5. Dust impacts will be minimized by erecting a screen or fence.
6. Routine inspection and maintenance of structural BMPs will be performed by trained personnel.
7. Significant leaks or spills will be properly cleaned and disposed of at an approved site.

The applicant has not observed any significant runoff or erosion on the subject property. Pursuant to County drainage requirements, appropriate drywells and/or similar means to

capture runoff from any improvements will be built, if necessary, in conjunction with the appropriate permitting process.

II. ANTICIPATED IMPACTS

A. Environmental Setting

General Description

The subject parcel is 1.195-acres in area, located on the *makai* side of Aliʻi Drive. The land area is primarily rectangular in shape and extends to the shoreline. The site is located between the Casa De Emdeko complex and the Kona Isle condominium complex. The parcel is covered with non-native grasses and vines and haole koa scrub.

The site is situated at the shoreline to approximately 30-feet in elevation. The annual median rainfall for this area is approximately 25 to 30 inches. The average daily temperature ranges from 70 to 80 degrees Fahrenheit. The prevailing wind patterns in the area are often light and variable, dominated by sea breeze (westerly) during the day and easterly (from the mountains) winds during the evening.

Soils

The subject site is not agricultural and is therefore not classified under Agricultural Land of Importance to the State of Hawaii (ALISH) or the Land Study Bureau. The U.S. Department of Agricultural Natural Resource Conservation Service has designated the soil as Waiaha-Punaluʻu-Lava flows complex with 2 to 10 percent slopes (2kly9). This soil type is basic volcanic ash over pahoehoe lava, is well drained and has a high runoff class. It is not considered prime farmland.

Best Management Practices for construction activities will be strictly followed to prevent adverse impacts to soil. Hawaiʻi Administrative Rules Chapter 11-55, Appendix C, under Special Conditions for Land Disturbances, describes the following construction management techniques to protect soil:

a. Clearing and grubbing shall be held to the minimum necessary for grading and equipment operation.
b. Construction shall be sequenced to minimize the exposure time of the cleared surface area.
c. Construction shall be staged or phased for large projects. Areas of one phase shall be stabilized before another phase is initiated. Stabilization shall be accomplished by temporarily or permanently protecting the disturbed soil surface from rainfall impacts and runoff.
d. Erosion and sediment control measures shall be in place and functional before earth moving operations begin. These measures shall be properly constructed and maintained throughout the construction period.

e. All control measures shall be checked and repaired as necessary, for example, weekly in dry periods and within twenty-four hours after any rainfall of 0.5 inches or greater within a 24-hour period. During prolonged rainfall, daily checking is necessary. Record of checks and repairs must be maintained.
f. Records of the duration and estimated volume of storm water discharge must be maintained.
g. A specific individual shall be designated to be responsible for erosion and sediment controls on the project site.

Flora and Fauna

Although there was no professional survey conducted of the floral and faunal resources of the site, the applicant does not believe that rare or endangered floral or faunal resources are likely to be found within or proximate to the subject property. The urban and highly altered nature of the surrounding area makes the presence of rare or sensitive flora and fauna unlikely. Site vegetation is dominated by alien and invasive plants such as guinea grass and haole koa. Given the nature of the vegetation, adverse floral impacts are not anticipated.

The State listed Hawaiian Hoary Bat (*Lasiurus cinereus semotus*) has the potential to occur in the vicinity of the project area and may roost in nearby trees. Hoary Bats may be sensitive to disturbance between June 1st and September 15th, throughout which no shrubs or trees taller than 15 feet may be disturbed, removed, or trimmed without consulting the DLNR Division of Forestry and Wildlife (DOFAW). The State listed Hawaiian Hawk, or ʻIo (*Buteo solitarius*) is also known to occur in the project vicinity. If any tree cutting occurs between March and September, DOFAW must be consulted first. A pre-construction hawk nest search by a qualified ornithologist using standard methods must be conducted. If nests are found, no land clearing is permissible until October.

According to DOFAW, artificial lighting can adversely impact seabirds that may pass through the area at night by causing disorientation. The disorientation can result in collision with manmade artifacts or grounding of birds. For nighttime lighting that might be required, DOFAW recommends that all lights be fully shielded to minimize impacts. Nighttime work that requires outdoor lighting should be avoided during the seabird fledging season from September 15th through December 15th. This is the period when young seabirds take their maiden voyage to the open ocean. In addition, the project will implement mitigating measures for light pollution, which will further protect seabirds.

The movement of plant or soil material between worksites, such as fill, must be minimized. Soil and plant material may contain invasive fungal pathogens such as Rapid ʻŌhiʻa Death (ROD), vertebrate and invertebrate pests such as Little Fire Ants (*Wasmannia auropunctata*), or invasive plant parts that could harm native species and ecosystems. All equipment, materials, and personnel should be cleaned of excess soil before leaving the site. Gear that may contain soil, such as work boots and vehicles, should be thoroughly cleaned, and sprayed with 70% alcohol solution to prevent the spread of ROD and other harmful fungal pathogens. If any material removed from the site is moved to areas without fire ants or ROD,

the material will be inspected and treated. No ʻŌhiʻa trees are present on the property; therefore, none will be cut down during construction.

The implementation of these mitigating measures will ensure no adverse impacts to floral or faunal resources occur.

Volcanic and Earthquake Hazards

According to the United States Geological Survey maps, the project site is located within Lava Flow Hazard Zone 4, on a scale of ascending risks 9 to 1 (**Figure 13**).

The Building Code designates the entire island of Hawai'i Earthquake Zone "D" and contains certain structural requirements to address the relative seismic hazard. The proposed condominium building will be designed and engineered to withstand seismic hazards according to the Hawaiʻi County Code, Chapter 5A.

An Emergency Preparedness and Response Plan will be submitted to the Hawaiʻi County Civil Defense Agency for review and approval prior to the issuance of a Certificate of Occupancy.

Flood/Drainage

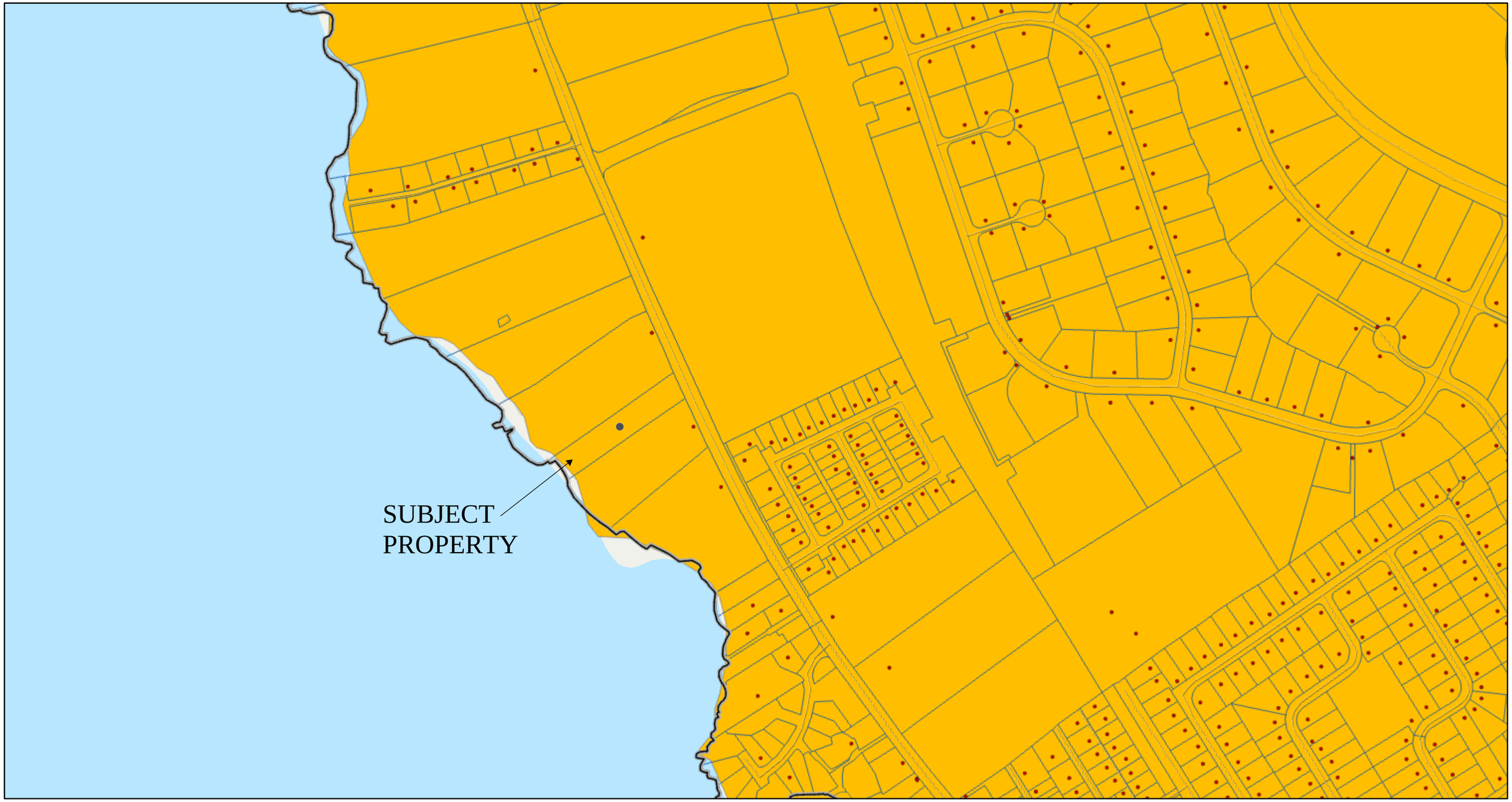
The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) identifies the majority of the parcel in Flood Zone X, which is outside the 500-year floodplain. A small *makai* section of the site is in Flood Zone AE, which are areas subject to inundation by the 1-percent-annual-chance flood event and base flood elevations. The coastal area of the site, along with the majority of parcels in the area, are in Flood Zone VE, which are areas subject to inundation by the 1-percent-annual-chance flood event with additional hazards due to storm- induced velocity wave action. The proposed building will be constructed entirely within Flood Zone X.

The State of Hawaiʻi Sea Level Rise Exposure Map indicates that the proposed development is well outside the anticipated exposure area.

Water quality can be impacted by both point and non-point source pollution such as construction and stormwater runoff. The primary activities with the potential to affect stormwater are grading and grubbing. A County grading permit will be required to mitigate impacts to water quality during construction. Grading plans will be developed with the following mitigating measures and BMPs:

(a) "Storm Drainage Standards," County of Hawaiʻi, 1970 and as revised.
(b) "Flood Control", Chapter 27 of the Hawaiʻi County Code.
(c) Standards and regulations of the Federal Emergency Agency (FEMA).
(d) "Erosion and Sedimentation Control", Chapter 10 of the Hawaiʻi County Code.
(e) Conditions of an NPDES permit and any additional Best Management Practices required by the Board of Land and Natural Resources.

Volcano Hazard Map of TMK (3) 7-5-020: 021



3/6/2024, 8:55:43 AM

Volcano Hazard Zones

4

Parcels (current boundary lines)

Address Points

Street Centerlines

Hawaii County District Boundary

Coastline

1:4,514

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, US Census Bureau, USDA, USFWS, County of Hawaii IT Department, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA,

FIGURE 13

Web AppBuilder for ArcGIS

The contents of this map were prepared for informational and planning purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes.

(f) Conditions of a Storm Water Pollution Prevention Plan, if required.

A Storm Water Pollution Prevention Plan (SWPPP) and/or a National Pollution Discharge Elimination System Permit (NPDES) may also be required. Best Management Practices for stormwater management will be used to minimize the impact of the project to the existing area's hydrology and maintain on-site infiltration and prevent polluted runoff from storm events. These BMPs may include, but are not limited to:

- Minimizing soil loss and erosion by revegetating and stabilizing slopes and disturbed areas of soil.
- Minimizing sediment loss by placing structural controls including silt fences, gravel bags, sediment ponds, check dams, and other barriers.
- Applying sediment wattles and protective covers to soil and material stockpiles.
- Gravel check dams in gutters.
- Constructing and use of stabilized construction vehicle entrance, with designated vehicle wash area that discharges to a sediment pond.
- Washing of all vehicles in the designated wash area before leaving the project site.
- Use of drip pans beneath vehicles to trap vehicle fluid.
- Performing routine inspection and maintenance of structural BMPs by trained personnel.
- Properly cleaning significant leaks or spills and disposing at an approved site.

Air Quality and Noise

The proposed project is not expected to cause significant or long-term impacts to air quality or noise levels. Although there may be limited impacts during constriction, these will be mitigated through Best Management Practices (BMPs). All construction and operational activities will comply with Hawai‘i Administrative Rules Title 11, Chapter 46, 59, and 60.1 related to noise and air quality. Construction-related air pollutants will be short-term and limited, mainly from construction equipment exhaust and dust. Reasonable measures to control airborne and visible fugitive dust from road areas are outlined by the Department of Health's Clean Air Branch. These measures include, but are not limited to:

- Planning the different phases of construction, focusing on minimizing the amount of airborne, visible fugitive dust-generating materials and activities, centralizing on-site vehicular traffic routes, and locating potential dust-generating equipment in areas of the least impact.
- Providing adequate water sources at the site prior to start-up of construction activities; Landscaping and providing rapid covering of bare areas, including slopes, starting from the initial grading phase.
- Minimizing airborne, visible fugitive dust from shoulders, and access roads.
- Providing reasonable dust control measures during weekends, after hours, and prior to daily start-up of construction activities.
- Controlling airborne, visible fugitive dust from debris being hauled away from the project site.

These regulations will be strictly followed to prevent dust impacts to Ali‘i Drive. During operation, the project will not contribute significantly to air pollution. Existing noise levels in the area are moderate due to traffic, residential use, and recreation. Noise from the proposed project will not significantly increase levels in the area as the proposed land use is residential in nature.

B. Relationship to Land Use Plans and Policies

Special Management Area

The subject site is situated within the County Special Management Area (SMA). As such, a Special Management Area Major Permit is being requested. A discussion of this project’s relationship to HRS Chapter 205A is found in Section F of this report.

C. Probable Environmental Impact

The proposed development would not cause adverse effects on the environment or the natural resources of the region. The project will be energy conscious through its design features that take advantage of the sun and wind patterns. There will be no significant long-term impacts to air, noise, soil, or light pollution, water quality, or solid waste disposal due to the implementation of Best Management Practices and mitigating measures.

D. Unavoidable Adverse Environmental Effects

The proposed action and land use will not have any significant adverse effects on natural resources. The applicant intends to develop a condominium building that aligns with the urban character of the surrounding area.

No adverse long-term impacts are expected to air or water quality, scenic or other natural resources outside of temporary and minor impacts during construction. Mitigating measures and best management practices will protect soil and coastal resources. No impacts are anticipated to flora and fauna.

Since the subject site lies within the tsunami evacuation zone, an Emergency Preparedness and Response Plan will be submitted to the Hawai‘i County Civil Defense Agency for review and approval prior to the issuance of a Certificate of Occupancy. Further, if required, the applicant will make improvements to Ali‘i Drive

A Solid Waste Management Pan will also be submitted to the Hawai‘i County Department of Environmental Management for review and approval prior to the issuance of a certificate of occupancy.

E. Alternatives to Proposed Action

No Project

Under a no project alternative, the site would remain vacant and unused. There is no significant justification for this alternative as the proposed condominium would be consistent with the surrounding land uses and existing zoning of the site.

There have also been concerns from neighboring properties due to squatters making use of the property. In the no project alternative, this concern would continue to be an issue for neighboring properties.

Any effect that may result will be minimized to the maximum extent practicable and is clearly outweighed by the benefits of providing much needed housing to the County as well as public health, safety, and welfare and other compelling public interests.

The adjacency of the project to existing condominium buildings further supports the appropriateness of the use in the area. In addition, it is anticipated that this development will have a positive impact on the community by addressing the need for housing.

F. Irreversible and Irretrievable Commitment of Resources

The proposed action will not involve an irrevocable commitment, loss, or destruction of any natural, cultural, or historic resources. Earthwork will closely follow all mitigating measures and Best Management Practices to minimize impacts to natural resources.

It is highly unlikely that any historic, archaeological, or cultural resources are present on the property as the parcel has been cleared several times and previously surveyed for archaeological sites. However, in the event any historic, archaeological, or cultural features are discovered during construction, work will stop within the affected area and appropriate clearances from the State DLNR-SHPD, and County Planning Department will be secured before work resumes.

Public shoreline access will be available from an east-west pathway from Aliʻi Drive, and a north-south access along the shoreline. Additionally, three (3) public parking stalls will be available for vehicular access. Signs showing public access will be clearly placed for easy location and guidance. The proposed development will therefore enhance access to coastal resources.

The proposed action should not result in the irreversible or irretrievable commitment of any environmental resources. As such the proposed action is the most logical and reasonable and is wholly consistent with established Special Management Area objectives and regulations.

EXHIBIT A

THE ORIGINAL OF THIS DOCUMENT RECORDED AS FOLLOWS
STATE OF HAWAII

BUREAU OF CONVEYANCES
FEB - 8 1991
DATE 108 TIME
DOCUMENT NO. 91-014902

LAND COURT REGULAR SYSTEM

AFTER RECORDATION, RETURN BY MAIL (X) PICK-UP ( )

MAX W. J. GRAHAM, JR. 926
LOWENTHAL, AUGUST & GRAHAM
Kokua Professional Building
2959 Umi Street, Suite 202
Lihue, Hawaii 96766

GRANT OF EASEMENT FOR PUBLIC ACCESS AND PARKING

THIS INDENTURE, made this _____ day of _____, 1991, by and between KONA COAST VILLAS ASSOCIATES LIMITED PARTNERSHIP, a Hawaii limited partnership, whose place of business and mailing address is 77-6399 Nalani Street, Suite 3F, Kailua-Kona, Hawaii, 96740, hereinafter called the "Grantor", and the COUNTY OF HAWAII, a political subdivision of the State of Hawaii, whose principal place of business and mailing address is 25 Aupuni Street, Hilo, Hawaii 96720, hereinafter called the "Grantee",

W I T N E S S E T H:

WHEREAS, the Grantor is the owner of certain real property located in North Kona, Island and County of Hawaii, State of

EXHIBIT B

Hawaii, designated by Hawaii Tax Map Key No.: 7-5-20:21, and more particularly described in Exhibit "A", which is the metes and bounds description of the subject property, and shown on Exhibit "D", which is a map by Chrystal Yamasaki, dated August 13, 1990 (revised on December 11, 1990) showing Easements "A-1" and "A-2" of the subject property, both of which exhibits are attached hereto and incorporated herein (hereinafter referred to as "Grantor's Property"); and

WHEREAS, as a condition of its approval of Special Management Area (SMA) Use Permit No. 297, the Planning Commission of the County of Hawaii has required the Grantor to dedicate an exclusive easement for three (3) public parking stalls together with a non-exclusive easement for vehicular and pedestrian access associated therewith on the Grantor's Property, as more particularly described as Easement "A-1", as shown on the survey map of Chrystal Yamasaki dated August 13, 1990, (revised on December 11, 1990) which map is attached as Exhibit "D" and which is further described by the metes and bounds as shown in Exhibit "B", and a non-exclusive easement composed of a ten (10) foot wide mauka-makai (east-west) pathway for beach access together with a ten (10) foot wide (north-south) pathway along the shoreline for lateral shoreline access across Grantor's property, said easement being more particularly described as Easement "A-2", as shown on the survey map of Chrystal Yamasaki dated August 13, 1990, (revised December 11, 1990) which map is attached as Exhibit "D", and which is further described by the metes and bounds as shown in Exhibit "C";

NOW THEREFORE, the Grantor, in consideration of the sum of ONE DOLLAR ($1.00) to it paid by the Grantee, the receipt whereof is hereby acknowledged, and of the covenants of the Grantor and the Grantee as hereinafter contained, does hereby grant and convey unto the Grantee, its successors and permitted assigns, Easement "A-1", being an exclusive parking easement (together with a non-exclusive easement for vehicular and pedestrian access associated therewith) and Easement "A-2", being a non-exclusive beach and lateral shoreline access easement over and upon a portion of the Grantor's Property, which shall hereinafter collectively be referred to as the "easement area",

TO HAVE AND TO HOLD the same unto the Grantee, its successors and permitted assigns, for the purposes hereinabove provided.

The parties hereto do mutually covenant and agree as follows:

1. The Grantor shall not at any time during the term of this indenture erect any building or structure of any kind on the easement area unless the construction of such building or structure shall have first been approved by the Grantee; provided, however, that this provision shall not prohibit the Grantor from construction, installing, maintaining, operating, repairing or removing such other improvements as may be necessary for the purposes of accommodating the safe and reasonable passage of pedestrians or vehicles with the consent of the Grantee.

2. After any original construction or installation of improvements upon, under or across the easement area, the expense of any move or relocation of these improvements shall be borne by the person or persons requesting or desiring the same.

3. Neither the Grantor nor the Grantee shall use the easement area in a manner which will unduly interfere with the use of the same by the other respective party.

4. The Grantee shall not assign any rights herein granted or otherwise given except to a successor federal, state, or county government, or their political subdivision, without the written consent of the Grantor.

5. The Grantee acknowledges that any person or persons using this public access shall conform to reasonable standards of behavior at all times while on the property. The Grantor, its successors and assigns, shall retain the right to deny access to and/or to remove any such offending person: who has caused or is in the process of causing any disruption to the orderly operations of Grantor's development; or who has acted or is in the process of acting in a manner which, in the Grantor's reasonable judgment, constitutes either a nuisance to owners, tenants or guests of the development or criminal activity; or who is acting in a noisy, boisterous or offensive manner.

6. The Grantor shall have the right to grant utility and roadway or other easements over, under and across the easement area to such other persons, corporations, partnerships, public utilities and governmental bodies, departments or agencies, under such terms and conditions which the Grantor deems necessary or

desirable, so long as such further grant shall not unreasonably interfere with the Grantee's use of the easement area granted herein. The Grantor shall have the right to install, maintain, operate, repair or remove any utility, water or sewer pipelines, conduits or drains below the surface of the easement area so long as the exercise of such right shall not unreasonably interfere with the Grantee's use of the easement area granted herein.

7. In the event the Grantor should elect to improve, conduct maintenance of, or renovate the easement area, the Grantor may temporarily close the easement for the purpose of improving, conducting maintenance or renovating the easement area upon the approval of the Grantee, of which such approval shall not be unreasonably withheld. All work done on the easement area shall be expeditiously done such that Grantor's interference with Grantee's use of the easement area is minimal.

8. If at any time the easement area, or any part thereof, shall be condemned, or taken for a public project by any governmental authority, Grantee shall have the right to claim or recover from the condemning or taking authority, but not from Grantor, such compensation as may be owing for the said easement area or portion thereof, and the rights granted herein.

9. For the purposes of this Grant of Easement, the term "utility" shall mean and include services for water, sewer, telephone, gas, electricity, cable television and other services employing electrical or electronic means of transmission.

The term "Grantor", wherever used herein, shall be held to mean and include the Grantor, its successors and assigns, and the term "Grantee", wherever used herein, shall be held to mean the County of Hawaii, and its successors and permitted assigns, and this instrument shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed on the date first written above.

KONA COAST VILLAS ASSOCIATES
LIMITED PARTNERSHIP

By _____
Its General Partner

"Grantor"

APPROVED:

_____
Planning Director

APPROVED AS TO FORM
AND LEGALITY:

GERALD A. TAKASE

_____
Deputy Corporation Counsel

COUNTY OF HAWAII

By _____
Its Mayor

STATE OF Hawaii)
) SS:
COUNTY OF Hawaii)

On this 15th day of JANUARY, 1991, before me appeared FRANCIS L. JUNG, to me personally known, who, being by duly sworn, did say that he is GENERAL PARTNER of KONA COAST VILLAS ASSOCIATES LIMITED PARTNERSHIP, a Hawaii Limited Partnership; and said FRANCIS L. JUNG acknowledged said instrument to be the free act and deed of such partnership.

L.S.

Leslie F. Bulford
Notary Public, State of Hawaii

My commission expires:
December 13, 1994

STATE OF HAWAII)
:SS
COUNTY OF HAWAII)

On this 1st day of February, 1991, before me appeared Lorraine R Inoye, to me personally known, who, being by me duly sworn, did say that she is Mayor of the COUNTY of HAWAII, a political subdivision of the State of Hawaii; that the seal affixed to the foregoing instrument is the seal of the COUNTY OF HAWAII, and that said instrument was signed and sealed on behalf of said COUNTY OF HAWAII by authority of its Charter; and said Lorraine R. Inoye acknowledged said instrument to be the free act and deed of said COUNTY OF HAWAII.

Nathalie Santos
Notary Public, State of Hawaii

My commission expires: 5-14-93

EXHIBIT "A"

All of that certain parcel of land, being a portion of R.P. 7819, L.C. Aw. 8559-B, Apana 8 to William C. Lunalilo, situate at Puapuaa 2, North Kona, Island and County of Hawaii, State of Hawaii, and more particularly described as follows:

Beginning at a pipe at the northeast corner of this parcel of land, on the southwest side of Alii Drive (formerly Kailua-Keauhou Beach Road), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAHELO", being 1406.26 feet South and 769.62 feet East and running by azimuths measured clockwise from True South:

1.	336°	48′		59.37	feet along the southwest side of Alii Drive (formerly Kailua-Keauhou Beach Road);
	Thence along the southwest side of Alii Drive (formerly Kailua-Keauhou Beach Road) along a curve to the left, having a radius of 5754.70 feet, the chord azimuth and distance being:				
2.	336°	35′	52.1"	40.62	feet to a spike;
3.	55°	26′		525.33	feet along the remainder of R.P. 7819, L.C. Aw. 8559-B, Apana 8 to William C. Lunalilo to highwater mark (upper reaches of the wash of the waves) to a spike;
	Thence along the seashore at highwater mark (upper reaches of the wash of the waves) for the next six (6) courses, the direct azimuths and distances between points at highwater mark (upper reaches of the wash of the waves) being:				

4.	149°	31′	30"	12.23	feet to a nail in concrete;
5.	162°	27′		30.23	feet to a nail in concrete;
6.	136°	49′		24.46	feet to a nail in concrete;
7.	150°	16′	30"	20.12	feet to a nail in concrete;
8.	71°	44′	30"	17.27	feet;
9.	128°	14′	30"	8.24	feet to a spike in concrete;
10.	235°	26′		556.15	feet along the remainder of R.P. 7819, L.C. Aw. 8559-B, Apana 8 to William C. Lunalilo to the point of beginning and containing an area of 1.195 acres, more or less.

Being the premises conveyed to the Seller herein by Deed dated January 22, 1990, and recorded in the Bureau of Conveyances of the State of Hawaii as Document Number 90-15874.

SUBJECT, HOWEVER, to:

1. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

2. Rights of Native Tenants as reserved in Royal Patent Number 7819.

3. As to that portion of the land herein described bordering on the ocean:

The effect of Sections 205-31 to 205-37, inclusive, Hawaii Revised Statutes, as now or hereafter amended pertaining to shoreline setbacks.

Any adverse claim based upon (1) a conflict in the determination of the seaward boundary of the land, (b) a conflict in the location of such seward boundary, or (c) the assertion that any portion of the land is submerged land or is land beneath tidal water.

End of EXHIBIT "A"

EXHIBIT "B"

EASEMENT "A-1"
FOR VEHICULAR AND PEDESTRIAN ACCESS PURPOSES
AFFECTING PARCEL 21 OF TAX MAP KEY 7-5-20 (3RD DIVISION)

Land situated on the Southwesterly side of Alii Drive at Puapuaa 2nd, North Kona, Island and County of Hawaii, State of Hawaii.

Being portions of:

Parcel 21 of Tax Map Key 7-5-20 (3rd Division); and

Royal Patent 7819, Land Commission Award 8559-B, Apana 8 to William C. Lunalilo.

Beginning at the Northeasterly corner of this easement, being also a point 336° 48' 26.29 feet from the Northeasterly corner of Parcel 21 of Tax Map Key 7-5-20 (3rd Division) and being a point on the Southwesterly side of Alii Drive, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAHELO" being 1,430.42 feet South and 779.98 feet East and running by azimuths measured clockwise from True South:

1. 336° 48' 27.00 feet along the Southwesterly side of Alii Drive to a point;

Thence, for the next seven (7) courses following along the remainders of Parcel 21 of Tax Map Key 7-5-20 (3rd Division) and Royal Patent 7819, Land Commission Award 8559-B, Apana 8 to William C. Lunalilo:

2. 66° 48' 11.38 feet to a point;

3. 55° 26' 18.34 feet to a point;

4. 145° 26' 40.00 feet to a point;

WES THOMAS & ASSOCIATES, INC.
LAND SURVEYORS
75-5722 Kalawa Street, Kailua-Kona, Hawaii 96740

5.	235°	26'	26.00 feet to a point;
6.	325°	26'	10.72 feet to a point;

Thence, following on a curve to the left with a radius of 4.00 feet, the chord azimuth and distance being:

7.	286°	07'	5.07 feet to a point;
8.	246°	48'	5.72 feet to the point of beginning and containing an area of 1,218 Square Feet.



WES THOMAS & ASSOCIATES, INC.

Chrystal Thomas Yamasaki

Chrystal Thomas Yamasaki
Registered Professional Surveyor
State of Hawaii Certificate No. LS4331

75-5722 Kalawa Street
Kailua-Kona, Hawaii 96740
TMK: 7-5-20: Portion 21 (3rd Division)
August 15, 1990
Revised: December 13, 1990

WES THOMAS & ASSOCIATES, INC.
LAND SURVEYORS
75-5722 Kalawa Street, Kailua-Kona, Hawaii 96740

EXHIBIT "C"

EASEMENT "A-2"
(10-FT. WIDE)
FOR PEDESTRIAN ACCESS PURPOSES
OVER AND ACROSS PARCEL 21 OF TAX MAP KEY 7-5-20 (3RD DIVISION)

Land situated approximately 15 feet Southwesterly of Alii Drive and on the Southwesterly boundary of Parcel 21 of Tax Map Key 7-5-20 (3rd Division) at Puapuaa 2nd, North Kona, Island and County of Hawaii, State of Hawaii.

Being portions of:

Parcel 21 of Tax Map Key 7-5-20 (3rd Division); and

Royal Patent 7819, Land Commission Award 8559-B, Apana 8 to William C. Lunalilo.

Beginning at the Northwesterly corner of this easement, being also the Northwesterly corner of Parcel 21 of Tax Map Key 7-5-20 (3rd Division) and being a point on the shoreline, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAHELO" being 1,717.69 feet South and 317.61 feet East and running by azimuths measured clockwise from True South:

1. 235° 26' 16.66 feet along the remainder of Royal Patent 7819, Land Commission Award 8559-B, Apana 8 to William C. Lunalilo to a point;

Thence, for the next seven (7) courses following along the remainders of Parcel 21 of Tax Map Key 7-5-20 (3rd Division) and Royal Patent 7819, Land Commission Award 8559-B, Apana 8 to William C. Lunalilo:

WES THOMAS & ASSOCIATES, INC.
LAND SURVEYORS
75-5722 Kalawa Street, Kailua-Kona, Hawaii 96740

2.	272°	20'	2.30 feet to a point;
3.	310°	16'	2.72 feet to a point;
4.	235°	26'	247.71 feet to a point;
5.	256°	00'	12.15 feet to a point;
6.	166°	00'	4.56 feet to a point;
7.	235°	26'	35.02 feet to a point;
8.	190°	26'	5.66 feet to a point;
9.	235°	26'	216.00 feet along the remainder of Royal Patent 7819, Land Commission Award 8559-B, Apana 8 to William C. Lunalilo to a point;

Thence, for the next nine (9) courses following along the remainders of Parcel 21 of Tax Map Key 7-5-20 (3rd Division) and Royal Patent 7819, Land Commission Award 8559-B, Apana 8 to William Lunalilo:

10.	325°	26'	10.00 feet to a point;
11.	55°	26'	211.86 feet to a point;
12.	10°	26'	5.66 feet to a point;
13.	55°	26'	32.24 feet to a point;
14.	346°	00'	7.63 feet to a point;
15.	76°	00'	20.34 feet to a point;
16.	55°	26'	243.18 feet to a point;
17.	310°	16'	50.18 feet to a point;
18.	332°	56'	35.93 feet to a point;
19.	55°	26'	10.09 feet along the remainder of Royal Patent 7819, Land Commission Award 8559-B, Apana 8 to William C. Lunalilo to a point;

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Thence, for the next three (3) courses following along the shoreline as certified on January 17, 1990, in all of its meanderings, the direct azimuths and distances being:

20.	152°	56'	35.24 feet to a point;
21.	130°	16'	57.82 feet to a point;
22.	92°	20'	12.18 feet to the point of beginning and containing an area of 6,243 Square Feet, more or less.

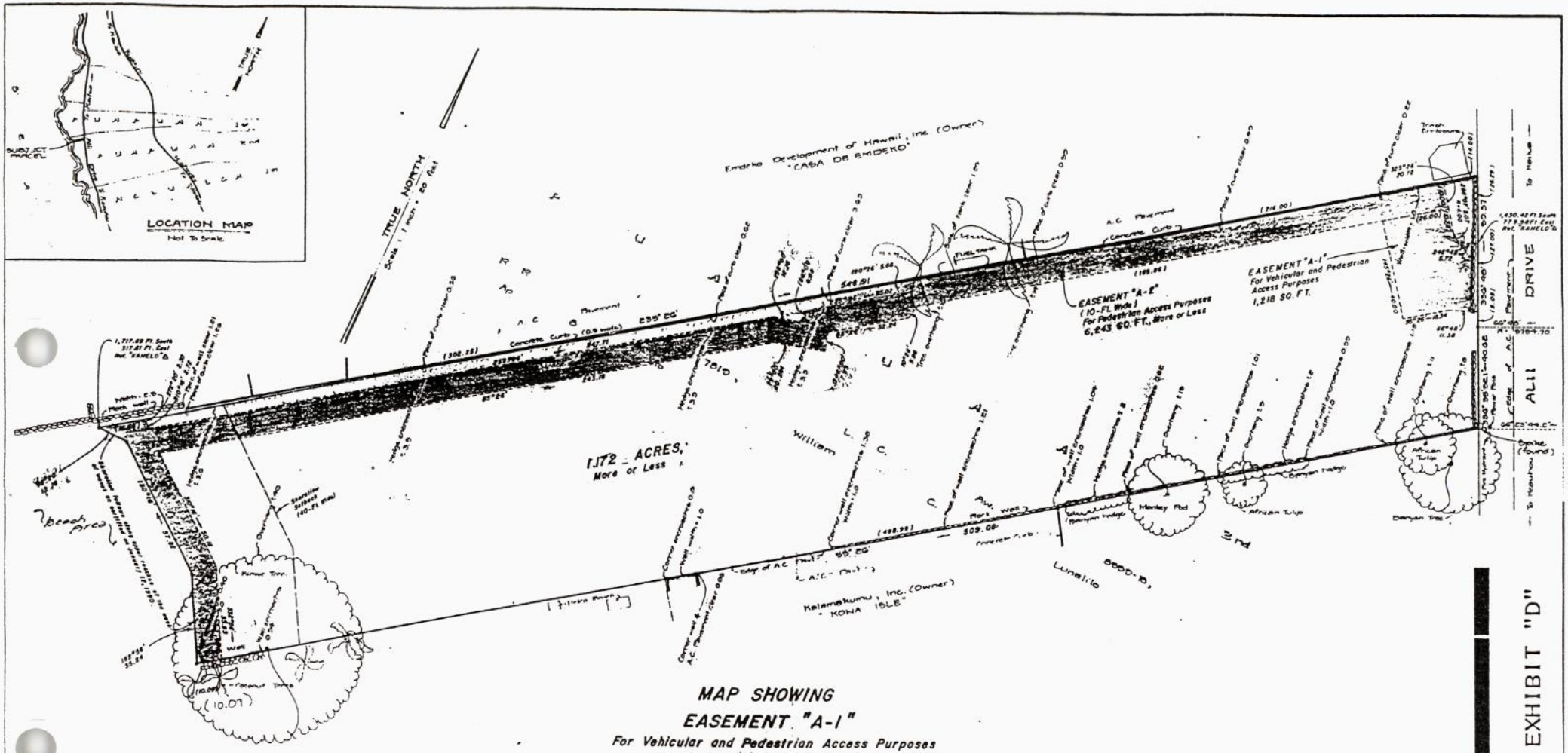
CHRYSTAL T. YAMASAKI
REGISTERED PROFESSIONAL LAND SURVEYOR
No. 4331
HAWAII U.S.A.

WES THOMAS & ASSOCIATES, INC.

Chrystal Thomas Yamasaki
Registered Professional Surveyor
State of Hawaii Certificate No. LS4331

75-5722 Kalawa Street
Kailua-Kona, Hawaii 96740
TMK: 7-5-20: Portion 21 (3rd Division)
August 15, 1990
Revised: December 13, 1990

WES THOMAS & ASSOCIATES, INC.
LAND SURVEYORS
75-5722 Kalawa Street, Kailua-Kona, Hawaii 96740



MAP SHOWING
EASEMENT "A-1"
For Vehicular and Pedestrian Access Purposes
AND EASEMENT "A-2"
(10-Ft. Wide)
For Pedestrian Access Purposes

Being Portions of
R.P. 7819, L.C. Aw. 8559-B, Ap. 8 to William C. Lunalilo
at Puapuaa 2nd, North Kona, Island and County of Hawaii
State of Hawaii

NOTES
1. Names of adjoining owners are from available Tax Maps.

Scale in Feet

Prepared By:
MES THOMAS & ASSOCIATES, INC.
75-5722 Kalawa Street
Kailua-Kona, Hawaii

This map was prepared by me or under my direct supervision.

By: Chrystal Thomas Yamasaki
CHRYSTAL THOMAS YAMASAKI
Registered Professional Land Surveyor
State of Hawaii Cert. No. LS-4331

PROJECT NO. 10 Pm.1.1
DATE: AUGUST 13, 1990
FIELD BOOK NO: 84 & 149
DISK NO: 2884
TAX MAP KEY: 7-5-08:32 (3rd Div.)
Revised: December 11, 1990
(Easement "A-1" and Easement "A-2")

EXHIBIT B

PHRI

Paul H. Rosendahl, Ph.D., Inc.

Archaeological • Historical • Cultural Resource Management Studies & Services

305 Mohouli Street • Hilo, Hawaii 96720 • (808) 969-1763 • FAX (808) 961-6998

Report 731-102889

November 24, 1989

Weiser & Jung Developers, Inc.
c/o Sidney Fuke & Associates
100 Pauahi Street, Suite 212
Hilo, Hawaii 96720

Subject: *Archaeological Inventory Survey*
Puapuaa 2nd Development Parcel
Land of Puapuaa 2nd, North Kona District,
Island of Hawaii (TMK:3-7-5-20:21)

Dear Mr. Fuke:

At the request of your client, Weiser & Jung Developers, Inc., Paul H. Rosendahl, Ph.D., Inc. (PHRI) conducted an archaeological inventory survey of the above subject property. The survey field work was conducted on October 26, 1989 by Supervisory Archaeologist Alan T. Walker and Field Archaeologists Ranae Ganske and John Reisdorf. Approximately 12 man-hours of labor were expended in carrying out the field work.

The basic purpose of an inventory survey is to identify—to discover and locate on available maps—all sites and features of potential archaeological significance present within a specified project area. An **inventory survey** comprises an initial level of archaeological investigation. It is extensive rather than intensive in scope, and is conducted basically to determine the presence or absence of archaeological resources within a specified project area. This level of survey indicates both the general nature and variety of archaeological remains present, and the general distribution and density of such remains. It permits a general significance assessment of the archaeological resources, and facilitates formulation of realistic recommendations and estimates for any subsequent **mitigation** work as might be necessary or appropriate. Such work could include intensive data collection involving detailed recording of sites and features, and selected test excavations; and possibly subsequent data recovery research excavations, construction monitoring, interpretive planning and development, and/or preservation of sites and features with significant scientific research, interpretive, and/or cultural values.

The basic objectives of the present survey were fourfold: (a) to identify (find and locate) all sites and site complexes present within the parcel; (b) to evaluate the potential general significance of all identified archaeological remains; (c) to determine the possible impacts of proposed development upon the identified remains; and (d) to define the general scope of any subsequent further data collection and/or other mitigation work that might be necessary or appropriate.

The Puapuaa 2nd Development Parcel project area consists of approximately 1.2 acres situated on the coastline (Figure 1). It is bounded on the north by the Casa De Emdeko apartment complex, on the south by the Kona Isle apartment complex, on the east by Alii Drive, and on the west by the Pacific Ocean. The terrain in the project area is roughly level; the soil in the area consists of Punaluu extremely rocky peat (6-20% slopes), representing the Punaluu series "of well-drained, thin organic soils over pahoehoe lava bedrock...[r]ock outcrops occupy 40 to 50 percent of the surface. In a representative profile the surface layer is black peat about 4 inches thick. It is underlain by pahoehoe lava bedrock..." (Sato et al. 1973:48). The project area appears to have contained a recent-historic housesite, as evidenced by a slab foundation and an associated mortar and stone entranceway on Alii Drive. Vegetation in the project area consists primarily of a moderately dense ground cover of introduced grasses and weeds, with scattered kiawe (*Prosopis pallida* [Humb. and Bonpl.

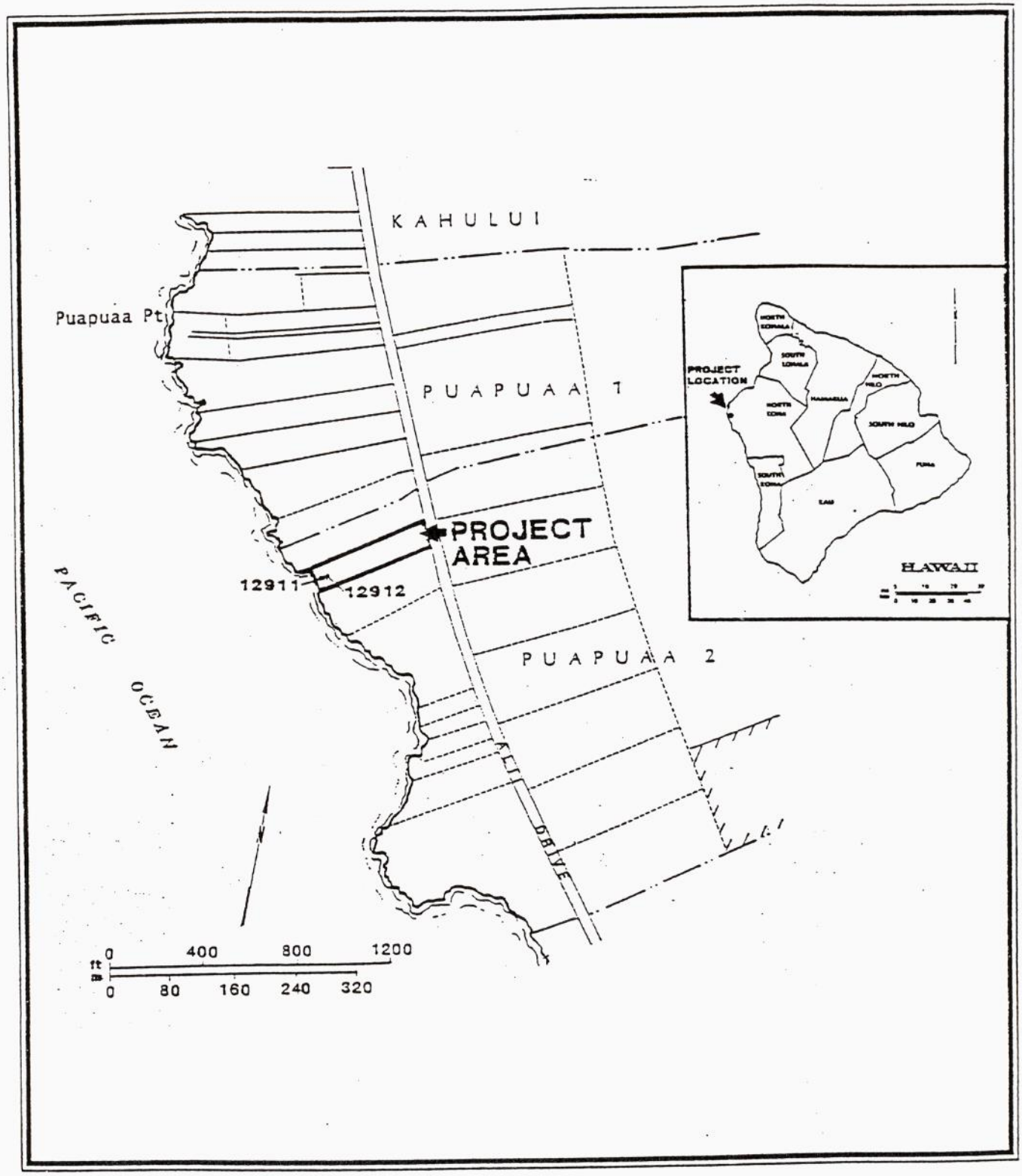


Figure 1. PROJECT AREA AND SITE LOCATION MAP

ARCHAEOLOGICAL INVENTORY SURVEY
PUAPUAA 2ND DEVELOPMENT PARCEL
Land of Puapuaa 2nd, North Kona District
Island of Hawaii (TMK:3-7-5-20:21)
PHRI Project 89-731 *November 1989*

ex Willd.] HBK) and milo (*Thespesia populnae* [L.]). Rainfall in the general vicinity of the project area ranges between 30-40 inches per year, and the mean annual temperature in the area is approximately 75 degrees F. (Armstrong 1983:63,64).

Previous archaeological work conducted within the general vicinity of the present project area includes studies by Delimont et al. (1985), Dye (1978), Hammatt (1980), and Walker and Rosendahl (1985a,b). Previous archaeological work within the specific project area is limited to a reconnaissance survey by Soehren (letter report dated 14 December 1979, from Mr. Lloyd J. Soehren to Mr. Bryan L. Gray). The only archaeological feature Soehren identified within the project area was a concrete slab foundation. Soehren stated that a "...thorough search for minor archaeological features is impossible without first removing the grass. However, the existence of modern structures, indicative of recent intensive use of the area, together with the narrow width of the lot, would tend to reduce the likelihood of such low lying features as house floors and graves being present." Soehren also stated that should any caves, lava tubes, or burials be uncovered during construction, they should be examined by a qualified archaeologist.

The project area is situated entirely within the four-corner locational boundary of the Kona Field System (Site 6601*), a very large complex (c. 3 by 18 miles) of aboriginal Hawaiian dryland cultivation and habitation features extending from the Kailua area south to Hookena. The Kona Field System has been determined eligible for inclusion on the National Register of Historic Places (NRHP). The project area is situated within the kula zone, one of four environmental zones of the system (Schilt 1984:6). The zone includes the area from sea level to c. 500 ft (150 m) elevation and receives c. 30-50 inches (0.8-1.2 m) of annual rainfall. Crops cultivated within the zone during the late prehistoric period (prior to AD 1778) include sweet potatoes ('uala), gourd (ipu), and paper mulberry (wauke). Crops cultivated during the proto-historic and early historic periods (AD 1778-1850) include cabbage, melons, onions, oranges, tobacco, beans, coffee, corn, cotton, pineapple, Irish potatoes, and pumpkins (Schilt 1984). Schilt (1984), in her discussion of leeward Hawaii expansion and settlement patterns, provides a general chronological sequence for the Kona Field System (Schilt 1984:270-304). According to Schilt, initial occupation of the Kona area began c. AD 1000. From AD 1000 to c. AD 1400, occupation and settlement were centered in the pristine upland zones and in the coastal fringe.

Kelly (1983), Barrere (1975), and Kuykendall (1938, 1953, 1967) have presented historical overviews of the Kona district and general Hawaiian historical research; their accounts of events and Hawaiian lifestyle in Pre-Contact and Historic periods are relevant to the project area, but the accounts include no specific references to the project area.

Historical documentary research on Puapuaa 1st and 2nd (Silva 1985) has been conducted as part of an earlier PHRI survey (Walker and Rosendahl 1985a). During her research Silva uncovered no mythological references and recommended that additional research focusing on graphic/cartographic and mythological references be conducted. During the present documentary research, no mythological references and only two cartographic references to the project area were found. Silva's 1985 research is summarized in Walker and Rosendahl (1988). Information from the Walker and Rosendahl summary is presented here as well as additional data found at the State Survey Office and Bureau of Conveyances.

Early accounts relevant to Puapuaa include accounts concerning the Kailua-Kona area. These accounts indicate that the high-ranking chiefs 'Umi-a-Liloa, Kalaniopu'u, and Kamehameha I resided in Kona. During the early historic period, Kailua was a preferred port as well as the center of island government.

The earliest account specific to Puapuaa is by English missionary William Ellis. Ellis describes Puapuaa as green and agriculturally productive. He also describes Kauakaiakaola Heiau in detail (Ellis 1963). This heaiu is situated in Puapuaa 1st.

Silva indicates that the entire Puapuaa 2nd was granted to Wm. C. Lunalilo (LCA 8559-B). Figure 2 indicates that Puapuaa 2nd was also known as Puapuaanui. Further information on ownership of Puapuaanui was found at the Bureau of Conveyances. Written on a Certificate of Boundaries for Puapuaanui, dated March 4, 1885, is "e H.N. Greenwell, ka mea nona keia aina ia manawa" (for H.N. Greenwell, for whom the land is for at this time). An 1891 reference is found in Book 120, page 387, in which Grantor J.S. Antonio, in regard to interest in leasehold and fixtures in Puapuaanui writes:

---

*State Inventory of Historic Places (SIHP) site designation system: four- and five-digit site numbers prefixed by 50-10-37 (50=State of Hawaii, 10=Island of Hawaii, 37=USGS 7.5" series quad map ["Kealakekua, Hawaii"]).

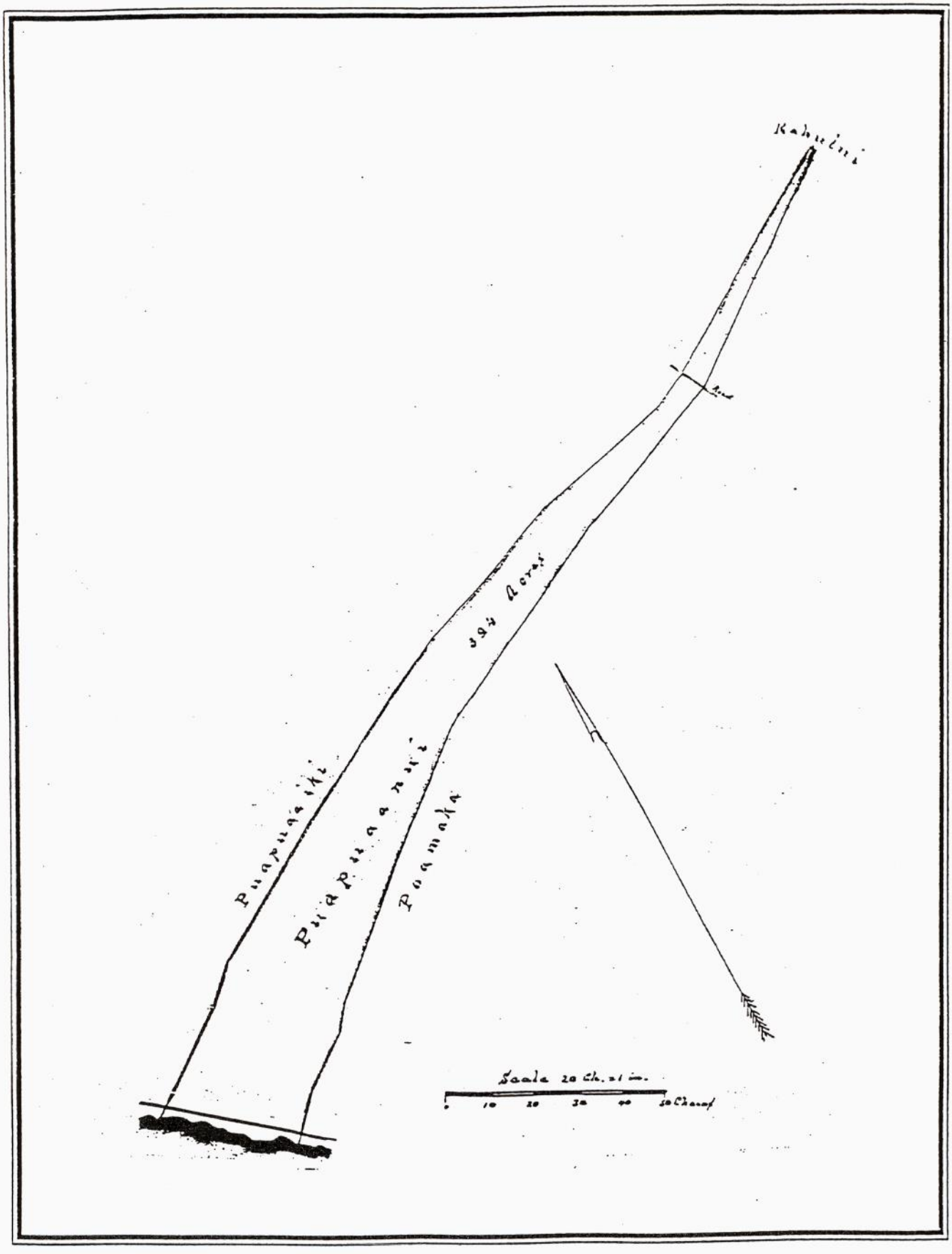


Figure 2. EARLY MAP SHOWING LANDS BELONGING TO THE ESTATE OF LUNALILO
(Courtesy of State Survey Office)

> ...in consideration of the cancellation and surrender to me of my note of $1,000 to Greenwell...and for $1...I hereby transfer...all of my right...in and to the leasehold premises called Puapuaanui, together with the fixtures and appurtenances but to no portion of the furniture, dairy fixtures or appurtances, cattle of other livestock, which I will reserve the right to remove.

From this entry we can conclude that dairy activities were being conducted in the area during the late 1800s. In addition to the above, records indicate there may have been a conflict of ownership dispute in regard to a concrete pool/pond within the project area. In 1975, owners Timothy Loo and wife Evelyn had a concrete pool/pond on the shoreline of the property. The pool/pond was built during the early 1960s when boundaries were established by metes and bounds. Waves replenished the pool/pond. Because the pool was built during the 1960s, it was determined that the owner built it within his property, despite the State ownership of shoreline. During the present project, the pool could not be located.

Nineteen Land Commission Awards (LCAs) were granted within the Land of Puapuaa. A few of the 19 LCAs are located on the coast; none, however, are within the present project area. A review of testimonies for awards granted in Puapuaa indicates that there existed a fair number of kihapai (cultivated parcels), and that they were usually planted in taro (*Colocasia esculenta* [L.] Schott) or sweet potato (*Ipomoea batatas* [L.] Lamb.). On the kihapai were houselots. Claimants often mention long-time residents: "People of the land are very old residents, at the time of Kamehameha I" (LCA 7947).

The present inventory survey consisted of 100% surface coverage accomplished by way of one pedestrian transect oriented approximately east-west and parallel to the major axis of the project area. Transect intervals between sweeping crew members were 5.0-10.0 m. As sites were identified they were flagged with pink-and-blue flagging tape and were assigned PHRI sequential temporary numbers prefixed by "731-", beginning with 731-1. Subsequently, all identified sites were assigned State Inventory of Historic Places (SIHP) permanent site numbers. All sites were plotted on a photocopy of a tax map. Sites were then recorded on standard PHRI site record forms and were tagged with an aluminum strip bearing the site number, PHRI project number (89-731), the letters PHRI, and the date.

During the present survey, two sites were identified (12911 and 12912) (Figures 1 and 3). Site 12911, a mound, measures 2.7 m (NW-SE) by 2.0 m (NE-SW) and is 0.6 m high. It is oval in plan view and consists of blocky, subangular, waterworn basalt boulders and cobbles, and coral boulders and cobbles. The central portion of the mound is raised. The mound is not faced and its sides are rounded or sloping in profile. A 1.0 by 0.5 m test unit (TU-1) was excavated in the central portion of the mound. Dismantling of the mound revealed approximately 15 coral fragments, but no other cultural remains. Below the mound, two soil layers were present. Layer I, c. 0.1 m thick, consisted of very dark grayish-brown (10YR 3/2, dry) silty clay; structureless to weak, very fine, crumb structure; loose to soft when dry, loose when moist, nonsticky to slightly sticky when wet, and of nonplastic consistence; abrupt to clear and smooth lower boundary. No cultural remains were recovered from Layer I. Layer II, c. 0.4 m thick, consisted of reddish-brown (5 YR 4/4, dry) silt loam; structureless to weak, very fine, crumb structure; loose to soft when dry, loose when moist, nonsticky to slightly sticky when wet, and of nonplastic consistence. Portable remains recovered from the initial 0.1 m of Layer II include several fragments of *Nerita picea* (0.36 g) and *Cypraea* spp. (6.35 g). Excavation of TU-1 was terminated in Layer II at a depth of 0.5 m below surface due to the paucity of portable remains.

Site 12912, also a mound, measures 2.7 m (N-S) by 2.7 m (E-W) and is 0.5 m high. It is round in plan view and consists of subangular, blocky basalt boulders and cobbles. One coral limestone boulder is present on the mound. The central portion of the mound is raised. The mound is not faced and its sides are rounded or sloping in profile. No test unit was excavated at the site.

Based on the structural form of the site and the test excavation, Site 12911 is interpreted as a clearing mound, probably historic. Based on the structural form of the site and its location in relation to Site 12911, and the results of TU-1 at Site 12911, Site 12912, like Site 12911, is interpreted as a possible historic clearing mound. Based on the findings of the present and prior surveys, and based on the historic period modifications in the parcel, Sites 12911 and 12912 are further interpreted as probably not associated with the Kona Field System. Historic modifications have probably destroyed most if not all prehistoric habitation and agricultural features that might have been present within the project area.

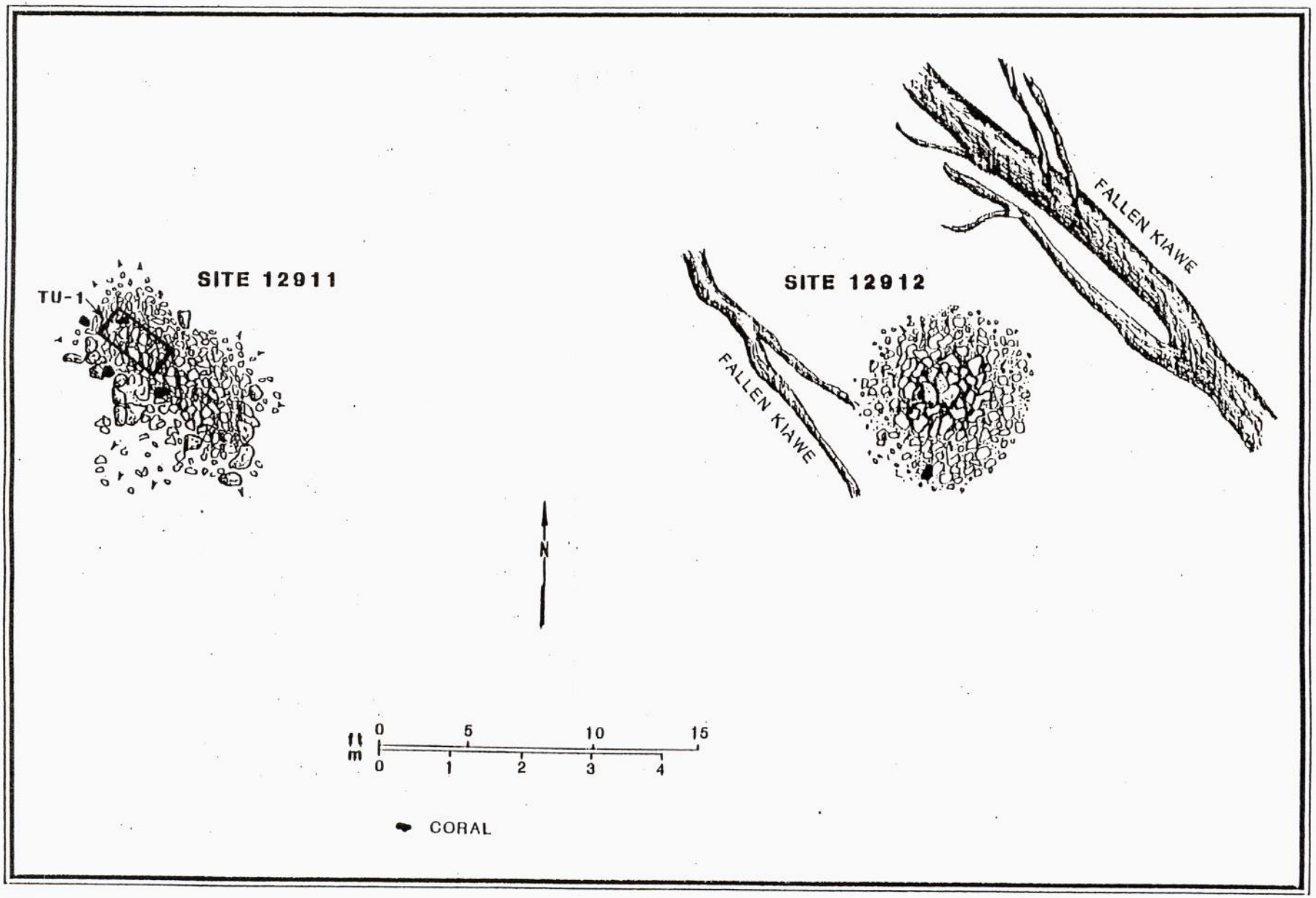


Figure 3. SITES 12911 AND 12912

Significance assessments for Sites 11291 and 11292 are based on the National Register criteria for evaluation, outlined in the Code of Federal Regulations (36 CFR Part 60). The Hawaii State DLNR-HSS uses these criteria for evaluating site significance. Sites determined to be potentially significant for information content fall under Criterion D, which defines significant resources as ones which "have yielded, or may be likely to yield, information important in prehistory or history." Sites potentially significant as representative examples of site types are evaluated under Criterion C, which defines significant resources as those which "embody the distinctive characteristics of a type, period, or method of construction...or that represent a significant and distinguishable entity whose components may lack individual distinction.

Sites with potential cultural significance are evaluated under guidelines prepared by the Advisory Council on Historic Preservation (ACHP) entitled "Guidelines for Consideration of Traditional Cultural Values in Historic Preservation Review" (ACHP 1985). The guidelines define cultural value as "...the contribution made by an historic property to an ongoing society or cultural system. A traditional cultural value is a cultural value that has historical depth" (1985:1). The guidelines further specify that "[a] property need not have been in consistent use since antiquity by a cultural system in order to have traditional cultural value" (1985:7).

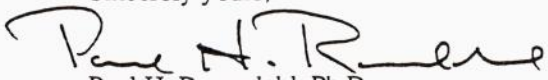
In order to facilitate future client management decisions regarding site treatments, Site 12911 and 12912 are further evaluated in terms of PHRI CRM (Cultural Resource Management) value modes, which are derived from the above state and federal evaluation criteria. The archaeological sites are evaluated in terms of potential scientific research, interpretive, and/or cultural values. **Research value** refers to the potential of archaeological resources for producing information useful in the understanding of culture history, past lifeways, and cultural processes at the local, regional, and interregional levels of organization. **Interpretive value** refers to the potential of archaeological resources for public education and recreation. **Cultural value** refers to the potential of archaeological resources to preserve and promote cultural and ethnic identity and values.

Based on the above federal/state criteria, Sites 12911 and 12912 are assessed as significant solely for scientific information content. Based on the above PHRI value modes, the sites are assessed as having limited research, interpretive, and cultural values. No further work is recommended for the two sites. Data collected from them during the present survey, in conjunction with the information included within prior archaeological reports, is considered sufficient; preservation of Sites 12911 and 12912 is not essential.

It should be noted that the above evaluations and recommendations have been made solely on the basis of a 100% surface inventory survey of the project area. There is always the possibility, however remote, that potentially significant, unidentified subsurface cultural remains will be encountered in the course of future archaeological investigations or subsequent development activities. In such situations, archaeological consultation should be sought immediately.

The present letter report constitutes the final report on the inventory survey. If you have any questions concerning this report or the survey, please contact me at our Hilo office (808) 969-1763.

Sincerely yours,



Paul H. Rosendahl, Ph.D.
President and Principal Archaeologist

ATW:atw

References Cited

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Walker, A.T., and P.H. Rosendahl

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1985b Supplementary Report: Archaeological Reconnaissance of TMK Parcel 76 and the Alii Drive Realignment Corridor, Full Archaeological Reconnaissance Survey, Kahakai Development Project Area, Puapuaa 1st and 2nd, North Kona, Island of Hawaii. PHRI Report 141-013185. Prepared for KG (Hawaii) Construction.

EXHIBIT C

JOHN WAIHEE
GOVERNOR OF HAWAII

WILLIAM W. PATY, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

DEPUTIES

KEITH W. AHUE
MANABU TAGOMORI
RUSSELL N. FUKUMOTO

AQUACULTURE DEVELOPMENT PROGRAM
AQUATIC RESOURCES
CONSERVATION AND ENVIRONMENTAL AFFAIRS
CONSERVATION AND RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION PROGRAM
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
P. O. BOX 621
HONOLULU, HAWAII 96809

REF:OCEA-CT

APR 11 1990

File: 90-525
Doc.: 7872E

The Honorable Duane Kanuha, Director
Planning Department
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Kanuha:

Subject: SMA Use Permit Application (90-4) for 34-unit Condominium and Related Improvements.
Applicant: Weiser & Jung Developments, Inc.
TMK: 7-5-20: 21

Thank you for giving our Department the opportunity to comment on this matter. We have reviewed the materials you submitted and have the following comments.

We have reviewed the archaeological survey report attached to the SMA application (P. Rosendahl 1989. Archaeological Inventory Survey, Puapuaa 2nd Development Parcel. PHRI.).

We agree that the parcel was adequately surveyed, finding 2 historic sites. We also agree with the significance evaluations of the sites, the sites both were significant solely for their information content and adequate amounts of this information was recorded during the survey, making the sites "no effect" on significant historic sites.

Additionally, our Hawaii biologist reports that no significant impact to aquatic resource values is expected from this project. However, landscaping and other surface modifications should be stabilized as soon as possible and precautions taken to prevent eroded materials, construction debris, petroleum products, chemicals and other potential contaminants from entering coastal waters.

Finally, traditional public access to and along the shore should be assured.

If you have any questions, please call me or Cathy Tilton at our Office of Conservation and Environmental Affairs at 548-7837.

Very truly yours,

Keith W. Ahue

for WILLIAM W. PATY

cc: Historic Preservation Program, DAR

EXHIBIT D

M&E Pacific, Inc.

100 Pauahi Street, Suite 212
Hilo, Hawaii 96720-3046

Tel: 808-961-2776
Fax: 808-935-5934
www.m-e.com

MEMORANDUM:

TO: Klaus Conventz

FROM: Harold Sugiyama

DATE: July 10, 2003

RE: Koa Ventures TIAR

Klaus,

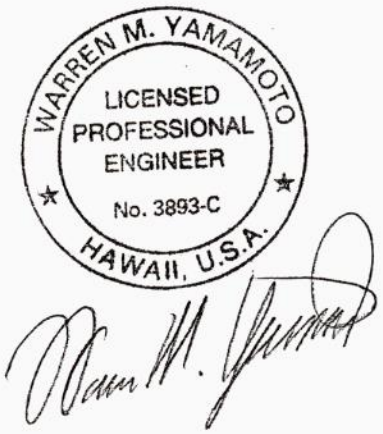
In response to your fax transmittal this morning, the following is a revised writeup.

A Traffic Impact Analysis Report (TIAR) dated July 2003 was prepared by M&E Pacific, Inc. It analyzed traffic flows during the morning and afternoon peak hours at the project driveway and at the Alii Lani/Casa De Emdeko driveway "intersection", which is about 50 feet north of the proposed project driveway. The report assumed that the 32-unit condominium would be at full occupancy by fall 2004 and would generate 21 trips in the morning peak and 24 trips in the afternoon peak. Based on the trip distribution pattern of the Alii Lani Subdivision, the report assumed that 60% to 75% of the trips would be distributed to the north (Kailua). The report found that the Alii Lani/Case De Emdeko driveway movements would continue to be at level of service C or higher with the proposed project, indicating very acceptable conditions. The outbound movement from the project driveway would be at level of service B in both peak periods with a single outbound lane, which would be sufficient to handle the expected demand.

The forecast volume of left turns into the project is sufficiently low and is expected to be at level of service A. It is proposed to extend the existing two way left turn lane beyond the Alii Lani south and Casa De Emdeko driveways in order to accommodate traffic into the proposed project.

cc: Mr. Warren Yamamoto

TRAFFIC IMPACT ANALYSIS REPORT
for a
32 Unit Condominium on Alii Drive



By:

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100 Pauahi Street, Suite 212
Hilo, Hawaii 96720
Telephone: (808)961-2776
Fax: (808)935-5934

July 9, 2003

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Appendix A — Traffic Turning Movement Counts

Appendix B — Traffic Calculations – Unsignalized Intersection
Level of Service (LOS) Calculations

TRAFFIC IMPACT ANALYSIS REPORT
for a
32 UNIT CONDOMINIUM ON ALII DRIVE

A 32 unit condominium is being planned on Alii Drive in Kailua-Kona, Hawaii. This report documents a study that was conducted to identify the traffic impacts of the proposed project and to recommend any mitigating measures.

PROJECT DESCRIPTION

Koa Ventures, LLC, proposes to develop a 32 unit condominium at 75-6092 Alii Drive in Kailua-Kona, Hawaii. The project site is on a 1.2± acre parcel identified as Tax Map Key (3)7-5-20: 21. The project site is south of the Casa de Emdeko project and makai (across the street) from the Alii Lani Subdivision as shown on Figure 1. The proposed project is expected to be ready for occupancy in the fall of 2004.

There are no major roadway intersections near the project site. The Lunapule Road intersection with Alii Drive is about three-quarter mile north while the Royal Poinciana Drive intersection is about three-quarter mile to the south. For this reason, this study analyzed the south driveways of the Alii Lani Subdivision and the Casa de Emdeko project, which are located across the street from each other as one intersection. The driveway for the proposed project would be located approximately 50 feet south of these two driveways.

EXISTING CONDITIONS

A survey of the existing roadway and traffic conditions on Alii Drive was made.

Existing Roadways

Alii Drive is a two-lane collector road that runs along the shoreline from Kailua-Kona to Keauhou. It is the makai of three north-south routes that run through Kailua-Kona. The roadway serves mixed residential and commercial land uses

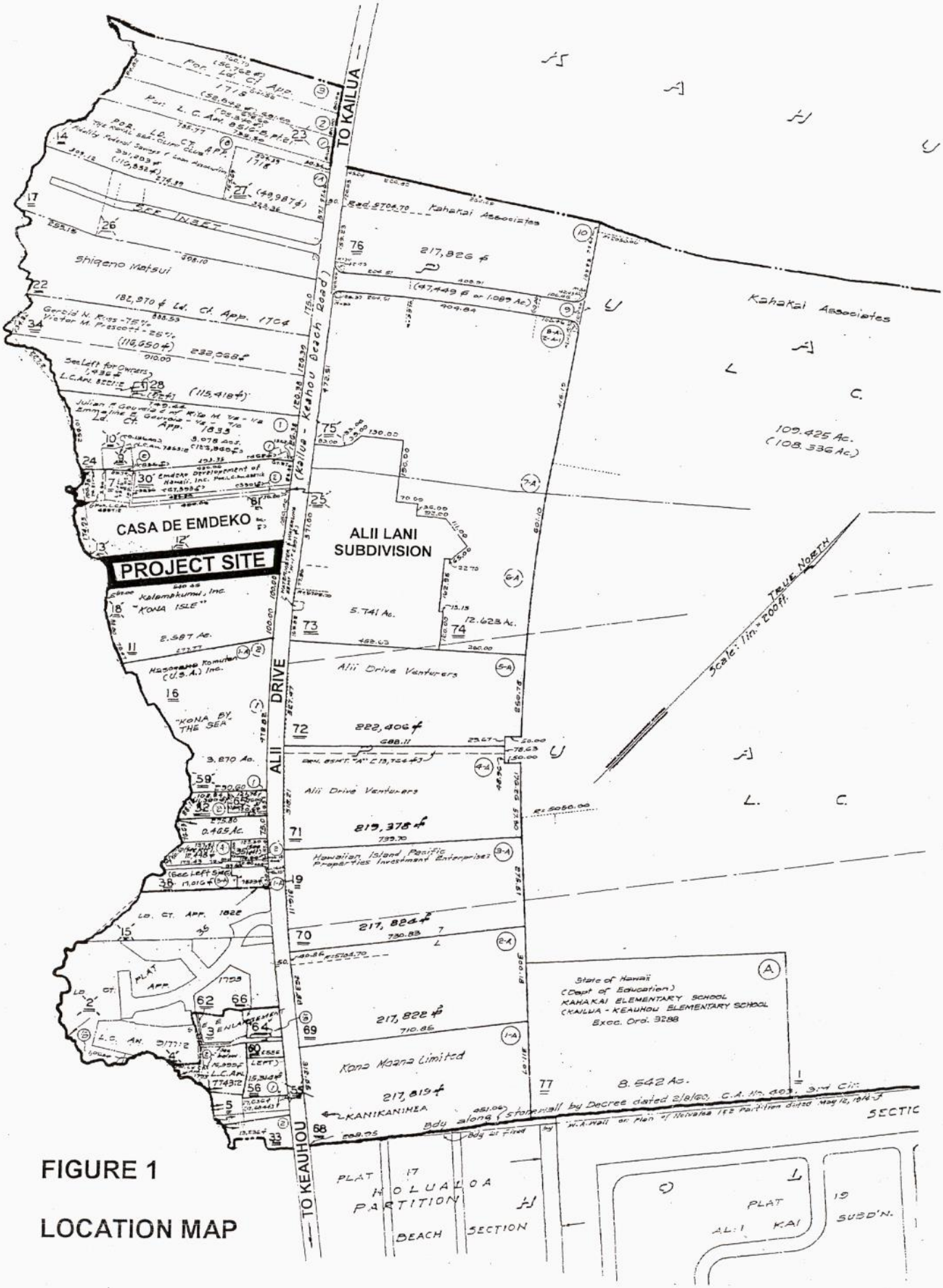


FIGURE 1

LOCATION MAP

within the study area and is posted for 30 mile per hour speed limit. There is a two way left turn center lane fronting the Alii Lani and Casa de Emdeko projects. The lane begins to taper in front of the project site.

Traffic Volumes

Traffic turning movement counts were taken at the two Alii Lani Subdivision driveways on June 3, 2003, prior to public schools going on summer vacation. Both driveways were counted, although only the south driveway was analyzed for traffic impacts, to determine current trip distribution patterns for residential developments on that section of Alii Drive. Traffic counts for the south Casa de Emdeko driveway was subsequently taken on July 3, 2002, to complete the traffic movements at the study intersection. Both sets of counts were taken during the morning and afternoon peak periods.

Traffic turning movement counts require workers to station themselves by each study intersection and record each vehicle movement as through or turning movements by 15 minute intervals. The worksheets for the traffic counts are included in the Appendix. The resultant peak hour movements are summarized on Figure 2, with the Alii Lani Subdivision and Casa de Emdeko counts combined for the south intersection. Traffic volumes over five vehicles per hour (vph) are rounded to the nearest five. The predominant direction of travel on Alii Drive is northbound in the morning peak and southbound in the afternoon peak, although the difference in directional volumes is less than 50 vehicles per hour in the afternoon period.

The State Department of Transportation takes traffic counts every two years at selected roadway sections on Hawaii. One of these count stations is at the Alii Drive/Hualalai Road intersection (Station 8-M). Traffic counts were available for four years: 1994, 1996, 1998 and 2002. The following data shows the historical trend of two-way daily traffic on the south leg of Alii Drive:

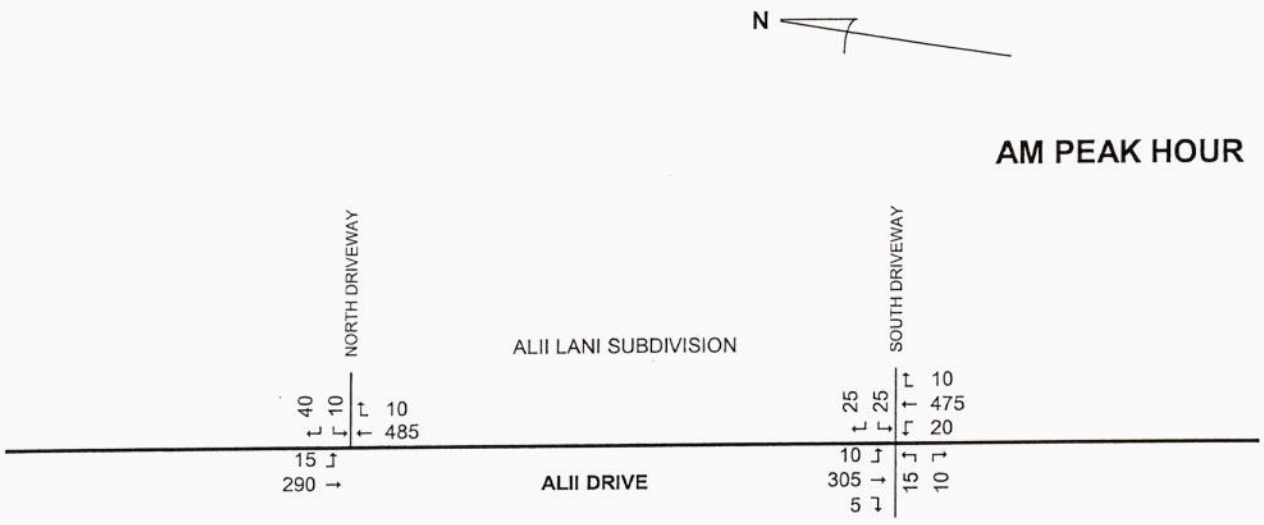


FIGURE 2

EXISTING TRAFFIC VOLUME

1994	11,900
1996	11,010
1998	14,050
2002	13,060

Daily two-way traffic volumes for the south leg of Alii Drive show an increase from 1996 to 1998 and subsequent decrease in 2002. The data shows a 1.2% annual increase from 1994 to 2002 and a 3.1% increase from 1996 to 2002.

TRAFFIC FORECAST

The proposed condominium is expected to be ready for occupancy in about a year. Therefore, traffic forecasts were prepared for a one year period. Ambient traffic on the Alii Drive can be expected to increase due to regional growth and new projects in the area during this one year period. The traffic that would be generated from the proposed project was then added to the ambient traffic forecast to obtain the total with project traffic forecast.

Ambient Traffic Forecast

Ambient traffic growth in the study area consisted of two components: general traffic growth and traffic from other new projects in the area.

The historical growth rate of traffic was used to forecast general growth. The observed traffic growth on the south leg of Alii Drive from 1996 to 2002, 3.1%, was assumed for the general growth rate. The current through volumes on Alii Drive from Figure 2 were increased by 3.1% as shown below:

	Southbound	Northbound
AM peak hour	10	15
PM peak hour	13	13

The volumes turning into and out of the Alii Lani subdivision and Casa de Emdeko driveways were not increased.

To these through volumes were added traffic that would be generated by several new projects in the area including Kona Hawaiian Village (135 units), Kona Sea Ridge (100 units), Alii Cove (100 units), an additional 50 condominium units on Alii Drive. Only half the number of full buildout units was assumed since these projects are not expected to be fully built and occupied within the one year forecast period. The trip generation, distribution and assignment procedure was used to forecast the hourly morning and afternoon volumes that would be traveling in front of the project site. These volumes assigned to the study intersections were then added to the general growth numbers as shown below:

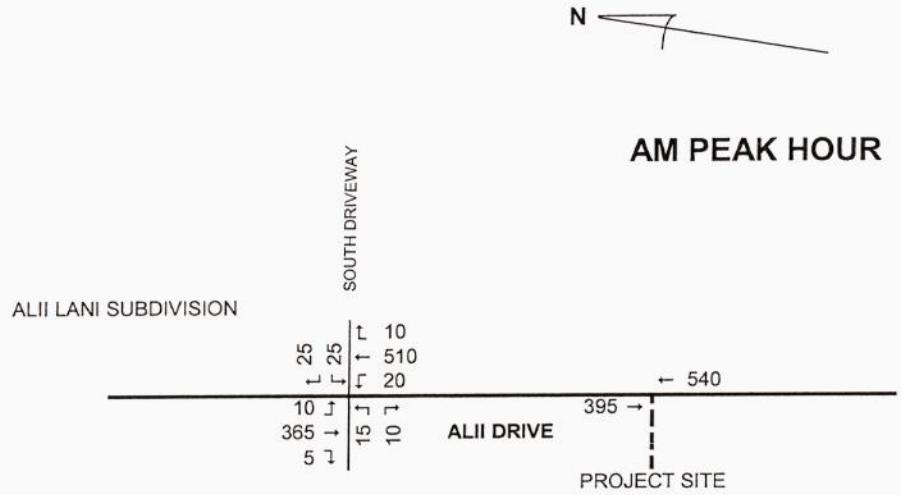
	Southbound	Northbound
AM peak hour	50	22
PM peak hour	26	31

The traffic volumes generated by the new projects are higher than the general growth volumes. The two sets of volumes were combined and the resultant ambient traffic forecast is shown on Figure 3, with volumes over five vph rounded to the nearest five.

Project Generated Traffic

The traditional procedure of trip generation, distribution, and assignment was used to forecast the number of trips that would be generated by the proposed project, the distribution of these trips, and the specific intersection turning movements that would be utilized.

The trip generation step forecasts the volume of vehicle trips that would be generated by the proposed project during the two analysis periods. The Institute of Transportation Engineers Trip Generation Handbook (Sixth Edition, 1997) has trip generation equations to calculate the number of AM and PM peak hour trips that would be generated by a residential condominium/townhouse (land use code 230). The equations are:



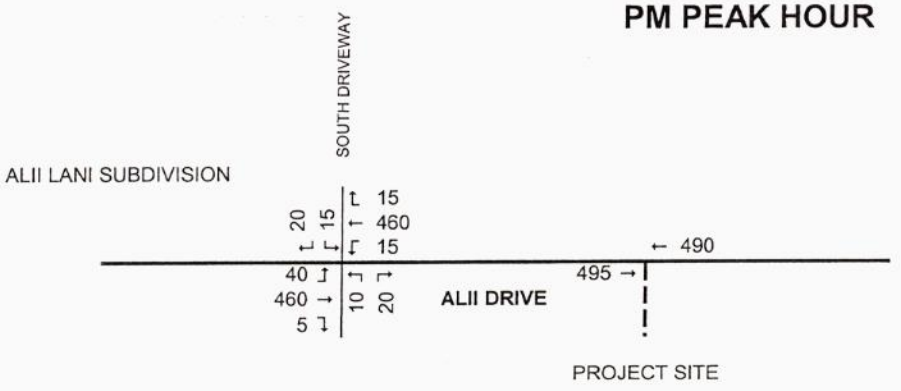


FIGURE 3
AMBIENT TRAFFIC FORECAST

AM Peak Hour	$Ln(T) = 0.79Ln(X) + 0.298$
PM Peak Hour	$Ln(T) = 0.827Ln(X) + 0.309$
where,	T = hourly trips produced; and
	X = number of condominium units.

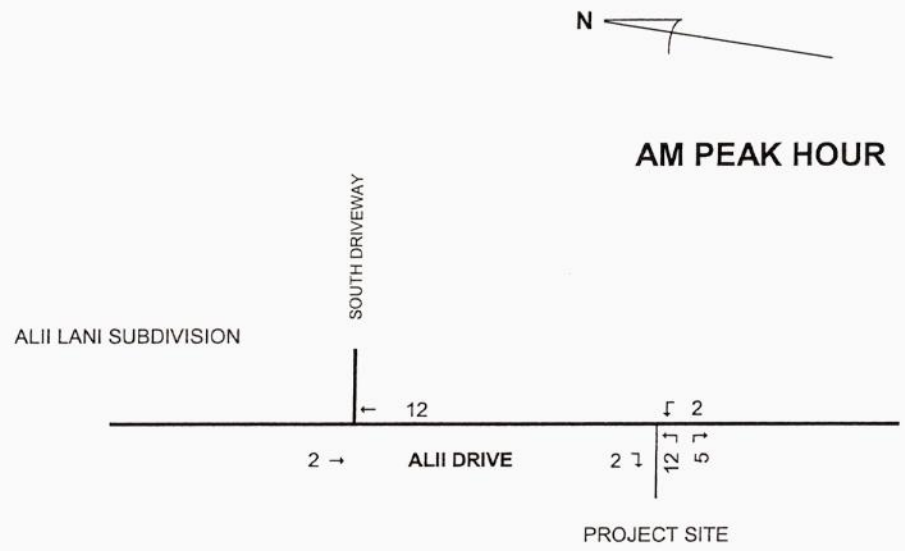
The handbook also provides the percentage of inbound and outbound trips in each peak hour. Based on the 32 proposed condominium units, the proposed project is expected to generate 17 outbound and 4 inbound trips in the morning peak, and 16 inbound and 8 outbound trips in the afternoon peak. The trip generation analysis is summarized on Table 1.

TABLE 1
TRIP GENERATION AND DISTRIBUTION SUMMARY

Analysis Period	Trip Generation Direction	Trips	Trip Distribution North		Trip Distribution South	
			Percent	Number	Percent	Number
AM	Total	21				
	Inbound (17%)	4	60	2	40	2
	Outbound (83%)	17	67	12	33	5
PM	Total	24				
	Inbound (67%)	16	75	12	25	4
	Outbound (33%)	8	60	5	40	3

The trip distribution step divides the generated trips by directions of travel to/from the project site. Based on the traffic counts from the Alii Lani Subdivision, different trip distribution percentages were used for the morning and afternoon peaks, and for inbound/outbound direction of travel. The trip distribution percentages and resultant volumes are summarized on Table 1.

The trip assignment step assigns the distributed trips as turning movements to the study intersections. The results of the trip assignment procedure for the proposed project are graphically shown on Figure 4. The two study intersections are shown: the Alii Lani/Casa de Emdeko driveways and the project site driveway. The traffic volumes are not rounded.



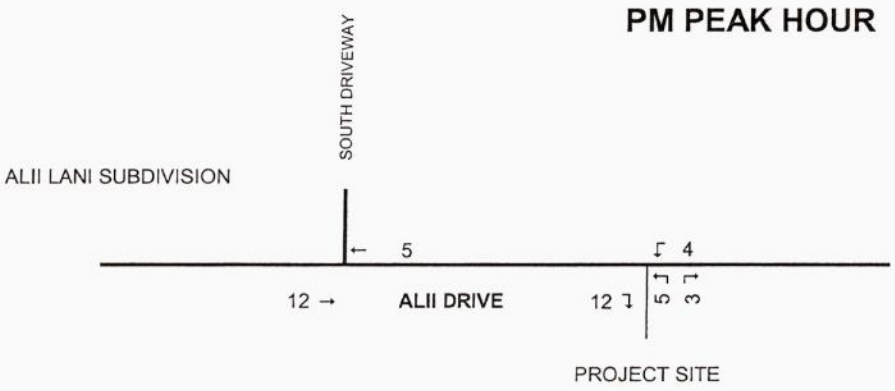


FIGURE 4
PROJECT GENERATED TRAFFIC

Total Forecast Volumes

The project generated volumes from Figure 4 were added to the ambient traffic forecasts from Figure 3 to obtain the total with project traffic forecasts shown on Figure 5. Traffic volumes over five vph are rounded to the nearest five for the two study intersections.

LEVEL OF SERVICE ANALYSIS

The concept of level of service is used to quantify the quality of traffic flow on roadway facilities. The Transportation Research Board has developed procedures to calculate level of service value(s) by measuring traffic volumes against the capacities of different types of roadway facilities. Their Highway Capacity Manual 2000 (HCM2000) describes the various procedures developed for freeways, highways, signalized and unsignalized intersections, etc.

The procedure used for analyzing unsignalized intersections calculates levels of service on critical turning movements including outbound movements from the stop-controlled approach, and left turns from the main road to the side road. Levels of service A to E are considered acceptable for unsignalized intersections. Level of service F (with average delays longer than 50 seconds) is considered undesirable for unsignalized intersections and would indicate the need for mitigation.

The results of the level of service analyses are summarized on Table 2. The existing, ambient forecast and total with project forecast levels of service for the Alii Lani/Casa de Emdeko driveway study intersection are placed side-by-side so that changes in levels of service can be identified. Only the total with project forecast level of service is shown for the proposed project driveway since it does not currently exist.

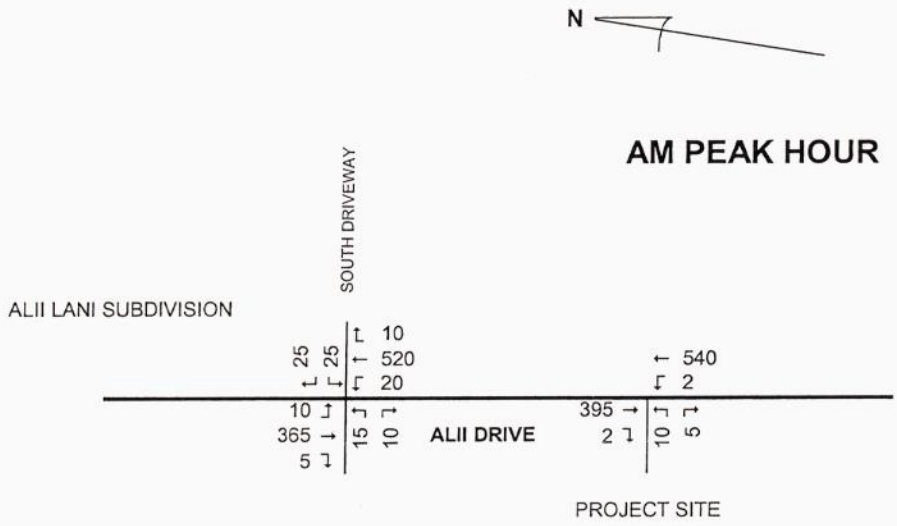
Table 2 shows the levels of service for each critical turning movement of the unsignalized intersections. The Alii Lani/Casa de Emdeko intersection has four

TABLE 2

UNSIGNALIZED INTERSECTION LEVEL OF SERVICE ANALYSIS

INTERSECTION APPROACH	LEVEL OF SERVICE FOR APPROACHES					
	AM PEAK HOUR			PM PEAK HOUR		
	2003 EXISTING	2004 AMBIENT	2004 TOTAL	2003 EXISTING	2004 AMBIENT	2004 TOTAL
Alii Drive @ Alii Lani/Casa Emdeko driveways						
Casa Emdeko driveway (EB outbound)	B	B	B	B	B	B
Alii Lani driveway (WB outbound)	B	C	B	B	B	C
Alii Drive northbound left	A	A	A	A	A	A
Alii Drive southbound left	A	A	A	A	A	A
Alii Drive at Sarona Rd.						
Project site driveway (EB outbound)	NA	NA	B	NA	NA	B
Alii Dr. Norththbound left	NA	NA	A	NA	NA	A

NA = Not Applicable



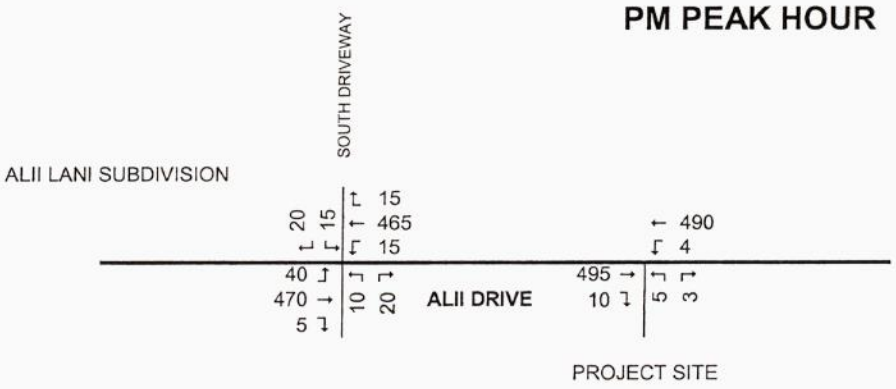


FIGURE 5
TOTAL TRAFFIC FORECAST

critical movements: the two outbound movement from each driveway and the two left turns from Alii Drive into each driveway. The project driveway has only two critical movements: the outbound movement from the project driveway and the northbound left turn from Alii Drive into the project driveway.

The results shown on Table 2 indicate that the Alii Lani/Casa de Emdeko driveway movements are currently operating at level of service B or better, indicating very acceptable conditions. The Alii Lani driveway outbound movement would change to level of service C in the morning peak for the ambient conditions, but return to level of service B for the total with project forecast. The same movement would change to level of service C in the afternoon peak for the total with project forecast. Level of service C is considered acceptable and no mitigating measures are required.

The outbound movement for the proposed project driveway is forecast to operate at level of service B in both peak periods, indicating very acceptable conditions. The left turn movements into both sets of driveways are forecast to be level of service A in both peak periods, indicating very acceptable conditions. No mitigating measures are required for the proposed project driveway. However, the current two way left turn lane should be extended south to service the proposed driveway.

CONCLUSIONS

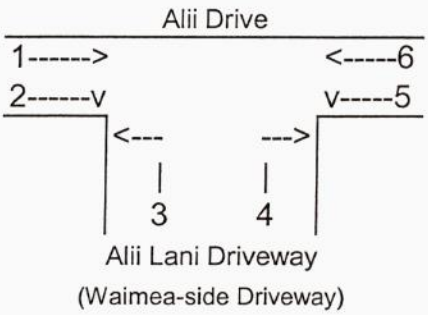
The proposed project will not generate enough trips to create an adverse traffic impact at any of the study intersections. The existing roadway system has sufficient capacity to accommodate the growth in ambient traffic and the traffic which would be generated by the proposed condominium. The only action would be to extend the existing two way left turn lane to service the proposed driveway.

APPENDIX A

TRAFFIC TURNING MOVEMENT COUNTS

TRAFFIC TURNING MOVEMENT COUNT
Koa Ventures

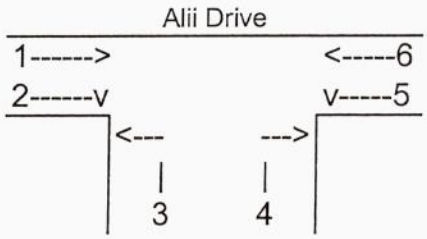
LOCATION: Alii Lani Driveway (Waimea-side Driveway)/ Alii Drive Intersection
DATE: June 3, 3003, Tuesday
TIME: 6:30a-8:30a/3:30p-5:30p
WEATHER:
RECORDER: Richard Alberts



TIME PERIOD	MOVEMENT NUMBER 1	2	3	4	5	6	TOTAL
6:30-6:45	55	0	1	6	1	28	91
6:45-7:00	76	0	2	6	0	45	129
7:00-7:15	69	1	1	8	0	49	128
7:15-7:30	119	1	0	13	1	57	191
7:30-7:45	129	1	6	12	4	66	218
7:45-8:00	114	4	3	6	4	84	215
8:00-8:15	124	2	1	11	7	84	229
8:15-8:30	94	0	2	10	1	68	175
6:30-8:30	780	9	16	72	18	481	1376
7:30-8:30	461	7	12	39	16	302	837
7:15-8:15	486	8	10	42	16	291	853
3:30-3:45	103	0	3	4	11	109	230
3:45-4:00	130	1	5	1	12	97	246
4:00-4:15	112	4	4	4	14	122	260
4:15-4:30	122	1	2	9	9	121	264
4:30-4:45	102	1	3	3	4	122	235
4:45-5:00	107	0	2	5	4	116	234
5:00-5:15	127	2	3	3	9	113	257
5:15-5:30	105	6	3	3	11	133	261
3:30-5:30	908	15	25	32	74	933	1987
4:15-5:15	458	4	10	20	26	472	990

TRAFFIC TURNING MOVEMENT COUNT
Koa Ventures

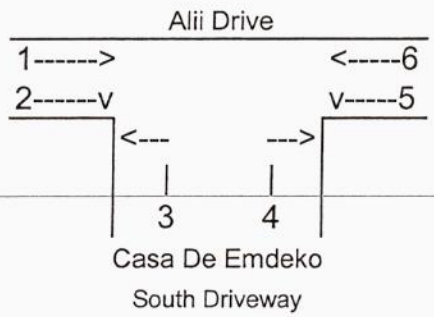
LOCATION:	Alii Lani Driveway (Keauhou-side Driveway)/ Alii Drive Intersection
DATE:	June 3, 3003, Tuesday
TIME:	6:30a-8:30a/3:30p-5:30p
WEATHER:	Light Rain/Cloudy
RECORDER:	Tom Lemanski



TIME PERIOD	MOVEMENT NUMBER 1	2	3	4	5	6	TOTAL
6:30-6:45	62	1	4	4	0	36	107
6:45-7:00	67	1	1	5	1	45	120
7:00-7:15	69	2	5	6	3	48	133
7:15-7:30	95	3	3	9	0	44	154
7:30-7:45	144	0	9	7	2	80	242
7:45-8:00	120	3	5	3	3	75	209
8:00-8:15	123	4	5	7	2	76	217
8:15-8:30	89	2	4	7	2	72	176
6:30-8:30	769	16	36	48	13	476	1358
7:00-8:00	428	8	22	25	8	247	738
7:30-8:30	476	9	23	24	9	303	844
3:30-3:45	98	4	2	5	9	102	220
3:45-4:00	107	4	4	12	6	89	222
4:00-4:15	108	4	8	4	10	122	256
4:15-4:30	107	3	3	6	11	88	218
4:30-4:45	99	3	2	2	10	110	226
4:45-5:00	106	7	4	8	8	101	234
5:00-5:15	111	2	0	6	10	93	222
5:15-5:30	99	7	2	8	7	115	238
3:30-5:30	835	34	25	51	71	820	1836
4:00-5:00	420	17	17	20	39	421	934

TRAFFIC TURNING MOVEMENT COUNT
Koa Ventures

LOCATION: Casa De Emdeko South Driveway
DATE: Thursday, July 3, 2003
TIME: 6:30a-8:30a/3:30p-5:30p
WEATHER: Light Clouds/Sun
RECORDER: Tom Lemanski



TIME	MOVEMENT NUMBER							
PERIOD	1	2	3	4	5	6	TOTAL	
6:30-6:45	42	0	2	1	3	82	130	
6:45-7:00	45	2	4	3	9	73	136	
7:00-7:15	55	0	7	2	4	71	139	
7:15-7:30	60	2	1	5	4	90	162	567
7:30-7:45	53	0	3	4	4	106	170	607
7:45-8:00	57	2	3	2	4	131	199	670
8:00-8:15	66	1	0	1	2	106	176	707
8:15-8:30	78	3	8	3	8	103	203	748
6:30-8:30	456	10	28	21	38	762	1315	
7:00-8:00	225	4	14	13	16	398	670	
7:30-8:30	254	6	14	10	18	446	748	
3:30-3:45	127	3	11	1	3	139	284	
3:45-4:00	114	1	6	2	4	104	231	
4:00-4:15	103	1	3	8	5	108	228	
4:15-4:30	101	2	5	7	2	85	202	945
4:30-4:45	109	0	4	5	3	113	234	895
4:45-5:00	124	3	5	5	3	121	261	925
5:00-5:15	115	2	3	5	5	120	250	947
5:15-5:30	96	2	4	7	3	101	213	958
3:30-5:30	889	14	41	40	28	891	1903	
3:30-4:30	445	7	25	18	14	436	945	
4:30-5:30	444	7	16	22	14	455	958	

APPENDIX B

TRAFFIC CALCULATIONS

UNSIGNALIZED INTERSECTION
LEVEL OF SERVICE (LOS) CALCULATIONS

CHAPTER 17 - TWSC - UNSIGNALIZED INTERSECTIONS WORKSHEET

Analysis Summary

General Information

Analyst	WY	Jurisdiction/Date	7/7/03
Agency or Company		Major Street	ALII DRIVE
Analysis Period/Year	AM PEAK 2003	Minor Street	ALII LANI S.DWY/CASA EMDE
Comment	EXISTING AM		

Input Data

Lane Configuration	SB			NB			EB			WB		
Lane 1 (curb)	TR			TR			LTR			LTR		
Lane 2	L			L								
Lane 3												
	SB			NB			EB			WB		
Movement	1 (LT)	2 (TH)	3 (RT)	4 (LT)	5 (TH)	6 (RT)	7 (LT)	8 (TH)	9 (RT)	10 (LT)	11 (TH)	12 (RT)
Volume (veh/h)	10	305	5	20	475	10	15		10	25		25
PHF	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9
Proportion of heavy vehicles, HV	3	3	3	3	3	3	3	3	3	3	3	3
Flow rate	11	339	6	22	528	11	17		11	28		28
Flare storage (# of vehs)									0			0
Median storage (# of vehs)							0			0		

Signal upstream of Movement 2 _____ ft Movement 5 _____ ft

Length of study period (h) .25

Output Data

	Lane	Movement	Flow Rate (veh/h)	Capacity (veh/h)	v/c	Queue Length (veh)	Control Delay (s)	LOS	Approach Delay and LOS
EB	1	LTR	12	591	.02	<1	11.2	B	11.2
	2								
	3								B
WB	1	LTR	28	545	.051	<1	12	B	12
	2								
	3								B
		①	11	1024	.011	<1	8.6	A	
		④	22	1209	.018	<1	8	A	

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CHAPTER 17 - TWSC - UNSIGNALIZED INTERSECTIONS WORKSHEET

Analysis Summary

General Information

Analyst	WY	Jurisdiction/Date	7/7/03
Agency or Company		Major Street	ALII DRIVE
Analysis Period/Year	AM PEAK 2004	Minor Street	ALII LANI S.DWY/CASA EMDE
Comment	AMBIENT		

Input Data

Lane Configuration	SB			NB			EB			WB		
Lane 1 (curb)	TR			TR			LTR			LTR		
Lane 2	L			L								
Lane 3												
	SB			NB			EB			WB		
Movement	1 (LT)	2 (TH)	3 (RT)	4 (LT)	5 (TH)	6 (RT)	7 (LT)	8 (TH)	9 (RT)	10 (LT)	11 (TH)	12 (RT)
Volume (veh/h)	10	365	5	20	510	10	15	0	10	25		25
PHF	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9
Proportion of heavy vehicles, HV	3	3	3	3	3	3	3	3	3	3	3	3
Flow rate	11	406	6	22	567	11	17	0	11	28	0	28
Flare storage (# of vehs)									0			0
Median storage (# of vehs)							0			0		

Signal upstream of Movement 2 _____ ft Movement 5 _____ ft

Length of study period (h) .25

Output Data

	Lane	Movement	Flow Rate (veh/h)	Capacity (veh/h)	v/c	Queue Length (veh)	Control Delay (s)	LOS	Approach Delay and LOS
EB	1	LTR	12	532	.023	<1	11.9	B	11.9
	2								
	3								B
WB	1	LTR	53	291	.182	1	20.1	C	20.1
	2								
	3								C
		①	11	991	.011	<1	8.7	A	
		④	22	1142	.019	<1	8.2	A	

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CHAPTER 17 - TWSC - UNSIGNALIZED INTERSECTIONS WORKSHEET

Analysis Summary

General Information

Analyst	WY	Jurisdiction/Date	7/7/03
Agency or Company		Major Street	ALII DRIVE
Analysis Period/Year	AM PEAK 2004	Minor Street	ALII LANI S. DWY/CASA EMD
Comment	TOTAL W/PROJECT		

Site Information

Input Data

Lane Configuration	SB			NB			EB			WB		
Lane 1 (curb)	TR			TR			LTR			LTR		
Lane 2	L			L								
Lane 3												
	SB			NB			EB			WB		
Movement	1 (LT)	2 (TH)	3 (RT)	4 (LT)	5 (TH)	6 (RT)	7 (LT)	8 (TH)	9 (RT)	10 (LT)	11 (TH)	12 (RT)
Volume (veh/h)	10	365	5	20	520	10	15		10	25		25
PHF	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9
Proportion of heavy vehicles, HV	3	3	3	3	3	3	3	3	3	3	3	3
Flow rate	11	406	6	22	578	11	17		11	28		28
Flare storage (# of vehs)									0			0
Median storage (# of vehs)							0			0		

Signal upstream of Movement 2 _____ ft Movement 5 _____ ft

Length of study period (h) .25

Output Data

	Lane	Movement	Flow Rate (veh/h)	Capacity (veh/h)	v/c	Queue Length (veh)	Control Delay (s)	LOS	Approach Delay and LOS
EB	1	LTR	12	530	.023	<1	12	B	12
	2								
	3								B
WB	1	LTR	28	510	.055	<1	12.5	B	12.5
	2								
	3								B
		①	11	981	.011	<1	8.7	A	
		④	22	1142	.019	<1	8.2	A	

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CHAPTER 17 - TWSC - UNSIGNALIZED INTERSECTIONS WORKSHEET

Analysis Summary

General Information

Analyst	WY	Jurisdiction/Date	7/7/03
Agency or Company		Major Street	ALII DRIVE
Analysis Period/Year	PM PEAK 2003	Minor Street	ALII LANI S.DWY/CASA EMDE
Comment	EXISTING PM		

Input Data

	SB			NB			EB			WB		
Lane Configuration												
Lane 1 (curb)	TR			TR			LTR			LTR		
Lane 2	L			L								
Lane 3												
	SB			NB			EB			WB		
Movement	1 (LT)	2 (TH)	3 (RT)	4 (LT)	5 (TH)	6 (RT)	7 (LT)	8 (TH)	9 (RT)	10 (LT)	11 (TH)	12 (RT)
Volume (veh/h)	40	420	5	15	420	15	10		20	15		20
PHF	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9
Proportion of heavy vehicles, HV	3	3	3	3	3	3	3	3	3	3	3	3
Flow rate	44	467	6	17	467	17	11		22	17		22
Flare storage (# of vehs)									0			0
Median storage (# of vehs)							0			0		

Signal upstream of Movement 2 _____ ft Movement 5 _____ ft

Length of study period (h) .25

Output Data

	Lane	Movement	Flow Rate (veh/h)	Capacity (veh/h)	v/c	Queue Length (veh)	Control Delay (s)	LOS	Approach Delay and LOS
EB	1	LTR	23	538	.043	<1	12	B	12
	2								
	3								B
WB	1	LTR	22	588	.037	<1	11.4	B	11.4
	2								
	3								B
		①	44	1074	.041	<1	8.5	A	
		④	17	1084	.015	<1	8.4	A	

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CHAPTER 17 - TWSC - UNSIGNALIZED INTERSECTIONS WORKSHEET

Analysis Summary

General Information

Analyst	WY	Jurisdiction/Date	7/7/03
Agency or Company		Major Street	ALII DRIVE
Analysis Period/Year	PM PEAK 2004	Minor Street	ALII LANI S.DWY/CASA EMDE
Comment	AMBIENT		

Input Data

Lane Configuration	SB			NB			EB			WB		
Lane 1 (curb)	TR			TR			LTR			LTR		
Lane 2	L			L								
Lane 3												
	SB			NB			EB			WB		
Movement	1 (LT)	2 (TH)	3 (RT)	4 (LT)	5 (TH)	6 (RT)	7 (LT)	8 (TH)	9 (RT)	10 (LT)	11 (TH)	12 (RT)
Volume (veh/h)	40	460	5	15	460	15	10		20	15		20
PHF	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9
Proportion of heavy vehicles, HV	3	3	3	3	3	3	3	3	3	3	3	3
Flow rate	44	511	6	17	511	17	11		22	17		22
Flare storage (# of vehs)									0			0
Median storage (# of vehs)							0			0		

Signal upstream of Movement 2 _____ ft Movement 5 _____ ft

Length of study period (h) .25

Output Data

	Lane	Movement	Flow Rate (veh/h)	Capacity (veh/h)	v/c	Queue Length (veh)	Control Delay (s)	LOS	Approach Delay and LOS
EB	1	LTR	23	502	.046	<1	12.5	B	12.5
	2								
	3								B
WB	1	LTR	22	555	.04	<1	11.8	B	11.8
	2								
	3								B
		①	44	1034	.043	<1	8.6	A	
		④	17	1044	.016	<1	8.5	A	

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CHAPTER 17 - TWSC - UNSIGNALIZED INTERSECTIONS WORKSHEET

Analysis Summary

General Information

Analyst	WY	Jurisdiction/Date	7/7/03
Agency or Company		Major Street	ALII DRIVE
Analysis Period/Year	PM PEAK 2004	Minor Street	ALII LANI S.DWY/CASA EMDE
Comment	TOTAL W/PROJECT		

Site Information

Input Data

Lane Configuration	SB			NB			EB			WB		
Lane 1 (curb)	TR			TR			LTR			LTR		
Lane 2	L			L								
Lane 3												
	SB			NB			EB			WB		
Movement	1 (LT)	2 (TH)	3 (RT)	4 (LT)	5 (TH)	6 (RT)	7 (LT)	8 (TH)	9 (RT)	10 (LT)	11 (TH)	12 (RT)
Volume (veh/h)	40	470	5	15	465	15	10		20	15		20
PHF	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9	.9
Proportion of heavy vehicles, HV	3	3	3	3	3	3	3	3	3	3	3	3
Flow rate	44	522	6	17	517	17	11		22	17		22
Flare storage (# of vehs)									0			0
Median storage (# of vehs)							0			0		

Signal upstream of Movement 2 _____ ft Movement 5 _____ ft

Length of study period (h) .25

Output Data

	Lane	Movement	Flow Rate (veh/h)	Capacity (veh/h)	v/c	Queue Length (veh)	Control Delay (s)	LOS	Approach Delay and LOS
EB	1	LTR	23	494	.047	<1	12.6	B	12.6
	2								
	3								B
WB	1	LTR	35	259	.135	<1	21.1	C	21.1
	2								
	3								C
		①	44	1029	.043	<1	8.7	A	
		④	17	1034	.016	<1	8.5	A	

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CHAPTER 17 - TWSC - UNSIGNALIZED INTERSECTIONS WORKSHEET

Analysis Summary

General Information

Analyst	WY	Jurisdiction/Date	7/7/03
Agency or Company		Major Street	ALII DRIVE
Analysis Period/Year	AM 2004	Minor Street	PROJECT DRIVEWAY
Comment	TOTAL W/ PROJECT		

Site Information

Input Data

Lane Configuration	SB			NB			EB			WB		
Lane 1 (curb)		TR			T			LR				
Lane 2					L							
Lane 3												
	SB			NB			EB			WB		
Movement	1 (LT)	2 (TH)	3 (RT)	4 (LT)	5 (TH)	6 (RT)	7 (LT)	8 (TH)	9 (RT)	10 (LT)	11 (TH)	12 (RT)
Volume (veh/h)		395	2	2	520		12		5			
PHF		.9	.9	.9	.9		.9		.9			
Proportion of heavy vehicles, HV		3	3	3	3		3		3			
Flow rate		439	2	2	578		13		6			
Flare storage (# of vehs)									0			
Median storage (# of vehs)							0					

Signal upstream of Movement 2 _____ ft Movement 5 _____ ft

Length of study period (h) .25

Output Data

	Lane	Movement	Flow Rate (veh/h)	Capacity (veh/h)	v/c	Queue Length (veh)	Control Delay (s)	LOS	Approach Delay and LOS
EB	1	LR	6	615	.01	<1	10.9	B	10.9
	2								B
	3								
WB	1								
	2								
	3								
		①							
		④	2	1114	.002	<1	8.2	A	

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1 of 1

CHAPTER 17 - TWSC - UNSIGNALIZED INTERSECTIONS WORKSHEET

Analysis Summary

General Information

Analyst	WY	Jurisdiction/Date	7/7/03
Agency or Company		Major Street	ALII DRIVE
Analysis Period/Year	PM 2004	Minor Street	PROJECT DRIVEWAY
Comment	TOTAL W/ PROJECT		

Input Data

Lane Configuration	SB			NB			EB			WB		
Lane 1 (curb)		TR			T			LR				
Lane 2					L							
Lane 3												
	SB			NB			EB			WB		
Movement	1 (LT)	2 (TH)	3 (RT)	4 (LT)	5 (TH)	6 (RT)	7 (LT)	8 (TH)	9 (RT)	10 (LT)	11 (TH)	12 (RT)
Volume (veh/h)		495	10	4	490		5		3			
PHF		.9	.9	.9	.9		.9		.9			
Proportion of heavy vehicles, HV		3	3	3	3		3		3			
Flow rate		550	11	4	544		6		3			
Flare storage (# of vehs)									0			
Median storage (# of vehs)							0					

Signal upstream of Movement 2 _____ ft Movement 5 _____ ft

Length of study period (h) .25

Output Data

	Lane	Movement	Flow Rate (veh/h)	Capacity (veh/h)	v/c	Queue Length (veh)	Control Delay (s)	LOS	Approach Delay and LOS
EB	1	LR	3	529	.006	<1	11.8	B	11.8
	2								B
	3								
WB	1								
	2								
	3								
		①							
		④	4	1005	.004	<1	8.6	A	

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EXHIBIT D

November 8, 2024

Introduction

A TIAR was prepared for the proposed 32-unit condominium development in July 2003. The site is located on the west side of Ali'i Drive south of Kaiolu Drive in Kailua-Kona, Hawaii County.

The Ali Lani Townhome development is located across Ali'i Drive and has two driveways. The development will have a full-access driveway to Ali'I Drive located approximately 75 feet south of the southern Ali Lani Townhome development. It is proposed to extend the existing two-way left-turn lane beyond the proposed SMA development access as part of the project.

This document is intended to update that report with new traffic data and analysis.

Existing Conditions

Ali'i Drive is a two-lane roadway with a posted speed limit of 30 mph and an AADT of 8,084 vehicles per day. The roadway has a striped two-way left-turn lane at the Ali Lani Townhome south driveway tapering to a two-lane undivided section south of the site.

Figure 1 shows AM and PM peak hour traffic counts.

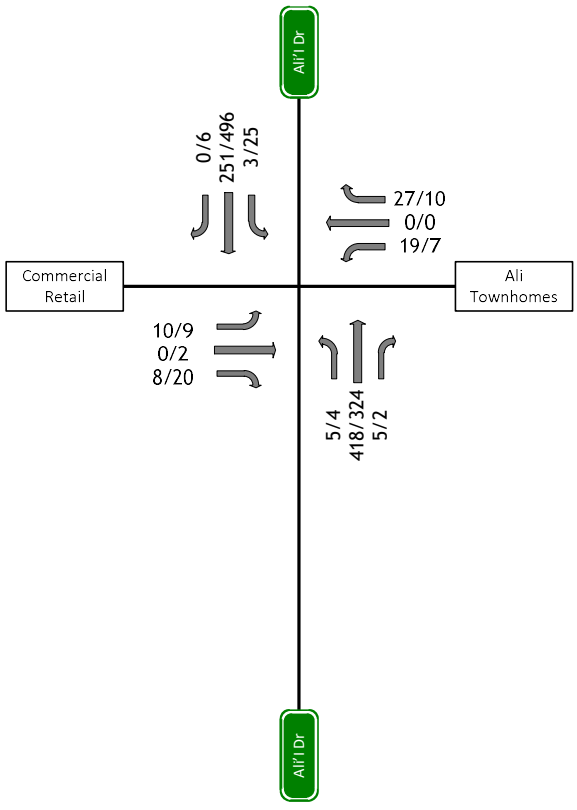


Figure 1 – Existing Counts

Background Growth

The previous report used a background growth of 3% per year. This TIAR increases existing volumes by 3% for Full Build conditions.

Trip Generation

The *ITE Trip Generation Manual 11th Edition* was used to estimate trip generation. Table 1 shows the estimated development trips.

Table 1 - ITE Trip Generation								
Average Weekday Driveway Volumes					AM Peak Hour		PM Peak Hour	
Land Use	ITE Code	Size		Daily Trips	Enter	Exit	Enter	Exit
Multifamily Housing (Low-Rise)	220	34	Dwelling Units	151	3	9	12	8

Trip Distribution

Trip distribution is based on the previous TIAR and assumes:

- 60% to/from the north on Ali'i Drive
- 40% to/from the south on Ali'i Drive

Site trips are shown in Figure 2

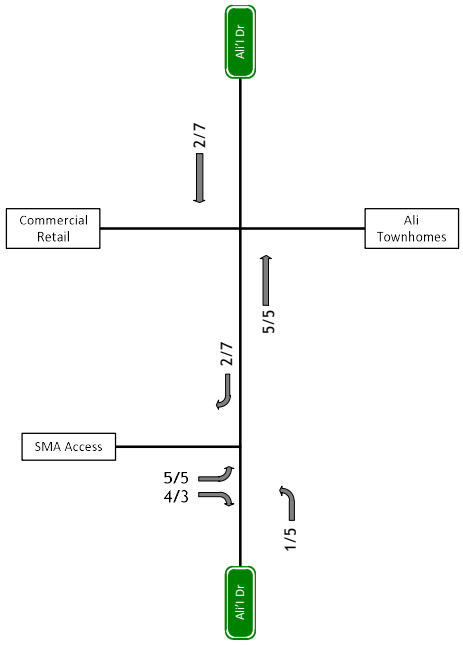


Figure 2- Development Site Trips

Full Build volumes are shown in Figure 3.

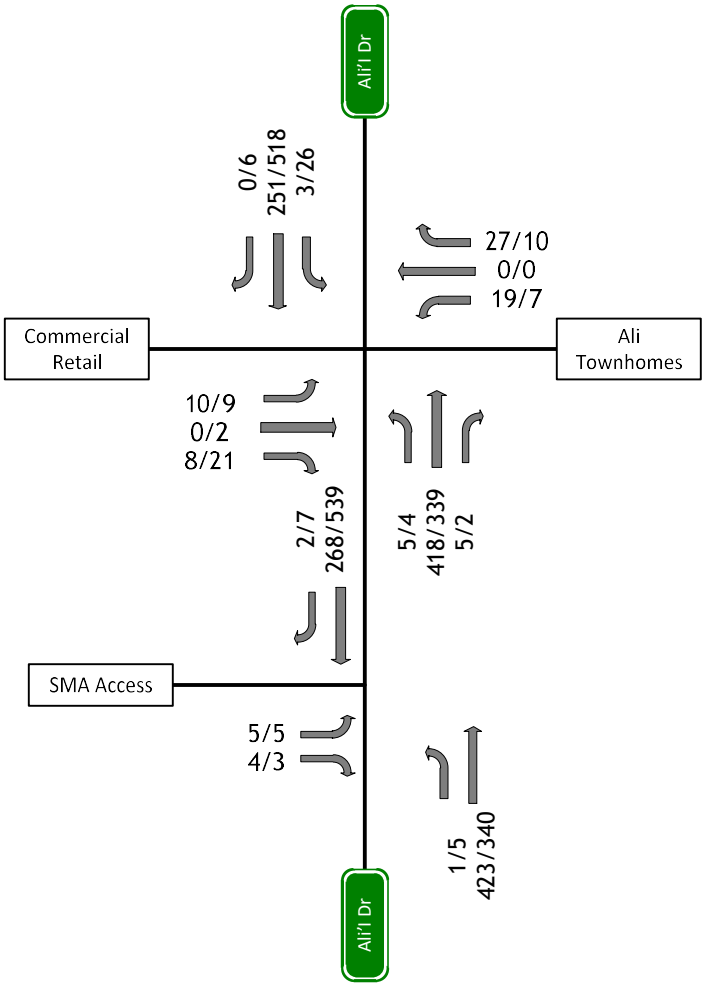


Figure 3 – Full Build Traffic Volumes

Level of Service Analysis

The Transportation Research Board's Highway Capacity Manual (HCM) uses the term "level of service" (LOS) to measure how traffic operates in intersections. There are currently six levels of service ranging from A to F. Level of Service "A" represents the best conditions and Level of Service "F" represents the worst. Synchro software v11.0 was used to determine the level of service for intersections in the study area. All worksheet reports from the analyses can be found in the Appendix.

Table 2 shows the level-of-service, control delay, and 95th percentile queue for existing conditions.

Table 2 - Intersection LOS, Delay, and Queue by Movement - 2024 Existing

Intersection	Approach	Movement	AM			PM		
			LOS	Delay	Queue	LOS	Delay	Queue
Ali'I Dr & driveway	EB	LT	B	13.6	-	C	15.5	8'
		TH						
		RT						
	WB	LT	B	13.7	8'	C	15.0	5'
		TH						
		RT						
	NB	LT	A	7.8	-	A	8.5	-
		TH	Free Movement (A)					
		RT						
	SB	LT	A	8.2	-	A	8.0	-
		TH	Free Movement (A)					
		RT						

Tables 3 and 4 show the level-of-service, control delay, and 95th percentile queue for Full Build conditions.

Table 3 - Intersection LOS, Delay, and Queue by Movement - 2025 Full Build

Intersection	Approach	Movement	AM			PM		
			LOS	Delay	Queue	LOS	Delay	Queue
Ali'I Dr & driveway	EB	LT	B	14.0	-	C	15.9	8'
		TH						
		RT						
	WB	LT	B	14.1	10'	C	15.6	5'
		TH						
		RT						
	NB	LT	A	7.8	-	A	8.5	-
		TH	Free Movement (A)					
		RT						
	SB	LT	A	8.2	-	A	8.1	-
		TH	Free Movement (A)					
		RT						

Table 4 - Intersection LOS, Delay, and Queue by Movement - 2025 Full Build								
Intersection	Approach	Movement	AM			PM		
			LOS	Delay	Queue	LOS	Delay	Queue
Ali'I Dr & SMA Access	EB	LT	B	12.5	-	C	15.6	-
		RT						
	NB	LT	A	7.8	-	A	8.6	-
		TH	Free Movement (A)					
	SB	TH	Free Movement (A)					
		RT						

Conclusions

Analysis shows that the intersections are projected to continue to operate acceptably under Full Build conditions. The development proposes to extend the existing northbound left-turn lane on Ali'I Drive to mitigate possible northbound left-turn and southbound through conflicts. No other improvements are recommended.



Warren J. Israelson, PE



JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'AINA O KA MOKU'AINA O HAWAI'I

KENNETH S. FINK, M.D, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKELE

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 916
HILO, HAWAII 96721-0916

MEMORANDUM

DATE: February 26, 2025

TO: Mr. Jeffrey W. Darrow
Planning Director, County of Hawaii

FROM: Eric Honda
District Environmental Health Program Chief

SUBJECT: Special Management Area Use Permit Application (PL-SMA-2025-000072)
Applicant: BOAZ LLC
Request: To Construct a Four (4) Story, Thirty-Four (34) Unit Condominium Building with Pool, Shoreline Access, and Related Improvements
Tax Map Key: (3) 7-5-020:021; Kailua-Kona, North Kona, Hawai'I

In most cases, the District Health Office will no longer provide individual comments to agencies or project owners to expedite the land use review and process.

Agencies, project owners, and their agents should apply Department of Health "Standard Comments" regarding land use to their standard project comments in their submittal. Standard comments can be found on the Land Use Planning Review section of the Department of Health website: https://health.hawaii.gov/epo/landuse/. Contact information for each Branch/Office is available on that website.

Note: Agencies and project owners are responsible for adhering to all applicable standard comments and obtaining proper and necessary permits before the commencement of any work.

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

Clean Air Branch

1. All project activities shall comply with the Hawaii Administrative Rules (HAR

Planning Dept.
Exhibit 2

Chapters 11-59 and 11-60.1.

2. Control of Fugitive Dust: You must reasonably control the generation of all airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.
3. Standard comments for the Clean Air Branch are at: https://health.hawaii.gov/epo/landuse/

Clean Water Branch

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55.
    1. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55: https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb- standard-comments/.

Hazard Evaluation & Emergency Response Office

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at: https://health.hawaii.gov/epo/landuse/.

Indoor and Radiological Health Branch

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502,
11-503, and 11-504.
2. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
3. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at https://health.hawaii.gov/irhb/asbestos/.

Safe Drinking Water Branch

1. Agencies and/or project owners are responsible for ensuring environmental compliance for their projects in the areas of 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related to the Safe Drinking Water program: https://health.hawaii.gov/sdwb/.
2. Standard comments for the Safe Drinking Water Branch can be found at: https://health.hawaii.gov/epo/landuse/.

Solid & Hazardous Waste Branch

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H, and 342I, and HAR Chapters 11-58.1 and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse, and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.
3. Underground Storage Tank Program – The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: https://health.hawaii.gov/epo/landuse/.

Wastewater Branch

For comments, please email the Wastewater Branch at doh.wwb@doh.hawaii.gov.

Sanitation / Local DOH Comments:

1. According to HAR §11-26-35, No person, firm, or corporation shall demolish or clear any structure without first ascertaining the presence or absence of rodents that may endanger public health by dispersal from such premises. Should any such inspection reveal the presence of rodents, the rodents shall be eradicated before demolishing or clearing the structure. A demolition permit is required prior to demolition.

Other

1. CDC - Healthy Places - Healthy Community Design Checklist Toolkit recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.

2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Hawaii District Health Office, at (808) 933-0917.

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

April 3, 2025

COH PLANNING DEPT
APR 3 2025 PM3:21

REC'D HAND DELIVERED

TO: Mr. Jeffrey Darrow, Director
Planning Department

FROM: Keith K. Okamoto, Manager–Chief Engineer

SUBJECT: Special Management Area Use Permit Application (PL-SMA-2025-000072)
Applicant: BOAZ LLC
Request: To Construct a Four (4) Story, Thirty-Four (34) Unit Condominium Building with Pool, Shoreline Access, and Related Improvements
Tax Map Key 7-5-020:021

We have reviewed the subject application and have the following comments and conditions.

Water can be made available from an existing 6-inch waterline within Ali'i Drive fronting the subject parcel in accordance with the Department's existing water availability conditions, which are subject to change without notice. There is an existing 2-inch service lateral installed to the parcel capable of accommodating a 1-1/2-inch meter, which is limited to an average usage of 400 gallons per day.

The Department has no objection to the proposed application, subject to the applicant understanding and accepting the following conditions:

1. The Department requests that the applicant submit estimated maximum daily water usage calculations for the proposed development, for review and approval. The water usage calculations shall be prepared by a professional engineer licensed in the State of Hawai'i and should include the estimated peak flow in gallons per minute (GPM) and the total estimated maximum daily water usage in gallons per day, including all irrigation/landscaping use.

2. Upon receipt of the water usage calculations above, the Department will make a determination as to the water commitment deposit amount and prevailing facilities charge (subject to change) to be paid, if necessary. Based on the water demand calculations, the Department will determine the appropriate service lateral and meter size required for the proposed development.

3. The proposed use will require the installation of a reduced pressure type backflow prevention assembly, within five (5) feet of the meter on private property. If a larger or additional meter is required, a backflow prevention assembly will also be required for the that meter. The installation of the backflow prevention assembly(s) must be inspected and approved by the Department before the commencement/continuation of water service.

4. The applicant will be required to submit construction plans, prepared by a professional engineer licensed in the State of Hawai'i, showing how and where they will connect to the Department's existing water system facilities.

Planning Dept.
Exhibit 3

5. Subject to other agencies' requirements to construct improvements within the project area, the applicant shall be responsible for the relocation and adjustment of the Department's affected water system facilities, should they be necessary.

Please note that the Department of Water Supply acknowledges that potable water is Hawai'i Island's most precious resource and encourages our communities to promote water conservation and reserve the highest quality of water for the most valuable end-use, which is the sustenance of life.

We request that the developer address the demand for drinking water for landscape irrigation use by reducing the demand, such as:

- Supplying water by alternate methods (i.e. rainwater catchment, reclaimed or reuse water). The County of Hawaii, Department of Public Works, and/or the State of Hawaii, Department of Health has guidelines, recommendations, or regulations regarding these types of systems.
- Design landscape to use water-efficient plants that are drought-tolerant, native, or appropriate to the local environment, principles of Xeriscape.
- Select appropriately sized turf areas, use healthy soils with the appropriate grading to reduce storm-water runoff, including shaded areas, and limit the use of high water-using plants such as turfgrass.

The Department recommends using water-efficient plants that are drought-tolerant, native, or appropriate to the local environment, using the principles of xeriscaping, and/or propose to supply landscape irrigation water by alternate methods (i.e. rainwater catchment, reclaimed or reuse water). The County of Hawaii, Department of Public Works, and/or the State of Hawaii, Department of Health has guidelines, recommendations, or regulations regarding these types of systems.

Should there be any questions, please Ms. Robyn Matsumoto of our Water Resources and Planning Branch at (808) 961-8070, extension 255.

Sincerely yours,

Keith K. Okamoto, P.E.
Manager-Chief Engineer

RM:klcm

copy – BOAZ LLC
Land Planning Hawaii

Oda, Michelle

From: Henderson, Royd
Sent: Wednesday, February 26, 2025 8:53 AM
To: Planning Internet Mail
Cc: Fire Prevention
Subject: Request for Comments on Special Management Area Use Permit Application No. | PL-SMA-2025-000072 | BOAZ LLC. on TMK: 7-5-020: 021

Good Morning,

Comments for the referenced are below:

Request for Comments on Special Management Area Use Permit Application No. | PL-SMA-2025-000072 | BOAZ LLC. on TMK: 7-5-020: 021

1. Fire Department access and water supply must be determined per Hawai'i state Fire Code.
2. All applicable Fire Codes shall be applied.

Thank you,

Royd

Royd Henderson
Battalion Chief
Fire Prevention Branch
Hawaii Fire Department
(808) 937-7867

Planning Dept.
Exhibit 4

STATE OF HAWAIʻI
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawaiʻi 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaiʻi 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: https://planning.hawaii.gov/

Coastal Zone Management Program

Environmental Review Program

Land Use Commission

Land Use Division

Special Plans Branch

State Transit-Oriented Development

Statewide Geographic Information System

Statewide Sustainability Branch

DTS202502261127HE

March 18, 2025

Mr. Jeffrey W. Darrow, Director
Department of Planning
County of Hawaiʻi
East Hawaii Office
101 Pauahi Street, Suite 3
Hilo, Hawaiʻi 96720

Attn: Alex Roy

Dear Mr. Darrow:

Subject: Special Management Area Use Permit Application (PL-SMA-2025-000072) to Construct a Four Story, Thirty-Four Unit Condominium Building with a Pool, Shoreline Access, and Related Improvements, Kailua-Kona, North Kona, Hawaiʻi; Tax Map Key: (3) 7-5-020: 021

Thank you for the opportunity to provide comments on the Special Management Area (SMA) Use Permit Application (PL-SMA-2025-000072), transmitted via memorandum dated February 25, 2025, to construct a condominium building with related improvements located on the makai side of 75-6092 Aliʻi Drive at North Kona, Hawaiʻi.

According to the subject SMA Use Permit application, BOZA LLC proposes to develop a four-story, 34-unit condominium building with a pool and related improvements on a 1.195-acre shoreline parcel. The four-story condominium building would consist of 3 units on the first floor, 10 units on the second and third floor, respectively, and 11 units on the fourth floor, with a total of 34 units. The condominium building would offer 10 types of units ranging from a 782 square foot, 1-bedroom, 1-bathroom unit to a 1,754 square foot, 3-bedroom, 3-bathroom unit. The building's height is just below 45 feet.

The proposed land use is consistent with the State Land Use Urban Designation. The parcel is zoned Multi-Family Residential with a minimum land area per dwelling or rental unit of 1,500 square feet (RM-1.5), which allows for the proposed condominium development.

Planning Dept.
Exhibit 5

Thirty-four parking spaces are proposed on the ground floor beneath the building, and 13 parking spaces will be provided on the mauka of the building, including 3 public parking spaces for shoreline access.

SMA Use Permit No.437 was issued in 2003 to the previous landowner for a four-story, 32-unit condominium building and related improvements on the subject property, but construction was never started, and the subject SMA Use Permit expired. BOZA LLC seeks a new SMA Use Permit to construct a similar condominium building. The current project proposes two additional units under allowable density and size of the property.

Project improvements are anticipated to be completed by 2028. The estimated cost of the project will be approximately $12,000,000.

The Office of Planning and Sustainable Development (OPSD) has reviewed the subject SMA Use Permit Application, and has the following comments to offer:

1. The SMA Use Permit application states that the proposed pool location has been moved from the mauka side of the building to the makai side, and outside of the shoreline setback area. Please note that the shoreline setback line, which may be more than minimum 40 feet inland from the certified shoreline on the subject site, shall be determined by the County of Hawai'i Planning Department. Except as provided in Hawai'i Revised Statutes (HRS) § 205A-44(b), without a variance, structures shall be prohibited within the shoreline area as defined in HRS § 205A-41.

2. The applicant shall ensure no structures and construction activities will occur within the shoreline area as defined by HRS § 205A-41. OPSD recommends that the applicant be required to place and maintain stakes and flags at the location of the shoreline setback line during the construction, and these stakes and flags shall be clearly visible for the purpose of inspection and monitoring.

3. OPSD acknowledges that the proposed project will enable and maintain public access by dedicating an exclusive easement to three public parking stalls, together with a non-exclusive easement for vehicular and pedestrian access, and a non-exclusive easement composed of a 10-foot wide mauka-makai pathway for shoreline access, as well as a 10-foot-wide pathway along the shoreline for lateral access across the property.

4. The County General Plan Land Use Pattern Allocation Guide (LUPAG) map designates approximately 50 percent of the site as Medium Density Urban and 50 percent as Open along the shoreline. The OPSD recommends that the applicant provide site-specific mitigation measures, including building height and village-style neighborhood design, building color and landscaping, to minimize the alteration of natural landforms and existing public views to and along the coast, and ensure the proposed four-story

building structure is compatible with the existing visual environment, including preservation of shoreline open space.

5. The Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) identifies most of the parcel in Flood Zone X, which is outside the 500-year floodplain. The proposed condominium building will be constructed within Flood Zone X. OPSD recommends that the SMA Use Permit application provide a plot plan of the proposed development, including all structures, in relation to the Flood Zones X, AE and VE as stated in the application.

6. OPSD suggests that the application assess 50-year storm runoff from the proposed condominium development, and provide site-specific mitigation measures as to how to retain and convey onsite runoff to an onsite surface drainage system to minimize storm runoff from the project site into the ocean.

   The Low Impact Development Practitioner's Guide for Hawai'i provides informational guidance on how to plan for and implement Low Impact Development (LID) practices for new development and redevelopment in Hawai'i. LID consists of nature-based solutions aiming to preserve or enhance the natural hydrology of a place that existed prior to development. OPSD recommends the subject development refer to LID Guide when developing mitigation approaches for runoff control at https://files.hawaii.gov/dbedt/op/czm/ormp/ormp_implementation/2023LIDPractitionersGuide.pdf.

7. The site-specific Best Management Practices (BMPs) shall be prepared and implemented to prevent any runoff, sediment, soil and debris potentially resulting from associated construction activities from adversely impacting the coastal ecosystems and the State waters as specified in Hawai'i Administrative Rules Chapter 11-54.

8. In enacting Act 224, Session Laws of Hawaii 2005, the legislature found that light pollution in Hawai'i's coastal areas and artificial lighting illuminating the shoreline and ocean waters can be disruptive to avian and marine life. All exterior lighting and lamp posts associated with the proposed condominium development shall be cut-off luminaries to provide the necessary shielding to mitigate potential light pollution in the coastal areas, and lessen possible seabird strikes. No artificial light, except as provided in HRS §§ 205A-30.5(b) and 205A-71(b), shall be directed to travel across the property boundaries toward the shoreline and ocean.

9. Should any archaeological or cultural resources, or burials be discovered during ground excavation, all construction work shall be ceased immediately. Subsequent work shall proceed only upon archaeological clearance from the State Historic Preservation Division, Department of Lands and Natural Resources.

If you respond to this comment letter, please include DTS202502261127HE in the subject line. For any questions regarding this letter, please contact Shichao Li of our office at (808) 587-2841 or by email at shichao.li@hawaii.gov.

Sincerely,

Mary Alice Evans

Mary Alice Evans
Director

BUILDING DIVISION – DPW

COUNTY OF HAWAI'I – 101 Pauahi Street, Suite 7 – Hilo, Hawai'i 96720
Hilo Office (808) 961-8331 • Fax (808) 961-8410 Kona Office (808) 323-4720 • Fax (808) 327-3509

February 27, 2025

TO:
County of Hawaii – Planning Dept.
Ane Keohokalole Hwy.
74-5044 West Hawaii Civic Center – Bldg. E, 2nd Floor
Kailua Kona, HI. 96740

SUBJECT:
Zoning Variance PL-SMA-2025-000072
Applicant: BOAZ LLC
Owner: BOAZ LLC
Request: To construct a Four (4) Story, Thirty-Four (34) Unit Condominium Building with Pool, Shoreline Access and related Improvements
TMK: (3) 7-5-020:021 Kailua Kona, Hawaii

This is to inform you that our records on file, relative to the status of the subject discloses that:

☐ No Building permit was issued for work done on the premises.

☐ No building permit was issued for the change of occupancy.

☐ At the time of completion, the subject complied with all Building Code regulations that were in effect.

☐ Variance from any building regulation (Building, Electrical, Plumbing, or Sign) was/was not granted.

☐ The following violations(s) still outstanding:

☐ Building ☐ Electrical ☐ Plumbing ☐ Sign

☒ Others: Project shall comply with all current Building Codes at the time construction commences.

This status report reflects Building Division records only and does not include information from other agencies.

Should you have any questions regarding matters contained herein, please feel free to contact Chris Domino at phone no. (808) 323-4720

Hawai'i County is an Equal Opportunity Provider and Employer

Planning Dept.
Exhibit 6

RCVD COH PLANNING DEPT
MAR 17 '25 PM3:31
VIA MAIL DELIVERY

Alii Lani Resident

75-6081 Alii Dr

Kona, HI 97640

PROPOSED SPECIAL MANAGEMENT AREA USE PERMIT

(PL-SMA 2025-000072)

Boaz llc

TAX MAP KEY (3) 7-5-020:021

Please amend this building proposal.

The planned four-story buildings are too high compared to existing structures. Please limit the structures to two stories.

Also, please reduce the proposed quantity of units due to increased car traffic. Alii drive is already backed up daily from Walua road. Alii road is also literally crumbling from the existing traffic burden. The additional car traffic would be prohibitive.

This project is too large and will adversely affect the quality of life of existing residents.

Thank you,

Alii Lani Resident.

Planning Dept.
Exhibit 7

DATE: March 6, 2025

TO: Surrounding Property Owners

FROM: Land Planning Hawai'i LLC
194 Wiwo'ole Street, Hilo, HI 96720

RE: Notice of Submittal of Application and Planning Commission Hearing for Special Management Area Use Permit (PL-SMA 2025-000072)
Nature of Request: To Construct a Four (4) Story, Thirty-Four (34) Unit Condominium Building with Pool, Shoreline Access, and Related Improvements
Applicant: BOAZ LLC
TMK: (3) 7-5-020:021

This notice is being sent in accordance with the County Zoning Code, Section 25-2-4 and Planning Commission Rule No. 4 (Contested Case Procedure) which require property owners within 300 feet of the perimeter boundary of the subject parcel be notified of the submittal of this application, and eventually, of the public hearing.

This is only a notification to you as a surrounding property owner and does not require a response.

Please be informed this office filed a Special Management Area Use Permit Application with the Hawai'i County Planning Department on February 3, 2025, on behalf of the applicant, BOAZ LLC, and on February 25, 2025, the Planning Department acknowledged receipt of the application. The applicant is requesting a Special Management Area Use Permit that will allow for the construction of a four (4) story, thirty-four (34) unit condominium building with a pool, shoreline access, and related improvements on the subject property.

The subject site is approximately 1.195-acres, zoned RM-1.5, and is located on the *makai* side between the Casa De Emdeko complex and the Kona Isle condominium complex. The site is approximately 0.75 miles south of Lunapule Road in Puapua'a, North Kona, Hawai'i **(see attached location map)**.

If approved, the applicant intends to construct a 4-story structure with thirty-four (34) units. The proposed building height is just below 45-feet. The property would also contain related improvements including a pool. Shoreline access for the public via a pathway and three (3) public parking stalls would be provided. Wastewater would be handled through the County sewer system.

The Planning Commission will eventually conduct a public hearing and, if required, a contested case hearing on this matter. Prior to this hearing, we will again notify you of the hearing date, place, and time.

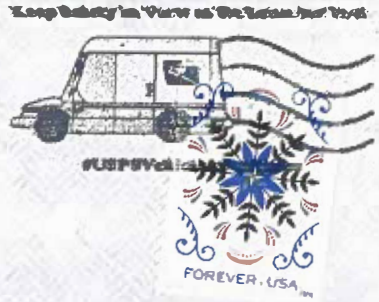
To provide input on this matter, you may:

a. Provide written testimony to the Commission prior to the public hearing or verbally at the public hearing: **and/or**

b. Request for a contested case hearing. Should you seek to intervene as a party

75608I Ali Dr
Kona HI 96740

HONOLULU HI 967
14 MAR 2025 PM 2 L



Hawai'i County Planning Dept.
74-5044 Ane Keohokalole Hwy
Kona HI 96740

RCVD COH PLANNING DEPT
MAR 17 '25 PM3:27

VIA MAIL DELIVER

96740-332044

From: Jadine Berg
To: LPCtestimony
Subject: I oppose PL-SMA-2025-000072
Date: Wednesday, April 23, 2025 4:43:16 PM

Aloha, 04/23/2025
Please DO NOT approve Boaz LLC (PL-SMA-2025-000072)!
The last thing Ali'i Drive needs is another condominium adding to the traffic between Royal Poinciana, and Lunapule. It already backs up from Lunapule going south, and past the property, most weekday mornings when school is in session. It gets even worse when the snowbirds are here. The lineup of cars easily goes for a mile, and takes an extra 10-15 minutes to get through on a good day.
Another reason I oppose the project is it will eliminate one of the few green, riparian areas left on Ali'i drive. The property is also extremely narrow, and will, be built way too close to Casa de Emdeko, and Kona Isle.
We don't need another monstrosity built on Ali'i Dr, especially only tourists can afford maybe, but definitely not the locals!
Mahalo for your consideration,
Jadine Berg
Sent from my iPad

Planning Dept.
Exhibit 8

From: Rebecca Melendez <bigislandtalk@gmail.com>
Sent: Friday, April 25, 2025 2:56 PM
To: LPCtestimony
Subject: Oppose APPLICANT: BOAZ LLC (PL-SMA-2025-000072)

Meeting on May 15

Please OPPOSE APPLICANT: BOAZ LLC (PL-SMA-2025-000072) Because the Island coral on the coast has been seriously negatively affected by so much coastline developments and we need to start helping the coral rather than allowing it to be polluted even more by approving more coastline development.

How much development have you all already approved for the future? Hundreds and hundreds, if not thousands and thousands of new subdivisions, luxury condos, affordable homes...?

No one has been able to answer the question I keep asking, how much development has been approved for the future by Hawai'i Planning and County Council, that has not started construction yet? Because Big Island resources are being overtaxed today, the coral is suffering bleaching, marine life is suffering from sediment pollution, the population is suffering from water restrictions, power outages, traffic congestion because the island doesn't have the infrastructure or the resources for all the development that are here and a lot more developments are still on the way. Please OPPOSE APPLICANT: BOAZ LLC (PL-SMA-2025-000072) because of all this and more.

I have shown you this petition that now has over 628 signatures asking you to please STOP APPROVING MORE DEVELOPMENTS AND START FOCUSING ON ISLAND RESOURCES. THESE VOICES MATTER! THIS IS YOUR COMMUNITY TALKING TO YOU! This petition shows proof that island resources need to be addressed and HUGE development approvals need to STOP. https://www.change.org/p/help-big-island-resources-and-infrastructure-stay-safe-for-all-who-live-here-and-visit

How are you going to provide water to all these new developments that haven't started construction yet when we have water restrictions today?

How are you going to provide electricity to all these new developments that haven't started construction yet when we have power outages in the community today?

How will you provide a place for rubbish when there is only one landfill on the entire island and is said to reach capacity within 20 years with the development that is already here. and a lot more developments that you have approved haven't even started construction yet?

The infrastructure is already overtaxed with traffic and you will have to take homes away from the HWY to increase the width of the road as well as dig into the mountain to increase the infrastructure in many areas all over the island, which most likely won't happen, so the traffic will just keep increasing and won't be fully safe for everyone.

Planning Dept.
Exhibit 9

Here is a report by DAR that shows West Hawai'i's coral is being seriously affected by coastal development:

Report to the Thirty-Third Legislature 2025 Regular Session Findings and Recommendations of Effectiveness of the West Hawaiʻi Regional Fishery Management Area (WHRFMA) by
DAR https://dlnr.hawaii.gov/dar/files/2024/12/ar_hrs188-2025.pdf

DAR Reports that turf algae is the dominant coverage on West Hawai'i reefs and one reason is because of coastal developments. More coastal development will add to hurting the coral reef and not helping it.

What is Turf Algae?

"Algal turfs characteristically trap ambient sediments and smother corals and other competitors for space by gradual encroachment."

Page 8

"Additional anthropogenic impacts are wide-ranging and include coastal development, on-site waste disposal, urban, agricultural, and golf course runoff, boating and shipping, and marine debris, among others (Lecky, 2016)."

Coral Reef Habitat

Page 71

"Turf algae was the dominant benthic category observed... While the amount of substrate occupied by mixed, grazed, and unidentifiable low relief algal cover (turf) outweighs the coverage of these reef builders, it will be important to track the coverage metrics of the reef builders through time as indicators of increasing or declining reef structure as well as overall coral reef health."

Page 77

" 5.2.1 Environmental Stressors Though multiple stressors such as sedimentation, water quality, storm events and coral diseases are known to have an impact on coral health in West Hawaiʻi..."

Developments cause a serious amount of sediment to run into nearby waters.

See page 2 at: https://health.hawaii.gov/epo/files/2013/09/Stormwater-MS4-Presentation-HEF-7.15.14.pdf where **the Hawai'i government states that Natural Ground Cover has 10% runoff, where development has 55% runoff. The development will cause serious amounts of runoff, and even if you have storm drains, the pavement this**

development will create will cause more runoff into the ocean than the Natural Ground Cover that it has now.

Adding more cars will cause even more pollution into the already unhealthy reef system, in part due to all the coastal developments.

ENGINE POLLUTION CAUSES ISSUES IN THE OCEAN

There will be more cars with this complex that will add to the already trafficked small two-lane Alii Drive road. There are stop signs that get traffic congestion for miles back already on this road and you will be allowing more congestion if you approve this new development.

This will not only cause more traffic but also increase water runoff pollution made by cars because another parking lot will be right on the coast.

The article below is from NOAA regarding motor vehicle engines and pollution to the sea.

What is the biggest source of pollution in the ocean?

Most ocean pollution begins on land.

"Millions of motor vehicle engines drop small amounts of oil each day onto roads and parking lots. Much of this, too, makes its way to the sea.

Some water pollution actually starts as air pollution, which settles into waterways and oceans. Dirt can be a pollutant. Top soil or silt from fields or construction sites can run off into waterways, harming fish and wildlife habitats." https://oceanservice.noaa.gov/facts/pollution.html#:~:text=Millions%20of%20motor%20vehicle%20engines,Dirt%20can%20be%20a%20pollutant.

Land-Based Runoff Remains Top Source of Oil in the Ocean, Says New Report Oil in the Sea: Inputs, Fates, and Effects

News Release September 28, 2022

"WASHINGTON — Oil in runoff, primarily from cities and vehicles, is the top source of oil entering the ocean, says a new report from the National Academies of Sciences, Engineering, and Medicine. In North American waters, estimated ocean oil pollution from land-based runoff is up to 20 times higher than it was 20 years ago, and oil spills, natural oil seeps, and discharge from oil and gas operations remain major sources of pollution. The report recommends actions that government and others should take to minimize oil pollution, and calls for sustained research funding to better understand how oil reaches and affects ocean environments." https://www.nationalacademies.org/news/2002/05/oil-in-the-sea-inputs-fates-and-effects#:~:text=WASHINGTON%20%2D%2D%20Nearly%2085%20percent,pipeline%20spills%2C%20says%20a%20new

The Impact Of Stormwater – Car Emissions

"Car emissions are not limited to exhaust fumes that contribute to air pollution. They can also leak automotive fluid and release heavy metals that can contribute to stormwater pollution, contaminating local waterways." https://www.stormwatershepherds.org.au/blog/the-impact-of-stormwater-car-emissions/

NOISE POLLUTION IS HARMFUL EFFECT ON MARINE LIFE

There will also be a lot more noise pollution that will happen in Keauhou Bay during development.

Because if you allow this Bungalow Resort to be developed you will increase constant noise in this bay for years to come and, "Noise Pollution Research shows that underwater noise from construction, shipping and naval vessels significantly impacts the natural behavior of cetaceans and many other marine species. This can be seen when mass beaching events occur or breeding success is diminished."

The above information was taken from the Ocean Conservation Trust https://oceanconservationtrust.org/ocean-advocacy/think-ocean/ways-to-think-ocean/

How Does Noise Pollution Harm Marine Species?

"However, over the past few decades, noise pollution in the marine environment has increased dramatically and is threatening the natural soundscape of the marine environment. Ships, seismic surveys, explosions, construction, and sonar devices have made the once peaceful environment into a loud, chaotic home which is extremely damaging for marine wildlife. This type of pollution is often overlooked in comparison to others but its impacts are now being documented across all types of marine ecosystems." https://earth.org/noise-pollution-in-the-ocean/

If you allow this resort, the number of people in this bay will fully increase, and "Hawai‘i’s recent history has shown that the state’s growing population can have an adverse effect on nearshore fish populations. Protecting this important resource for the enjoyment of future generations is essential. Ideally, management of the resource should balance the needs of different user groups, but the welfare of the marine environment on which its inhabitants depend must be the most important consideration." This was taken from Hawaii's own Division of Aquatic Resources https://dlnr.hawaii.gov/dar/marine-managed-areas/hawaii-marine-life-conservation-

districts/#:~:text=Snorkeling%20and%20SCUBA%20diving%20are,effect%20on%20nearshore%20fish%20populations.

What is ocean noise?

"Ocean noise refers to sounds made by human activities that can interfere with or obscure the ability of marine animals to hear natural sounds in the ocean.

Many marine organisms rely on their ability to hear for their survival. Sound is a highly efficient means of communication underwater and is the primary way that many marine species gather and understand information about their environment. Many aquatic animals use sound to find prey, locate mates and offspring, avoid predators, guide their navigation and locate habitat, as well as to listen and communicate with each other.

Over the last century, human activities such as shipping, recreational boating, and energy exploration have increased along our coasts, offshore, and deep ocean environments. Noise from these activities can travel long distances underwater, leading to increases and changes in ocean noise levels in many coastal and offshore habitats.

These rising noise levels can negatively impact ocean animals and ecosystems. Higher noise levels can reduce the ability of animals to communicate with potential mates, other group members, their offspring, or feeding partners. Noise can also reduce an ocean animal's ability to hear environmental cues that are vital for survival, including those key to avoiding predators, finding food, and navigating to preferred habitats." https://oceanservice.noaa.gov/facts/ocean-noise.html

It's Been Proven Developments Severely Pollute Nearby Waters

An article by the National Oceanic and Atmospheric Administration, AKA NOAA, states, "Coral Bleaching is occurring more frequently in Hawai'i. Across the Hawaiian Archipelago, coral bleaching has increased in frequency and severity since 1996. The last major bleaching event in 2014-2015 had catastrophic Impacts state-wide...

This was the third major bleaching episode in Hawaiʻi over the last 6 years. The frequency of these events is unprecedented in the archipelago. NOAA scientists and partners have determined that the key drivers of the bleaching were environmental factors (such as heat stress, depth, and surface light) and human impacts (sewage effluent and urban run-off). " https://www.fisheries.noaa.gov/feature-story/cautionary-tale-2019-coral-bleaching-event-hawaii#:~:text=Coral%20Bleaching%20Is%20Occurring%20more,had%20catastrophic%20impacts%20state%2Dwide.

This article is by the Coral Reef Alliance here in Hawai'i. "An ecosystem under threat Hawaiʻi's reefs face major global and local threats including climate change, overfishing, and sediment and nutrient pollution caused by sewage and stormwater runoff...

When it rains, flash floods carry stormwater and large amounts of sediment downstream to the ocean. Just offshore, once-thriving coral reefs are now struggling to survive." https://coral.org/en/where-we-work/hawaiian-islands/#:~:text=Hawai%CA%BBi's%20reefs%20face%20major%20global,into%20Hawai%CA%BBi's%20waterways%20every%20day.

This article states that runoff is a leading source of coral degradation. An article by the National Oceanic and Atmospheric Administration, AKA NOAA, states, "Land-based sources of pollution are a leading cause of coral reef degradation in the Main Hawaiian Islands. Water quality is impacted by urban runoff, failing sewage systems, unpaved roads, farms, land clearing, and development." https://www.coris.noaa.gov/monitoring/status_report/docs/Hawaii_status_report_forweb.pdf

This article is a Research Article by PLOS ONE, whose motto is, "We're driving change in research integrity and publication ethics." This is some of their article information, **"Coral taxonomy and local stressors drive bleaching prevalence across the Hawaiian Archipelago in 2019…**

We found little evidence for acclimation by reefs to thermal stress in the main Hawaiian Islands. Moreover, our findings illustrate how detrimental effects of local anthropogenic stressors, such as tourism and urban run-off, may be exacerbated under high thermal stress. In light of the forecasted increase in severity and frequency of bleaching events, future mitigation of both local and global stressors is a high priority for the future of corals in Hawai'i." https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0269068

The coral all over Hawai'i has had extremely high mortality rates due to developments near ocean areas throughout the years, and this development will add to the devastation that is happening to the coral, reef fish, and all aquatic life in that area and all over the west coast of Big Island.

Developments negatively impact coral reefs because, "Impacts from land-based sources of pollution including coastal development,…can impede coral growth and reproduction, disrupt overall ecological function, and cause disease and mortality in sensitive species." https://oceanservice.noaa.gov/facts/coral-pollution.html#:~:text=Impacts%20from%20land%2Dbased%20sources,and%20mortality%20in%20sensitive%20species.

Article by Environmental Evidence, **"Coastal development and runoff lead to sedimentation, which directly impacts coral recruitment, growth, mortality, and ecosystem services that coral reefs provide."** https://environmentalevidencejournal.biomedcentral.com/articles/10.1186/s13750-020-00200-0#:~:text=Coastal%20development%20and%20runoff%20lead,services%20that%20coral%20reefs%20provide.

Developments can't fully stop polluting because runoff is from rain during development and after. An article by NOAA states, "One of the most significant threats to reefs is pollution. **Land-based runoff and pollution discharges can result from dredging, coastal development...This runoff may contain sediments, nutrients, chemicals, insecticides, oil and debris.**

When some pollutants enter the water, nutrient levels can increase, promoting the rapid growth of algae and other organisms that can smother coral." https://oceanservice.noaa.gov/education/tutorial_corals/coral09_humanthreats.html#:~:text=This%20runoff%20may%20contain%20sediments,organisms%20that%20can%20smother%20corals.

Another article by NOAA, **"Coral reefs also are affected by leaking fuels, anti-fouling paints and coatings, and other chemicals that enter the water... (All of those are show up in every development project.)**

Among the most damaging pollutants on coral reefs is sediment, which can remain suspended in the water or be deposited on the coral surface (i.e., turbidity and sedimentation, respectively) and can contain toxicants, pathogens, and nutrients, all of which impact coral growth, recruitment, and survival" https://oceanservice.noaa.gov/education/tutorial_corals/coral09_humanthreats.html#:~:text=This%20runoff%20may%20contain%20sediments,into%20the%20atmosphere%20within%20days.

FEDERALLY PROTECTED GREEN SEA TURTLES WILL BE AFFECTED

The green sea turtle is federally protected and can be seen in Keauhou Bay weekly.

The following article states: **"POLLUTED RUNOFF IN HAWAII ENDANGERS GREEN SEA TURTLES"**

Why does Hawaii have a runoff problem?

Historically, in the tropics of Hawaii, precipitation was absorbed into the soil, according to the Clean Water Branch of Hawaii's Department of Health. Any potential pollution or contaminants on the ground surface would get pushed into the soil by the rain, and plant roots and microbes would help break down the pollution into less dangerous components. However, with urban and agricultural development, less and less of the pollution gets pulled into the soil, and more of it gets washed out into storm drains. From there, the pollutants make their way to streams, rivers, and the ocean that surrounds Hawaii. According to the state agency, most of these contaminants are nutrients from fertilizer, bacteria from animal waste, oil, garbage, and yard waste...

If polluted runoff reaches the ocean, it can wreak havoc on marine life, including endangered green sea turtles." Taken from https://www.chemservice.com/news/polluted-runoff-in-hawaii-endangers-green-sea-turtles/

"The number of people living on the coasts has rapidly increased in recent decades, causing significant development of coastal areas. Coastal development can negatively impact the ocean through the destruction of coastal marine habitat and through run-off of sediments and pollution.

-Coastal development involves activities such as the creation of harbors, stabilization of shorelines, and aquaculture that involve the destruction of sensitive marine habitats such as mangroves, coral reefs, and seagrass beds.

-Coastal development may cause the run-off of sediments into coastal habitats, which can smother corals or seaweeds and reduce the amount of light available for photosynthesis. Losses of primary producers and important habitat-forming species such as corals can negatively impact entire food webs."

The above information was taken from the Education Development Center, INC, from their Coastal Development page called Ocean Tracks https://oceantracks.org/library/human-impacts/coastal-development#:~:text=Coastal%20development%20may%20cause%20the,negatively%20impact%20entire%20food%20webs.

"Hawai'i's recent history has shown that the state's growing population can have an adverse effect on nearshore fish populations. Protecting this important resource for the enjoyment of future generations is essential. Ideally, management of the resource should balance the needs of different user groups, but the welfare of the marine environment on which its inhabitants depend must be the most important consideration." This was taken from Hawaii's own Division of Aquatic Resources https://dlnr.hawaii.gov/dar/marine-managed-areas/hawaii-marine-life-conservation-districts/#:~:text=Snorkeling%20and%20SCUBA%20diving%20are,effect%20on%20nearshore%20fish%20populations.

"**Easily visible trends in human population dynamics combined with well-established and tested ecological theory give a clear, intuitive, yet quantifiable guide to the severity of survival challenges faced by coral reefs.** Management challenges and required actions can be clearly shown and, contrary to frequent claims, no scientific ambiguity exists with regard to the serious threat posed to coral reefs by humankind's continued numerical increase." This is in the article by National Library of Medicine National center for Biotechnology Information PubMed. https://pubmed.ncbi.nlm.nih.gov/33293007/#:~:text=Denser%20coastal%20populations%20and%20greater,to%20more%20runoff%20and%20siltation.

This article is by ABC NEWS, **"This is how tourists are destroying coral reefs in Hawaii. The less people at a certain site, the more coral there are, the research found.** The millions of tourists who flock to the shores of Hawaii every year are wreaking havoc on its natural environment -- especially the coral reefs, which are at risk all over the world, a new study said. The most popular coral reefs on th,e Hawaiian islands are likely being degraded by the very visitors they attract, according to a study published Monday in Nature Sustainability." https://abcnews.go.com/US/hawaiian-coral-reefs-degrading-popular-tourist-sites-

scientists/story?id=96308858#:~:text=The%20less%20people%20at%20a,there%20are%2C%20the%20research%20found.&text=The%20millions%20of%20tourists%20who,world%2C%20a%20new%20study%20said.

By allowing this development, you are stressing an already fragile Eco-system. The small bay is currently used by many locals for boating, fishing, canoeing, paddle boarding, snorkeling, manta night dives, surfing, and swimming. We know, and research shows, that more people cause more damage. The area simply cannot afford or support this development.

"**Denser coastal populations and greater wealth will lead to reef degradation by coastal construction.** Denser populations inland will lead to more runoff and siltation. Effects of human perturbations can be explored with meta-population theory since they translate to increases in patch-mortality and decreases in patch-colonization (= regeneration). All such changes will result in a habitat with overall fewer settled patches, so fewer live reefs." This information was taken from Science Direct https://www.sciencedirect.com/science/article/abs/pii/S0065288120300328#:~:text=Aquaculture%20will%20alleviate%20some%20fishing,to%20more%20runoff%20and%20siltation.

Another article by Nature Sustainability, "**Coral reefs and coastal tourism in Hawaii Coral reefs are popular** for their vibrant biodiversity. By combining web-scraped Instagram data from tourists and high-resolution live coral cover maps in Hawaii, we find that, regionally, **coral reefs both attract and suffer from coastal tourism.** Higher live coral cover attracts reef visitors, but that visitation contributes to subsequent reef degradation. Such feedback loops threaten the highest quality reefs, highlighting both their economic value and the need for effective conservation management." https://www.nature.com/articles/s41893-022-01021-4.epdf?sharing_token=wsakgQNhaJhjJAnWAq453tRgN0jAjWel9jnR3ZoTv0PyGzA5lc_H0O1zcHNIP3ASnhcgKRy6_vKLPw49dbmBYoXSg3Y1MgQiGBZsapdGUHi7O1SLbu9x5Pr3xED4Kxl4T0sJlvgQ1a72ZRt3rUbraxpodJd2AoNlSmWSuxB7JjEDdpJj8OGJpx71TJWdCfXvFKJlZYeNdcJj3Sw_dnaUg5lZlhcjPBDImmaH15yqT5Q%3D&tracking_referrer=abcnews.go.com

INFRASTRUCTURE AND RESOURCES ON AN ISLAND ALREADY HIGHLY IMPACTED AND STRUGGLING FOR ANSWERS

The Island's Resources and Infrastructure CAN NOT handle another resort

Many big housing developments are currently under construction in Kailua Kona, Waikoloa Village, Hilo, Puna, Ocean View, and Volcano. The entire Big Island has construction projects already in progress.

"Hotel waste management refers to all the practices and processes that hotels implement to handle and dispose of the multiple types of waste generated on their premises. **Worldwide, hotels produce almost 300,000 tonnes of waste each year.**" https://www.homebiogas.com/blog/hotels-waste-management/

As of now, the Big Island's Resources and Infrastructure are having serious negative issues and many more developments that have been approved are not even completed as of yet, which means our island's resources and infrastructure will be taxed even more severely in the near future.

Please read the below articles that prove Big Island does not have the resources or infrastructure for a 143-Unit Bungalow Resort Development at Keauhou Bay. On Hawai'i Island, we are already struggling to meet the increasing need for resources and infrastructure.

Big Island Now poll No. 27 results: More than one solution needed to help extend life of West Hawai'i landfill

September 17, 2023

The West Hawai'i Sanitary Landfill, the only remaining landfill on the Big Island, is forecast to reach capacity within the next 20 to 25 years.

The West Hawai'i landfill became the island's only one after the Hilo Landfill closed three years ago. It only has about 20 to 25 years left before it can no longer be used to store rubbish.

https://bigislandnow.com/2023/09/17/big-island-now-poll-no-27-results-more-than-one-solution-needed-to-help-extend-life-of-west-hawaii-landfill/

A County commission drafts ordinance aiming to ban recyclables at West Hawai'i landfill

By Megan Moseley September 6, 2023

Hawai'i County's Environmental Management Commission is developing an ordinance that aims to prohibit the amount of recyclable materials ending up in the island's only working landfill.

During a commission meeting on July 26, Ramzi Mansour, Hawai'i County Director of Environmental Management, told commissioners the West Hawai'i Sanitary Landfill only has 20 to 25 years left before it reaches capacity.

With the Hilo Landfill permanently closed in 2020, the clock is ticking for the island's sole dump. Commission chairperson Georjean Adams said it's a good time to start looking into solutions.

Adams said the proposed ordinance is in its early stages and is more about getting the conversation started about how to prevent unnecessary, or recyclable items — green waste, metals, plastics, paper, paperboard and glass — from ending up in the rubbish dump, located off Queen Ka'ahumanu Highway in Waikōloa.

“Trying to site a new landfill is close to impossible,” Adams said. “So what are we going to do? So I was looking around, and the commission agreed, to look deeply into the idea of diverting the recyclables out and at least slow the filling up of the landfill.”

The proposed ordinance refers to the 2019 Integrated Solid Waste Management Plan that commits the county to “divert, as much as feasible, commercial and municipal solid waste, including but not limited to green waste, metals, plastics, paper, paperboard, and glass to help achieve goals related to climate resiliency, renewable energy, sustainable agriculture, and zero waste.”

https://bigislandnow.com/2023/09/06/new-draft-ordinance-aims-to-ban-recyclables-at-west-hawaii-landfill/

Time’s Up For Landfills

‘Gentle’ demolition strategies can help preserve resources

PAULA BENDER April 2, 2024

As Hawai‘i government officials grapple with the challenge of limited landfill space statewide, federal restrictions set in place by the Environmental Protection Agency are ruling out possible locations that were once considered for new landfills.

Hawaii Act 73 states landfills must be located at least half a mile from residential areas; are prohibited from being located in areas with heavy rain and steep slopes, as well as agricultural and/or conservation lands; above aquifers; 300 feet beyond streams; and 1,000 feet beyond the ocean.

New landfills are also now prohibited from being created in tsunami inundation zones, 100-year flood zones and wetlands. There are also concerns that landfills near airports will attract birds, resulting in damage to aircraft and fatalities among pilots and passengers.

The City & County of Honolulu is in the process of identifying its next landfill and it doesn’t want one any bigger or more active than absolutely necessary.

https://buildingindustryhawaii.com/2024/04/times-up-for-landfills/

Drought Conditions On Hawai‘i Island Prompt Water Supply Message

by Big Island Video News
on Oct 5, 2023 at 3:59 pm

(BIVN) – With moderate to severe drought conditions being reported across Hawai‘i island, local water department officials issued a statement this week on the need for customers to use drinking water wisely.

Most of Hawai‘i island is under “Moderate Drought” conditions, according to the latest information from the U.S. Drought Monitor. There is an area under “Abnormally Dry” conditions in South Kona, however there are other, small pockets on the Big Island that

are under “Severe Drought”. There is even a small spot of “Extreme Drought” in the South Point area of Kaʻū.

“The National Weather Service’s forecast calls for the existing drought conditions to expand over the entire island and intensify over the upcoming months due to the ongoing El Niño event,” reported the Hawaiʻi County Department of Water Supply. “Peak dryness is expected to occur from around January through February 2024. The El Niño event will likely persist well into spring 2024.”

From a Water Supply news release:

https://www.bigislandvideonews.com/2023/10/05/drought-conditions-on-hawai%CA%BBi-island-prompt-water-supply-message/

U.S.

Hawaii is "on the verge of a greater catastrophe," locals say, as water crisis continues

By Li Cohen

Updated on: April 11, 2024 / 8:23 AM EDT / CBS News

And recent years have seen compounding problems: less rain, leading to significant droughts, and repeated jet fuel leaks and PFAS chemical spills contaminating water systems. All of this significantly limits available water use for locals, many of whom say tourism is only worsening the situation. Just months ago, the world's largest surfing wave pool opened up on the island — filled with freshwater.

"They're not using it to drink or to support life, they're using it to make money. They're commodifying it," said Healani Sonoda-Pale, who is Native Hawaiian and a member of advocacy group O'ahu Water Protectors. "... We are on the verge of a greater catastrophe."

"We are in a water crisis, that has to be made very clear," Wayne Tanaka, director of Sierra Club of Hawai'i, told CBS News, saying that if the reasons for this crisis aren't soon addressed, "We may come to a point where we have to decide ... who gets water and who doesn't."

https://www.cbsnews.com/news/hawaii-water-crisis-climate-change/

Because this is an island, parts need to be shipped. The power plant currently has generators that are not working, and because of this (and other reasons), the Big Island needs to seriously conserve power so that everyone will have power. If this problem of shipping parts can happen once, it can and will happen again.

UPDATE: HELCO asks for continued energy conservation

BY SPECTRUM NEWS STAFF HAWAII ISLAND

UPDATED 6:28 PM ET APR. 16, 2024 PUBLISHED 9:05 AM ET APR. 15, 2024

HILO, Hawaii — Hawaiian Electric continues to urge Hawaii Island customers to reduce their electricity use to prevent the need for rolling outages.

In a news release Tuesday afternoon, the utility stated that Monday saw a reduced demand of approximately 5 megawatts. That, combined with increased wind and solar battery storage prevented the need for rolling blackouts on Monday. HELCO credited conservation efforts, particularly those by large businesses and government customers, for the reduction in electricity demand.

“We’re grateful for our customers’ efforts to conserve electricity, especially between 5 to 9 p.m., when electricity us is highest, because it does make a difference,” said Hawaiian Electric spokesperson Kristen Okinaka. “By working together, we’re helping to ensure that enough power can be available for all customers and prevent or minimize the impacts of rolling outages.”

Hawaiian Electric announced Monday afternoon that it may initiate rolling outages in parts of Hawaii Island because of the unavailability of several generators and lower-than-normal wind and solar resources.

In a news release, the utility said that outages could start as early as 6:30 p.m. and rotate around the island for 30-minute intervals. The impacted areas and the timing of the outages will be based on wind generation and the amount of electric demand that needs to be reduced. Individuals who are dependent on electrically powered life support medical equipment are advised to arrange for a backup power supply.

The outages are being done to prevent power loss to even more customers, who are all being asked to conserve electricity throughout the month.

https://spectrumlocalnews.com/hi/hawaii/news/2024/04/15/heco-customers-on-hawaii-island-asked-to-conserve-power-

Big power supply problems continue to plague Hawaii Island

Apr 8, 2024

The company has been facing an unusual situation with mechanical problems at three of the island's five largest power plants while part of the largest plant undergoes an annual overhaul. All four of these affected power plants are owned by the utility or an affiliate of its parent company.

Also contributing to the trouble is lower output from a geothermal plant, which has the third-largest generation capacity on the island and is owned by an independent operator.

"This is an unusual situation, driven mainly by the unavailability of several large generators that have experienced mechanical problems, are at reduced output, or are undergoing maintenance, " Hawaiian Electric said in its March 25 announcement asking customers to use less electricity, especially on weekdays from 5 to 9 p.m.

The company explained that it faces an "extremely tight " supply of power at peak use periods, especially when production from wind, solar and hydroelectric facilities is lower than normal. Those sources of variable, renewable energy can supply up to 15% of electricity needs on the island.

"Without enough supply to meet electricity demand, the company may initiate rolling outages of up to an hour around the island, " the March 25 announcement said.

https://energycentral.com/news/big-power-supply-problems-continue-plague-hawaii-island

Hawaii Island customers urged to reduce electricity use through April

BY SARAH YAMANAKA HILO PUBLISHED 9:00 AM ET MAR. 26, 2024

What You Need To Know

-Hawaii Island customers may see alerts asking them to conserve energy, especially on days when there isn't much wind that generates up to 15% of electricity

-When alerts are issued, Hawaiian Electric is asking customers to take immediate action to minimize electricity use

-Even when no alerts are issued, customers — including hotels and large retailers — are urged to reduce electricity use as much as possible, especially between 5 and 9 p.m. on weekdays

-If there is not enough electricity to meet demand, Hawaiian Electric may initiate rolling outages of up to an hour around the island

https://spectrumlocalnews.com/hi/hawaii/news/2024/03/25/hawaii-island-customers-urged-to-reduce-electricity-use-through-april

FURTHERMORE: TRAFFIC, LACK OF RESOURCES, AND FATALITIES

A Resort Development WILL Increase Traffic on Already Severely Trafficked Roads.

The Big Island already has a serious traffic issue due to a lack of infrastructure. This is in part due to poor planning and, in part, due to geography challenges.

The articles below by different NEWS companies highlight the point that many traffic issues stem from a lack of infrastructure and resources. Adding more cars to the road by building another resort in an already stressed area will only increase the already mounting problems with traffic.

This NEWS article by Hawai'i News Now, "Report shows alarming surge in Hawaii Island traffic deaths The Hawaii Police Department's Traffic Services Section released a new report showing a dramatic increase in both major crashes and fatal accidents from last year.

The startling statistics show a dramatic increase in the number of year-over-year traffic fatalities on the Island of Hawaii, revealing major crashes are up more than 12% and traffic fatalities are up more than 100%." Watch the video on their link below as it is a professional report on Big Island traffic problems." https://www.hawaiinewsnow.com/2024/05/18/new-report-shows-hawaii-island-traffic-fatalities-are-up-over-100-last-year/

With more tourists there will be more accidents, more traffic, and more traffic deaths. Please read this article by KHON 2 NEWS, **"Hawaii Island has most traffic fatalities in state.** This time last year Hawaii Island was at five traffic deaths, as of April 1, 2024, they're at 14.

Seven of which happened in the last two weeks.

Chief Moszkowicz said the police force is small compared to the size of the island and response times can take 15 to 20 minutes.

"We don't have the resources like in the small space of Oahu where you can saturate an area to control speeding, that just doesn't exist here," he added." https://www.khon2.com/local-news/7-traffic-fatalities-for-hawaii-island-in-march/

The traffic on the Big Island has increased drastically, and safety issues and infrastructure need to be addressed before adding more resort developments.

Please read this article because what it says about Oahu is a mirror for Big Island. The traffic problems they discuss are the same issues here on the Big Island, and it also gives one Big Island example, "On the Big Island, the mayor had to issue an emergency order shutting down Waipio Valley Road due to overuse and poor prior maintenance." This is happening all over Big Island. https://www.civilbeat.org/2024/02/angry-over-island-traffic-jams-lets-talk-about-solutions/

The news video below shows aerial footage in Hilo. The footage shown is the same thing that is happening on Alii Drive and Queen K Highway, and for all the same reasons: **All of these roads only have two lanes!**

There are many developments already being built on Alii Drive today, and more are scheduled for this road in the near future. Alii Drive and Queen K Highway are the roads

Kamehameha Schools Bungalow Resort will be using if approved, and they are already seriously congested.

These roads have the same traffic congestion as Hilo, with the same problems. Traffic is extremely slow because the island doesn't have the infrastructure for the population that has been developed.

In addition, the concern on Kona side is tsunami evacuations rather than lava evacuations. In this kind of traffic, not everyone will be able to get to safer ground, especially if you allow another resort to be developed in this area when traffic is already at a crawl every weekday and often on weekends as well.

Here is the news article by KITV NEWS that highlights the traffic issues discussed above: "Hawaii Island traffic jams could have safety impact. In the event of an evacuation, Mayor Mitch Roth acknowledges that will make the Traffic Jam up even worse. But says, he is working with The State on a solution." https://www.kitv.com/news/local/hawaii-island-traffic-jams-could-have-safety-impact/article_b06a5374-5a6a-11ed-8d23-8313ef8c4c19.html

There was a crash recently on Alii Drive (see video below). When there is an accident on Alii Drive, it turns the already small two-lane road into only one lane that requires a flagger to help direct traffic. Kamehameha Schools wants to add a resort on this tiny road that will increase the traffic by hundreds of cars.

Here is the Island News video on the crash on Alii Dr. https://www.youtube.com/watch?v=-FQSsnPDji8

Please see from these articles that traffic on the Big Island is deadly already, and adding another resort will devastate the island and the marine life that live in the bay.

Read this Path article, HAWAI'I COUNTY'S VISION ZERO INITIATIVE:

A motorcyclist is in critical condition after a collision with a car. A driver accidentally hits and kills a pedestrian. It seems that not a day goes by without the news reporting on a traffic crash on Hawai'i Island...

Here are some other statistics that are even more staggering:

-28% of roadside crashes were the result of someone leaving the roadway and going into barriers or trees

-13% of pedestrians hit at 20 mph actually suffer a fatality

-73% of pedestrians hit at 40 mph suffer fatality

-25% of fatal crashes were the result of distracted driving... So PLEASE put those cell phones away and pay attention to the road!

-56% of fatal crashes were the result of alcohol or drugs

-41% of fatal crashes occurred in light trucks and vans

-49% of crashes occur during the day, outside of peak traffic hours

-Of all the crash fatalities, most were males between 20 to 24-years old.

“That’s just Big Island traffic” is a common sentiment. But what if we didn’t have to accept this endangerment of vehicle drivers, motorcyclists, and pedestrians as a way of life?"

This was taken from Path https://pathhawaii.org/hawaii-countys-vision-zero-initiative/

MORE ARTICLES HIGHLIGHTING INFRASTRUCTURE AND RESOURCE DEFICITS, INCLUDING WATER, TRASH, ELECTRIC and WASTEWATER:

1) Hawaii Deals with Burgeoning Waste Management Problem

As landfills face closure and waste-to-energy projects stall, various counties in Hawaii are dealing with waste management issues. Waste360 Staff January 10, 2020

“Hawaii Island is in the enviable position of having a landfill with anywhere from 20 to 100 years of capacity left to take in trash. But the island still wrestles with significant issues like plastic products that are no longer being recycled.” https://www.waste360.com/landfill/hawaii-deals-with-burgeoning-waste-management-problem

2) "Big Island Now readers seem to agree that there’s likely no single solution for slowing down the timeline of the West Hawai‘i Sanitary Landfill reaching capacity.

The West Hawai’i Sanitary Landfill, the only remaining landfill on the Big Island, is forecast to reach capacity within the next 20 to 25 years." https://bigislandnow.com/2023/09/17/big-island-now-poll-no-27-results-more-than-one-solution-needed-to-help-extend-life-of-west-hawaii-landfill/

3) Hawaii Island Has Decades of Landfill Space But Still Faces Challenges In Dealing With Its Waste Hawai‘i Public Radio Published January 9, 2020 at 5:00 AM HST

“Hawaii Island is in the enviable position of having a landfill with anywhere from 20 to 100 years of capacity left to take in trash. But the island still wrestles with significant issues like plastic products that are no longer being recycled.

For the past four decades, trash from the East side of Hawaii Island has been dumped in a landfill outside of Hilo. But now trash from all parts of the island is being trucked to a facility north of Kona.” https://www.hawaiipublicradio.org/local-news/2020-01-09/hawaii-island-has-decades-of-landfill-space-but-still-faces-challenges-in-dealing-with-its-waste

4)"What happens to Hawaii Island's trash and recyclables? BY MICHELLE BRODER VANdyke HAWAII ISLAND PUBLISHED 11:30 AM ET DEC. 17, 2022 By Michelle Broder Vandyke Hawaii Island PUBLISHED 11:30 AM ET Dec. 1The future of the landfill

The West Hawaii Landfill will be full in about 20 years. Finding a location for the next landfill is a concern, according to the DEM officials. They said it will be challenging to find a location for a future landfill because of stringent regulations and costs related to planning, environmental regulations, design and construction that will take many years to complete. It will also require community support." https://spectrumlocalnews.com/hi/hawaii/news/2022/12/15/what-happens-to-hawaii-island-s-trash-and-recyclables--

5) "The overwhelming plastic waste Hawaii visitors leave behind
By Natasha Bourlin Aug 24, 2023

Hawaii saw more than 9 million visitors last year. Those tourists' first stops are often big-box and convenience stores, where they buy bottled water, plastic sand toys, single-use bodyboards, noodles, floaties and inner tubes for their trips." https://www.sfgate.com/hawaii/article/plastic-waste-hawaii-visitors-leave-behind-18286076.php

6) "A County commission drafts ordinance aiming to ban recyclables at West Hawaiʻi landfill By Megan Moseley September 6, 2023 · 1:00 AM HST
* Updated September 6, 2023 · 2:02 PM

Hawaiʻi County's Environmental Management Commission is developing an ordinance that aims to prohibit the amount of recyclable materials ending up in the island's only working landfill." https://bigislandnow.com/2023/09/06/new-draft-ordinance-aims-to-ban-recyclables-at-west-hawaii-landfill/

7) " Hawaiʻi County issues mandatory 25% water restriction for North Kona August 7, 2023 · 5:21 PM HST

A mandatory 25% water restriction has been issued for various communities in North Kona due to the failure of the Honokōhau Deepwell over the weekend." https://bigislandnow.com/2023/08/07/hawaii-county-issues-mandatory-25-water-restriction-for-north-kona/

8) "Hawaiʻi Water Supply Closely Monitored As Severe Drought Continues by Big Island Video Newson Nov 6, 2023 at 3:28 pm STORY SUMMARY

HAWAIʻI COUNTY - Officials say a special focus will be placed on the South Kohala Water System, which is more susceptible to drought conditions." https://www.bigislandvideonews.com/2023/11/06/water-supply-closely-monitored-as-hawai%CA%BBi-under-severe-drought/

9) "Big Island Concerns About Water Quality Prompt A Lawsuit Over A Kona Sewage Plant Kealakehe sewage plant discharges more than 1 million gallons of wastewater into a lava pit near the ocean. By Paula Dobbyn / February 6, 2024

Settlement talks are scheduled in an environmental lawsuit involving a county-operated Big Island sewage plant in Kona." https://www.civilbeat.org/2024/02/concerns-about-water-quality-prompt-a-lawsuit-over-a-kona-sewage-plant/

10) "Researchers find sewage from an oceanfront Big Island community reaches nearshore waters Hawaiʻi Public Radio | By Russell Subiono, Sophia McCullough Published December 20, 2021 at 5:56 PM HST

There are nearly 50,000 cesspools on the Big Island, with tens of thousands posing a risk to water resources, according to the Hawaiʻi Department of Health." https://www.hawaiipublicradio.org/the-conversation/2021-12-20/researchers-find-sewage-from-an-oceanfront-big-island-community-reaches-nearshore-waters

11) "Kona coast faces stark wastewater tradeoffs, Current situation

There are approximately 88,000 cesspools across the state, releasing more than 200,000 cubic meters of wastewater per day to the environment. https://www.hawaii.edu/news/2021/09/10/kona-stark-wastewater-tradeoffs/

We ask that you start figuring out how this can never happen again? These are the kind of issues that need to be resolved before you approve more development.

12) "HELCO restores power after initiating emergency outages on Big Island by: Elizabeth 'Ufi Posted: Jan 30, 2024 / 09:43 AM HST Updated: Jan 30, 2024 / 04:15 PM HST

An unexpected loss of several large Hawaii Electric generators left some residents on Big Island without power for parts of the morning on Tuesday, Jan. 30." https://www.khon2.com/big-island-news/heco-initiates-30-min-rolling-outages-after-loss-of-generators/

13) Hawai'i State News Update: Hawaiian Electric initiates rolling outages throughout Big Island February 13, 2024 · 5:23 PM HST
* Updated February 14, 2024 · 4:21 PM

The emergency outages are being initiated in various areas around the entire island to prevent loss of power to an even greater number of customers. The timing and extent of the outages will depend on the amount of demand on the system and the availability of generators." https://bigislandnow.com/2024/02/13/hawaii-island-customers-asked-to-reduce-electricity-use/

14) HELCO issues rolling power outages around Big Island by: Emily Cervantes Posted: Feb 13, 2024 / 05:11 PM HST Updated: Feb 13, 2024 / 09:12 PM HST Hawaiian Electric initiated rolling outages for Big Island after several large generators became unavailable

and reduced output Tuesday night."
https://www.khon2.com/local-news/heco-releases-conservation-alert-for-big-island/

15) "Here's how power outages can have repercussions for Hawaiʻi's water supply
Hawaiʻi Public Radio | By Savannah Harriman-Pote
Published February 13, 2024 at 10:59 AM HST

Water departments on Oʻahu and Hawaiʻi Island have advised customers to conserve water ahead of possible storm-related power outages this month.

But what does the power grid have to do with the water supply?

It is impossible to separate Hawaiʻi's power system from its water system, said Kawika Uyehara, deputy director of Hawaiʻi County's Department of Water Supply." https://www.hawaiipublicradio.org/local-news/2024-02-13/residents-on-hawaii-island-and-oahu-are-asked-to-conserve-water-amid-power-outages

16) US Hawaii is "on the verge of a greater catastrophe," locals say, as water crisis continues

By Li Cohen

Updated on: April 11, 2024 / 8:23 AM EDT / CBS News

In Hawaii, one of the most important sayings is ola i ka wai, "water is life" — a phrase that not only sums up what it means to exist on an island, but what it means to live, period. But now, one of the largest of the island chain's land masses is facing a triple threat to its sole freshwater source, and if it isn't addressed soon, one community member says, "We're in deep trouble."

https://www.cbsnews.com/news/hawaii-water-crisis-climate-change/

17) News Hawaiʻi County issues mandatory 25% water restriction for North Kona
August 7, 2023 · 5:21 PM HS

A mandatory 25% water restriction has been issued for various communities in North Kona due to the failure of the Honokōhau Deepwell over the weekend.

https://bigislandnow.com/2023/08/07/hawaii-county-issues-mandatory-25-water-restriction-for-north-kona/

18) Hawaiʻi Water Supply Closely Monitored As Severe Drought Continues

by Big Island Video News
on Nov 6, 2023 at 3:28 pm

(BIVN) – With an ongoing drought on the island of Hawaiʻi, the Hawaiʻi County Department of Water Supply says it is closely monitoring its 23 public water systems, with a "special focus" placed on the South Kohala Water System.

https://www.bigislandvideonews.com/2023/11/06/water-supply-closely-monitored-as-hawai%CA%BBi-under-severe-drought/

This is a map of Power Outages on the Big Island. This map wouldn't have been created if Power Outages were not a problem. https://www.hawaiianelectric.com/safety-and-outages/power-outages/hawaii-island-outage-map

Please give Tax Breaks to all homes that provide solar and/or wind turbines to there homes to help with power issues on the island.

19) "Hawaiian Electric is reporting that several large generators on the Big Island are experiencing a range of issues and may lead to the need for rolling outages if supply does not meet demand."

https://www.reddit.com/r/BigIsland/comments/1bnuar3/hawaiian_electric_is_reporting_that_several_large/?rdt=52660

20) "Hawaiian Electric asking Big Island customers to conserve power due to down generators

March 25, 2024 · 11:49 AM HST

According to the utility company, this is an usual situation as the large generators are experiencing mechanical problems resulting in a reduced output. The largest generator, an independent power producer that sells electricity to Hawaiian Electric, is offline with significant mechanical issues.

The plant generates 60 megawatts or nearly one-third of the typical peak demand of 180 megawatts on the island."

https://bigislandnow.com/2024/03/25/hawaiian-electric-asking-big-island-customers-to-conserve-power-due-to-down-generators/

All the articles above show that a resort development will further deplete and stress resources and infrastructure on an island already struggling. Years of new development have already been approved but not completed. It is not responsible or prudent to continue to develop this resort under these current conditions.

All of these articles show the Big Island can not afford to approve another development on the coast. Please Oppose APPLICANT: BOAZ LLC (PL-SMA-2025-000072).

Thank you ,

Sincerely,

Rebecca Melendez

From:	Nicole Therolf
To:	LPCtestimony
Subject:	Opposition to these projects
Date:	Sunday, April 20, 2025 8:46:35 AM

We are Nicole and Frank Tobias and we adamantly oppose the following projects:
PL-SMA-2025-000072: Boaz LLC – New Condominium Project

SMA 437: Boaz LLC (Formerly Koa Ventures LLC) – Revocation Request

•PL-SMA-2025-000076: David Ebenal – Single-Family Residence

We moved here, but my brother has lived in Kona for 36 years. His children are born and raised here and are Hawaiian and Samoan. My nieces are proud graduates of Kamehameha schools. The ethnic culture and heritage of these islands must be honored and most importantly preserved! Regardless of fact or opinion these islands were taken and now sadly so many local kanaka and kanaka maoli are priced out of paradise! Hawai'i can not continue to become a millionaire and billionaires playground. You as a County Council must look in the mirror and ask yourself are you for the preservation of the aina or will you allow the precious and sacred land to be desecrated? You have the power to win for local and native Hawaiian people who have had so much taken away! We are not against growth, but we oppose when it only benefits a few and blatantly overlooks the plight of so many. Please vote against these proposals and work with the people to maintain the integrity of Kailua-Kona village. This is not progress it is a land grab and shows no spirit of aloha.

Mahalo,
Nicole and Frank

Yahoo Mail: Search, Organize, Conquer

Planning Dept.
Exhibit 10

Sarah Lynn Joy

COH PLANNING DEPT
APR 7 2025 PM3:02

Too Tall
Way Too Dense for Lot
Narrow
Traffic Nightmare
w/ Ali'i Lani 36 Units!
across street.

DATE: March 6, 2025
March 31, 2025

TO: Surrounding Property Owners

FROM: Land Planning Hawai'i LLC
194 Wiwo'ole Street, Hilo, HI 96720

RE: Notice of Submittal of Application and Planning Commission Hearing for Special Management Area Use Permit (PL-SMA 2025-000072)
Nature of Request: To Construct a Four (4) Story, Thirty-Four (34) Unit Condominium Building with Pool, Shoreline Access, and Related Improvements
Applicant: BOAZ LLC
TMK: (3) 7-5-020:021

REC'D BY MAIL

Need smaller units with Space around them.

This notice is being sent in accordance with the County Zoning Code, Section 25-2-4 and Planning Commission Rule No. 4 (Contested Case Procedure) which require property owners within 300 feet of the perimeter boundary of the subject parcel be notified of the submittal of this application, and eventually, of the public hearing.

This is only a notification to you as a surrounding property owner and does not require a response.

Please be informed this office filed a Special Management Area Use Permit Application with the Hawai'i County Planning Department on February 3, 2025, on behalf of the applicant, BOAZ LLC, and on February 25, 2025, the Planning Department acknowledged receipt of the application. The applicant is requesting a Special Management Area Use Permit that will allow for the construction of a four (4) story, thirty-four (34) unit condominium building with a pool, shoreline access, and related improvements on the subject property.

The subject site is approximately 1.195-acres, zoned RM-1.5, and is located on the *makai* side between the Casa De Emdeko complex and the Kona Isle condominium complex. The site is approximately 0.75 miles south of Lunapule Road in Puapua'a, North Kona, Hawai'i **(see attached location map)**.

If approved, the applicant intends to construct a 4-story structure with thirty-four (34) units. The proposed building height is just below 45-feet. The property would also contain related improvements including a pool. Shoreline access for the public via a pathway and three (3) public parking stalls would be provided. Wastewater would be handled through the County sewer system.

The Planning Commission will eventually conduct a public hearing and, if required, a contested case hearing on this matter. Prior to this hearing, we will again notify you of the hearing date, place, and time.

To provide input on this matter, you may:

a. Provide written testimony to the Commission prior to the public hearing or verbally at the public hearing; **and/or**

b. Request for a contested case hearing. Should you seek to intervene as a party

Planning Dept.
Exhibit 11

to this hearing, you must file a written request on the form titled, "*Petition for Standing in Contested Case Hearing,*" no later than 7 calendar days prior to the Commission's first hearing on this matter. Such request shall be in conformity with the Planning Commission Rule 4-6(a), relating to Prehearing Procedure. The notarized petition form and a filing fee of $200 shall be submitted online via County of Hawai'i Electronic Processing and Information Center (EPIC) https://hawaiicountyhi-energovpub.tylerhost.net/Apps/SelfService#/home.

The application is available for review at the County Planning Department, 101 Pauahi Street Suite 3, Hilo, HI 96720 or at its Kona office in the Kona Civic Center located 74-5044 Ane Keohokālole Highway, Kailua-Kona, HI 96740.

Should you have any questions on this matter, please feel free to contact this office at 808-333-3393 or the County Planning Department at 808-961-8288. Thank you very much.

Enclosures

Sarah Jay
75-6081 Ali'i Drive L203
Kailua-Kona, HI 96740
808-854-7574

Re: Special Management Area Use Permit BOAZ LLC (PL-SMA-2025-000072)

Date: 5-2-25

To: Leeward Planning Commission

My name is Becky Safarik and I am a full-time resident at Kona Isle Condominiums, adjacent to the permit property on its south side.

This permit property, 75-6092 Aliʻi Drive, has been a homeless encampment with constant problems. These problems include a large fire started on the lot which threatened my complex, garbage and hypodermic needles littered the property, thefts from shoes to electric bikes were commonplace at Kona Isle, people were daily in our dumpsters, and screaming and yelling matches on the lot, at all hours, caused the police to be summoned on a regular basis.

This vacant lot has also proven a source of danger for the community. In addition to the fire, an example is when one of our residents was going to his car early in the morning and encountered a man with a machete hacking through a bike lock. When he asked the man what he was doing, the man acted a little crazy so the resident did not feel safe passing him and had to go back to his condo to summon police before he could leave.

For these reasons, I support this project but with a modification to be considered.

Parking
I think the parking is inadequate. There are only 39 usable spaces for residents and their visitors in this 34-unit, 71-bedroom complex.

The plan shows a total of 44 parking spaces. However these 44 spaces must accommodate 2 ADA and 3 beach access, thus taking the total available spaces down to 39 spaces for 71-bedrooms.

- Suggestion 1: remove the beach access for the property since there is an existing beach access 200’ to the south (on the opposite side of the adjacent lot). That frees up 3 parking spaces.
- Suggestion 2: limit to 3 stories due to small lot size and keep beach access.
- Suggestion 3: go back to the previous permit that had 32 units instead of 34.

Thank you for your consideration.

Sincerely,
Becky Safarik
Kona Isle Condominium unit owner

Planning Dept.
Exhibit 12

From: Rick Huurman
To: LPCtestimony
Subject: Permit (PL-SMAC2025-000072
Date: Saturday, May 3, 2025 6:13:27 AM

Re: Applicant: BOAZ LLC TMK: (3) 7-5-020:021.
All looks good except for: Only 10 reserved parking spaces for 34 units.
Where are the condo owners and guests going to park? There is no room to park on Alii drive.
Please advise me on this matter.
Than you.
Regards Rick Huurman,
Owner unit B122 at Casa de Emdeco.
Sent from my iPad

Planning Dept.
Exhibit 13

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: September 1, 2003

Memorandum

TO : Christopher J. Yuen, Planning Director
Planning Department

FROM : Galen M. Kuba, Division Chief
Engineering Division

SUBJECT : SMA Use Permit Application (SMA 03-011)
Applicant: KOA Ventures, LLC
Location: Puapuaa, N. Kona, HI
TMK: 3 / 7-5-020:021

We reviewed the subject application and our comments are as follows:

DRAINAGE

1. All development generated runoff shall be disposed of on-site and shall not be directed toward any adjacent properties.

2. The applicant shall be informed that if they include drywells in the subject development, an Underground Injection Control (UIC) permit may be required from the Department of Health, State of Hawaii.

3. A drainage study shall be submitted prior to issuance of a grading permit, and the recommended drainage system shall be constructed meeting with the approval of DPW.

4. Coastal Flood Zones "AE and VE" , affect the subject parcel as designated by the Flood Insurance Rate Map (FIRM), dated June 2, 1995. Any new construction or substantial improvements affecting the AE and VE zones will be subject to the requirements of Chapter 27 - Flood Control, of the Hawaii County Code. The special flood hazard areas should be shown on all site plan submittals.

5. If required by DPW, the applicant shall submit an application and necessary supporting data to the Federal Emergency Management Agency (FEMA) for a Letter of Map Change (LOMC). Approval of the LOMC shall be secured before any development.

Planning Dept.
Exhibit 14

EARTHWORK

1. All earthwork and grading shall conform to Chapter 10, Erosion and Sediment Control, of the Hawaii County Code.

2. The applicant shall comply with chapter 11-55, Water Pollution Control, Hawaii Administrative Rules, Department of Health, which requires an NPDES permit for certain construction activity.

ROADWAYS

1. The applicant shall remove any encroachments or obstructions within the County right-of-way.

2. Alii Drive, fronting the subject property, is a County road. It has an approximate 34-ft. wide pavement and 7-ft. wide AC shoulders; all within an approximate 50-ft. right-of-way. Alii Drive, should be improved to a 60-ft. right-of-way according to the County's General Plan. Therefore. A 5-foot wide future road widening setback easement should be provided along the entire frontage of the subject property. The road widening setback easement shall be dedicated to the County upon request at no cost to the County.

3. In the interests of pedestrian and bicyclist safety, the applicant should provide a paved shoulder extending to the right-of-way property line. Pavement transitions, signs and markings, drainage improvements, and relocation of utilities may be required. Install street lights, signs and markings meeting with the approval of the DPW, Traffic Division.

4. Any vehicular security gate shall be located a minimum of 45 feet from the Alii Drive right-of-way. Provide a turnaround on the Alii Drive side of the gate.

TRAFFIC

Based upon the TIAR, dated July 9, 2003, the applicant shall extend the existing two-way left turn lane on Alii Drive to accommodate northbound left turns into the project, meeting with the approval of DPW.

Should there be any questions concerning this matter, please feel free to contact Kiran Emler of our Kona Engineering Division office at 327-3530.

KE

copy: ENG-HILO/KONA
PLNG-KONA