
Daryn Arai
Land Use Planning Consultant

April 30, 2026

Mr. Jeffrey Darrow, Planning Director
County of Hawai'i Planning Department
101 Pauahi Street, Suite 3
Hilo, HI 96720

Dear Director Darrow:

Subject: Response to State Office of Planning & Sustainable Development regarding
Special Management Area Use Permit Application PL-SMA-2025-000083
OPSD Docket DTS202602180818MO
Applicants: Haunani Kane Ph.D., Cliff Kapono Ph.D. and John H.R. Burns Ph.D.
TMK: 2-6-002:001 thru 003, Pu'ue'o, South Hilo, Hawai'i

Thank you for providing the Applicant with comments dated March 12, 2026 from the State Office of Planning & Sustainable Development regarding the subject application, to which we provide the following responses for your consideration.

The State Office of Planning & Sustainable Development (OPSD) offers the following comments recited below to which the Applicant offers its response:

1. The General Plan Land Use Pattern Allocation Guide (LUPAG) map suggests the subject property be used for Medium Density Urban use. The County of Hawaii Planning Department should respond to the applicant's assertion that the proposed development is consistent with the LUPAG map classification, and determine whether a single-family residence intended for occupancy by watchmen or custodians is an allowable land use within the county designated Resort-Hotel zoning district, and the proposed gathering space and short-term rental uses of cabins are consistent (sic) with the requirements of section 25-1-5, Hawai'i County Code of 1983 for a "meeting facility", which may include a kitchen but has no public commercial transient accommodations

Applicants' Response: The Planning Department, in its recommendation to the Windward Planning Commission, has confirmed the proposed Pu'ueo Project as consistent with the General Plan's Medium Density Urban designation which *"...is intended to accommodate a mix of residential, commercial, and institutional uses in areas that are already developed or planned for urban growth, while supporting efficient use of infrastructure and services. The project site is located within an established urban area of Pu'ueo characterized by a combination of multi-family residential, commercial, and open space uses associated with the Wailuku River corridor. The proposed development, consisting of a multi-use facility with residential, educational, and*

gathering structures, is consistent with the intent of the Urban designation as it represents an appropriate use within an existing developed area and utilizes available infrastructure. By distributing low-rise structures across the site and maintaining open areas adjacent to the Wailuku River, the project retains elements of open space and respects the natural features of the site, while satisfying the land-use goals, policies, and standards of the General Plan." (emphasis added)

Within this same Recommendation report, the Planning Department goes on to confirm the subject property's Resort-Hotel (V-.75) zoning designation, "...which permits a range of uses including multi-family residential, transient accommodations, and institutional-type uses. The proposed development includes a caretaker residence, hālau (gathering structure), pavilions, cabins, and supporting facilities, which are generally consistent with uses allowed within the district. The project's low-rise, distributed layout is compatible with surrounding development in the Pu'ueo area. The application does not cite specific sections of the Hawai'i County Zoning Code; however, compliance with applicable development standards, including setbacks, building height, parking, and SMA requirements, will be addressed through the permitting process and conditions of approval." (emphasis added)

2. On page 5 of the application, the applicant states that the rental cabins "will consist of two studio units 630 approximately gross square feet in size." On page 4 of Exhibit A, the site plan shows two structures identified as "future cabins." On page 10 of Exhibit A, the floor plan and exterior elevation drawing for the "future cabin" shows a structure of 1,256 square feet that contains 4 studio units, each including an ensuite bathroom and what appears to be a wet bar. The applicant should clarify and describe the size of the rental studio cabin structures, the number of rental units within each structure, and whether the studio units include kitchen facilities

Applicants' Response: As depicted on plans submitted as EXHIBIT A, there will be two (2) proposed cabins, each consisting of four (4) individual 314 square-foot studios units with no kitchen. The Applicant apologizes for the inconsistencies in the discussion of the project concept as it has evolved to address the overall visual massing of the project. As these are "future cabins", the proposed design is still somewhat fluid at this time. The Applicant will work closely with the Planning Department to ensure that these future cabins, if constructed, be developed in a manner that is substantially representative of plans and details as contained within the SMA Application dated January 26, 2026 and representations made to the Windward Planning Commission while also complying with applicable zoning code and SMA requirements.

3. The application proposes the construction of a temporary floating pier in the Wailuku River but does not discuss the purpose and duration period of the floating pier. The application should address the purpose of the proposed floating pier and anticipated duration of so-called temporary floating pier. OPSD recommends that the County

Planning Department assess and determine whether the proposed floating pier is an allowable land use.

Applicants' Response: The floating pier is proposed as a seasonal and program-dependent structure that will be anchored to the property and placed into the Wailuku River when needed to support project activities. While it may remain in place for extended periods when actively supporting ongoing programming, it is not intended to function as a heavily used or permanent public dock. The pier will support program-related activities, including the safe launching and retrieval of small, non-motorized watercraft such as wa'a, as well as field-based scientific work focused on the stream and nearshore habitat. This may include water quality sampling, ecological observations, and other low-impact data collection associated with conservation and education programs. It may also support culturally grounded programming, including activities related to wa'a and voyaging, in collaboration with partners. The floating pier will not be open to the general public and will only be used by approved participants involved in Pu'uoe Project programs. It is intended as a low-impact accessory feature that supports the educational, scientific, and cultural objectives of the project and remains consistent with the character of the site and its zoning.

4. In enacting Act 224, Session Laws of Hawaii 2005, the legislature found that light pollution in Hawaii'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 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), shall be directed to travel across the property boundaries toward Hilo Bay and ocean.

Applicants' Response: While the project site is not located on the shoreline, the Applicant nevertheless concurs with the recommendations of OPSD and will not object to any such condition applied to the requested SMA Permit, as found within the Planning Department's proposed Condition 6, that will implement appropriate measures to ensure that such exterior lighting fixtures and its location will mitigate light pollution upon the nearby coastal area and minimize the potential for seabird strikes.

5. OPSD concurs that prior to the commencement of land altering and construction, sedimentation barriers should be implemented on downhill slope of the project site to minimize potential runoff or sedimentation and be remained until final inspection has been granted for all proposed construction activities. Drywells and/or catch basins should be constructed onsite to capture and infiltrate stormwater runoff, and site-specific Best Management Practices should 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 Hawaii Administrative Rules Chapter 11-54.

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Applicants' Response: The Applicants agree with Conditions 13, 14 and 15 as recommended by the Planning Department to ensure that project-generated runoff, siltation, turbidity and fugitive dust are properly managed and controlled by the deployment of best management practices along with compliance with applicable government regulations associated with land alteration and construction activities relating to development of the Pu'ueo Project.

We hope that we have adequately responded to comments offered by the State Office of Planning & Sustainable Development. Please feel free to contact me should there be any questions or need for additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daryn Arai', written in a cursive style.

DARYN ARAI
Land Use Planning Consultant

copy via email: Rebecca Anderson, OPSD
Applicants: John H.R. Burns, Ph.D. et al