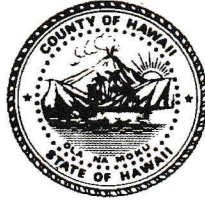


Harry Kim  
Mayor



Michael Yee  
Director

Daryn Arai  
Deputy Director

West Hawai'i Office  
74-5044 Ane Keohokālole 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

March 22, 2018

Mr. Ken Church  
P.O. Box 100014  
Hakalau, HI 96710

Dear Mr. Church:

**SUBJECT: Request for SMA Determination**  
**Land Owner: Kenneth Stanley Church**  
**Request: Determination of Agricultural Uses in the SMA**  
**Tax Map Key: (3) 2-9-003:029 & 060, Wailea, South Hilo, Hawai'i**

We have received your letter dated March 19, 2018 requesting a determination if agricultural uses can be conducted within the Special Management Area on above referenced properties.

Parcel 029 is 1.116 acres in size and Parcel 060 is 2.252 acres in size. The parcels are zoned Agricultural (A-20a) by the County and designated Conservation by the State Land Use Commission. Hawai'i Revised Statutes Chapter 205-5(a) states that the Department of Land and Natural Resources has jurisdiction over uses and activities on State designated Conservation land.

The parcels are also designated Open by the General Plan Land Use Pattern Allocation Guide (LUPAG) Map. Lastly, they are located within the Special Management Area (SMA) and have frontage along the coastline.

### **Special Management Area Determination:**

According to Chapter 205A-22, Hawai'i Revised Statutes (HRS), and Planning Commission (PC) Rule No. 9-4 (e)(2)(H), relating to Special Management Area (SMA), the use of any land for the purpose of cultivating, planting, growing, and harvesting plants, crops, trees, and other agricultural, horticultural, or forestry products or animal husbandry, or aquaculture or mariculture of plants or animals, or other agricultural purposes is exempt from the definition of "development" and does not require review against the Special Management Area rules and regulations.

Mr. Ken Church  
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March 22, 2018

As stated above, the Department of Land and Natural Resources has jurisdiction over uses and activities on State designated Conservation land and you will need to consult and receive approval for any uses and activities, including agricultural activities, within the State Land Use Conservation District.

If you have questions, please contact Jeff Darrow of this office at (808) 961-8158.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Yee', with a stylized flourish at the end.

MICHAEL YEE  
Planning Director

JWD:mad

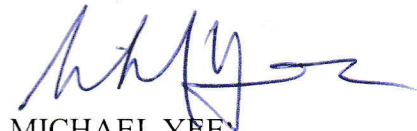
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Mr. Ken Church  
Page 2  
March 22, 2018

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