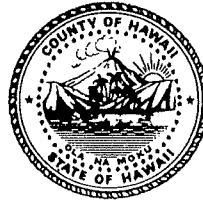


Harry Kim  
*Mayor*



Michael Yee  
*Director*

Daryn Arai  
*Deputy Director*

West Hawai'i Office  
74-5044 Ane Keohokalole Hwy  
Kailua-Kona, Hawai'i 96740  
Phone (808) 323-4770  
Fax (808) 327-3563

**County of Hawai'i**  
**PLANNING DEPARTMENT**

East Hawai'i Office  
101 Pauahi Street, Suite 3  
Hilo, Hawai'i 96720  
Phone (808) 961-8288  
Fax (808) 961-8742

August 19, 2019

Hawai'i State Department of Health  
Office of Hazard Evaluation and Emergency Response  
2385 Waimano Home Road  
Pearl City, HI 96782

Dear Sir/Madam:

**SUBJECT: Special Management Area Use Permit Assessment Application  
(SAA 19-001691)**

**Applicant: Steven Shropshire**

**Request: Farming with Agricultural Crops Processing and the Removal  
of Invasive Trees and Plants From Top of Shoreline Pali**

**TMK(s): (3) 2-9-002:079 and 081, Hakalau, Hawai'i**

Enclosed, please find a copy of the Special Management Area (SMA) Use Permit Assessment Application received on May 31, 2019. Proposed is farming on the subject parcels with agricultural crops processing within portions of the two existing warehouse structures.

The area for growing and harvesting of crops will be on the northern makai side of the warehouse structures. Crops would include, but are not limited to, sweet potato, ginger, and hemp.

Mr. John Peard, formerly of the HEER Office at the Hawai'i District Health Office, prepared the June 18, 2014, Final Removal Action Report for these former Pepeekeo Sugar Company properties in Hakalau, Hawai'i. To date, a HDOH HEER approved Remediation Implementation Work Plan that addresses soil arsenic contamination has not been submitted by the landowner.

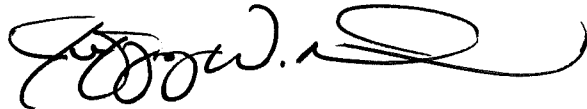
According to the Final Removal Action Report's enclosed Figure 10, Environmental Hazard Map, the project area is partially contaminated with various concentrations of arsenic. As the Planning Department is responsible for regulating all development within the SMA and because the subject property is located within an environmentally sensitive area, we are requesting your agency's review of the proposed project which consists of growing and harvesting of crops in an area that has been identified as having arsenic-contaminated soil. Specifically, please indicate whether your agency considers the crops growing in such soil safe and indicate agency regulatory requirements, if any, for this proposed project.

Also proposed for this parcel is routine maintenance to remove invasive trees and plants from the top of the shoreline pali. Again, portions along the top of this pali has a high level of arsenic concentration.

We would appreciate a response by September 6, 2019.

Should you have questions, please contact Esther Imamura of this department at (808) 961-8139.

Sincerely,



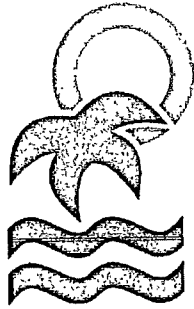
*ML*  
MICHAEL LEE  
Planning Director

ETI:mad  
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Enclosure: SAA 19-001691  
Figure 10 (Environmental Hazard Map)

2019 MAY 20 PM 1 29

PLANNING DEPARTMENT  
COUNTY OF HAWAII



# Aloha Green

*Environmental principles in practice*

May 20, 2019

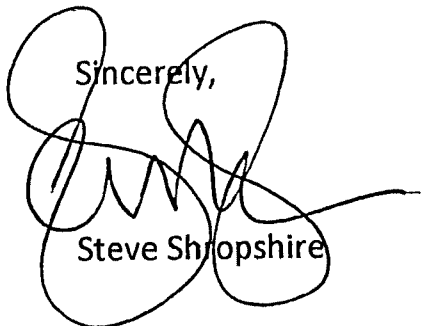
Jeffrey W. Darrow, Planning Program Manager  
County of Hawaii Planning Department  
101 Pauahi Street, Suite 3  
Hilo, HI 96720  
808-961-8158

Aloha Jeff,

Attached are the changes to the SMAA for my Hakalau property as per our discussion last week.

Please contact me with any further questions at 808-895-0372.

Sincerely,



Steve Shropshire

P.O. Box 1146 Hilo Hawaii 96721  
808-895-0372  
steve@alohagreen.com

125446

May 15, 2019

Draft

Applicant:

Steve Shropshire Managing Member  
Shropshire Group LLC.  
PO BOX 1146  
Hilo HI 96721

### **1. Description of the Proposed Project**

This document is intended to provide information to describe the proposed project and to consider its potential impacts on natural, cultural and other public resources that are located within the coastal Special Management Area.

The Applicant and owner of the subject property is the Shropshire Group LLC.

This SMA Assessment application relates to the Applicants request to utilize its two warehouse structures (A and B on the attached site plan) for agricultural processing and the acreage behind (makaii) and the two existing buildings for farming of agricultural crops, and the removal of invasive trees and plants from top of shoreline pali.

- 1 Agricultural Processing- Applicant proposes to utilize one or both warehouse buildings for processing of agricultural products. This activity is consistent with the buildings historical use over the past 100 years and is permitted use within the MG Zone.

#### **Section 25-5-152. Permitted uses.**

(a) The following uses shall be permitted in the MG district:

- (1) Agricultural products processing, major and minor.

Note- This activity is proposed take place inside one or both Buildings A or B. Note- This activity will not replace the current approved uses SMA Minor Permit No. SMA Minor permit No. 17-000366.

Note- The costs and activities associated with Agricultural processing will be limited to non structural improvements within the existing buildings which are exempt under SMA Rule 9-4, paragraph 2 section P.

2. Farming- Applicant and his tenants will be growing various crops on the property, including but not limited to ...Sweet potato, Ginger, Hemp (with necessary DOA permits) etc. as an accessory use to agricultural processing.

This is a permitted accessory use in the MG zone.

**Section 25-5-152. Permitted uses.**

(a) The following uses shall be permitted in the MG district:

(1) Agricultural products processing, major and minor.

(e) Buildings and uses normally considered directly accessory to the uses permitted in this section shall also be permitted in the MG district.

Note- these activities and their associated costs are considered exempt under SMA Rule 9-4, paragraph 2 sections H

3. Maintenance of shoreline pali- Applicant proposes to provide ongoing required maintenance of the top of shoreline pali to remove invasive weeds and trees.

Applicant was previously granted a prior SMA Minor permit for this work, which included the removal of trees within the shoreline setback and wishes to remove the invasive vegetation to preserve the stability of the cliff. (See attached letter from Dr. Jack Lockwood).

Work related to tree removal is expected to cost **less than \$5000.00**

These proposed uses are consistent with the property's current MG-5a (General Industrial) zoning and is a continuation of the property's industrial usage since the early 1900's.

We are submitting this Special Management Area (SMA) Use Permit Assessment Application in compliance with Planning Commission Rule 9. However, we believe that the proposed project is not considered a development activity under Rule 9 Section 9-4(e) and therefore does not require an SMA permit. We are requesting that the Director confirm this determination.

**2. Statement of Objectives of Project**

- a. Utilize property in accordance with its zoning of MG-5a (General Industrial)
- b. Maintain natural beauty of the land
- c. Support local agriculture
- d. Create jobs for area residents- create economic opportunities for local farmers and ranchers who will provide local grown agricultural.

### **3. Description of the Anticipated Impacts of the Proposed Project on the SMA**

#### **a. Description of Area Involved Including Existing Uses Structures, Vegetation, and Other Features**

The property consists of 8.3 acres at Hakalau Point in Hakalau Nui, South Hilo. It sits on the bluff overlooking the shoreline and is separated from the coastline by sea cliffs that range from 100-120' in height.

The shoreward sides of the property are 100'-120' above the surface of the water and there is an existing easement in place for fishermen/pedestrian access to the shoreline over a steep route down the cliff face. The western edge of the property runs along a portion of the old Mamalahoa Highway that ran through the once thriving plantation community of Hakalau. This road now dead-ends at the shoreline in Hakalau Valley. The southern side of the property faces a neighboring private residence and a road parcel that serves several neighboring parcels and provides legal access to the subject property.

#### **b. Description of Surrounding Area and Land Uses**

##### **Hawaii County General Plan**

The subject property is surrounded by residential properties. The Land Use Pattern Allocation Guide Map (LUPAG) in the 2005 General Plan (GP) Update designates the area as Low Density Urban, Medium Density Urban and General Industrial. The State Land Use Classification is – URBAN and OPEN

#### **c. Description of how the proposed project will affect the area involved and surrounding areas.**

The project will also have a positive economic impact through the creation of new jobs and general excise taxes as a result of these proposed activities.

Local farmers will also receive revenues for their crops and livestock.

The proposed uses also support the community objectives for economic development that were identified in the Hāmākua Community Development Plan including:

- Promote, preserve and enhance a diverse, sustainable, local economy.
- Encourage the increase and diversity of employment and living options for residents,

including living wage jobs and

- Entrepreneurial opportunities that allow residents to work and shop close to home and that complement Hāmākua's ecology, rural character, and cultural heritage.
- Revitalize retail, service, dining, and entertainment centers that
- Complement the community's rural character and culture.
- Enhance and promote local and sustainable agriculture, farming, ranching, renewable energy, and related economic support systems.
- Preserve traditional subsistence practices and encourage a reciprocity (e.g. bartering) economy as a sustainable complement to Hāmākua's resource-based economy.
- Promote appropriate rural tourism that welcomes guests for an alternative visitor experience.
- Promote Hawai'i's host culture and Hāmākua's heritage roads, historic plantation towns, and festivals that celebrate our rich multi-cultural music, art, and agriculture.

**d. Description of Impacts, which cannot be Avoided and Mitigating Measures Proposed to minimize that Impact.**

Visual Impacts -The two existing buildings (A& B) are approximately 25ft high and provide a partial visual screen to the ocean from the Old Mamalahoa Highway. Views of the property from state Highway 19 are limited to the brief glimpse (at high speeds) from the Hakalau

Bridge and are also largely screened from the highway by the buildings. Unavoidable Minor visual impacts may

Result from these activities within and around the existing buildings and therefore no mitigating measures are necessary.

Lighting- All exterior lighting will be in compliance with Planning Commission Rule 9-12(a). 7

Noise-The proposed activities are expected to generate a minimal amount of noise in connection to the nature of these farming activities. Applicant will provide the necessary mitigation measures to ensure that noise levels from these activities will be in compliance with State of Hawaii Noise Ordinance.

Smells – Special handling procedures will be taken to ensure that any smells resulting from these activities will be minimized.

Traffic- The increased traffic resulting from these operations will be within the guidelines of the County Public Works Department.

Water- Applicant currently retains 15 water meters (approximately 9000 gallons per day) that have been assigned to the subject property (see attached letter from DWS- Department of Water Supply). Due to the fact that these water units have already been allocated by DWS to this site, the projected water usage for these operations will not impact the water availability for the surrounding community.

Wastewater – All waste water and runoff will be properly treated and disposed of on-site according to county, state and federal guidelines

Contaminants- Proposed activities are not expected to generate substances classified as contaminants.

**e. Alternatives to the Proposed Project.**

Alternatives to the proposed uses include a number of other potential uses that are allowable under the MG zoning code, which could create a higher impact in the Special Management Area.

These include;

Heavy equipment sales, service and rental.

Home improvement centers.

Junkyards, Kennels, Public dumps, Saw mills.

Slaughterhouses

Utility facilities, public and private, including power plants, Offices or yards for equipment, etc.

**f. Any Irreversible and Irretrievable Commitment of Resources.**

The project will utilize only private funds and resources, and will not result in the irreversible or irretrievable commitment of resources.

**Recreational Resources**

The project site is occasionally used for shoreline fishing. Applicant has deeded a fishing access trail to the former Hakalau landing site, which also includes 3 parking spaces. These activities will not interfere with this recreational use.

The existing coastal recreational opportunity is considered unsafe and limited due to the 100' sea cliffs that encircle the subject property. The current cliff trail access for shoreline fishermen is extremely steep and dangerous. The adjoining property in Hakalau Valley to the north has been purchased by the County of Hawaii for park use and is where ocean recreation use is most appropriate and accessible.

#### Historic Resources

Discussion: The most significant historical resource that remains on the property are the two 1920 concrete warehouses which are a reminder of the once active sugar industry that shaped the community over the last 150 years. The proposed would not interfere with these historic buildings.

#### Scenic and Open Space Resources

The project will not result in only minor visual changes to the appearance of the site; no adverse impact to scenic and open space resources is anticipated.

Shoreline views will not be interrupted from the State Highway 19 where that view of the site is only partially visible.

#### Coastal Ecosystems

The project will not take place below the top of the shoreline *Pali*. Development will also be limited to the 60ft setback; therefore no adverse impacts to coastal ecosystems are anticipated.

#### Economic Uses

The project represents an incremental step towards the owner's economically beneficial use of the land and therefore there would be a positive secondary economic benefit from the project.

Local farmers will also receive revenues for their livestock and crops.

#### Coastal Hazards

The site is not subject to coastal inundation, and as the project will not have adverse coastal impacts and no coastal hazards are anticipated.

#### Beach Protection

No beaches are present or will be affected by the proposed project.

#### Marine Resources

The project will not affect marine resources in any adverse way.

## REFERENCES

Division of Forestry and Wildlife. 2010. *Hawaii's Most Invasive Horticultural Plants*. Retrieved October 6, 2010 from: <http://www.state.hi.us/dlnr/dofaw/hortweeds/specieslist.htm>

Hawai'i County Planning Department. 2010. *The General Plan, County of Hawai 'i*. Hilo.

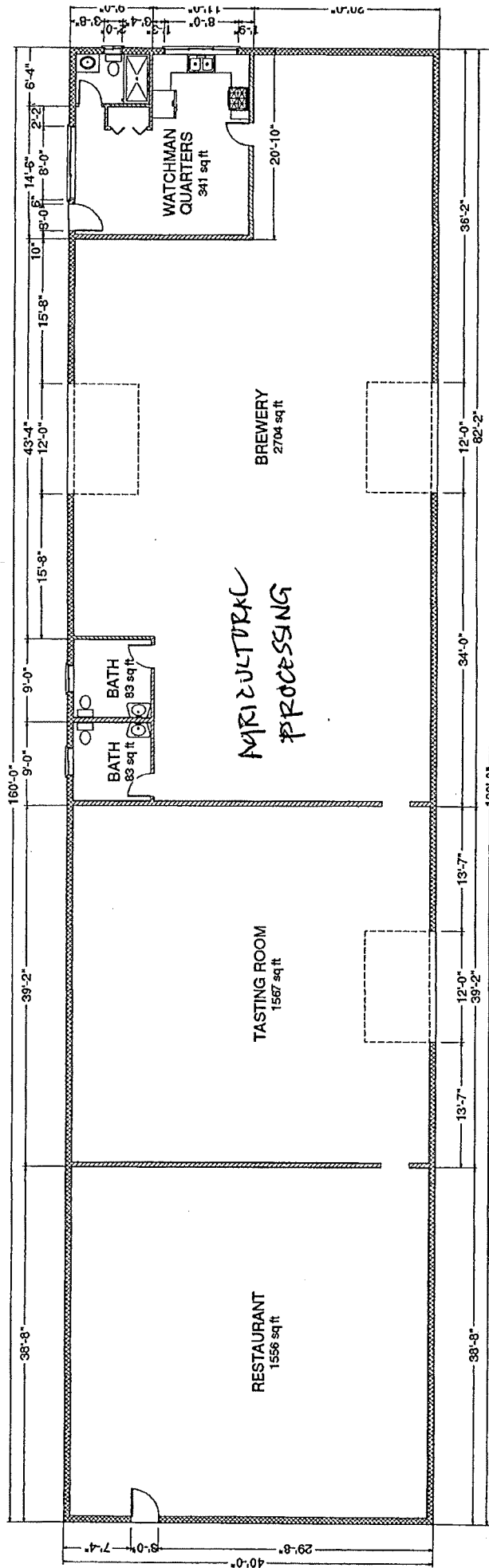
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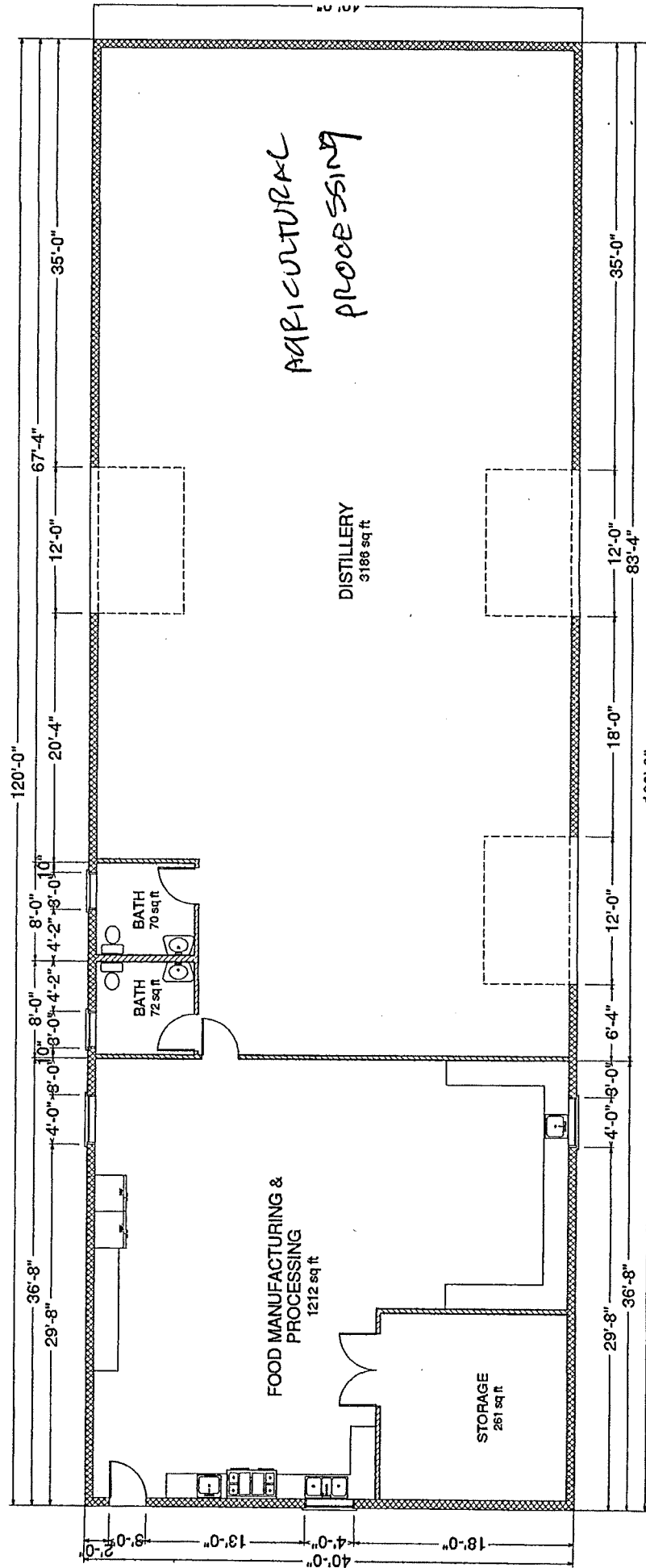
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Wolfe, E. W., and I. Morris. 1996. *Geologic Map of the Island of Hawai 'i*. USGS Misc. Investigations Series Map i-2524-A. Washington

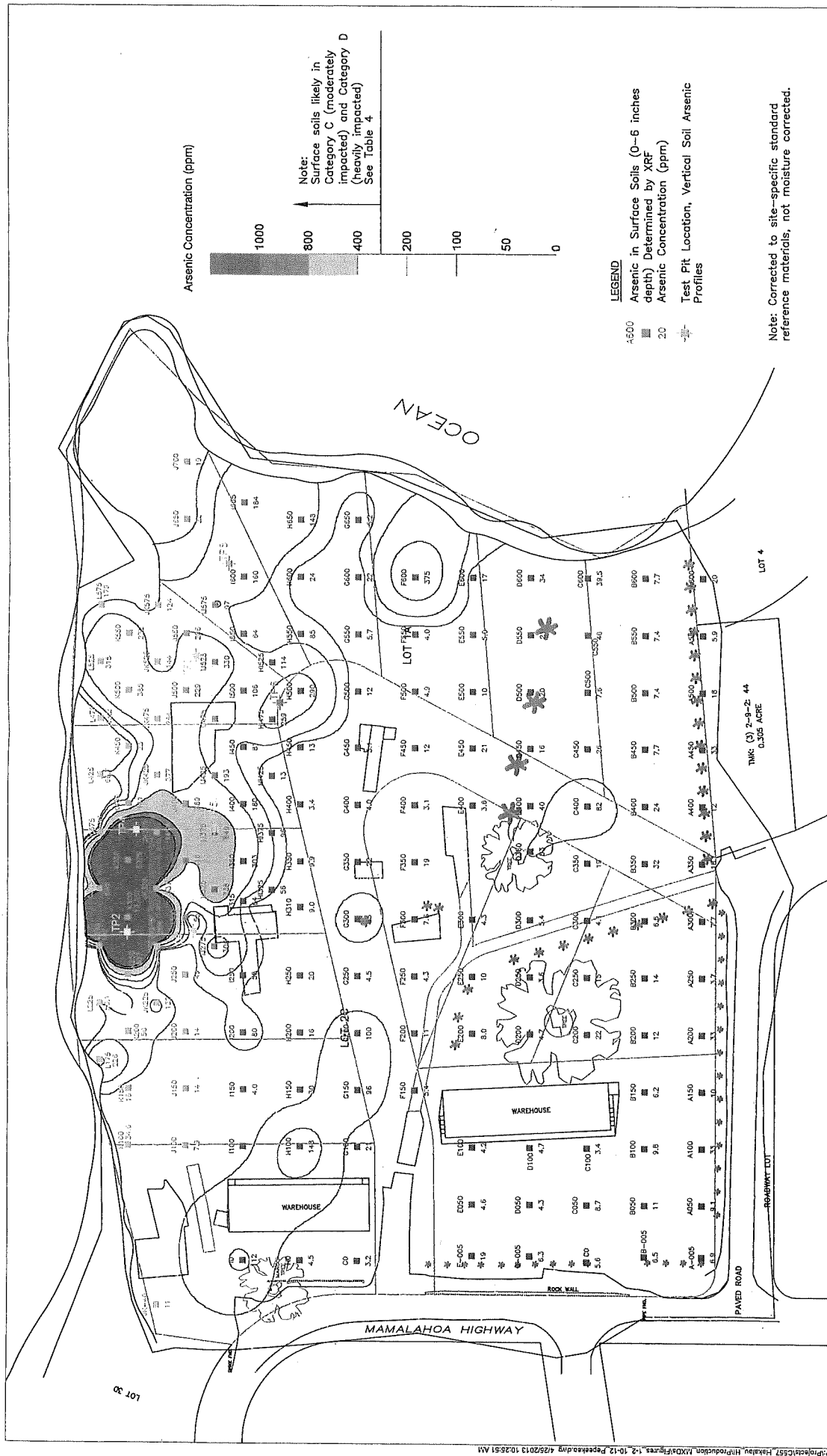
Attached Figures Consist of the Following: Figure 1- Area Map



PROPOSED BUILDING B



PROPOSED BUILDING A



**Figure 10.**  
Environmental Hazard Map  
Former Pepeekeo Sugar Company Property  
TMKs: (3) 2-9-2:79 & 81  
Hakalau, Hawaii