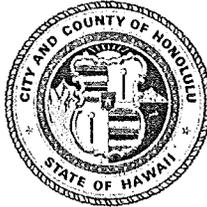


DEPARTMENT OF LAND UTILIZATION
CITY AND COUNTY OF HONOLULU
650 SOUTH KING STREET
HONOLULU, HAWAII 96813 • (808) 523-4432

FRANK F. FASI
MAYOR



JOHN P. WHALEN
DIRECTOR

86/SUP-6 (BN)

February 17, 1987

MEMORANDUM

TO : PLANNING COMMISSION
FROM : JOHN P. WHALEN, DIRECTOR OF LAND UTILIZATION
SUBJECT: STATE SPECIAL USE PERMIT
PROPOSED WASTEWATER TREATMENT FACILITY - KAWELA

Transmitted for appropriate action is my report and recommendation for approval of the request to allow establishment of a wastewater facility within the State Agricultural District.

A handwritten signature in cursive script, reading "John P. Whalen".

JOHN P. WHALEN
Director of Land Utilization

JPW:st

Attach.

0104N

MAR 10 1 23 PM '87
LAND USE COMMISSION
STATE OF HAWAII

DEPARTMENT OF LAND UTILIZATION OF THE CITY AND COUNTY OF HONOLULU

STATE OF HAWAII

IN THE MATTER OF THE APPLICATION)
)
 OF)
)
 KUILIMA DEVELOPMENT COMPANY)
)
 FOR A STATE SPECIAL USE PERMIT)
 _____)

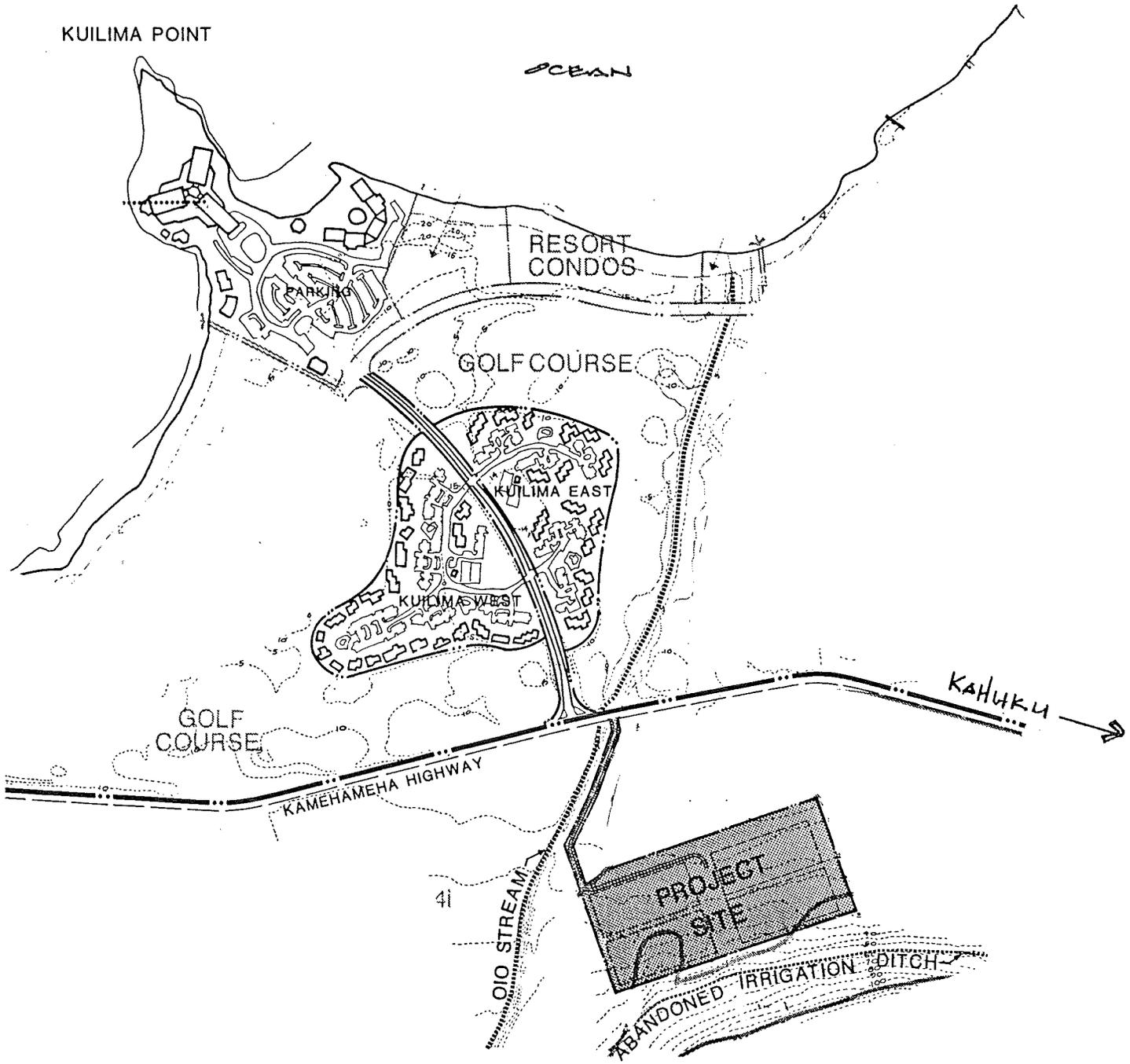
CASE NO. 86/SUP-6

FINDINGS OF FACT, CONCLUSIONS, AND
RECOMMENDATION

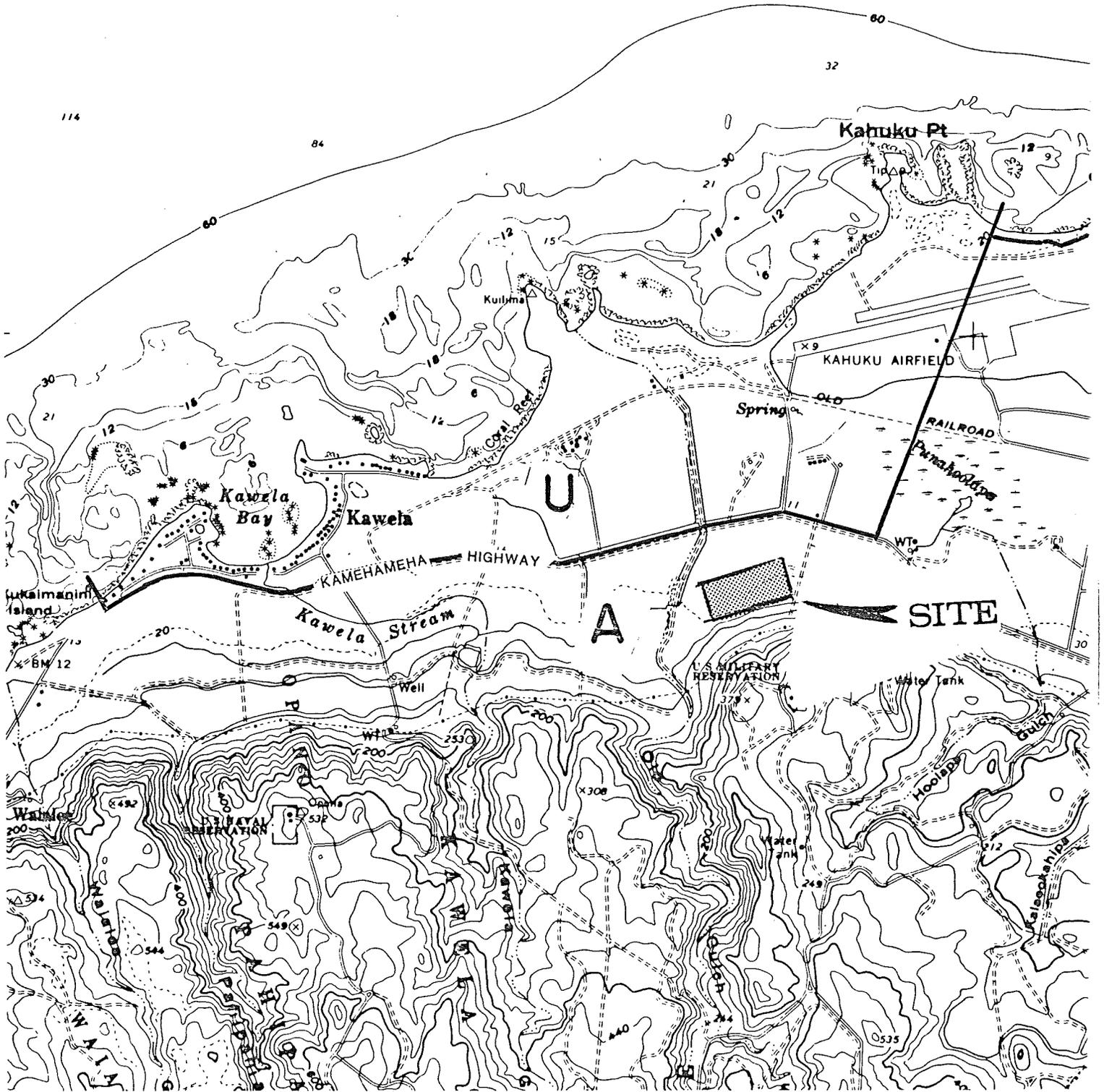
I. APPLICATION

APPLICANT : Kuilima Development Company
LANDOWNER : James Campbell Estate
REQUEST : A State Special Use Permit to
construct a new wastewater
treatment facility within the
State Agricultural Land Use
District.
TAX MAP KEY : 5-7-01: Portion of 21
LAND AREA : 20-acre portion of an overall
531.6-acre parcel
ZONING : AG-1 Restricted Agriculture
STATE LAND USE DISTRICT: Agricultural

The application is being processed in accordance with State Special Use Permit Procedures of the State Land Use Commission Rules of Practice and Procedure and District Regulations, Article 4.



LOCATION MAP



STATE LAND USE MAP

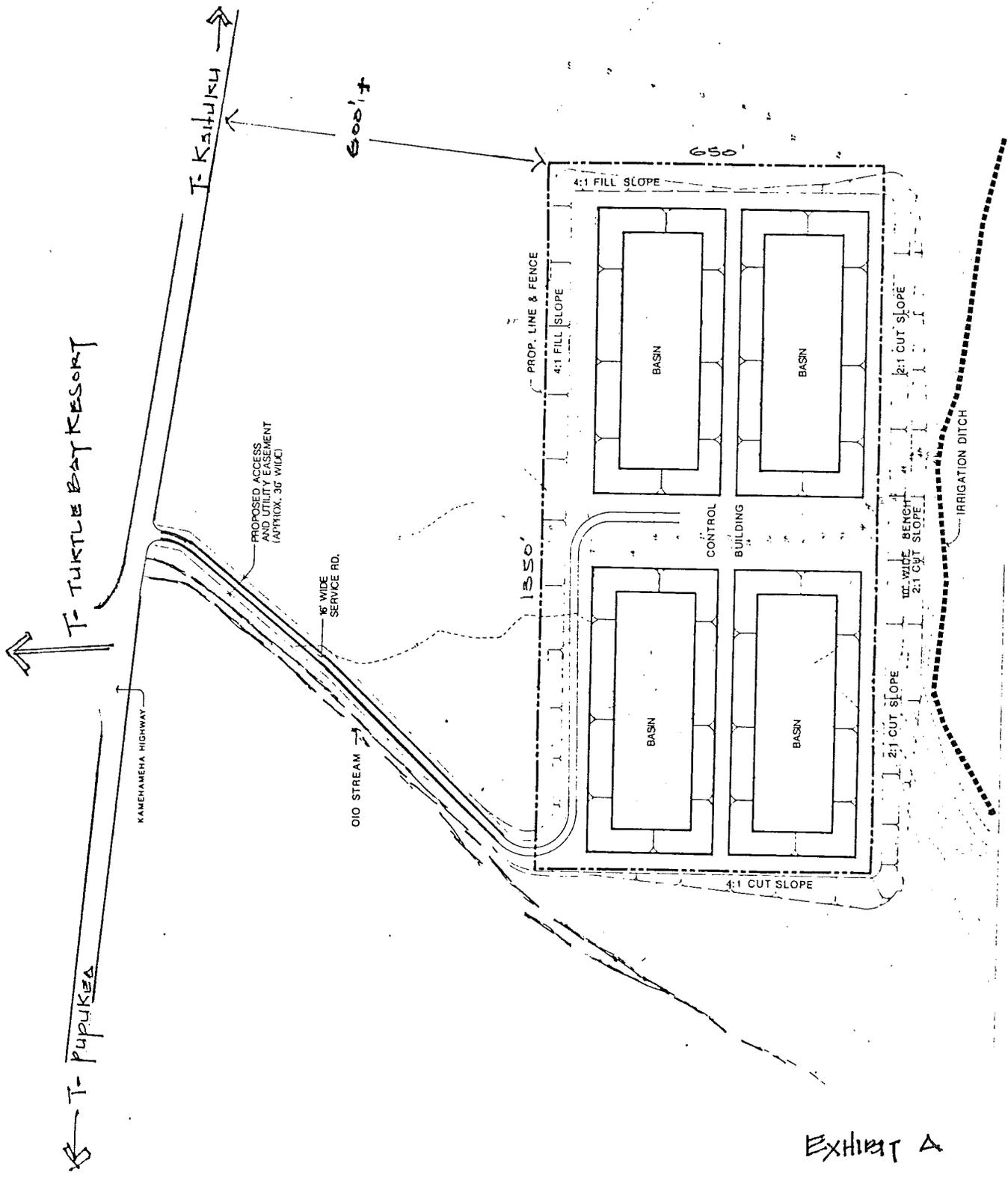


EXHIBIT A

SITE PLAN

DEPARTMENT OF PUBLIC WORKS
CITY AND COUNTY OF HONOLULU

DIVISION OF WASTEWATER MANAGEMENT
650 SOUTH KING STREET
HONOLULU, HAWAII 96813



FRANK F. FASI
MAYOR

RUSSELL L. SMITH, JR.
DIRECTOR AND CHIEF ENGINEER

GEORGE M. UYEMA
CHIEF

WPS 85-188

December 16, 1985

Mr. Robert W. Lau
Vice President
EDP Hawaii, Inc.
1164 Bishop Street, Suite 1515
Honolulu, Hawaii 96813

Dear Mr. Lau:

Subject: Kuilima Wastewater Master Plan and
Preliminary Engineering Data for
the Wastewater Treatment Plant
Tax Map Key: 5-7-1

We approve the Kuilima Wastewater Master Plan and Preliminary Engineering Data on the basis of general conceptual design. However, this approval is conditioned on the following provisions being incorporated in the construction plans for the sewer facilities.

1. The pumping units designed for the new sewer pump station appear to be oversized. We recommend that there be at least three (3) pumps, each with 50% peak flow capacity.
2. The plant lights be connected to the emergency generator system.
3. Based on a telephone survey of existing Hinde-Air Aqua Lagoon systems, a potential problem is the connection of the air lines to the header. Consequently, we recommend that the air line be more securely connected to the header and that the header be located above the water surface for maintenance accessibility.
4. Due to the projected unavailability of dump trucks at the site, we rescind the request for grit and screenings elevated storage bins. Instead, we recommend using a screenings discharge chute to a trash container system. A pickup truck will then haul away the trash containers.

EXHIBIT B

If permitted, we recommend the onsite disposal of grit. Wheelbarrows and a small backhoe should be provided to facilitate the disposal process.

5. We recommend 3/4" maximum clear openings between bars for the coarse bar screens to prevent the accumulation of large floatable solids on the pond surface.

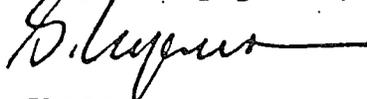
In addition, we request individual removable bars for the coarse screens. The removable bars will facilitate the adjustment of clear openings as necessary.

6. An eye wash fixture be provided for emergencies.
7. Provisions such as locations and materials be provided to facilitate influent and effluent sampling, 24-hour composite sampling, and a telemetering system for flow compositing.
8. Landscaping and visual screens shall be provided around the facilities.

In addition to the construction plans and specifications, we will require an agreement to determine the responsibilities of the developer and the City and County of Honolulu.

Concerning the effluent disposal system which will be the developer's responsibility, we would like to relate to you about our past experiences and correspondence with other treatment plant operators. The data shows that tertiary filtration units were required to remove algae from the irrigation system to prevent clogged sprinkler heads.

Very truly yours,



GEORGE M. UYEMA
Chief

cc: Engineering & Construction Branch
Disposal Branch

February 12, 1987
86/SUP-6

TABLE 1

Land Use Summary of Turtle Bay Resort
Development Expansion

<u>Use</u>	<u>Summary</u>
Hotel Units	1,937 (487 existing units) - 63 acres
Resort Condominium	2,063 condominiums - 150 acres
Golf Courses	2 (1 existing to be renovated) (1 new - 198 acres)
Beach Parks	2 public (41.8 acres) 1 private (2 acres)
Park	1 private (6 acres)
Wild Life Preserve	100 acres
Equestrian Center	10 acres
Commercial Center	9 acres
Golf Clubhouse/ Commercial Center	5 acres

II. FINDINGS OF FACT

1. State Land Use District: Agriculture
2. Development Plan: Agriculture
3. Land Use Ordinance : AG-1 Restricted Agricultural District
4. Existing Land Use: The 20-acre site area, part of the greater surrounding area, is now abandoned agricultural fields (sugar cane until 1971). The steeper lands are similarly vacant. Oio Stream runs along the proposed access road on the Kawela Bay side of the project site.

The existing Turtle Bay resort lies across the highway.

5. Proposal: The Kuilima Development Company proposes to replace the existing wastewater stabilization pond. The new upgraded system has a design capacity of 1.3 million gallons per day. The system would provide increased wastewater treatment capacity for the proposed resort expansion between Kawela Bay and Kahuku Point (Table 1). The treatment facility would occupy a 20-acre site situated approximately 700 feet mauka of Kamehameha Highway with access via a 16-foot wide service road along Oio Stream. On site improvements will include a one-story control-maintenance building and four retention basins, each 15 feet deep and 240 feet by 540 feet measured at the surface. Upon completion in mid-1989, the facility would be dedicated to the City and County.

The treated effluent will be piped to a holding lagoon and used to irrigate the golf course(s). All excess water would be disposed of in an injection well field within the golf course area. The project site will also be landscaped.

DLU NOTE: The applicant must also obtain a Conditional Use Permit under the Land Use Ordinance.

6. Public Agencies Comments and Concerns: The agencies contacted indicated no objection to the proposal.

The Department of General Planning recommended that the site, including the service access roadway, be conveyed to the City and County of Honolulu. The Department of Public Works (DPW) approved the Kuilima Wastewater Master Plan and Preliminary Engineering Data subject to 8 conditions being incorporated into the construction plans. Exhibit B (DPW letter dated December 16, 1985).

The holding ponds of the proposed treatment facility are located outside or makai of the Underground Injection Control Area established by the Department of Health and the Board of Water Supply's "no-pass line." Percolation into the ground through the irrigation of the golf course and injections wells are not expected to cause any adverse impacts on ground water resources because:

1. Wastewater will receive secondary treatment and be chlorinated before it leaves the plant.
2. Holding ponds will be located outside of the UIC and no pass zone.
3. All structures would be constructed of reinforced concrete and basins would be leveled with synthetic membranes to prevent any percolation into the ground.

All these proposals will be subject to final reviews and approval by Department of Health, Board of Water Supply and Department of Public Works.

The State Department of Transportation indicated that a new access drive may be necessary since the proposed access lies nearly opposite the resort development.

7. COMMUNITY CONCERNS: Informational letter soliciting comments were sent to adjoining property owners, community organizations, elected public officials and the Neighborhood Board. To date, the department has not received any comments.

III. ANALYSIS

The County Planning Commission may issue Special Use Permits (SUP) for "unusual and reasonable uses" within the Agricultural District which are not classified as permitted uses when such uses would promote the effectiveness and objectives of the Land Use Law and Regulations. The purpose of the SUP is to provide the landowner relief in exceptional situations where the proposed use will not change or be inconsistent with the essential character of the district. The State Land Use District Regulations specify that evaluation of applications for SUPs be evaluated using the following guidelines in determining as "unusual and reasonable use."

Test 1: "Such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations."

The proposed upgrading of the existing wastewater treatment facility on the site is not contrary to objectives of the State Land Use Law.

- a. The State Land Use Commission in its approval of the redistricting of 231 acres of agricultural land to Urban use to accommodate expansion of the resort also recognized the need for a new wastewater treatment plant to serve the resort development; and in its Decision Order required the applicant to provide such a facility. Although the order did not specifically set the treatment facility's location, no objections were raised to the possibility of its location on agricultural designated lands.
- b. The site on which the facility is proposed is unsuitable for intensive agricultural use. This will be discussed more fully in Test 5 following.
- c. The proposal supports the objectives of the State Plan which requires coordination of wastewater disposal with State and County growth objectives.
- d. It also implements the objective of seeking participation from the private sector for the cost of constructing utilities and infrastructure.

Test 2: "That the desired use would not adversely affect surrounding property."

Since the closing of the Kahuku Sugar Company, the 20-acre site and surrounding lands have not been used for crop production. Spot areas have been utilized for marginal cattle grazing. Establishment of the proposed use at this time would not adversely impact on these lands. Should any agricultural activity be re-introduced, to the area, the use is also not expected to adversely affect the area.

The project will also be landscaped so that the facility would not be readily seen from the highway, approximately 700 feet makai of the site. The distance factor, with the resort located more than 1,100 feet away, and the prevailing tradewinds make the site most appropriate.

The location and depths of the injection wells will be coordinated with the Board of Water Supply to ensure proper disposal of excess treated effluent.

Test 3: "Such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, and school improvements and police and fire protection."

The proposal provides a service which would not unreasonably burden public agencies.

The facility, as part of the resort expansion proposal, will be installed by the developer at his cost. It is intended that

the facility, sized to accommodate the residences on the westerly side of Kawela Bay will be dedicated to the City. The cost of improvements for water service, drainage and other infrastructure improvements will be borne by the applicant.

Clear title to a roadway or an easement for service access to accommodate heavy vehicles must be provided by the applicant (asphaltic-concrete pavement).

Test 4: "Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established."

With the closing of the Kahuku Sugar Mill, the transformation of the area surrounding the existing Turtle Bay Development from agriculture to resort use has resulted in the establishment of the need for support activities such as the new waste treatment facility.

Test 5: "That the land upon which the proposed use is sought is unsuited for the uses permitted within the district."

Although the Agricultural Lands of Importance to the State of Hawaii (ALISH maps) designates the area as Prime Agriculture, approximately 90 percent of the site is classified under the Land Study Bureau (LSB) soils "C" if irrigated ("E" if not irrigated). Two pockets on the mauka side of the site (10 percent of the site) are designated "E." Under the LSB a rating of "A" represents the highest productivity and "E" the least. A review of the Bureau's mapping also confirms the Department of Agriculture observation that the applicant has avoided use of higher agriculturally rated lands. The level lands fronting the site and bounded by the highway is rated "B" also, lands located west of the site, across Oio Stream is classified "A." The steeper mauka side lands designated "E" are not suitable for site development.

The applicant's Agricultural Feasibility Study also noted the detrimental effect of the stronger trade winds and salt from the ocean and concluded that the site has severe limitations for crop production. With limited rainfall, the report also indicated that grazing would not be feasible.

IV. CONCLUSION

The proposal meets all of the "Tests to be Applied" and qualifies as an unusual and reasonable use which may be allowed as a Special Use. The proposal to establish a wastewater treatment facility at the Kawela site is acceptable. It would not adversely impact on the surrounding properties.

V. RECOMMENDATION

I recommend approval for issuance of a Special Use Permit to establish a wastewater treatment facility subject to the following conditions:

1. The applicant shall submit for review and approval, a landscape plan to provide visual screening.
2. The dedicated facility shall include an acceptable access driveway (to be coordinated with the Department of Public Works and the Department of Transportation).
3. The applicant shall coordinate the effluent disposal with the Board of Water Supply and/or the Department of Public Works.



JOHN P. WHALEN
Director of Land Utilization

JPW:st
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