
Daryn Arai
Land Use Planning Consultant

Dear Neighbors,

Filing of Special Management Area Use Permit Application (PL-SMA-2023-000046)
Applicant: Black Sand Beach, LLC
TMKs: 9-5-019: 011, 015, 024, 026, 030, 031, 033, 035;
9-6-001: 001 thru 003, 006, 011 thru 013 and 9-6-002: 008, 037, 038, 041, 053
Ninole, Wailau, Punalu'u; Ka'u, Hawai'i Island

On behalf of the Applicant and landowner, Black Sand Beach, LLC, this letter will serve notice that on December 18, 2023, the Applicant filed an SMA Use Permit application with the Planning Department for a proposed 225-unit residential and commercial community proposing to be developed on approximately 147 acres of land situated within the County's Special Management Area.

The subject properties are located approximately 4.5 miles to the southwest of Pahala in the Ka'u District on lands previously known as Sea Mountain at Punalu'u, straddling both sides of the Mamalahoa Highway (see Figure 1-Location Map). The attached Site Plans highlights some of the proposed project elements.

As a landowner situated within 300 feet of the project site, another similar notice like this will later be sent to you informing you of the date, time and place of a hearing on this application before the Windward Planning Commission, where you may wish to provide testimony on this application. Should you be interested, a copy of this application can be viewed at the Planning Department offices located in both East and West Hawaii. Should you have any questions regarding this application, or wish to submit written testimony to the Planning Director and/or the Windward Planning Commission in advance of the public hearing, we offer the contact information for the Planning Department as follows:

Planning Department (Hilo Office)
101 Pauahi Street, Suite 3
Hilo, HI 96720
Phone: (808) 961-8288
Email: planning@hawaiicounty.gov

Planning Department (West Hawaii office)
74-5044 Ane Keohokalole Highway
Building E, 2nd Floor
Kailua-Kona, HI 96740
Phone: (808) 323-4770

Please note that you also have a right to submit a written request for a contested case procedure before the Windward Planning Commission specially related to the SMA Use Permit application. Should you wish to intervene as a party, you must file a request as instructed on the attached form, "Petition for Standing in Contested Case Hearing". This completed and notarized form should be submitted to the Planning Department via its EPIC electronic submittal system (<https://hawaiicountyhi-energovpub.tylerhost.net/Apps/SelfService#/home>), accompanied by a filing fee of \$200 along with additional service fee. The Petition shall be filed no later than seven (7) calendar days prior to the Commission's first scheduled public hearing to consider this application.

Please also be aware that should you choose not to submit a written request for a contested case procedure, you may express your support/opposition in writing or by oral testimony at the Windward Planning Commission public hearing to be scheduled.

Should you have any questions regarding these amendment requests, also feel free to contact me by phone at (808) 895-3218 or by email at Daryn.Arai@outlook.com.

Sincerely,



Daryn Arai
Land Use Planning Consultant

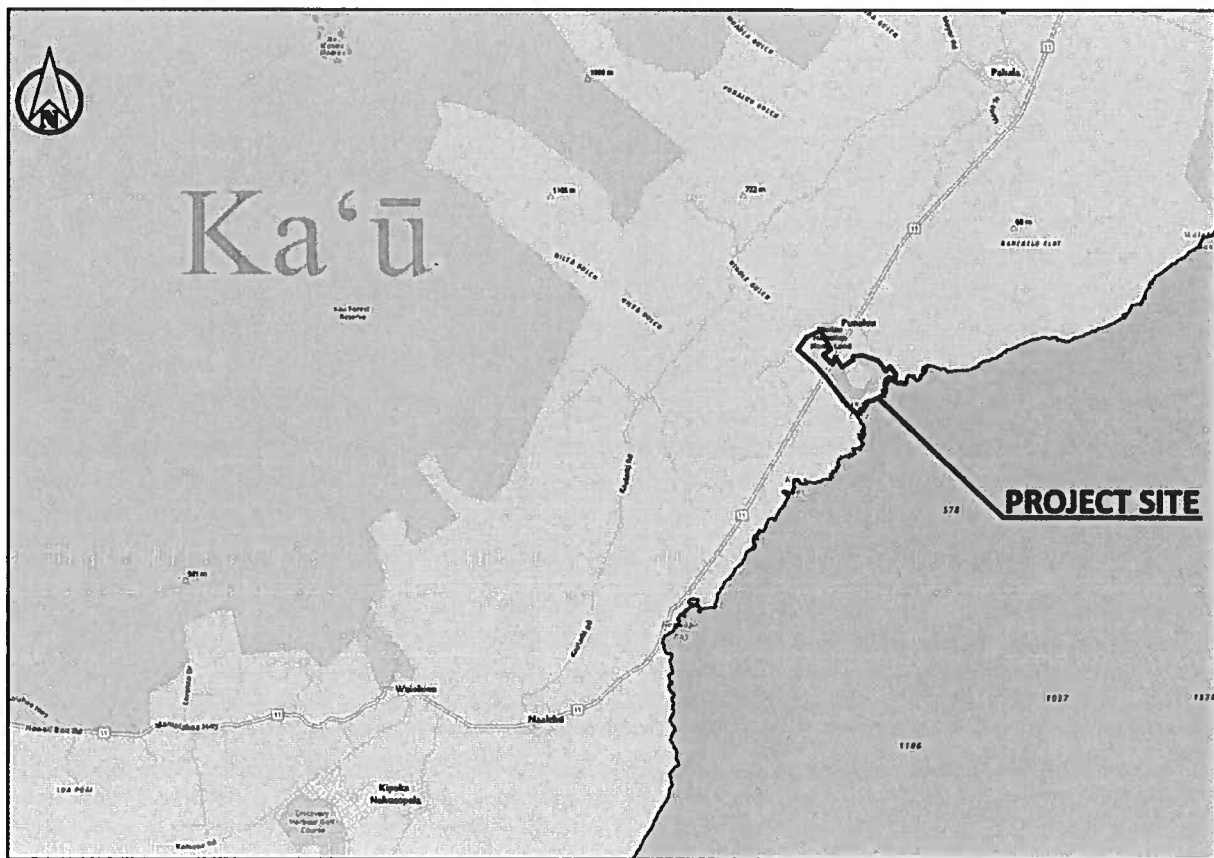


Figure 1 – Location Map

SITE PLAN - DESIGN CONCEPT

- 1** Old Panalu Village Restoration
 - Old Restaurant Grounds - Restore Landscaped Halls, Lvl. 1st, Information Center
- 2** Open Market, Restaurant and Information Center
 - Across the Road - Fish Market & Restaurant, Open Market, Public Restrooms
- 3** Colony Type Condos - 43 Condo Units
- 4** Village & Wellness Center
 - Sports Center - Tennis Courts, Gym, Swimming Pool & Pro Shop
 - Village Center - Bakery/Restaurant, Kava Coffee Showroom
 - Wellness Center & Accommodations - Facilities +/-150 Rental Units for Overnight Stay
- 5** Aspen Retreat
 - Restore existing Aspen Institute
 - Retreat: 30 Units
- 6** Restore Existing Golf Facilities
 - Restore existing Golf Course & Driving Range
 - Restore existing Golf Clubhouse
- 7** Conservation Management Areas
 - Area #1 +/- 29.57 Acres
 - Establish Panalu Coastal Management Area
 - Preserve the beauty of the Coastline
 - Protect Marine life's Habitats
 - Protect Natural Resources
 - Provide Education & Recreational Opportunities
- 8** Proposed Reestablished Fire Break
- 9** Composite Stock Pile



- 1 Punalu'u Village**
 - 1 Old Punalu'u Village Restoration
 - Old Restaurant Grounds - Restore Landscaped Plaza, Luv 'n' Information Center
- 2 Open Market, Restaurant and Information Center**
 - Across the Road - Fish Market & Restaurant, Open Market, Public Restrooms
- 3 Colony Two Condos - 61 Condo Units**
- 4 Village & Wellness Center**
 - Sports Center - Tennis Courts, Gym, Swimming Pool & Pro Shop
 - Village Center - Bakery/Restaurant, Kū'i Coffee Shop
 - Wellness Center & Accommodations - Facilities for 4-120 Rental Units for Overnight Stay
- 5 Aspen Retreat**
 - Restore existing Aspen Inlet
 - Retreat: 30 Units
- 6 Restore Existing Golf Facilities**
 - Restore existing Golf Course & Driving Range
 - Restore existing Golf Clubhouse
- 7 Conservation Management Areas**
 - Area #1 - 4-29.52 Acres
 - Establish Punalu'u Coastal Management Area
 - Preserve the beauty of the Coastline
 - Protect Marine Life Habitats
 - Protect Natural Resources
 - Provide Gathering Affinity Rights
 - Provide Education & Recreational Opportunities



SITE PLAN - SCALE 1" = 200'



Aloha!

The County of Hawai'i Planning Department has launched its Electronic Processing and Information Center (EPIC) system, which allows applicants to submit applications and payments to the Planning Department electronically.

What is the EPIC system?

The EPIC system is an electronic **submittal system only**. What does this mean? EPIC replaces the process of mailing/dropping off your completed paper application and fee to the Planning Department; it does not replace the process of filling out the application form. Applicants will still need to download the appropriate Planning Department application form from our website (www.planning.hawaiicounty.gov), fill it out, and collect any supporting documents prior to submittal.

How does EPIC affect the application submittal process?

With the launch of the EPIC system, the Planning Department is no longer accepting paper applications. All application submittals and payments must be completed through EPIC.

I've filled out the application and collected my supporting documents. Now what?

- Save your application and documents in PDF form.
- Create your user account in EPIC. Visit www.planning.hawaiicounty.gov and click on the **Electronic Processing and Information Center** banner. You will be redirected to EPIC's Customer Self-Service (CSS) portal, where you may create a new user account.
- Once your account is created, select the application you wish to apply for. During the submittal process:
 - When prompted to **Add Contacts**, you may add any person/company as a Contact so long as that Contact has their own EPIC user account. Contacts will be able to view your application and any documents associated with your submittal. As some applications may contain personal financial information, please do not add contacts whom you do not wish to be able to access this information.
 - When prompted to **Add Attachments**, please upload your PDF file(s).

Where do I find out more information about the EPIC system and how to use it?

- How-to videos for navigating the EPIC system are available online.
 - Visit www.planning.hawaiicounty.gov
 - Click on the **Electronic Processing and Information Center** banner
 - On EPIC's welcome page, click **Help** and scroll through the drop-down menu to view the list of available how-to videos
- Need more help? Please contact us:
 - HILO Main line: **(808) 961-8288**
 - KONA Main line: **(808) 323-4770**
 - Email: planning@hawaiicounty.gov



COUNTY OF HAWAII 

**Electronic Processing and
Information Center (EPIC)**

PETITION FOR STANDING IN A CONTESTED CASE HEARING

(Page 1 of 2)

NAME: _____

ADDRESS: _____

PHONE NO.: _____

APPLICANT/ _____

DOCKET NO.: _____

A. Is your interest in this matter clearly distinguishable from that of the general public?

Yes _____ No _____

If the answer is "yes", please explain:

If the answer is "no", please explain how the proposed action will nevertheless cause you actual or threatened injury:

B. Are you a government agency whose jurisdiction includes the land involved in the subject request?

Yes _____ No _____

If the answer is "yes", please explain the nature of the agency's jurisdiction:

C. Do you lawfully reside on or have some property interest in the land involved in the subject request?

Yes _____ No _____

If the answer is "yes", please explain:

PETITION FOR STANDING IN A CONTESTED CASE HEARING

(Page 2 of 2)

D. Are you a person or persons descended from native Hawaiians who inhabited the Hawaiian Islands prior to 1778, who practiced those rights which were customarily and traditionally exercised for subsistence, cultural, or religious purposes?

Yes _____ No _____

If the answer is "yes", please submit any genealogical evidence and historical evidence showing the exercise of those rights to support your statement:

Petitioner's Signature

STATE OF HAWAII)
) SS.
COUNTY OF HAWAII)

On this _____ day of _____, 20___, before me personally appeared _____, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Notary Public, State of Hawaii

My commission expires: _____