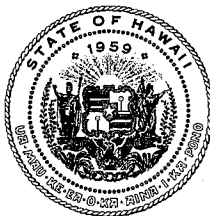
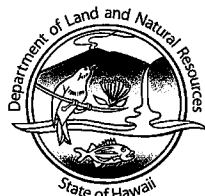


DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

OFFICE OF CONSERVATION AND COASTAL LANDS

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

ref:OCCL:MC

File No: Loko I'a: OA-19-01

Rosalyn Concepcion  
Pacific American Foundation  
45-231 Kulauli Street  
Kāne'ohe HI 96744

**NOV 26 2018**

Dear Ms. Concepcion,

**SUBJECT: LOKO I'A PERMIT OA-19-01: WAIKALUA LOKO I'A**  
Kāne'ohe, Ko'olaupoko, O'ahu  
TMK (1) 4-5-030:001

The Office of Conservation and Coastal Lands (OCCL) has reviewed the information you sent regarding repair of the walls at Waikalua Loko I'a on the above subject parcel. The privately-owned pond is in the Resource Subzone of the State Land Use Conservation District, while the remainder of the parcel lies outside the Conservation District.

Waikalua is a kuapā type pond bounded on two sides by Kawa and Kāne'ohe Streams, while a rock wall separates the pond from Kāne'ohe Bay. The estimated date of construction was 1650. There were extensive lo'i kalo mauka of the pond, and a small interior pond that was probably used for growing mullet fry.

A large break formed in the makai pond wall in 1926, and in 1930 the wall was rebuilt using reinforced concrete. It is possible that the original wall was widened at this time. In the latter half of the 20<sup>th</sup> century the water quality in the pond was significantly affected by urbanization, including the channelization of Kawa Stream, an increasing rate of sedimentation, and the construction of a sewage outfall near the pond. In addition, invasive mangroves began colonizing the pond.

The pond ceased production in 1970. In 1995 the Waikalua Loko Fishpond Restoration Society was formed to help care for the pond and to develop the parcel as an educational site. Maintenance of the pond and educational activities at the pond have been on-going since then.

In recent years the pond has been impacted by rising sea levels, and the associated high tides and large swells have knocked rocks off the makai wall.

The Pacific American Foundation is seeking a permit for the manual repair of 250 linear feet of the pond walls. Volunteers will be used to fallen rocks onto the existing foundation, and new cobble fill will be added between the walls.

The Foundation has established the following Best Management Practices:

- New rocks will be used to and brought in for wall maintenance.
- No mechanized equipment will be used during the restoration. All activities will be constructed by hand or hand tools ('o'o).
- Environmental monitoring will be conducted daily for the preservation of protected species, even though no protected species have been seen in the area.
- All work will stop should a protected species be identified.
- Volunteers will be monitored for handling of rocks,
- Setting of the rock wall will be conducted under the direction of cultural practitioners with training and experience in traditional Hawaiian dry-stacked masonry techniques.
- Cultural protocols will be established by the masons or other appropriate designated cultural practitioners.
- Wall refurbishment will be conducted on days with calm seas, low wind conditions and at low tide.

After reviewing the application, the Department finds that

1. The plan to manually repair the rock walls is consistent with Conservation District Use Permit (CDUP) ST-3703 for the Ho'āla Loko I'a program, as approved by the Board of Land and Natural Resources on June 27, 2014;
2. That the activities described were covered in the Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI) for the Ho'āla Loko I'a program, which was published on October 23, 2013;
3. That the proposal requires the need for a Tier 1 Loko I'a permit signed by OCCL;
4. That the standard conditions found in Hawai'i Administrative Rules (HAR) §13-5-42 apply.

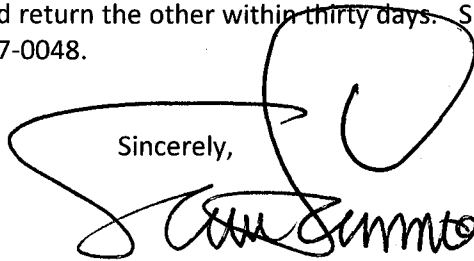
After careful review of the proposed project, the Department authorizes a Tier 1 Loko I'a permit for the work at Waikalua Loko I'a in Kāne'ōhe, O'ahu, TMK (1) 4-5-030:001, subject to the following standard conditions:

1. The permittee shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, state, and county governments, and applicable parts of this chapter;
2. The permittee, its successors and assigns, shall indemnify and hold the State of Hawai'i harmless from and against any loss, liability, claim, or demand for property damage, personal injury, and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit;
3. The permittee shall obtain appropriate authorization from the department for the occupancy of state lands, if applicable;
4. The permittee shall comply with all applicable department of health administrative rules;
5. All representations relative to mitigation set forth in the application are incorporated as conditions of the permit;

6. The permittee understands and agrees that the permit does not convey any vested right(s) or exclusive privilege;
7. In issuing the permit, the department and board have relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of the permit such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the department may, in addition, institute appropriate legal proceedings;
8. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the permittee shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;
9. The permittee acknowledges that the approved work shall not hamper, impede, or otherwise limit the exercise of traditional, customary, or religious practices of native Hawaiians in the immediate area, to the extent the practices are provided for by the Constitution of the State of Hawai'i, and by Hawai'i statutory and case law;
10. Should historic remains such as artifacts, burials or concentration of charcoal be encountered, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact HPD (692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
11. The permittee will continue to follow the Best Management Practices as described in the current application;
12. Other terms and conditions as prescribed by the chairperson;
13. Failure to comply with any of these conditions shall render a permit void under the chapter, as determined by the chairperson or board.

Please acknowledge receipt of this approval, with the above noted conditions, in the space provided below. Please sign two copies. Retain one and return the other within thirty days. Should you have any questions feel free to contact Michael Cain at 587-0048.

Sincerely,



Samuel J. Lemmo, Administrator  
Office of Conservation and Coastal Lands

Receipt acknowledged:

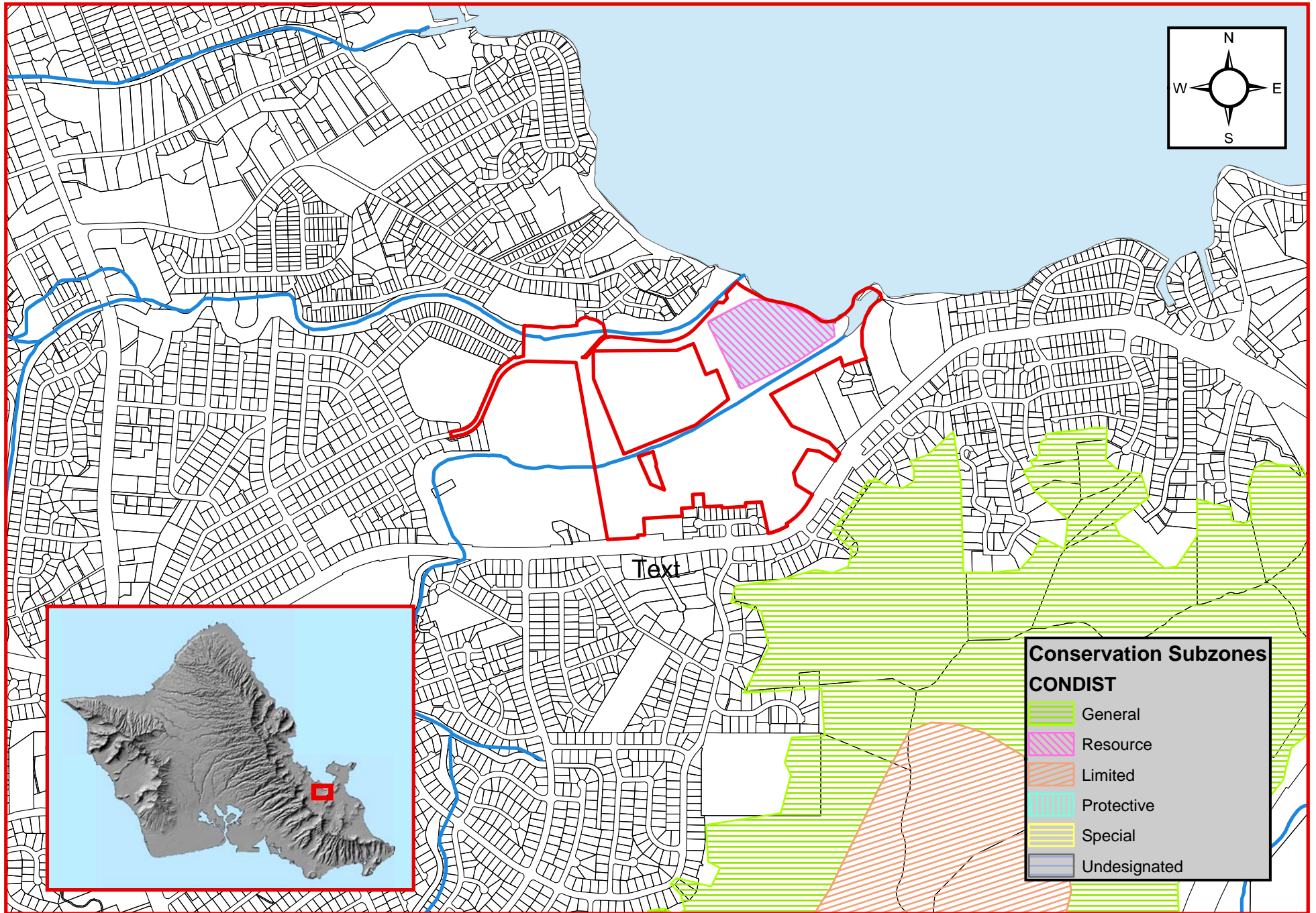
\_\_\_\_\_  
Permittee's Signature

\_\_\_\_\_  
Date

copy: BLNR Chair; Honolulu Planning Department

# Waikalua Loko Ia, TMK (1) 4-5-030:001

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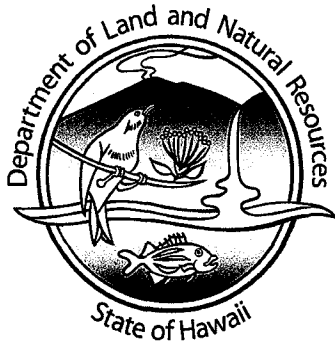


Google Earth

© 2018 Google

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## HO'ALA LOKO I'A APPLICATION

FISHPOND NAME: Waikalua Loko I'a

APPLICANT NAME: Rosalyn KRD Concepcion

Pond location: kanoeha

Nearest Tax Map Key(s): 45-003-001

Ahupua`a: Kane`ohe

District: Windward

Island: Oahu

Commencement Date: 10/1/2018

Completion Date: 9/30/2019

Wall length: 800 ft

Pond surface area: 11 acres

2018 NOV 14 A 10:56  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
STATE OF HAWAII

### WORK SUMMARY

- Operations only
- Construction of accessory structures
- Minor repair and restoration of pond walls, 'auwai, mākāhā, etc.
- Moderate repair and restoration (10% to 50% damage)
- Major repair and restoration (greater than 50% damage)

Linear feet of wall to be repaired (rocks on site):

Linear feet of wall to be restored (new rock):

Source of new rock:

Amount of "fill" (expansion beyond original footprint):

- Dredging using mechanized equipment  
Estimated volume of dredging:
- Vegetation removal using mechanized equipment  
Estimated acreage:
- Emergency repair

**REQUIRED SIGNATURES**

**Applicant**

Name / Hui: Waikalua Loko I'a (Pacific American Foundation)

Street Address: 45-231 Kulauli st  
Kane'ohe HI 96744

Contact Person & Title: Rosalyn Concepcion

Phone: 808-392-1284

Email: roz@thepaf.org

Interest in Property: landowner

**Signature:**

**Date:**

*Signed by an authorized officer if for a Corporation, Partnership, Agency or Organization*

**Landowner (if different than the applicant)**

Name:

Title; Agency: DLNR

Mailing Address:

Phone:

Email:

**Signature:**

**Date:**

*For State-owned ponds, the government entity with management control over the parcel shall sign as landowner.*

**Agent**

Agency: Waikalua Loko I'a (Pacific American Foundation)

Contact Person & Title: Rosalyn Concepcion

Mailing Address: 45-696 Kameehameha Hwy  
Kaneohe, HI 96744

Phone: 808-392-1284

Email: roz@thepaf.org

**Signature:**

**Date: 11/8/2018**

**For DLNR Managed Lands**

**State of Hawai'i**

Chairperson, Board of Land and Natural Resources

Department of Land and Natural Resources

P.O. Box 621

Honolulu, Hawaii 96809-0621

**Signature:**

**Date:**

## **DESCRIPTION OF THE LOKO I'A**

**Please discuss the current physical and environmental conditions of the loko i'a. Please also note if any endangered or threatened species are found in the pond.**

Waikalua Loko I'a is a 400 yr old pond with intact sea walls.

## **HISTORY OF THE LOKO I'A**

In the days of old Hawai'i, this ahupua'a flourished with productive lo'i kalo (taro patches) fed by the waters of Kawa and Kāne'ōhe streams. The waters flowed from the streams through 'auwai (ditches) into the lo'i and into the loko I'a (fishponds). At Waikalua Loko today we discover the ingenuity of Hawaiians who engineered these extensive irrigation and aquaculture systems.

Waikalua Loko Fishpond is a loko kuapā—a type of fishpond that is unique to these Islands.\* The fishpond we see today is very different from the pond that was constructed by Hawaiians approximately 350 years ago. The original pond received fresh water from both Kāne'ōhe and Kawa streams. Grates once controlled the flow of water from these streams into the pond so that pond managers could control the salinity of the water. The original locations of the mākāhā (sluice grates) on the makai side and the dimensions of the pond walls are not known, but more research could probably shed light on this information.

Timeline provided upon request

## **PROPOSED WORK PLAN**

**Please provide a summary of the work that is being proposed under this permit. Please note any use of mechanized equipment.**

Repair of our kuapa of about 250 ft . With global warming and rising sea level , we have recently experienced the onset of "King tides" at our pond. In its current condition the wall is vulnerable to erosion as a result of the higher tides. Many of the rocks have been pushed off by tidal and wide swells as a result. No mechanized equipment will be used.

## **PROPOSED OPERATIONS PLAN**

**Please discuss what species you intend to raise in the pond, and your proposed methods of stocking, raising, and harvesting these species.**

Not applicable to this permit request

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## **CONSISTENCY WITH HO‘ALA LOKO I‘A PROGRAM**

**Please discuss how this proposal is consistent with Conservation District Use Permit (CDUP) ST-3703 (available online at [dlnr.hawaii.gov/special-projects](http://dlnr.hawaii.gov/special-projects)) and which tier-level the project falls under.**

Waikalua Loko I‘a (Pacific American Foundation) is seeking a tier-one permit for the manual repair of both the seaward and pond walls of 250 ft total (125 ft on each side). Since July 2016 the kuapa has been heavily impacted by erosion as a result of the "King tides". The primary wall is still intact. The footprint of the existing wall will be increased from its current state as the repair will involve restoring the height and width stacking the fallen rocks back onto the original foundation and adding new to fill in the middle.

## **BEST MANAGEMENT PRACTICES**

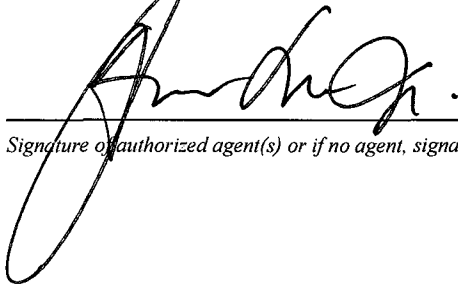
**Please discuss the BMPs that will be followed to protect both the environment and the integrity of the pond (users' guide forthcoming).**

- \* New rocks will be used to and brought in for wall maintenance
  - \* No mechanized equipment will be used during the restoration. All activities will be constructed by hand or hand tools ('o'o).
  - \* Environmental monitoring will be conducted daily for the preservation of protected species, even though no protected species have been seen in the area.
  - \* All work will stop should a protected species be identified
  - \* Volunteers will be monitored for handling of rocks,
  - \* Setting of the rock wall will be conducted under the direction of cultural practitioners with training and experience in traditional Hawaiian dry-stacked masonry techniques.
  - \* Cultural protocols will be established by the masons or other appropriate designated cultural practitioners.
  - \* Wall refurbishment will be conducted on days with calm seas, low wind conditions and at low tide.
-

**CERTIFICATION**

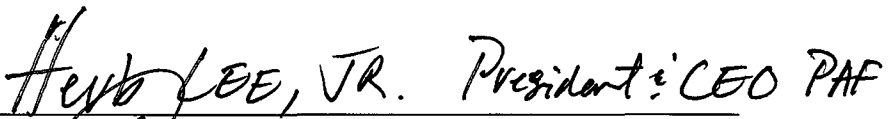
I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application and all attachments and exhibits is complete and correct. I understand that the failure to provide any requested information or misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, or for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the Land Board.

I hereby authorize representatives of the Department of Land and Natural Resources to conduct site inspections on my property. Unless arranged otherwise, these site inspections shall take place between the hours of 8:00 a.m. and 4:30 p.m.

  
\_\_\_\_\_  
*Signature of authorized agent(s) or if no agent, signature of applicant*

**AUTHORIZATION OF AGENT**

I hereby authorize Rosalyn Concepcion to act as my representative and to bind me in all matters concerning this application.

  
\_\_\_\_\_  
*Signature of applicant(s)*  
