



CONSERVATION DISTRICT USE APPLICATION (CDUA)

All permit applications shall be prepared pursuant to HAR 13-5-31

File No.:

Acceptance Date:

180-Day Expiration Date:

Assigned Planner:

for DLNR Use

PROJECT NAME HON Lanikai

Conservation District Subzone: Limited

Identified Land Use: §13-5-22 Subchapter 3, P-14 Telecommunications C-1

(Identified Land Uses are found in Hawai'i Administrative Rules (HAR) §13-5-22 through §13-5-25)

Project Address: 1160 Koohoo Place

Kailua, HI 96734

Tax Map Key(s): (1) 4-3-005: 068 & 070

Ahupua'a: Kailua

District: Koolauapoko

County: Honolulu

Island: Oahu

Proposed Commencement Date: 04/01/2022

Proposed Completion Date: 05/01/2022

Estimated Project Cost: \$406,193.00

TYPE OF PERMIT SOUGHT

☐

Board Permit

☐

Departmental Permit

ATTACHMENTS

\$ _____ Application Fee. 2.5% of project cost for Board Permits, but no less than \$250, up to a maximum of \$2500; \$250 for Departmental Permits (*ref §13-5-32 through 34*).

\$ _____ Public Hearing Fee (*\$250 plus publication costs; ref §13-5-40*)

☒ 20 copies of CDUA (*5 hard + 15 hard or digital copies*)

☒ Draft / Final Environmental Assessment (EA) or Draft / Final Environmental Impact Statement (EIS) or Statement of Exemption

☐ State Historic Preservation Division HRS 6E Submittal Form
(dlnr.hawaii.gov/shpd/review-compliance/forms)

☐ Management Plan or Comprehensive Management Plan (*ref §13-5-39*) if required

☐ Special Management Area Determination (*ref Hawai'i Revised Statutes 205A*)

☐ Shoreline Certification (*ref §13-5-31(a)(8)*) if land use is subject to coastal hazards.

☐ Kuleana documentation (*ref §13-5-31(f)*) if applying for a non-conforming kuleana use.

☐ Boundary Determination (*ref §13-5-17*) if land use lies within 50 feet of a subzone boundary.

REQUIRED SIGNATURES

Applicant

Name: Verizon Wireless

Title; Agency:

Mailing Address: 255 Kahelu Avenue
Mililani, HI 96789

Contact Person & Title: Noah Grodzin

Phone: (808) 445-2371

Email: noah.grodzin@verizonwireless.com

Interest in Property: Lessee

Signature: _____ **Date:** _____

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

Landowner (if different than the applicant)

Name: Dan Schaberg

Title; Agency: Property Owner

Mailing Address: 1160 Koohoo Place
Kailua, HI 96734

Phone:

Email:

Signature: _____ **Date:** _____

For State and public lands, the State of Hawai'i or government entity with management control over the parcel shall sign as landowner.

Agent or Consultant

Agency: Synergy Advantage Engineers

Contact Person & Title: c/o NTP LLC Attn: Grant Nakaya

Mailing Address: 1255 Nuuanu Avenue_
Honolulu, HI 96817

Phone: (808) 990-0658

Email: gnakaya.ntp@gmail.com

Signature: _____ **Date:** _____

For DLNR Managed Lands

State of Hawai'i

Chairperson, Board of Land and Natural Resources

State of Hawai'i

Department of Land and Natural Resources

P.O. Box 621

Honolulu, Hawai'i 96809-0621

Signature: _____ **Date:** _____

PROPOSED USE

Total size/area of proposed use (indicate in acres or sq. ft.): 175 square feet

Please provide a detailed description of the proposed land use(s) in its entirety. Information should describe what the proposed use is; the need and purpose for the proposed use; the size of the proposed use (provide dimensions and quantities of materials); and how the work for the proposed use will be done (methodology). If there are multiple components to a project, please answer the above for each component. Also include information regarding secondary improvements including, but not limited to, grading and grubbing, placement of accessory equipment, installation of utilities, roads, driveways, fences, landscaping, etc.

Attach any and all associated plans such as a location map, site plan, floor plan, elevations, and landscaping plans drawn to scale (*ref §13-5-31*).

Verizon's proposed project would consist of the installation of a new telecommunications facility adjacent to existing telecommunications facilities. Verizon's proposed new facility would consist of:

1. The proposed installation of antennas and ancillary equipment within a stealth enclosure adjacent to an existing stealth enclosure occupied by another carrier.

The stealth enclosure would take the form of a faux rock enclosure and would be located on the ridge adjacent to an existing faux rock enclosure at approximately 230 feet Above Mean Sea Level (AMSL). The enclosure would be approximately 75 square feet in area and measure approximately 8 feet in height. The proposed enclosure would be installed upon concrete piers anchored to the rock face of the ridge. The exterior of the enclosure would be faux rock designed to blend with the surrounding area to mitigate potential visual impact to the area. The enclosure would house Verizon antennas and associated equipment within, and be connected to the Verizon equipment enclosures via a conduit traveling along the existing route of conduits servicing the other telecommunications facilities on the property.

2. The proposed installation of Verizon equipment within fenced equipment enclosures connected to the stealth enclosure via conduit.

The proposed Verizon equipment enclosures would consist of two platforms approximately 56 square feet and 36 square feet in area located approximately 90 feet below the proposed faux rock enclosure at approximately 140 feet AMSL. The proposed equipment enclosures would house associated Verizon equipment for the telecommunications facility and serve as the primary connection point for the facility to electrical and fiber service for the proposed facility.

3. The proposed installation of new 200A electrical service and fiber service for the proposed facility.

The proposed facility would be connected to external commercial electrical and fiber service routed from existing service infrastructure to the proposed equipment enclosures.

Please see the attached project drawings and itemized project valuation for further detail on the specific details of the proposed project design and materials.

EXISTING CONDITIONS

Please describe the following, and attach maps, site plans, topo maps, colored photos, and biological or archaeological surveys as appropriate:

Existing access to site:

Access to the site consists of an existing road leading to a private residence on the property. The proposed locations of Verizon's proposed project on the associated properties consist of an existing trail leading from the private residence to the proposed project areas.

Existing buildings/structures:

The properties in question are currently developed with a private residential home and two existing telecommunications facilities.

Existing utilities (electrical, communication, gas, drainage, water & wastewater):

Existing utilities on the property include electrical and communication services for the existing telecommunications facilities.

Physiography (geology, topography, & soils):

The topography of the project area consists of steep slopes on the property extending from approximately 120 feet AMSL to approximately 250 feet AMSL. The surrounding area consists of steep slopes, ridgelines, cliffs, and mountain vistas Southwest of the subject properties and a flat residential area along the shoreline extending from Northeast of the project area to Southeast of the project area. The soil in the project area fall within the Hydrologic Soil Group C and consist primarily of Kokahi very stony clay and Papaa clay. Further detail on the physiography of the project area may be found in the associated Environmental Assessment prepared by SWCA Environmental Consultants (hereinafter referred to as "the attached EA") on pages 7 and 8, section 3.1.

Hydrology (surface water, groundwater, coastal waters, & wetlands):

The project area is located in the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Flood Zone X as shown in the attached Flood Hazard Assessment Reports from the State of Hawaii Flood Hazard Assessment Map GIS Tool. Flood Zone X is categorized as areas determined to be outside of the 0.2% annual chance floodplain.

The property does not have any readily identifiable wetlands or wetland characteristics on the subject properties. There are several wetland habitats located downslope of the property approximately 0.4 miles to the Southwest, and the Lanikai coastline and associated coastal waters are located approximately 0.2 miles East of the subject property. Further detail on the Hydrology of the subject parcel may be found in the attached EA on page 9, section 3.3.

Flora & fauna (indicate if rare or endangered plants and/or animals are present):

Flora at the site is limited to heavy brush, cactus, scrub brush, and haole koa. No rare or endangered plants have been observed at the project location.

No rare or endangered animals have been observed at the project location. The Hawaiian Hoary Bat

may be present at the site as it roosts in exotic and native woody vegetation, however no Hawaiian Hoary Bats have been observed.

The endangered Band-Rumped Storm-Petrel, endangered Hawaiian Petrel, and the threatened Newell's Shearwater could fly over the project location while traveling between upland nesting sites and foraging areas in the ocean. However, the project location is unlikely to be used by these species as a habitat and would likely only transit over the project location. Further details on the flora and fauna of the site may be found in the attached EA on page 10 of the document under section 3.4, Biological Resources.

Natural hazards (erosion, flooding, tsunami, seismic, etc.):

The project area is located in the Special Management Area, but is not located in a tsunami evacuation area. The proposed project would allow for greater wireless communications and data service in the area of Lanikai which would improve access to information in the event of an emergency.

No specific seismic hazards have been identified related to the proposed project.

The proposed project has the potential for some erosion related to construction. It is anticipated that approximately 109 square feet of soil would be temporarily disturbed as laydown areas for equipment and spoils during construction. Approximately 175 square feet of ground would be permanently disturbed related to the installation of the equipment platforms and platform for the antennas and faux rock enclosure.

Best Management Practices (BMPs) would be used to minimize potential erosion due to construction related activities.

Historic & cultural resources:

No historic properties are located within the area of potential effects (APE) of the proposed project or on the subject properties. Several historic properties are located in the area near the proposed project location, including the Lanikai Pillboxes.

No cultural resources have been observed within the APE of the proposed project location and no cultural practices are presently carried out in the APE or have been carried out within the APE recently. No native or Polynesian-introduced plants that would be traditionally gathered for cultural practices have been observed growing naturally in the APE.

The proposed project is located on a spur of the culturally significant natural feature Ka'iwa Ridge.

Further detail on the historic and cultural resources within the project area and project APE may be found in the attached EA on pages 11 - 12, Section 3.5 Archaeological and Historic Resources, and pages 12 - 13, Section 3.6, Cultural Resources.

EVALUATION CRITERIA

The Department or Board will evaluate the merits of a proposed land use based upon the following eight criteria (*ref §13-5-30(c)*)

1. The purpose of the Conservation District is to conserve, protect, and preserve the important natural and cultural resources of the State through appropriate management and use to promote their long-term sustainability and the public health, safety, and welfare. (*ref §13-5-1*) How is the proposed land use consistent with the purpose of the conservation district?

The proposed land use is consistent with the purposes of the Conservation district by using the Conservation district to promote public health, safety, and welfare. The proposed project would enhance wireless communications and data service in the Lanikai area. The area currently has limited access to wireless data and communications which may hamper access to emergency response services and access to critical public health and public safety information in the event of an emergency. This can impede efforts to provide information in a timely manner related to public health issues such as pandemic response information or public safety information such as information related to emergency situations such as adverse weather events. By improving access to wireless communications and data services in the Lanikai area, the proposed project would promote public health, safety, and welfare consistent with the purposes of the Conservation district.

2. How is the proposed use consistent with the objectives of the subzone of the land on which the land use will occur? (*ref §13-5-11 through §13-5-15*)

HAR §13-5-12 specifies that the objective of the limited subzone is to limit uses where natural conditions suggest constraints on human activities and that the limited subzone encompasses lands necessary for the protection of the health, safety, and welfare of the public where the land is susceptible to inundation from tsunami, flooding, volcanic activity, or landslides, or has a general slope of 40% or more. The subject properties are not within the tsunami evacuation zone and are within FEMA Flood Zone X. There has not been any identified specific issue related to seismic activity including landslides and volcanic activity. The proposed project is consistent with the objectives of the subzone in that the proposed use is limited in size and scope to approximately 175 square feet of ground area and will occur adjacent to similar existing uses. The proposed use would further enhance access to wireless communications and data services and improve access to emergency response and public safety information via wireless devices.

3. Describe how the proposed land use complies with the provisions and guidelines contained in chapter 205A, HRS, entitled "Coastal Zone Management" (*see 205A objectives on p. 9*).

The proposed project complies with the objectives under HRS §205A by enhancing access to wireless data and communication services in the Lanikai area which is important to the State's economy. The proposed project further supports the protection and preservation of scenic and open resources by co-locating adjacent to a similar established facility and concentrating similar development to one area. This prevents proliferation of like facilities throughout the area and limits the impact to open space resources.

4. Describe how the proposed land use will not cause substantial adverse impact to existing natural resources within the surrounding area, community or region.

As detailed further in the attached EA, the proposed project would be limited in size and scope and

would not interfere with natural resources in the surrounding area. The project would be built in compliance with all applicable federal, state, and local health and safety guidelines.

5. Describe how the proposed land use, including buildings, structures and facilities, is compatible with the locality and surrounding areas, appropriate to the physical conditions and capabilities of the specific parcel or parcels.

The proposed land use is compatible with the surrounding area as it would be located adjacent to similar existing facilities in accordance with guidelines on the co-location of telecommunications facilities where practicable. Due to the geography of the surrounding area, the number of locations suitable for Verizon's proposed project are limited. As further detailed in the attached EA on pages 6-7, Section 2, Alternatives Considered, the proposed project location is suitable for the proposed project due to lack of viable alternative areas, the physical height relative to the surrounding area, and the existing presence of similar facilities which would further mitigate the impact of Verizon's proposed project by co-locating Verizon's proposed facility adjacent to similar installations.

6. Describe how the existing physical and environmental aspects of the land, such as natural beauty and open space characteristics, will be preserved or improved upon.

The existing physical and environmental aspects of the land would be preserved by the faux rock design of the shrouding enclosure. The faux rock design would be limited in height to mitigate intrusion upon open space characteristics, and the visual impact of the structure's height is further mitigated by locating the proposed structure lower than the adjacent ridgeline. The faux rock design would further allow the proposed project to blend with the adjacent terrain which would allow the facility to blend in with the existing physical and environmental aspects of the surrounding area.

7. If applicable, describe how subdivision of land will not be utilized to increase the intensity of land uses in the Conservation District.

The subject properties will not be subdivided.

8. Describe how the proposed land use will not be materially detrimental to the public health, safety and welfare.

As detailed in the attached EA on pages 21 - 22, section 3.10, Human Health and Safety, the proposed project will be built according to all applicable Health and Safety guidelines and within the limits allowed by the Federal Communications Commission (FCC). The project would also be restricted to access by authorized personnel and located on private property with limited access. The associated equipment will be further isolated from the area residents due to its location at an elevation above the adjacent residences as well as being located at a distance from the nearest residences. As further specified in the attached EA on page 22, section 3.10.2, the proposed project is anticipated to increase health and human safety in the surrounding area by improving access to emergency response services.

CULTURAL IMPACTS

Articles IX and XII of the State Constitution, other state laws, and the courts of the State, require government agencies to promote and preserve cultural beliefs, practices, and resources of Native Hawaiians and other ethnic groups.

Please provide the identity and scope of cultural, historical, and natural resources in which traditional and customary native Hawaiian rights are exercised in the area.

No traditional and customary Native Hawaiian rights are known to be exercised in the area at this time. Ka'iwa Ridge has previously been used for the exercise of cultural practices however use as such has declined over time. Please refer to the attached EA on pages 11 - 12, Section 3.5 Archaeological and Historic Resources, and pages 12 - 13, Section 3.6, Cultural Resources for further details.

Identify the extent to which those resources, including traditional and customary Native Hawaiian rights, will be affected or impaired by the proposed action.

The Ka'iwa Ridge may be affected indirectly through minor visual impacts related to the project. Please refer to the attached EA on pages 11 - 12, Section 3.5 Archaeological and Historic Resources, and pages 12 - 13, Section 3.6, Cultural Resources for further details.

What feasible action, if any, could be taken by the Board of Land and Natural Resources in regards to your application to reasonably protect Native Hawai'i rights?

The proposed project would not directly impact any exercise of Native Hawaiian rights within the project area or surrounding area. Minor visual impacts to the culturally significant Ka'iwa Ridge may occur related to the project. No action should be necessary by the Board of Land and Natural Resources in relation to this application to protect Native Hawaiian Rights.

OTHER IMPACTS

Does the proposed land use have an effect (positive/negative) on public access to and along the shoreline or along any public trail?

There are no known public access trails across this property and this property is not along the shoreline.

Does the proposed use have an effect (positive/negative) on beach processes?

No.

Will the proposed use cause increased sedimentation?

No.

Will the proposed use cause any visual impact on any individual or community?

The proposed use will have limited visual impact on the surrounding community. The proposed use would be visible due to its location along a spur of the Ka'iwa Ridge, however the visual impact would be mitigated due to the faux rock enclosure design which would allow the project to blend in with the surrounding terrain.

Please describe any sustainable design elements that will be incorporated into the proposed land use (*e.g. the use of efficient ventilation and cooling systems; renewable energy generation; sustainable building materials; permeable paving materials; efficient energy and water systems; efficient waste management systems; etc.*).

The faux rock enclosure will be designed with efficient cooling and ventilation systems to allow the proper operation of the related equipment. The outdoor installation of related equipment on the lower elevation equipment platforms will reduce the need for air conditioning and reduce the overall power consumption of the proposed installation.

If the project involves landscaping, please describe how the landscaping is appropriate to the Conservation District (*e.g. use of indigenous and endemic species; xeriscaping in dry areas; minimizing ground disturbance; maintenance or restoration of the canopy; removal of invasive species; habitat preservation and restoration; etc.*)

The project will minimize impact to surrounding vegetation and will not utilize landscaping.

Please describe Best Management Practices that will be used during construction and implementation of the proposed land use.

BMPs to be used during construction would include the use of erosion control tools and techniques such as biosocks and run off filters to mitigate the effect of erosion.

Please describe the measures that will be taken to mitigate the proposed land use's environmental and cultural impacts.

The faux rock enclosure will be incorporated to mitigate the visual impact of the proposed project on the community and adjacent cultural resources. Mitigation steps such as restricting construction

to normal daylight construction hours and limiting the use of outdoor lighting will mitigate potential environmental impacts to transiting fauna. BMPs will be utilized to mitigate construction related dust impacts. After construction, the project should result in minimal disturbance to the surrounding area. Access to the site will consist of regular monthly maintenance by a small number of authorized personnel.

SINGLE FAMILY RESIDENTIAL STANDARDS

Single Family Residences must comply with the standards outlined in HAR Chapter 13-5, Exhibit 4. Please provide preliminary architectural renderings (e.g. building foot print, exterior plan view, elevation drawings; floor plan, etc.) drawn to scale.

SIZE OF LOT

	Existing	Proposed	Total
Proposed building footprint			
Paved areas/ impermeable surfaces			
Landscaped areas			
Unimproved areas			

SETBACKS Front: Side: Back:

SHORELINE PROPERTIES

Average Lot Depth (ALD): Average annual coastal erosion rate:

Minimum shoreline setback based on Exhibit 4:

Actual shoreline setback or proposed structure:

MAXIMUM DEVELOPABLE AREA

The Maximum Developable Area includes all floor areas under roof, including first, second, and third stories, decks, pools, saunas, garage or carport, and other above ground structures.

Maximum Developable Area based on Exhibit 4:

Actual Developable Area of proposed residence:

Actual height of the proposed building envelope as defined in Exhibit 4:

COMPATIBILITY

Provide justification for any propose deviation from the established residential standards.

How is the design of the residence compatible with the surrounding area?

If grading is proposed, include a grading plan which provides the amount of cut and fill. Has grading or contouring been kept to a minimum?

CHAPTER 205A – COASTAL ZONE MANAGEMENT

Land uses are required to comply with the provisions and guidelines contained in Chapter 205A, Hawai'i Revised Statutes (HRS), entitled "Coastal Zone Management," as described below:

- **Recreational resources:** Provide coastal recreational opportunities accessible to the public.
- **Historic resources:** Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.
- **Scenic and open space resources:** Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.
- **Coastal ecosystems:** Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.
- **Economic uses:** Provide public or private facilities and improvements important to the State's economy in suitable locations.
- **Coastal hazards:** Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.
- **Managing development:** Improve the development review process, communication, and public participation in the management of coastal resources and hazards.
- **Public participation:** Stimulate public awareness, education, and participation in coastal management.
- **Beach protection:** Protect beaches for public use and recreation.
- **Marine resources:** Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

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 _____ to act as my representative and to bind me in all matters concerning this application.

Signature of applicant(s)