Conservation District Use Application

WAIMEA VALLEY ECONOMIC RESILIENCY PROJECT HALE'IWA, HAWAI'I (TMK NO. (1)6-1-002:002 and 005)

Prepared for:

Hi'ipaka, LLC

April 2025 Revised June 2025

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CONSERVATION DISTRICT USE APPLICATION



CONSERVATION DISTRICT USE APPLICATION (CDUA)

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

Department	File No.: Acceptance Date: Assigned Planner:	180-Day Expiration Date:		
State of Hawall	_	for DLNR Use		
ROJECT NAME Waimea Valley Economic Resiliency Project Conservation District Subzone: Limited Identified Land Use: P-8 STRUCTURES AND LAND USES, EXISTING (D-1) Major alteration of existing structures, facilities, uses, and equipment, or topographical features which are different from the original use or different from what was allowed under the original permit. When county permit(s) are required for the associated plan(s), the department's approval shall also be required. (Identified Land Uses are found in Hawai'i Administrative Rules (HAR) §13-5-22 through §13-5-25)				
Project Address: 59-864 Kamehameha Hwy, Hale'iwa, Hawai'i 96712				
•	2:002 and 005	Twa, Hawaii 00712		
Ahupua'a: Waimea		District: Waialua		
County: City and County of	of Honolulu	Island: Oʻahu		
Proposed Commencement Da October 2025 (Phase I)	te:	Proposed Completion Date: January 2027 (Phase I)		
Estimated Project Cost: \$4.3 million (Phase I)				
TYPE OF PERMIT SOUGHT 🔀 Board Permit 🗌 Departmental Permit				

Ехнівітѕ

\$ Z	2,500 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).
\$ 2	250 Public Hearing Fee (\$250 plus publication costs; ref §13-5-40) The project's consultant will coordinate with the office and submit a separate check once the publication cost is determined.
	☑ 6 copies of CDUA (5 hard + 1 digital copy (disc or cloud share; no flash drives))
[□ Draft / Final Environmental Assessment (EA) or Draft / Final Environmental Impact Statement (EIS) or Statement of Exemption See Exhibit "C".
	State Historic Preservation Division HRS 6E Submittal Form See Exhibit "D" , Chapter 6E HRS, Consultation Letter to the SHPD. A proof of 6E, HRS compliance will be submitted under separate cover. (dlnr.hawaii.gov/shpd/review-compliance/forms)
[Management Plan <i>or</i> Comprehensive Management Plan (<i>ref §13-5-39</i>) if required
[Special Management Area Determination (ref Hawai'i Revised Statutes 205A) See Exhibit "E".
[Shoreline Certification (ref §13-5-31(a)(8)) if land use is subject to coastal hazards.
[\square Kuleana documentation ($ref \S 13-5-31(f)$) 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: Hi'ipaka LLC				
Mailing Address: 59-864 Kamehameha Highway				
Hale'iwa, Hawai'i 96712				
Contact Person & Title: Richard Pezzulo, Executive Director				
Phone: (808) 638-7766 Email: rpezzulo@wajmeavalley.net				
Signature: Date: 3///25				
Signed by an authorized officer if for a Corporation, Partnership, Agency or Organization				
Landowner (if different than the applicant)				
Name:				
Title; Agency:				
Mailing Address:				
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				
Agent: Munekiyo Hiraga				
Contact Person & Title: Tessa Munekiyo Ng, AICP, Vice President				
Mailing Address: 305 High Street, Suite 104				
Wailuku, Hawaiʻi 96793				
Phone: (808) 983-1233				
Email: planning@munekiyohiraga.com				
Signature: Date: Date:				
For DLNR Managed Lands				
State of Hawaiʻi				
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:				

ATTACHMENT 1. OWNERSHIP INFORMATION

Hiʻipaka LLC (Hiʻipaka) is the current land owner of Waimea Valley, located on the North Shore of the island of Oʻahu. Hiʻipaka is a Native Hawaiian owned non-profit organization created in 2007 specifically to own and manage the 1,875-acre Waimea Valley property. It is a sub-entity of Hiʻilei Aloha, LLC, which is a sub-entity of the State of Hawaiʻi, Office of Hawaiian Affairs (OHA). A Land Office Deed (LOD) for the Grant of Conservation and Access Easement dated June 22, 2006 was executed by the Directors of OHA, along with the Board of Land and Natural Resources (BLNR) and the Mayor of the City and County of Honolulu for Waimea Valley. The ownership transfer of Waimea Valley from OHA to Hiʻipaka was memorialized in the Limited Warranty Deed dated February 4, 2008. See **Exhibit "F"**. The Limited Warranty Deed noted:

"Grantee [Hi'ipaka] does hereby assume any and all obligations and liabilities of Grantor [OHA] under that certain Grant of Conservation and Access Easement dated June 30, 2006, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawai'i as Document No. 3447602, and recorded in the Bureau of Conveyances of the State of Hawai'i as Document No. 2006-121898, and Grantee does hereby agree to save, protect, indemnify and hold harmless Grantor from any liability thereunder."

Based on the foregoing, Hi'ipaka is the legal land owner and the responsible party to execute all obligations and liabilities under the Grant of Conservation and Access Easement dated June 22, 2006. As such, Hi'ipaka is submitting this Conservation District Use Application (CDUA) as the land owner and applicant.

PROPOSED USE

Total size/area of proposed use (indicate in acres or sq. ft.): 42,849 sq. ft.

See **Table 1** for the breakdown of the project area. These areas include existing footprints affected by the proposed improvements, as well as the expansion of areas, as applicable.

Table 1. Project Area Breakdown

Project Area	Square Feet
Visitor Center	11,573
Community Resource Center	2,340
Pavilion	17,371
Hawaiian Hale	1,500
Rockfall Mitigation	3,150
Water System Upgrade	5,940
Sewer Treatment Plant	900
New Fire Hydrant (Offsite Improvements)	75
Total	42,849 (approximately 0.98 acre)

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).

Applicant Background and History of Waimea Valley

Hiʻipaka proposes improvements at Waimea Valley, located on the North Shore of the island of Oʻahu. Hiʻipaka, a Native Hawaiian owned non-profit organization created in 2007 to own and manage the 1,875 acre Waimea Valley property, is a sub-entity of Hiʻilei Aloha, LLC, which is a sub-entity of the OHA. Hiʻipaka provides various recreational, cultural, and educational experiences. Hiʻipaka is guided by their mission statement, "E mālama a e hoʻomau i nā waiwai kānaka, moʻomeheu, a kūlohelohe o Waimea no kēia hanauna a me nā hanau e hiki mai ai i loko o ka hoʻonaʻauao ʻana a me ka hoʻokahu ʻana" - To preserve and perpetuate the human, cultural, and natural resources of Waimea for generations through education and stewardship.

The Valley changed hands many times throughout recent history. At the turn of the 20th century, the land was owned by Castle & Cooke, a major pineapple and sugar company. By the early 20th century, the Valley was owned by the Waimea Sugar Plantation Company which cultivated the Valley for production of sugar cane. Other associated uses for ranching and farming occurred in

the Valley around this period as well. In 1928, land use began to change when the Young Men's Christian Association (YMCA) acquired the Valley. During their ownership, the Valley began to get more developed for recreation and tourism. In the 1960s and 1970s, the Valley was operated for commercial purposes by the Waimea Falls Ranch, which offered stagecoach rides, guided tours, cliff jumping, and hula shows.

In the early 1970s, the Valley's ownership again changed hands, and was owned by Charlie Pietsch, II. Pietsch II had the vision to create a botanical garden in the Valley, beginning the Valley's transformation into what we know today with the employment of Keith Woolliams from 1973 to 1978. Woolliams was an experienced botanist who brought tropical plants from around the world to the Valley, in addition to preserving many rare Hawaiian plants. When the land became available in 2003, the community expressed concern for protecting the rich history of the Valley. Due to community concerns regarding future access to and development of the Waimea Valley property, the City condemned the property and, in partnership with the State of Hawai'i, DLNR and the U.S. Army, OHA purchased the property in 2006. Hi'ipaka, LLC was created as a Native Hawaiian notfor profit organization to own and manage the Ahupua'a of Waimea. As discussed in Attachment 1 (Ownership Information), land ownership was transferred from OHA to Hi'ipaka and memorialized in the Limited Warranty Deed dated February 4, 2008. Refer to **Exhibit "F"**.

Project Location

Waimea Valley is bounded by Waimea Bay Beach Park and Kamehameha Highway to the west and is surrounded by mountainous lands to the north, east, and south. See **Figure 1** and **Figure 2**. The majority of Waimea Valley is located within Tax Map Key (TMK) (1)6-1-002:002, with the remainder located within small parcels identified as TMK (1)6-1-002:003, 005, 013, and 017. The proposed action will be limited to TMKs (1)6-1-002:002 and 005.

Project Objectives

Hi'ipaka's primary project goals are to improve the overall experience of Waimea Valley, increase equity for native Hawaiians by preserving cultural and sacred sites, strengthen the ability to present educational and cultural programming, increase employment and business opportunities, build a business model resilient to economic shocks, improve visitor experiences, upgrade the existing infrastructure, and address future safety concerns presented by the natural topography of the Valley.

Proposed Actions

The following is a summary of the specific improvements that will be undertaken as part of the project. See **Figure 3** and **Exhibit "A-1"** through **Exhibit "A-8"**. The project will be implemented in multiple phases. Items 1 through 5 and Item 10 (offsite improvement, namely, installation of a new fire hydrant) from the list below are proposed as immediate actions ("Phase I"). Items 6 through 9 are proposed as "Future Phases", envisioned to be implemented in the next 10 years.

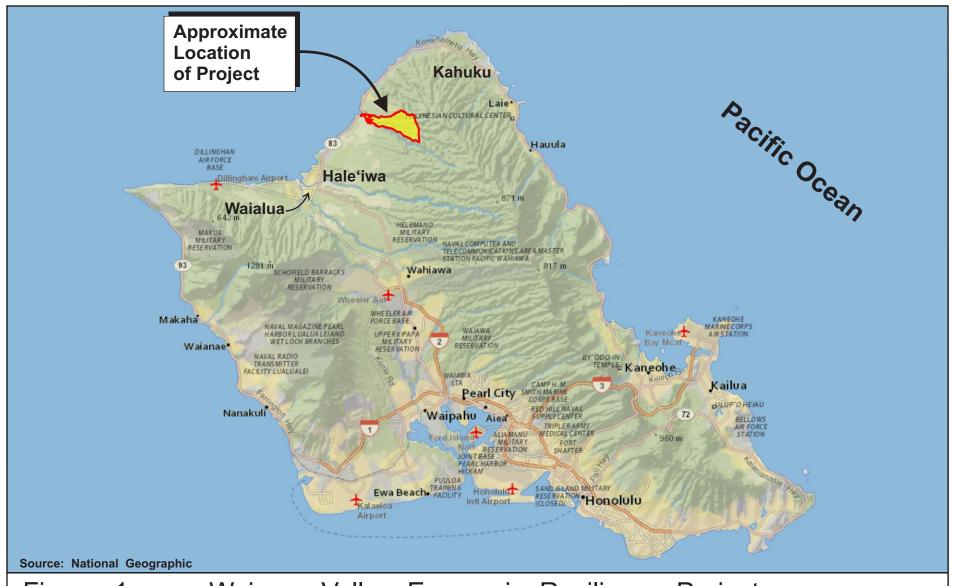
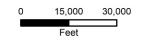
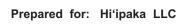
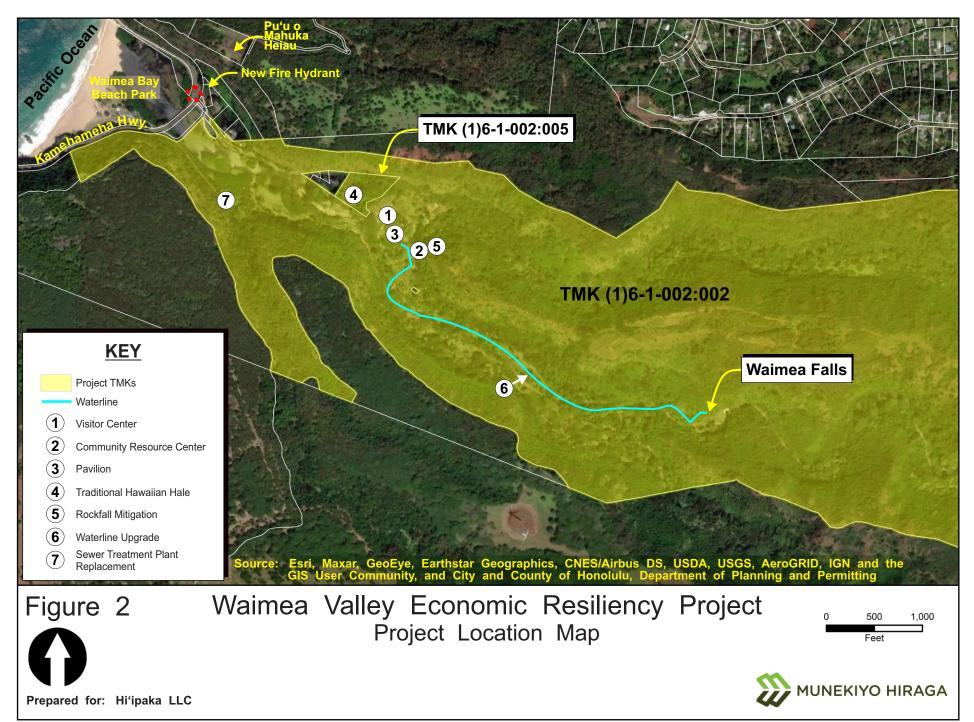


Figure 1 Waimea Valley Economic Resiliency Project Regional Location Map









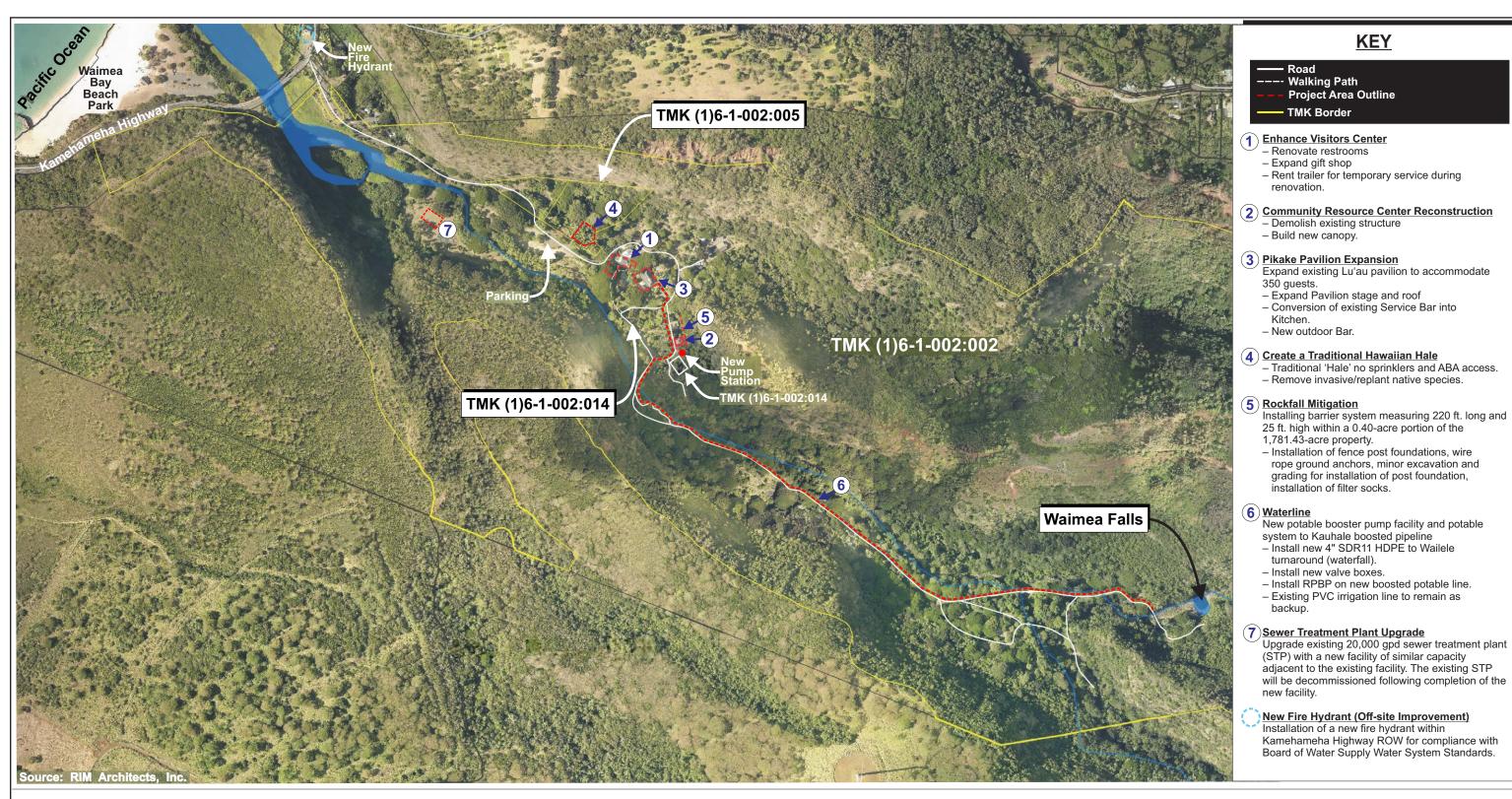


Figure 3



Waimea Valley Economic Resiliency Project Preliminary Site Plan

NOT TO SCALE



PHASE I (Immediate Actions)

1. <u>Visitor Center Enhancement (See Exhibit "A-1")</u>

The Visitor Center Enhancements include renovation and expansion of the existing gift shop and the existing restrooms.

At the existing 2,000 square foot (s.f.) gift shop, a portion of the roof, door, windows, and non-loadbearing walls will be demolished and renovated, and an additional 700 s.f. will be added. The expanded gift shop will offer more space for guests to shop for locally made crafts and other items as well as a better retail experience. The gift shop will also feature a new exterior culture walk, which will exhibit important cultural information about the history of Waimea Valley.

The restroom renovation involves interior demolition of approximately 500 s.f. of existing fixtures, load bearing partition walls, doors, windows, plumbing and electrical fixtures, accessories, and finishes for the purpose of restructuring the layout. Approximately 500 s.f. of new women's and men's restroom space will be added and include new structural walls, new partition walls, new doors and windows, new plumbing and electrical fixtures, new accessories, new finishes, as well as a covered walkway area.

2. Community Resource Center Reconstruction (See Exhibit "A-2")

The Community Resource Center Reconstruction will involve the demolition of an old structure and the installation of a new concrete slab and ramp with a wood canopy, providing a covered work area.

The existing old seed propagation and equipment storage structure will be demolished, and a partially new concrete slab and ramp along with a new wood canopy, new lights, and new fans for an open area work space for artisans and docents will be built in its place. The work will remain within the footprint of the existing seed propagation and equipment storage structure. A shipping container may be installed under the canopy in the future. The container, if installed, will be installed within the existing footprint.

It is noted that while the existing structure is often referred to as a seed propagation building, the building has been vacant and has not been used due to its deteriorating condition. There is a nursery building adjacent to the seed propagation building that is actively used to house and grow plants. In addition, Hi'ipaka constructed a new 4,800 sq. ft. nursery in 2012 near the Visitor Center which is also used for the same purpose and will not be affected by the project.

3. Pavilion Enhancement and Expansion (See Exhibit "A-3")

Renovation of the Pavilion will involve an expansion of the Pavilion of approximately 4,100 s.f. and various enhancements.

The proposed expansion will involve installation of a new movable 30-ft. by 15-ft. performance stage and a roof extension. The proposed enhancements will include reconfiguration of the existing bar to function as a kitchen, involving demolition of non-load bearing walls, reconfiguration of existing plumbing, and kitchen upgrades. Other ancillary

improvements include light fixture improvements and an installation of a new fire sprinkler system at the new expansion area.

The capacity of the Pavilion will be expanded to accommodate up to 350 guests from the current capacity of roughly 200 guests. The Lū'au will be run Monday to Friday, and the Pavilion will be available for special events on weekends.

4. <u>Traditional Hawaiian Hale Creation (See Exhibit "A-4")</u>

A new Traditional Hawaiian Hale will be constructed to host school groups for cultural and educational purposes.

The new Traditional Hawaiian Hale will be up to 1,500 s.f. and will be constructed northwest of the Visitor Center on land identified as TMK (1)6-1-002:005 (referred to as the Pu'ukua property). The new Traditional Hawaiian Hale will comply with all conditions of the Conservation Easement for the Pu'ukua property, held by the North Shore Community Land Trust (NSCLT) and the City and County of Honolulu. This includes prohibition of impervious surfaces. The project will incorporate landscaping utilizing native plants around the proposed Traditional Hawaiian Hale, including 'ae'ae, bayonet grass, sedge, kou, 'ehu'awa, hala, loulu, hāwane, ohe makai, and milo.

5. Rockfall Mitigation at Community Resource Center (See Exhibit "A-5")

Rockfall Mitigation fences will be installed adjacent to the Community Resource Center.

This action involves the following work components:

- Installation of seven (7) concrete block footing foundations (3 ft. x 3 ft. x 3 ft.) spaced 30 ft. and 35 ft. apart.
- Each footing will be supported on four (4) micropiles about 15 ft. each below bottom of the footing.
- The upper retaining anchors are located about 13 ft. to 15 ft. above the footings, occurring at seven (7) isolated locations to minimize ground disturbance.

FUTURE PHASES (Next 10 Years)

6. Water System Upgrades (See Exhibit "A-6")

The upgrades involve an installation of a new waterline to replace the existing waterline and related infrastructure to transport essential potable water from the bottom of the Valley up towards the top of the Valley (waterfall area) for park purposes.

The waterline is proposed to be installed above ground, to the extent practical, with limited underground installations where necessary to cross the existing trails and roads. Related infrastructure includes new valve boxes and a Reduced Pressure Backflow Preventer (RPBP) which is a device that is used to protect water distribution systems from backflows, and construction of a new booster pump station near the Community Resource Center site

to enhance the existing water service.

No water is or will be taken from the nearby streams or the waterfall. Should the water system upgrades be approved by the Board as part of this CDUA, all other necessary approvals and authorizations will be obtained prior to construction.

7. <u>Sewage Treatment Plant Replacement</u> (See Exhibit "A-7")

The existing sewage treatment plant is proposed to be replaced with a facility of similar capacity.

Replacement of the existing 20,000-gallon sewage treatment plan (STP) with a new facility of the same capacity and subsequent decommissioning of the current STP is proposed as part of this CDUA. The replacement is anticipated to occur in the next 10 years. As an alternative to replacement, repairs to the existing facility and/or replacement of individual components may be explored if feasible.

Should the STP replacement be approved by the Board as part of this CDUA, all other approvals and authorizations, such as Department of Health permits, will be obtained prior to construction. It is noted that the STP replacement is not located within the 3.2-foot Sea Level Rise Exposure Area (SLR-XA).

8. Rockfall Mitigation

Rockfall mitigation is also proposed for the future on an as needed basis to ensure safety of visitors and workers.

As noted above, rockfall fences will be installed near the Community Resource Center. There may be other areas within Waimea Valley that require rockfall mitigation measures in the future. Hi'ipaka will continue to monitor rockfall hazards and fund the design and construction of appropriate mitigation measures in consultation with a geotechnical engineer. Potential rockfall mitigation measures may include, but are not limited to, installation of a wire mesh drape system, anchored wire mesh system, impact fence system, combination impact fence and drape or anchored wire mesh system, catchment ditch, rock scaling, or retaining wall.

While specific locations of the future rockfall mitigation have not been identified at the time of this application, this is included in the CDUA to identify all improvements proposed at the Valley in the foreseeable future. As may be required, the OCCL will be consulted for all future permitting needs related to rockfall mitigation to ensure that the natural beauty and open space characteristics will be preserved.

9. <u>Erosion Control</u>

As may be necessary, Hi'ipaka will implement erosion control measures such as riprap and native out planting in consultation with a civil engineer.

There are isolated locations of erosion along the streambanks within Waimea Valley that Hiʻipaka monitors on an ongoing basis. These locations include, but are not limited to, the Waterfall Area, Central South American Garden, and Palm Meadow Road. Should erosion

mitigation be necessary, Hi'ipaka proposes erosion control actions.

As may be required, the OCCL will be consulted for all future permitting needs related to erosion control measures to ensure that the natural beauty and open space characteristics will be preserved.

In addition to the proposed project components, the following offsite improvement is required.

10. New Fire Hydrant (Phase I – Immediate Action) (See Exhibit "A-8")

A fire hydrant will be installed makai of Kamehameha Highway to comply with Board of Water Supply (BWS) standards.

The BWS Water System Standards require a fire hydrant be located within 250 linear feet of the property. A new fire hydrant will be installed to comply with the standards. The proposed location has plans that have been approved by BWS.

EXISTING CONDITIONS

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

Prior Conservation District Use Permits or Site Plan Approvals (if applicable):

Waimea Valley operates under a Conservation District Use Approval (CDUA) (CDUA 74-591) that was granted according to a Master Plan submitted to the BLNR with the condition that the Valley be used for park purposes only. In addition, a Site Plan Approval (SPA OA 15-44) is in place for land and resource management to facilitate native forest regeneration. See **Exhibit "B"**.

Existing access to site:

The Valley is accessed from Waimea Valley Road by way of Kamehameha Highway. The Valley is open to the public from 9:00 AM to 4:00 PM seven (7) days a week. There is free visitor parking and general entry to the Visitor Center area as well as paid entrance into the Valley.

Existing buildings/structures:

The 1,800-acre Waimea Valley is an intact ahupua'a (land division) and contains a Visitor Center, botanical garden, waterfall, and other supporting facilities. Waimea Valley offers various recreational opportunities, including hiking, swimming at the base of Waimea Falls, and walking through a botanical garden featuring a wide variety of native plant species. Hi'ipaka conducts extensive in situ and ex situ plant conservation through its rare and endangered botanical accessions and the ongoing native reforestation project. In addition, the Visitor Center and numerous cultural sites offer opportunities for education about Native Hawaiian culture and traditional practices, from land stewardship and agriculture to games and textiles. A lū'au experience is also offered at the Pavilion within the Valley on a regular basis.

Waimea Valley operates under a CDUA (CDUA 74-591) that was granted according to a Master Plan submitted to the BLNR with the condition that the Valley be used for park purposes only. In addition, a Site Plan Approval (SPA OA 15-44) is in place for land and resource management to facilitate native forest regeneration. Refer to **Exhibit "B"**.

It is noted that the Land Office Deed for the Grant of Conservation and Access Easement dated June 22, 2006, executed by the Directors of OHA, BLNR, and the Mayor of the City and County of Honolulu noted as follows:

"The parties agree that the structures, trails and roads on and uses of the Property that are in existence as of the date written above (the "Operative Date") are <u>permitted</u> under the Easement. Attached as Exhibit "C" is a baseline documentation report which contains an inventory of structures, trails and roads on and uses of the Property as of March 2006, compiled by the National Audubon Society ("Baseline Documentation Report")".

A full list of existing structures and uses at the Valley, summarized from the baseline documentation noted above, is provided below. Based on the Grant of Conservation and Access Easement, these existing structures and uses are agreed to be permitted by the OHA, BNLR, and Mayor of the City and County of Honolulu. A copy of the Land Office Deed is included herein as **Exhibit "G"**.

Structures

- Residential Dwelling (gate house)
- Visitor Center
 - Gift shop/Nature Store
 - o Kitchen
 - Proud Peacock restaurant and deck
 - Handicap/Wheelchair access to second floor
 - Grill/fast food counter and deck
 - Restrooms
 - Storage areas (3 locations)
- Pikake Pavilion and restrooms
- Administration office
- Arboretum complex
 - o Library/herbarium
 - Quarantine house foundation

Office trailer with façade, botanical trailer, business incubator trailer, facilities office trailer, facilities office container, dressing room container, storage containers (4), and cultural trailer

- Old nursery
- o Seedling house/room
- Plant propagation house/nursery
- Potting shed/education center with shed roof extensions
- Cool House
- Ticket booth
- Ticket booth/Maintenance Office (1/2 at maintenance area)
- Depot/butterfly/orientation/Ka'alaenuiahina with doorways added
- Hale Hoʻike
- Security booth on the entry road
- Falls turnaround snack stand
- Jungle Trek playground (with concrete slabs)
- 50 x 96-foot prefabricated plant nursery
- Rain shelters
 - Falls area 4 each (used for storage, lifeguards, and changing)
 - Falls turnaround area 2 each
 - Upper meadow 1 each
 - o Hibiscus gazebo 1 each
- Cultural structures/replicas
 - Kauhale complex
 - o Hale mua
 - Hale kahumu
 - Hale kuku
 - Hale āina
 - Hale ola

- o Hale noa
- Halau wa'a
- Hale o lono heiau
 - Anu'u towers 2 each
 - o Drum house
 - Storage hale
 - o Fishing shrine
- Falls seating
- Hula seating
- Kauhale seating
- Changing room with shower near Hula amphitheater
- Stone changing room near amphitheater

Cultural/Historical Site (other than listed above)

- Identified and documented historic sites and undocumented (including caves)
- Kuleana sites claimed and unclaimed with auwai features
- Rick Ortiz' ahu constructed on bluff
- W.W.II Army bunkers (2 each)
- Buddhist shrine at Fujita camp
- Historic blue rock cistern
- 155 mm Panama gun mounts (3 each)
- CCC motor pool grease pit mauka of Drum Road

Trailers (other than arbo office)

- Food & Beverage trailer in PL#1 (owned by F&B concession)
- Botanical trailer
- · Business incubator trailer
- Facilities office trailer
- Facilities office container
- Dressing room container
- Storage containers x 4
- Cultural trailer
- Four composting toilets

Paved roads and parking

- Entry 3/4 mile
- Parking lot 1 next to visitor center
- Parking lot 3

- Bus Parking along entry road
- Employee parking and "'wedding" parking
- Upper tent site 110' x 60'
- Maintenance/old barn area
- Connecting roads around the ponds
- Mauka and lower valley roads approx. 1 1/2 miles
- Lower sections of Palm Meadow Road are paved
- Section of the ridge road (mauka) are paved
- Dirt parking lot 1.2 acres

Other paved surfaces

- Sidewalks around the visitor center
- 30' x 30' tent pads 2 each by visitor center
- Paving at the waterfall from bridge 4 to falls pool
- Concrete pads in Jungle trek (remnants)

Dirt/coral roads

- STP 3/4 mile from bridge one to Kamehameha Highway
- Jose's way from Heliconia to Kamananui crossing 1/2 mile
- Mauka road back of falls on North side of stream goes 1/4 mile
- Mauka road crosses Kamananui and to south side 1/4 mile
- Sunset Ranch Road from Pupukea Road to N. Valley Road 1 mile
- Sunset Ranch side Spur Road 1/4 mile
- North Valley (VC to Drum Road) 3 1/2 mile
- Drum Road 2 1/2 mile
- Bluff/ridge 3 mile
- Road to gun mounts
- Road to mauka South west boundary
- Road along boundary at Sunset Ranch
- Fujita switch back 1/4 mile
- Water line road parallel with ridge road 3 mile
- Road from central bluff down to Kamananui N. fork ford
- Mac nut valley road 3/4 mile
- Parking lot makai of admin office
- Concrete Bridges over Kamananui and Kaiwiko'ele

- Foot Bridge/wood over Kamanaiki (aka Elehaha)
- Fords/culverts S. Valley
 - Maintenance drain Erythrina
 - Arboretum access for Kamanaiki
 - Depot ford for Kamanaiki
 - Drain Parking lot three 2 each
 - o Puhala ford drain Kaiwikoele
 - STP road ford
 - o Storm drain under entry road from PL#1
 - Storm drain down from Hale Iwi
 - o Storm drain down from evolutionary loop and fruit collection
- Drum Road has four fords with culverts
- Drum Road has several storm water culverts (mostly clogged)
- Kamananui North fork has ford with culvert 3 miles back form entrance
- Fords/culverts N. Valley (about 30)
- Kamananui/Kamana'iki Streams have small areas of channelization

Walkways and trails

- Coral and/or improved garden areas approximately 1 mile
- Trails (cleared and marked and used approximately 5 miles) need to map
- Garden trails with multiple stairs, rock alignments, and walls

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

Water

- Water meters (3 each) Note: one is a double
- Water lines/irrigation (miles of PVC pipes ranging from 4" down)
- Fire hydrants and stand pipes
- Water tank dedicated to fire sprinkler system: 31,000 gallon
- Well #I 100,000 gpd lined shaft
- Well #II 200,000 gpd lined shaft
- Tunnel into central divide 300+ feet long at sea level
- Weir to divert stream water
- Stream Diversion line 6"
- Artificial waterfall at Pavilion

Sewer/Storm lines

- WWTP/2 tanks/computer
- Lift station with 2 pumps
- Preloader in PL#1

- Seepage pits for treated effluent 2 each
- Sewer lines (6" to 24") and man holes
- Inverted siphon under stream
- Chlorinator
- Cesspool pool at the residential dwelling

Electrical

- Electrical infrastructure 1 1/4 miles
- Transformers (7 each) with structures
- Street/parking lights
- Light poles on entry road
- Telephone cable underground
- · Fiber optic computer cable installed underground in some office areas
- Electrical control booth for the lift station
- Electrical control booth for the fire pumps
- · Electrical /control booth at the falls seating
- HECO 46 KVA transmission lines with 4 poles

Gas

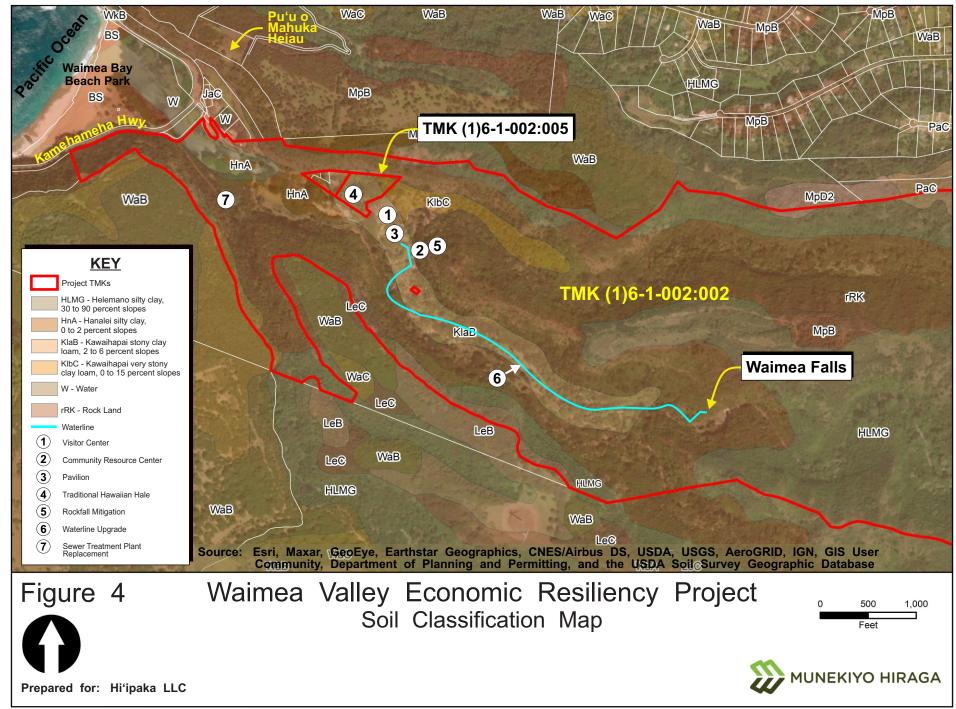
- Propane Tank (2,000 gallon) owned by gas supplier
- Gas lines/torches
- Two (2) Small tanks at entrance

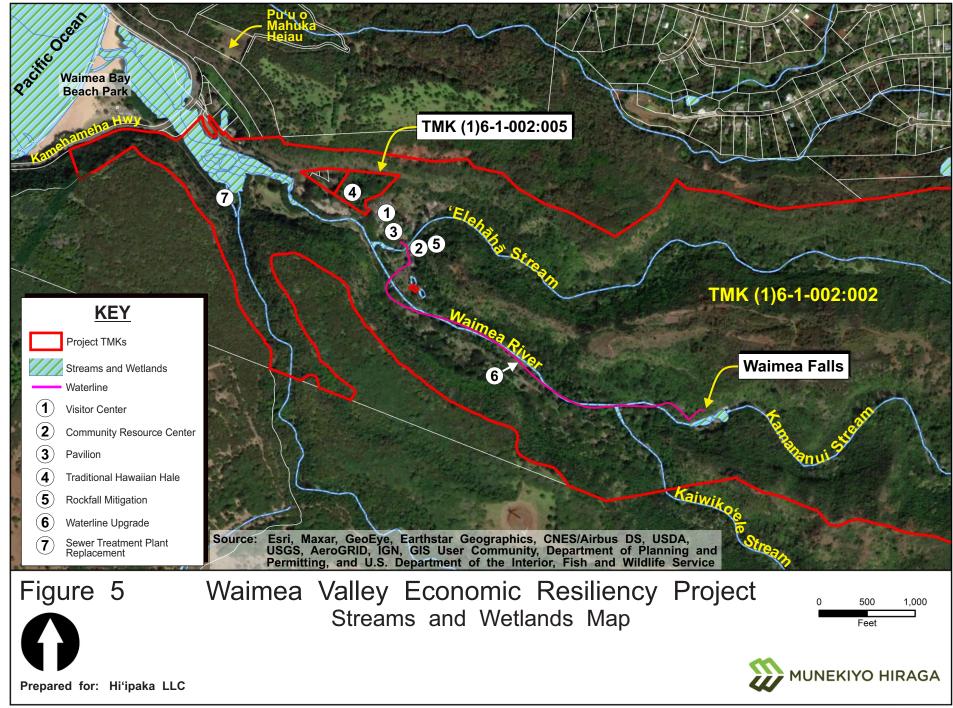
Physiography (geology, topography, & soils):

The project area itself is relatively flat, but surrounded by the steep walls of the Valley to the north and south. Land typically drains from the higher areas of the Valley towards the river. The soil underlying the areas affected by the proposed improvements consists of Kawaihapai stony clay loam, 2 to 6 percent slopes (KlaB) and Rock Land (rRK). See **Figure 4**. The Kawaihapai soil series consist of well-drained soils that are usually found near the coasts of Oʻahu and Molokaʻi. These soils are suitable for uses such as sugar cane, truck crops, and pasture. The specific soil types found in Waimea Valley have surface layer of dark-brown clay loam over a second layer of sandy loam. Runoff is slow and erosion hazard is slight for the stony clay loam (KlaB). Permeability is moderate. Rock Land (rRK) is made up of areas where exposed rock covers 25 to 90 percent of the surface. rRK is suitable for uses such as pasture, wildlife habitat, and water supply (USDA, Soil Conservation Service, 1972).

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

According to the U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory, Waimea Valley contains several streams, as well as one (1) area of wetland. See **Figure 5**. The most prominent streams are the 'Elehāhā, Kamananui, and Kaiwiko'ele (USFWS, 2023). When the three





(3) streams meet, they become the Waimea River, and the area of wetland can be found where the river widens as it meets Waimea Bay. While located outside of the project area, it is noted that this estuary, where the Waimea River and Waimea Bay meet, is a valuable ecosystem that can be impacted by upstream factors such as rockslides or fire.

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

A Natural Resources Assessment was conducted for the Environmental Assessment (EA) for the project. Refer to **Exhibit "C"**. The Assessment found one (1) endangered endemic species present, the 'alae'ula, or Common Gallinule, which was recorded near a pond in close proximity to the Community Resource Center. Potential human impacts to the 'alae 'ula during construction activities, especially near the Community Resource Center and rockfall fencing project area is vehicular collision. Mitigation measures to avoid and minimize potential impacts to the 'alae 'ula are discussed in Evaluation Criteria No. 4 below. As previously noted, a Site Plan Approval is in place for land and resource management to facilitate native forest regeneration. SPAOA 15-44 grants approval for five management areas within TMK (1) 6-1-002:002.

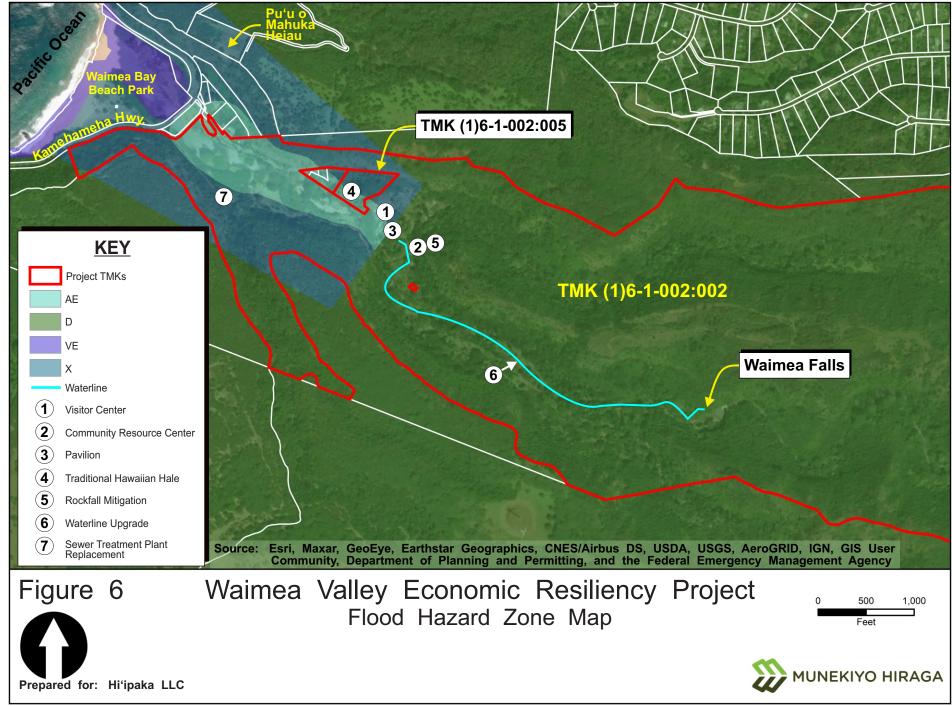
Natural hazards (erosion, flooding, tsunami, seismic, etc.):

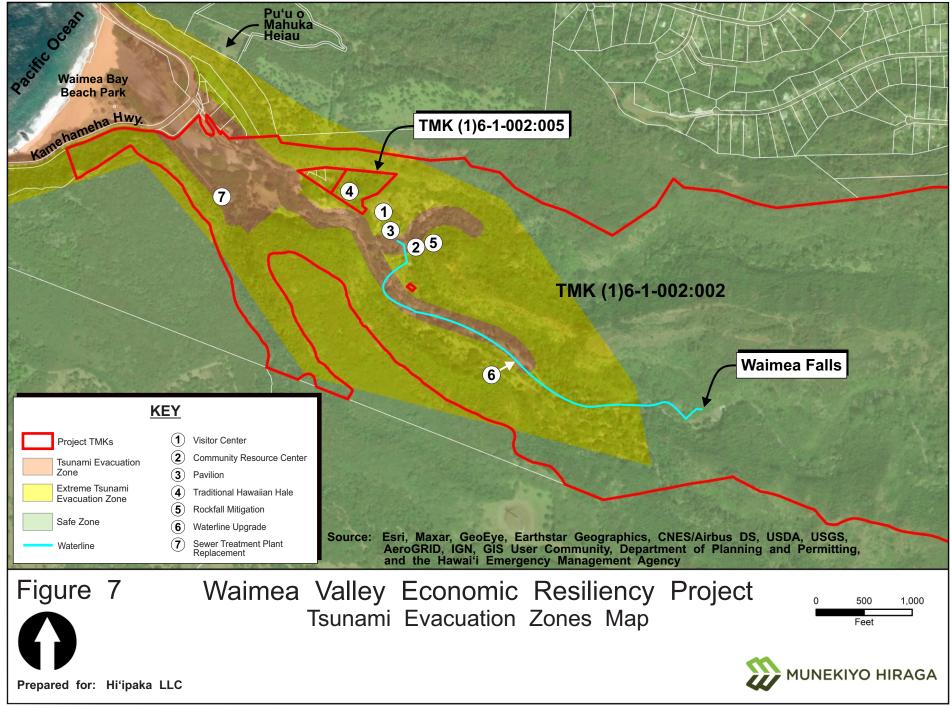
According to the Federal Emergency Management Area (FEMA) Flood Insurance Rate Map (FIRM) Number 15003C0020F (effective September, 2004 and last amended September, 2022), the majority of Waimea Valley is designated Flood Zone D, while portions of the proposed Traditional Hawaiian Hale and the Visitor Center and Pavilion improvements are located within Flood Zone AE. The upgrade of the STP is located within Flood Zone X. See **Figure 6**. Flood Zone D is where there are possible, but undetermined, flood hazards as no analysis of flood hazards has been conducted. Zone AE represents areas that have a 1 percent risk of flooding annually and Flood Zone X is characterized by low to moderate flood risk (FEMA, 2016). Portions of the proposed improvements (portions of the proposed waterline and the booster pump, as well as the STP replacement) are located within the "Tsunami Evacuation Zone" and the remainder of the improvements are located within the "Extreme Tsunami Evacuation Zone". See **Figure 7**. The projected 3.2-foot SLR-XA includes the entirety of Waimea Bay Beach Park and extends slightly into the Valley. None of the proposed improvements are located within the projected 3.2-foot SLR-XA. See **Figure 8**.

Historic & cultural resources:

Archaeological Resources

An archaeological Literature Review and Field Inspection (LRFI) was prepared by Honua Consulting, LLC as part of the Chapter 343, HRS EA for this project. Refer to **Exhibit "C"**. The literature review portion of the LRFI mainly focused on two (2) studies - Kennedy et al. (2005) and Monahan (2015). The LRFI noted that Kennedy et al. (2005) organized and subsumed all previous work (up to that time) by the Bishop Museum in the 1970s and Rudy Mitchell starting in the middle 1970s into the 1990s; it is the more important of the two because it includes all known sites in the project area environs. Monahan's (2015) study was generally focused on areas upstream of the current project area, however, it was described in the LRFI because they add to the overall sense of the type and distribution of cultural resources in the Valley. Together, these studies identified 14 different archaeological sites and Wahi Pana (legendary places) from the Pre-Contact to Historic period within approximately 200 meters of the project area.





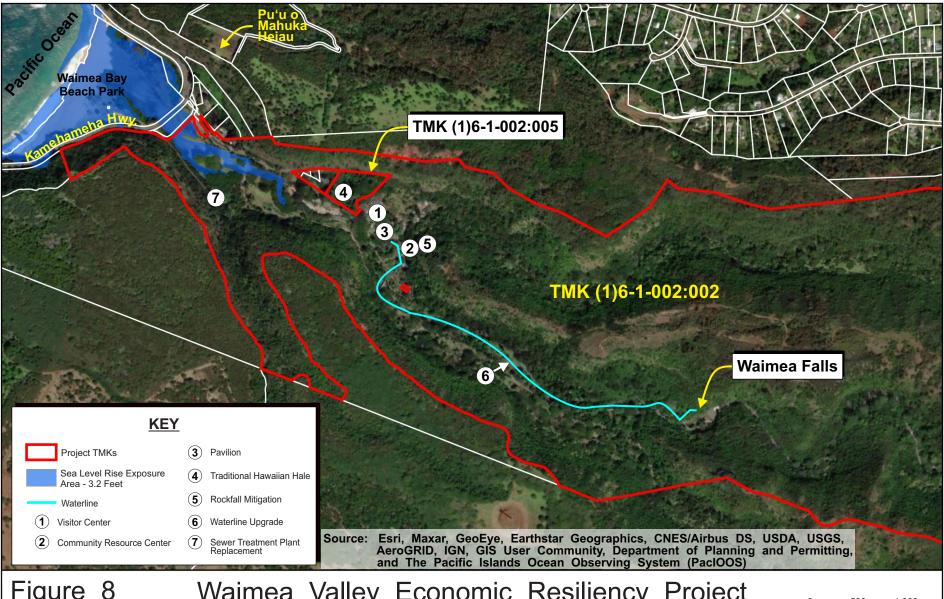
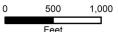


Figure 8

Waimea Valley Economic Resiliency Project 3.2-Foot Sea Level Rise Exposure Area Map





The archaeological field inspection was conducted from May 8 to 12, 2023, and intermittently on days thereafter. The archaeological field inspection consisted of a pedestrian survey of the project area. The main objective was to identify any potential archaeological historic properties or component features in or immediately adjacent to the project area; and to evaluate the potential, if any, for archaeological sites or resources in subsurface context at these places. The field inspection did not identify any above-ground archaeological historic properties or component features in the project area.

In the subsurface context, the LRFI noted that there is an extremely low potential for subsurface historically-significant findings at the new fire hydrant and the proposed rock fall fence (behind the Community Resource Center) sites, moderate potential for subsurface historically-significant findings at the Visitor Center, Pavilion, and Community Resource Center sites, and a higher potential for subsurface historically-significant findings at the Traditional Hawaiian Hale site. The higher risk at the new Traditional Hawaiian Hale site is because this area is part of Land Commission Award 3869 to Pu'ukua, which once included several lo'i kalo (irrigated kalo patches) and a house lot and since this area is generally free from development. Refer to **Exhibit "C"**. See **Exhibit "D"**.

Cultural Resources

A Cultural Impact Assessment (CIA) report was prepared by Honua Consulting, LLC as part of the Chapter 343, HRS EA in January 2024 to evaluate the proposed project's potential effect on cultural beliefs, practices, and resources. Refer to **Exhibit "C"**. The CIA included a review of a wide range of written material, such as archaeological reports, government and other historical records, and Hawaiian language sources translated into English. Much of the known history of Waimea comes from the famed Hawaiian historian born in the same moku as the project, Samuel Mānaiakalani Kamakau. In addition to these written materials, three (3) interviews were conducted with long-term residents or individuals with familial ties to Waimea Valley. These interviews provide important cultural context to the Valley from current and historical perspectives as it relates to potential impacts the projects may have on cultural resources.

Waimea Valley is within the Waimea ahupua'a on the island of O'ahu. There is some debate as to the moku in which Waimea Valley belongs to. Traditionally, Waimea Valley was a part of the Ko'olauola District while modern records show it as a part of the Waialua District. Through the three (3) interviews conducted, Waimea Valley was identified twice as a part of Ko'olauola still, and once recognized as the Waialua District with the Great Māhele of 1848 marking the distinction of the districts. Waimea means red water, likely a reference to water turned red from erosion of the sediment in the Valley.

Waimea Valley has a deep history full of historical figures, some of whom have become deified in Hawaiian history. Kamapua'a is one of these figures who was real, but became misidentified as a kupua (supernatural elites, such as a god or spirit) or a mythical figure through mo'olelo (stories, myths, or legends). In addition to Kamapua'a, Pilamo'o is another deity associated with Waimea. Pilamo'o was identified as being from Waimea and had a life memorialized through mo'olelo. When O'ahu was under the rule of Kamapua'a, lands containing the word wai (water) were given to kahuna (priests) where they remained until Kamehameha III. This includes the Waimea Valley which belonged to the Pa'ao kahuna class.

Pa'ao was a legendary Hawaiian chief and kahuna from Kahiki who sailed to Hawai'i in a canoe with notable travelers. Pa'ao had a line of Kahuna nui or high priests who controlled the Valley which was a land and spiritual base for these kahuna. In addition to Pa'ao and his class of kahuna, Ka'ōulupulu, a famous kālaimoku, or government advisor, was one owner of the land within the Waimea Valley. It is said that he, along with a small 'ohana once inhabited the lands within the Valley. Ka'ōulupulu was held in high regard by individuals such as Kahahana, a high chief of O'ahu. It was during this time and under chief Kahahana that two (2) heiau (ancient Hawaiian temples) were constructed in Waimea, Pu'u-o-Mahuka and Kupopolo. At the time of its creation, Pu'u-o-Mahuka was the largest heiau on O'ahu.

After Kamehameha unified the Islands, he honored the placement of Waimea with kahuna of Pa'ao's line in 1795. This meant placing the lands in the care of kahuna Hewahewa, Kamehameha's most trusted spiritual advisor. The lands remained with Hewahewa until his death in 1837 and were then awarded to his granddaughter Pa'alua. Following the Māhele Land Redistribution Act of 1848, Pa'alua was offered ownership of about half of the land which she held onto until 1884 when she sold the mortgage and lease to the land. The other half was offered to Kaeliwai, who was a husband of Pa'alua. Pa'alua's property was foreclosed and sold at auction after her death in 1886.

Currently, Waimea Valley is still an important part of Hawaiian culture, residing in famous mele (songs) and moʻolelo. Many traditional customary practices can still be continued around the Valley and extending into the Bay. Waimea is a fishing community. The nearshore reef has helped sustain the community for generations with fishing, spearfishing, and limu (edible underwater plants) picking. Farming has also been historically significant in and around the Valley. While there is no farming currently done within the Valley, the history of such activities is still represented. Traditional clothing and lei making is also significant to Hawaiian culture. Many of the plants used for traditional clothes, clothing dye, and leis can be found preserved within the Valley. The same is true for Lāʻau Lapaʻau, or traditional Hawaiian medicine which used plants to cure ailments, illnesses, and sicknesses.

Surfing, generally known as he'e nalu, is an integral part of Hawaiian culture and way of life. Early kānaka (Native Hawaiians) brought surfing with them to Hawai'i as a way to connect with the ocean and gods. Waimea Bay has a deep history as one of the most famous big wave surfing spots in the world. Every year since 1984 at Waimea Bay, preparations are made to host "The Eddie", a big wave surfing event only run when open-ocean swells reach a minimum of 20-feet. This event is presented by the Aikau family to honor the memory of Eddie Aikau, a famous North Shore lifeguard and big wave surfer.

Much of the above has been understood through written or transcribed history. As mentioned earlier, three (3) interviews with individuals historically connected to Waimea Valley were conducted to assess what traditions, cultural resources, and general information about Waimea Valley my still be relevant to this day. One (1) interview concluded that cultural practitioners do still actively use the Valley for cultural practices while others were unsure if it was still used. Another interview noted that there is iwi (bones of the dead) in the land adjacent to the parking lot in the cliffs and near the planned Traditional Hawaiian Hale.

The CIA noted that Waimea Valley has managed to maintain much of its local culture and traditional activities thanks to the OHA purchasing the property and then turning over stewardship of the area to Hiʻipaka. No mitigation is required and standard Best Management Practices (BMPs) should be

followed. As recommended in the CIA, the project will implement BMPs associated with the biological survey and archaeological survey as well as stormwater/construction on BMPs. Furthermore, outreach will continue to be conducted with the community to make sure that no adverse impacts occur that impact the community and their ability to engage in cultural practices.

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?

Hi'ipaka's mission is to "preserve and perpetuate the human, cultural, and natural resources of Waimea for generations through education and stewardship". This mission is directly applicable to the overall purpose of the Conservation District to conserve, protect, and preserve 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. The proposed project will enable Hi'ipaka to continue to draw kama'aina visitors to the Valley to enjoy its cultural resources and programs while also spreading knowledge about Native Hawaiian traditional land stewardship, lifestyle, and aloha spirit among out-ofstate visitors. In particular, the Culture Walk as part of the Visitor Center improvements, Pavilion enhancement for a Lu'au, and Traditional Hawaiian Hale, will directly support Hi'ipaka's ability to share Hawaiian culture. Other improvements such as restroom upgrades, sewage treatment plant replacement, water system upgrade, and rockfall mitigation will support public health, safety, and welfare. With the exception of the Traditional Hawaiian Hale, the majority of the improvements proposed as part of this project are limited to existing developed areas within the Valley. As such, the project will enhance Hi'ipaka's ability to fulfill its preservation and stewardship mission without significantly expanding developed areas of the Valley.

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)

Waimea Valley is located within the Limited Subzone. According to Section 13-5-12, HAR, the Limited Subzone's objective is to limit uses where natural conditions suggest constraints on human activities. The proposed improvements to the Waimea Valley facilities are consistent with previous approvals for its use. Development of Waimea Valley was first approved by the BLNR in March 1974 and the Valley opened to the public in September 1974. Subsequently, in January 1975, a CDUA (CDUA 74-591) was granted according to a Master Plan submitted to the BLNR with the condition that the Valley be used for park purposes only. Refer to **Exhibit "B"**.

The proposed project will not change the existing use of the Valley as park purposes, and will upgrade the existing infrastructure, improve safety for visitors, and enhance educational programming by creating more spaces for such uses, including the Culture Walk as part of the Visitor Center Improvements, the Pavilion expansion for Lu'au experience, and the new Traditional Hawaiian Hale. As such, the proposed project is consistent with the objectives of Limited Subzone.

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 Hawai'i Coastal Zone Management Program (HCZMP), as formalized in Chapter 205A, Hawai'i Revised Statutes (HRS), establishes objectives and policies for the preservation, protection, and restoration of natural resources within Hawai'i's coastal zone. It is noted that the project site is located within the City and County of Honolulu's Special Management Area (SMA). See **Figure 9**. A Major SMA Permit approval has been granted by the City and County of Honolulu Council. See **Exhibit "D"**. The analysis which follows is provided to address overall requirements of Chapter 205A, HRS.

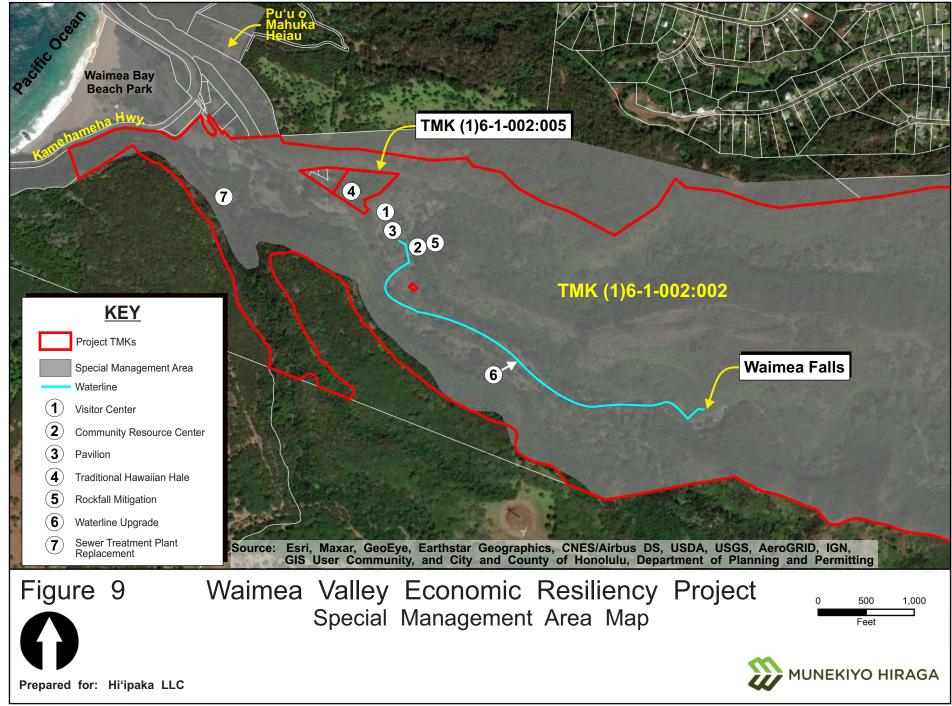
1. Recreational Resources

Objective:

Provide coastal recreational opportunities accessible to the public.

Policies:

- a. Improve coordination and funding of coastal recreational planning and management; and
- b. Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:
 - i. Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;
 - ii. Requiring restoration of coastal resources that have significant recreational and ecosystem value, including but not limited to coral reefs, surfing sites, fishponds, sand beaches, and coastal dunes, when these resources will be unavoidably damaged by development; or requiring monetary compensation to the State for recreation when restoration is not feasible or desirable:
 - iii. Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value:
 - iv. Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;
 - v. Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;
 - vi. Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;
 - vii. Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and



artificial reefs for surfing and fishing; and

viii. Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting that dedication against the requirements of section 46-6.

Response: The proposed improvements are located inland, with the closest project component to the ocean, the proposed STP upgrade, located approximately 2,300 feet away from the nearest shoreline at Waimea Bay. It is noted that Waimea Bay Beach Park is located directly adjacent to the Valley, across Kamehameha Highway. During the peak season, summer, and for special events, the Valley operates two (2) paid parking lots near the entrance to the Valley along Waimea Valley Road for beach access uses (up to approximately 100 stalls in total). The Traffic Assessment (TA) prepared for the project indicated that there is currently high pedestrian traffic crossing Kamehameha Highway to access Waimea Bay Beach Park. To alleviate risks to pedestrians crossing Kamehameha Highway, paid beach parking will be removed. Based on initial consultation between Hi'ipaka and community stakeholders, curtailment of paid beach parking at Waimea Valley was not met with opposition. The community noted that potential curtailment in paid beach parking is in alignment with a shift towards a destination management approach for highly utilized natural resources such as Waimea Bay Beach Park. While Hi'ipaka will continue to provide parking for community events such as swim meets, general paid beach parking will be curtailed. This would reduce pedestrian crossing at Kamehameha Highway. The curtailment of paid beach parking may also result in reduction of visitors to Waimea Bay Beach Park and reduce demands on beach park infrastructure such as showers and restroom facilities. It is important to note that the high pedestrian traffic is an existing condition that is wholly unrelated to the proposed Waimea Valley Economic Resiliency Project. The decision to discontinue the regular paid beach parking was made in consultation with the State Department of Transportation (HDOT).

2. Historic Resources

Objective:

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.

Policies:

- a. Identify and analyze significant archaeological resources;
- b. Maximize information retention through preservation of remains and artifacts or salvage operations; and

c. Support state goals for protection, restoration, interpretation, and display of historic resources.

Response: Waimea Valley contains many restored cultural and historical sites, which are on display in order to educate visitors about the history of the Valley and its use. The proposed project is intended to bolster the Valley's educational programming and cultural experiences. It will, therefore, indirectly support the historic resources objective as well as policy 2.b. Furthermore, the project is not anticipated to have detrimental effects on historic or archaeological resources. It is noted that an Archaeological LRFI was conducted for the project. The LRFI noted that there are no above ground historically-significant properties identified. The SHPD Architecture and Archaeology Branches are being consulted pursuant to Chapter 6E, HRS and any agreed upon mitigation measures will be conducted for the project. Refer to Exhibit "D". In addition, consultation with Native Hawaiian Organizations has been undertaken as part of Section 106 of National Historic Preservation Act of 1966.

3. <u>Scenic and Open Space Resources</u>

Objective:

Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.

Policies:

- a. Identify valued scenic resources in the coastal zone management area:
- b. Ensure that new developments are compatible with their visual environment by designing and locating those developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;
- c. Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and
- d. Encourage those developments that are not coastal dependent to locate in inland areas.

Response: As noted previously, the proposed project is located at least 2,300 feet away from the nearest shoreline. The proposed improvements are secluded in Waimea Valley, and will thus not have any effects on coastal scenic views from surrounding properties or open space resources.

4. Coastal Ecosystems

Objective:

Protect valuable coastal ecosystems, including reefs, beaches, and coastal dunes, from disruption and minimize adverse impacts on all coastal ecosystems.

Policies:

- a. Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;
- b. Improve the technical basis for natural resource management;
- c. Preserve valuable coastal ecosystems of significant biological or economic importance, including reefs, beaches, and dunes;
- d. Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and
- e. Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures.

Response: The proposed project is geographically limited to Waimea Valley, and, therefore, does not directly affect reefs, beaches, or coastal dunes. However, the wetland area where the Waimea River meets Waimea Bay is a valuable estuary ecosystem that can be degraded by upstream impacts. A comprehensive program of BMPs will be implemented during construction to control runoff, sedimentation, and erosion and avoid potential impacts to downstream areas and nearshore water quality. In addition, long-term erosion control measures are also proposed as part of the project and will be implemented on an as-needed basis. Thus, in the long term, the proposed project directly supports the coastal ecosystem objective and policies 4.a., c., d., and e.

5. Economic Uses

Objective:

Provide public or private facilities and improvements important to the State's economy in suitable locations.

- a. Concentrate coastal dependent development in appropriate areas;
- b. Ensure that coastal dependent development and coastal related

development are located, designed, and constructed to minimize exposure to coastal hazards and adverse social, visual, and environmental impacts in the coastal zone management area; and

- c. Direct the location and expansion of coastal development to areas designated and used for that development and permit reasonable long-term growth at those areas, and permit coastal development outside of designated areas when:
 - i. Use of designated locations is not feasible;
 - ii. Adverse environmental effects and risks from coastal hazards are minimized; and
 - iii. The development is important to the State's economy.

Response: The proposed project does include new structures and limited additional footprint, including the new Traditional Hawaiian Hale, the Visitor Center renovation and Pavilion enhancement. Reconstruction of the Community Resource Center is proposed within the existing footprint of the existing seed propagation and equipment storage structure. However, the proposed improvements will be located in or adjacent to areas that are already developed. Furthermore, the proposed improvements are aligned with the CDUA (CDUA 74-591) that approved the Master Plan of Waimea Valley, particularly the requirement that it be used for park purposes only. Based on the foregoing, the proposed improvements are located in appropriate areas within the coastal zone management area. Additionally, the construction will provide jobs for local construction workers, and in the long term, the project will allow the Valley to continue supporting local businesses, artisans, and cultural practitioners who are involved with the Valley's programming, and to contribute to development of the overall economy of the North Shore.

6. Coastal Hazards

Objective:

Reduce hazard to life and property from coastal hazards.

- a. Develop and communicate adequate information about the risks of coastal hazards;
- b. Control development, including planning and zoning control, in areas subject to coastal hazards;
- c. Ensure that developments comply with requirements of the National Flood Insurance Program; and
- d. Prevent coastal flooding from inland projects.

Response: The proposed project is located outside of 3.2-foot SLR-XA in its entirety. The majority of the proposed improvements avoid the Flood Hazard Areas, with an exception of the proposed Visitor Center renovation and expansion, Pavilion enhancement, and new Traditional Hawaiian Hale, portions of which lie in the Flood Hazard Area (Zone AE). The project will comply with applicable provisions of Chapter 21A, Flood Hazard Areas, Revised Ordinances of Honolulu (ROH). The entirety of the proposed improvements is located within "Tsunami Evacuation Zone" or "Extreme Tsunami Evacuation Zone". Hi'ipaka has an emergency response plan, which includes guidelines for monitoring and taking precautionary measures in the event of a tsunami warning.

7. <u>Managing Development</u>

Objective:

Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Policies:

- a. Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;
- b. Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and
- c. Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life cycle and in terms understandable to the public to facilitate public participation in the planning and review process.

Response: Public input was solicited in coordination with the processing of the Chapter 343, EA, and the SMA Permit Major application, and will continue to be solicited for Conservation District Use Permit for this project. The project will be conducted in accordance with applicable Federal, State, and County regulations and standards.

8. Public Participation

Objective:

Stimulate public awareness, education, and participation in coastal management.

- a. Promote public involvement in coastal zone management processes;
- b. Disseminate information on coastal management issues by means of

educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and

c. Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts.

Response: As mentioned previously, public awareness and participation are being facilitated through the EA and permit review processes.

As part of the application process for an EDA grant, Hiʻipaka held a community meeting on January 6th, 2022 to solicit feedback on the proposed project. While attendees generally had positive feedback on the proposed improvements that would expand visitor's cultural and educational experiences, particularly for kamaʻaina visitors, some attendees expressed concerns that too much development could have detrimental ecological effects on the Valley's ecosystems. A comprehensive program of BMPs will be implemented to mitigate adverse environmental and ecological effects. Gratitude for Waimea Valley as a safe place for community gatherings and economic activity during the COVID-19 pandemic was also expressed. After the meeting, Letters of Support for the grant application were solicited, and more than 20 were received in the subsequent application period. The North Shore Neighborhood Board was also consulted on February 22, 2022 as part of this process.

More recently, Hi'ipaka met with community stakeholders as well as the Sunset Beach Community Association and North Shore Neighborhood Board between December 2023 and February 2024. In addition, a public hearing was conducted as part of the Major SMA Permit application process on December 4, 2024.

Based on the foregoing, the proposed project is being processed in accordance with the objectives of public awareness, education, and participation.

9. Beach and Coastal Dune Protection

Objective:

- a. Protect beaches and coastal dunes for: (i) public use and recreation; (ii) the benefit of coastal ecosystems; and (iii) use as natural buffers against coastal hazards; and
- b. Coordinate and fund beach management and protection.

- a. Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;
- b. Prohibit construction of private shoreline hardening structures, including seawalls and revetments, at sites having sand beaches and

at sites where shoreline hardening structures interfere with existing recreational and waterline activities:

- c. Minimize the construction of public shoreline hardening structures, including seawalls and revetments, at sites having sand beaches and at sites where shoreline hardening structures interfere with existing recreational and waterline activities:
- d. Minimize grading of and damage to coastal dunes;
- e. Prohibit private property owners from creating a public nuisance by inducing or cultivating the private property owner's vegetation in a beach transit corridor; and
- f. Prohibit private property owners from creating a public nuisance by allowing the private property owner's unmaintained vegetation to interfere or encroach upon a beach transit corridor.

Response: The proposed project is located inland from beach or coastal dune ecosystems. As noted previously, a comprehensive program of BMPs will be implemented during construction to control runoff, sedimentation, and erosion and avoid potential impacts to downstream areas and nearshore water quality. In addition, long-term erosion control measures are also proposed as part of the project and will be implemented on an as-needed basis.

10. <u>Marine and Coastal Resources</u>

Objective:

Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

- a. Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial:
- b. Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;
- c. Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;
- d. Promote research, study, and understanding of ocean and coastal processes, impacts of climate change and sea level rise, marine life, and other ocean resources to acquire and inventory information necessary to understand how coastal development activities relate to and impact ocean and coastal resources; and
- e. Encourage research and development of new, innovative

technologies for exploring, using, or protecting marine and coastal resources.

Response: The proposed project is located inland from the nearest shoreline areas. With implementation of aforementioned permanent and construction BMPs, detrimental effects to marine and coastal resources are not anticipated as a result of the proposed project.

In addition to the foregoing objectives and policies and pursuant to Act 224 (2005):

- (a) Artificial light from floodlights, uplights, or spotlights used for decorative or aesthetic purposes is prohibited when the light:
 - 1. Directly illuminates the shoreline and ocean waters; or
 - 2. Is directed to travel across property boundaries toward the shoreline and ocean waters.
- (b) Subsection (a) shall not apply to:
 - 1. An outdoor lighting fixture that is located on the grounds of a hotel/hotel-condo as defined in section 486K-1; provided that:
 - A. The outdoor lighting fixture is located underwater or is directed downward and illuminates a limited area of no more than thirty feet into the shoreline and ocean waters; or
 - B. The outdoor lighting fixture is the only practicable means of ensuring the safety and security of guests, visitors, and employees; and
 - 2. Artificial lighting provided by a government agency or its authorized users for government operations, security, public safety, or navigational needs; provided that a government agency or its authorized users shall make reasonable efforts to properly position or shield lights to minimize adverse impacts.

Response: The proposed project is located inland of the shoreline. The secluded nature of the Valley will ensure that no lighting for nighttime activities travels across property boundaries. In addition, construction activities will be limited to daylight hours.

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

Evaluation of impacts and identification of mitigation measures is conducted through the Chapter 343, HRS EA process. Refer to **Exhibit "C"**. Implementation of the proposed project will produce potential short-term impacts. Construction of the proposed improvements will create local short-term construction related impacts on the environment. Potential short-term impacts may include dust and erosion due to traffic in the project's vicinity of construction equipment and trucks, and increased noise due to the construction-related operations. Construction BMPs from the City and County of Honolulu Department of Planning and Permitting Storm Water Best Management Practice Manual 2017 will be followed during construction. A detailed list of construction BMPs are included herein as **Exhibit "H"**.

The Drainage Report prepared for the project indicates that the proposed improvements in Waimea Valley will increase the 10-year peak runoff by 0.43 cubic feet per second (cfs), from 27.49 cfs to 27.92 cfs, and the 50-year peak runoff by 0.59 csf, from 37.47 cfs to 38.06 cfs, for the Visitor Center, Pavilion, the Community Resource Center, and the new Traditional Hawaiian Hale project areas. With the proposed condition, the drainage will flow into the landscaped/gravel areas which will have biofiltration treatment areas for stormwater quality treatment purposes, prior to the runoff flowing into the lowlying buffer area to the south of the project areas. From the drainage calculations, the generated runoff from the proposed development will increase, but will not cause any adverse impacts to neighboring properties. The final drainage improvements for the project will comply with the City and County of Honolulu's drainage and stormwater quality requirements. In addition, the Grant of Conservation Easement for TMK (1)6-1-002:005, which is referred to as the Pu'ukea property, where the Traditional Hawaiian Hale is located, will be complied with as it relates to drainage and impermeable surfaces.

As noted previously, the Natural Resources Assessment identified one (1) endangered endemic species present, the 'alae'ula, or Common Gallinule, which was recorded near a pond in close proximity to the Community Resource Center. The report indicated that potential threat of harm to the birds by vehicles can be minimized to the maximum extent practicable by implementing the following mitigation measures:

- Do not feed birds especially if they approach for handouts.
- Secure all food rubbish in closed trash receptacles.
- Establish a 15 mile an hour speed limit within close proximity to known habitat zones.
- Retain a qualified biologist or Waimea Valley staff to supervise and monitor bird activity
 when vehicular traffic is ongoing near the Community Resource Center and rockfall
 mitigation project. If any 'alae 'ula are observed within the work area, work must stop in
 that area until birds have moved out of the area.

Prior to work near the pond areas, a waterbird nest survey should be conducted and if found, a 100-foot buffer of no activity placed around the nest site. A monitor should be placed near the nest site to make sure that any construction or earth moving activities do not adversely impact the nesting and hatching of the chicks.

In addition, the USFWS and the State of Hawai'i Division of Forestry and Wildlife (DOFAW) were consulted during the Chapter 343, HRS EA process and recommended implementation of mitigation measures to avoid and minimize adverse impacts on threatened and endangered species that have potential to occur within and in the vicinity of the project site. The following recommended measures will be implemented, as applicable:

Hawaiian hoary bat: The construction plans for the project will include notes that woody plants greater than 15 feet tall will not be removed or trimmed during the Hawaiian hoary bat breeding season (June 1 to September 15). Barbed wire fencing is not included in this proposed work.

Hawaiian short-eared owl: Hi'ipaka notes that the dense, tropical vegetation in the valley is not likely to be used by the Hawaiian short-eared owl, or pueo, for nesting (Hi'ipaka, Environmental Assessment, 2022). However, if a pueo nest is discovered, the DOFAW will be alerted and no work will occur nearby.

Seabirds: Should any night work occur requiring artificial illumination for the project, such work will be avoided during the seabird fledging seasons (approximately September 1 through December 15). Outdoor lights will be shielded and directed downwards to avoid upward directed accent lighting in order to minimize impacts to seabirds.

Waterbirds: To protect the endangered Hawaiian gallinule that live in the Valley, BMPs will be employed at all times during construction to minimize detrimental effects to freshwater bird habitat due to erosion and sedimentation. In addition, if an endangered bird is witnessed on a construction site, all work within 50 feet will cease until the bird leaves the area of its own volition. Similarly, if a nest is discovered, work will cease within 150 feet. In addition, reduced speed limits will be posted and implemented during construction and project personnel and contractors will be informed about the presence of endangered species onsite. In compliance with the Natural Resources Assessment's recommendation, a Hawaiian waterbird nest survey will be conducted by a biological monitor who is familiar with the species' biology prior to construction to ensure no waterbirds are adversely impacted by the construction. If a nest or brood is found, the USFWS will be contacted.

Listed Plants: The project activities may affect listed plant species by causing physical damage to plant parts as well as impacts to other life requisite features of their habitat. In order to avoid or minimize potential adverse effects to listed plants that may occur on the proposed project site, disturbance outside of existing developed or otherwise modified areas will be minimized and the avoidance buffers will be incorporated to reduce impacts to listed plants from the project activities as much as practical. In addition, DOFAW recommends the following measures:

- Native plant species that are appropriate for the area will be utilized for landscaping as much as practical, and no invasive species will be used on site.
- The movement of plant or soil material between worksites will be minimized during construction to avoid any adverse impacts on native species and ecosystems.
- The project will adhere to Plant Quarantine Interim Rule 22-1, which restricts the movement of Coconut Rhinoceros Beetle (CRB)-host material within or to and from the

island of Oʻahu to manage host materials and plants that may contain CRB in any stage of life.

• Actions will be taken to minimize non-native predators' presence, such as cats, rodents, and mongooses. The actions may include, but not limited to, removal cats, placing bait stations for rodents and mongoose, and providing covered trash receptacles

In compliance with the DOFAW recommendation, native plant species will be utilized for landscaping around the Traditional Hawaiian Hale, Visitor Center, and the Community Resource Center. Examples of native plant species that will be used for landscaping include 'ae'ae, bayonet grass, sedge, kou, 'ehu'awa, hala, loulu, hāwane, ohe makai, and milo.

Based on the foregoing, In the long term, the proposed project is not anticipated to cause substantial adverse impact to existing natural resources within the surrounding area, community, or region.

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 project involves infrastructure upgrades, rockfall mitigation, erosion control, and reconstruction/expansion of existing structures, and construction of a new Traditional Hawaiian Hale. All of these improvements are proposed in the vicinity of existing facilities, and are consistent with the previous CDUA (CDUA 74-591) which allows operation of Waimea Valley for park purposes. As such, the proposed project is compatible with the locality and surrounding areas.

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.

One (1) of the objectives of the proposed project is to bolster educational and cultural offerings while continuing safe operation of the Valley with improved infrastructure and safety measures. New development is limited to the Traditional Hawaiian Hale, which will be built adjacent to a currently developed area, and a new booster pump which will be part of the water system upgrade. Furthermore, the rockfall mitigation and erosion control components of the project will serve to preserve the natural beauty of the Valley in addition to keeping visitors safe. Overall, the project will allow the Valley to continue to operate so that Hiʻipaka can continue to preserve and improve the natural beauty and open space characteristics of the Valley. As previously mentioned, the proposed project will enhance Hiʻipaka's ability to fulfill its preservation and stewardship mission without significantly expanding the developed areas of the Valley. The natural beauty and open space of the Valley will continue to be preserved. As such, the existing physical and environmental aspects of the Valley will be preserved.

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

The proposed action does not involve the subdivision of land.

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

Part of the purpose of the proposed project is to continue operation of the Valley safely and without disruption by improving the existing infrastructure and implementing safety measures, such as rockfall fences. In addition, the project will expand education opportunities for visitors of Waimea Valley through the creation of the Traditional Hawaiian Hale and the Culture Walk as part of the Visitor Center. As such, the proposed project will improve the public health, safety, and welfare. There will be no long-term adverse impacts to any conservation activities conducted in the Valley, such as native plant preservation at the nurseries or the open spaces throughout the Valley.

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.

The CIA included a Ka Pa'akai Analysis, which identified that there are potential resources within the project area. Archaeological field survey work has been conducted and potential impacts to historic sites and properties have been formally assessed through the HRS 6E process, which is required for this project.

As described through the CIA, the history of practices in the valley is extensive and various practices continue today. Waimea Valley is still an important part of Hawaiian culture, residing in famous mele (songs) and moʻolelo. Many traditional customary practices can still be continued around the Valley and extending into the Bay. Waimea is a fishing community. The nearshore reef has helped sustain the community for generations with fishing, spearfishing, and limu (edible underwater plants) picking. Farming has also been historically significant in and around the Valley. While there is no farming currently done within the Valley, the history of such activities is still represented. Traditional clothing and lei making is also significant to Hawaiian culture. Many of the plants used for traditional clothes, clothing dye, and leis can be found preserved within the Valley. The same is true for Lāʻau Lapaʻau, or traditional Hawaiian medicine which used plants to cure ailments, illnesses, and sicknesses. Hula practitioners continue to use Waimea widely, including for 'uniki, or ceremonial graduation rites.

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

According to the CIA, adverse impacts to historic sites or culturally utilized plants or access to such resources are not anticipated with the proposed project. Adverse indirect or cumulative impacts are also not anticipated. Impacts to cultural access are not anticipated with the project.

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?

As potential adverse effects can be avoided through the implementation of BMPs, the third part of this analysis framework becomes moot.

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?

The proposed improvements are located inland, with the closest project component to the ocean, namely the proposed STP upgrade, located approximately 2,300 feet away from the nearest shoreline at Waimea Bay. It is noted that Waimea Bay Beach Park is located directly adjacent to the Valley, across Kamehameha Highway. During the peak season, summer, and for special events, the Valley operates two (2) paid parking lots near the entrance to the Valley along Waimea Valley Road for beach access uses (up to approximately 100 stalls in total). The TA prepared for the project indicated that there is currently high pedestrian traffic crossing Kamehameha Highway to access Waimea Bay Beach Park. To alleviate risks to pedestrians crossing Kamehameha Highway, paid beach parking will be removed. Based on initial consultation between Hi'ipaka and community stakeholders, curtailment of paid beach parking at Waimea Valley was not met with opposition. The community noted that potential curtailment in paid beach parking is in alignment with a shift towards a destination management approach for highly utilized natural resources such as Waimea Bay Beach Park. While Hi'ipaka will continue to provide parking for community events such as swim meets, general paid beach parking will be curtailed. This would reduce pedestrian crossing at Kamehameha Highway. The curtailment of paid beach parking may also result in reduction of visitors to Waimea Bay Beach Park and reduce demands on beach park infrastructure such as showers and restroom facilities. It is important to note that the high pedestrian traffic is an existing condition that is wholly unrelated to the proposed Waimea Valley Economic Resiliency Project. The decision to discontinue the regular paid beach parking was made in consultation with the HDOT.

As noted previously, during construction, access to parts of Waimea Valley may be interrupted. In addition, construction sites may temporarily affect visitors' ability to enjoy the Valley's scenic resources. To mitigate such impacts, the public will be notified of any closures and changes to access, and the Valley will be restored to its existing, pristine condition upon the completion of construction.

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

No. As noted previously, the proposed project is located inland and is not anticipated to have any impacts on beach processes.

Will the proposed use cause increased sedimentation?

No. Construction erosion control measures will be implemented during the project's construction.

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

As noted previously, during construction, access to parts of Waimea Valley may be interrupted. In addition, construction sites may temporarily affect visitors' ability to enjoy the Valley's scenic resources. To mitigate such impacts, the public will be notified of any closures and changes to access, and the Valley will be restored to its existing, pristine condition upon the completion of construction.

Construction within undeveloped areas of the Valley is primarily limited to the new Traditional Hawaiian Hale that will be used for educational and cultural purposes primarily for K-12 students. The Traditional Hawaiian Hale will assist with the Valley's goal to provide visitors with opportunities to learn about the ahupua'a system and Hawaiian traditional life styles. The new Traditional Hawaiian Hale will be landscaped with native plants and trees that have cultural uses. In addition, the Traditional Hawaiian Hale will be located in close proximity to one of the most developed areas of the Valley, next to the parking lot and Visitor Center. The Visitor Center and Pavilion will have minimal effects on undeveloped land. The proposed project is thus not anticipated to have significant visual impacts on any individual or community.

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 proposed project will incorporate water saving sinks, toilets, and urinals to reduce excess water consumption. The applicant is currently using fluorescent lighting at the Valley; this lighting will be changed out for LED and all new lighting will be LED based. This will help reduce electrical consumption at the site.

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.)

Most of the vegetation within the Valley is naturalized and taken care of by Valley staff. The Applicant has done important work in native plant conservation and propagation which will continue and not be impacted by the project. In compliance with the DOFAW recommendation provided during the EA process, native plant species will be utilized for landscaping around the Traditional Hawaiian Hale, Visitor Center, and the Community Resource Center. Examples of native plant species that will be used for landscaping include 'ae'ae, bayonet grass, sedge, kou, 'ehu'awa, hala, loulu, hāwane, ohe makai, and milo.

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

To mitigate short-term construction impacts, a comprehensive program of BMPs will be implemented during construction to control runoff, sedimentation, and erosion in order to minimize adverse impacts to the streams and nearshore water quality. Construction BMPs will be implemented in accordance with the City and County of Honolulu Department of Planning and Permitting Storm

Water Best Management Practice Manual 2017. A detailed list of construction BMPs are included herein as **Exhibit "H"**. The project contractor will implement measures to control erosion and other pollutants prior to initiation of earthwork. After construction, any temporary stabilization will be permanently stabilized.

During construction, access to parts of Waimea Valley may be interrupted. In addition, construction sites may temporarily affect visitors' ability to enjoy the Valley's scenic resources. To mitigate such impacts, the public will be notified of any closures and changes to access, and the Valley will be restored to its existing, pristine condition upon the completion of construction.

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

Cultural and Archaeological Mitigation Measures

The CIA for the project notes no specific mitigation on cultural resources is required but standard BMPs should be followed. The State Historic Preservation Division (SHPD) is being consulted pursuant to the HRS 6E and the following cultural and archaeological mitigations are proposed to be implemented:

- 1. Prepare a nomination of Waimea Valley for the Traditional Cultural Property (TCP) and submit it to the State Historic Review Board for consideration.
- 2. Archaeological monitoring for all ground-disturbing activities exceeding 30 inches below grade, in accordance with an Archaeological Monitoring Plan (AMP), for construction activities associated with Phase I improvements.
- 3. Cultural resource management and preservation planning to ensure ongoing protection of significant cultural sites and features within the project area.
- 4. Protocols for unanticipated discoveries, including procedures for the treatment of human remains, in alignment with HAR Chapter 13-300.

Flora and Fauna Mitigation Measures

The Natural Resources Assessment for the project identified one (1) endangered endemic species present, the 'alae'ula, or Common Gallinule, which was recorded near a pond in close proximity to the Community Resource Center. The report indicated that potential threat of harm to the birds by vehicles can be minimized to the maximum extent practicable by implementing the following mitigation measures:

- Do not feed birds especially if they approach for handouts.
- Secure all food rubbish in closed trash receptacles.
- Establish a 15 mile an hour speed limit within close proximity to known habitat zones.
- Retain a qualified biologist or Waimea Valley staff to supervise and monitor bird activity when
 vehicular traffic is ongoing near the Community Resource Center and rockfall mitigation
 project. If any 'alae 'ula are observed within the work area, work must stop in that area until
 birds have moved out of the area.

Prior to work near the pond areas, a waterbird nest survey should be conducted and if found, a 100-foot buffer of no activity placed around the nest site. A monitor should be placed near the nest site to make sure that any construction or earth moving activities do not adversely impact the nesting and hatching of the chicks.

In addition, the USFWS and the DOFAW were consulted during the Chapter 343, HRS EA process and recommended implementation of mitigation measures to avoid and minimize adverse impacts on threatened and endangered species that have potential to occur within and in the vicinity of the project site. The following recommended measures will be implemented, as applicable:

Hawaiian hoary bat: The construction plans for the project will include notes that woody plants greater than 15 feet tall will not be removed or trimmed during the Hawaiian hoary bat breeding season (June 1 to September 15). Barbed wire fencing is not included in this proposed work.

Hawaiian short-eared owl: Hi'ipaka notes that the dense, tropical vegetation in the valley is not likely to be used by the Hawaiian short-eared owl, or pueo, for nesting (Hi'ipaka, Environmental Assessment, 2022). However, if a pueo nest is discovered, the DOFAW will be alerted and no work will occur nearby.

Seabirds: Should any night work occur requiring artificial illumination for the project, such work will be avoided during the seabird fledging seasons (approximately September 1 through December 15). Outdoor lights will be shielded and directed downwards to avoid upward directed accent lighting in order to minimize impacts to seabirds.

Waterbirds: To protect the endangered Hawaiian gallinule that live in the Valley, BMPs will be employed at all times during construction to minimize detrimental effects to freshwater bird habitat due to erosion and sedimentation. In addition, if an endangered bird is witnessed on a construction site, all work within 50 feet will cease until the bird leaves the area of its own volition. Similarly, if a nest is discovered, work will cease within 150 feet. In addition, reduced speed limits will be posted and implemented during construction and project personnel and contractors will be informed about the presence of endangered species onsite. In compliance with the Natural Resources Assessment's recommendation, a Hawaiian waterbird nest survey will be conducted by a biological monitor who is familiar with the species' biology prior to construction to ensure no waterbirds are adversely impacted by the construction. If a nest or brood is found, the USFWS will be contacted.

Listed Plants: The project activities may affect listed plant species by causing physical damage to plant parts as well as impacts to other life requisite features of their habitat. In order to avoid or minimize potential adverse effects to listed plants that may occur on the proposed project site, disturbance outside of existing developed or otherwise modified areas will be minimized and the avoidance buffers will be incorporated to reduce impacts to listed plants from the project activities as much as practical. In addition, DOFAW recommends the following measures:

- Native plant species that are appropriate for the area will be utilized for landscaping as much as practical, and no invasive species will be used onsite.
- The movement of plant or soil material between worksites will be minimized during construction to avoid any adverse impacts on native species and ecosystems.

- The project will adhere to Plant Quarantine Interim Rule 22-1, which restricts the movement
 of Coconut Rhinoceros Beetle (CRB)-host material within or to and from the island of O'ahu
 to manage host materials and plants that may contain CRB in any stage of life.
- Actions will be taken to minimize non-native predators' presence, such as cats, rodents, and mongooses. The actions may include, but not limited to, removal cats, placing bait stations for rodents and mongoose, and providing covered trash receptacles.

In compliance with the DOFAW recommendation, native plant species will be utilized for landscaping around the Traditional Hawaiian Hale, Visitor Center, and the Community Resource Center. Examples of native plant species that will be used for landscaping include 'ae'ae, bayonet grass, sedge, kou, 'ehu'awa, hala, loulu, hāwane, ohe makai, and milo.

Drainage Mitigation Measures

The Drainage Report prepared for the project indicated that the proposed improvements in Waimea Valley will increase the 10-year peak runoff by 0.43 cfs and 50-year peak runoff by 0.59 cfs. From the drainage calculations, the generated runoff from the proposed development will increase, but will not cause any adverse impacts to neighboring properties. The final drainage improvements for the project will comply with the City and County of Honolulu's drainage and stormwater quality requirements. In addition, the Grant of Conservation Easement for TMK (1)6-1-002:005, which is referred to as the Pu'ukea property, where the Traditional Hawaiian Hale is located, will be complied with as it relates to drainage and impermeable surfaces.

Traffic Mitigation Measures

The Traffic Assessment prepared for the project indicated that there is currently high pedestrian traffic crossing Kamehameha Highway to access Waimea Bay Beach Park. To alleviate risks to pedestrians crossing Kamehameha Highway, paid beach parking will be removed. Based on initial consultation between Hi'ipaka and community stakeholders, curtailment of paid beach parking at Waimea Valley was not met with opposition. The community noted that potential curtailment in paid beach parking is in alignment with a shift towards a destination management approach for highly utilized natural resources such as Waimea Bay Beach Park. While Hi'ipaka will continue to provide parking for community events such as swim meets, general paid beach parking will be curtailed. This would reduce pedestrian crossing at Kamehameha Highway. The curtailment of paid beach parking may also result in reduction of visitors to Waimea Bay Beach Park and reduce demands on beach park infrastructure such as showers and restroom facilities. It is important to note that the high pedestrian traffic is an existing condition that is wholly unrelated to the proposed Waimea Valley Economic Resiliency Project. The decision to discontinue the regular paid beach parking was made in consultation with the HDOT.

REFERENCES

Federal Emergency Management Agency, Flood Hazard Zones, 2016.

U.S. Department of Agriculture (USDA), Soil Conservation Service, The Soil Survey of the Islands of Kauai, Oʻahu, Maui, Molokaʻi and Lānaʻi, State of Hawaiʻi, August 1972

U.S. Fish and Wildlife Service, National Wetlands Inventory, https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/, accessed July 28, 2023.

SINGLE FAMILY RESIDENTIAL STANDARDS - Not Applicable.

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:
JL I DACKS	i i Oiit.	Jiuc.	Dack.

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 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 <u>Munekiyo Hiraga</u> to act as my representative and to bind me in all matters concerning this application.

RICHARD PEZZULO

Signature of applicant(s)

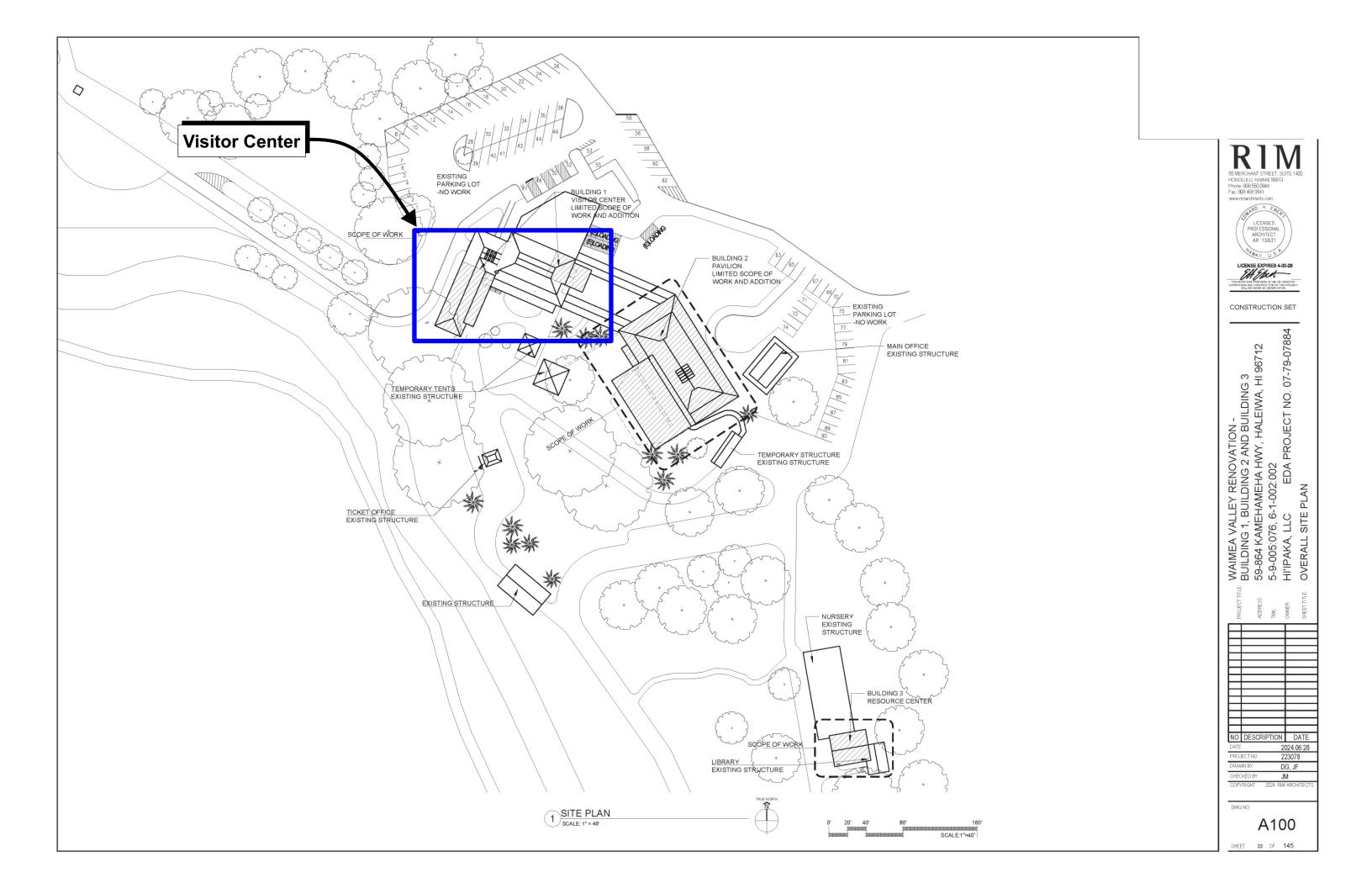
2. EXHIBITS	

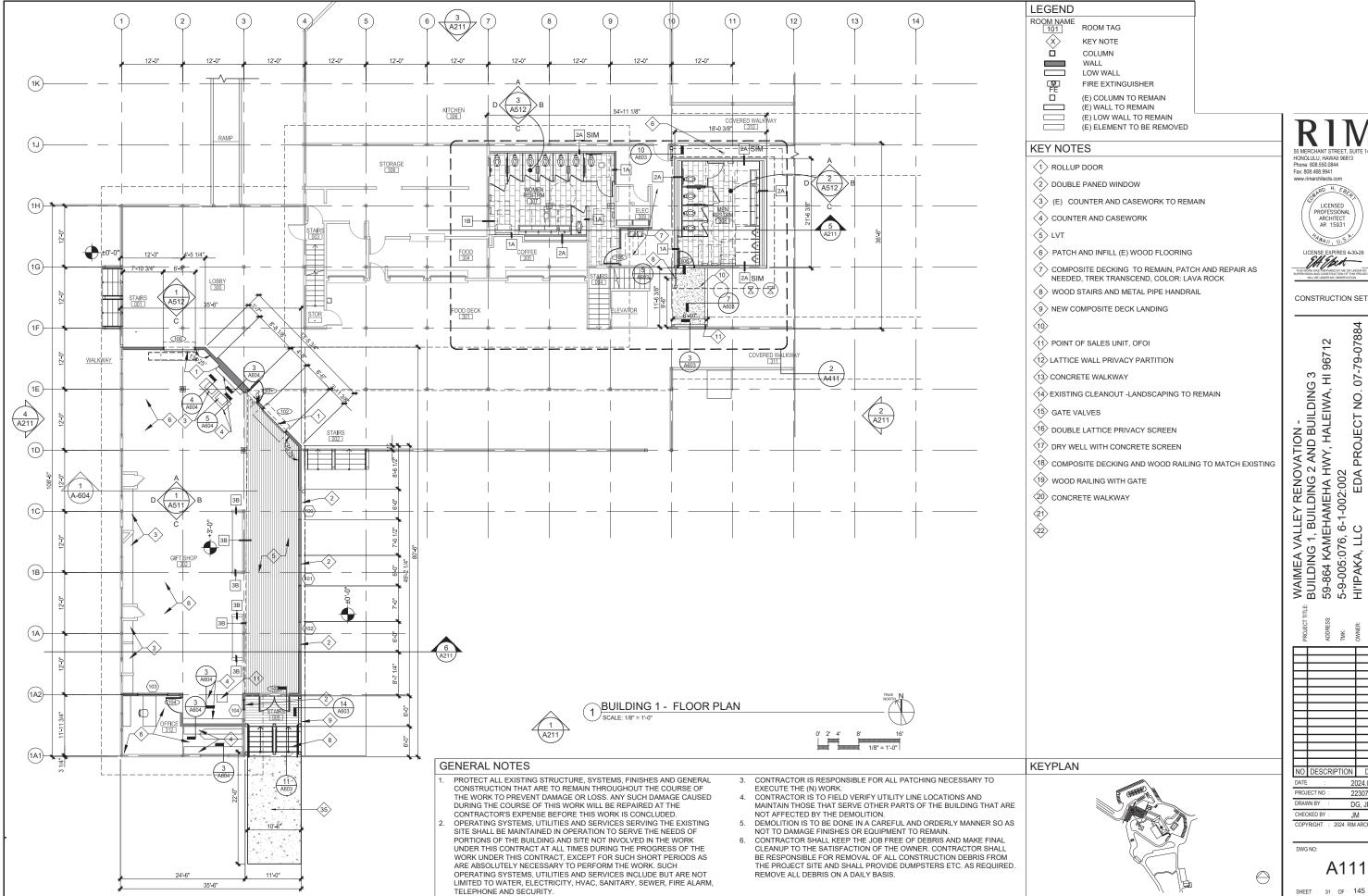
PROJECT PLANS

EXHIBIT



EXHIBIT A-1. Visitor Center (Phase 1)





55 MERCHANT STREET, SU HONOLULU, HAWAII 96813 Phone: 808.550.0844 Fax: 808.468.9941 www.rimarchitects.com

LICENSED PROFESSIONAL ARCHITECT AR 15931



CONSTRUCTION SET

07-79-07884

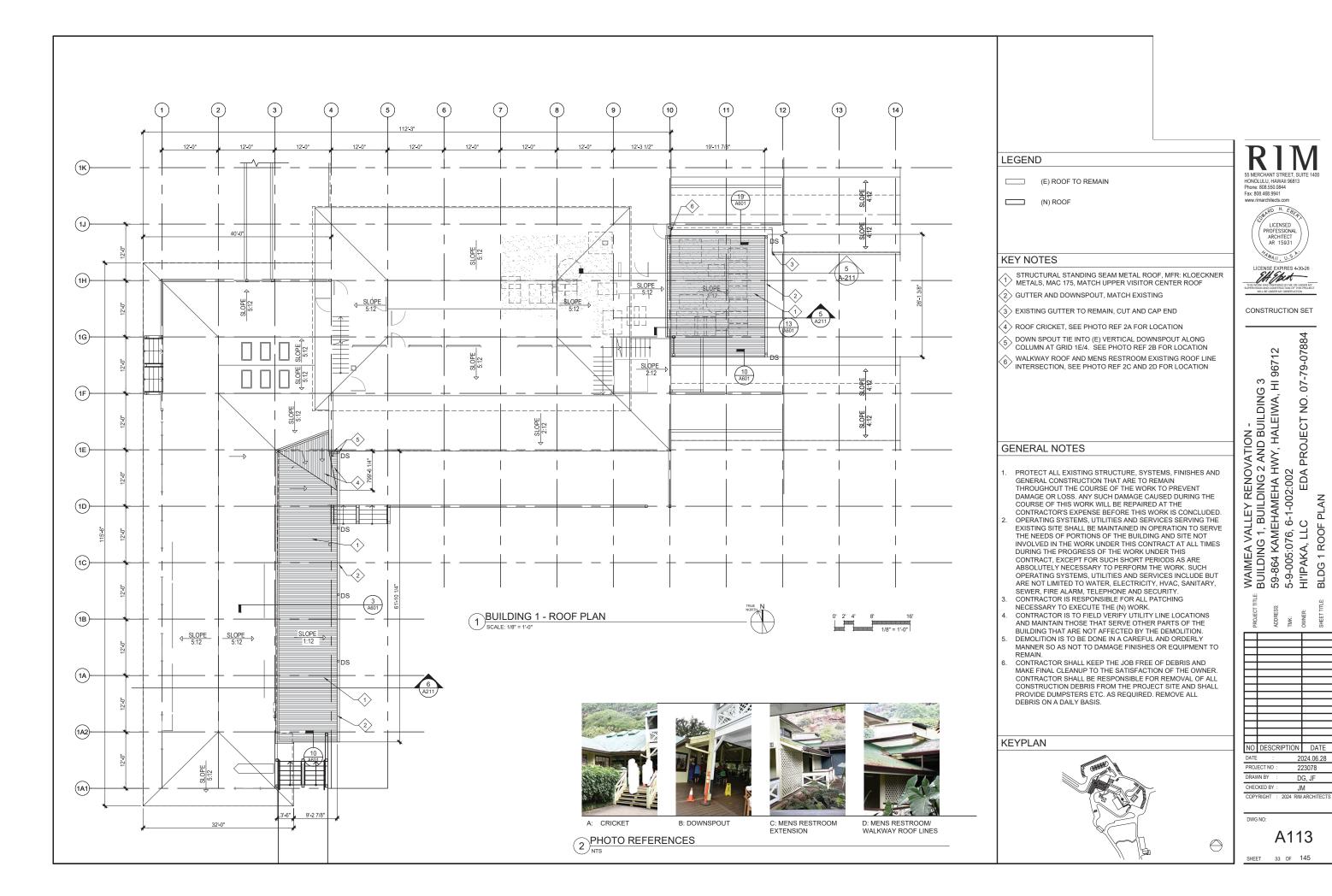
FLOOR PLAN

BLDG

2024.06.28 223078

DRAWN BY DG, JF CHECKED BY : JM

A111



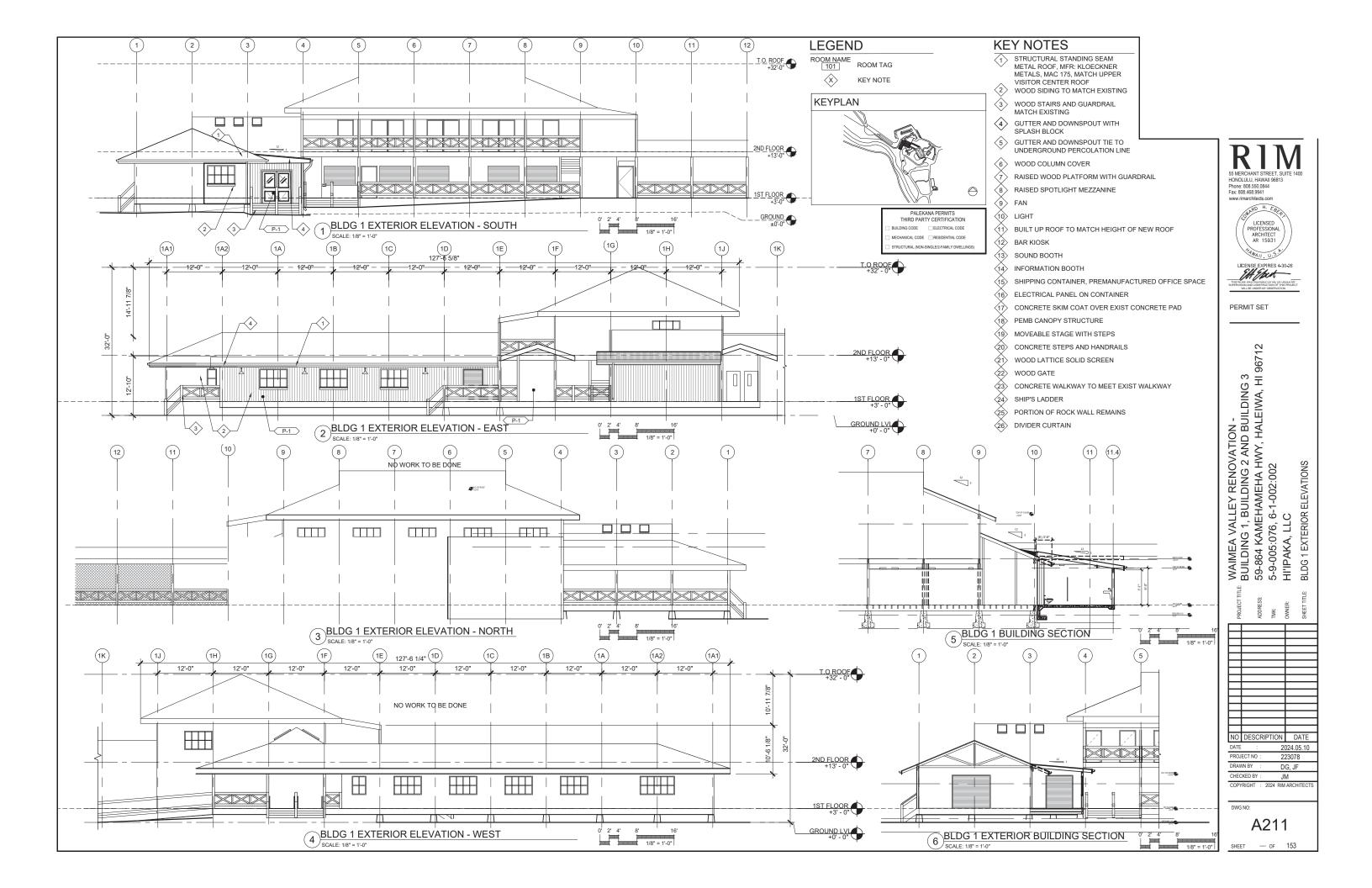
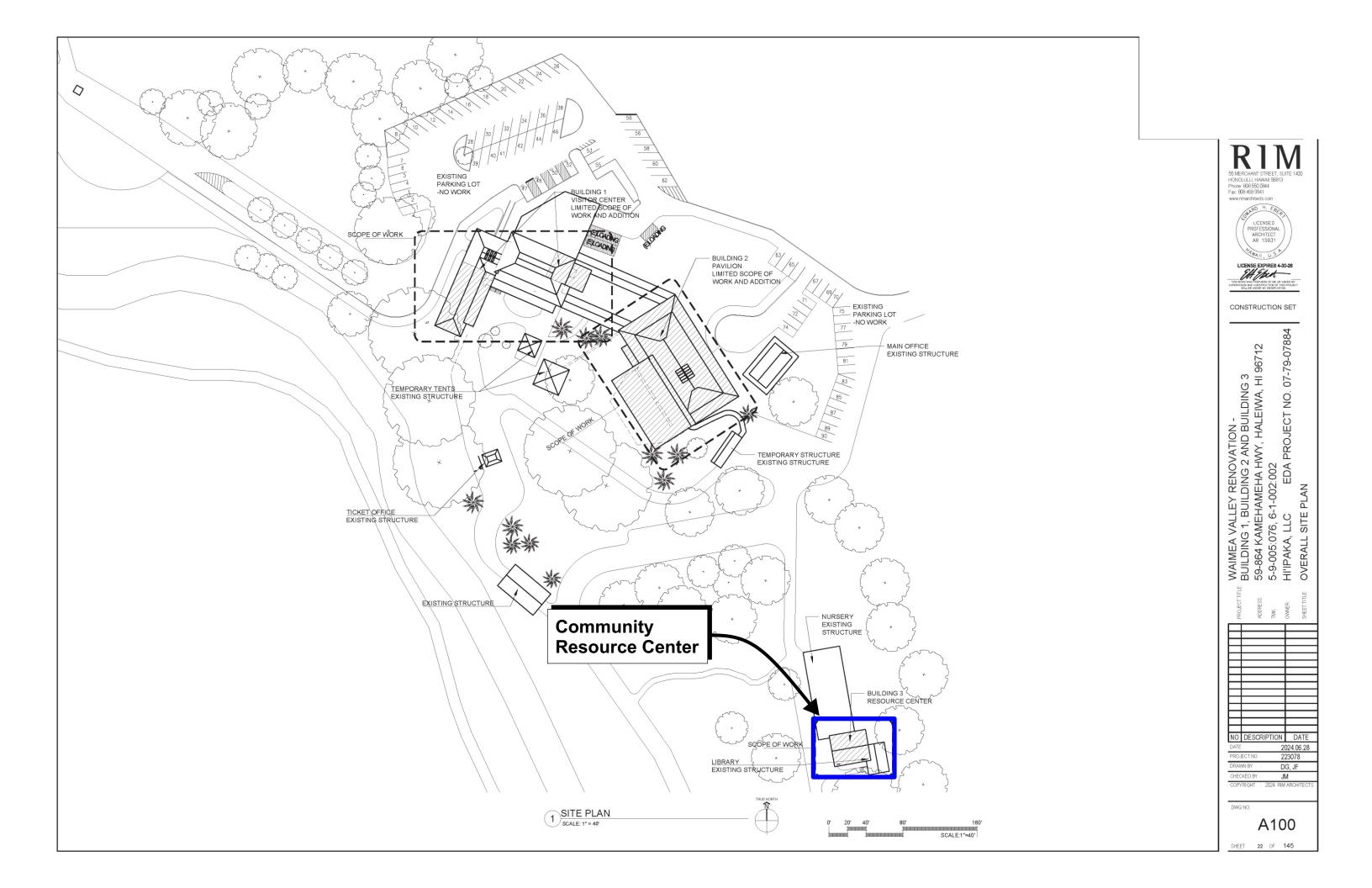
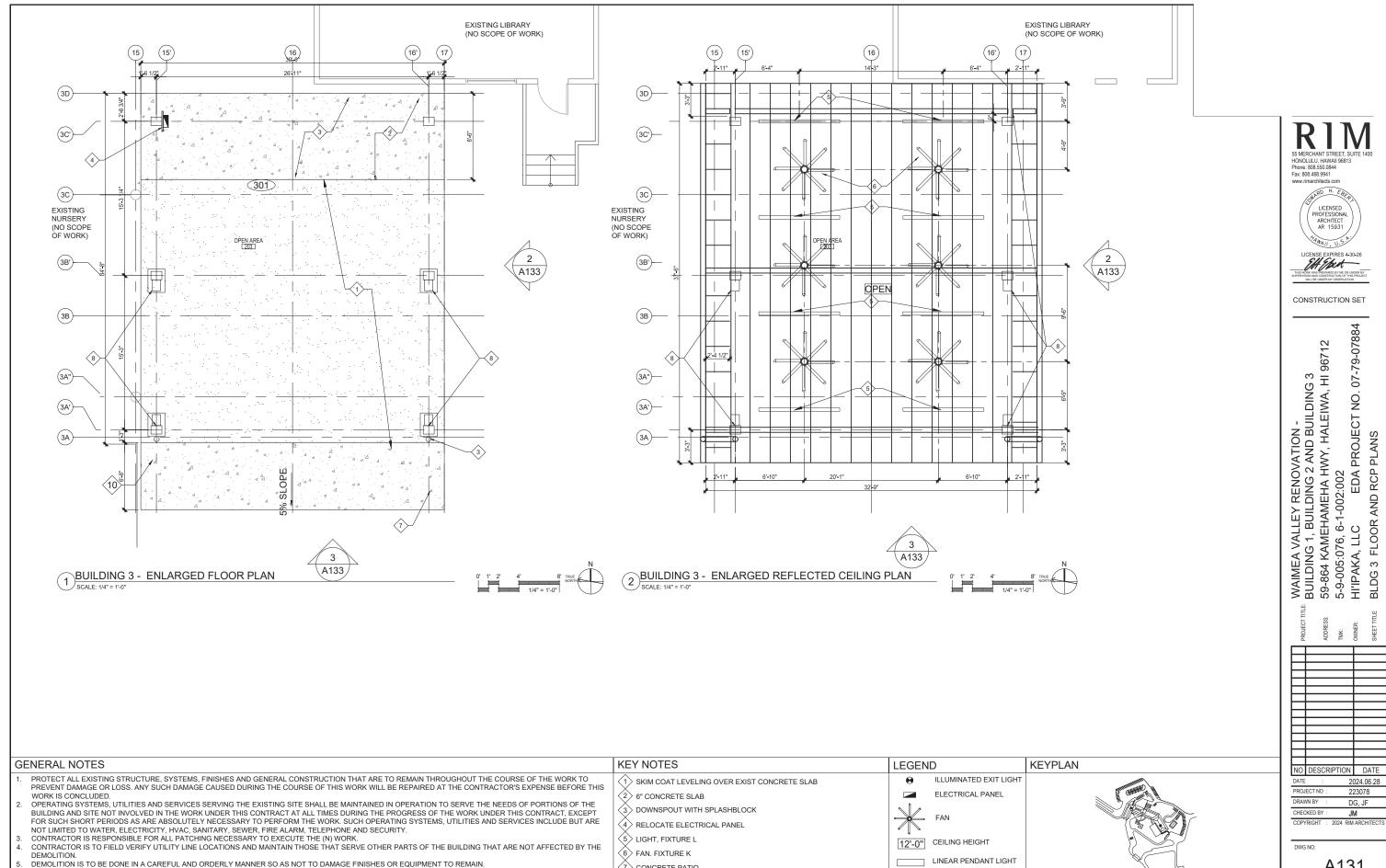


EXHIBIT A-2. Community Resource Center (Phase 1)





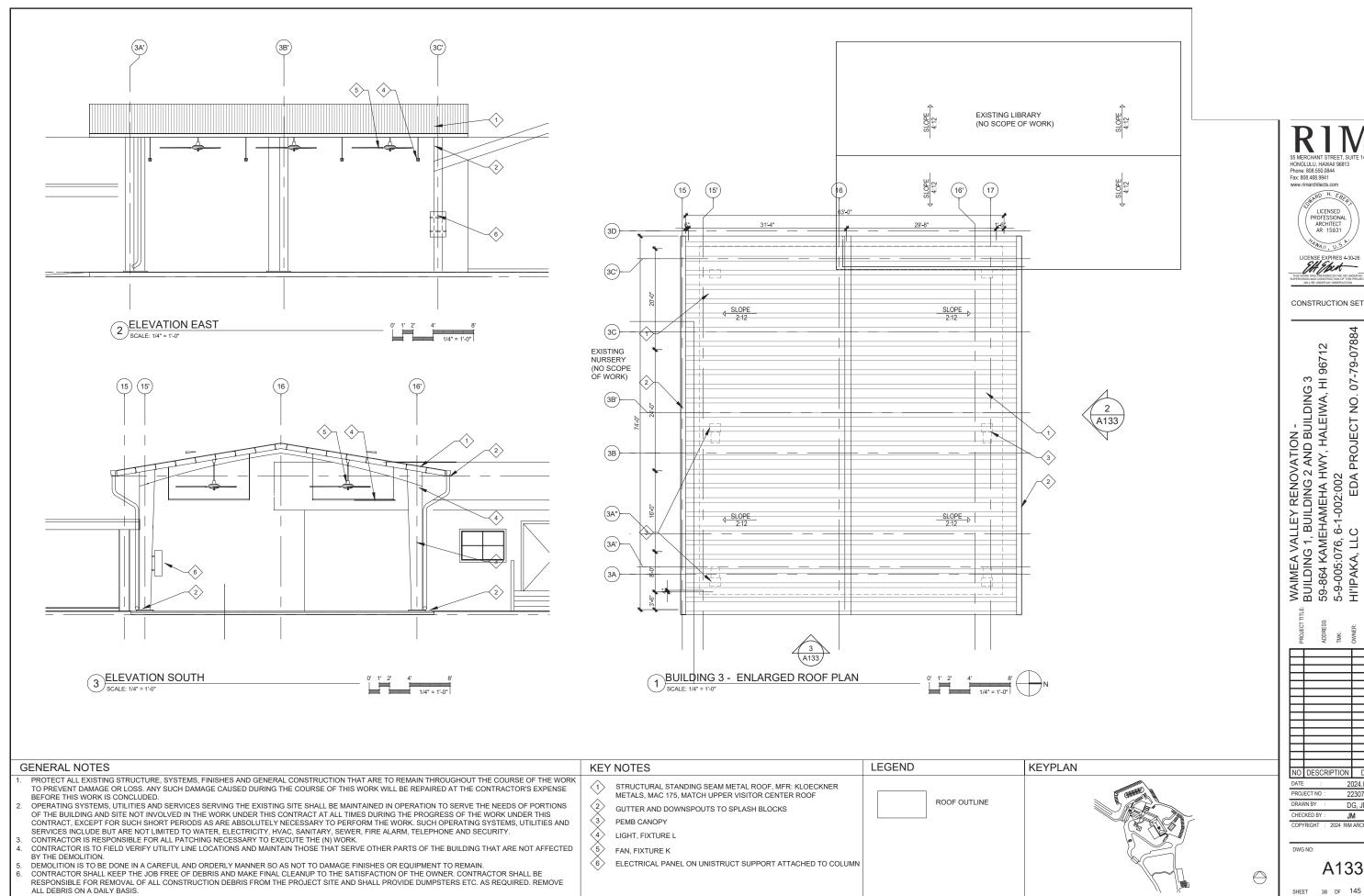
8 PEMB CANOPY WITH STRUCTURAL STANDING SEAM METAL ROOF, MFR: KLOECKNER METALS, MAC 175, MATCH UPPER VISITOR CENTER ROOF

X KEY NOTE

CONTRACTOR SHALL KEEP THE JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO THE SATISFACTION OF THE OWNER. CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ALL CONSTRUCTION DEBRIS FROM THE PROJECT SITE AND SHALL PROVIDE DUMPSTERS ETC. AS REQUIRED. REMOVE ALL DEBRIS ON A DAILY

A131
SHEET 37 OF 145

 \bigcirc



HONOLULU, HAWAII 96813 Phone: 808.550.0844 Fax: 808.468.9941 www.rimarchitects.com

LICENSED LICENSE EXPIRES 4-30-26 SHEPARE BY ME OR UNDER

CONSTRUCTION SET

07-79-07884

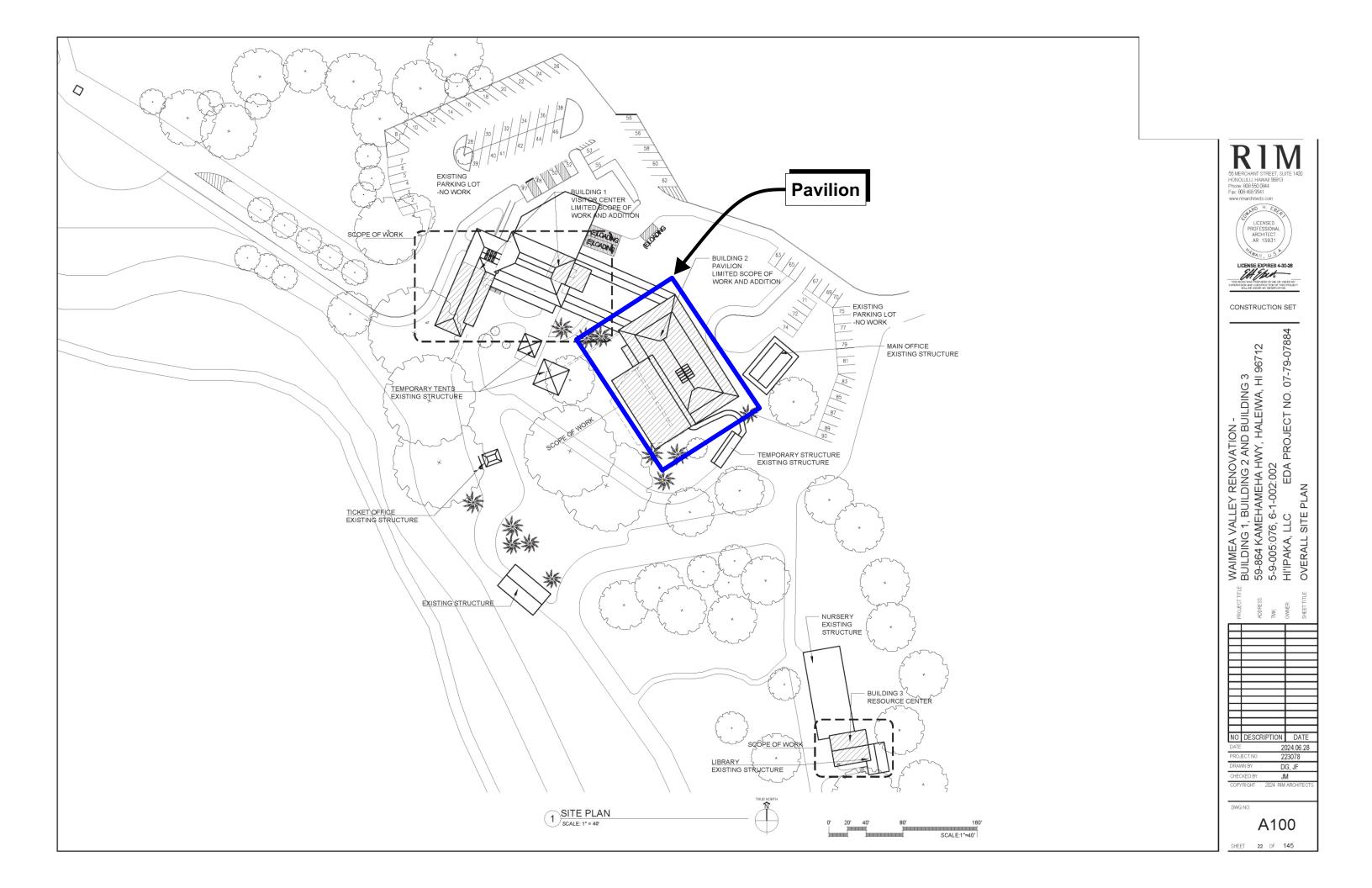
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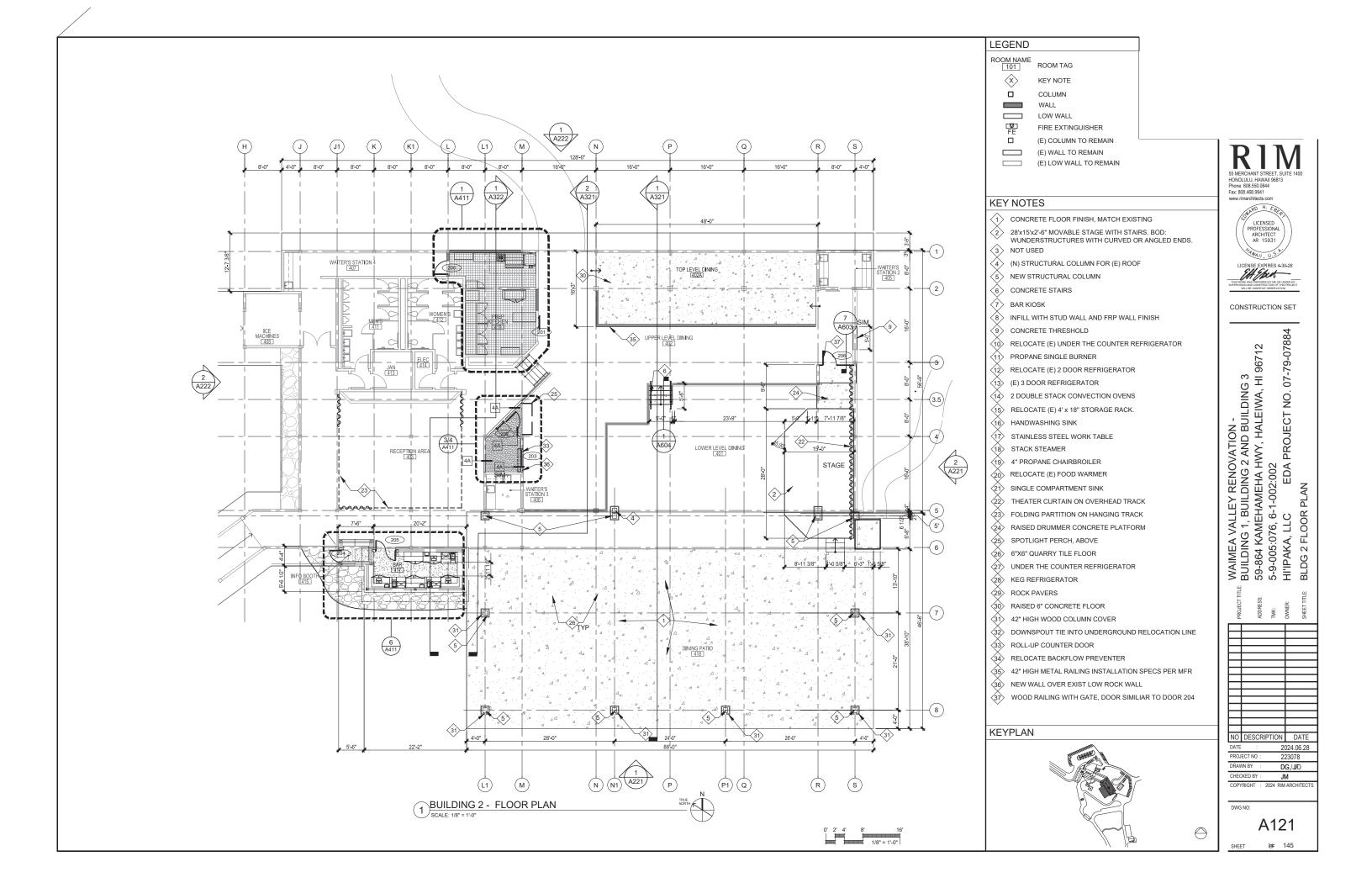
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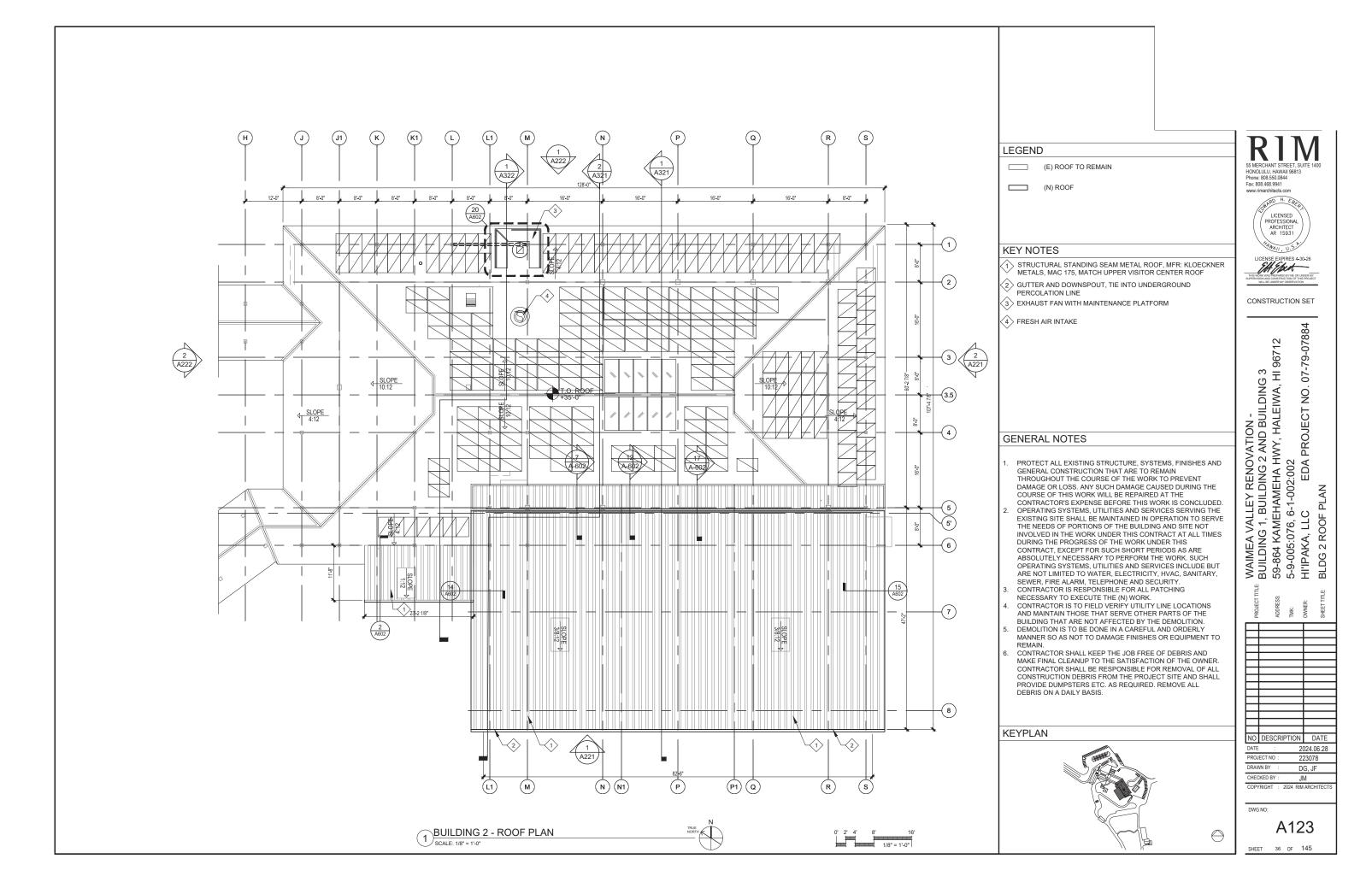
DG, JF JM

A133

EXHIBIT A-3.
Pavilion
(Phase 1)







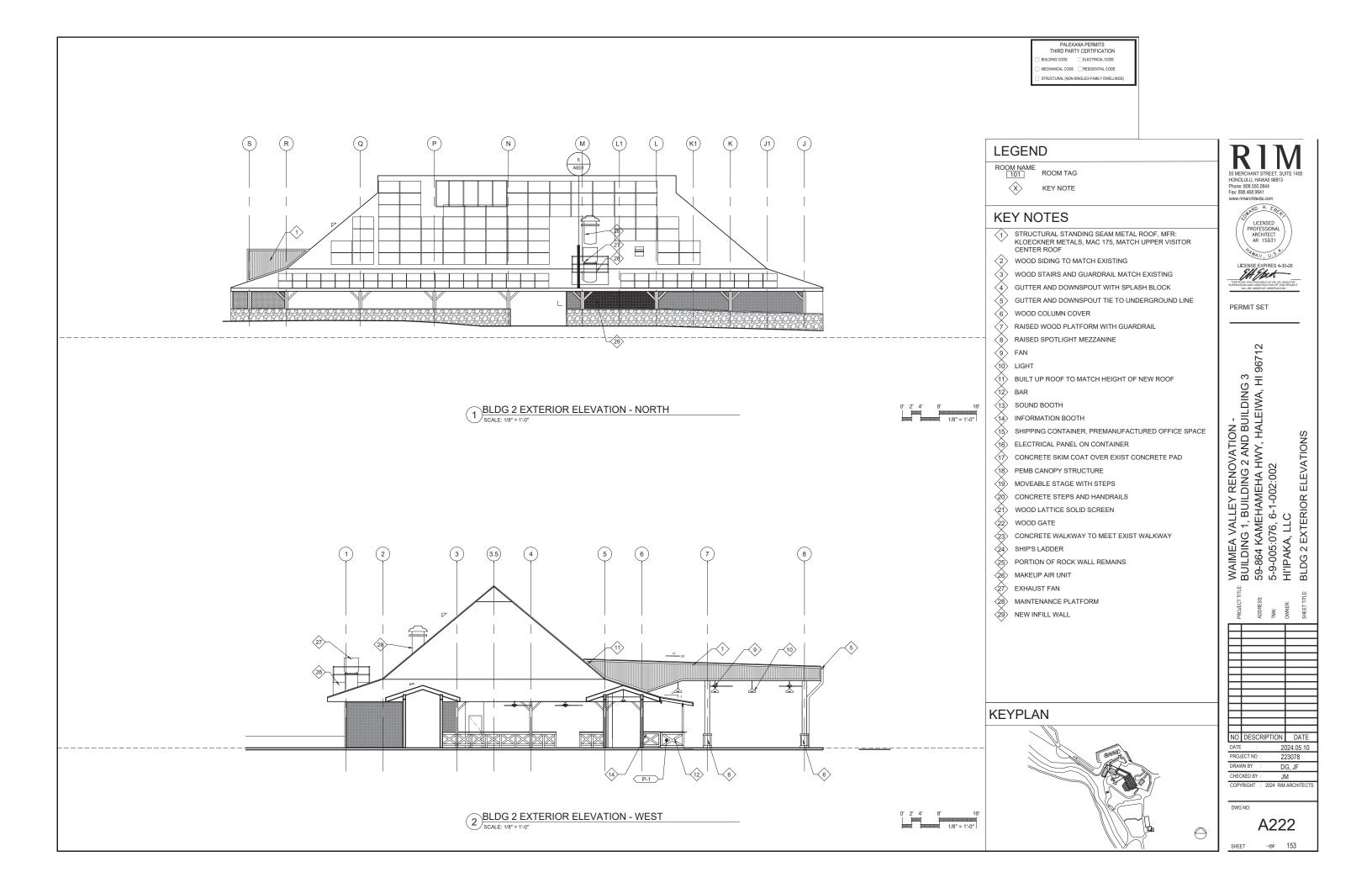
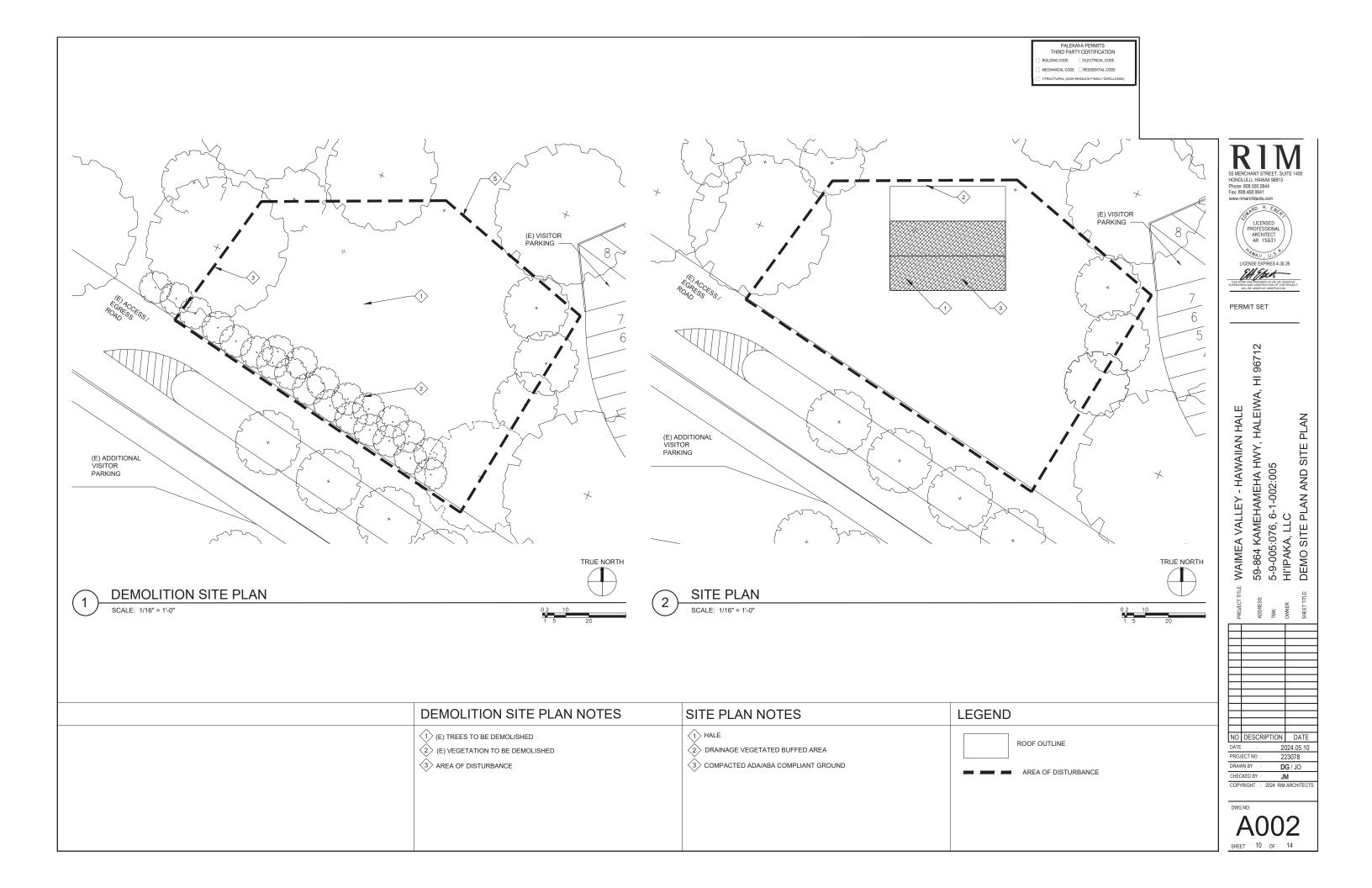
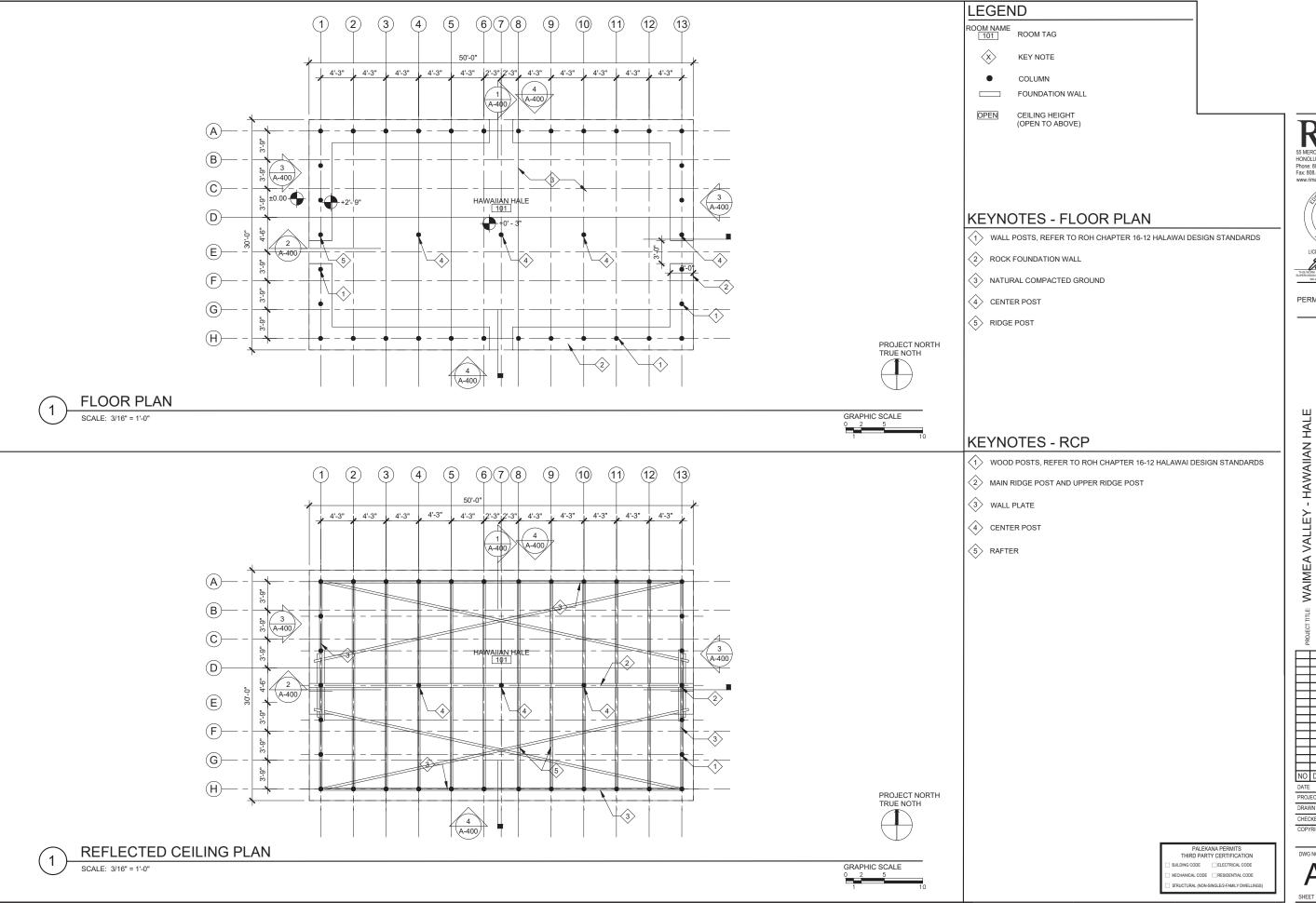


EXHIBIT A-4. Traditional Hawaiian Hale (Phase 1)





LICENSED PROFESSIONAL ARCHITECT AR 15931 LICENSE EXPIRES 4-30-26 EH Sbert

PERMIT SET

59-864 KAMEHAMEHA HWY, HALEIWA, HI 96712 5-9-005:076, 6-1-002:005 HI'IPAKA, LLC

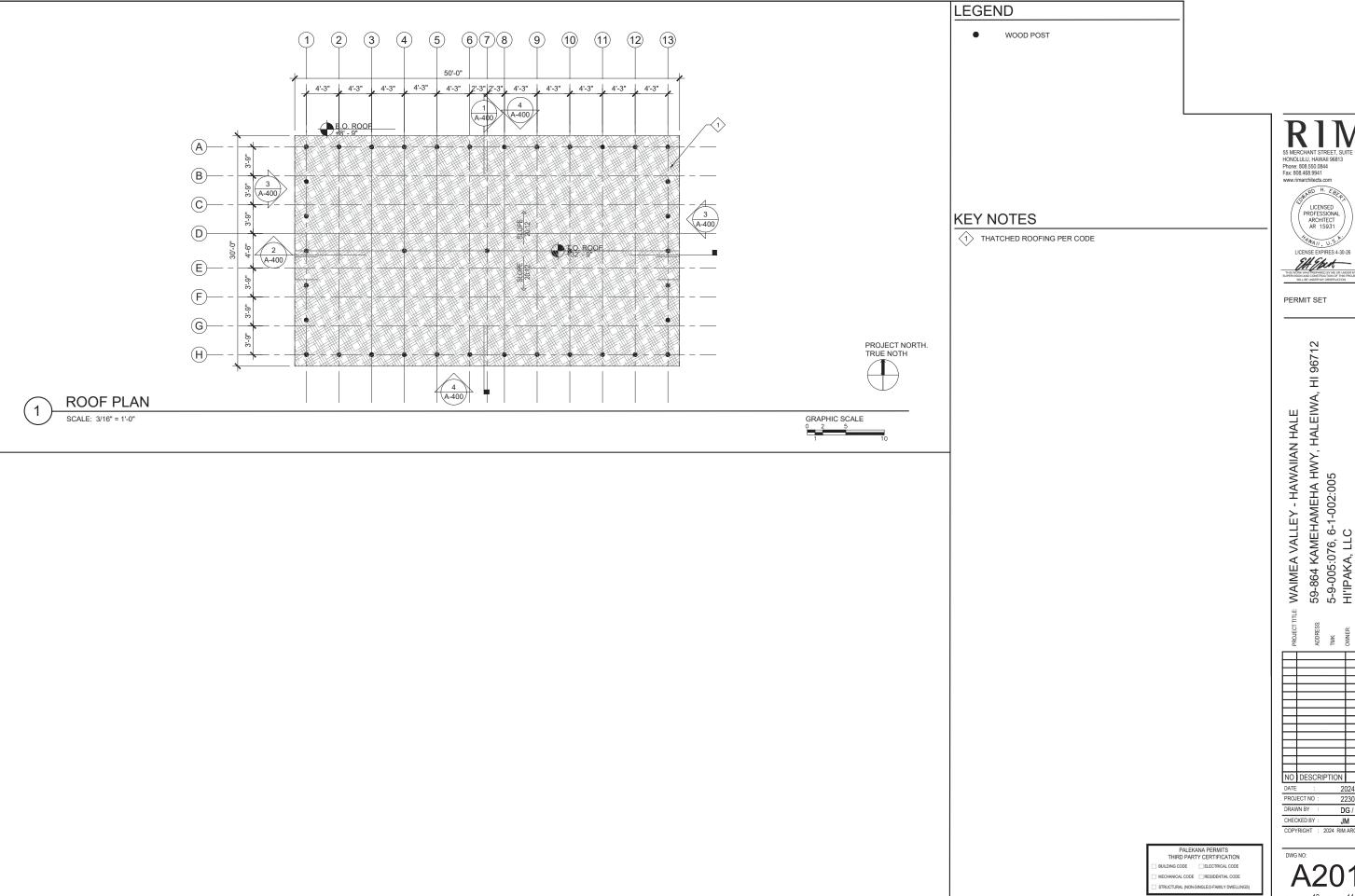
PLANS

CEILING

FLOOR AND REFLECTED

2024.05.10

DATE : 223078 DRAWN BY : DG / JO CHECKED BY : JM 2024 RIM ARCH



LICENSED PROFESSIONAL ARCHITECT AR 15931

PERMIT SET

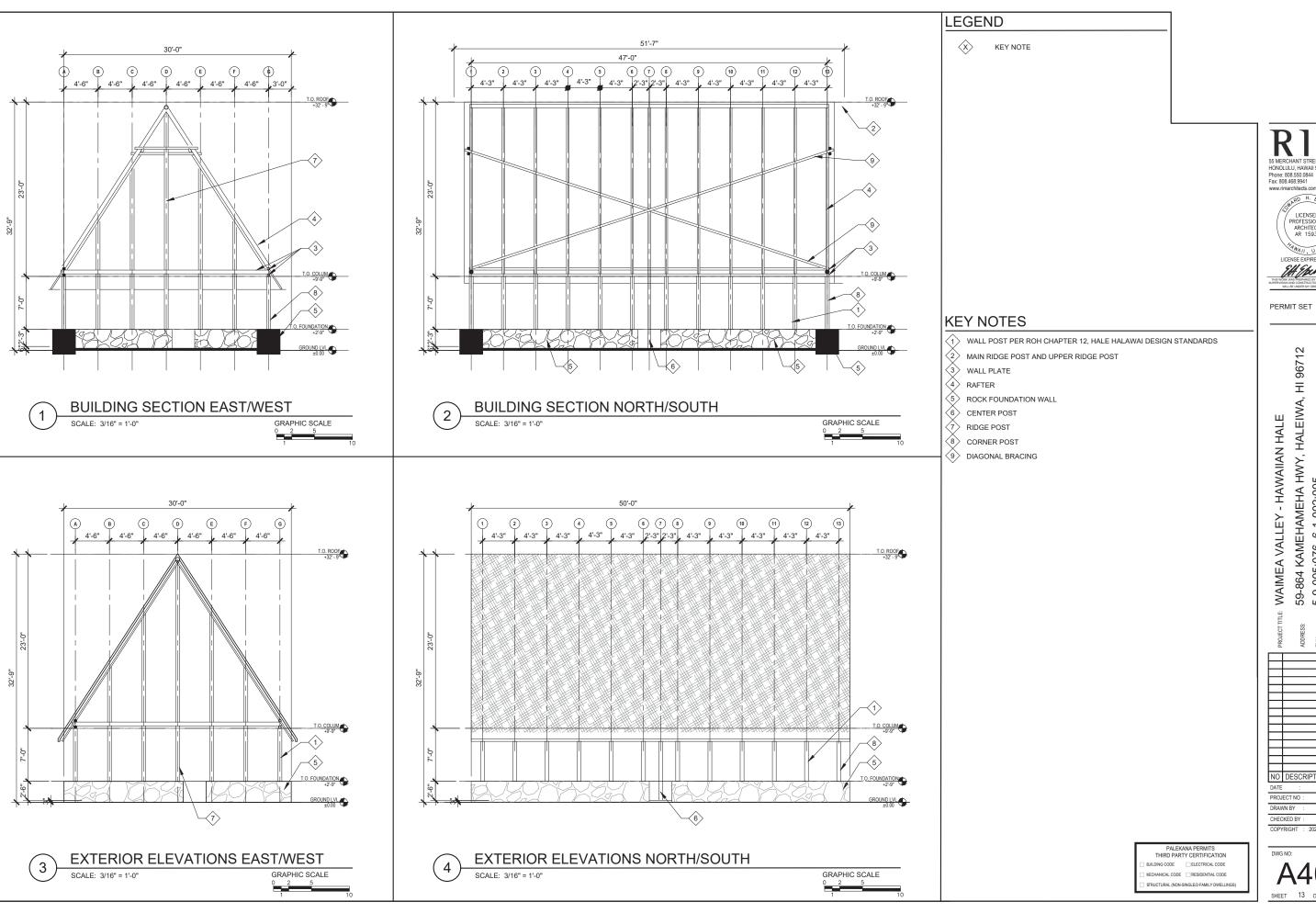
THE WAIMEA VALLEY - HAWAIIAN HALE
59-864 KAMEHAMEHA HWY, HALEIWA, HI 96712
5-9-005:076, 6-1-002:005
HI'IPAKA, LLC
E ROOF PLAN

2024.05.10 DATE : PROJECT NO : 223078

DRAWN BY : DG / JO
CHECKED BY : JM
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DWG NO:

SHEET 12 OF 14



59-864 KAMEHAMEHA HWY, HALEIWA, HI 96712 5-9-005:076, 6-1-002:005 HI'IPAKA, LLC ELEVATIONS AND BLDG SECTIONS WAIMEA VALLEY - HAWAIIAN HALE

LICENSED PROFESSIONAL ARCHITECT AR 15931

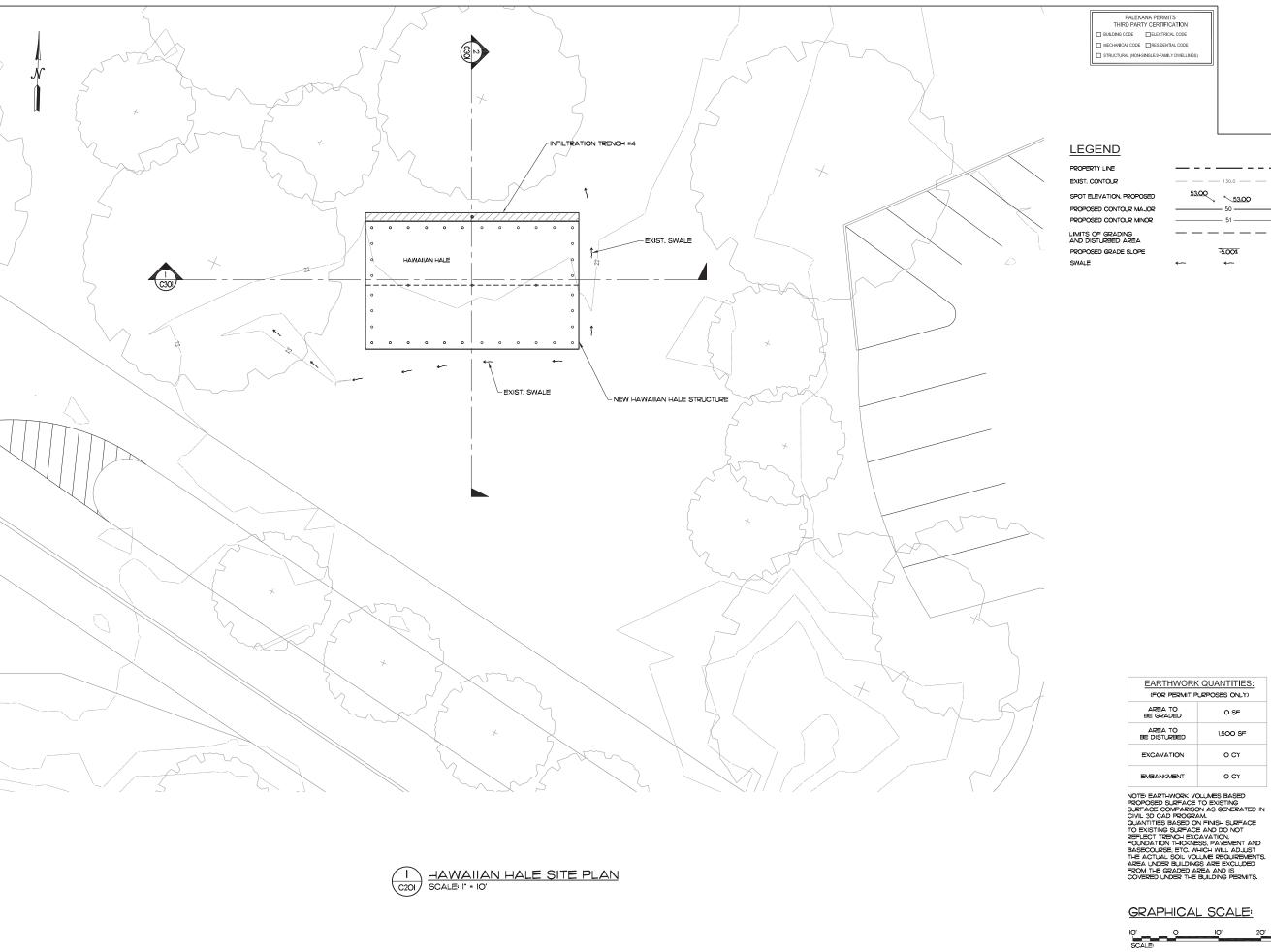
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ADDRES: TMK: OWNER:

DATE : 2024.05.10 223078 DRAWN BY : DG / JO

CHECKED BY : JM

DWG NO: SHEET 13 OF 14



■ BUILDING CODE ■ ELECTRICAL CODE

53.00 -5.00%

O SF

1,500 SF

O CY

55 MERCHANT STREET, SUITE 1400 HONOLULU, HAWAII 96813 PHONE: 808.550.0844 FAX: 808.468.9941 www.rimarchitects.com



THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION AND CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.

PERMIT SET

59-864 KAMEHAMEHA HWY, HALEIWA, HI 96712 5-9-005:076, 6-1-002:005 HI'IPAKA, LLC SITE PLAN WAIMEA VALLEY - HAWAIIAN HALE

NO DESCRIPTION DATE

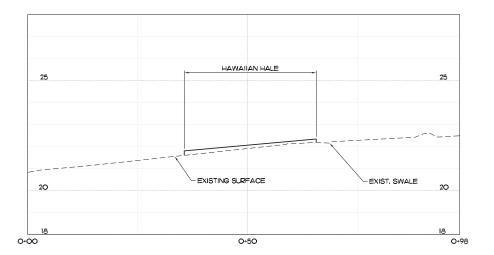
DATE : 5/10/2024 PROJECT NO : J23.09 CHECKED BY: TD
COPYRIGHT: 2024 RIM ARCHITECTS

DWG NO:

HAWAIIAN HALE

EXIST. SWALE -20 -EXISTING SURFACE 0+00 0+50 1+00 1+22

> HAWAIIAN HALE SECTION I SCALE: VERT: I' = 2' HOR: I' = 10' (30)



2 HAWAIIAN HALE SECTION 2 SCALE: VERT: 1" = 2" HOR: 1" = 10"

PALEKANA PERMITS THIRD PARTY CERTIFICATION ☐ BUILDING CODE ☐ ELECTRICAL CODE ☐ MECHANICAL CODE ☐ RESIDENTIAL CODE ☐ STRUCTURAL (NON-SINGLE/2-FAMILY DWELLINGS)

55 MERCHANT STREET, SUITE 1400 HONOLULU, HAWAII 96813 PHONE: 808.550.0844 FAX: 808.468.9941 www.rimarchitects.com

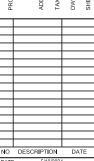


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PERMIT SET

59-864 KAMEHAMEHA HWY, HALEIWA, HI 96712 5-9-005:076, 6-1-002:005 HI'IPAKA, LLC SECTIONS

WAIMEA VALLEY - HAWAIIAN HALE



NO DESCRIPTION DATE
DATE : 5/10/2024
PROJECT NO : J23.09
DRAWN BY : JC
CHECKED BY : TD
COPYRIGHT : 2024 RIM ARCHITECTS

DWG NO:

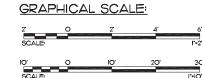


EXHIBIT A-5. Rockfall Mitigation at Community Resource Center (Phase 1)

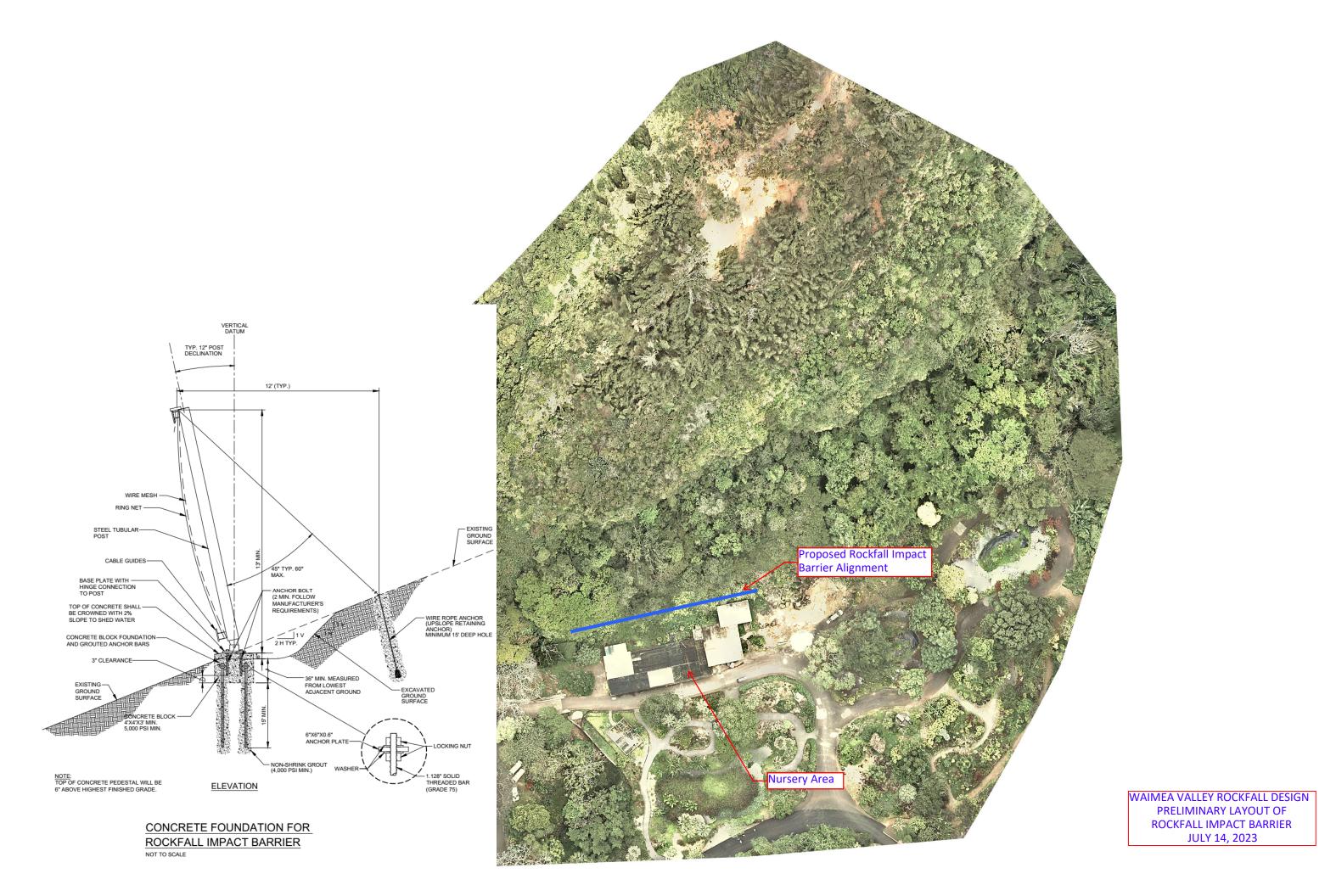
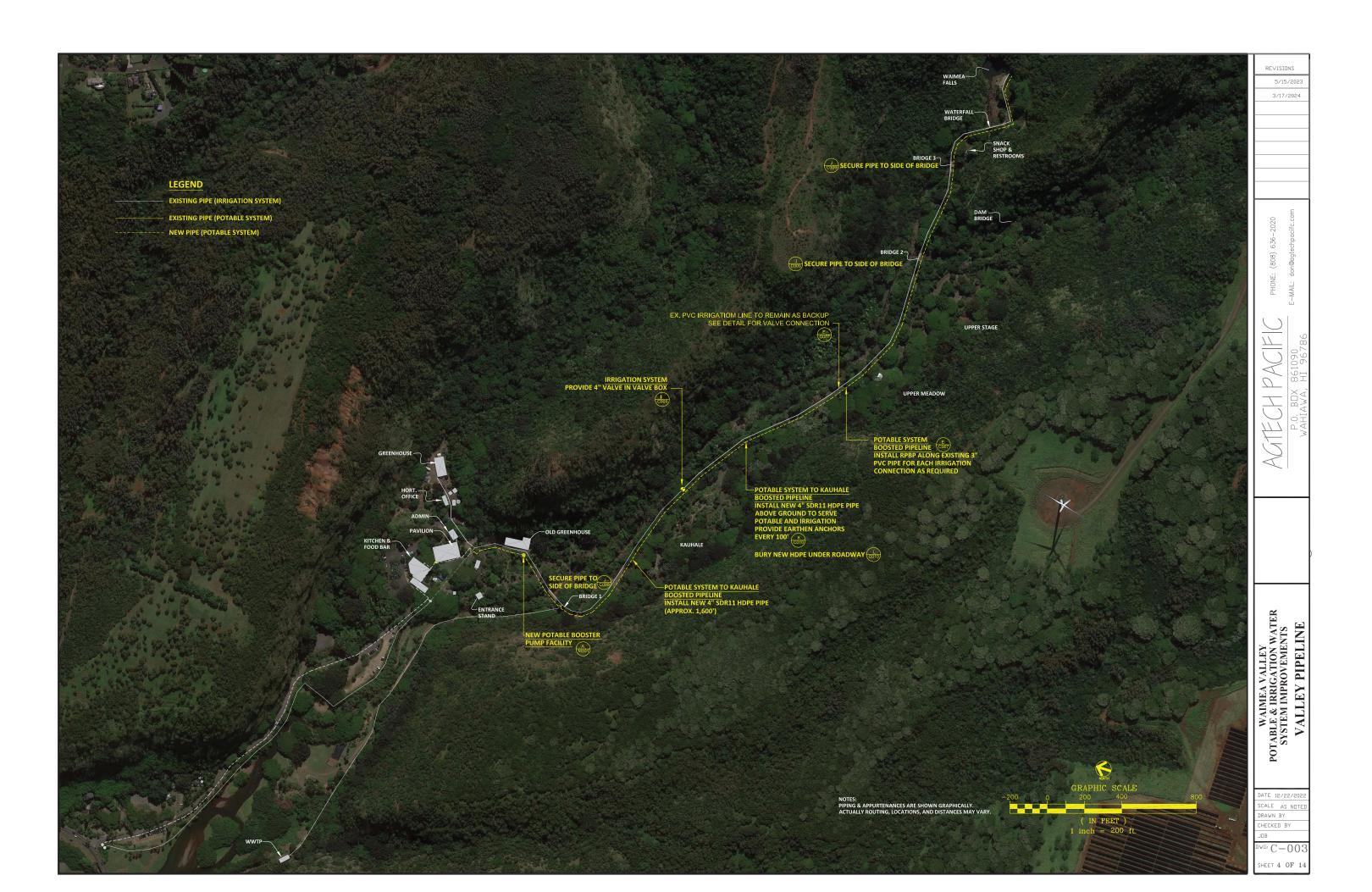
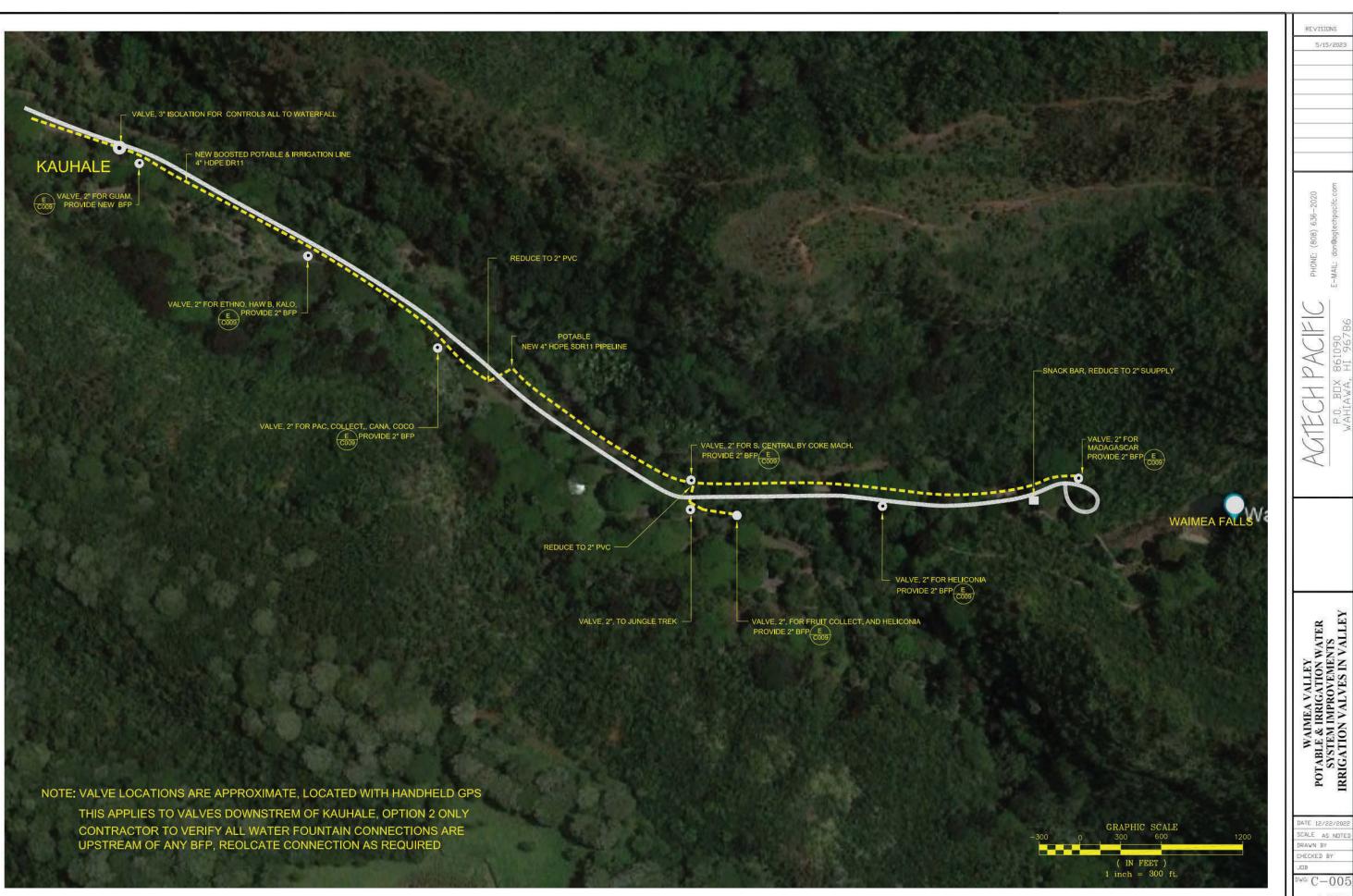


EXHIBIT A-6. Water System Upgrade (Future Phase – Next 10 Years)





SHEET 6 OF 14

EXHIBIT A-7. Sewage Treatment Plant Replacement (Future Phase – Next 10 Years)



Source: Hi'ipaka LLC



Waimea Valley Economic Resiliency Project Sewer Treatment Plant Replacement Location Map

NOT TO SCALE



VanTex® Treatment Systems

AX-Max

Manufactured by Orenco Systems®, Inc.



Decentralized Wastewater Treatment for Commercial Properties and Communities



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Applications:

- Municipal systems
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- Golf course developments, resorts
- Manufactured home parks
- Parks, RV parks, campgrounds
- Schools, churches, businesses
- Rest areas, truck stops

AdvanTex® AX-Max™ Treatment System

Reliable, Energy-Efficient Wastewater Treatment



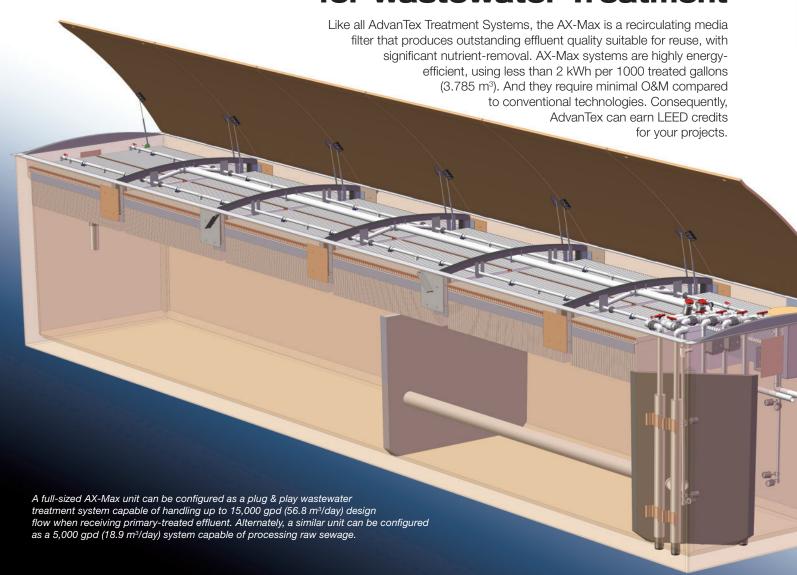
The Yakama Nations Housing Authority in Washington state added five AdvanTex® AX-Max units (background) to its ten AdvanTex AX-100 units, increasing the capacity of its wastewater system by 50%. Photo courtesy of Fextex Systems, Inc.

Everywhere!

For more than 15 years, Orenco's AdvanTex® Treatment Systems have been providing reliable, energy-efficient wastewater treatment inside and outside the urban core. AdvanTex textile filter technology has been winning awards and coming out on top in field trials and demo projects, all over the world.

Orenco's newest product in the AdvanTex line is the AX-Max™: a completely-integrated, fully-plumbed, and compact wastewater treatment plant that's ideal for commercial properties and communities. It's also ideal for projects with strict discharge limits, limited budgets, and part-time operators.

A Sustainable Solution for Wastewater Treatment



AdvanTex® AX-Max™ Treatment System



The AX-Max is pre-plumbed and easy to install, so AX-Max projects can meet the tightest deadlines. The entire system — including treatment, recirculation, and discharge — is built inside an insulated fiberglass tank that ranges from 14-42 feet (4.3-12.8 m) in length. AX-Max units can be installed above-ground — for maximum versatility in temporary or variable-flow situations — or in-ground. They can also be installed individually or in multi-tank arrays, treating up to 1 MGD (3,800 m³/day).

For Every Climate and Condition

AX-Max systems provide excellent treatment anywhere, and they have been installed all over the world. For example, AX-Max systems have been installed at Malibu's famous beach parks and New Zealand's Glendhu Bay campground. Several more were installed in Soyo, Africa, to serve a new hospital and school. Other AX-Max systems have been installed on top of Alaska's frozen tundra and St. Lucia's volcanic rock. Still more have been installed in mining camps from Alberta to Texas and, in the Midwest, at a U.S. Department of Defense demo site.



Benefits

- · Containerized, fully-plumbed
- Capable of meeting stringent permit limits
 - ~ Reuse-quality effluent
 - ~ Significant reductions in ammonia, total nitrogen
- Compact and versatile
- Above-ground or in-ground installation
- Easy to set
- Simple to operate
- Low energy usage: <2 kWh per 1000 treated gal. (<2 kWh per 3.785 m³)*
 - * When treating domestic waste



Textile Treatment Media

The treatment medium is a uniform, engineered textile. AdvanTex textile is easy to clean and allows loading rates as high as 50 gpd/ft² (2000 L/day/m²) with primary-treated influent.



Effluent Distribution

High-quality, low-horsepower pumps micro-dose the treatment media at regular intervals, and proprietary spin nozzles efficiently distribute the effluent, optimizing treatment.



Telemetry Controls

Orenco's telemetry-enabled control panels use a dedicated phone line or ethernet connection, ensuring 24/7 monitoring and real-time remote control

AdvanTex® AX-Max™ Treatment System

Carefully Engineered by Orenco

Orenco Systems has been researching, designing, manufacturing, and selling leading-edge products for small-scale wastewater treatment systems since 1981. The company has grown to become an industry leader, with about 300 employees and 300 points of distribution in North America, Australasia, Europe, Africa, and Southwest Asia. Our systems have been installed in more than 70 countries around the world.

Orenco maintains an environmental lab and employs dozens of civil, electrical, mechanical, and manufacturing engineers, as well as wastewater treatment system operators. Orenco's technologies are based on sound scientific principles of chemistry, biology, mechanical structure, and hydraulics. As a result, our research appears in numerous publications and our engineers are regularly asked to give workshops and trainings.





814 Airway Avenue Sutherlin, OR 97479 USA

T: 800-348-9843

T: 541-459-4449

F: 541-459-2884

www.orenco.com

ABR-ATX-MAX-1 Rev. 1.5, © 03/17 Orenco Systems®, Inc.

Project Summary



Point Dume State Beach and Preserve, Southern California

In spring, 2011, Los Angeles County needed to quickly upgrade restrooms at Malibu's Point Dume State Beach in time for the long — and busy — Memorial Day weekend.

The county's engineer specified three AX-Max units, one for each restroom, and all three were installed in a matter of days. The small footprint of this configuration saved the county valuable space for visitor parking. After disinfection, the treated effluent is dispersed right into the sand. Point Dume is part of a large-scale upgrade of L.A. County beach parks, virtually all of which include AdvanTex Treatment Systems of various sizes and configurations.



Fully Supported by Orenco

AdvanTex Treatment Systems are part of a comprehensive program that includes ...

- · Designer, installer, and operator training
- Design assistance, technical specifications, and plan reviews
- Installation and operation manuals
- · Lifetime technical support

Distributed by:

EXHIBIT A-8.

New Fire Hydrant (Offsite Improvement on Kamehameha Highway for Phase 1)

NOTES FOR CONSTRUCTION WITHIN STATE RIGHT-OF-WAY

- THE CONTRACTOR SHALL OBTAIN A PERMIT TO PERFORM WORK UPON STATE HIGHWAYS FROM THE OAHU DISTRICT ENGINEER. STATE HIGHWAYS, AT 727 KAKOI STREET, PRIOR TO COMMENCEMENT OF
- 2. CONSTRUCTION AND RESTORATION OF ALL EXISTING HIGHWAY RELATIONS AND RESPONSIBILITY TO THE PUBLIC, SHALL BE IN ACCORDANCE WITH THE CURRENT HAWAII STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, DATED 2005, AND THE SPECIFICATIONS FOR INSTALLATION OF MISCELLANEOUS IMPROVEMENTS WITHIN STATE HIGHWAYS, OF THE STATE HIGHWAYS
- WORK MAY BE PERFORMED ONLY BETWEEN THE HOURS OF 8:30 A M AND 3:00 P.M., MONDAY THROUGH FRIDAY, EXCEPT STATE HOLIDAYS, UNLESS WHEN OTHERWISE APPROVED IN WRITING BY THE DISTRICT **ENGINEER**

DURING WORK HOURS, ONLY ONE LANE OF TRAFFIC SHALL BE CLOSED, UNLESS OTHERWISE APPROVED IN WRITING BY THE DISTRICT

CHRISTMAS / NEW YEAR PERIOD AND AT OTHER TIMES AS DIRECTED BY THE HIGHWAYS DIVISION

THE CONTRACTOR SHALL PROVIDE, INSTALL, AND MAINTAIN ALL NECESSARY SIGNS, LIGHTS, FLARES, BARRICADES, MARKERS, CONES, AND OTHER PROTECTIVE FACILITIES, AND SHALL TAKE ALL NECESSAR' PRECAUTIONS FOR THE PROTECTION, CONVENIENCE, AND SAFETY OF PUBLIC TRAFFIC. ALL SUCH PROTECTIVE FACILITIES AND PRECAUTIONS HAWAII GOVERNING THE USE OF TRAFFIC CONTROL DEVICES AT WORK

FEDERAL HIGHWAY ADMINISTRATION MUTCD - MANUAL ON UNIFORM

LANE CLOSURES SHALL CONFORM TO THE TRAFFIC CONTROL PLAN INCORPORATED INTO THESE CONSTRUCTION PLANS AND MUST BE APPROVED BY THE DIVISION PRIOR TO THE ISSUANCE OF THE PERMIT.

- THE MINIMUM PAVEMENT STRUCTURE SHALL CONSIST OF
- a RESIDENTIAL DRIVEWAYS ON MINOR HIGHWAYS
-
- NECESSARY BY THE ENGINEER.
- b. COMMERCIAL DRIVEWAYS AND SIDEROADS ON MINOR HIGHWAYS
- NECESSARY BY THE ENGINEER.
- c. CHANNELIZED INTERSECTIONS ON MAJOR HIGHWAYS:

- NO MATERIAL AND/OR EQUIPMENT SHALL BE STOCKPILED OR OTHERWISE STORED WITHIN THE HIGHWAY RIGHT-OF-WAY, EXCEPT AT LOCATIONS DESIGNATED IN WRITING AND APPROVED BY THE DISTRICT
- COMPACTION TESTS SHALL BE TAKEN IN ACCORDANCE WITH THE SPECIFICATIONS FOR INSTALLATION OF MISCELLANEOUS IMPROVEMENTS WITHIN STATE HIGHWAYS, AS FOLLOWS
- a. SUBBASE:ONE (1) COMPACTION TEST PER LIFT PER 200 LINEAL FEET
- b. BASE COURSE: ONE (1) COMPACTION TEST PER LIFT PER 200 LINEAL FEET OF ROADWAY
- c. ONE (1) COMPACTION TEST PER LIFT PER 300 LINEAL FEET OF
- d. A COPY OF THE TEST RESULTS SHALL BE SUBMITTED TO THE DISTRICT ENGINEER.
- THE CONTRACTOR SHALL TAKE A PROFILE ALONG THE CENTERLINE OF THE PROPOSED UTILITY TRENCH BOTH BEFORE COMMENCING TRENCH EXCAVATION WORK AND AFTER TRENCH HAS BEEN REPAVED. PROFILES SHALL BE SUBMITTED TO THE DISTRICT ENGINEER AND SHALL BE USED TO VERIFY THE ROADWAY SURFACE HAS BEEN RESTORED TO ITS ORIGINAL CONDITION OR SMOOTHER.

NOTES FOR CONSTRUCTION WITHIN STATE RIGHT-OF-WAY (CONT'D)

- THE DISTANCE FROM THE PAVED SURFACE TO THE TESTING EDGE OF A TEN-FOOT LONG STRAIGHT EDGE BETWEEN TWO POINTS SHALL NOT
- 10. THE CONTRACTOR SHALL PROVIDE AN ADEQUATE AND SAFE NON-SKID BRIDGING MATERIAL, INCLUDING SHORING, OVER TRENCHES IN • PAVEMENT AREAS• THE PRIDGING•SHALL• BE•AB! E•TO•S• PPORT ALL TYPES OF VEHICULAR TRAFFIC. BRIDGING MATERIALS SHALL NOT BE USED ON HIGH SPEED ROADWAYS, WHICH ARE ROADS WITH A DESIGN SPEED OF 50 MPH OR HIGHER, SMOOTH RIDING CONNECTION BETWEEN ROADWAY SURFACES AND BRIDGING MATERIAL SHALL BE PROVIDED. SHOULD COMPLAINTS BE RECEIVED DUE TO NOISE GENERATED FROM THIS WORK, THE CONTRACTOR SHALL IMMEDIATELY ADDRESS THOSE
- 11. THE CONTRACTOR SHALL MAKE EVERY EFFORT TO MINIMIZE THE USE AND THE DURATION OF USE OF BRIDGING MATERIALS. THE STATE MAY REQUIRE THE BACKFILLING AND PATCHES OF TRENCHES DUE TO THE
- 12. UNLESS OTHERWISE NOTED, NO TRENCH SHALL BE OPENED MORE THAN 300 FEET IN ADVANCE OF INSTALLED AND TESTED PIPELINE AND/OR DUCTLINE.

ING DRAINAGE SYSTEMS SHALL BE FUNCTIONAL AT ALL TIMES.

- 14. THE CONTRACTOR SHALL EXERCISE CARE TO MINIMIZE DAMAGES TO EXISTING HIGHWAY IMPROVEMENTS, ALL DAMAGES SHALL BE REPAIRED BY THE CONTRACTOR, AT HIS EXPENSE, TO THE SATISFACTION OF THE DISTRICT ENGINEER.
- 15. APPROVAL OF PERMIT CONSTRUCTION PLANS SHALL BE VALID FOR A PERIOD OF ONE (1) YEAR FROM THE DATE OF NOTIFICATION OF APPROVAL TO THE APPLICANT: IN THE EVENT GONETRUCTION DOES NOT COMMENCE WITHIN THIS ONE-YEAR PERIOD, THE APPLICANT WILL E-REQUIRED TO RESUBMIT THE CONSTRUCTION PLANS FOR THE
- BARRICADES SHALL HAVE A HIGH-INTENSITY TYPE III OR IV RETROREFLECTIVE BACKGROUND.
- OFFICE AT dot.hwyo.permits@hawaii.gov AT LEAST TWO (2) WEEKS PRIOR TO CLOSING ANY LANES. THE LANE CLOSURE FORM TO SUBMIT TO THE https://hidot.hawaii.gov/highways/home/doing-business/guide-to-permits/
- 18. DRIVEWAYS SHALL BE KEPT OPEN UNLESS THE OWNERS OF THE (1) PROPERTIES USING THESE TIGHTS OF WAY ARE GITHERWISE PROVIDED
- 19. WHERE PEDESTRIAN WALKWAYS EXIST THEY SHALL BE MAINTAINED IN SHALL CONFORM TO ADA REQUIREMENTS.
- 20. THE CONTRACTOR SHALL REFERENCE, TO THE SATISFACTION OF THE (1) BISTRIGT ENGINEER, ALL-EXISTING TRAFFIC SIGN9, POSTS, AND ... CONSTRUCTION. THE CONTRACTOR SHALL REPLACE OR REPAIR ALL TRAFFIC SIGNS, POSTS, AND PAVEMENT MARKINGS DISTURBED BY HIS (2)AGTIVITIES, AT HIS EXPENSE, UNLESS DIRECTED DY: THE DISTRICT
- 21. THE CONTRACTOR SHALL EXERCISE CARE WHEN PERFORMING WORK IN OR ADJACENT TO THE STATE HIGHWAY RIGHT-OF-WAY. DAMAGES TO THE EXISTING FACILITIES SHALL BE IMMEDIATELY REPORTED TO THE RESPECTIVE UTILITY COMPANIES, AND/OR CITY OR STATE AGENCIES.
 - 22. HIGHWAY LIGHTS SHALL BE KEPT OPERATIONAL DURING CONSTRUCTION. SHOULD WORK BE NECESSARY, THE CONTRACTOR (837-8056), THREE (3) WORKING DAYS PRIOR TO COMMENCING WORK.
 - 23. THE CONTRACTOR SHALL NOTIFY THE CITY DEPARTMENT OF TRANSPORTATION SERVICES, TRAFFIC SIGNAL ENGINEER (768-8388), THREE (3) DAYS PRIOR TO ANY SIGNALIZED INTERSECTION WORK.
 - TRAFFIC SIGNALS SHALL BE KEPT OPERATIONAL DURING CONSTRUCTION. TEMPORARY OPERATIONAL MICROWAVE OR OTHER APPROVED DETECTION DEVICES SHALL BE INSTALLED THREE (3)
 WORKING DAYS PRIOR TO ANY SIGNALIZED INTERSECTION EXCAVATION WORK. ALL WORK SHALL BE DONE IN ACCORDANCE TO THE REQUIREMENTS OF THE DEPARTMENT OF TRANSPORTATION SERVICES, CITY AND COUNTY OF HONOLULU, AND PAID FOR BY THE CONTRACTOR.

NOTES FOR CONSTRUCTION WITHIN STATE RIGHT-OF-WAY (CONT'D)

25. CONSTRUCTION OF THIS PROJECT SHALL NOT AFFECT TRANSIT OPERATIONS. BUS ROUTES AND BUS STOPS SHALL REMAIN OPEN AND ACCESSIBLE AT ALL TIMES. ANY WORK AFFECTING BUS OPERATIONS, ROUTES, OR STOPS MUST BE SUBMITTED TO DEPARTMENT OF TRANSPORTATION SERVICES, TRANSPORTATION MOBILITY DIVISION (DTS-TMD) FOR REVIEW NO LESS THAN 30 DAYS PRIOR TO START DATE.

POINT OF CONTACT INFORMATION (NOTIFICATION TO ALL PHONE NUMBERS AND EMAILS):

DTS-TMD: (808) 768-8371, thebusstop@honolulu.gov, handivan@honolulu.gov

768-9534,

sean-bennett.paio@thebus.org, joshua.vaoalii@thebus.org.walter.oba@thebus.org

(808) 768-9851, (808) 454-5021, tracie.coelho@thebus.org, richard.mole@thebus.org

- 26. THE PERMIT TO PERFORM WORK UPON STATE HIGHWAY MAY BE REVOKED BECAUSE OF DEFAULT IN ANY OF THE FOLLOWING, BUT NOT LIMITED TO, CONDITIONS:
- a. WORK PERFORMED BEFORE OR AFTER PERMITTED HOURS. b. FAILURE TO MAINTAIN ROADWAY SURFACES IN A SMOOTH AND SAFE
- c. FAILURE TO CLEAN UP CONSTRUCTION DEBRIS GENERATED FROM PROJECT WORK
- d. FAILURE TO PROVIDE PROPER TRAFFIC CONTROL
- e. FAILURE TO REPLACE DAMAGED PAVEMENT MARKINGS AND SIGNS.
- f. FAILURE TO MAINTAIN HIGHWAY LIGHTS AND/OR TRAFFIC SIGNAL
- g. FAILURE TO ADDRESS PUBLIC COMPLAINTS TO THE SATISFACTION OF THE DISTRICT ENGINEER.

OFFICE AT dot.hwyo.permits@hawaii.gov OR 831-6700 (EXT. 107) AT LEAST TWO DAYS PRIOR TO PERFORMING ANY TRENCH RESTORATION WORK. THIS WORK SHALL INCLUDE ANY BACKFILLING AND COMPACTING OF TRENCH MATERIAL: ANY PLACING AND COMPACTING OF BASE COURSE MATERIAL; AND ANY PAVING OPERATIONS. ANY TRENCH RESTORATION WORK PERFORMED BYTHE CONTRACTOR THAT IS NOT WITNESSED BY A STATE REPRESENTATIVE WILL BE REQUIRED TO BE REMOVED AND RESTORED WITH A STATE REPRESENTATIVE PRESENT. ALL

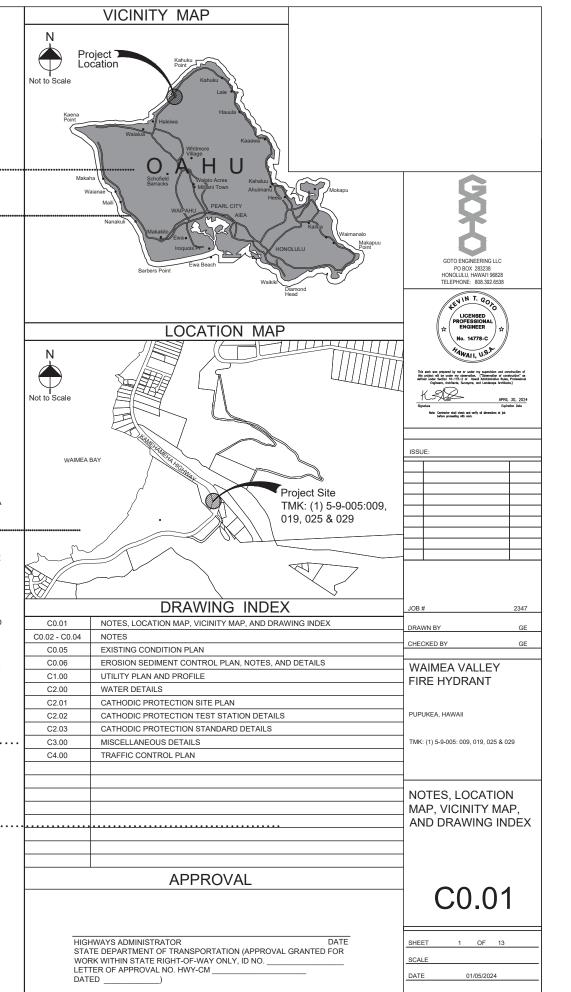
- 28. TEMPORARY COLD MIX TRENCH PATCHES WILL BE PERMITTED IN ANY GIVEN AREA FOR A MAXIMUM DURATION OF TWO WEEKS, AND SHALL BE A MINIMUM OF 2 INCHES THICK. ALL TEMPORARY PATCHES SHALL BE PLACED OVER PROPERLY PLACED AND COMPACTED BACKFILL AND BASE COURSE LAYERS, CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL TEMPORARY PATCHES AND TO MAKE REPAIRS TO UNSATISFACTORY PATCHES WITHIN 24 HOURS
- 29. PLASTIC MARKING TAPE. PROVIDE PLASTIC MARKING TAPE THAT IS ACID AND ALKALI RESISTANT POLYETHYLENE FILM 6 INCHES WIDE WITH MINIMUM THICKNESS OF 0.004 INCH. PROVIDE TAPE WITH MINIMUM STRENGTH OF 1750 PSI LENGTHWISE AND 1500 PSI CROSSWISE.
 MANUFACTURE TAPE WITH INTEGRAL WIRES, FOIL BACKING OR OTHER MEANS TO ENABLE DETECTION BY A METAL DETECTOR WHEN THE TAPE IS BURIED UP TO 3 FEET DEEP. MANUFACTURE TAPE SPECIFICALLY FOR MARKING AND LOCATING UNDERGROUND UTILITIES. PROVIDE THE METALLIC CORE OF THE TAPE ENCASED IN A PROTECTIVE JACKET OR ADED-WITH-OTHER MEANS TO PROTECT IT FROM CORROSION. CONFORM TO THE FOLLOWING TAPE COLOR AND BEAR A CONTINUOUS PRINTED INSCRIPTION DESCRIBING THE SPECIFIC UTILITY.

YELLOW:

GAS, OIL, DANGEROUS MATERIALS TELEPHONE, TELEGRAPH, TELEVISION, POLICE, AND FIRE ORANGE: COMMUNICATIONS

BLUE: WATER SYSTEMS GREEN: SEWER SYSTEMS

- 30. THE CONTRACTOR SHALL PROVIDE THE DISTRICT ENGINEER WITH AS-BUILT PLANS UPON COMPLETION OF THE WORK DONE IN THE STATE RELEASE OF THE PERFORMANCE BOND.
- 31 PURSUANT TO THE HOOT DESIGN CRITERIA FOR HIGHWAY DRAINAGE DATED JUNE 15, 2019, MAINTAIN A MINIMUM VERTICAL CLEARANCE OF ONE FOOT AND HORIZONTAL CLEARANCE OF TWO FEET BETWEEN DRAINAGE FACILITIES AND OTHER UTILITIES OR OBSTRUCTIONS ONE FOOT AND TWO FEET RESPECTIVELY, OR IN ACCORDANCE WITH THE APPLICABLE UTILITY AGENCIES WHICHEVER IS GREATER.



HAWAIIAN ELECTRIC COMPANY NOTES:

THE LOCATION OF HECO'S OVERHEAD AND UNDERGROUND FACILITIES SHOWN ON THE PLANS ARE FROM EXISTING RECORDS WITH VARYING DEGREES OF ACCURACY AND ARE NOT GUARANTEED AS SHOWN. THE CONTRACTOR SHALL VERIFY IN THE FIELD THE LOCATIONS OF THE FACILITIES AND SHALL EXERCISE PROPER CARE IN EXCAVATING AND WORKING IN THE AREA. WHEREVER CONNECTIONS OF NEW UTILITIES TO EXISTING UTILITIES AND UTILITY CROSSINGS ARE SHOWN, THE CONTRACTOR SHALL EXPOSE THE EXISTING LINES AT THE PROPOSED CONNECTIONS AND CROSSINGS TO VERIFY THE DEPTHS PRIOR TO EXCAVATION FOR THE NEW LINES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGES TO HECO'S FACILITIES WHETHER SHOWN OR NOT SHOWN ON THE PLANS.

2. COMPLIANCE WITH HAWAII OCCUPATIONAL SAFETY AND HEALTH LAWS

THE CONTRACTOR SHALL COMPLY WITH THE STATE OF HAWAII'S OCCUPATIONAL SAFETY AND HEALTH LAWS AND REGULATIONS. INCLUDING WITHOUT LIMITATION, THOSE RELATED TO WORKING ON OR NEAR EXPOSED OR ENERGIZED ELECTRICAL LINES AND EQUIPMENT.

3. EXCAVATION CLEARANCE

THE CONTRACTOR SHALL OBTAIN AN EXCAVATION CLEARANCE FROM HECO'S PLANNING AND DESIGN SECTION OF THE CUSTOMER INSTALLATIONS DEPARTMENT (543-5654) LOCATED AT 820 WARD AVENUE, 4TH FLOOR, A MINIMUM OF TEN (10) WORKING DAYS PRIOR TO STARTING CONSTRUCTION

4 CAUTIONIII ELECTRICAL HAZARDIII

EXISTING HECO OVERHEAD AND UNDERGROUND LINES ARE ENERGIZED AND WILL REMAIN ENERGIZED DURING CONSTRUCTION UNLESS PRIOR SPECIAL ARRANGEMENTS HAVE BEEN MADE WITH HECO. ONLY HECO PERSONNEL ARE TO HANDLE THESE ENERGIZED LINES AND ERECT TEMPORARY GUARDS TO PROTECT THESE LINES FROM DAMAGE. THE CONTRACTOR SHALL WORK CAUTIOUSLY AT ALL TIMES TO AVOID ACCIDENTS AND DAMAGE TO EXISTING HECO FACILITIES. WHICH CAN RESULT IN ELECTROCUTION.

5. OVERHEAD LINES

STATE LAW (OSHA) REQUIRES THAT A WORKER AND THE LONGEST OBJECT HE OR SHE MAY CONTACT CANNOT COME CLOSER THAN A SPECIFIED MINIMUM RADIAL CLEARANCE WHEN WORKING CLOSE TO OR UNDER ANY OVERHEAD LINES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO BE INFORMED OF AND COMPLY WITH THE LAW

AT ANY TIME SHOULD THE CONTRACTOR ANTICIPATE THAT HIS WORK WILL RESULT IN THE NEED TO ENCROACH WITHIN THE MINIMUM REQUIRED CLEARANCE AS STATED IN THE LAW, THE CONTRACTOR SHALL NOTIFY HECO AT LEAST THREE (3) MONTHS PRIOR TO THE PLANNED ENCROACHMENT SO THAT IF FEASIBLE THE NECESSARY PROTECTIONS (F.G. RELOCATE OR DE-ENERGIZE HECO LINES) CAN BE INVESTIGATED. HECO MAY ALSO BE ABLE TO BLANKET ITS DISTRIBUTION (12KV AND BELOW) LINES TO PROVIDE A VISUAL AID IN PREVENTING ACCIDENTAL CONTACT. HECO'S COST OF SAFEGUARDING OR IDENTIFYING ITS LINES WILL BE CHARGED TO THE CONTRACTOR.

CONTACT HECO'S CUSTOMER INSTALLATIONS DEPARTMENT AT 543-7070 FOR ASSISTANCE IN IDENTIFYING AND SAFEGUARDING OVERHEAD POWER LINES

POLE BRACING

CONTRACTOR SHALL NOT EXCAVATE WITHIN 10 FEET FROM HECO'S UTILITY POLES OR ANY ANCHOR SYSTEM SUPPORTING THE UTILITY POLE. IF CONTRACTOR MUST EXCAVATE CLOSER THAN 10 FEET FROM UTILITY POLE OR ITS ANCHOR SYSTEM, CONTRACTOR WILL BE RESPONSIBLE FOR PROTECTING, SUPPORTING, SECURING AND TAKING ALL PRECAUTIONS TO PREVENT DAMAGE TO OR LEANING OF EXISTING POLES. BEFORE COMMENCING SUCH EXCAVATION, CONTRACTOR MUST SUBMIT ITS BRACING CALCULATIONS AND DRAWINGS PREPARED AND STAMPED BY A LICENSED. STRUCTURAL ENGINEER, TO HECO'S CUSTOMER INSTALLATION DEPARTMENT (543-7070) FOR REVIEW. HECO REQUIRES A MINIMUM OF TEN (10) WORKING DAYS TO CONDUCT THE REVIEW OF CONTRACTOR'S SUBMITTAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN, INSTALLATION, AND REMOVAL OF THE TEMPORARY POLE BRACING SYSTEM. AS WELL AS ALL COST INCURRED BY HECO TO REVIEW CONTRACTOR'S DRAWING AND TO REPAIR OR STRAIGHTEN POLES IMPACTED BY CONTRACTOR'S ACTIVITIES INCLUDING RESPONSE AND RESTORATION COST INCURRED BY HECO ARISING OUT OF OR RELATED OUTRAGES CAUSED BY CONTRACTOR'S FAILURE TO MEET THE FOREGOING REQUIREMENTS. HECO'S REVIEW AND APPROVAL OF ANY CONTRACTOR SUBMITTALS INCLUDING ITS WORK PROCEDURE SHALL NOT RELIEVE CONTRACTOR FROM ANY LIABILITY RESULTING FROM CONTRACTOR'S EXCAVATION NEAR OR AROUND HECO UTILITY POLES.

7. UNDERGROUND LINES

THE CONTRACTOR SHALL EXERCISE EXTREME CAUTION WHENEVER CONSTRUCTION CROSSES OR IS IN CLOSE PROXIMITY OF UNDERGROUND LINES. HECO'S EXISTING ELECTRICAL CABLES ARE ENERGIZED AND WILL REMAIN ENERGIZED DURING CONSTRUCTION. ONLY HECO PERSONNEL ARE TO BREAK INTO EXISTING HECO FACILITIES, HANDLE THESE CABLES, AND ERECT TEMPORARY GUARDS TO PROTECT THESE CABLES FROM DAMAGE THE COST OF HECO'S ASSISTANCE IN PROVIDING PROPER SUPPORT AND PROTECTION OF ITS UNDERGROUND LINES WILL BE CHARGED TO THE CONTRACTOR. FOR ASSISTANCE/COORDINATION IN PROVIDING PROPER SUPPORT AND PROTECTION OF THESE LINES. THE CONTRACTOR SHALL CALL HECO'S CUSTOMER INSTALLATIONS DEPARTMENT AT 543-7070 A MINIMUM OF FIVE (5) WORKING DAYS IN ADVANCE.

HAWAIIAN ELECTRIC COMPANY NOTES (CONT'D):

SPECIAL PRECALITIONS ARE REQUIRED WHEN EXCAVATING NEAR HECO'S. 138KV OR 46KV UNDERGROUND LINES (SEE HECO INSTRUCTIONS TO CONSULTANTS/CONTRACTORS ON "EXCAVATION NEAR HECO'S UNDERGROUND 138KV AND/OR 46KV LINES" FOR DETAILED REQUIREMENTS)

FOR VERIFICATION OF UNDERGROUND LINES. THE CONTRACTOR SHALL CALL THE HAWAII ONE CALL CENTER AT 866-423-7287 MINIMUM OF FIVE (5)

UNDERGROUND FUEL PIPELINES

THE CONTRACTOR SHALL EXERCISE EXTREME CAUTION WHENEVER CONSTRUCTION CROSSES OR IS IN CLOSE PROXIMITY OF HECO'S UNDERGROUND FUEL OIL PIPELINES. SPECIAL PRECAUTIONS ARE REQUIRED WHEN EXCAVATING NEAR HECO'S UNDERGROUND FUEL OIL PIPELINES (SEE CONSULTANTS/CONTRACTORS ON EXCAVATION NEAR HECO'S

UNDERGROUND FUEL PIPELINES FOR DETAILED REQUIREMENTS).

9. EXCAVATIONS

WHEN TRENCH EXCAVATION IS ADJACENT TO OR BENEATH HECO'S EXISTING STRUCTURES OR FACILITIES. THE CONTRACTOR IS RESPONSIBLE FOR

- a) ARRANGING FOR HECO STANDBY PERSONNEL TO OBSERVE WORK AT CONTRACTOR'S COST.
- SHEETING, BRACING, OR OTHERWISE SUPPORTING THE EXCAVATION AND STABILIZING THE EXISTING GROUND TO RENDER IT SAFE AND SECURE AND TO PREVENT POSSIBLE SLIDES, CAVE-INS, AND SETTLEMENTS.
- PROPERLY SUPPORTING EXISTING STRUCTURES OR FACILITIES WITH BEAMS, STRUTS, UNDER-PINNINGS, OR OTHER NECESSARY METHODS TO FULLY PROTECT IT FROM DAMAGE
- d) BACKFILLING WITH PROPER BACKFILL MATERIAL INCLUDING SPECIAL THERMAL BACKFILL WHERE EXISTING (REFER TO ENGINEERING DEPARTMENT FOR THERMAL BACKFILL SPECIFICATIONS).

10. RELOCATION OF HECO FACILITIES

ANY WORK REQUIRED TO RELOCATE OR MODIFY HECO FACILITIES SHALL BE DONE BY HECO, OR BY THE CONTRACTOR LINDER HECO'S SUPERVISION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL COORDINATION, AND SHALL PROVIDE NECESSARY SUPPORT FOR HECO'S WORK, WHICH MAY INCLUDE, BUT NOT BE LIMITED TO STAKING OF POLE/ANCHOR LOCATIONS IDENTIFYING RIGHT OF WAY AND PROPERTY LINES, EXCAVATION AND BACKFILL, PERMITS AND TRAFFIC CONTROL, BARRICADING, AND RESTORATION OF PAVEMENT SIDEWALKS AND OTHER FACILITIES

ALL COSTS ASSOCIATED WITH ANY RELOCATION OR MODIFICATION (EITHER TEMPORARY OR PERMANENT) FOR THE CONVENIENCE OF THE CONTRACTOR, OR TO ENABLE THE CONTRACTOR TO PERFORM HIS WORK IN A SAFE AND EXPEDITIOUS MANNER IN FULFILLING HIS CONTRACT OBLIGATIONS SHALL BE BORNE BY THE CONTRACTOR.

ANY REDESIGN OR RELOCATION OF HECO'S FACILITIES NOT SHOWN ON THE PLANS MAY BE CAUSE FOR LENGTHY DELAYS. THE CONTRACTOR ACKNOWLEDGES THAT HECO IS NOT RESPONSIBLE FOR ANY DELAY OR DAMAGE THAT MAY ARISE AS A RESULT OF ANY CONFLICTS DISCOVERED OR IDENTIFIED WITH RESPECT TO THE LOCATION OR CONSTRUCTION OF HECO'S ELECTRICAL FACILITIES IN THE FIELD, REGARDLESS OF WHETHER THE CONTRACTOR HAS MET THE REQUESTED MINIMUM ADVANCE NOTICES. IN ORDER TO MINIMIZE ANY DELAY OR IMPACT ARISING FROM SUCH CONFLICTS, HECO SHOULD BE NOTIFIED IMMEDIATELY UPON DISCOVERY OR IDENTIFICATION OF SUCH CONFLICT

12. DAMAGE TO HECO FACILITIES

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL HECO SURFACE AND SUBSURFACE UTILITIES AND SHALL BE RESPONSIBLE FOR ANY DAMAGES TO HECO'S FACILITIES AS A RESULT OF HIS OPERATIONS. THE CONTRACTOR SHALL IMMEDIATELY REPORT SUCH DAMAGES OR ANY HAZARDOUS CONDITIONS RELATED TO HECO'S LINES TO HECO'S TROUBLE DISPATCHER AT 548-7961. REPAIR WORK SHALL BE DONE BY HECO OR BY THE CONTRACTOR LINDER HECO'S SUPERVISION. COSTS FOR DAMAGES TO HECO'S FACILITIES SHALL BE BORNE BY THE CONTRACTOR

IN CASE OF DAMAGE OR SUSPECTED DAMAGE TO HECO'S FUEL PIPELINE. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY HECO'S SECURITY COMMAND CENTER AT 543-7685 (A 24-HOUR NUMBER) SO HECO PERSONNEL CAN SECURE THE DAMAGED SECTION AND REPORT ANY OIL SPILLS TO THE PROPER AUTHORITIES. ALL COSTS ASSOCIATED WITH THE DAMAGE, REPAIR, AND OIL SPILL CLEANUP SHALL BE BORNE BY THE CONTRACTOR

13. HECO STAND-BY PERSONNEL

THE CONTRACTOR MAY REQUEST HECO TO PROVIDE AN INSPECTOR TO STAND-BY DURING CONSTRUCTION NEAR HECO'S FACILITIES. THE COST OF SUCH INSPECTION WILL BE CHARGED TO THE CONTRACTOR

THE CONTRACTOR SHALL CALL HECO'S CUSTOMER INSTALLATIONS DEPARTMENT AT 543-7070 A MINIMUM OF TWO (2) MONTHS IN ADVANCE TO ARRANGE FOR HECO STAND-BY PERSONNEL

HAWAIIAN ELECTRIC COMPANY NOTES (CONT'D):

THE FOLLOWING CLEARANCES SHALL BE MAINTAINED BETWEEN HECO'S DUCTLINE AND ALL ADJACENT STRUCTURES (CHARTED AND UNCHARTED)

GUIDELINES FOR MINIMUM HORIZONTAL (PARALLEL) CLEARANCES BETWEEN

HAWAIIAN ELECTRIC AND OTHER UNDERGROUND UTILITIES						
UNDERGROUND UTLITY	HECO DIRECT BURIED CABLE	HECODIRECT BURIED IN CONDUIT (no concrete encasement)	HECO 3" (MINIMUM) CONCRETE ENCASEMENT	APPLICABLE NOTES:		
	• • •					
HECO DB Conduits	12"	3"	0"			
HECO 3" Encasement	0"	0"	0"			
Telephone / CATV DB	12"	12"	6"			
Telephone / CATV DB Ducts	12"	12"	6"			
Telephone / CATV 3" Encasement	0"	0"	0"	5		
Traffic Signal	12"	12"	12"			
Water DB (BWS OWNED)	36"	36"	36"	1, 4		
Customer Owned Water Service Laterals	12"	12"	12"			
Water (Concrete Jacketed) (BWS Owned)	36"	36"	36"	1, 4		
Gas DB	12"	12"	12"	1		
Gas (Concrete Jacketed)	12"	12"	12"	1		
Sewer DB	36"	36"	36"	1, 2		
Sewer (Concrete Jacketed)	36"	36"	36"	1, 2		
Drain	12"	12"	12"	1		
Fuel Pipelines				3		

Where space is available, parallel clearance to other utilities, or foreign structures other than communication or traffic signal shall be 36"

. If 36" clearance cannot be met

- If clearance is less than 12", lacket sewer line with reinforced concrete (per HECO's std. 30-1030) for a distance of 5' plus pipe diamete
- If clearance is between 12" and 36", jacket sewer line with plain concrete
- . All fuel pipeline crossings shall be reviewed and approved by the company that owns and maintains it.
- 4. 5 feet clear to water mains 16" and larger
- . For situations with 0" minimum separation, a 6" separation is recom
- 6. Clearances measured from outer edges or diameters of utilities. Whenever concrete jackets are involved, clearances shall be total clear distance between the concrete jacket and utility concerned.

HAWAIIAN ELECTRIC COMPANY NOTES (CONT'D):

MINIMUM SEPARATION DUCTI		CES TO EXIST ICAL (CROSS		GROUND
UNDERGROUND UTILITY	HECO DIRECT BURIED CABLE	HECODIRECT BURIED IN CONDUIT (no concrete encasement)	HECO 3" (MINIMUM) CONCRETE ENCASEMENT	NOTES:
HECO DB Conduits	6"	3"	0"	
HECO 3" Encasement	0"	0"	0"	
Telephone / CATV DB	12"	12"	6"	
Telephone / CATV DB Ducts	12"	12"	6"	
Telephone / CATV 3" Encasement	0"	0"	0"	3
Traffic Signal	12"	12"	6"	
Water DB (BWS OWNED)	12"	12"	12"	5
Customer Owned Water Service Laterals	6"	6"	6"	
Water (Concrete Jacketed) (BWS Owned)	12"	12"	12"	5
Gas DB	12"	12"	12"	
Gas (Concrete Jacketed)	12"	12"	12"	
Sewer DB	24"	24"	24"	1
Sewer (Concrete Jacketed)	24"	24"	24"	1
Drain	12"	12"	6"	
Fuel Pipelines				2

- If clearance cannot be met:
- If clearance is less than 12", lacket sewer line with reinforced concrete (per HECO's std. 30-1030) for a distance of 5' plus pipe diameter. If clearance is between 12" and 24", jacket sewer line with plain
- All Fuel Pipeline crossings shall be reviewed and approved by the company that owns and maintains it.
- 3. For situations with 0" minimum separation, a 6" separation is recommended.
- Clearances measured from outer edges or diameters of utilities Whenever concrete jackets are involved, clearances shall be total clear distance between the concrete jacket and utility concerned.
- 36" clearance is required for trenchless installation work

THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER & HECO OF ANY HEAT SOURCES (POWER CABLE DUCT BANK, STEAMLINE, ETC.) ENCOUNTERED THAT ARE NOT PROPERLY IDENTIFIED ON THE DRAWING

15. INDEMNITY

THE CONTRACTOR SHALL INDEMNIFY, DEFEND AND HOLD HARMLESS HECO FROM AND AGAINST ALL LOSSES, DAMAGES, CLAIMS, AND ACTIONS, INCLUDING BUT NOT LIMITED TO REASONABLE ATTORNEY'S FEES AND COSTS BASED UPON OR ARISING OUT OF DAMAGE TO PROPERTY OR INJURIES TO PERSONS, OR OTHER TORTIOUS ACTS CAUSED OR CONTRIBUTED TO BY CONTRACTOR OR ANYONE ACTING UNDER ITS DIRECTION OR CONTROL OR ON ITS BEHALF; PROVIDED CONTRACTOR'S INDEMNITY SHALL NOT BE APPLICABLE TO ANY LIABILITY BASED UPON THE SOLE NEGLIGENCE OF HECO

GOTO ENGINEERING LLC PO BOX 283238 HONOLULU, HAWAI'I 96828 TELEPHONE: 808.392.6538



Note: Contractor shall check and verify all dimensions at job before proceeding with work.

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JOB #	2347
DRAWN BY	GE

WAIMEA VALLEY FIRE HYDRANT

UPUKEA, HAWAI

CHECKED BY

TMK: (1) 5-9-005: 009, 019, 025 & 029

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HAWAIIAN ELECTRIC COMPANY NOTES (CONT'D):

16. SCHEDULE

CONTRACTOR SHALL FURNISH HIS CONSTRUCTION SCHEDULE SIX (6) MONTHS PRIOR TO STARTING WORK ON HECO FACILITIES.

CONTRACTOR SHALL GIVE HECO, IN WRITING, THREE (3) MONTHS NOTICE TO PROCEED WITH HECO'S PORTION OF WORK.

17 AUTHORITY

ALL CONSTRUCTION, RESTORATION WORK, AND INSPECTION SHALL BE SUBJECT TO WHICHEVER GOVERNMENTAL AGENCY HAS AUTHORITY OVER THE WORK.

18. SPECIFICATIONS

CONSTRUCTION OF HECO'S UNDERGROUND FACILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST REVISIONS OF HECO SPECIFICATIONS CS7001, CS7003, CS7202, CS9301, AND CS9401 AND APPLICABLE HECO STANDARDS.

19. CONSTRUCTION

CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS, EQUIPMENT, AND SERVICES TO PROPERLY PERFORM AND FULLY COMPLETE ALL WORK SHOWN ON THE CONTRACT, DRAWINGS, AND SPECIFICATIONS. ALL MATERIALS SHALL BE NEW AND MANUFACTURED IN THE UNITED STATES OF AMERICA. ALL MANHOLE, HANDHOLE, AND DUCTLINE INSTALLATIONS SHALL BE INSPECTED AND APPROVED BY HECO PRIOR TO EXCAVATION AND PRIOR TO PLACING CONCRETE. CONTRACTOR SHALL NOTIFY HECO'S INSPECTION DIVISION AT 543-4248 AT LEAST FIVE (5) WORKING DAYS PRIOR TO INSTALLING FACILITIES OR PLACING CONCRETE.

CONTRACTOR TO COORDINATE WORK TO BREAK INTO HECO'S EXISTING ELECTRICAL FACILITIES WITH HECO'S INSPECTION DIVISION AT 543-4248 AT LEAST TEN (10) WORKING DAYS IN ADVANCE.

20. STAKEOUT

THE CONTRACTOR SHALL ARRANGE FOR TONEOUTS OF ALL UNDERGROUND FACILITIES AND SHALL STAKEOUT ALL PROPOSED HECO FACILITIES WITHIN THE PROJECT AREA SO AS TO NOT CONFLICT WITH ANY UTILITY (EXISTING OR PROPOSED) AND ANY PROPOSED CONSTRUCTION OR IMPROVEMENT WORK FOR VERIFICATION BY HECO BEFORE PROCEEDING WITH HECO WORK.

21. DUCTLINES

ALL DUCTLINE INSTALLATIONS SHALL BE PVC SCHEDULE 40 ENCASED IN CONCRETE, UNLESS OTHERWISE NOTED. ALL COMPLETED DUCTLINES SHALL BE MANDREL TESTED BY THE CONTRACTOR IN THE PRESENCE OF HECO'S INSPECTOR USING HECO'S STANDARD PRACTICE. THE CONTRACTOR SHALL INSTALL 1800# TENSILE STRENGTH MULETAPE PULL LINE IN ALL COMPLETED DUCTLINES AFTER MANDREL TESTING IS COMPLETE.

22. JOINT POLE REMOVAL

THE LAST JOINT POLE OCCUPANT OFF THE POLES SHALL REMOVE THE POLES.

23. AS-BUILT PLANS

THE CONTRACTOR SHALL PROVIDE HECO WITH A SET OF ELECTRONIC AND HARD COPY PLANS OF EACH SET SHOWING THE OFFSETS, STATIONING, AND VERTICAL ELEVATION OF THE DUCT LINE(S) CONSTRUCTED.

HAWAIIAN TELCOM GENERAL CONSTRUCTION/DESIGN NOTES:

- THE CONTRACTOR SHALL PROCURE AND PAY FOR ALL LICENSES AND PERMITS AND SHALL GIVE ALL NOTICES NECESSARY AND INCIDENT TO THE DUE AND LAWFUL PROSECUTION OF THE WORK.
- THE CONTRACTOR SHALL OBTAIN AN EXCAVATION PERMIT AND TONING REQUEST FROM HAWAIIAN TELCOM'S EXCAVATION PERMIT SECTION, LOCATED AT 1177 BISHOP STREET, TWO WEEKS PRIOR TO THE START OF CONSTRUCTION. HOURS OF BUSINESS ARE 8:00 A.M. TO 11:00 A.M. AND 12:00 P.M. TO 3:00 PED .M. MONDAY THROUGH FRIDAY, EXCEPT HOLIDAYS.
- 3. PRIOR TO THE EXCAVATION OF THE DUCTLINE, THE CONTRACTOR SHALL REQUEST HAWAIIAN TELCOM TO LOCATE EXISTING DUCTLINE WHEREVER REQUIRED. FOR UNDERGROUND CABLE LOCATING AND MARKING, FIVE (5) WORKING DAYS ADVANCE NOTICE IS REQUIRED. THREE (3) WORKING DAYS ADVANCE NOTICE IS REQUIRED FOR ANY INSPECTION BY A DESIGNATED REPRESENTATIVE.
- 4. THE LOCATIONS OF EXISTING UTILITIES ARE APPROXIMATE ONLY. THE CONTRACTOR SHALL EXERCISE EXTREME CAUTION AND SHALL MAINTAIN PROPER CLEARANCES WHENEVER CONSTRUCTION CROSSES OR IS IN CLOSE PROXIMITY OF HAWAIIAN TELCOM FACILITIES. THE CONTRACTOR SHALL VERIFY THEIR LOCATIONS AND SHALL BE LIABLE FOR ANY DAMAGES TO HAWAIIAN TELCOM FACILITIES. ANY DAMAGES SHALL BE REPORTED IMMEDIATELY TO HAWAIIAN TELCOM'S REPAIR SECTION AT #611 (24 HOURS) OR TO THE EXCAVATION PERMIT SECTION AT 546-7746 (NORMAL WORKING HOURS, MONDAY THROUGH FRIDAY, EXCEPT HOLIDAYS). AS A RESULT OF HIS OPERATIONS, ADJUSTMENTS TO THE NEW DUCTLINE ALIGNMENT, IF REQUIRED, SHALL BE MADE TO PROVIDE THE REQUIRED CLEARANCES.

HAWAIIAN TELCOM GENERAL CONSTRUCTION/DESIGN NOTES (CONT'D):

- 5. THE CONTRACTOR SHALL TAKE NECESSARY PRECAUTION NOT TO DAMAGE EXISTING CABLES OR DUCTS. A HAWAIIAN TELCOM INSPECTOR OR DESIGNATED REPRESENTATIVE IS REQUIRED TO BE AT ANY JOB SITE WHENEVER THERE WILL BE A BREAKAGE INTO OR ENTRY INTO ANY STRUCTURE THAT CONTAIN HAWAIIAN TELCOM FACILITIES. TEMPORARY CABLE AND DUCT SUPPORTS SHALL BE PROVIDED WHENEVER NECESSARY.
- . THE CONTRACTOR SHALL NOTIFY HAWAIIAN TELCOM'S INSPECTOR OR DESIGNATED REPRESENTATIVE A MINIMUM OF 72 HOURS PRIOR TO EXCAVATION, BRACING, OR BACKFILLING OF HAWAIIAN TELCOM'S STRUCTURES OR FACILITIES.
- 7. ALL APPLICABLE CONSTRUCTION WORK SHALL BE DONE IN ACCORDANCE WITH THE "HAWAIIAN TELCOM STANDARD SPECIFICATIONS FOR PLACING TELEPHONE SYSTEMS" DATED JANUARY 2007, ALL SUBSEQUENT AMENDMENTS AND ADDITIONS, AND ALL OTHER PERTINENT STANDARDS FOR TELEPHONE CONSTRUCTION CONTRACTOR SHALL FAMILIARIZE HIS PERSONNEL BY OBTAINING APPLICABLE SPECIFICATIONS.
- . WHEN EXCAVATION IS ADJACENT TO OR BENEATH HAWAIIAN TELCOM'S EXISTING STRUCTURES OR FACILITIES, THE CONTRACTOR SHALL:
- A) SHEET AND/OR BRACE THE EXCAVATION TO PREVENT SLIDES,
 CAVE-INS, OR SETTLEMENTS TO ENSURE NO MOVEMENT TO
 HAWAIIAN TELCOM'S STRUCTURES OR FACILITIES.
- B) PROTECT EXISTING STRUCTURES AND/OR FACILITIES WITH BEAMS, STRUTS, OR UNDERPINNING WHILE EXCAVATING BENEATH THEM TO ENSURE NO MOVEMENT TO HAWAIIAN TELCOM'S STRUCTURES OR FACILITIES.
- THE CONTRACTOR SHALL BRACE ALL POLES OR LIGHT STANDARDS
 NEAR THE NEW DUCTLINE, MANHOLE, OR HANDHOLE DURING HIS
 OPERATIONS
- 10. THE CONTRACTOR SHALL SAW-CUT A.C. PAVEMENT AND CONCRETE GUTTER WHEREVER NEW MANHOLES, HANDHOLES, OR DUCTLINES ARE TO BE PLACED AND SHALL RESTORE TO EXISTING CONDITION OR BETTER
- 11. THE CONTRACTOR SHALL COMPLY WITH THE POLICY ADOPTED BY THE DEPARTMENT OF PLANNING AND PERMITTING, CITY AND COUNTY OF HONOLULU, CONCERNING THE REPLACEMENT OF CONCRETE SIDEWALKS AFTER EXCAVATION WORK.
- 12. THE UNDERGROUND PIPES, CABLES, OR DUCTLINES KNOWN TO EXIST BY THE ENGINEER FROM HIS SEARCH OF RECORDS ARE INDICATED ON THE PLANS. THE CONTRACTOR SHALL VERIFY THE LOCATIONS AND DEPTHS OF THE FACILITIES AND EXERCISE PROPER CARE IN EXCAVATING IN THE AREA. WHEREVER CONNECTIONS OF NEW UTILITIES TO EXISTING UTILITIES ARE SHOWN ON THE PLANS, THE CONTRACTOR SHALL EXPOSE THE EXISTING LINES AT THE PROPOSED CONNECTIONS TO VERIFY THEIR LOCATIONS AND DEPTHS PRIOR TO EXCAVATION FOR THE NEW LINES.
- 13. WHEREVER CONNECTIONS TO EXISTING UTILITIES ARE SHOWN ON THE PLANS, THE CONTRACTOR SHALL EXPOSE THE EXISTING LINES PRIOR TO EXCAVATION OF THE MAIN TRENCHES TO VERIFY THEIR LOCATIONS AND DEPTHS.
- 14. THE CONTRACTOR, AT HIS OWN EXPENSE, SHALL KEEP THE PROJECT AND SURROUNDING AREA FREE FROM DUST NUISANCE. THE COST FOR SUPPLEMENTARY MEASURES, WHICH WILL BE REQUIRED BY THE CITY AND COUNTY. SHALL BE BORNE BY THE CONTRACTOR.
- THE CONTRACTOR SHALL PUMP ALL MANHOLES DRY DURING FINAL INSPECTION.
- 16. THE CONTRACTOR SHALL NOTIFY HAWAIIAN TELCOM INSPECTOR 24 HOURS PRIOR TO THE POURING OF CONCRETE OR BACKFILLING.
- WHEN CONNECTING TO MANHOLE WALLS, ALL EXISTING REINFORCING BARS SHALL BE LEFT INTACT. DUCTS SHALL BE ADJUSTED IN THE FIELD IN ORDER TO CLEAR REINFORCING.
- 18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LAYING OUT ALL REQUIRED LINES AND GRADES AND SHALL PRESERVE ALL BERCH MARKS AND WORKING POINTS NECESSARY TO LAY OUT THE WORK CORRECTLY. THE NEW DUCTLINE SHALL BE ADJUSTED BY THE CONTRACTOR TO SUIT THE EXISTING CONDITIONS AND THE DETAILS AS DESCRIBED IN THE PLANS.
- 19. MINIMUM CONCRETE STRENGTH SHALL BE: FOR DUCTLINE 2500 PSI AT 28 DAYS

FOR MANHOLE 3000 PSI AT 28 DAYS OR AS SPECIFIED IN DESIGN NOTES.

20. BENDS IN THE DUCT ALIGNMENT, DUE TO CHANGES IN GRADE SHALL HAVE A MINIMUM RADIUS OF 25 FEET. ALL 90 DEGREE C-BENDS AT A POLE OR AT THE BUILDING FLOOR SLAB PENETRATION, SHALL HAVE A BEND RADIUS OF TEN TIMES THE DIAMETER OF THE DUCT OR GREATER.

HAWAIIAN TELCOM GENERAL CONSTRUCTION/DESIGN NOTES (CONT'D):

- 21. AFTER DUCTLINE HAS BEEN COMPLETED, A MANDREL WITH A SQUARE FRONT NOT LESS THAN 12" LONG AND HAVING A DIAMETER OF 14" LESS THAN THE INSIDE DIAMETER OF THE DUCT, SHALL BE PULLED THROUGH EACH DUCT AFTER WHICH A BRUSH WITH STIFF BRISTLES SHALL BE PULLED THROUGH TO MAKE CERTAIN THAT NO PARTICLES OF EARTH, SAND, OR GRAVEL HAVE BEEN LEFT INSIDE. DUCTS SHALL BE COMPLETELY DRY AND CLEAN.
- 22. ALL DUCTS AND CONDUITS SHALL HAVE AN 1800# POLYESTER MULE-TAPE (NEPTCO, WP1800P, HAWAIIAN TELCOM MATERIAL CODE NO. 571154) INSTALLED THROUGHOUT ITS ENTIRE LENGTH. ALL DUCTS SHALL BE CAPPED TO PREVENT ENTRY OF FOREIGN MATERIAL DURING CONSTRUCTION AND AT THE COMPLETION OF INSTALLATION.

GENERAL NOTES FOR TRAFFIC CONTROL PLAN WITHIN STATE RIGHT-OF-WAY

- 1. THE PERMITTEE SHALL MAKE MINOR ADJUSTMENTS AT INTERSECTIONS, DRIVEWAYS, BRIDGES, STRUCTURES, ETC., TO FIT FIELD CONDITIONS.
- CONES OR DELINEATORS SHALL BE EXTENDED TO A POINT WHERE THEY ARE VISIBLE TO APPROACHING TRAFFIC.
- TRAFFIC CONTROL DEVICES SHALL BE INSTALLED SUCH THAT THE SIGN OR DEVICE FARTHEST FROM THE WORK AREA SHALL BE PLACED FIRST. THE OTHERS SHALL THEN BE PLACED PROGRESSIVELY TOWARD THE WORK AREA.
- REGULATORY AND WARNING SIGNS WITHIN THE CONSTRUCTION ZONE THAT
 ARE IN CONFLICT WITH THE TRAFFIC CONTROL PLANS SHALL BE REMOVED OR
 COVERED. ALL SIGNS SHALL BE RESTORED UPON COMPLETION OF THE WORK
- 5. FLAGGERS AND/OR POLICE OFFICERS SHALL BE IN SIGHT OF EACH OTHER OR IN DIRECT COMMUNICATION AT ALL TIMES.
- 6. WHEN REQUIRED BY THE ISSUING OFFICE, THE PERMITTEE SHALL INSTALL A FLASHING ARROW SIGNAL AS SHOWN ON THE TRAFFIC CONTROL PLANS.
- SIGN SPACING (L), TAPER LENGTHS (T) AND SPACING OF CONES OR DELINEATORS SHALL BE AS SHOWN IN TABLE 1, UNLESS OTHERWISE NOTED ON THE TRAFFIC CONTROL PLANS.
- 8. ALL TRAFFIC LANES SHALL BE A MINIMUM OF 10 FEET WIDE.
- 9. ALL CONSTRUCTION WARNING SIGNS SHALL BE PROMPTLY REMOVED OR COVERED WHENEVER THE MESSAGE IS NOT APPLICABLE OR NOT IN USE.
- 10. THE BACKS OF ALL SIGNS USED FOR TRAFFIC CONTROL SHALL BE APPROPRIATELY COVERED TO PRECLUDE THE DISPLAY OF INAPPLICABLE SIGN MESSAGES (I.E., WHEN SIGNS HAVE MESSAGES ON BOTH FACES).
- 11.
 THE PERMITTEE SHALL REMOVE ALL TRAFFIC CONTROL DEVICES NO LONGER NEEDED TO PERMIT FREE AND SAFE PASSAGE OF PUBLIC TRAFFIC. REMOVAL SHALL BE IN THE REVERSE ORDER OF INSTALLATION.
- 12. REPLACE PERMANENT PAVEMENT MARKINGS AND TRAFFIC SIGNS UPON COMPLETION OF EACH PHASE OFWORK.

TABLE 1 FOR TRAFFIC CONTROL PLAN TAPER LENGTH (T) (FEET) SPACING OF CONES OR DELINEATORS(FEET) LIMIT (M.P.H.) (D) (FEET) PACE (E W = 12' OR LESS(1) WORK AREA (FEET) W x17 250 W x 17 30 250 250 W x 20 85 10 250 W x 20 500 350 W x 30 170 10 500 550 W x 45 220 45 45 10 1000 600 W x 50 280 50 50 10 W x 55 335 55

NOTES

① W = WIDTH OF LANE, SHOULDER, OR OFFSET







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PUPUKEA, HAWAII

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SHEET	3	OF	13	
SCALE				
DATE	0	1/05/202	24	

WATER NOTES:

- UNLESS OTHERWISE SPECIFIED, ALL MATERIALS AND CONSTRUCTION OF WATER SYSTEM FACILITIES AND APPURTENANCES SHALL BE IN ACCORDANCE WITH THE CITY AND COUNTY OF HONOLULU BOARD OF WATER SUPPLY'S "WATER SYSTEM STANDARDS", DATED 2002, THE "WATER SYSTEM EXTERNAL CORROSION CONTROL STANDARDS". VOLUME 3. DATED2021, AND ALL SUBSEQUENT AMENDMENTS AND ADDITIONS.
- NO DEVIATION TO THE BOARD OF WATER SUPPLY 2002 WATER SYSTEM STANDARDS AS AMENDED, SHALL BE ALLOWED WITHOUT THE MANAGER AND CHIEF ENGINEER'S APPROVAL
- THE EXISTENCE AND LOCATION OF UNDERGROUND UTILITIES AND STRUCTURES AS SHOWN ON THE PLANS ARE FROM THE LATEST AVAILABLE DATA, BUT ARE NOT GUARANTEED AS TO THEIR ACCURACY OR THE ENCOUNTERING OF OTHER OBSTACLES DURING THE COURSE OF THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE AND PAY FOR ALL DAMAGES TO EXISTING UTILITIES. THE CONTRACTOR SHALL NOT ASSUME THAT WHERE NO UTILITIES ARE SHOWN. THAT NONE EXIST.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL WATERLINES DURING CONSTRUCTION. THE CONTRACTOR SHALL BE ESPECIALLY CAREFUL WHEN EXCAVATING BEHIND WATERLINES, TEES, AND BENDS WHEREVER THERE IS A POSSIBILITY OF WATERLINE MOVEMENT DUE TO THE REMOVAL OF THE SUPPORTING FARTH BEYOND THE EXISTING REACTION BLOCKS. THE CONTRACTOR SHALL TAKE WHATEVER MEASURES NECESSARY TO PROTECT THE WATERLINES, SUCH AS CONSTRUCTING SPECIAL REACTION BLOCKS (WITH BOARD OF WATER SUPPLY APPROVAL) AND/OR MODIFYING HIS CONSTRUCTION METHOD.
- WHEN A UTILITY (GAS, SEWER, ELECTRICAL DUCT LINE, FIBER OPTIC, DRAINAGE, ETC.) CROSSES BELOW A BOARD OF WATER SUPPLY WATER MAIN. THE DESIGNER OF RECORD AND THEIR CONSTRUCTION ENGINEER SHALL BE RESPONSIBLE FOR DETERMINING THE ADEQUATE WATER MAIN STRUCTURAL SUPPORT AND SUBMIT THE CONSTRUCTION METHOD AND SHOP DRAWING, STAMPED BY A LICENSED ENGINEER AND REVIEWED AND ACCEPTED BY THE DESIGNER OF RECORD, TO THE BOARD OF WATER SUPPLY FOR REVIEW AND APPROVAL. ALL WORK SHALL BE AT NO COST TO THE BOARD OF WATER SUPPLY.
- THE CONTRACTOR SHALL NOTIFY BOARD OF WATER SUPPLY CAPITAL PROJECTS DIVISION, CONSTRUCTION SECTION IN WRITING OR CALL (808) DRAWINGS, ONE WEEK PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES.
- 7. RE-APPROVAL SHALL BE REQUIRED IF THIS PROJECT IS NOT UNDER CONSTRUCTION WITHIN A PERIOD OF TWO (2) YEARS
- 8. PRIOR TO ANY EXCAVATION, THE CONTRACTOR SHALL VERIFY IN THE FIELD, THE LOCATION OF EXISTING WATERLINES AND APPURTENANCES.
- ANY ADJUSTMENTS TO THE EXISTING WATER SYSTEM REQUIRED DURING CONSTRUCTION, TO MEET THE REQUIREMENTS OF THE BOARD OF WATER SUPPLY STANDARDS, WHETHER SHOWN ON THE PLANS OR NOT, SHALL BE DONE BY THE CONTRACTOR AT NO COST TO THE BOARD OF WATER SUPPLY.
- 10. ALL PLANS APPROVED BY THE BOARD OF WATER SUPPLY ARE BASED SOLELY ON THE ADEQUACY OF THE WATER SUPPLY
- 11. ALL WATER MAINS AND APPURTENANCES SHALL BE SUBJECT TO HYDROSTATIC TEST PRESSURE OF 250 PSI BY THE CONTRACTOR IN ACCORDANCE WITH DIVISION 300 - CONSTRUCTION, SECTION 302.28, PIPE DURING THE 30-MINUTE PRESSURE TEST. THE PRESSURE SHALL NOT DROP
- 12. AFTER INSTALLATION OF TAPPING SLEEVE AND TAPPING VALVE AND PRIOR TO TAPPING THE EXISTING WATER MAIN, THE ASSEMBLY SHALL BE PRESSURE TESTED AT 250 PSI ON BOTH SIDES OF THE VALVE AND IN ACCORDANCE WITH THE WATER SYSTEM STANDARDS, DATED 2002
- 13. REQUESTS FOR WATER OUTAGES SHALL BE SUBMITTED TO THE BOARD OF WATER SUPPLY CONSTRUCTION INSPECTOR NOT LESS THAN FOURTEEN (14) SPECIFIC AREA, DATE, TIME, AND THE ANTICIPATED DURATION OF THE

CONTRACTOR SHALL NOTIFY THE AFFECTED CONSUMERS (RESIDENTS AND

- 14. THE CONTRACTOR SHALL CHLORINATE THE ENTIRE INSIDE SURFACE OF EACH PIPE AND FITTING WITH DISINFECTION SOLUTION OF 5 OUNCES OF SODIUM HYPOCHLORITE MIXED WITH 10 GALLONS OF WATER. (FOR
- 15. PRIOR TO INSTALLATION, THE CONTRACTOR SHALL SUBMIT FOR APPROVAL BY BOARD OF WATER SUPPLY, THE MANUFACTURER'S CERTIFICATION THAT ALL CAST IRON (GRAY OR DUCTILE) FITTINGS FOR THE PROJECT CONFORM IN ALL RESPECTS TO THE WATER SYSTEM STANDARDS, DATED 2002 AND ADDENDUMS
- POLYGON SHAPE FOR MECHANICAL JOINT GLANDS AS DESCRIBED IN AWWA STANDARD C111 SHALL BE "STRAIGHT-SIDED" OR AN APPROVED EQUAL ON A JOB-TO-JOB BASIS.

WATER NOTES (CONT'D):

- 17. CONTRACTOR SHALL CUT AND PLUG AND REMOVE ALL EXISTING UNUSED LATERALS AT THE MAIN WHETHER OR NOT SHOWN ON THE PLANS. THE DAMAGED AREA SHALL BE REPAIRED TO AN EQUAL OR BETTER CONDITION THAN THE IMMEDIATE AREA. ALL WORK SHALL BE DONE AT THE EXPENSE OF THE CONTRACTOR.
- 18. PIPE CUSHION SHALL BE OF HIGH RESISTIVITY MATERIAL. THE CONTRACTOR SHALL SUBMIT A SOIL CERTIFICATION THAT HIGH RESISTANT CUSHION MATERIAL HAS A RESISTIVITY GREATER THAN 5,000 OHM-CM. REMAINDER OF THE BACKFILL MATERIAL SHALL BE AS SPECIFIED IN THE BOARD OF WATER SUPPLY WATER SYSTEM STANDARDS. PIPE CUSHION AND BACKFILL MATERIAL SHALL CONTAIN NO HAZARDOUS SUBSTANCES ABOVE REGULATORY ACTION LEVELS INCLUDING BUT NOT LIMITED TO LEAD, ASBESTOS, MERCURY, CHROMIUM, CADMIUM, ZINC, STRONTIUM, AND POLYCHLORINATED BIPHENYLS (PCB).
- 19. ALL DUCTILE IRON FITTINGS AND METALLIC VALVES SHALL HAVE A FACTORY PPLIED COATING AND WRAPPED WITH PETROLATUM WAX TAPE
- 20. ALL DUCTILE IRON PIPE, INCLUDING SECTIONS REQUIRING REINFORCED CONCRETE JACKETING, SHALL BE DUCTILE IRON CLASS 53 WITH A BONDED DIELECTRIC COATING AS PER THE BOARD OF WATER SUPPLY WATER
- 21. ALL FIRE HYDRANTS TO BE ADJUSTED AND/OR RELOCATED SHALL BE REPLACED WITH NEW FIRE HYDRANTS, UNLESS OTHERWISE DIRECTED BY THE BOARD OF WATER SUPPLY.
- 22. TWO-WAY BLUE REFLECTIVE HYDRANT MARKERS TYPE DB SHALL BE INSTALLED AT ALL NEW FIRE HYDRANT INSTALLATIONS. CONTRACTOR SHALL VERIFY THE EXACT LOCATIONS OF HYDRANT MARKERS WITH THE NEAREST HONOLULU FIRE DEPARTMENT BATTALION CHIEF.
- 23. INSTALL 4 MIL THICK, NON-METALLIC, BLUE COLORED, 6 INCHES WIDE WARNING TAPE OVER CENTERLINE OF THE PIPE AND BELOW THE BASE COURSE ALONG THE ENTIRE LENGTH OF TRENCH. TAPE SHOULD BE
- 24. THE CONTRACTOR SHALL INSTALL ELECTRONIC MARKERS TO ALL MAINS AND TEST THE ELECTRONIC MARKERS PRIOR TO INSTALLATIONS TO VERIFY

 PROPER OPERATION. BOARD OF WATER SUPPLY PERSONNEL SHALL. VERIFY THE NUMBER AND LOCATIONS OF PLACED ELECTRONIC MARKERS BEFORE FINAL PAVING OF THE PROJECT.
- 25. SOIL RESISTIVITY FOR THE SITE HAS A CORROSION RATING OF CATEGORY A AS REPORTED BY HAWAIIAN CORROSION SERVICES (HCS). ALL REQUIRED ELECTRICAL ISOLATION PROCEDURES AND CORROSION CONTROL REQUIREMENTS SHALL APPLY.

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Note: Contractor shall check and verify all dimensions at job

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WAIMEA VALLEY FIRE HYDRANT

PUPUKEA, HAWAI

TMK: (1) 5-9-005: 009, 019, 025 & 029

NOTES 4

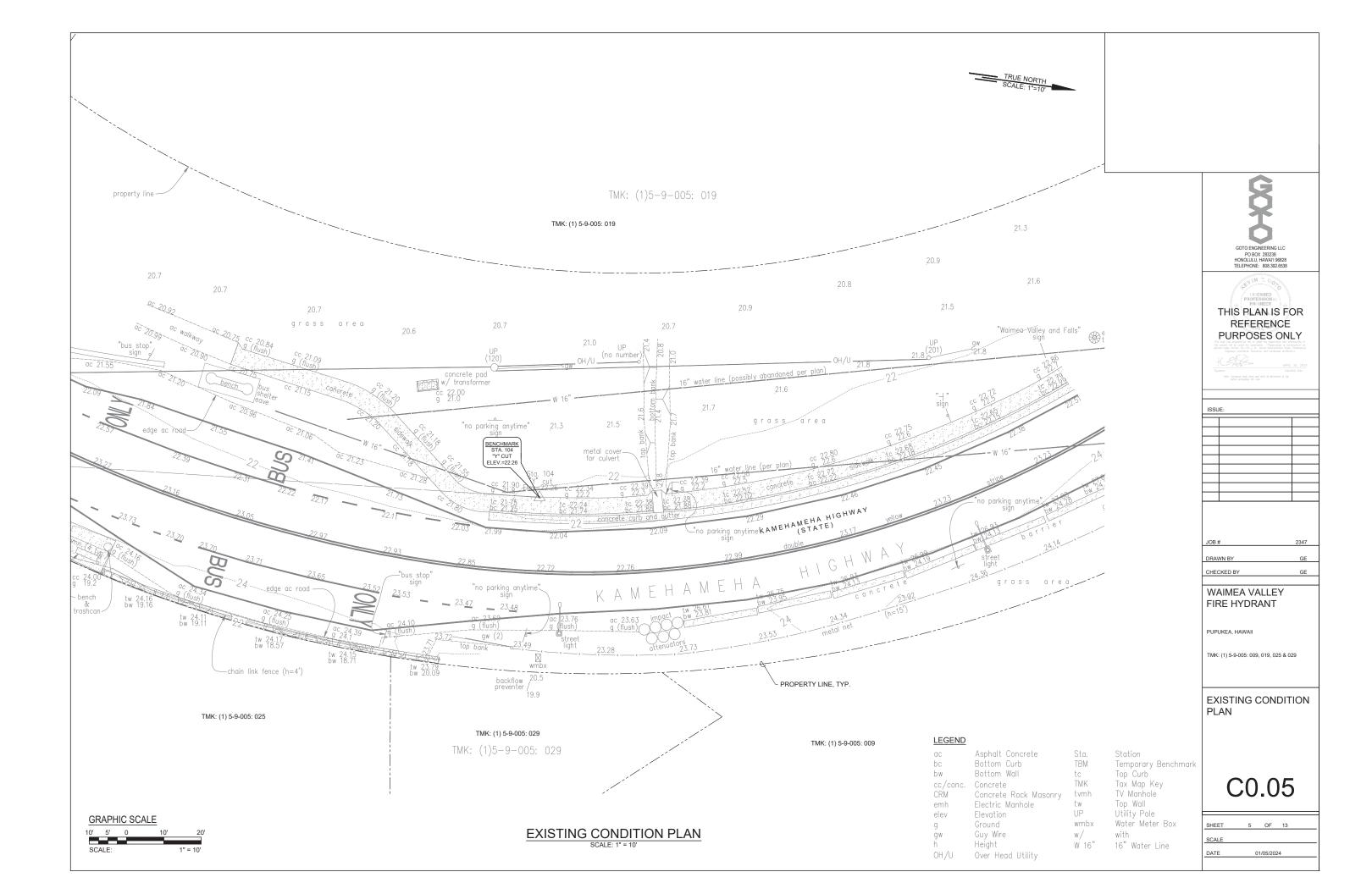
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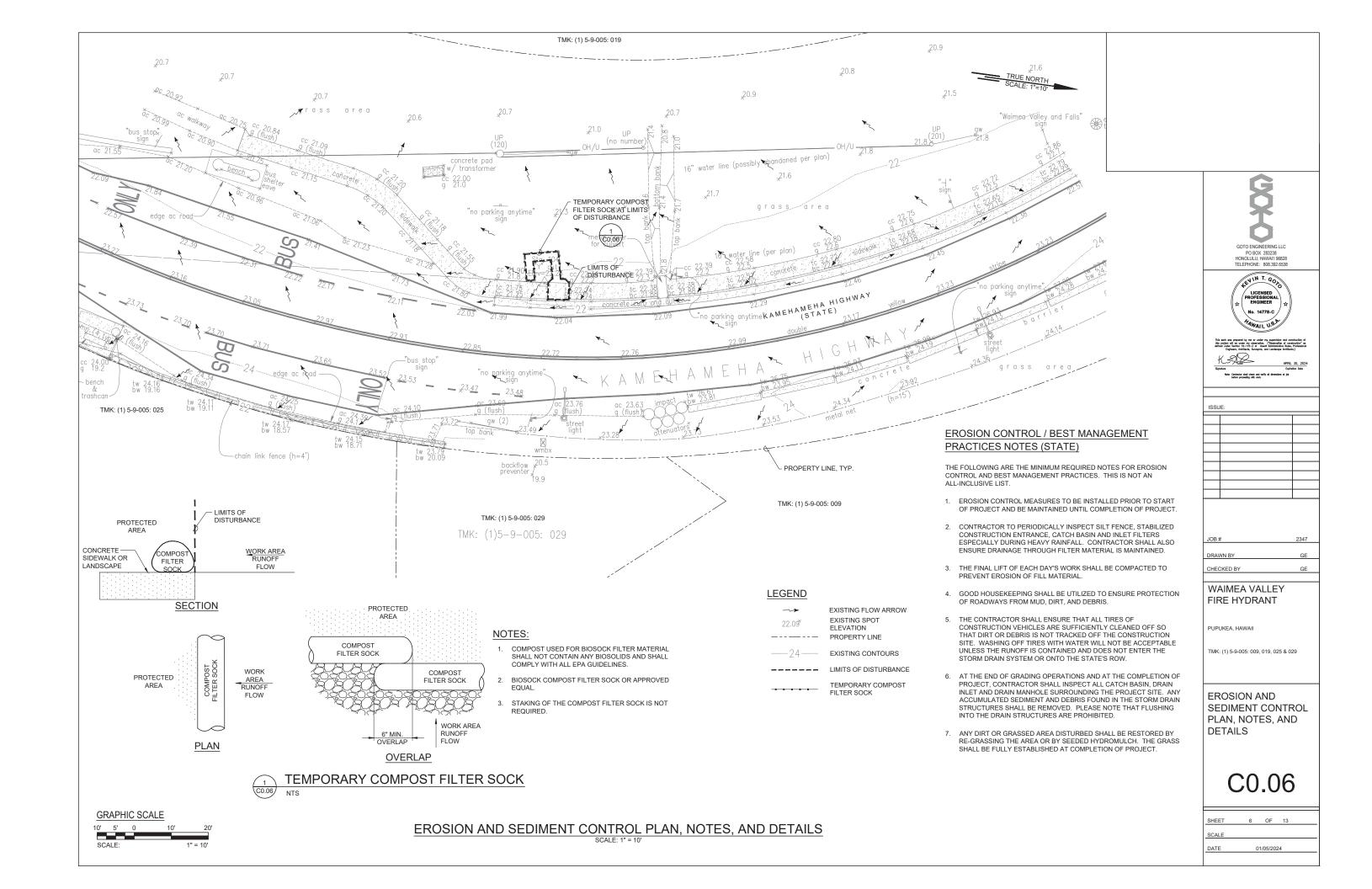
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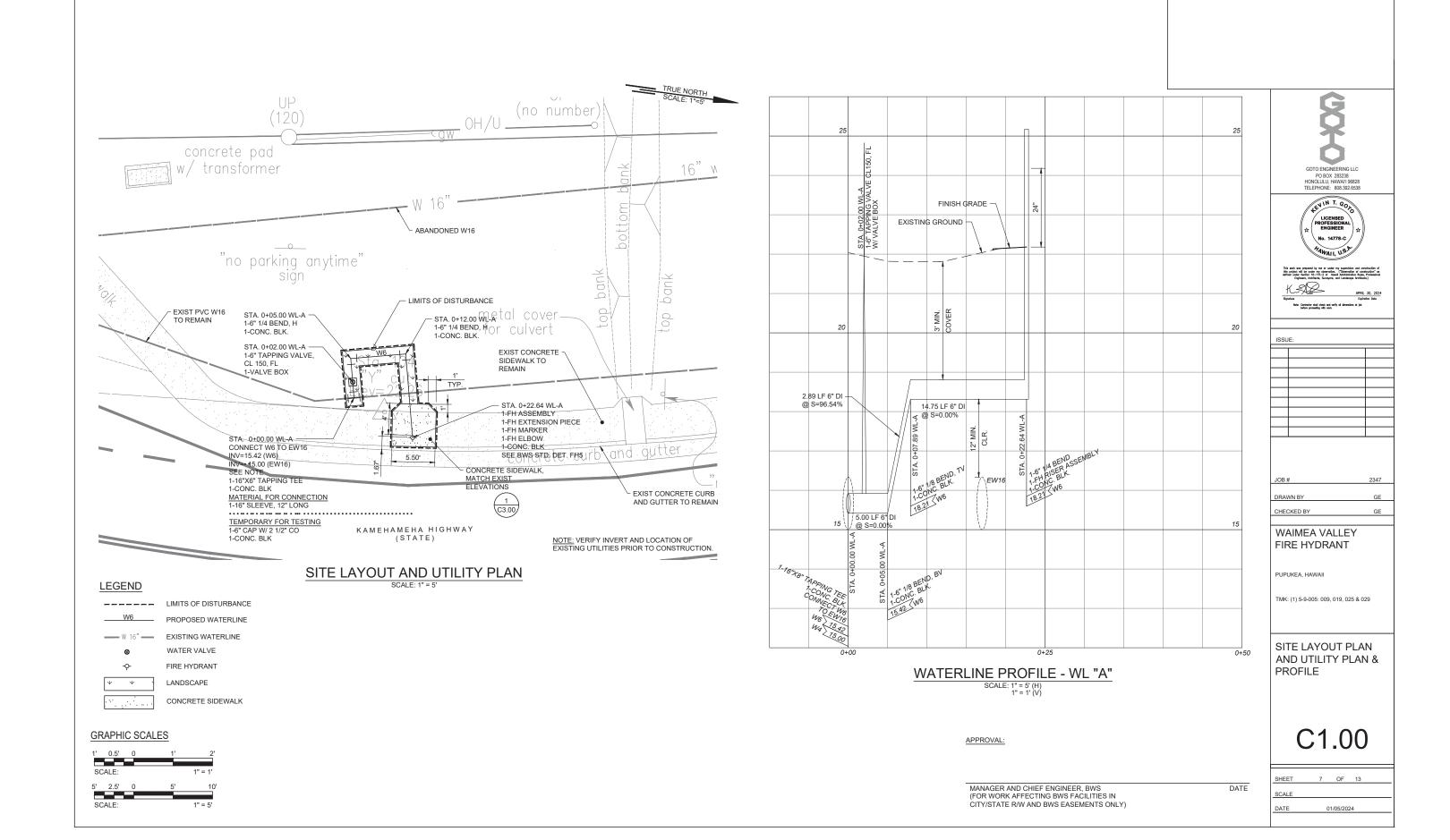
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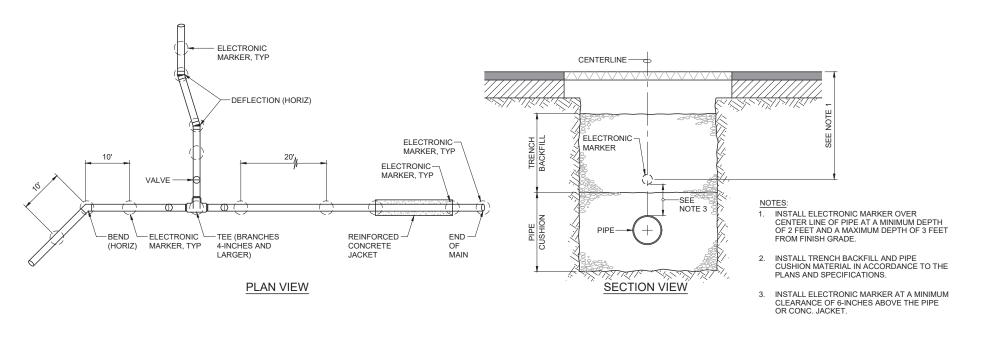
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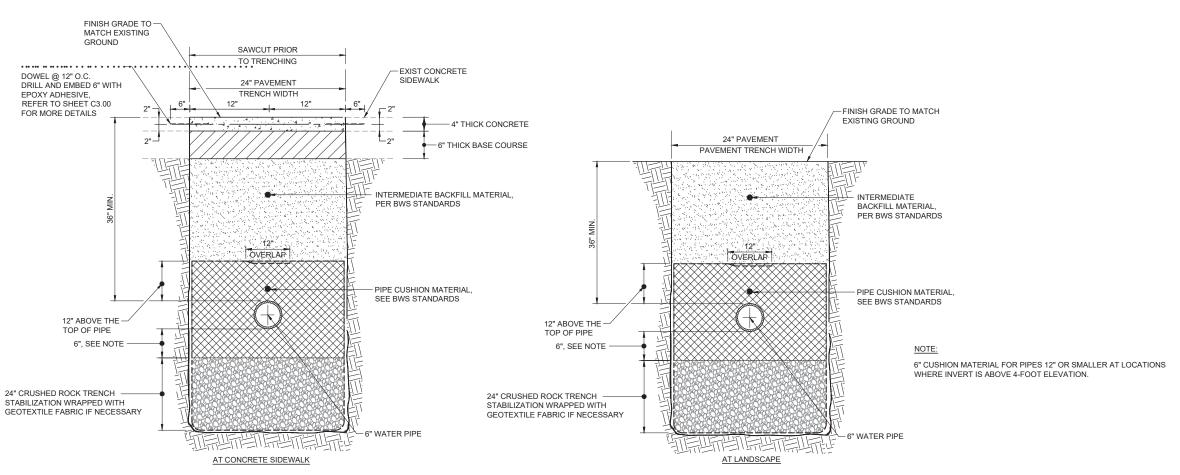








TYPICAL ELECTRONIC MARKER INSTALLATION (STATE)



APPROVAL:



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WATER DETAILS

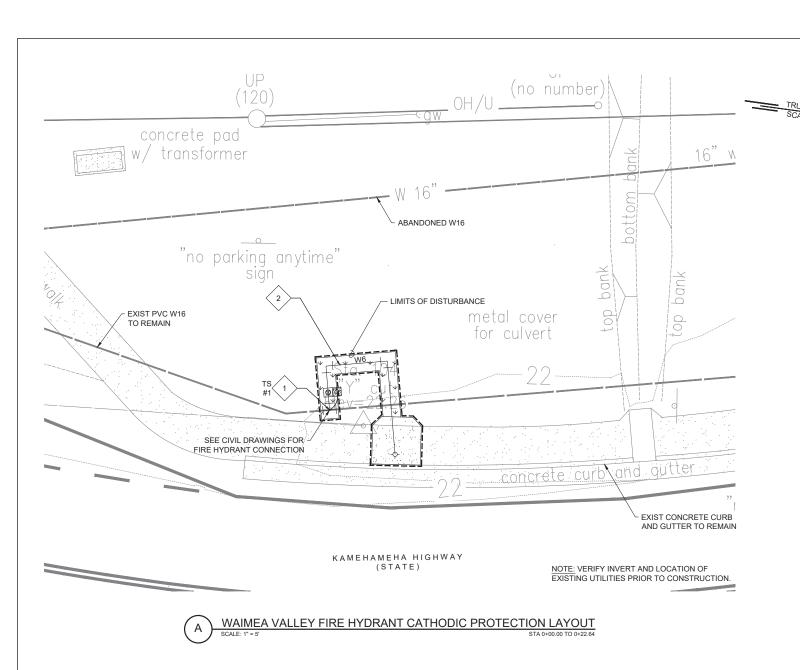
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SHEET 8 OF 13

SCALE

DATE 01/05/2024

DATE



INSTALL ANODE TEST STATION ON 8" D.I. PIPE IN PAVED AREA BEHIND CURB AND GUTTER NEXT TO HYDRANT SEE DETAIL A, C2.02.

INSTALL CONTINUITY (JOINT) BONDS ON ALL NEW BURIED D.I. WATERLINES AND FITTINGS. APPLY BONDED DI-ELECTRIC COATING TO ALL BURIED D.I. PIPE AND FITTINGS. WRAP ALL FITTINGS WITH WAX TAPE COATING OVER BONDED DI-ELECTRIC COATING. SEE DETAIL A, C2.03.

CATHODIC PROTECTION TEST STATION SCHEDULE						
TEST STATION NO.	STATIONING	DIAMETER (IN)	# OF 32LB MAGNESIUM ANODES	DETAIL/ SHEET	NOTES/COMMENTS	
1	0+00	6	2	A/C2.02	PLACE CP TEST STATION IN PAVED AREA BEHIND CURB AND GUTTER NEXT TO HYDRANT	

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Note: Contractor shall check and we'lly all dimensions at job

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CATHODIC **PROTECTION** SITE PLAN

C2.01

SHEET 9 OF 13 SCALE DATE 01/05/2024				
	SHEET	9	OF	13
DATE 01/05/2024	SCALE			
	DATE	0	1/05/202	24

DATE

GENERAL NOTES: LEGEND

LIMITS OF DISTURBANCE

PROPOSED WATERLINE

EXISTING WATERLINE

CONCRETE SIDEWALK

WATER VALVE

FIRE HYDRANT

LANDSCAPE

- UNLESS OTHERWISE SPECIFIED, ALL MATERIALS AND CONSTRUCTION OF WATER SYSTEM FACILITIES AND APPURTENANCES SHALL BE IN ACCORDANCE WITH THE CITY AND COUNTY OF HONOLULU, BOARD OF WATER SUPPLY'S "WATER SYSTEM EXTERNAL CORROSION CONTROL STANDARDS, VOLUME 3, DATED 10 AUGUST 2022, ALL SUBSEQUENT AMENDMENTS AND ADDITIONS, AND TO NATIONAL ASSOCIATION OF CORROSION ENGINEERS (NACE) INTERNATIONAL STANDARD PRACTICES, CURRENT VERSIONS.
- THE DRAWINGS FOR THE CATHODIC PROTECTION ARE DIAGRAMMATIC AND SHALL NOT BE SCALED FOR EXACT LOCATIONS UNLESS SCALES ARE EXPLICITLY STATED ON THE SPECIFIC DRAWINGS. FIELD CONDITIONS, NON-INTERFERENCE WITH OTHER UTILITIES OR TRADES, LANDSCAPING, PAVING, CONCRETE, ARCHITECTURAL, MECHANICAL, AND STRUCTURAL FEATURES SHALL DETERMINE EXACT LOCATIONS. CONTRACTOR SHALL NOTE OTHER UTILITIES IN THE AREA AND CARE SHALL BE TAKEN DURING EXCAVATION NOT TO DAMAGE THESE UTILITIES. ANY DAMAGED UTILITIES SHALL BE REPAIRED TO THE SATISFACTION OF THE UTILITY OWNER'S STANDARDS AT THE CONTRACTOR'S EXPENSE
- AS-BUILT DRAWINGS FOR THE CATHODIC PROTECTION SYSTEM SHALL BE MAINTAINED BY THE CONTRACTOR DURING INSTALLATION AND CONSTRUCTION OF THE CATHODIC PROTECTION SYSTEM(S). DRAWINGS SHALL BE REVISED TO SHOW EXACT LOCATIONS OF ALL ANODES, TEST STATIONS, ELECTRICAL ISOLATION DEVICES, AND OTHER RELATED ITEMS.
- NO BELOW GRADE SPLICING OF CATHODIC PROTECTION WIRES IS ALLOWED WITHOUT PRIOR APPROVAL FROM THE ENGINEER. CONTRACTOR SHALL ENSURE ALL WIRES ARE OF SUFFICIENT LENGTH FOR EACH INTENDED APPLICATION.
- REMOVE ANODES FROM PLASTIC OR OTHER SHIPPING BAG AND POSITION ACCORDING TO DETAIL DRAWINGS. DO NOT REMOVE CLOTH SACK
- INSTALL ANODES A MINIMUM OF 2 FEET FROM EDGE OF PIPE OR ANY OTHER METALLIC OBJECT, PLACE ANODES 5 FT ON CENTER FROM OTHER ANODES AND BELOW THE INVERT OF THE PIPE.
- BACKFILL WITH NATIVE SOIL A MINIMUM OF 12 INCHES AROUND ANY ANODES THEN FLOOD EACH WITH A MINIMUM OF 5 GALLONS OF FRESH WATER. AFTER WATER ABSORPTION, CONTINUE BACKFILLING AS PER SPECIFICATIONS.
- 8. WRAP LEADS AROUND PIPE IF POSSIBLE AND TIE HALF HITCH FOR STRAIN RELIEF. ROUTE ALL TEST LEADS AND OTHER WIRES IN APPROPRIATELY SIZED CONDUIT BETWEEN THE PIPE AND THE TEST STATION BASE.
- 9. PLACE TEST STATIONS IN PROTECTED AND EASILY ACCESSIBLE AREAS (NEAR FIRE HYDRANTS, SIDEWALKS, OUT OF ROADWAYS, OR BEHIND THE CURB.)
- 10. PIPELINE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ELECTRICAL ISOLATION OF THE NEW PIPELINE FROM EXISTING PIPELINES, CONCRETE REBAR, ELECTRICAL GROUNDING, CASINGS, PIPE
- ENSURE ALL BURIED DUCTILE IRON PIPES AND FITTINGS, INCLUDING THOSE WITHIN A REINFORCED CONCRETE JACKET (RCJ), HAVE A PROPER BONDED DIELECTRIC COATING SYSTEM INSTALLED PER BOARD OF WATER SUPPLY'S "WATER SYSTEM EXTERNAL CORROSION CONTROL STANDARDS, VOLUME 3, DATED 10 AUGUST 2022 PRIOR TO BACKFILL. ANY OTHER BARE OR EXPOSED METALLIC

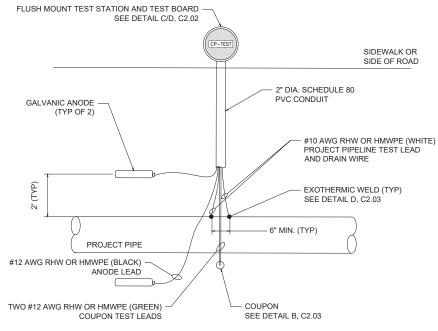
SURFACES SUCH AS NUTS, BOLTS, ISOLATION DEVICES, ETC. SHALL BE COATED WITH A WAX TAPE COATING SYSTEM THAT DOES NOT SHIELD CATHODIC PROTECTION CURRENT.

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GRAPHIC SCALES

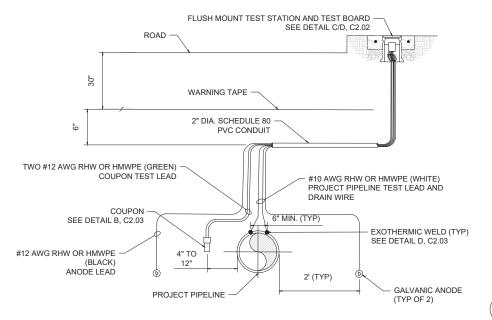
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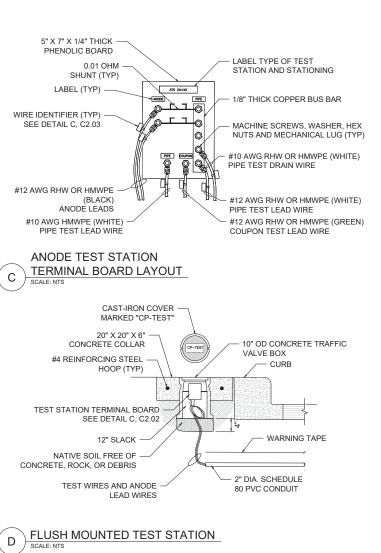
TEST STATIONS SHALL BE LOCATED NEXT TO FIRE HYDRANTS, WHERE FEASIBLE, SO THAT LATERAL WIRE RUNS PARALLEL FIRE HYDRANT LATERALS.

ANODE TEST STATION FOR TWO ANODES



TOP OF ANODE SHALL BE ALIGNED WITH THE BOTTOM OF THE PROJECT PIPELINE

ANODE TEST STATION FOR TWO ANODES



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CATHODIC **PROTECTION TEST STATION DETAILS**

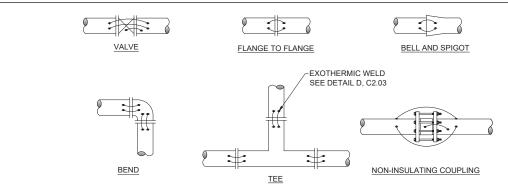
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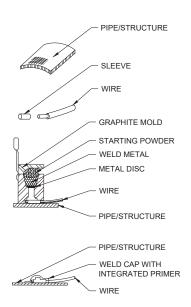
NOMINAL PIPE Ø MIN WIRE SIZE # OF WIRES 24" OR LESS

CONTINUITY BONDING NOTES:

- TYPICAL FOR NON-WELDED PIPING OR WELDED PIPING WITH MECHANICAL COUPLINGS.
- RHW OR HMWPE BLACK INSULATED STRANDED COPPER BOND WIRES SHALL BE SIZED ACCORDING TO THE FOLLOWING TABLE UNLESS OTHERWISE NOTED.
 - INSTALL THERMITE SLEEVES ON #8 OR SMALLER GAUGE WIRES PRIOR TO THERMITE WELDING.
- PROVIDE A MINIMUM OF 4" SLACK TO ACCOMMODATE PIPE MOVEMENT. REMOVE SMALL AREA OF COATING AND ENSURE WELD AREA IS FREE OF DUST AND DEBRIS
- PRIOR TO THERMITE WELDING.
 6. ENSURE ALL BLOW-OFF AND HYDRANT PIPING ARE BONDED AND ELECTRICALLY CONTINUOUS
- WITH ADJACENT WATER MAIN (IF METALLIC).
- DO NOT INSTALL CONTINUITY BONDS ACROSS ANY ISOLATION FLANGE, COUPLING, UNION, OR OTHER DI-ELECTRIC COMPONENT.
- 8. TEST EACH CONTINUITY BOND WITH A DIGITAL LOW RESISTANCE OHMMETER AFTER
- INSTALLATION BEFORE INSTALLING COATING AND DOCUMENT RESULTS ACCORDINGLY.

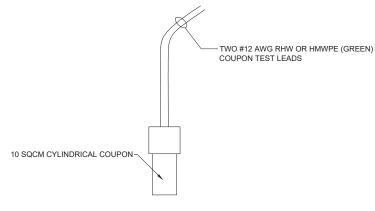
 9. COAT ALL EXPOSED AND BARE METALLIC COMPONENTS (THERMITE WELDS, RESTRAINT RODS, NUTS, BOLTS, ETC.) WITH WAX TAPE OR OTHER APPROVED COATING SYSTEM BEFORE BACKFILLING.

CONTINUITY (JOINT) BONDING



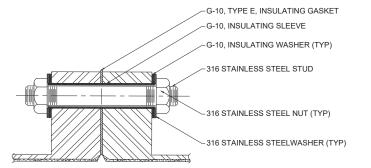
EXOTHERMIC WELD NOTES:

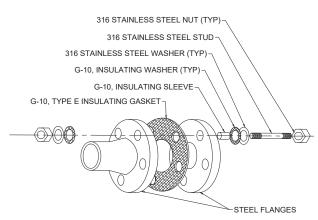
- FOR COPPER LINES, CONNECT WIRES VIA BRONZE GROUND CLAMPS. DO NOT THERMITE WELD. ALL WELDS SHALL BE 6" APART AT MINIMUM.
- GRIND PIPE/STRUCTURE TO BARE METAL AND CLEAN SURFACE. GROUND AREA SHALL BE LARGE ENOUGH FOR EXOTHERMIC WELD AND SMALL ENOUGH TO BE COMPLETELY COVERED BY WELD CAP.
- STRIP INSULATION FROM WIRE AND ATTACH SLEEVE
- STRIP INSULATION FROM WIRE AND ATTACH SELEVE
 HOLD MOLD FIRMLY WITH OPENING AWAY FROM OPERATOR. IGNITE WITH FLINT GUN. REMOVE
 SLAG FROM CONNECTION WITH CHIPPING HAMMER. TEST WELD WITH 22 OZ HAMMER.
- REPAIR ALL DAMAGE TO COATING AND LINING IN ACCORDANCE WITH COATING AND LINING MFG RECOMMENDATIONS.



COUPON MATERIAL SHALL BE THE SAME AS THE PIPELINE







NOTE:

- PETROLATUM WAX TAPE NOT SHOWN.
- 2. DO NOT APPLY WAX TAPE IF INSULATING FLANGE IS LOCATED ABOVE GRADE OR IN A VAULT.

EXOTHERMIC WELD FOR DUCTILE IRON AND STEEL





PIPE

STRIP INSULATION TO EXPOSE -INSULATION STRANDED COPPER XXXXX PERMANENT NYLON MARKING TAG

WIRE IDENTIFIER

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PUPUKEA, HAWAII

TMK: (1) 5-9-005: 009, 019, 025 & 029

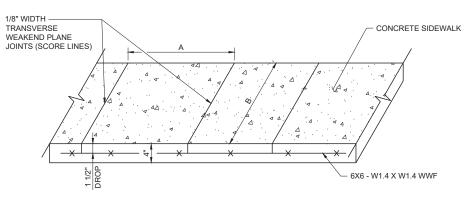
CATHODIC PROTECTION STANDARD DETAILS

C2.03

DATE CITY/STATE R/W AND BWS EASEMENTS ONLY) 01/05/2024

MANAGER AND CHIEF ENGINEER, BWS (FOR WORK AFFECTING BWS FACILITIES IN

APPROVAL



EXISTING CURB AND SEE PLAN 2% MAX EXISTING GROUND 4" CONCRETE SIDEWALK W/ 6X6 - W1.4 X W1.4 WWF 6" (MIN) BEDCOURSE

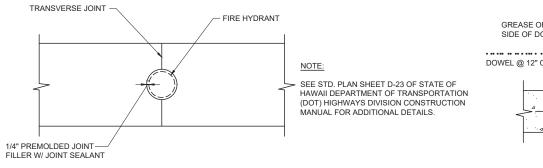
SIDEWALK

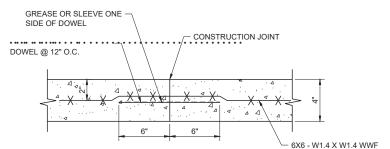
NOTES:

- JOINT DIMENSIONS OR (B/A OR A/B) <1.25' AND (A OR B) NOT TO EXCEED 7'-0".
- 2. LONGITUDINAL JOINTS SHALL BE SIMILAR TO TRANSVERSE JOINTS.
- 3. SPECIAL DESIGN TO BE USED WHERE A OR B > 7'-0".

SIDEWALK CONTRACTION JOINT

SIDEWALK ISOLATION JOINT





TRANSVERSE CONSTRUCTION JOINT

GREASE OR SLEEVE EXPOSED END DOWEL @ 12" O.C. DRILL AND EMBED 6" WITH EPOXY ADHESIVE MATCH EXISTING SIDEWALK EXISTING CONCRETE SIDEWALK NEW CONCRETE SIDEWALK 6X6 - W1.4 X W1.4 WWF BEDCOURSE

TRANSVERSE JOINT AT EXISTING SIDEWALK

NOTES:

- DRESSING OF SIDEWALK SHALL CONSIST OF CLEARING, GRUBBING, GRADING, RESHAPING, AND COMPACTING THE AREA ADJACENT TO THE IMPROVEMENT WITH SUITABLE MATERIAL AS SHOWN ON THE PLANS AND/OR AS DIRECTED BY THE ENGINEER. IF EXISTING GROUND IS ASPHALT OR CONCRETE SURFACE, DRESS SIDEWALK WITH A.C. PAVEMENT, MIX NO. V. THIS WORK SHALL BE CONSIDERED INCIDENTAL TO THE NEW SIDEWALK.
- 2. TRANSVERSE AND LONGITUDINAL WEAKENED PLANE JOINTS FOR SIDEWALK.
- INSTALLATION OF DOWELS AND TIE BARS, INCLUDING DRILLING AND EPOXY GROUT, SHALL BE INCIDENTAL TO SIDEWALK.
- 4. CONCRETE SHALL BE CLASS "A",

GOTO ENGINEERING LLC
PO BOX 252328
HONOLULU, HAWARI 19828



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WAIMEA VALLEY FIRE HYDRANT

PUPUKEA. HAW.

TMK: (1) 5-9-005: 009, 019, 025 & 029

MISCELLANEOUS DETAILS

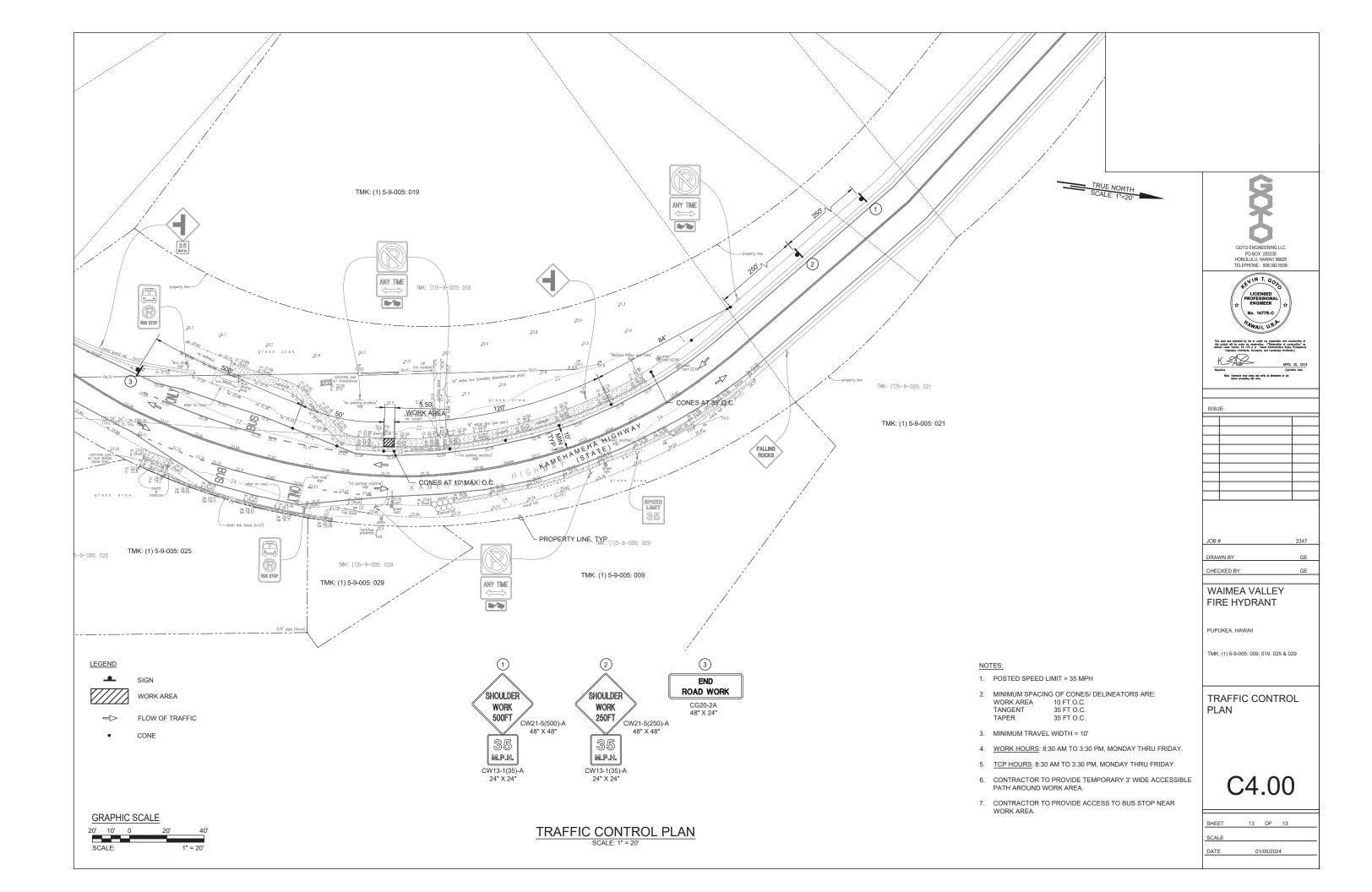
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SHEET 12 OF 13

SCALE

DATE 01/05/2024

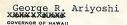




1975 WAIMEA VALLEY
CONSERVATION DISTRICT
USE APPROVAL (CDUA 74591) AND SITE PLAN
APPROVAL FOR LAND
AND RESOURCE
MANAGEMENT (SPA OA
15-44)

EXHIBIT

B





DIVISIONS:
CONVEYANCES
FISH AND GAME
FORESTRY
LAND MANAGEMENT
STATE PARKS
WATER AND LAND DEVELOPMENT

STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

P. O. BOX 621 HONOLULU, HAWAII 96809

OA-8/14/74-591

FINDINGS OF FACT AND DECISION AND ORDER Conservation District Use Application for Recreational Use at Waimea Valley, Oahu

I. FINDINGS OF FACT

APPLICANT:

Bishop Corporation 235 Queen Street Honolulu, Hawaii 96813

USE REQUESTED:

Recreational Use

LOCATION:

Waimea Valley, Waialua, Oahu, TMK: 6-1-02:2, 3, 15, 16, 17, 19-21

AREA OF PARCELS/AREA OF USE:

Approximately 1800 acres/approximately 1800 acres

SUBZONE:

General Use. Under Sections 2B(1) (a) and (c) of Regulation No. 4, recreational uses are permitted within this subzone.

DESCRIPTION OF AREA/BACKGROUND INFORMATION:

Waimea Valley lies on the north shore of Oahu, approximately 35 miles from Honolulu. It is bordered on the northeast by the Pupukea Homesteads and on the southwest by Kawailoa. Waimea Bay Beach Park lies at the mouth of the valley. Waimea Stream flows through the Valley, and into Waimea Bay. Access to the Valley is by a paved road off Kamehameha Highway.

Rainfall averages from 30 to 70 inches in the Valley area. Heavy rain storms during winters and early spring have created flooding conditions at an average of two to three times per year. When the river mouth is blocked by sand, the river tends to back up into the Valley, causing flooding on the lowlands. The park was closed on three occasions during the winter of 1973-74 due to flooding at the entry road by this backing up situation.

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The applicants point out that flooding has not been a problem in the visitor facilities area.

Vegetation in the Valley consists of predominantly monkeypod, koa, kukui, hau, guava, lantana, java plum, christmas berry, haole koa, lilikoi, kolomana and assorted weeds. Native birds in the Valley include elepaio, amakihi, apapane, gallinule, owl, auku'u and koloa maoli duck. Introduced birds include mynah, barred dove, spotted dove coot, ring necked pheasant, house sparrow, white eye, shama thrush, plover, cardinal and Brazilian cardinal. Introduced animals include domestic ducks, geese, peacocks, guinea fowl and moa chicken.

The property extends about 3.5 miles from its makai to mauka boundary at an elevation of about 1,000 feet. The Valley walls average 200 to 300 feet high. In the valley are three major streams, Elehaha, Kamananui (on which is located Waihee Falls) and Kaiwihoele Stream. This drainage system leads into Waimea River and eventually to the ocean.

The mountainous areas of the Valley are comprised of Helemano silty clay and Kapaa silty clay. Mid-valley areas are comprised of rock land. The lower valley is comprised predominantly of rock land, Kawaihapai stoney clay loam.

The Valley contains numerous sites of archaeological interest.

Existing park facilities, include a food facility, country store, restrooms; administration center lanai area (totalling about 7,000 — square feet of floor area), bus depot, underground utilities (in= cluding a four inch water line to the visitor area and a partially — underground electric line), a small nursery area with office, temporary screened seeding area and equipment storage shed, and a maintenance shed.

The food facility, Country store, and restroom facilities are available to the public at no charge. Admission to the park is \$2.00 per adult, \$1.00 for children 7-12 years of age, and free for children under seven. Annual passes are also available.

Bishop Corporation points out that development of the area approved by the Board on March 24, 1974, has been completed, and their operations have been open since September 14, 1974.

DESCRIPTION OF PROPOSED USE:

Bishop Corporation is requesting that the Board approve their master plan for the recreational use of Waimea Valley. They point out that the master plan calls for immediate and future developments in the Valley area.

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Proposed for immediate implementation are the following:

1. Expansion of the parking lot and road realignment - Bishop Corporation states that current attendance level is about 100,000 visitors per year. Present parking areas accommodate six buses and 85 cars and are inadequate. They project 1,000 visitors per day, or 365,000 visitors per year and propose to expand the parking area to allow 100 more cars.

The present access road will be realigned to allow a one-way pattern which will help relieve traffic, and allow a scenic view of the river for visitors entering the Valley.

The proposed realigned roadway will be constructed of crushed coral or asphalt paving. A 24-inch drainage will be constructed under the roadway to improve drainage.

Parking area will be heavily landscaped, and areas along the entry road will have picnic areas and trails and will also be landscaped.

2. Development of the arboretum - The proposed arboretum facilities will be located within the nursery area and will not be visible from other park areas. The arboretum will be used strictly for decorative, educational and scientific purposes. Plants will be used solely in the park and not sold outside. There will be a wide collection of tropical and sub-tropical plants, which the applicants state could provide immense value in the future for breeding purposes, disease control, aesthetic value, and other research.

The facilities will include:

a. Office, lecture and display building: An enclosed area of 60 feet by 16 feet to include an office/library; herbarium (herb storage); restroom facilities; shower facilities; laboratory; and employees lounge. A 16-foot wide lanai for demonstrations and lectures would run the length of the structure. The total size of the building would be 60 feet by 32 feet or a total of 1,920 square feet. The building would be constructed of materials found in the visitor facility, and maintain architectural style. The present office is a converted trailer of approximately 200 square feet.

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- b. Seedling house: This structure will be used for the growing of delicate seedlings where birds, rats and other creatures cannot destroy them. It would be 10 feet by 24 feet or 240 square feet; on a cement slab, with wire mesh on four sides. It will contain a spraymist irrigation system to keep seedlings moist.
- Saran house: The purpose of this structure is to control conditions of moisture, wind and light in order to promote seedling growth prior to planting. It would be 100 feet long by 50 feet wide or 5,000 square feet. Some sections would be of lath material, others of screen or fine wire mesh. Roofing material that reduces sunlight and allows passage of moisture would be utilized. Plant stands on concrete slabs would be accessible through a system of gravel walkways. A spray-mist irrigation system would provide moisture in addition to natural rainfall.
- d. Potting shed: A 30 foot by 24 foot area of 720 square feet. The structure would have a slab foundation, roofed with translucent material posted at corners and open on four sides. Its purpose is the potting of seedlings prior to being placed in the Saran house.
- Storage shed: An enclosed wood frame storage shed for tools, fertilizers, etc., and 10 feet by 20 feet or 200 square feet. It would be a concrete slab with wood siding and an asphalt tile roof.
- f. Plant quarantine house: To be used for temporary storage of plants or seeds, from foreign countries, during the quarantine period to determine if any insects or diseases have been transported. It will be 35 feet by 14 feet or 490 square feet. The structure will be on a concrete slab (with a drain sump) and roofed with clear corrugated plastic. The walls would be a combination of hollow tile and two types of wire mesh.
- 3. Development of a full service restaurant Bishop Corporation proposes to develop a full service restaurant on the second floor of the visitor center. (The area was originally planned as a manager's residence, as approved under the original use permit. However, since then, Bishop Corp. has found an old home in the area for the manager.) No interior layout has been developed for the restaurant. Floor space is 1,985 square feet with lanai of 864 square feet. Total seating capacity is estimated to be 180 persons. Bishop Corp. points out that the restaurant will enable them to better serve their visitors and complement the existing snack bar on the first floor. The existing kitchen facilities will be used. The restaurant would be operated under Bishop Corporation's control. They are also

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asking that the current time restriction on food service be extended from 6:00 p.m. to 12:00 midnight. In addition to the full service menu, they plan to serve liquor.

Proposed for future improvements include:

1. Construction of hiking, bridle trails, and picnic areas - Hiking trails will be cleared in the north valley following Elehaha Stream to Drum Road; up the south valley following Kamananui Stream to Drum Road; and mauka of Drum road up into the remote areas of Waimea. A total of about 12 miles of trails would be built. In addition, there will be a network of smaller trails connecting major trails. The trails would be marked in a manner similar to State Park trails. Distances would be noted and trails keyed to a trail map illustrating the layout and routes of trails. Only necessary clearing to make trails passable and distinguishable would be done. A trail crew would be utilized for maintenance and to assist hikers in need of help. Radio-telephone communication system would be established to control points throughout the valley.

No detailed locations have been selected for these trail and picnic facilities at this time. The number will depend on Bishop Corporation's ability to keep them properly maintained.

2. Construction of vacation cabins with access and support facilities - The development of these facilities will permit Bishop Corporation to accommodate campers who like to "rough it" and those who like to take it easy. They envision an optimum of 12 vacation cabin areas, each containing from 6 to 10 cabins, or a maximum of 120 cabins. Each cabin would have a floor area of a maximum of 800 square feet.

Cabins would be one level and of rustic architecture. Access will be by trail network or Drum Road. All trails and the road would be maintained by Park personnel, who would provide safety and security functions.

Water for the north side cabins would be provided from a 50,000 gallon holding tank located on the property and fed by a metered line from the BWS tank at the top of Pupukea Road, or via an extension from the 4-inch line from Kam Highway. Cabins located makai of the waterfall will obtain water from the stream via a properly screened, deep pumping system. The extreme mauka cluster will draw water from a holding tank, kept full by trucking water to that location. If electricity is provided, cabins on the north side would be serviced by a 12KV line. Each cluster would have its own transformer, or a generator would be provided for each unit. Cabins on the south side would not have power. Sewage disposal would be by cesspool, about 3 cesspools will be provided per cluster.

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The applicants have submitted tentative generalized location sites for the cabins and camp sites. Specific data have not yet been formulated.

Installation of a narrow gauge train system - Bishop Corporation proposes to develop a narrow gauge train system to permit visitors to view the natural beauty of the valley, in particular, the Pupukea side. Presently this area is only accessible by hiking trails. The train system would also provide access to picnic areas, campsites, and cabins located in the back sections of the park. The narrow gauge train will be designed to pull three or four passenger cars.

The proposed alignment for the train system would follow an old dirt roadbed that at one time carried vehicle traffic to Drum Road. The roadbed would be widened to 12' with pull off areas. Bishop Corporation points out that grades for the route average 5% with no area exceeding 10%. The train ride would be about 2 miles long with a turnaround area.

- 4. Construction of dams Dams will be constructed above the falls area to temper the extreme drought and flooding conditions presently being experienced providing that engineering studies prove it is feasible. No details were submitted with the application.
- Construction of restroom facilities Facilities will be built near the falls areas when and if they become necessary.
 No details were submitted with the application.

Bishop Corporation points out that it will take many years to attain all of the objectives. As they proceed, many new and different ideas will emerge and new requirements will be necessary. They ask approval of the overall park concept which covers proposals that will be immediately implemented and those for which they desire conceptual approval. Final specifications for each phase will be submitted for administrative approval prior to implementation.

Supporting materials submitted with the application include an archaeological and historical study of the Vally by Bishop Museum.

Bishop Corporation has also submitted an Environmental Impact Statement for the project in accordance with Act 246, 1974 SLH.

The EIS was received on November 15, 1974 and the department has 60 days in which to accept or not accept the EIS.

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SUMMARY OF COMMENTS RECEIVED:

The C&C Department of Land Utilization points out the following:

Many aspects of the proposal indicate that it would be considered a conditional use under the Comprehensive Zoning Code. If the area were under City land use controls, this would mean that a conditional use permit would be required, and they would specify many detailed conditions on all aspects of the design and operation of the proposed facilities, down to details of roadways and traffic control. The proposed permit would require public hearings before both the Planning Commission and the City Council.

This area was identified on the General Plan/Detailed Land Use Map for future use as a public park. Even if the proposed use may be essentially similar to what it would be if developed by the State or the City, it should be given maximum public review so that citizens may indicate whether they concur in allowing this use to be developed and operated under private control, since such control may not always be in the same interest of citizens as public control would be.

They note that there exists on the Island only one other non-sea oriented recreational area, at Aiea, and that this State facility has been already compromised by electric transmission lines.

Expansion of this facility to attract a greater volume of visitors, not remaining overnight or longer, should not be approved without a detailed traffic study of the effect upon Kamehameha Highway capacity of the added vehicular traffic generated by an increased number of surfers and surfing spectators coming to the North Shore and expanding residential and visitor capacity at Kuilima and elsewhere on the North Shore.

Existing and future conflicts between traffic from this facility and traffic to the City beach park must also be considered.

- Proposed botanical and horticultural activities described are permitted in P-1 zoning.
- 4. They have not been provided enough details on proposed structures to know whether P-1 zoning would permit all of them. A restaurant would not be allowed, being strictly a commercial use. To approve such a use would be unfair in that other private landowners whose land, by accident, is under various City zoning districts rather than State Conservation District would not be permitted to establish restaurants. This restaurant and its proposed hours of operation and types of services sold would put it in direct competition with the Kuilima Hotel and other North Shore commercial facilities. It

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would amount to State subsidy of a commercial operation. In a public park, on the other hand, such a facility, if allowed, is allocated to entrepreneurs under public bid procedures. If the State permits such uses in Conservation Districts in the manner proposed, then the State casts serious doubts upon the validity of City zoning controls, and increases the difficulty of the City in enforcing its own laws and maintaining a climate of citizen respect for them.

- 5. Under the Comprehensive Zoning Code, the City would require in the conditional use permit a number of conditions for such a private development with respect to preservation of natural features, existing plants, and archaeological sites and historic features. They would appreciate knowing what controls or conditions the State would impose to preserve such features.
- 6. Conditions must be imposed by the State to insure that the proposed cabins or other housing facilities on the site do not become, by either accident or design, hotels. Since the General Plan designates the area for park use, they assume it must be open to anyone and that local residents will not be eventually excluded from the facility. Through travel service group booking and similar measures, it could easily become for tourists only, which would be contrary to the General Plan's intent. The Board must take steps to impose conditions which will preclude this possibility.
- 7. They have reservations concerning the proposed "railroad" or other essentially urban-type transit facilities within the park. They would probably not be permitted under the Comprehensive Zoning Code. Such facilities do not enhance the natural quality of the area and will probably be destructive of it.

The C&C Board of Water Supply has no objections to the proposed use. They point out that the applicant should be required to use a method of sewage disposal that will not contaminate potable groundwater in the area. With respect to water supply, they point out that the Board's water main is located on Kamehameha Highway and service is limited to the 70-foot contour.

The Department of Health points out that the application does not indicate water and sewage facilities. They question how needs will be met in the proposed development. They also point out that grading should be kept to a minimum to prevent any siltation problems.

The Corps of Engineers states that they have no comments to offer at this time. They ask that they be kept informed on the development of the flood control dam.

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STAFF CONCERNS:

Department staff have general concerns about the appropriateness of the proposed commercial restaurant facility in the Conservation District, in view of the fact that the use appears to extend beyond what could be considered as serving the recreational use of the area. Staff notes that in a previous instance, the Board denied the commercial restaurant operations on property adjacent to the area under consideration.

Staff also questions the desirability of approving conceptual plans, with administrative approval of the subsequent detailed plans as proposed by the applicant. Staff points out that the Board denied the original master plan application by Bishop Corporation on the basis that it contained inadequate information to assess the impact of the use on the Conservation District. Most of the future proposals indicated in the present application are the same as originally proposed with little detailed information to support the request.

As pointed out by the City and County's Dept. of Land Utilization, the proposed request does not discuss in depth the impact of the proposed use on the adjacent uses including the C&C park or the potential traffic problems, in particular, the intersectional traffic problems which may occur by the added traffic turning into the Valley area. Additional clarification is also needed on parking requirements. Since the applicant's original estimates appear to have been inadequate, the applicant should submit a detailed breakdown to show that the proposed additional parking will fulfill future parking requirements.

Staff is also concerned about the proposed dam construction. Before any development is permitted in stream areas, a complete ecological study of the stream areas should be made, including a feasibility study for the project.

SUMMARY OF PUBLIC HEARING:

In accordance with Section 183-41, HRS, and Sections (4) and (5) of Regulation No. 4, a public hearing was held on December 13, 1974 to receive testimony on the application.

Testifying at the hearing were Mr. Charles Pietsch III, Vice President of Bishop Corporation; Mr. Rosehill (Attorney for Bishop Corporation); Mr. Peter Cole, representing Mr. Warren Harlow, President of the Sunset Beach Community Association; Mr. Jacob Ing, President of the Waialua Community Association; Mr. Randy Moore, resident of the area; and Mr. Jose Angel, resident of the area and Principal of Haleiwa Elementary School.

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Staff pointed out comments received from the various agencies on the EIS for the project and the revised fee schedule submitted by Bishop Corporation.

Mr. Pietsch gave a slide presentation of the park facilities. He pointed out that all phases of the project approved by the Board in 1970 have been completed. No significant flooding problems have occurred since the park improvements were made. The purpose of this new application is to expand the recreation capability of the park. Bishop Corporation wants to create in essence an 1800 acre nature park with arboretum and area for bird refuge.

In discussing the application, Mr. Pietsch pointed out that the present parking areas are inadequate. Persons park on shoulders of the roads which he feels is an unsafe condition. No grading will be required for the access road realignment.

Mr. Pietsch pointed out that the proposed restaurant would be an incidental portion of the park operations. They have received indications from residents of the area that they would favor a restaurant operation in the area. They have no liquor license at the present time, and plan to apply for a license after the restaurant use is approved. In the event the use is not approved, they may request a license regardless.

With respect to the arboretum, his staff is presently working out of a trailer type office. This facility has already attracted over 400 school children.

Mr. Pietsch pointed out that the park entrance fees were revised about two weeks ago to permit school children free to the park facilities. He does not envision changing the fee structure in the near future. All planned school excursions from kindergarten through high school would be permitted free. The same free services would be open to school groups from the outer islands. Persons 65 and over, upon proof of age, are also permitted free to the park.

Proposed future facilities will include making the north portions of the valley accessible. They are looking into various means of access, hiking trails, vehicular access, and a train system. Trails will be wide enough for persons to move down them safely. If horseback riding is implemented, they will submit plans for stables, and other related facilities to the department for approval. Trails will be developed to the archaeological sites. They will work with Dr. Sunoda of the Bishop Museum, and department staff in developing these trails.

With respect to proposed cabin sites, Mr. Pietsch pointed out that there are presently limited camping facilities in the State. Facilities are proposed, similar to those in Kokee or Wainapanapa. As this phase of the master plan is actually implemented, they may find that only 6-7 sites are appropriate.

Building will be done only where there are no flooding or erosion problems. Cleared areas will be landscaped as soon as possible. Utilities will be handled in various ways and they will comply with all State and City standards. The Department of Health has been taking monthly samples of water at the bay, and to date no reading has exceeded existing pollution standards.

With respect to the proposed dam, they have dropped this from their application since they found it is unfeasible for economic and environmental reasons.

All detail plans developed would be submitted to the department and the Board for their approval.

Mr. Rosehill addressed himself to comments received on the application. He pointed out that the proposal is similar to that of a State park concept. There is a need for recreational facilities of this nature on Oahy. The only concern that he sees is the direction of growth for the facility and the proper controls to see that it develops in accordance with City and County and State standards. Bishop Corporation would like a policy decision by the Board to designate the 1800 acre area as a park. If the area were in an urban area, they would have no objections to following City and County standards, however, the area is under State control. The public hearing he feels gives the opportunity for maximum exposure for public participation.

Access to the beach park is on different ends from the Waimea Valley park entrance. They have not experienced any conflicting traffic problems in the past. Peak traffic for the Waimea Valley Park is between 12:00 noon to 3:00 p.m. and does not conflict with traffic for residents travelling to and from work.

The park area is not a primary destination point, but another point of interest for persons travelling around the island, therefore, the park use itself does not generate any additional traffic in the area.

They feel that conceptually, a restaurant is a natural part of a park facility. He pointed out restaurants existing in other park areas, such as in the Volcano National Park.

Trails will be developed to archaeological sites in the Valley, with the DLNR's approval.

They want to have as many possible means of access for the public to view the park areas. They felt the railroad concept would be another means of access.

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Details on sewage, security , etc., for the cabin sites will be brought to the department for approval at the appropriate time.

He pointed out that the restaurant use denied by the Board for the adjacent area was a completely different thing. It was entirely a commercial restaurant use whereas the present proposal is an accessory to a recreational use.

He reiterated that details for all future improvements will be submitted to the department and Board for approval as they become available.

With respect to parking facilities, he pointed out that they cannot assure that the additional parking areas requested will be adequate for future needs. It will depend on the growth of the park area. Any future parking needs will be brought before the Board for approval.

He summarized by saying that Bishop Corporation would like the Board to approve the concept of a park for the entire 1800 acres, and to approve their proposed master plan. The Corporation would go along with any monitoring proposals set by the Board.

If the Board required the restaurant to be open only during park hours, they would be willing to go along with this. He stressed that the restaurant will be incidental to park use.

Peter Cole pointed out that the Sunset Beach Community Association supports the master plan proposal by the Bishop Corporation. Their objections to the original application was because of their hopes that the area would make public acquisition unfeasible. However, they have observed what Bishop Corporation has done, and the work has been a positive thing for the Community, and the people have taken pride in the project. He pointed out that the residents have been partly responsible for the restaurant concept. They have wanted a restaurant in the area for a long time. They do not feel that the restaurant would be in competition with Kuilima or the Seaview Inn. He pointed out that the type of restaurant facilities proposed by Bishop Corporation are the kind that residents would like to see in the area.

The only concern by the residents was that the use would set a precedent for restaurants in other projects. However, he does not feel that this is a problem because the project should be judged by performance and merits of the situation at hand.

They are all for the proposal of having school children to the facility free of charge. He feels that the proposal for vehicular or train transportation to the upper portions of the Valley would be a good idea especially for older persons.

Mr. Ing pointed out that their association did not get word of the public hearing. They would like additional time to review plans and details for the proposal in order to give their position on the matter.

Randy Moore points out that he is in favor of the proposal. The project has been conducted in a manner which is a credit to the community. He pointed out that if the restaurant is open only during daytime hours, it would cater predominantly to the tourists, but at night, clientele would be more local people or persons from the Kuilima.

Mr. Angel stated that he favors Bishop Corporations plans. The project has been a quality one which residents of the area have enjoyed. The future plans are in keeping with the Valley's environment. He is in favor of the restaurant proposal and agrees with Mr. Moore that if park hours are increased you will be serving more of the residents of the area. He also favors allowing school children free to the area.

POST HEARING TESTIMONY:

Following the public hearing, the Hawaiian Trail and Mountain Club submitted testimony objecting to the proposed use for the following reasons:

- The vast area of the Waimea Falls Park (1,800 acres) and the Kawailoa Forest Reserve beyond should be made available to the public. No provision for public access in accordance with City and County Ordinance 4311 is mentioned.
- The proposed uses a seafood-steak restaurant with liquor license, a railroad, 120 vacation cabins, and supporting parking facilities are urban uses inconsistent with State conservation or County preservation zoning.
- A dam above Waimea Falls is a bad idea. Conservation means letting nature take its course, not monitoring a waterfall.
- 4. They do not support a tourist theme park in the Valley. Hawaiian waterfall Valleys have great beauty before commercialization, and the least tampered with, the better.

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They pointed out that the applicant's statement of adding to hiking and camping facilities, the arboretum expansion, and limiting parking and automobile circulation to the Valley's entrance appear to be good concepts.

STAFF ANALYSIS:

Department staff have no objections to the designation of the 1800 acre Waimea Valley for private park purposes. Staff is of the opinion that a nature park concept as proposed by the applicant would be in keeping with the Conservation values of the area.

Department staff do, however, have reservations regarding certain aspects of the applicant's proposed park masterplan.

The first concern is the proposed commercial restaurant. Staff is of the opinion that the commercial aspects of the park development should be kept to a minimum. Staff points out that the trend in public park development has been away from commercial uses such as restaurants, only unless shown to be a necessary part of the park operations. There is an existing food facility operation in the applicant's park area. This food operation was shown in the applicant's original park masterplan, and the applicants indicated that it would be sufficient to provide for the park needs. The applicant has not shown that this existing food facility is inadequate, or that the proposed restaurant facility would enhance the conservation programs set forth by the park development. At the public hearing on the application, the point was made that the residents of the area would like to have a restaurant operation in the area. Staff questions whether a restaurant facility placed in the urban area which would be just as accessible to residents of the area could not satisfy this need just as well.

With respect to other immediate developments proposed by the applicant, staff have no objections to the proposed road alignment, the additional parking areas or the proposed arboretum. Staff encourages the re-establishment of Hawaiian plants and suggests that the applicant coordinate their work with such agencies as the University of Hawaii and the Pacific Tropical Botanical Gardens.

With respect to future developments proposed in the applicant's masterplan, Staff has no objections to the proposed trail and picnic site developments. The proposed trails and picnic sites would have minimal effects on the Conservation District and enhance the accessibility of the natural park area to the public. All developments should be coordinated with the department staff particularly the development of trails to archaeological sites as proposed by the applicant. With respect to testimony that the trails should be made public, staff point out that there are no

nearby public forest reserve lands which these trails would provide access for, therefore, staff does not feel that this should be imposed as a condition of the application.

Staff feels that proposals such as the bridle trails, and related stable facilities, proposed camp and cabin sites, the proposed vehicular and train accesses should be subject to further review when details for these become available, insofar as information provided by the applicant at this time is very generalized. Staff points out that the specific manner of development for each site and facility, proposals for utility provision, may have significant impact on the environment depending on how these are carried out. Staff suggests that the applicant work closely with department staff to ensure the appropriate manner of development and densities in line with the natural park concept.

Staff recommends that the Board approve the designation of the 1800 acre Waimea Valley area for park purposes.

Staff recommends denial of the proposed restaurant use on the basis that the applicant has not adequately justified the need or appropriateness of the facility within the Conservation area. Staff also recommends that the Board deny approval of the proposed future developments (with the exception of trail and picnic site developments) until such time as detailed information is available on these phases of the park development.

Staff recommends approval of the proposed road realignment, development of additional parking areas, the arboretum, trails and picnic sites subject to conditions.

II. DECISION AND ORDER

It is the decision of the Board to approve the concept of the Master Plan for Recreation Use of Waimea Valley as recommended by staff and to designate the 1800 acres at Waimea for Park purposes only. This approval shall include the road realignment, developments of additional parking areas, the arboretum, and trails and picnic sites as recommended by staff, as well as the proposed restaurant use, and all other proposed future improvements shown on the applicant's Master Plan.

The Board would like to point out that it did not agree with the staff recommendation regarding the proposed restaurant use. On the basis that the restaurant would utilize the existing building structure, and on the recommendation of the Director of the Division of State Parks that the restaurant would enhance the park use, it was the opinion of the Board that the restaurant use should be approved.

It is the further decision of the Board that all improvements in the Master Plan development shall be subject to the following conditions:

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- The applicant shall submit a minimum of three copies of plans for earthwork, construction, landscaping and or revegetation to the Chairman for review and approval prior to the start of work activity.
- The applicant shall notify the department upon the commencement and at the completion of all work.
- All clearing and grading work shall be subject to the approval of the department.
- 4. All exposed areas shall be revegetated.
- 5. All debris and rubbish from the work activity shall be removed to approved sanitary disposal sites.
- All structures shall be painted to blend with the environment.
- 7. Upon termination of the use, the area shall be restored to a suitable condition, satisfactory to the department.
- The applicant shall obtain clearance from the appropriate County agency as to the safety of the proposed construction.
- The applicant shall comply with all applicable statutes, ordinances, rules and regulations of the Federal, State and County governments.
- 10. The applicant, its successors and assigns shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury and death arising out of any act or omission, and not occasioned through the fault of the State, of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit and also any loss, liability, claim or demand for property damage, personal injury and death arising out of or relating to or connected with the granting of this permit, and not occasioned through the fault of the State.
- 11. Time limit of permit. Upon approval of this application, the applicant shall have a period of one year from the date of approval in which to initiate construction of the project.
- 12. The applicant shall coordinate all park development plans with appropriate department staff.

- 13. Each project proposed by the applicant, other than the proposed parking lot, is subject to final administrative approval by the Board.
- 14. Each major project proposed in the application shall be accompanied by an environmental assessment.
- 15. The Board may require the applicant to submit detailed information to insure the appropriate manner of development and density in line with the natural park concept.

I hereby certify that the foregoing matter is the Findings of Fact, and Decision and Order rendered by the Board of Land and Natural Resources on January 10, 1975 and January 24, 1975.

Dated at Honolulu, Hawaii, this 19th day of February, 1975.

CHRISTOPHER COBB Chairman and Member

Board of Land and Natural Resources

DAVID Y. IGE GOVERNOR OF HAWAI'I





STATE OF HAWAI'I DEPARTMENT OF LAND AND NATURAL RESOURCES

OFFICE OF CONSERVATION AND COASTAL LANDS POST OFFICE BOX 621 HONOLULU, HAWAI'I 96809

REF:OCCL:TM

Richard Pezzulo, Executive Director Hi'ipaka LLC (dba Waimea Valley) 59-864 Kamehameha Hwy Haleiwa, HI 96712

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

W. ROY HARDY DEPUTY DIRECTOR - WATER ACTING DEPUT

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

SPA: OA 15-44

JUN 1 7 2015

SUBJECT: Site Plan Approval (SPA) for Land and Resource Management Located at Waimea Valley, Waialua, O'ahu, TMK: (1) 6-1-002:002

Dear Mr. Pezzulo:

The Office of Conservation and Coastal Lands (OCCL) has reviewed your proposal for land and resource management to facilitate native forest regeneration. According to your information. Hi'ipaka would like to restore its native forest and is proposing to implement management activities over a 15-year span in 5 management areas:

Mauka Restoration Site approximately (\approx) 16.5-acres

This site contains a relatively intact native plant community and a manageable invasive weed problem. Fencing has been established around the Mauka site under Conservation District Use Permit (CDUP) OA-3646. The management objective is to improve the existing native forest cover. The goal is to exterminate non-native plant species and restore the community with a suite of endemic plant species.

Kalahe'e Ridge ≈ 67-acres

This site is an unfenced ridge top area with primarily non-native flora where native plant species have been displaced by aggressive invasive trees and grasses. The goal is to reverse the infestation of non-native plants by fencing to exclude seed-dispersing feral pigs and out-planting of native trees and shrub. The management objective is to improve existing native forest cover with site appropriate native species compositions.

The initial phase of the project involves the installation of approximately 4,800 linear feet of 52inch tall galvanized panels. The use of welded galvanized panel as compared to hog wire is to cut down on the amount of clearing, fence skirting and long term maintenance to the fence. Installation will involve hand clearing of a corridor no more than 10-feet wide. There will be one vehicular ungulate proof access gate to allow for transport of equipment and plants. The outside of the fence will be skirted along the base with a hog wire apron where necessary.

Lama forest ≈ 1-acre

This is an unfenced area with a predominantly Lama canopy. Activities proposed here are to promote Lama growth and regeneration by fencing the area to exclude ungulates and exterminating invasive plant species. This area will be managed as a seed source for out-planting.

Eugenia area ≈ 1.5-acres

This is an unfenced area with a viable population of native Eugenia Koolauensis or Ni'oi, a critically endangered species. Activities proposed here are to eliminate invasive trees and recover a viable protected population of Ni'oi. Other native species will be out planted here as well.

Wetland/Streamside area ≈ 15-acre

This area is about 10-acres streamside and 5 acres of heavily invaded forest that influences the habitat quality for downstream endangered avifauna. This area is located within the botanical gardens and existing facilities and pathways. The goal here is to establish riparian-adapted native species to improve stream bank and downstream water quality.

Existing stream trees species are incompatible with a native species assemblage because of their aggressive reproduction and growth habits. Streamside management will include replacement of these species with native trees, shrubs and water adapted species (sedges).

FOREST MANAGEMENT ACTIVITIES

Forest management activities would take place concurrently at each of these five areas with continuous work and monitoring. A number of endemic and indigenous species are present in the mauka areas of the property. Activites would involve the construction of ungulate fence, removal of all ungulates, weed control and native out-planting.

Several forest management practices will be implemented across the property such as incipient invasive weed monitoring; integrated pest management plan; ecological, flora and fauna monitoring and feral ungulate control [hunting, trapping]. In addition, fire breaks for the drier Eugenia and Kalahe'e area are proposed that most likely would be the ex-closure fence line.

Fencing

Fences are to be located in remote areas not visible from public viewing sites or the highway. The purpose of the fences is to efficiently and effectively control feral pigs that transit the area. Removal of feral pigs has resulted in the recovery of native vegetation, the reduction of the spread of alien plants and will likely reduce the potential of Leptospirosis in the Waimea drainage area. Boot brushes at the main access to sites should be installed in forest restoration areas.

All trails on this private property shall remain accessible via cross overs and a vehicular gate. Once fencing is completed, ungulates will be removed and removal of invasive flora utilizing chemical and mechanical means will take place.

Brush Management

Invasive tree and brush removal will be accomplished utilizing a frill or drill application of concentrated herbicide agents. Manual removal of dead brush may be necessary in very dense locations where replanting would not be possible. Chain sawed portions would be organized into piles or wind-rows or used to prevent erosion. Other treated invasive brush and trees may be

allowed to stand in place with native species planted in the understory. Appropriate herbicides and manual labor will be used to combat aggressive competing weed species during regeneration for at least 18-months after planting. Herbicide applications shall not be applied in a manner that may result in ground or stream water contamination.

Restoration Plantings

Restoration of the area shall include planting of indigenous and endemic species that would have been or are present in the Northern Koʻolau Range. Most of the seeds will be gathered from the sites, grown in the nursery and replanted back at the site.

Plant propagation, germination and nursery production will be accomplished on site using existing Waimea Valley facilities and trained staff. Planting site preparation would occur several months after removal of invasive trees. Trees and shrubs are to be planted at a density of 200 seedlings per acre unless otherwise prescribed. Plantings most likely will be in the winter. All propagation will conform to the Waimea Valley Plant Collections Policy.

STREAM ZONE ACTIVITIES

Special procedures will be applied as herbicides recommended for forest management area could not be used in the stream and wetland area. Non-native plants will be removed manually. Plantings most likely will be in the Spring to minimize risk of flooding to new plantings. Existing large rocks, structures such as wire cages filled with smaller rocks affixed to the banks, geotextiles to control eroding banks and reinforced staking rods for trees will be utilized to establish plantings. In the wetland area, woody species would be planted at 300 plants per acre.

BMPs

Staff and contractors will implement pertinent DOFAW best management practices and cultural protocol as determined by Waimea Valley's Cultural Dept to mitigate any potential impacts. Other threatened or endangered species that may be encountered will be included in the management plan that would describe the location and strategy to safeguard the population and out-plant to other areas.

Endangered fauna that may be encountered during the implementation of the forest recovery plan would be the Hawaiian Bat, Ope'ape'a and the Moorhen 'Alae'Ula. All best management practices related to the endangered Hoary bat will be observed and no canopy tree felling is proposed to prevent detriment to the bat habitat and avoidance of the Moorhen will be observed.

As a non-profit, Hi ipaka intends to pursue cost-shared funding, reimbursement funding and grant funding from private and public sources yet to be identified. Therefore a longer timeline for completion is requested for this restoration of key plant and animal communities in a locally threatened and globally rare ecosystem.

ANALYSIS:

The subject area appears to be located in the State Land Use Conservation District, Limited and General subzone. The Board of Land and Natural Resources approved Conservation District Use Permit (CDUP) OA-591 for recreational use of Waimea Valley on February 19, 1975. In February 1981, a supplemental EIS was completed that identified the Valley as an arboretum and botanical

garden. As previously mentioned, CDUP OA-3646 for the Mauka restoration site was also obtained for this parcel.

The proposed restoration activities are an identified land use pursuant to the Hawaii Administrative Rules (HAR) §13-5-22, P-9 STRUCTURES, ACCESSORY, which specifically allows, construction or placement of structures accessory to existing facilities or uses and P-13 LAND AND RESOURCE MANGEMENT, B-2, Planting of native and endemic plants and fence maintenance. New fence ex-closures for native plants or small native wildlife communities, in an area greater than one acre.

In conformance with Chapter 343, Hawaii Revised Statutes (HRS), as amended, and Chapter 11-200, HAR, and pursuant to the Exemption List for the Department, specifically exemption class 3-1 Fences around or to manage rare, threatened or endangered plants for watershed and native forest management and restoration; and exemption class 4-8 Removal of invasive vegetation utilizing application of federal and state approved herbicides in conformance with label instructions approved by the State of Hawai'i; and 4-22 Natural resource management actions that the Department declares are designed specifically to monitor, conserve, or enhance the status of native species or native species habitats such as removal of introduced vegetation reintroduction of native species into their historic range, or construction of fencing, the proposed forest restoration project is exempt from the preparation of a Environmental Assessment.

After careful review, authorization is hereby granted to conduct forest restoration activities at the five noted management sites as described in this SPA and as illustrated in **Exhibit A** located within Waimea Valley, Wailua, Oʻahu, TMK: (1) 6-1-002:002, subject to the following terms and conditions:

- 1) The permittee shall comply with all applicable statutes, ordinances, rules, regulations, and conditions of the Federal, State and County governments;
- 2) The permittee, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury or 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 comply with all applicable Department of Health administrative rules;
- 4) Any work done or construction to be done on the land shall be initiated within one year of the approval of such use, and unless otherwise authorized, shall be completed within fifteen (15) years of the approval;
- 5) The permittee understands and agrees that this permit does not convey any vested rights or exclusive privilege;
- In issuing this permit, the Department has relied on the information and data that the permittee has provided in connection with this permit application. If, subsequent to the issuance of this 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/or the Department may, in addition, institute appropriate legal proceedings;

- Where any interference, nuisance, or harm may be caused, or hazard established by the use, the permittee shall be required to take the measures to minimize or eliminate the interference, nuisance, harm, or hazard;
- 8) Should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact SHPD (692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
- 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 Hawaii, and by Hawaii statutory and case law;
- 10) Other terms and conditions as may be prescribed by the Chairperson; and
- 11) Failure to comply with any of these conditions shall render this approval null and void.

Please acknowledge receipt of this approval, with the above noted conditions in the space provided below. Please sign two copies and retain one copy and return the other with the proper SPA fee of \$50.00. Checks should be made out to STATE OF HAWAI'I. We are returning your check for \$250.00. Should you have any questions regarding this site plan approval, contact Tiger Mills of our Office at 587-0382.

Sincerely

Samuel J. Lemmo, Administrator

Office of Conservation and Coastal Lands

Receipt acknowledged:

	Date	
4	 	

Signature

C: ODLO/DOFAW
City & County of Honolulu
-DPP

Waimea Valley Forest Stewardship Program Units

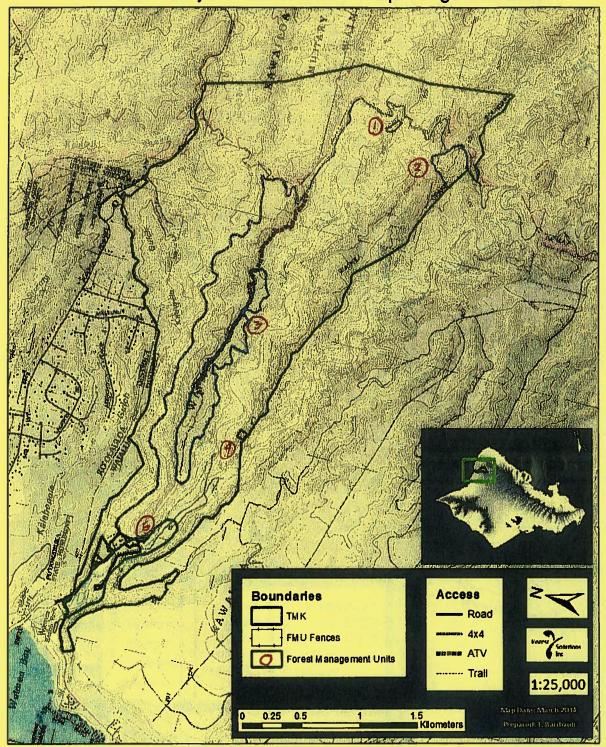


Figure 16. Topographic map of Waimea Valley, with TMK boundary (green), FMU (blue), and access routes.





FINAL ENVIRONMENTAL ASSESSMENT

EXHIBIT



JOSH GREEN, M.D. GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE LIEUTENANT GOVERNOR | KA HOPE KIA ĀĪNA





KA MOKUʻĀINA ʻO HAWAIʻI DEPARTMENT OF LAND AND NATURAL RESOURCES KA ʻOIHANA KUMUWAIWAI ʻĀINA

P.O. BOX 621 HONOLULU. HAWAII 96809

DAWN N.S. CHANG

CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

RYAN K.P. KANAKA'OLE FIRST DEPUTY

DEAN D. UYENO ACTING 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
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Correspondence: OA 24-214

Jul 15, 2024

REF:OCCL:AA

To:

Mary Alice Evans, Director

Office of Planning and Sustainable Development

Environmental Review Program

FROM: Dawn N.S. Chang, Chairperson

Department of Land and Natural Resources

SUBJECT: Publication of the Final Environmental Assessment (FEA) for the Waimea Valley

Economic Resiliency Project located in Waimea, Waialua, O'ahu, Tax Map Key

(TMK): (1) 6-1-002:002 and 005.

The Department of Land and Natural Resources has reviewed the FEA and has determined a Finding of No Significant Impact (FONSI). The Draft Environmental Assessment (DEA) was published in the Environmental Review Program's (ERP) April 8th, Environmental Notice. Comments on the DEA were sought from relevant agencies as well as the public and were included in the FEA. The FEA has been prepared pursuant to Hawai'i Revised Statues Chapter 343, and Hawai'i Administrative Rules Chapter 11-200.1.

Please publish notice of this FEA and FONSI determination in the August 8th, 2024, edition of *The Environmental Notice.*

Should there be any questions, contact Alyssa Accardo of our Office of Conservation and Coastal Lands at alyssa.m.accardo@hawaii.gov or at (808) 587-0048.

THE FINAL EA CAN BE VIEWED AT THE FOLLOWING LINK: https://files.hawaii.gov/dbedt/erp/Doc_Library/2024-08-08-OA-FEA-Waimea-Valley-		
https://mes.nawaii.gov/dbedt/erp/boc_Library/2024-06-06-0A-FEA-waimea-valley-		
Economic-Resiliency-Project.pdf		

CHAPTER 6E, HRS CONSULTATION LETTER

EXHIBIT





HI'IPAKA LLC

March 25, 2025

State Historic Preservation Division Department of Land and Natural Resources 601 Kamokila Blvd., Room 555 Kapolei, HI 96707

Subject: HRS Chapter 6E Compliance for the Waimea Valley Economic Resiliency Project – Finding of "Effect, with Agreed Upon Mitigation Commitments"

Aloha e Dr. Lebo,

Hi'ipaka, LLC, in coordination with the U.S. Economic Development Administration (EDA), has proposed the Waimea Valley Economic Resiliency Project. This project aims to improve key components of Waimea Valley, including infrastructure upgrades and enhancements to visitor and community spaces. As part of the project's compliance with the requirements of HRS Chapter 6E, we are submitting this letter to confirm the findings of an "effect, with agreed upon mitigation commitments" to address impacts on historic and cultural properties.

Due to the volatile nature of federal funding at the moment, we are seeking an expedited review of this project and the proposed Memorandum of Agreement (MOA) with EDA. We are hoping to conclude the review process with an executed MOA by April 15, 2025.

Project Description and List of Future Entitlements

The proposed project consists of Phase I and Future Phase. The overall project area is shown on **Figure 1**. The U.S. EDA grant funding will cover the following project enhancements all of which are proposed for Phase I:

Enhancement #1 - Visitor Center Enhancement (Phase I)

- Gift Shop expansion at Visitor Center.
- o Enhance approximately 2,000 SF existing gift shop area.
- o Demolition of existing portion of roof overhang.
- o Demolition of Existing doors, windows and non-load bearing exterior walls.
- o New, approximately 252 SF gift shop area.
- o New finishes, fixtures, and furniture.
- o Potential fire sprinklers addition.

Ground Disturbance: Footing installation will require 78 SF of ground disturbance of up to 36 inches deep.

- Restroom expansion and modernization at Visitor Center.
- o Interior demolition of existing restrooms to include: -load bearing partition walls, doors, windows, plumbing and electrical fixtures, accessories, and finishes.
- Addition of approximately 412 SF of construction area and new women and men restroom configuration to include: new structural walls, new partition walls, new doors and windows, new partitions, new plumbing and electrical fixtures, new accessories, new finishes.
- Addition to covered walkway area.

Ground disturbance: A concrete pad and footing installation will require 315 SF of ground disturbance of up to 24 inches deep.

The APE for the combined improvements at the Visitor Center is 11,768 SF.

Enhancement #2 - Pavilion Enhancement and Expansion (Phase I)

- Expanding existing Pikake Pavilion a total of 4,100 SF. Expansion to include:
- o Existing Pavilion roof expansion to seat 350 guests.
- o New 28'x15' movable performance stage.
- Reconfiguration of existing Bar Area as a Lu'au kitchen, including demolition of interior non-load bearing partition walls, low walls, and casework, reconfiguration of existing plumbing fixtures, and installation of new cooking equipment as well as freezer, cooler and shelving.
- o Reconfiguration of existing stairs, floor levels and seating arrangements.
- o New bar area. 3 bartenders' capacity. Independent covering.
- o New sound booth and spotlight platform.
- Upgrades to existing light fixtures and fans.
- o Fire alarm and fire sprinklers expansion.
- o Existing restrooms to remain.

Ground Disturbance: A concrete pad and footing installation will require 2,900 SF of ground disturbance up to 24 inches deep. The APE for the Pavilion is 16,470 SF.

Enhancement #3 – Community Resource Center Reconstruction (Phase I)

- Demolition of existing Resource Center building down to slab.
- Power, lighting and HVAC to be provided.
- New 26'x30'x2'' concrete topping over existing slab.
- New 39' x 34'-12' woodcanopy. Power to be provided
- New 6'-8" x 30' concrete ramp.

Ground Disturbance: A concrete pad and footing installation will require 510 SF of ground disturbance up to 24 inches deep. The APE for the Community Resource Center Reconstruction is 1,260 SF.

Additional activities to be paid for from non-federal funding resources are anticipated as part of Waimea Valley's overall improvements project. Those activities include the following:

Enhancement #4 - Rockfall Mitigation at Community Resource Center (Phase I)

• Installation of seven (7) concrete block footing foundations (3'x 3' x 3') spaced 30' and 35' apart.

• Each footing will be supported on four micropiles about 15' each below bottom of

the footing.

• The upper retaining anchors are located about 13' to 15' above the footings, occurring at 7 isolated locations to minimize ground disturbance.

The APE for the Rockfall Mitigation is 3,150 SF.

Enhancement #5 - Traditional Hawaiian Hale Creation (Phase I)

• Construction of a new Traditional Hawaiian Hale to host school groups for cultural and educational purposes.

• The new Traditional Hawaiian Hale will comply with all conditions of the Grant of Conservation Easement for TMK (1)6-1-002:005, which is referred to as the Pu'ukua property.

The APE of the new Traditional Hawaiian Hale will be up to 1,800 SF.

Enhancement #6 – New Fire Hydrant (Phase I)

• An installation of a new fire outside of the Valley, on the makai side of Kamehameha Highway in front of the Valley entrance (within the Kamehameha Highway Right-of-Way)

The APE of the new fire hydrant is approximately 75 SF.

Enhancement #7 Water System Upgrades (Future Phase)

- Upgrade of current potable waterline and installation of related infrastructure, such as:
 - New valve boxes and Reduced Pressure Backflow Preventer (RPBP) which is a device that is used to protect water distribution systems from backflows
 - Construction of new booster pump station near the Community Resource Center site to enhance the existing water service.
- The waterline is proposed to be installed above ground, to the extent practical, with limited underground installations where necessary to cross the existing trails and roads.

The APE of the water system upgrades will be approximately 5,940 SF.

Enhancement #8 Sewage Treatment Plant (STP) Upgrade (Future Phase)

- Replacement of existing 20,000-gallon STP with a new facility of the same capacity and subsequent decommissioning of the current STP.
- As an alternative to replacement, repairs to the existing facility and/or replacement of individual components may be explored if feasible.

The APE of the STP upgrade will be approximately 900 SF.

Identification and Evaluation of Cultural Resources

Qualified professionals completed background technical reports, including a literature review and field inspection completed by Honua Consulting, an RLS completed by RIM Architects, and a cultural impact assessment completed by Honua Consulting. All technical reports meet the standards set forth for the identification of cultural resources under HAR 13-284. They have been uploaded into the project HICRIS file.

Consultation

Hi'ipaka, LLC, conducted extensive community consultation on this project during the planning phase. Invitations to consult were extended to the Office of Hawaiian Affairs and area community groups, including the area civic clubs. A public notice was published in the Ka Wai Ola in May 2023. Only OHA responded to the invitation. A copy of their letter of support has been uploaded to HICRIS.

Assessment of Effect

As part of the Section 106 consultation process and HRS Chapter 6E compliance review, it was determined that Waimea Valley qualifies as a Traditional Cultural Property (TCP) of great significance to Native Hawaiians. The proposed project will temporarily affect the setting and feeling of the TCP, which encompasses the entire valley. To mitigate the identified adverse effects, a comprehensive Memorandum of Agreement (MOA) has been developed in collaboration with the State Historic Preservation Division (SHPD) and other consulting parties.

The MOA outlines the agreed-upon mitigation measures that Hi'ipaka, LLC, will implement to resolve the adverse effects associated with the project. These measures include, but are not limited to:

- 1. Archaeological monitoring for all ground-disturbing activities exceeding 30 inches below grade, in accordance with an Archaeological Monitoring Plan (AMP).
- 2. Cultural resource management and preservation planning to ensure ongoing protection of significant cultural sites and features within the project area before proceeding to Future Phase.
- 3. Protocols for unanticipated discoveries, including procedures for the treatment of human remains, in alignment with HAR Chapter 13-300.

Hi'ipaka, LLC, is committed to implementing these mitigation measures in close collaboration with SHPD and other stakeholders to ensure the cultural and historical integrity of Waimea Valley is maintained. The proposed mitigation will be enforced through the execution of the MOA, which has been reviewed and accepted by all parties.

Additional Mitigation Measures Proposed Under HRS Chapter 6E

To mitigate the effect under HRS 6E, Hi'ipaka, LLC will also prepare a nomination for the TCP and submit it to the State Historic Review Board for consideration. This mitigation will be codified in the MOA, which will address both Section 106 and HRS Chapter 6E.

We also note that, per EDA, the archaeological monitoring plan and the preservation plan called for in the MOA will only cover the federal APE. Hi'ipaka, LLC is committing to conducting archaeological monitoring for the entire scope of work covered under HRS

6E and complete a preservation plan, with a management plan component, for the entire valley under HRS 6E.

We request SHPD's concurrence with the finding of an "effect, with agreed upon mitigation commitments," and continued consultation of the MOA to ensure timely and responsible execution of the mitigation measures.

Mahalo nui loa for your continued cooperation in preserving Hawai'i's valuable cultural

resources.

Me ke aloha,

Richard Pezzulo Executive Director Hi'ipaka, LLC

Phone: (808) 638-5851

rpezzulo@waimeavalley.net 59-864 Kamehameha Hwy

Haleiwa, HI 96712

cc.

Stacey Ferreira, CEO, Office of Hawaiian Affairs Laura Mo, City and County of Honolulu, Department of Planning and Permitting Alyssa Accardo, State of Hawai'i, Department of Land and Natural Resources Office of Conservation And Coastal Lands

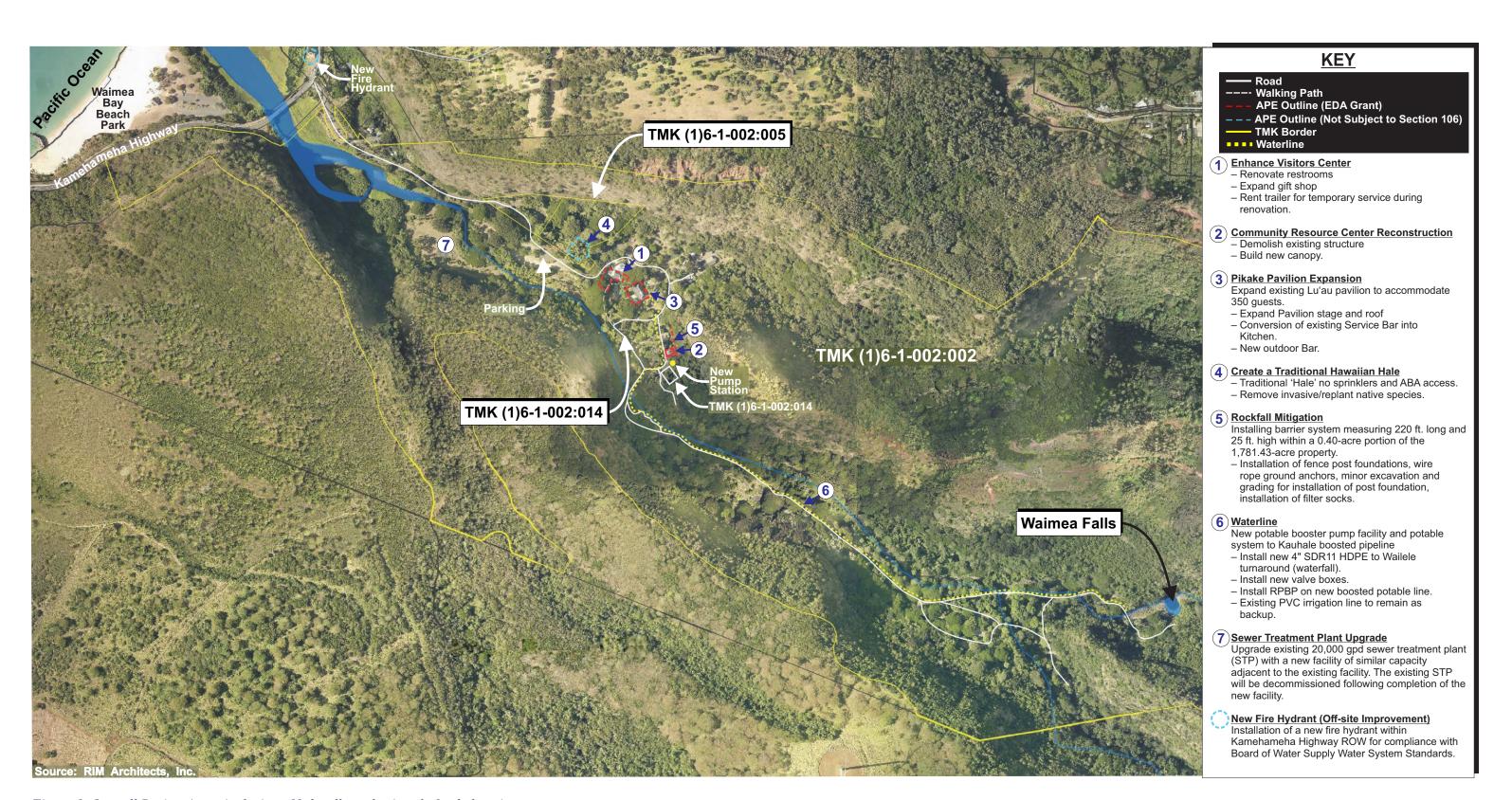


Figure 1. Overall Project Area, inclusive of federally and privately funded project

MAJOR SPECIAL MANAGEMENT AREA PERMIT APPROVAL

EXHIBIT





RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA MAJOR PERMIT TO ALLOW FOR THE CONSTRUCTION OF CERTAIN PHASED IMPROVEMENTS IN WAIMEA VALLEY IN HALE'IWA, O'AHU.

WHEREAS, on October 7, 2024, the Department of Planning and Permitting ("DPP") accepted the application (DPP File No. 2024/SMA-107) from Munekiyo Hiraga on behalf of Hi'ipaka, LLC (the "Applicant") for a Special Management Area ("SMA") Major Permit to allow for the construction of phased improvements in Waimea Valley, including the renovation and expansion of the visitor center; demolition of the former seed propagation and equipment storage structure, and construction of a new community resource center; installation of a rockfall mitigation fence adjacent to the new community resource center, and other rockfall mitigation measures as needed; renovation and expansion of the existing Pīkake pavilion; construction of a new traditional Hawaiian hale; upgrades to or replacement of the onsite sewage treatment plant and water system; installation of a new offsite fire hydrant on the makai side of Kamehameha Highway across from the valley entrance; and installation of erosion control measures along streambanks, on an approximately one-acre portion of two zoning lots totaling approximately 1,799 acres of land zoned P-1 Restricted Preservation District, located at 59-864 Kamehameha Highway, and identified as Tax Map Keys 6-1-002:002 and 005 (the "Project"); and

WHEREAS, on December 4, 2024, the DPP held a public hearing at the Fasi Municipal Building 6th Floor Conference Room, which was attended by the Applicant, the Applicant's Agent, DPP staff, and several members of the public; and

WHEREAS, on January 14, 2025, within 45 calendar days after the close of the public hearing, the DPP, having duly considered all evidence and the objectives, policies, and guidelines, as established in §§ 25-3.1 and 25-4.1, Revised Ordinances of Honolulu 2021 ("ROH"), and §§ 205A-2 and 205A-26, Hawaii Revised Statutes ("HRS"), completed its report and transmitted its findings and recommendation of approval to the City Council ("Council"); and

WHEREAS, the Council, having received the findings and recommendation of the DPP on January 17, 2025, by Departmental Communication 37 (2025), and having duly considered all of the findings and reports on the matter, desires to approve the subject application for an SMA Major Permit, subject to the conditions enumerated below; now, therefore,

RESOLUTION

BE IT RESOLVED by the Council of the City and County of Honolulu ("City") that an SMA Major Permit be issued to the Applicant for the Project, subject to the following conditions:

- A. Development must be in general conformity with the Project as described in the DPP's findings and recommendation, referenced above, and as depicted in Exhibits A, B, C-1 through C-5, and D through J, attached hereto and incorporated by reference herein. Any change in the size or nature of the Project that may have a significant effect on coastal resources as addressed in ROH Chapter 25 or HRS Chapter 205A, or both, will require a new application and SMA Major Permit. Any change that does not have a significant effect on coastal resources may be considered a minor modification and may be permitted under this resolution, upon review and approval by the DPP Director.
- B. To minimize impacts to archaeological, historic, and cultural resources that may be present on the Project site, the Applicant shall comply with the following:
 - 1. Prior to the issuance of any construction permit or building permit for the Project, the Applicant shall submit to the DPP a copy of the written determination from the State Historic Preservation Division ("SHPD") stating that SHPD has completed its review of the impact of the Project on historic properties pursuant to HRS § 6E-42 and has determined whether any mitigative actions and protocols are required. The Applicant shall implement all mitigative actions and protocols required or recommended by SHPD in its written determination and under the memorandum of agreement executed among the Applicant, SHPD, and the U.S. Economic Development Administration (a bureau of the U.S. Department of Commerce).
 - 2. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts; shell, bone, or charcoal deposits; human burials; rock or coral alignments; pavings; or walls) are encountered, the Applicant shall stop work, protect the find from further disturbance, and contact SHPD immediately. Work in the immediate area must be stopped until SHPD has assessed the impact and has made further recommendations for mitigative activity.

The requirements enumerated in this condition, and all mitigation protocols approved or otherwise required by SHPD and under the MOA, must be clearly

RESOLUTION

stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

- C. To minimize impacts to endangered, threatened, or protected avian, marine, and terrestrial fauna that may frequent or traverse the vicinity of the Project site, the Applicant is responsible for the following:
 - 1. All new and replacement outdoor light fixtures and lamps must not exceed a color temperature of 3,000 degrees kelvin.
 - 2. Artificial light from exterior light fixtures on the Project site, including but not limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes, is prohibited if the light directly illuminates, or is directed across property boundaries toward, the shoreline and ocean waters, except as may otherwise be permitted pursuant to HRS § 205A-71(b).
 - 3. Exterior light fixtures on the Project site must be fully shielded, using full cutoff fixtures, with the light directed downward so that the light bulb is only visible from below the light fixture.
 - 4. All Project site work and construction activities are limited to daylight hours (sunrise to sunset).
 - 5. Outdoor lights must be turned off when human activity is not occurring in the lighted area, which may be achieved by installing automatic motion sensor switches and controls on exterior lights.
 - 6. Barbless fencing must be used for all fence construction to avoid the entanglement of Hawaiian hoary bats.
 - 7. Woody plants greater than 15 feet in height must not be disturbed, removed, or trimmed during the Hawaiian hoary bat birthing and pup rearing season (June 1 through September 15).
 - 8. The presence of non-native predators, such as cats, rodents, and mongooses, must be minimized to the extent practicable.
 - 9. Project contractors, subcontractors, and other personnel must be informed that the feeding of endangered, threatened, or protected avian species is prohibited.

RESOLUTION

- 10. All food rubbish must be secured in closed trash receptacles.
- 11. During periods of construction-related vehicular activity, a reduced speed limit of 5 miles per hour must be posted and implemented in Project work areas where endangered, threatened, or protected avian species are known to frequent. Project contractors, subcontractors, and other personnel must be informed of the presence of endangered, threatened, or protected avian species and the reduced speed limit.
- 12. During periods of construction-related vehicular activity, a qualified biologist or qualified Waimea Valley staff member must be retained to supervise and monitor Project work areas where endangered, threatened, or protected avian species have been observed, including near to the community resource center and rockfall mitigation areas. If any endangered, threatened, or protected avian species are observed within a Project work area, all work within 50 feet of the observed bird must stop until the bird has voluntarily left the area.
- 13. Prior to any Project ground-disturbing or construction activity near pond areas, a waterbird nest survey must be conducted. Repeat surveys must be conducted within three days after the commencement of Project work activity near pond areas and after any subsequent delay of Project work activity for three or more days. If any endangered, threatened, or protected waterbird nests or broods are found, the Applicant shall immediately contact the U.S. Fish and Wildlife Service for further guidance, and:
 - Establish and maintain a 100-foot buffer of no activity around all active nest sites or broods until the chicks or ducklings have fledged; and
 - b. Retain a biological monitor familiar with the waterbird species' biology, who must be present near the nest site until the chicks or ducklings have fledged.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

RESOLUTION

- D. To minimize impacts to endangered, threatened, or protected flora that may be present on the Project site, and to minimize the spread of invasive pathogens, pests, or plants that may harm native species and ecosystems, the Applicant is responsible for the following:
 - 1. To the extent practicable, native Hawaiian plant species appropriate for the area must be used for new Project landscaping, with no use of invasive species (a recommended reference link is the publication *Native Hawaiian Plants for Landscaping, Conservation, and Reforestation*, at https://www.ctahr.hawaii.edu/oc/freepubs/pdf/of-30.pdf).
 - 2. To manage host materials and plants that may contain the coconut rhinoceros beetle (in any stage of life), the Applicant shall comply with the State Department of Agriculture's Plant Quarantine Interim Rule restricting the movement of coconut rhinoceros beetle host material.
 - 3. The Applicant shall minimize the importation of soil and structural fill material to the extent possible. No importation of soil or structural fill material is currently proposed.
 - 4. The Applicant shall minimize the movement of plant or soil material on the Project site, and all Project construction equipment, materials, and personnel must be cleaned of excess soil and debris prior to entering and leaving a Project worksite, in accordance with the current recommendations from the O'ahu Invasive Species Committee ("OISC").
 - 5. Prior to the commencement of any ground-disturbing or construction activities and upon the arrival of any new workers to the Project site, a copy of the most recently updated OISC "Decontamination Protocols for Prevention of Invasive Species" ("Protocols") must be distributed to all workers who will be present at the site; the Protocols must be posted at the Project site in a visible location accessible to all Project workers, including delivery and haul-out contractors; or both the distribution and posting of the Protocols. All onsite Project workers must be instructed to review the species photos and all Protocols prior to commencing any ground-disturbing or construction activities.
 - 6. If, at any time, species on the OISC invasive species target list website at https://www.oahuisc.org/current-targets/, or any successor website or list provided by the OISC, are discovered on the Project site, the Applicant



RESOLUTION

shall immediately contact the OISC to report the discovery. The current email address and phone number for the OISC must be visibly posted at the Project site during pre-construction and construction activities. The Applicant shall implement any measures recommended by the OISC and any responsible federal or State of Hawai'i agency charged with the eradication and management of invasive species.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

E. Approval of this SMA Major Permit does not constitute compliance with other City ordinances, including but not limited to the Land Use Ordinance ("LUO") and building and construction codes, or other governmental requirements, including but not limited to LUO-related approvals and building, grading, and grubbing permit approvals, which are subject to separate review and approval. The Applicant is responsible for ensuring that the final plans for the Project approved under this SMA Major Permit comply with all applicable City ordinances and other governmental provisions and requirements; and

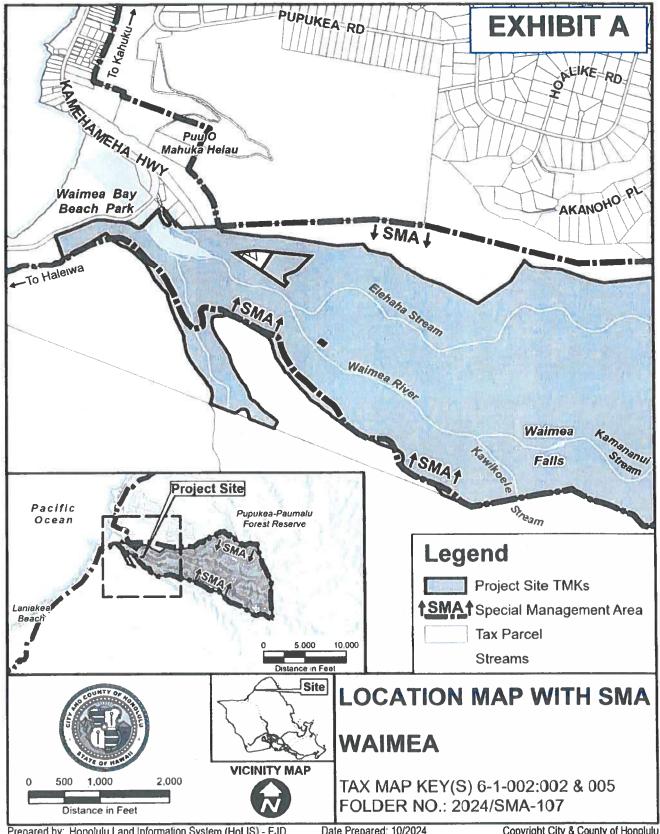


RESOLUTION

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to Richard Pezzulo, Executive Director of Hi'ipaka, LLC, 59-864 Kamehameha Highway, Hale'iwa, Hawai'i 96712; Tessa Munekiyo Ng of Munekiyo Hiraga, 225 Queen Street, Suite 200, Honolulu, Hawai'i 96813; Dawn Takeuchi Apuna, Director Designate of the Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813; and Mary Alice Evans, Director of the State Office of Planning and Sustainable Development, Attention: Coastal Zone Management Branch, P.O. Box 2359, Honolulu, Hawai'i 96804-2359.

	INTRODUCED BY:
	Tommy Waters (br)
	Indiana in the state of the sta

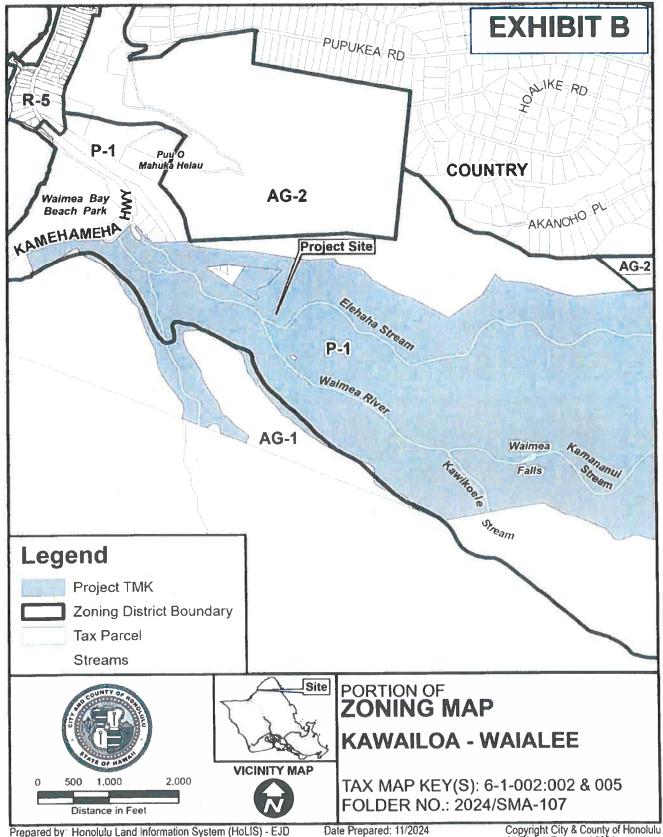
DATE OF WITDODISCHOOL	
DATE OF INTRODUCTION:	
January 27, 2025	
Honolulu, Hawai'i	Councilmembers



Prepared by: Honolulu Land Information System (HoLIS) - EJD Department of Planning & Permitting (DPP) City and County of Honolulu

Date Prepared: 10/2024

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Prepared by Honolulu Land Information System (HoLIS) - EJD Department of Planning & Permitting (DPP) City and County of Honolulu

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EXHIBIT C-1: Project Overview

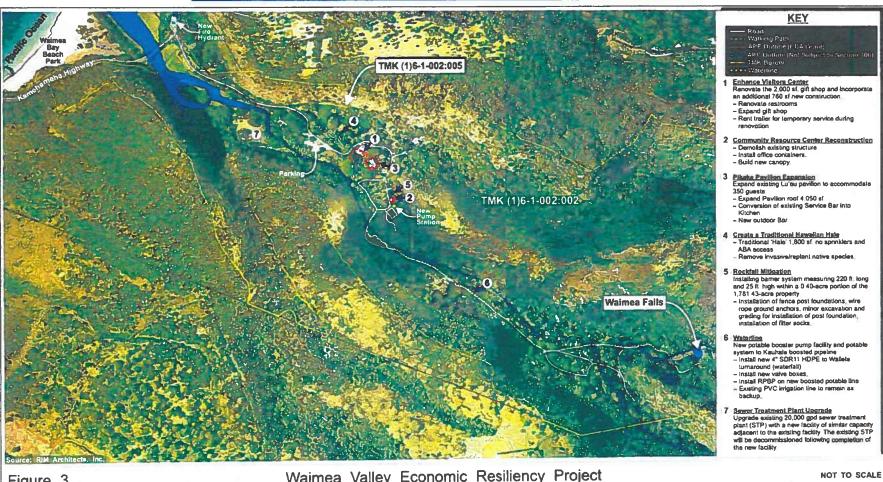


Figure 3



Waimea Valley Economic Resiliency Project Preliminary Site Plan



EXHIBIT C-2: Visitor Center and Pikake Pavilion

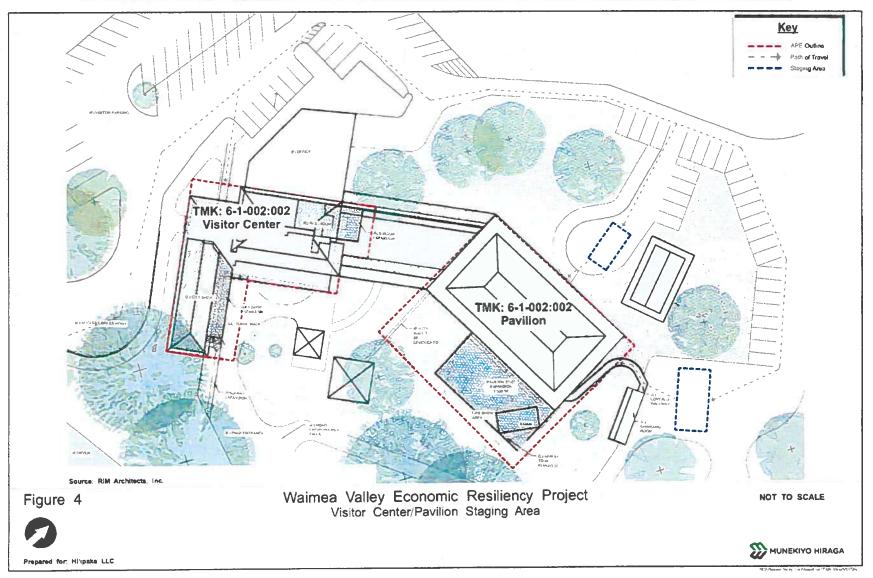


EXHIBIT C-3: Community Resource Center and Rockfall Mitigation Key Nursery TMK: 6-1-002:002 Community Resource River Source RIM Architects, Inc. Waimea Valley Economic Resiliency Project NOT TO SCALE Figure 5 Community Resource Center and Rockfall Fence Staging Area

Prepared for: Hillpaka LLC

MUNEKIYO HIRAGA

EXHIBIT C-4: Traditional Hawaiian Hale

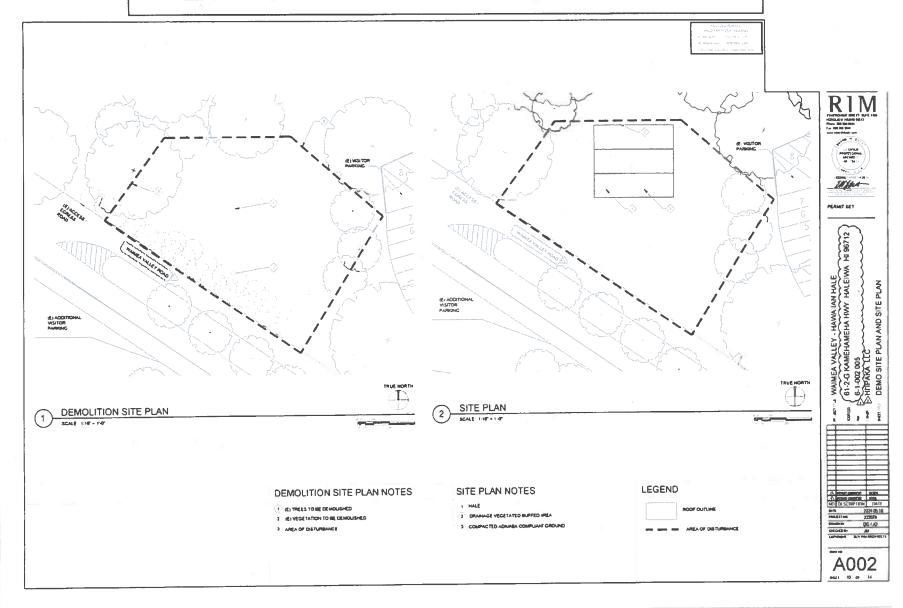


EXHIBIT C-5: Sewer Treatment Plant



Source: Hi'ipaka LLC

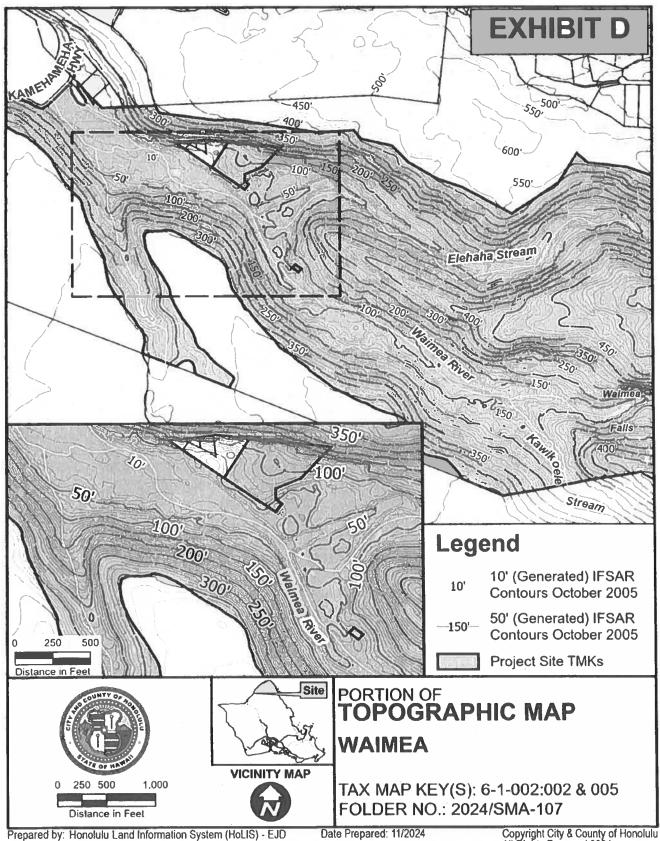
Waimea Valley Economic Resiliency Project Sewer Treatment Plant Upgrade Location Map

NOT TO SCALE

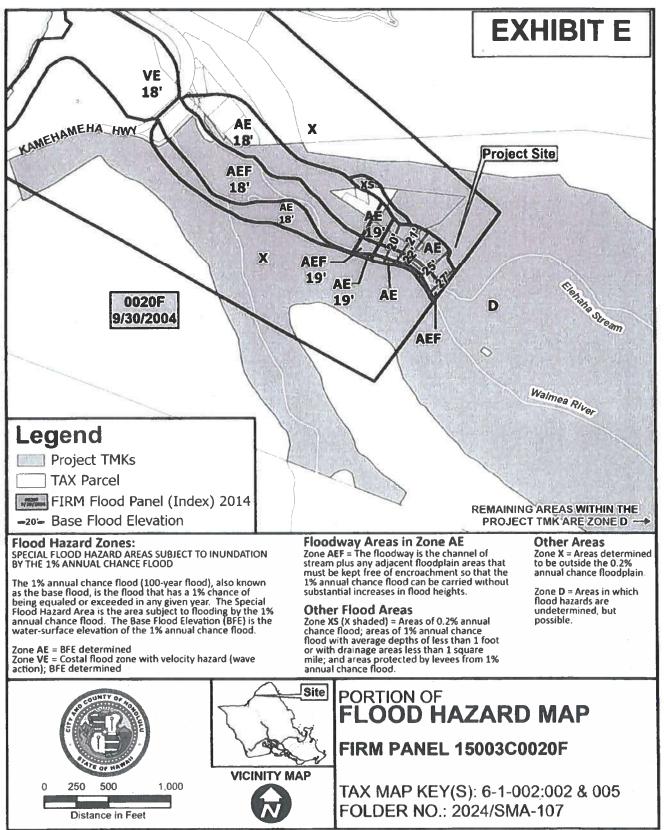


Prepared for: Hi'ipaka LLC





Prepared by: Honolulu Land Information System (HoLIS) - EJD Department of Planning & Permitting (DPP) City and County of Honolulu



Prepared by: Honolulu Land Information System (HoLIS) - EJD Department of Planning & Permitting (DPP) City and County of Honolulu

EXHIBIT F

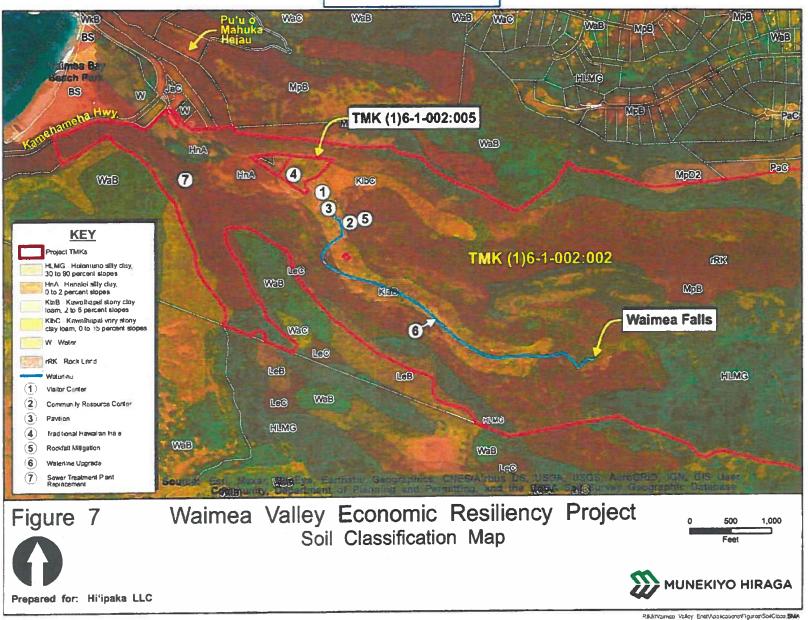
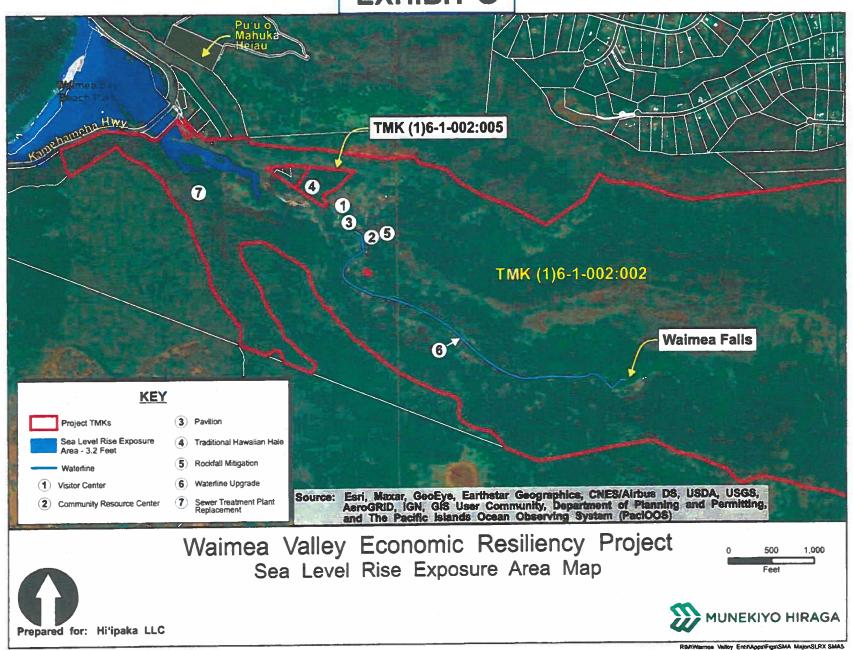
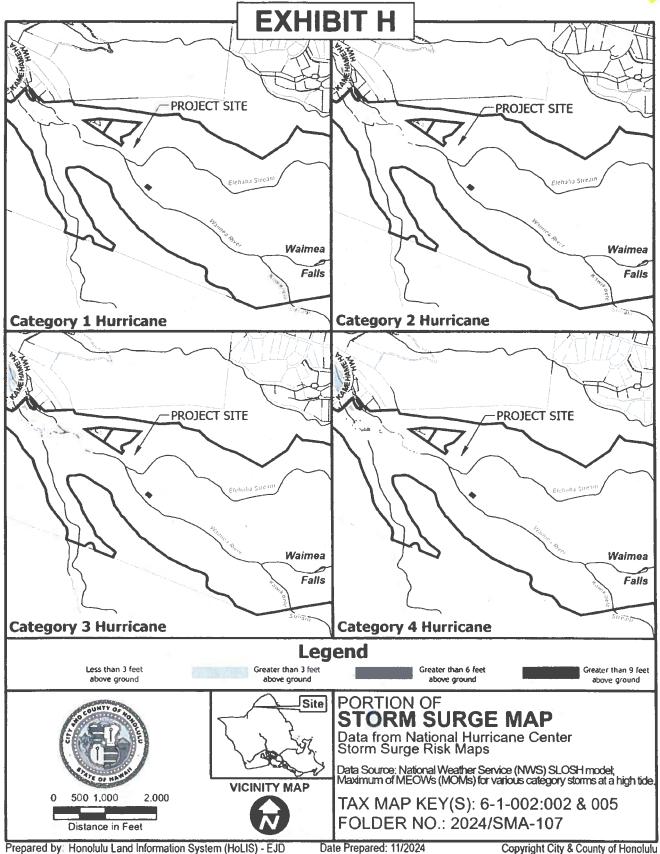


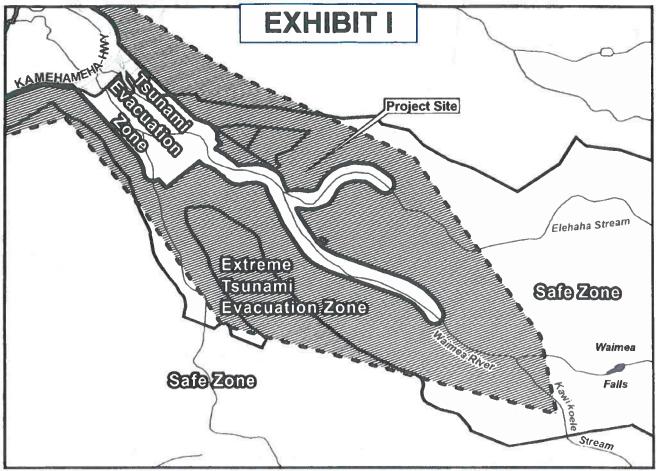
EXHIBIT G





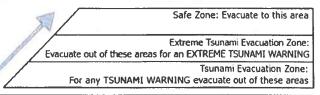
Prepared by: Honolulu Land Information System (HoLIS) - EJD Department of Planning & Permitting (DPP) City and County of Honolulu

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- For most Tsunami Warnings, evacuate out of the Tsunami Evacuation Zone; in the unlikely case of an Extreme Tsunami Warning, evacuate out of the Extreme Tsunami Evacuation Zone
- Remain at least 100 feet away from inland waterways and marinas connected to the ocean due to wave surges and possible flooding
- Boaters should move vessels to at least 50 fathoms (300 ft) deep and 2 miles away from harbor entrances; follow all directions from the Captain of the Port
- Structural steel or reinforced concrete buildings of ten or more stories provide increased protection on or above the fourth floor; if you are caught near the shoreline consider using vertical evacuation
- The evacuation zone is a guideline and should be considered the minimum safe evacuation distance

- These maps do not consider the destructive effects of a locally generated tsunami. If you feel shaking, move inland immediately, well inland from the red tsunami evacuation zone
- 1. TSUNAMI WARNING: Destructive waves from a tsunami may inundate all coastline. Evacuate Tsunami Evacuation Zone
- 2. EXTREME TSUNAMI WARNING: In the unlikely event of an extreme tsunami waves may move significantly inland; evacuate Tsunami Evacuation Zone and Extreme Tsunami Evacuation Zone

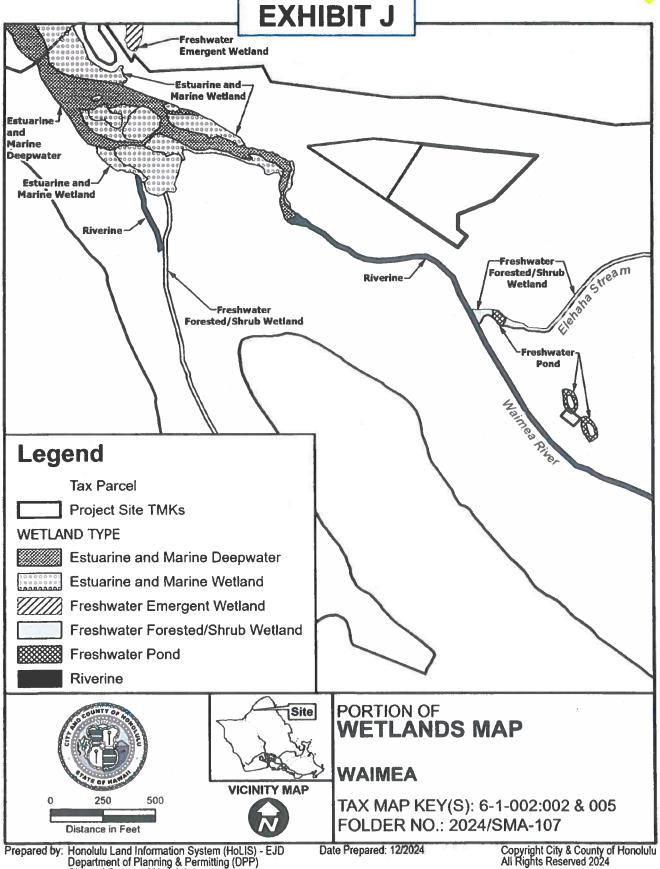




PORTION OF TSUNAMI EVACUATION MAP WAIMEA MAP 12 INSET 1

TAX MAP KEY(S): 6-1-002:002 & 005 FOLDER NO.: 2024/SMA-107

Date Prepared: 11/2024 Copyright City & County of Honolulu All Rights Reserved 2024



Prepared by: Honolulu Land Information System (HoLIS) - EJD Department of Planning & Permitting (DPP) City and County of Honolulu

CITY COUNCIL CITY AND COUNTY OF HONOLULU HONOLULU, HAWAII CERTIFICATE

RESOLUTION 25-39, CD1

Introduced:

01/27/25

TOMMY WATERS - BY REQUEST

Committee: ZONING (ZON)

Title:

GRANTING A SPECIAL MANAGEMENT AREA MAJOR PERMIT TO ALLOW FOR THE CONSTRUCTION OF CERTAIN PHASED IMPROVEMENTS IN WAIMEA VALLEY IN HALE'IWA, O'AHU.

Voting Legend: * = Aye w/Reservations

01/27/25	INTRO	Introduced.
02/13/25	ZON	Reported out for adoption as amended in CD1 form.
		CR-54
		5 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, WEYER
02/26/25	CCL	Committee report and Resolution as amended were adopted.
		9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀĪNA, NISHIMOTO, OKĪMOTO, TULBA, TUPOLA, WATERS, WEYER

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.

CITY CLERK

CHAIR AND PRESIDING OFFICER

LIMITED WARRANTY DEED (PROOF OF LAND OWNERSHIP) **EXHIBIT**



DOUBLE SYSTEM

1 STATE OF HAWAII OFFICE OF ASSISTANT REGISTRAR RECORDED L-301

FEB 04, 2008

11:00 AM

Doc No(s) 3708296 on Cert(s) 811,836

Issuance of Cert(s) 894,173

Z13 R596

ISI CARL T. WATANABE ASSISTANT REGISTRAR CTax (10): \$1.00



R-596

STATE OF HAWAII BUREAU OF CONVEYANCES RECORDED FEB 04, 2008 11:00 AM

Doc No(s) 2008-016381



/s/ CARL T. WATANABE REGISTRAR OF CONVEYANCES

Z13 L301

AFTER RECORDATION, RETURN BY MAIL (PICKUP (X):

PAUL JOHNSON PARK & NILES (SLN)

1001 Bishop Street, Suite 1300

Honolulu, HI 96813 Tel: (808) 524-1212

TMK Nos.:

- (1) 5-9-005-029
- (1) 5-9-005-025
- (1) 5-9-005-076
- (1) 6-1-002-016 (Portions)
- (1) 6-1-002-015
- (1) 6-1-002-021
- (1) 6-1-002-020
- (1) 6-1-002-017
- (1) 6-1-002-003
- (1) 6-1-002-014
- (1) 6-1-002-019
- (1) 6-1-002-002 (Portions)
- (1) 5-9-005-024
- (1) 5-9-005-022

Total Pages: 39

LIMITED WARRANTY DEED

WITNESSETH:

That for TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee, as TENANT IN SEVERALTY, its successors and assigns, all of that certain real property described in Exhibit "A" attached hereto and made a part hereof (the "Property");

And the reversions, remainders, rents, issues and profits thereof and all of the estate, right, title and interest of Grantor, both at law and in equity, therein and thereto;

TO HAVE AND TO HOLD the same, as to said real property, together with all buildings, improvements, tenements, hereditaments, rights, easements, privileges and appurtenances thereunto belonging or appertaining or held and enjoyed therewith onto Grantee as aforesaid, absolutely and in fee simple;

Grantor does hereby covenant and agree to and with Grantee that Grantor is lawfully seized in fee simple of the Property and that Grantor's title to all of the Property is free and clear of and from all encumbrances made or suffered by Grantor, except as mentioned in Exhibit "A"; and that Grantor has good right to sell and convey the Property as aforesaid and that Grantor will WARRANT and DEFEND the same unto Grantee against the lawful claims and demands of all persons claiming by, through or under Grantor, except as aforesaid.

AND Grantee hereby understands and agrees that said real and personal property is being conveyed "AS IS, WHERE IS AND WITH ALL FAULTS," and Grantor has not made and does not make any warranties or representations of any kind, expressed or implied, except as provided for herein.

AND, Grantee does hereby assume any and all obligations and liabilities of Grantor under that certain Grant of Conservation and Access Easement dated June 30, 2006, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawai'i as Document No. 3447602, and recorded in the Bureau of Conveyances of the State of Hawai'i as Document No. 2006-121898, and Grantee does hereby agree to save, protect, indemnify and hold harmless Grantor from any liability thereunder.

AND the terms "Grantor" and "Grantee" as and when used herein or any pronouns used in place thereof, shall mean and include the masculine, feminine or neuter, the singular or plural

number, individuals, trustees, partnerships, companies or corporations, and their and each of their respective successors, heirs, personal representatives, successors-in-trust and assigns, according to the context thereof. All obligations undertaken by two or more persons shall be deemed to be joint and several unless a contrary intention shall be clearly expressed elsewhere herein.

AND the undersigned hereto agree that this instrument may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same instrument, binding upon all of the parties hereto, notwithstanding that all of the parties are not signatories to the original or the same counterparts. For all purposes, including, without limitation, recordation, filing and delivery of this instrument, duplicate, unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages assembled as one document.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK. THE NEXT PAGE IS THE SIGNATURE PAGE.]

IN WITNESS WHEREOF, Grantor and Grantee have executed these presents on the day and year first above written.

> OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawai'i

By:

Its Administrator

"Grantor"

APPROVED AS TO CONTENT:

Director, Land Management Division Office of Hawaiian Affairs

APPROVED AS TO FORM:

ERNEST M. KIMOTO Senior Staff Attorney

Office of Hawaiian Affairs

HI'IPAKA LLC, a Hawai'i limited liability company

Its Manager

By: THAN LIKEKE SCHEUER

Its Manager

"Grantee"

STATE OF HAWAI'I)
CITY AND COUNTY OF HONOLULU) ss:)
On this 15+ day of <u>f</u>	, 2008, before me personally own, who being by me duly sworn, did say that he is
the Administrator of the OFFICE OF HAW	
	absence of a seal that said instrument was signed in
behalf of said entity by authority of its Boar	d of Trustees, and the said CLYDE W. NĀMU'O
acknowledged said instrument to be the free	act and deed of said entity.
	XI U
	Print Type Name: J. E. Okamoth
	Notary Public
	State of Hawai'i
	My commission expires: $\sqrt{27/10}$

STATE OF HAWAI'I)
CITY AND COUNTY OF HONOLULU) ss:)
a Manager of HI`IPAKA LLC, a Hawai`i li	, 2008, before me personally sown, who being by me duly sworn, did say that he is simited liability company, and that he executed the ed and in the capacity shown, having been duly such capacity. Print/Type Name:
	My commission expires: $\sqrt{29/10}$
STATE OF HAWAI'I CITY AND COUNTY OF HONOLULU)) ss:
On this day of appeared JONATHAN LIKEKE SCHE U say that he is a Manager of HI`IPAKA LLC	2008, before me personally ER, to me known, who being by me duly sworn, did C, a Hawai'i limited liability company, and that he see act and deed and in the capacity shown, having ment in such capacity.
	Print/Type Name: J. E O Kemit U Notary Public State of Hawai'i
	My commission expires: V/24/10

EXHIBIT "A"

PARCEL ONE: (TAX MAP KEY NO. 5-9-005-029)

All of that certain parcel of land (portion of the land described in and covered by Grant Number 6789 to Theodore M. Baumann) situate, lying and being on the East side of Kamehameha Highway, Pupukea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, and thus bounded and described:

Beginning at the South corner of this lot, on the East side of Kamehameha Highway (Project No. 83-B-01-77M), the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 775.30 feet South and 561.00 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1. Along the East side of Kamehameha Highway (Project No. 83-B-01-77M), on a curve to the left with a radius of 350.00 feet, the chord azimuth and distance being:

	175°	31'	58"	72.97	feet to a pipe;
2.	208°	40'		20.00	feet along remainder of Grant 6789 to Theodore M. Baumann;
3.	319°	30'		99.26	feet along same;
4.	46°	44'		9.91	feet along same;
5.	82°	31'		61.69	feet along Lot 1 (Map 2) of Land Court Application 368 to the point of beginning and containing an area of 0.083 acre, more or less.

Being a portion of the land conveyed to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii, by Limited Warranty Deed dated June 30, 2006, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 3447601, and also recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 2006-121897.

PARCEL TWO: (TAX MAP KEY NO. 5-9-005-025)

All of that certain parcel of land situate at Pupukea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 1, area 17,756.0 square feet, more or less, as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 368 of Theodore Matthew Baumann;

Being a portion of the land described in Transfer Certificate of Title No. 811836 issued to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii.

PARCEL THREE: (TAX MAP KEY NO. 5-9-005-076)

All of that certain parcel of land (being all of Grant 7518 to Theodore M. Baumann and a portion of Grant 7564 to Theodore M. Baumann) situate, lying and being at Pupukea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, and thus bounded and described:

Beginning at the North corner of this parcel of land, on the East side of Kamehameha Highway (Project No. 83-B-01-77M), the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA" being 877.00 feet South and 543.10 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	339°	28'	00"	139.71	feet along Lot 1 (Map 2) of Land Court Application 368;
2.	1°	37'	00"	9.50	feet along Grant 6789 to Theodore M. Baumann;
3.	147°	17'	30"	119.81	feet along Old Government Main Road;
4.	Thenc	e along	the East	t side of Kameh	nameha Highway (Project No. 83-B-01-77M), on a curve to the left having a radius of 350.00 feet, the chord azimuth and distance being:
	201°	57'	25"	42.66	feet to the point of beginning and containing an area of 2,336 square feet, more or less.

Being a portion of the land conveyed to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii, by Limited Warranty Deed dated June 30, 2006, filed in said Office of the Assistant Registrar as Document No. 3447601, and also recorded in said Bureau of Conveyances as Document No. 2006-121897.

PARCEL FOUR: (TAX MAP KEY NO. 6-1-002-016 PORTION)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 4-A, area 0.048 acre/more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

Being a portion of the land described in Transfer Certificate of Title No. 811836 issued to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii.

PARCEL FIVE: (TAX MAP KEY NO. 6-1-002-016 PORTION)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 4-B, area 1.124 acres, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

Being a portion of the land described in Transfer Certificate of Title No. 811836 issued to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii.

PARCEL SIX: (TAX MAP KEY NO. 6-1-002-015)

All of that certain parcel of land (being a portion of Old Government Road) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, and thus bounded and described:

Beginning at the East corner of this parcel of land, on the Waimea-Pupukea boundary, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,063.94 feet South and 584.03 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	21°	52'	47.64	feet along Lot 1-D (Map 6) of Land Court Application 561;
2.	45°.	33'	306.29	feet along Lot 1-D and 1-E (Map 6) and Lot 12-A (Map 13) of Land Court Application 561;

3.	59°	40'		62.67	feet along Lot 12-A (Map 13) of Land Court Application 561;
4.	109°	50'		59.37	feet along same;
5.	121°	36'		79.89	feet along same;
6.	107°	28'		51.95	feet along same;
7.	99°	09'		57.16	feet along same;
Thence along the South side of Kame					mehameha Highway (F.A.P. No. 3-A) on a curve to the left having a radius of 345.00 feet, the chord azimuth and distance being:
	258°	16'	17"	78.48	feet;
8.	287°	28'		43.73	feet along Lot 4 (Map 6) of the subdivision of Land Court Application No. 561;
9.	301°	36'		80.51	feet along same;
10.	289°	50'		42.23	feet along same
11.	239°	40'		44.93	feet along same;
12.	225°	33'		296.31	feet along same;
13.	201°	52'		55.26	feet along same;
14.	316°	44'		33.06	feet along Lots 4-B and 4-A (Map 6) of Land Court Application 561;
15.	316°	44'		33.06	feet across Old Government Main Road, along the Waimea-Pupukea boundary to the point of beginning and containing an area of 0.419 acre, more or less.

Being a portion of the land conveyed to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii, by Limited Warranty Deed dated June 30, 2006, filed in said Office of the Assistant Registrar as Document No. 3447601, and also recorded in said Bureau of Conveyances as Document No. 2006-121897.

PARCEL SEVEN: (TAX MAP KEY NO. 6-1-002-021)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 1-F, area 0.055 acre, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

Being a portion of the land described in Transfer Certificate of Title No. 811836 issued to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii.

PARCEL EIGHT: (TAX MAP KEY NO. 6-1-002-020)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 1-E, area 0.319 acre, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

Being a portion of the land described in Transfer Certificate of Title No. 811836 issued to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii.

PARCEL NINE: (TAX MAP KEY NO. 6-1-002-017)

All of that certain parcel of land (being a portion of Royal Patent No. 2611, Land Commission Award No. 3711 to Mokuhou) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at a pipe at the Northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,671.84 feet South and 1,883.36 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	357°	23'	139.90	feet along remainder R.P. 2611, L.C. Aw. 3711 to Mokuhou;
2.	136°	20'	46.40	feet along same;
3.	116°	06'	57.00	feet along same;

4.	177°	23'	72.81	feet along same;
5.	264°	02'	80.60	feet along Lot 12-A (Map 13) of Land Court Application 561 to the point of beginning and containing an area of 8,101 square feet, more or less.

PARCEL TEN: (TAX MAP KEY NO. 6-1-002-003)

All of that certain parcel of land (being a portion of Royal Patent No. 2611, Land Commission Award No. 3711 to Mokuhou) and covered in Exclusion of Land Court Application 561 (Map 1) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,946.40 feet South and 1,935.00 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	124°	30'		429.00	feet along Lot 1-D (Map 6) of Land Court Application 561;
2.	264°	02'		303.60	feet along Lot 12-A (Map 13) of Land Court Application 561;
3.	276°	40'	30"	212.20	feet along same;
4.	32°	30'		296.20	feet along R.P. 2903, L.C. Aw. 3869 to Puukua to the point of beginning and containing a gross area of 1.62 acres, and a net area of 1.44 acres, after deducting the following parcels of land:

(a) All of those certain parcels of land (comprising portions of Royal Patent Number 2611, Land Commission Award Number 3711 to Mokuhou) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at a pipe at the West corner of this piece of land, being also the West corner of L.C. Aw. 3711 to Mokuhou, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,703.40 feet South and 1,581.40 feet East, and running by true azimuths:

1.	264°	02'	83.56	feet along Land Court Application 561;
2.	296°	06'	33.56	feet along the Southwest side of roadway along the remainder of L.C. Aw. 3711 to Mokuhou;
3.	34°	30'	59.32	feet along the remainder of L.C. Aw. 3711 to Mokuhou;
4.	124°	30'	97.00	feet along line of old stream; along Land Court Application 561 to the point of beginning and containing an area of 3,625 square feet, more or less.

(b) All of those certain parcels of land (comprising portions of Royal Patent Number 2611, Land Commission Award Number 3711 to Mokuhou) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the West corner of this piece of land, and on the Northeast side of roadway, the true azimuth and distance from a pipe at the West corner of L.C. Aw. 3711 to Mokuhou, being 264° 02' 102.70 feet, and the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,692.72 feet South and 1,683.54 feet East, and running by true azimuths measured:

1.	264°	02'	120.30	feet along Land Court Application 561;
2.	357°	23'	72.81	feet along the remainder of L.C. Aw. 3711 to Mouhou to the Northeast side of roadway;
3.	116°	06'	136.92	feet along the Northeast side of roadway to the point of beginning and containing an area of 4,370 square feet, more or less.

Being a portion of the land conveyed to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii, by Limited Warranty Deed dated June 30, 2006, filed in said Office of the Assistant Registrar as Document No. 3447601, and also recorded in said Bureau of Conveyances as Document No. 2006-121897.

PARCEL ELEVEN: (TAX MAP KEY NO. 6-1-002-014)

All of that certain parcel of land (being a portion of Royal Patent No. 2045, Land Commission Award No. 8165, Apana 2 to Hiipei) and covered in Exclusion of Land Court Application 561 (Map 1) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 2,932.10 feet South and 2,668.60 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	224°	17'	42.16	feet along R.P. 2901, L.C. Aw. 8869 to Kealiiwaiwaiole;
2.	306°	30'	71.30	feet along same;
3.	45°	00'	43.50	feet along same;
4.	127°	30'	70.60	feet along same to the point of beginning and containing an area of 0.069 acre, more or less.

Together with all rights, title and interests in R.P. 2045, L.C. Aw. 8165, Ap. 3 to Hiipei, being an unlocated apana situate at Waimea, Koolauloa, Oahu, Hawaii.

Being a portion of the land conveyed to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii, by Limited Warranty Deed dated June 30, 2006, filed in said Office of the Assistant Registrar as Document No. 3447601, and also recorded in said Bureau of Conveyances as Document No. 2006-121897.

PARCEL TWELVE: (TAX MAP KEY NO. 6-1-002-019)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 1-A, area 0.095 acre, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

Being a portion of the land described in Transfer Certificate of Title No. 811836 issued to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii.

PARCEL THIRTEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 1-G, area 0.635 acre, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

Being a portion of the land described in Transfer Certificate of Title No. 811836 issued to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii.

PARCEL FOURTEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 1-D, area 2.174 acres, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

Being a portion of the land described in Transfer Certificate of Title No. 811836 issued to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii.

PARCEL FIFTEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 1-H, area 1.578 acres, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

Being a portion of the land described in Transfer Certificate of Title No. 811836 issued to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii.

PARCEL SIXTEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 1-B-1-B, area 345.000 acres, more or less, as shown on Map 9, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

Being a portion of the land described in Transfer Certificate of Title No. 811836 issued to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii.

PARCEL SEVENTEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 12-A, area 1,432.614 acres, more or less, both as shown on Map 13, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

TOGETHER ALSO WITH nonexclusive rights for road and utility purposes, in, over, under and upon Easement 15 and Easement 14, both as shown on Map 11, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others, connecting said Lot 12-A to Kamehameha Highway, as reserved in Deed dated August 15, 1972, filed as Document No. 594244.

Being a portion of the land described in Transfer Certificate of Title No. 811836 issued to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii.

PARCEL EIGHTEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land (being all of Royal Patent Nos. 2899 and 5935, Land Commission Award No. 4264 to Kaenuhe) and covered in Exclusion of Land Court Application 561 (Map 1) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the East corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,924.80 feet South and 1,443.40 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	15°	09'		290.40	feet along Lot 12-A (Map 13) of Land Court Application 561;
2.	109°	39'		66.00	feet along same;
3.	198°	08'	30"	316.40	feet along same;
4.	317°	09'		58.10	feet along same to the point of beginning and containing an area of 0.403 acre, more or less.

PARCEL NINETEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land (being a portion of Royal Patent No. 2902, Land Commission Award No. 10590 to Pinoke) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the Northwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 2,507.00 feet South and 2,407.10 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	254°	15'	177.50	feet along Lot 12-A (Map 13) of Land Court Application 561;
2.	245°	25'	223.10	feet along same;
3.	00°	16'	258.30	feet along same;
4.	62°	28'	89.80	feet along same;
5.	166°	28'	70.60	feet along remainder of R.P. 2902, L.C. Aw. 10590 to Pinoke;
6.	242°	28'	66.00	feet along same;
7.	166°	28'	86.40	feet along same;
8.	58°	28'	86.40	feet along same;
9.	332°	59'	30" 77.80	feet along same;

10.	64°	28'	44.90	feet along same;
11.	344°	05'	71.52	feet along same;
12.	62°	28'	132.00	feet along Lot 12-A (Map 13) of Land Court Application 561;
13.	149°	57'	276.50	feet along same to the point of beginning and containing an area of 1.66 acres, more or less.

PARCEL TWENTY: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land (being a portion of Royal Patent No. 2901, Land Commission Award No. 8869 to Kealiiwaiwaiole) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 2,913.20 feet South and 2,612.20 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	235°	40'		250.10	feet along Lot 12-A (Map 13) of Land Court Application 561;
2.	296°	00'	30"	444.20	feet along same;
3.	37°	32'		168.00	feet along same;
4.	31°	58'		66.00	feet along same;
5.	93°	11'		109.70	feet along same;
6.	115°	58'		212.50	feet along same;
7.	130°	35'		221.10	feet along same to the point of beginning and containing a gross area of 2.905 acres, and a net area of 2.836 acres after deducting 0.069 acre of Parcel 11 described hereinabove.

PARCEL TWENTY-ONE: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land being a portion of Royal Patent No. 2904, Land Commission Award No. 11231, Apana 1 to Kauki) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 3,587.80 feet South and 3,915.75 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	210°	15'	118.80	feet along Lot 12-A (Map 13) of Land Court Application 561;
2.	305°	00°	389.40	feet along same;
3.	35°	00°	145.20	feet along same;
4.	300°	00,	116.80	feet along same;
5.	204°	30°	46.20	feet along same;
6.	308°	15'	350.00	feet along same;
7.	113°	08'	438.20	feet along same;
8.	136°	15'	416.00	feet to the point of beginning and containing an area of 1.87 acres, more or less.

Being a portion of the land conveyed to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii, by Limited Warranty Deed dated June 30, 2006, filed in said Office of the Assistant Registrar as Document No. 3447601, and also recorded in said Bureau of Conveyances as Document No. 2006-121897.

PARCEL TWENTY-TWO: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land being a portion of Royal Patent No. 2610, Land Commission Award No. 7419 to Kahakuapa) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 4,758.50 feet South and 6,580.40 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	130°	30'	165.00	feet along Lot 12-A (Map 13) of Land Court Application 561;
2.	142°	28'	237.40	feet along same;
3.	244°	20'	58.10	feet along same;
4.	306°	30'	181.50	feet along same;
5.	341°	20'	224.40	feet along same to the point of beginning and containing an area of 0.615 acre, more or less.

Being a portion of the land conveyed to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii, by Limited Warranty Deed dated June 30, 2006, filed in said Office of the Assistant Registrar as Document No. 3447601, and also recorded in said Bureau of Conveyances as Document No. 2006-121897.

PARCEL TWENTY-THREE: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land being a portion of Royal Patent No. 2904, Land Commission Award No. 11231, Apana 2 to Kauki) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the North corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 4,180.20 feet South and 7,886.70 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1. 334° 15' 190.10 feet along Lot 12-A (Map 13) of Land Court Application 561;

2.	344°	00'		119.90	feet along same;
3.	315°	30'		157.10	feet along same;
4.	339°	00'		485.00	feet along same;
5.	131°	11'	30"	474.33	feet along same;
6.	162°	10'		273.90	feet along same;
7.	173°	00'		204.60	feet along same;
8.	212°	45'		112.20	feet along same to the point of beginning and containing an area of 2.865 acres, more or less.

PARCEL TWENTY-FOUR: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land being all of Land Commission Award No. 10461 to Niau) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the Northwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 4,788.70 feet South and 9,378.70 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	262°	15'	178.20	feet along Lot 12-A (Map 13) of Land Court Application 561;
2.	355°	56'	599.20	feet along same;
3.	139°	10'	370.30	feet along same;
4.	184°	30'	354.40	feet along same to the point of beginning and containing an area of 2.113 acres, more or less.

Being a portion of the land conveyed to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii, by Limited Warranty Deed dated June 30, 2006, filed in said Office of the Assistant Registrar as Document No. 3447601, and also recorded in said Bureau of Conveyances as Document No. 2006-121897.

PARCEL TWENTY-FIVE: (TAX MAP KEY NO. 5-9-005-024)

All of that certain parcel of land being a portion of Land Patent Grant S-15762 to Associates Four, being also a portion of the Government Land of Pupukea, situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the West corner of this parcel of land, being also the Northwest corner of Lot 4-A (Map 6) of Land Court Application 561 on the East side of Kamehameha Highway (Project No. 83-B-01-77M), the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 970.06 feet South and 495.58 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1. Along the East side of Kamehameha Highway (Project No. 83-B-01-77M), on a curve to the left with a radius of 350.00 feet, the chord azimuth and distance being:

214° 53' 55" 8.67 feet;

2. Thence along the Southwest side of Old Government Main Road on a curve to the right with a radius of 15.00 feet, the chord azimuth and distance being:

	270°	44'	25"	25.03	feet;
3.	327°	17'	30"	57.30	feet along same;
4.	1°	37'		22.67	feet along same;
5.	136°	44'		88.00	feet along Lot 4-A (Map 6) of Land Court Application 561 to the point of beginning and containing an area of 1,740 square feet, more or less.

Being a portion of the land conveyed to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii, by Limited Warranty Deed dated June 30, 2006, filed in said Office of the Assistant Registrar as Document No. 3447601, and also recorded in said Bureau of Conveyances as Document No. 2006-121897.

PARCEL TWENTY-SIX: (TAX MAP KEY NO. 5-9-005-022)

All of that certain parcel of land being a portion of Grant 6789 to Theodore M. Baumann) situate at Pupukea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the Northwest corner of this parcel of land, being also the Southeast corner of Grant 7518 to Theodore M. Baumann, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,017.45 feet South and 591.74 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	327°	17'	30"	27.70	feet along remainder of Grant 6789 to Theodore M. Baumann;
2.	15°	24'		38.00	feet along same;
3.	136°	44'		9.30	feet along Lot 1-D (Map 6) of Land Court Application 561;
4.	181°	37'		53.20	feet along the East side of Old Government Main Road to the point of beginning and containing an area of 566 square feet, more or less.

Being a portion of the land conveyed to the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii, by Limited Warranty Deed dated June 30, 2006, filed in said Office of the Assistant Registrar as Document No. 3447601, and also recorded in said Bureau of Conveyances as Document No. 2006-121897.

PARCEL TWENTY-SEVEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land being a portion of Royal Patent No. 2902, Land Commission Award No. 10590 to Pinoke) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the Southwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 2,685.30 feet South and 2,662.60 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	164°	05'		71.52	feet along remainder of R.P. 2902, L.C. Aw. 10590 to Pinoke;
2.	244°	28'		44.90	feet along same;
3.	152°	59'	30"	77.80	feet along same;
4.	238°	28'		86.40	feet along same;
5.	346°	28'		86.40	feet along same;

6.	62°	28'	66.00	feet along same;
7.	346°	28'	70.60	feet along same;
8.	62°	28'	42.20	feet along Lot 12-A (Map 13) of Land Court Application 561 to the point of beginning and containing an area of 0.21 acre, more or less.

AS TO PARCELS ONE THROUGH TWENTY-SEVEN, INCLUSIVE:

TOGETHER WITH any and all rights of Grantor under that certain Grant of Conservation and Access Easement dated June 30, 2006, filed as Land Court Document No. 3447602, and recorded in said Bureau of Conveyances as Document No. 2006-121898, in favor of the City and County of Honolulu, a municipal corporation of the State of Hawaii (the "City") and the State of Hawaii (the "State"), granting a perpetual and irrevocable conservation easement in gross over the land herein described solely for the purpose of protecting and preserving the conservation values of the property.

SUBJECT, HOWEVER, TO THE FOLLOWING:

1. The lien of any real property taxes not yet due and payable.

Tax Map Key No(s).	(1) 5-9-005-029		(PARCEL ONE)	
	5-9-005-025		(PARCEL TWO)	
	5-9-005-076		(PARCEL THREE)	
	6-1-002-016	PORTIONS	(PARCEL FOUR AND FIVE)	
	6-1-002-015		(PARCEL SIX)	
	6-1-002-021		(PARCEL SEVEN)	
	6-1-002-020		(PARCEL EIGHT)	
	6-1-002-017		(PARCEL NINE)	
	6-1-002-003		(PARCEL TEN)	
	6-1-002-014		(PARCEL ELEVEN)	
	6-1-002-019		(PARCEL TWELVE)	
	6-1-002-002	PORTIONS	(PARCELS THIRTEEN THRU	Ţ
			TWENTY-FOUR, AND	
			PARCEL TWENTY-SEVEN)	
	5-9-005-024		(PARCEL TWENTY-FIVE)	
	5-9-005-022		(PARCEL TWENTY-SIX)	

AS TO PARCELS TWO AND THREE ONLY:

2. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCELS FOUR AND FIVE ONLY:

3. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002.

4. REBURIAL AGREEMENT

By and Between:

STATE OF HAWAII, by its Board of Department of Land and

Natural Resources, and ASSOCIATES FOUR, General Partner

of Attractions Hawaii, dba Waimea Falls Park

Dated:

March 24, 1992

Recorded:

Document No. 92-043993

Re:

covering Tax Map Key 6-1-002-015 (Lot A, Parcel Six, described

hereinabove) and 6-1-002-016, affecting Lots 4-A and 4-B (Parcels Four and Five, respectively, described hereinabove)

5. GRANT OF EASEMENT

In Favor Of:

HAWAIIAN ELECTRIC CO., INC. and VERIZON HAWAII,

INC.

Dated:

July 31, 1972

Recorded:

Document No. 599925 and Book 8617 Page 419

Purpose:

granting an easement for utility and incidental purposes, over,

under, across and through a portion of the land therein described

6. Restrictions, covenants, conditions, agreements, obligations, and reservations as contained in:

WARRANTY DEED

Dated:

January 15, 1971

Recorded:

Document No. 524580 and Book 7364, Page 215

"RESERVING AND EXCEPTING also unto the Grantor, its successors and assigns, as appurtenant to the lot shown as Lot 1-C on said Map 6, an undivided interest being also covered by said Certificate of Title No. 71653, an easement 44-feet wide for road and utility purposes from said Lot 1-C to Kamehameha Highway and/or Pupukea Road over, across, along and under said Lots 1-B-1-A, 1-B-1-B, 1-D and 4-A, and the land described herein or such of them as appropriate in such reasonable location as may be mutually

agreed upon between the parties, with due regard for the use then made by the Grantee of the premises and the practical requirements of construction, including cost thereof it being agreed that if the parties cannot so agree on location, the matter will be settled by arbitration pursuant to Chapter 658, Hawaii Revised Statutes, as the same may then be amended,"

"...covenant and agree, as covenants running with the land, that at such times as it becomes advisable to define and designate the location of the easements herein reserved unto the Grantor, and if requested by the Grantor, the Grantor may, at its own expense, cause said easement to be surveyed and defined, and the parties shall cooperate in having such designated, including joining in any appropriate documents and petitions to the Land Court, the Planning Department of the City and County of Honolulu, and any other governmental agencies having jurisdiction, and the Grantee further agrees, that, after such designation and upon payment of \$1.00 to it and costs of dedication by the Grantor, it will, on request of the Grantor and at the expense of the Grantor dedicate and convey to City and County of Honolulu or State of Hawaii for road purposes fee title to the easement areas or any portion or portions thereof."

7. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

8. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL SIX ONLY:

- 9. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 10. The free flowage of water in Waimea Stream, as shown on Tax Map Key No. 6-1-002-017.
- 11. REBURIAL AGREEMENT

By and Between:

STATE OF HAWAII, by its Board of Department of Land and

Natural Resources, and ASSOCIATES FOUR, General Partner of

Attractions Hawaii, dba Waimea Falls Park

Dated:

March 24, 1992

Recorded:

Document No. 92-043993

Re:

covering Tax Map Key 6-1-002-015 (Lot A, Parcel Six, described

hereinabove) and 6-1-002-016, affecting Lots 4-A and 4-B (Parcels

Four and Five, respectively, described hereinabove)

12. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

13. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375.

AS TO PARCELS SEVEN AND EIGHT ONLY:

14. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002

15. GRANT OF EASEMENT

In Favor Of:

HAWAIIAN ELECTRIC CO., INC. and VERIZON HAWAII,

INC.

Dated:

July 31, 1972

Recorded:

Document No. 599925 and Book 8617 Page 419

Purpose:

granting an easement for utility and incidental purposes, over, under, across and through a portion of the land herein described

16. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

17. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCELS NINE AND TEN ONLY:

18. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

19. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

20. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL ELEVEN ONLY:

21. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

22. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

23. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWELVE ONLY:

- 24. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002
- 25. Easement "11", as shown on Map 6, as set forth by Land Court Order No. 11738, filed on January 22, 1953.
- 26. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

27. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL THIRTEEN ONLY:

28. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002.

29. GRANT OF EASEMENT

In Favor Of:

HAWAIIAN ELECTRIC CO., INC. and VERIZON HAWAII,

INC.

Dated:

July 31, 1972

Recorded:

Document No. 599925 and Book 8617 Page 419

Purpose:

granting an easement for utility and incidental purposes, over, under, across and through a portion of the land herein described

30. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

31. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL FOURTEEN ONLY:

32. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002.

33. GRANT OF EASEMENT

In Favor Of:

HAWAIIAN ELECTRIC CO., INC. and VERIZON HAWAII,

INC.

Dated:

July 31, 1972

Recorded:

Document No. 599925 and Book 8617 Page 419

Purpose:

granting an easement for utility and incidental purposes, over, under, across and through a portion of the land herein described

- 34. "A right of access from Roadway I-D, in favor of Lots 1-A and 1-C, as set forth in Land Court Order No. 11738, filed on January 22, 1953, it being agreed that the Grantor will cooperate with the Grantee in removing this encumbrance when adequate substitute access has been provided.", as set forth in DEED of Castle & Cooke, Inc., a Hawaii corporation, to Bishop Corporation, a Hawaii corporation, dated January 15, 1971, filed in said Office of the Assistant Registrar as Document No. 524580.
- 35. Restrictions, covenants, conditions, agreements, obligations, and reservations as contained in:

WARRANTY DEED

Dated:

January 15, 1971

Recorded:

Document No. 524580 and Book 7364, Page 215

"RESERVING AND EXCEPTING also unto the Grantor, its successors and assigns, as appurtenant to the lot shown as Lot 1-C on said Map 6, an undivided interest being also covered by said Certificate of Title No. 71653, an easement 44-feet wide for road and utility purposes from said Lot 1-C to Kamehameha Highway and/or Pupukea Road over, across, along and under said Lots 1-B-1-A, 1-B-1-B, 1-D and 4-A, and the land described herein or such of them as appropriate, in such reasonable location as may be mutually agreed upon between the parties, with due regard for the use then made by the Grantee of the premises and the practical requirements of construction, including cost thereof, it being agreed that if the parties cannot so agree on location, the matter will be settled by arbitration pursuant to Chapter 658, Hawaii Revised Statutes, as the same may then be amended."

"...covenant and agree, as covenants running with the land, that at such times as it becomes advisable to define and designate the location of the easements herein reserved unto the Grantor, and if requested by the Grantor, the Grantor may, at its own expense, cause said easement to be surveyed and defined, and the parties shall cooperate in having such designated, including joining in any appropriate documents and petitions to the Land Court, the Planning Department of the City and County of Honolulu, and any other governmental agencies having jurisdiction, and the Grantee further agrees, that, after such designation and upon payment of \$1.00 to it and costs of dedication by the Grantor, it will, on request of the Grantor and at the expense of the Grantor dedicate and convey to City and County of Honolulu or State of Hawaii for road purposes fee title to the easement areas or any portion or portions thereof."

36. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

37. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL FIFTEEN ONLY:

38. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002.

39. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

40. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCELS SIXTEEN AND SEVENTEEN ONLY:

41. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002.

42. Easements "1, 2 and 4", over and across Lot 12, and Easements "1 and 3", over and across Lot 1-B-I-B, of said Application, and the corrections in values of Courses 35, 57, 58, 59, 60, 61, 63 and 65 and the ties from the end of Courses 54 and 62, as shown on Maps 4, 9 and 11, as set forth by Land Court Order No. 4335, filed on December 23, 1940.

43. GRANT OF EASEMENT

In Favor Of:

THE UNITED STATES OF AMERICA

Dated:

November 21, 1935

Recorded:

Document No. 35859 and Book 1326 Page 260

Purpose:

granting a perpetual easement through a strip of land 40-feet wide, being a portion of Grant 880 to Kaeliwai and Mahele Award 13 to Paalua, and also being a portion of Lot 1-A of the subdivision of Lot 1 of Land Court Application No. 561 for a road for military purposes and the right to lay and forever maintain therein wire

cables and pipelines

By instrument dated January 24, 1941, filed as Land Court Document No. 56755, said Grant was amended and clarified by establishing that Easement "1", as shown on Map 4 delineates the 40-foot easement granted by said Grant.

44. GRANT OF EASEMENT

In Favor Of:

THE UNITED STATES OF AMERICA

Dated:

February 1, 1939

Recorded:

Document No. 56777

Purpose:

granting a perpetual right-of-way for underground communication

cable line, etc. within Easements "2 and 4" over Lot 12 and

Easement "3" over Lot 1-B-1-B

45. Restrictions, covenants, conditions, agreements, obligations, and reservations as contained in:

WARRANTY DEED

Dated:

January 15, 1971

Recorded:

Document No. 524580 and Book 7364, Page 215

"RESERVING AND EXCEPTING also unto the Grantor, its successors and assigns, as appurtenant to the lot shown as Lot 1-C on said Map 6, an undivided interest being also covered by said Certificate of Title No. 71653, an easement 44-feet wide for road and utility purposes from said Lot 1-C to Kamehameha Highway and/or Pupukea Road over, across, along and under said Lots 1-B-1-A, 1-B-1-B, 1-D and 4-A, and the land described herein or such of them as appropriate, in such reasonable location as may be mutually agreed upon between the parties, with due regard for the use then made by the Grantee of the premises and the practical requirements of construction, including cost thereof, it being agreed that if the parties cannot so agree on location, the matter will be settled by arbitration pursuant to Chapter 658, Hawaii Revised Statutes, as the same may then be amended,"

"...covenant and agree, as covenants running with the land, that at such times as it becomes advisable to define and designate the location of the easements herein reserved unto the Grantor, and if requested by the Grantor, the Grantor may, at its own expense, cause said easement to be surveyed and defined, and the parties shall cooperate in having such designated, including joining in any appropriate documents and petitions to the Land Court, the Planning Department of the City and County of Honolulu, and any other governmental agencies having jurisdiction, and the Grantee further agrees, that, after such designation and upon payment of \$1.00 to it and costs of dedication by the Grantor, it will, on request of the Grantor and at the expense of the Grantor dedicate and convey to City and County of Honolulu or State of Hawaii for road purposes fee title to the easement areas or any portion or portions thereof."

46. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

47. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL SEVENTEEN ONLY:

48. GRANT OF EASEMENT

In Favor Of:

HAWAIIAN ELECTRIC CO., INC. and VERIZON HAWAII,

INC.

Dated:

July 31, 1972

Recorded:

Document No. 599925 and Book 8617 Page 419

Purpose:

granting an easement for utility and incidental purposes, over, under, across and through a portion of the land herein described

49. Restrictions, covenants, conditions, agreements, obligations, and reservations as contained in:

DECLARATION OF RESTRICTIVE COVENANTS AS TO FLOOD DAMAGES

Dated:

April 4, 1991

Recorded:

Document No. 1811293 and Document No. 91-044308

50. Easement "20", as shown on Map 14, as set forth by Land Court Order No. 140355, filed on December 8, 2000.

51. GRANT OF NON-EXCLUSIVE EASEMENT

In Favor Of:

HAWAIIAN ELECTRIC CO., INC., a Hawaii corporation

Dated:

September 12, 1997

Recorded:

Document No. 2408865 and Document No. 97-139651

Purpose:

granting an easement for utility and incidental purposes, over. under, across and through a portion of the land herein described,

designated as Easement "20"

52. Restrictions, covenants, conditions, agreements, obligations, and reservations as contained in:

WARRANTY DEED

Dated:

January 15, 1971

Recorded:

Document No. 524580 and Book 7364, Page 215

"RESERVING AND EXCEPTING, HOWEVER, unto the Grantor, its successor and assigns, as appurtenant to the lots shown as Lots 1-L, 1-K and 1-J, on said Map 6, an undivided interest therein being also covered by said Certificate of Title No. 71,653, an easement 60-feet wide for road and utility purposes over, across and under portions of said Lot 1-B-1-A adjoining the Southern boundary thereof, linking said Lot 1-L with said Lot 1-K, and linking said Lot 1-K to Lot 1-J, and linking said Lot 1-J to Kamehameha Highway."

AS TO PARCEL EIGHTEEN ONLY:

- 53. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 54. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

55. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL NINETEEN ONLY:

- 56. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 57. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream, as shown on Tax Map: 6-1-002.
- 58. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

59. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY ONLY:

60. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

61. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

62. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY-ONE ONLY:

63. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

- 64. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream, as shown on Tax Map: 6-1-002.
- 65. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

66. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY-TWO ONLY:

- 67. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 68. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream, as shown on Tax Map: 6-1-002.

69. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

70. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY-THREE ONLY:

71. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

- 72. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream, as shown on Tax Map: 6-1-002.
- 73. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

74. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY-FOUR ONLY:

- 75. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 76. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream, as shown on Tax Map: 6-1-002.

77. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

78. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY-SIX ONLY:

79. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY-SEVEN ONLY:

- 80. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 81. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream, as shown on Tax Map: 6-1-002.
- 82. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

83. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCELS ONE THROUGH TWENTY-SEVEN, INCLUSIVE:

- 84. Claims arising out of customary and traditional rights and practices, including without limitation those exercised for subsistence, cultural, religious, access or gathering purposes, as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.
- 85. GRANT OF CONSERVATION AND ACCESS EASEMENT

In Favor Of: CITY AND COUNTY OF HONOLULU, a municipal corporation

of the State of Hawaii (the "City"), and the STATE OF HAWAII,

through its Board of Land and Natural Resources (the "State")

Dated: June 30, 2006

Recorded: Document No. 3447602 and Document No. 2006-121898

Purpose: granting a perpetual and irrevocable conservation easement in

gross over the land herein described solely for the purpose of protecting and preserving the Conservation Values of the property

86. Any and all other encumbrances of record affecting the lands described hereinabove.

END OF EXHIBIT "A"

LAND OFFICE DEED FOR GRANT OF CONSERVATION AND ACCESS EASEMENT

EXHIBIT



Certified to be a true and correct copy of the document recorded on JUN 3 0 2005 at 2:00 in the Office of the Assistant Registrar of the Land Court, State of Hawaii, as Document No. 3447602 811836 noted on TCT# Island Title Corporation

Certified to be a true and correct copy of the document recorded on JUN 3 0 2006 at _____, in the Bureau of Conveyances, State of Hawaii, as Document No. 2006-121898

Island Title Corporation

Total Pages:

AFTER RECORDATION, RETURN BY MAIL () PICKUP (X):

MATSUBARA, LEE & KOTAKE

Attention: Mervyn M. Kotake, Esq.

Charles R. Kendall Building

888 Mililani Street, Eighth Floor

Honolulu, Hawaii 96813-2918

Telephone: (808) 526-9566

TMK Nos.: (1) 5-9-005-029 (Parcel 1)

(1) 5-9-005-025 (Parcel 2) (1) 5-9-005-076 (Parcel 3)

(1) 6-1-002-016 (Parcels 4 & 5)

(1) 6-1-002-015 (Parcel 6)

(1) 6-1-002-021 (Parcel 7)

(1) 6-1-002-020 (Parcel 8)

(1) 6-1-002-017 (Parcel 9)

(1) 6-1-002-003 (Parcel 10)

(1) 6-1-002-014 (Parcel 11)

(1) 6-1-002-019 (Parcel 12)

(1) 6-1-002-002 (Parcels 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, & 27)

(1) 5-9-005-024 (Parcel 25)

(1) 5-9-005-022 (Parcel 26)

GRANT OF CONSERVATION AND ACCESS EASEMENT

THIS GRANT OF CONSERVATION AND ACCESS EASEMENT (the "Easement"), made this 30 day of June, 2006, by the OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawai'i, hereinafter called the "Grantor," in favor of the CITY AND COUNTY OF HONOLULU, a municipal corporation of the State of Hawai'i (the "City") and the STATE OF HAWAII, through its Board of Land and Natural Resources (the "State"), hereinafter called the "Grantees".

RECITALS:

WHEREAS, Grantor is the sole owner in fee simple of that certain real property in the City and County of Honolulu, more particularly described in **Exhibit A** and generally depicted on the map attached hereto as **Exhibit B**, both attached hereto and incorporated by this reference (the "**Property**");

WHEREAS, the Property possesses unique and significant qualities (the "Conservation Values") of great importance to Grantor, Grantees and the people of Hawai'i. These Conservation Values include, but are not limited to, archaeological, historical, cultural, educational, natural, ecological, botanical, scenic, aesthetic, open-space and recreational values and values specific to Hawaiian culture and history, including, without limitation, the exercise of Hawaiian subsistence, cultural and religious practices and the preservation and restoration of Hawaiian cultural and sacred sites and artifacts, which are important to the spiritual sustenance, well being, and fullest human experience of people young and old, both in the present and future generations;

WHEREAS, the City initially acquired a fee simple interest in the Property on the condition that it would convey said interest to Grantor, and Grantor would convey to Grantees this Easement for the benefit of the public in accordance with the terms hereof;

WHEREAS, both Grantor and Grantees desire to protect and preserve the Property's Conservation Values for benefit of native Hawaiians, Hawaiians and the public at large; and

WHEREAS, Grantees are public bodies authorized under Chapter 198 of the Hawaii Revised Statutes ("HRS") to acquire and hold conservation easements for the purpose stated in HRS Section 198-1, to wit: "(1) Preserve and protect land predominantly in its natural, scenic, forested, or open-space condition; (2) Preserve and protect the structural integrity and physical appearance of cultural landscapes, resources, and sites which perpetuate indigenous native Hawaiian culture; or (3) Preserve and protect historic properties as defined in section 6E-2, and traditional and family cemeteries."

AGREEMENT:

NOW, THEREFORE, in consideration of the above and the mutual covenants, terms, conditions, and restrictions contained herein, and pursuant to the laws of the State of Hawaii and in particular HRS Chapter 198,

- 1. <u>Conservation Easement and Easement Purpose</u>. Grantor, subject to valid and existing third-party property rights and interests of record, hereby grants and conveys to Grantees a perpetual and irrevocable conservation easement in gross over the Property solely for the purpose of protecting and preserving the Conservation Values of the Property, through the rights of enforcement conferred below, in perpetuity to the extent and on the terms hereinafter set forth ("Easement Purpose"), provided that nothing herein is intended in any way to limit the Grantees' rights, powers and duties under any applicable laws, including but not limited to HRS Chapters 171, 183, 183C and 198 (as now in effect or as may be subsequently amended).
- The parties agree that the structures, trails and roads on and uses of the Property that are in existence as of the date written above (the "Operative Date") are permitted under the Easement. Attached as Exhibit "C" is a baseline documentation report which contains an inventory of structures, trails and roads on and uses of the Property as of March 2006, compiled by the National Audubon Society ("Baseline Documentation Report"). In the event a controversy arises with respect to the structures, trails and roads on and uses of the Property as of the Operative Date, the parties agree that the Baseline Documentation Report shall be used as a starting point for determining those structures and uses as of the Operative Date, but that the parties may also use all other relevant or material documents, surveys, reports, and other information to determine the actual structures on and uses of the Property as of the Operative Date. Grantor, its successors and assigns, including any organization leasing, managing and/or operating the Property with the permission and authority of Grantor ("Grantor Parties"), and the United States, as holder of a recorded Grant of Easement dated November 21, 1935, as amended by recorded instrument dated January 24, 1941, through the U.S. Army Garrison, Hawaii ("Army"), may maintain and repair the existing structures, roads and trails on the Property; Grantor Parties may also enlarge and replace the existing structures and construct additional improvements, roads, trails, uses and utilities and develop water resources on the Property as necessary and appropriate, and the Army may undertake such improvements as are permitted by the terms of the Grant of Easement dated November 21, 1935, as amended as aforesaid, as long as they are consistent with the Easement Purpose and all applicable laws, rules and regulations. Notwithstanding the foregoing, nothing in this Grant of Easement or the Baseline Documentation Report expands or otherwise modifies, or is intended to expand or otherwise modify, the rights of the Army under the Grant of Easement dated November 21, 1935 described in this paragraph, as amended as aforesaid, the rights of any of the Grantor Parties under any lease, agreement, grant or other document between Grantor and said Grantor Party or Parties, or the rights of any other party under any instrument or agreement with Grantor and/or Grantor's predecessors-ininterest, successors or assigns.
- B. Grantor agrees that except for the existing structures on and uses of the Property as of the Operative Date, Grantor shall not engage in or permit or invite others to engage in uses of the Property that are inconsistent with the Easement Purpose.
- C. Grantor reserves to itself and the Grantor Parties, as appropriate, all rights accruing from its ownership of the Property, including the right to engage in or permit or invite others to engage in all uses of the Property that are in compliance with any state, federal or local laws, rules or regulations as long as those uses are consistent with the Easement Purpose.

- D. Grantees and the Army, upon the exercise of the latter's contingent rights pursuant to Paragraph 9 below, shall have the right to enter upon the Property at reasonable times and upon two weeks advance written notice to Grantor in order to monitor the Grantor Parties' and/or Army's compliance with the terms of this Easement, at Grantees' and the Army's sole expense, and to enforce the terms of this Easement as provided for herein. Grantees shall also have the right to delegate the right to monitor compliance with the terms of this Easement to a qualified representative or representatives of any state or local government agency, with prior notice to and upon the prior written consent of the Grantor, which consent may not be unreasonably withheld.
- 2. Public Access. Grantor will afford the general public reasonable managed public access to the Property for passive, noncommercial, recreational purposes, subject to (a) applicable governmental laws, rules and regulations, and (b) such other limitations and restrictions as are reasonably necessary for the protection of the Property, the public and Grantor, and for the implementation of the Easement Purpose and the uses permitted herein. Without limiting the generality of the foregoing, the Grantor Parties shall have the right to charge reasonable fees for use of, or in connection with, programs and/or services related to the Property; to restrict access to the Property for special events held on the Property, for the protection, restoration and/or preservation of endangered species, cultural and historic sites and related purposes, and for health and safety reasons; and to establish hours during which the Property, or portions thereof, will be open or closed to the public. Grantor and Grantees may from time to time, by agreement, establish additional limitations on public access reasonably necessary to achieve the Easement Purpose and maintain the Conservation Values.
- All reasonable costs, including attorneys' fees, incurred in prosecuting or defending any such action.
- 4. <u>Forbearance</u>. Forbearance by Grantees to exercise their rights under this Easement in the event of Grantor's breach of any term of this Easement shall not be deemed or construed to be a waiver by Grantees of such term, or of any Grantees' rights under this Easement. No delay or omission by Grantees in the exercise of any right or remedy related to Grantor's breach shall impair such right or remedy or be construed as a waiver.

- 5. Acts Beyond Grantor's Control. Nothing contained in this Easement shall be construed to entitle Grantees to bring action against Grantor for any injury to or change in the Property resulting from natural causes, acts of God, or natural acts beyond Grantor's control, including, without limitation, fire, flood, storm, and earthquakes; from injury or damage to, or change in the Property resulting from any prudent and reasonable action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes; or from injury or damage to, or change in the Property resulting from, the intentional or negligent acts or omissions of persons beyond the control of Grantor, including, without limitation, vandalism and criminal property damage.
- 6. <u>Control</u>. Nothing in this Easement shall be construed as giving rise to, in the absence of a judicial decree, any right or ability in Grantees to exercise physical or managerial control over the day-to-day operations of the Property, or any of Grantor's activities on the Property, or otherwise to become an operator with respect to the Property within the meaning of CERCLA and/or HRS Chapter 128D, as amended.
- 7. Extinguishment and Condemnation. If circumstances arise in the future that render the Easement Purpose impossible to accomplish, including protecting any of the Conservation Values, this Easement can only be terminated or extinguished, whether in whole or in part, to the extent and in the manner allowed by law.
- City as Additional Insured. Grantor shall obtain and maintain comprehensive general liability insurance of a type and in such amount as would normally be carried on a property such as the Property, to the extent the same is reasonably available at a reasonable cost in Hawaii. The City and all of its officers, employees, representatives and agents, to the extent they are acting within the scope of their authorized functions on behalf of the City as the holder of the Easement ("City Additional Insureds"), shall be included as additional insureds under this policy by an additional insured endorsement to said policy to the extent of the City's role as a grantee hereunder, provided, however, that no defense or coverage shall be afforded to the City Additional Insureds under any such policy to the extent that a claim made thereunder arises solely from any act or omission of the City Additional Insureds. Such insurance shall provide for at least thirty (30) days' notice to the City before cancellation and contain standard Cross Liability provisions stating that: (a) the insurance applies separately to each insured; and (b) the insurance covers claims by an insured against another insured; and that the insurance is primary with respect to all insureds for claims arising out of Grantor's negligent acts and/or omissions or misconduct, and that any insurance (or self-insurance) carried by the City shall be excess and non-contributing; and that an act or omission of one insured will not invalidate the policy as to the other insured party. Any increased cost in acquiring the insurance required hereunder incurred by Grantor that arises out of the negligent or wrongful actions or omissions of any of the City Additional Insureds shall be borne by the City. Upon written request, Grantor shall provide the City with current certificates of insurance prepared by a duly authorized agent and, upon the City's written request, copies of the policies evidencing the insurance in effect. Notwithstanding anything in this Easement to the contrary, the covenants contained in this paragraph shall apply to the City only, and may not be assigned or otherwise transferred to any other party.

- 9. Contingent Rights of the United States Army. With funds provided by the Army under Assistance Agreement W911SR-05-2-001 between The Trust for Public Land and the United States Army Research Development and Engineering Command (RDECOM), on behalf of USAG-HI and the Army, the City initially acquired a fee simple interest in the Property on the condition that it would convey said interest to Grantor, and Grantor would convey to Grantees this Easement for the benefit of the public, including, but not limited to the Army. Should both of the Grantees fail to enforce any term of this Easement or permit the Property to be used or developed in a manner inconsistent with the Easement Purpose, then the Secretary of the Army, through his or her authorized representative, shall have the right to enforce the Easement using the procedures in paragraph 3 above and all authority available under State or Federal law and/or shall have the right to cause the Grantees to transfer their rights and interests in and to this Easement to the Army, to the extent required by 10 U.S.C. 2684a.
- Grantor, which approval shall not be unreasonably withheld, provided Grantees assign their rights and obligations under this Easement only to a governmental entity or an organization which qualifies for and holds an income tax exemption under section 501(c) of the Internal Revenue Code of 1986, as amended, designated by the Army and by Grantor, and provided further that any assignee under this provision is (a) a qualified organization at the time of transfer under paragraph 170(h) of the Internal Revenue Code of 1986, as amended (or any successor provision then applicable), and the applicable regulations promulgated thereunder; and (b) authorized to acquire and hold conservation easements under HRS Chapter 198, as amended (or any successor provision then applicable). As a condition of any transfer under this paragraph, Grantees shall require that the assignee or transferee comply with the obligations of Grantees under this Grant of Easement.
- 11. <u>Amendment</u>. If circumstances arise under which an amendment to or modification of this Grant of Easement would be appropriate or necessary, Grantor and Grantees may by mutual written agreement jointly amend this Grant of Easement; provided, however, that such amendment shall be consistent with the Easement Purpose and shall not affect its perpetual duration. Any such amendment shall be recorded in the Bureau of Conveyances of the State of Hawaii.
- 12. <u>Notices</u>. Any notice, demand, request, consent, approval, or communication that any party desires or is required to give to the other shall be in writing and either served personally or sent by first class mail, postage prepaid, addressed as follows:

To Grantor:

Clyde Nāmu'o, Administrator Office of Hawaiian Affairs 711 Kapi'olani Boulevard, Suite 500 Honolulu, Hawai'i 96813 With copies to: Ernest Kimoto, Esq.

Albert Tiberi, Esq.

Office of Hawaiian Affairs

711 Kapi'olani Boulevard, Suite 500

Honolulu, Hawai'i 96813 Facsimile: (808) 594-1965

and

Corey Y. S. Park, Esq. Sheryl L. Nicholson, Esq. Sheila L. Y. Sakashita, Esq. Paul, Johnson, Park & Niles

1001 Bishop Street ASB Tower, Suite 1300 Honolulu, Hawai'i 96813 Facsimile: (808) 528-1654

To the City:

City and County of Honolulu

Department of the Corporation Counsel

Attn: Corporation Counsel Honolulu Hale, Room 110 Honolulu, Hawai'i 96813 Facsimile: (808) 523-4583

To the State:

Board of Land & Natural Resources

State of Hawai'i

1151 Punchbowl Street Honolulu, Hawai'i 96813

Attn: Chairperson, Board of Land and Natural Resources

Facsimile: (808)

With copy to:

Supervising Deputy Attorney General

Land Transportation Division 465 South King Street, Suite 300

Honolulu, Hawai'i 96813

Facsimile: (808)

To the Army:

U.S. Army Garrison, Hawaii

Building 580, Fernandez hall

Schofield Barracks, Hawai'i 96857-5000

Attn: Garrison Commander Facsimile: (808) 655-1559

With copies to: Office of the Staff Judge Advocate

Building 718, Carter Drive Ft. Shafter, Hawai'i 96858

Attn: Elena Onaga

Facsimile: (808) 438-2570

and

U.S. Army Engineer District, Honolulu Building 230
Ft. Shafter, Hawai'i 96858-5440

Attn: District Engineer Facsimile: (808) 438-8351

or to such other address as either party from time to time shall designate by written notice to the other.

- 13. <u>Land Use Restrictions</u>. The restrictions hereby imposed upon the Property by this Easement are intended to be independent of any government land use restriction imposed upon the Property that regulates the use thereof, and independent of any government ordinance, statute, regulation, or the like, that specifies any permitted use for the Property, and nothing herein is intended to limit Grantees' powers and duties under any such laws. The restrictions hereby imposed upon the Property by this Easement shall be observed and performed, and shall be valid and enforced, even though the same may be more restrictive, or in some respect different from, any government land use restriction imposed upon the Property, or different from any government ordinance, statute, regulation, or the like, that specifies a permitted use for the Property.
- 14. <u>Controlling Law</u>. The interpretation and performance of this Easement shall be governed by the laws of the State of Hawaii, provided, however, that no provision in this Easement shall be construed as a waiver by the United States of its sovereign immunity or its submission to state law or jurisdiction, except to the extent provided by federal law.
- 15. <u>Liberal Construction</u>. Any general rule of construction to the contrary notwithstanding, this Easement shall be liberally construed in favor of the grant to effect the Easement Purpose in perpetuity, and the policy and purpose of HRS Section 198-1, as it may be amended from time to time. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Easement that would render the provision valid and ensure the continuation of the Easement Purpose shall be favored over any interpretation that would render it invalid. The common law rules disfavoring restrictions on the use of real property and construing restrictions in favor of the free and unrestricted use of real property shall not apply to interpretations of this Easement or to disputes between the parties concerning the meaning of particular provisions of this Easement.
- 16. <u>No Forfeiture</u>. Nothing contained herein will result in a forfeiture or reversion of Grantor's title in any respect.

- 17. <u>Successors</u>. The covenants, terms, conditions, and restrictions of this Easement shall be binding upon, and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the Property. The terms "Grantor" and "Grantee", wherever used herein, or any pronoun used in place thereof, shall include, respectively, the above-named Grantor and its personal representatives, heirs, successors, and assigns, and the above named Grantees and their successors and assigns.
- 18. <u>Counterparts</u>. The parties may execute this instrument in two or more counterparts, which shall, in the aggregate, be deemed to be signed by all parties; each counterpart shall be deemed an original instrument as against any party who has signed it. In the event of any disparity between the counterparts produced, the recorded counterpart shall be controlling.
- 19. <u>No Merger</u>. Unless the parties expressly state that they intend a merger of estates or interests to occur, then no merger shall be deemed to have occurred hereunder or under any documents executed in the future affecting this Grant of Conservation and Access Easement.
- 20. <u>No Third Party Enforcement</u>. This Easement is entered into solely by and between Grantor and Grantees, and as such does not create rights or responsibilities for the enforcement of the terms of this Easement in any third parties, including the public, except as provided in paragraphs 9 and 10 above.

TO HAVE AND TO HOLD unto Grantees, their successors, and assigns forever.

IN WITNESS WHEREOF Grantor and Grantees have set their hands on the day and year first above written.

OFFICE OF HAWAIIAN AFFAIRS, a body corporate and instrumentality of the State of Hawaii

Ву:

S. HAUNANI APOLION

Its Chairperson

By:

CLYDE W. NĀMU`(

Its Administrator

CITY AND COUNTY OF HONOLULU, a municipal corporation of the State of Hawaii

APPROVED AS TO FORM AND
LEGALITY:

Name: WINSTONA, Q. WONG
Deputy Corporation Counsel

THE STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL
RESOURCES

By:
Chairperson
Board of Land and Natural Resources

APPROVED AS TO FORM AND
LEGALITY:

Name:

Deputy Attorney General

CITY AND COUNTY OF HONOLULU, a municipal corporation of the State of Hawaii

	By: Mufi Hannemann Its Mayor
APPROVED AS TO FORM AND LEGALITY:	
Name: Deputy Corporation Counsel	
	THE STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES
	By;
	Chairperson Board of Land and Natural Resources
APPROVED AS TO FORM AND	

γ Name:

Deputy Attorney General

STATE OF HAWAII)
CITY AND COUNTY OF HONOLULU) ss:)
appeared S. HAUNANI APOLIONA, to affirmed, did say that such person executed	, 200 6, before me personally me personally known, who being by me duly sworn or d the foregoing instrument as the free act and deed of ity shown, having been duly authorized to execute
	Print/Type Name: S. E. Okamuto Notary Public State of Hawaii
	My commission expires: $\sqrt{27/10}$
STATE OF HAWAII CITY AND COUNTY OF HONOLULU)) ss:)
affirmed, did say that such person executed	, 200 6, before me personally resonally known, who being by me duly sworn or I the foregoing instrument as the free act and deed of ity shown, having been duly authorized to execute
	Print/Type Name: J. E. Okamutu Notary Public State of Hawaii
	My commission expires: $\sqrt{2910}$

STATE OF HAWAII	
CITY AND COUNTY OF HONOLULU) ss:)
appeared MUFI HANNEMANN, to me pe affirmed, did say that such person executed	June , 2006, before me personally rsonally known, who being by me duly sworn or the foregoing instrument as the free act and deed of ty shown, having been duly authorized to execute
such instrument in such capacity.	
	Print/Type Name:
	Print/Type Name: Carol Tam Notary Public State of Hawaii
	My commission expires: 11-12-08
STATE OF HAWAII)) ss:
CITY AND COUNTY OF HONOLULU	
On this day of,	, 200, before me personally to me personally known, who being by me duly
sworn or affirmed, did say that such person	executed the foregoing instrument as the free act and e capacity shown, having been duly authorized to
	Print/Type Name: Notary Public State of Hawaii
	My commission expires:

STATE OF HAWAII)) ss:
CITY AND COUNTY OF HONOLULU)
affirmed, did say that such person executed	, 200, before me personally sonally known, who being by me duly sworn or the foregoing instrument as the free act and deed of y shown, having been duly authorized to execute
such historiche in such capacity.	
	Print/Type Name: Notary Public State of Hawaii
	My commission expires:
STATE OF HAWAII CITY AND COUNTY OF HONOLULU)) ss:)
sworn or affirmed, did say that such person	, 200 \checkmark , before me personally to me personally known, who being by me duly executed the foregoing instrument as the free act and capacity shown, having been duly authorized to
* OUBLIC *	Print/Type Name: Alison Y. Rawamoto Notary Public State of Hawaii My commission expires: 101/08

EXHIBIT A

PARCEL ONE: (TAX MAP KEY NO. 5-9-005-029)

All of that certain parcel of land (portion of the land described in and covered by Grant Number 6789 to Theodore M. Baumann) situate, lying and being on the East side of Kamehameha Highway, Pupukea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, and thus bounded and described:

Beginning at the South corner of this lot, on the East side of Kamehameha Highway (Project No. 83-B-01-77M), the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 775.30 feet South and 561.00 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	Along	g the E	ast side of	Kamehameh	a Highway (Project No. 83-B-01-7/M), on a curve to the left with a radius of 350.00 feet, the chord azimuth and distance being:
	175°	31'	58"	72.97	feet to a pipe;
2.	208°	40'		20.00	feet along remainder of Grant 6789 to Theodore M. Baumann;
3.	319°	30'		99.26	feet along same;

feet along same;

area of 0.083 acre, more or less.

feet along Lot 1 (Map 2) of Land Court Application 368 to the point of beginning and containing an

Being all of the land conveyed to	, by
dated JUN 3 0 2006, recorded in the Bureau of	
Conveyances of the State of Hawaii ("Bureau") as Document No.	
2006-121897	

9.91

61.69

<u>PARCEL TWO: (TAX MAP KEY NO. 5-9-005-025)</u>

All of that certain parcel of land situate at Pupukea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

4.

5.

82°

31'

Lot 1, area 17,756.0 square feet, more or less, as shown on Map 2, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 368 of Theodore Matthew Baumann;

Being all of the land described in Transfer Certificate of Title No. 8/1806 issued to

PARCEL THREE: (TAX MAP KEY NO. 5-9-005-076)

All of that certain parcel of land (being all of Grant 7518 to Theodore M. Baumann and a portion of Grant 7564 to Theodore M. Baumann) situate, lying and being at Pupukea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, and thus bounded and described:

Beginning at the North corner of this parcel of land, on the East side of Kamehameha Highway (Project No. 83-B-01-77M), the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA" being 877.00 feet South and 543.10 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

	Being	all of		onveyed to dated JUN	3 0 2006 , recorded in the Bureau as Document
	201°	57'	25"	42.66	feet to the point of beginning and containing an area of 2,336 square feet, more or less.
4.	Theno	e alon	g the East	side of Kame	ehameha Highway (Project No. 83-B-01-77M), on a curve to the left having a radius of 350.00 feet, the chord azimuth and distance being:
3.	147°	17'	30"	119.81	feet along Old Government Main Road;
2.	1°	37'	00"	9.50	feet along Grant 6789 to Theodore M. Baumann;
1.	339°	28'	00"	139.71	feet along Lot 1 (Map 2) of Land Court Application 368;

PARCEL FOUR: (TAX MAP KEY NO. 6-1-002-016 PORTION)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

No. 2006 - 19189

Lot 4-A, area 0.048 acre, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others; Being a portion of the land described in Transfer Certificate of Title No. 8/1836 issued as to an undivided 422/588ths interest; and the remaining 166/588ths interest still beeing unregistered and owned by JUN 3 0 2006 in the Bureau as Document Nov206-101897 PARCEL FIVE: (TAX MAP KEY NO. 6-1-002-016 PORTION) All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows: Lot 4-B, area 1.124 acres, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others; Being a portion of the land described in Transfer Certificate of Title No. 5/16/6 issued as to an undivided 422/588ths interest; and the remaining 166/588ths interest still beeing unregistered and owned by JUN 3 0 2003 . recorded in the Bureau as Document No2006-121897. PARCEL SIX: (TAX MAP KEY NO. 6-1-002-015) All of that certain parcel of land (being a portion of Old Government Road) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, and thus bounded and described: Beginning at the East corner of this parcel of land, on the Waimea-Pupukea boundary, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,063.94 feet South and 584.03 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South: 1. 21° 52' 47.64 feet along Lot 1-D (Map 6) of Land Court Application 561; 2. 45° 33' 306.29 feet along Lot 1-D and 1-E (Map 6) and Lot 12-A (Map 13) of Land Court Application 561;

3.	59°	40'		62.67	feet along Lot 12-A (Map 13) of Land Court Application 561;
4.	109°	50'		59.37	feet along same;
· 5. ·	121°	36'		79.89	feet along same;
6.	107°	28'		51.95	feet along same;
7.	99º	09'		57.16	feet along same;
	Thenc	e alon	g the Sout	h side of Kan	nehameha Highway (F.A.P. No. 3-A) on a curve to the left having a radius of 345.00 feet, the chord azimuth and distance being:
	258°	16'	17"	78.48	feet;
8.	287°	28'		43.73	feet along Lot 4 (Map 6) of the subdivision of Land Court Application No. 561;
9.	301°	36'		80.51	feet along same;
10.	289°	50'		42.23	feet along same;
11.	239°	40'		44.93	feet along same;
12.	225°	33'		296.31	feet along same;
13.	201°	52'		55.26	feet along same;
14.	316°	44'		33.06	feet along Lots 4-B and 4-A (Map 6) of Land Court Application 561;
15.	316°	44'		33.06	feet across Old Government Main Road, along the Waimea-Pupukea boundary to the point of beginning and containing an area of 0.419 acre, more or less.
	Being	all of		onveyed to latedJUN	, by 3 0 2006 , recorded in the Bureau as Document
No.	2006	-1218			o o coo , recorded in the Dureau as Document

PARCEL SEVEN: (TAX MAP KEY NO. 6-1-002-021)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 1-F, area 0.055 acre, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others; Being a portion of the land described in Transfer Certificate of Title No. 8/1806 issued , as to an undivided 422/588ths interest; and the remaining undivided 166/588ths interest still being unregistered and owned by dated JUN 3 0 2006, recorded in the Bureau as Document No. 2006 - 1218 9 7 PARCEL EIGHT: (TAX MAP KEY NO. 6-1-002-020) All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows: Lot 1-E, area 0.319 acre, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others: Being a portion of the land described in Transfer Certificate of Title No. 81/8048ssued , as to an undivided 422/588ths to interest; and the remaining undivided 166/588ths interest still being unregistered and owned by dated JUN 3 0 2006, recorded in the Bureau as Document No. 2006 - 121897. PARCEL NINE: (TAX MAP KEY NO. 6-1-002-017) All of that certain parcel of land (being a portion of Royal Patent No. 2611, Land Commission Award No. 3711 to Mokuhou) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows: Beginning at a pipe at the Northeast corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,671.84 feet South and 1,883.36 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South: 1. 357° 139.90 feet along remainder R.P. 2611, L.C. Aw. 3711 to 23'

FINAL 062206

2.

136°

116°

20'

06'

46.40

57.00

Mokuhou;

feet along same;

feet along same;

4.	177° 23'	72.81	feet along same;
5.	264° 02'	80.60	feet along Lot 12-A (Map 13) of Land Court Application 561 to the point of beginning and containing an area of 8,101 square feet, more or less.
	Being all of the l	and conveyed to	, by

Being all of the land conveyed to _______, by dated _______, recorded in the Bureau as Document No. 2006 - 121897 _____.

PARCEL TEN: (TAX MAP KEY NO. 6-1-002-003)

All of that certain parcel of land (being a portion of Royal Patent No. 2611, Land Commission Award No. 3711 to Mokuhou) and covered in Exclusion of Land Court Application 561 (Map 1) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,946.40 feet South and 1,935.00 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	124°	30'		429.00	feet along Lot 1-D (Map 6) of Land Court Application 561;
2.	264°	02'		303.60	feet along Lot 12-A (Map 13) of Land Court Application 561;
3.	276°	40'	30"	212.20	feet along same;
4.	32°	30'		296.20	feet along R.P. 2903, L.C. Aw. 3869 to Puukua to the point of beginning and containing a gross area of 1.62 acres, and a net area of 1.44 acres, after deducting the following parcels of land:

(a) All of those certain parcels of land (comprising portions of Royal Patent Number 2611, Land Commission Award Number 3711 to Mokuhou) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at a pipe at the West corner of this piece of land, being also the West corner of L.C. Aw. 3711 to Mokuhou, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,703.40 feet South and 1,581.40 feet East, and running by true azimuths:

1.	264°	02'	83.56	feet along Land Court Application 561;
2.	296°	06'	33.56	feet along the Southwest side of roadway along the remainder of L.C. Aw. 3711 to Mokuhou;
3.	34°	30'	59.32	feet along the remainder of L.C. Aw. 3711 to Mokuhou;
4.	124°	30'	97.00	feet along line of old stream; along Land Court Application 561 to the point of beginning and containing an area of 3,625 square feet, more or less.

(b) All of those certain parcels of land (comprising portions of Royal Patent Number 2611, Land Commission Award Number 3711 to Mokuhou) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the West corner of this piece of land, and on the Northeast side of roadway, the true azimuth and distance from a pipe at the West corner of L.C. Aw. 3711 to Mokuhou, being 264° 02' 102.70 feet, and the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,692.72 feet South and 1,683.54 feet East, and running by true azimuths measured:

1.	264°	02'	120.30	feet along Land Court Application 561;
2.	357°	23'	72.81	feet along the remainder of L.C. Aw. 3711 to Mouhou to the Northeast side of roadway;
3.	11 6°	06'	136.92	feet along the Northeast side of roadway to the point of beginning and containing an area of 4,370 square feet, more or less.
	Being	all of the land	conveyed to	3 0 2006 , recorded in the Bureau as Document
No.	2006	-12189		

PARCEL ELEVEN: (TAX MAP KEY NO. 6-1-002-014)

All of that certain parcel of land (being a portion of Royal Patent No. 2045, Land Commission Award No. 8165, Apana 2 to Hiipei) and covered in Exclusion of Land Court Application 561 (Map 1) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 2,932.10 feet South and 2,668.60 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	224°	17'	42.16	feet along R.P. 2901, L.C. Aw. 8869 to Kealiiwaiwaiole;
2.	306°	30'	71.30	feet along same;
3.	45°	00'	43.50	feet along same;
4.	127°	30'	70.60	feet along same to the point of beginning and containing an area of 0.069 acre, more or less.

Together with all rights, title and interests in R.P. 2045, L.C. Aw. 8165, Ap. 3 to Hiipei, being an unlocated apana situate at Waimea, Koolauloa, Oahu, Hawaii.

PARCEL TWELVE: (TAX MAP KEY NO. 6-1-002-019)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 1-A, area 0.095 acre, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

	Being a portion of the land described in Transfer Certificate of Title No.	& 1187Gissued
to	, as to an undivided	
intere	st; and the remaining undivided 166/588ths interest still being unregistered	d and owned by
	, bydated JUN 3	0 2006, recorded
in the	Bureau as Document No. 2006 - 121897	

PARCEL THIRTEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 1-G, area 0.635 acre, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;
Being a portion of the land described in Transfer Certificate of Title No. 5/1836 issued to, as to an undivided 422/588ths interest; and the remaining undivided 166/588ths interest still being unregistered and owned by
, by dated JUN 3 0 2006, recorded in the Bureau as Document No.2006-121897.
in the Bureau as Document No. 2006-12/1647.
PARCEL FOURTEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)
All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:
Lot 1-D, area 2.174 acres, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;
Being a portion of the land described in Transfer Certificate of Title No. $\frac{8/18 \text{ C}}{4}$ issued to , as to an undivided $\frac{422}{588}$ ths
to
in the Bureau as Document No. 2006 121897.
PARCEL FIFTEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)
All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:
Lot 1-H, area 1.578 acres, more or less, as shown on Map 6, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;
Being a portion of the land described in Transfer Certificate of Title No. 8/186 issued to, as to an undivided 422/588ths interest; and the remaining undivided 166/588ths interest still being unregistered and owned by
interest; and the remaining undivided 100/588ths interest still being unregistered and owned by
, by dated JUN 3 0 2006, recorded in the Bureau as Document No. 2006 - 121897.

PARCEL SIXTEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 1-B-1-B, area 345.000 acres, more or less, as shown on Map 9, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

PARCEL SEVENTEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Lot 12-A, area 1,432.614 acres, more or less, both as shown on Map 13, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others;

TOGETHER ALSO WITH nonexclusive rights for road and utility purposes, in, over, under and upon Easement 15 and Easement 14, both as shown on Map 11, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 561 of Mary F. Van Valkenburg and others, connecting said Lot 12-A to Kamehameha Highway, as reserved in Deed dated August 15, 1972, filed as Document No. 594244.

	Being a portion of the land described in Transfer Certifi	icate of Title No.	811806 issued
to		s to an undivided	
interest	t; and the remaining undivided 166/588ths interest still b	eing unregistered	l and owned by
	, by	dated JUN 3	0 2005, recorded
in the E	Bureau as Document No. 2006 - 121897.		

PARCEL EIGHTEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land (being all of Royal Patent Nos. 2899 and 5935, Land Commission Award No. 4264 to Kaenuhe) and covered in Exclusion of Land Court Application 561 (Map 1) situate, lying and being at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the East corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,924.80 feet South and 1,443.40 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	15°	09'	290.40	feet along Lot 12-A (Map 13) of Land Court Application 561;
2.	109°	39'	66.00	feet along same;
3.	198°	08' 30"	316.40	feet along same;
4.	317°	09'	58.10	feet along same to the point of beginning and containing an area of 0.403 acre, more or less.
	Being	all of the land	conveyed to	3 0 2006 recorded in the Bureau as Document

PARCEL NINETEEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land (being a portion of Royal Patent No. 2902, Land Commission Award No. 10590 to Pinoke) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the Northwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 2,507.00 feet South and 2,407.10 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	254°	15'	177.50	feet along Lot 12-A (Map 13) of Land Court Application 561;
2.	245°	25'	223.10	feet along same;
3.	000	16'	258.30	feet along same;
4.	62°	28'	89.80	feet along same;
5.	166°	28'	70.60	feet along remainder of R.P. 2902, L.C Aw. 10590 to Pinoke;
6.	242°	28'	66.00	feet along same;

No.

2006-121898

7.	166°	28'		86.40	feet along same;
8.	58°	28'		86.40	feet along same;
9.	332°	59'	30"	77.80	feet along same;
10.	64°	28'		44.90	feet along same;
11.	344°	05'		71.52	feet along same;
12.	62°	28'		132.00	feet along Lot 12-A (Map 13) of Land Court Application 561;
13.	149°	57'		276.50	feet along same to the point of beginning and containing an area of 1.66 acres, more or less
	Being	all of	the land	conveyed to _	, by
No.	A006	-1218	5 9 8	dated	3 0 2006, recorded in the Bureau as Document

PARCEL TWENTY: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land (being a portion of Royal Patent No. 2901, Land Commission Award No. 8869 to Kealiiwaiwaiole) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 2,913.20 feet South and 2,612.20 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	235°	40'	250.10	feet along Lot 12-A (Map 13) of Land Court Application 561;
2.	296°	00' 30"	444.20	feet along same;
3.	37°	32'	168.00	feet along same;
4.	31°	58'	66.00	feet along same;
5.	93°	11'	109.70	feet along same;
6.	115°	58'	212.50	feet along same

7. 130° 35'

221.10 feet along same to the point of beginning and containing a gross area of 2.905 acres, and a net area of 2.836 acres after deducting 0.069 acre of Parcel 11 described hereinabove.

Being all of the land conveyed to _______, by dated ________, recorded in the Bureau as Document No. 2006 - \$1897 .

PARCEL TWENTY-ONE: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land being a portion of Royal Patent No. 2904, Land Commission Award No. 11231, Apana 1 to Kauki) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the West corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 3,587.80 feet South and 3,915.75 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	210°	15'	118.80	feet along Lot 12-A (Map 13) of Land Court Application 561;
2.	305°	00'	389.40	feet along same;
3.	35°	00'	145.20	feet along same;
4.	300°	00'	116.80	feet along same;
5.	204°	30'	46.20	feet along same;
6.	308°	15'	350.00	feet along same;
7.	113°	08'	438.20	feet along same;
8.	136°	15'	416.00	feet to the point of beginning and containing an area of 1.87 acres, more or less.
	Being	all of the land con	nveyed to _	by

Being all of the land conveyed to _______, by dated _______, recorded in the Bureau as Document No. 2006 - 121897

PARCEL TWENTY-TWO: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land being a portion of Royal Patent No. 2610, Land Commission Award No. 7419 to Kahakuapa) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the South corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 4,758.50 feet South and 6,580.40 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	130°	30'	165.00	feet along Lot 12-A (Map 13) of Land Court Application 561;
2.	142°	28'	237.40	feet along same;
3.	244°	20'	58.10	feet along same;
4.	306°	30'	181.50	feet along same;
5.	341°	20'	224.40	feet along same to the point of beginning and containing an area of 0.615 acre, more or less
	Being	all of the land	d conveyed to _ dated JUN	3 0 2006, recorded in the Bureau as Document
No.	2006	-121897		100 Tool in the Bureau as Document

PARCEL TWENTY-THREE: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land being a portion of Royal Patent No. 2904, Land Commission Award No. 11231, Apana 2 to Kauki) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the North corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 4,180.20 feet South and 7,886.70 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	334°	15'	190.10	feet along Lot 12-A (Map 13) of Land Court Application 561;			
2.	344°	00'	119.90	feet along same;			

No.	200	6 - 12	1897	·	
:	Being	all of		onveyed to _	, by , recorded in the Bureau as Document
8.	212°	45'		112.20	feet along same to the point of beginning and containing an area of 2.865 acres, more or less.
7.	173°	00'		204.60	feet along same;
6.	162°	10'		273.90	feet along same;
5.	131°	11'	30"	474.33	feet along same;
4.	339°	00'		485.00	feet along same;
3.	315°	30'		157.10	feet along same;

PARCEL TWENTY-FOUR: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land being all of Land Commission Award No. 10461 to Niau) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the Northwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 4,788.70 feet South and 9,378.70 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	262°	15'	178.20	feet along Lot 12-A (Map 13) of Land Court Application 561;
2.	355°	56'	599.20	feet along same;
3.	139°	10"	370.30	feet along same;
4.	184°	30'	354.40	feet along same to the point of beginning and containing an area of 2.113 acre, more or less.
	Being	all of the	land conveyed todatedUN	, by 3 0 2006 , recorded in the Bureau as Document

No. 2006-121897

PARCEL TWENTY-FIVE: (TAX MAP KEY NO. 5-9-005-024)

All of that certain parcel of land being a portion of Land Patent Grant S-15762 to Associates Four, being also a portion of the Government Land of Pupukea, situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the West corner of this parcel of land, being also the Northwest corner of Lot 4-A (map 6) of Land Court Application 561 on the East side of Kamehameha Highway (Project No. 83-B-01-77M), the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 970.06 feet South and 495.58 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1. Along the East side of Kamehameha Highway (Project No. 83-B-01-77M), on a curve to the left with a radius of 350.00 feet, the chord azimuth and distance being:

214° 53' 55" 8.67 feet;

2. Thence along the Southwest side of Old Government Main Road on a curve to the right with a radius of 15.00 feet, the chord azimuth and distance being:

270° 25.03 44' 25" feet: 3. 327° 17' 30" 57.30 feet along same; 4. 37' 22.67 feet along same; 5. 136° 44' 88.00 feet along Lot 4-A (Map 6) of Land Court Application 561 to the point of beginning and containing an area of 1,740 square feet, more or

Being all of the land conveyed to _______, by _______, recorded in the Bureau as Document No. 2006 - 121897

PARCEL TWENTY-SIX: (TAX MAP KEY NO. 5-9-005-022)

All of that certain parcel of land being a portion of Grant 6789 to Theodore M. Baumann) situate at Pupukea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the Northwest corner of this parcel of land, being also the Southeast corner of Grant 7518 to Theodore M. Baumann, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 1,017.45 feet South and 591.74 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	327°	17	30"	27.70	feet along remainder of Grant 6789 to Theodore M. Baumann;
2.	15°	24'		38.00	feet along same;
3.	136°	44'		9.30	feet along Lot 1-D (Map 6) of Land Court Application 561;
4.	181°	37'		53.20	feet along the East side of Old Government Main Road to the point of beginning and containing an area of 566 square feet, more or less.
	Being	all of	the land cor		3 0 2006, recorded in the Bureau as Document
No.	200	6 - 16	1897	ted <u>JUN</u>	3 0 Zund, recorded in the Bureau as Document

PARCEL TWENTY-SEVEN: (TAX MAP KEY NO. 6-1-002-002 PORTION)

All of that certain parcel of land being a portion of Royal Patent No. 2902, Land Commission Award No. 10590 to Pinoke) and covered in Exclusion of Land Court Application 561 (Map 1), situate at Waimea, District of Koolauloa, Honolulu, City and County of Honolulu, State of Hawaii, described as follows:

Beginning at the Southwest corner of this parcel of land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "WAIMEA", being 2,685.30 feet South and 2,662.60 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 18-3-2-127, and running by azimuths measured clockwise from true South:

1.	164° 05'	71.52	feet along remainder to Pinoke;	of R.P. 2902, L.C. Aw. 10590
2.	244° 28'	44.90	feet along same;	

					containing an area of 0.21 acre, more or less.
8.	62°	281		42.20	feet along Lot 12-A (Map 13) of Land Court Application 561 to the point of beginning and
7.	346°	28'		70.60	feet along same;
6.	62°	28'		66.00	feet along same;
5.	346°	28'		86.40	feet along same;
4.	238°	28'		86.40	feet along same;
3.	152°	59'	30"	77.80	feet along same;

SUBJECT, HOWEVER, TO THE FOLLOWING:

1. Tax Map Key No(s). (1)	5-9-005-029	(PARCEL ONE)
	5-9-005-025	(PARCEL TWO)
	5-9-005-076	(PARCEL THRÉE)
	6-1-002-016 PORTION	(PARCEL FOUR)
	6-1-002-016 PORTION	(PARCEL FIVE)
	6-1-002-015	(PARCEL SIX)
	6-1-002-021	(PARCEL SEVEN)
	6-1-002-020	(PARCEL EIGHT)
	6-1-002-017	(PARCEL NINE)
	6-1-002-003	(PARCEL TEN)
	6-1-002-014	(PARCEL ELEVEN)
	6-1-002-019	(PARCEL TWELVE)
	6-1-002-002 PORTION	(PARCELS THIRTEEN THRU
		TWENTY-FOUR)
	5-9-005-024	(PARCEL TWENTY-FIVE)
	5-9-005-022	(PARCEL TWENTY-SIX)
	6-1-002-002 PORTION	(PARCEL TWENTY-SEVEN)

The lien of any real property taxes not yet due and payable.

AS TO PARCELS TWO AND THREE ONLY:

2. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

FINAL 062206

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL FOUR AND FIVE ONLY:

3. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002.

4. REBURIAL AGREEMENT

By and Between:

STATE OF HAWAII, by its Board of Department of Land and

Natural Resources, and ASSOCIATES FOUR, General Partner of

Attractions Hawaii, dba Waimea Falls Park

Dated:

March 24, 1992

Recorded:

Document No. 92-043993

Re:

covering Tax Map Key 6-1-002-015 (Lot A, Parcel Six, described

hereinabove) and 6-1-002-016, affecting Lots 4-A and 4-B (Parcels

Four and Five, respectively, described hereinabove

5. GRANT OF EASEMENT

In Favor Of:

HAWAIIAN ELECTRIC CO., INC. and VERIZON HAWAII, INC.

Dated:

July 31, 1972

Recorded:

Document No. 599925 and Book 8617 Page 419

Purpose:

granting an easement for utility and incidental purposes, over, under,

across and through a portion of the land therein described

6. Restrictions, covenants, conditions, agreements, obligations, agreements and reservations as contained in:

WARRANTY DEED

Dated:

January 15, 1971

Recorded:

Document No. 524580 and Book 7364, Page 215

"RESERVING AND EXCEPTING also unto the Grantor, its successors and assigns, as appurtenant to the lot shown as Lot 1-C on said Map 6, an undivided interest being also covered by said Certificate of Title No. 71653, an easement 44-feet wide for road and utility purposes from said Lot 1-C to Kamehameha Highway and/or Pupukea Road over, across, along and under said Lots 1-B-1-A, 1-B-1-B, 1-D and 4-A, and the land described herein or such of them as appropriate, in such reasonable location as may be mutually agreed upon between the parties, with due regard for the use then made by the Grantee of the premises and the practical requirements of construction, including cost thereof, it being agreed that if the parties cannot so agree on location, the matter will be settled by arbitration pursuant to Chapter 658, Hawaii Revised Statutes, as the same may then be amended,"

- "...covenant and agree, as covenants running with the land, that at such times as it becomes advisable to define and designate the location of the easements herein reserved unto the Grantor, and if requested by the Grantor, the Grantor may, at its own expense, cause said easement to be surveyed and defined, and the parties shall cooperate in having such designated, including joining in any appropriate documents and petitions to the Land Court, the Planning Department of the City and County of Honolulu, and any other governmental agencies having jurisdiction, and the Grantee further agrees, that, after such designation and upon payment of \$1.00 to it and costs of dedication by the Grantor, it will, on request of the Grantor and at the expense of the Grantor dedicate and convey to City and County of Honolulu or State of Hawaii for road purposes fee title to the easement areas or any portion or portions thereof."
- 7. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

8. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL SIX ONLY:

- 9. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 10. The free flowage of water in Waimea Stream, as shown on Tax Map Key No. 6-1-002-017.

11. REBURIAL AGREEMENT

By and Between: STATE OF HAWAII, by its Board of Department of Land and

Natural Resources, and ASSOCIATES FOUR, General Partner of

Attractions Hawaii, dba Waimea Falls Park

Dated:

March 24, 1992

Recorded:

Document No. 92-043993

Re:

covering Tax Map Key 6-1-002-015 (Lot A, Parcel Six, described

hereinabove) and 6-1-002-016, affecting Lots 4-A and 4-B (Parcels Four

and Five, respectively, described hereinabove)

12. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

13. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375.

AS TO PARCELS SEVEN AND EIGHT ONLY:

14. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002

15. GRANT OF EASEMENT

In Favor Of:

HAWAIIAN ELECTRIC CO., INC. and VERIZON HAWAII, INC.

Dated:

July 31, 1972

Recorded:

Document No. 599925 and Book 8617 Page 419

Purpose:

granting an easement for utility and incidental purposes, over, under,

across and through a portion of the land herein described

16. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

17. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCELS NINE AND TEN ONLY:

18. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

FINAL 062206

19. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

20. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL ELEVEN ONLY:

21. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

22. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

23. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWELVE ONLY:

- 24. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002
- 25. Easement "11", as shown on Map 6, as set forth by Land Court Order No. 11738, filed on January 22, 1953.
- 26. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

FINAL

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062206

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

27. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL THIRTEEN ONLY:

28. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002.

29. GRANT OF EASEMENT

In Favor Of:

HAWAIIAN ELECTRIC CO., INC. and VERIZON HAWAII, INC.

Dated:

July 31, 1972

Recorded:

Document No. 599925 and Book 8617 Page 419

Purpose:

granting an easement for utility and incidental purposes, over, under,

across and through a portion of the land herein described

30. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

31. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL FOURTEEN ONLY:

32. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002.

33. GRANT OF EASEMENT

In Favor Of:

HAWAIIAN ELECTRIC CO., INC. and VERIZON HAWAII, INC.

Dated:

July 31, 1972

Recorded:

Document No. 599925 and Book 8617 Page 419

FINAL 062206

Purpose:

granting an easement for utility and incidental purposes, over, under,

across and through a portion of the land herein described

34. "A right of access from Roadway 1-D in favor of Lots 1-A and 1-C, as set forth in Land Court Order No. 11738, filed on January 22, 1953, it being agreed that the Grantor will cooperate with the Grantee in removing this encumbrance when adequate substitute access has been provided," as set forth in DEED of Castle & Cooke, Inc., a Hawaii corporation, to Bishop Corporation, a Hawaii corporation, dated January 15, 1971, filed in said Office of the Assistant Registrar as Document No. 524580.

35. Restrictions, covenants, conditions, agreements, obligations, agreements and reservations as contained in:

WARRANTY DEED

Dated:

January 15, 1971

Recorded:

Document No. 524580 and Book 7364, Page 215

"RESERVING AND EXCEPTING also unto the Grantor, its successors and assigns, as appurtenant to the lot shown as Lot 1-C on said Map 6, an undivided interest being also covered by said Certificate of Title No. 71653, an easement 44-feet wide for road and utility purposes from said Lot 1-C to Kamehameha Highway and/or Pupukea Road over, across, along and under said Lots 1-B-1-A, 1-B-1-B, 1-D and 4-A, and the land described herein or such of them as appropriate, in such reasonable location as may be mutually agreed upon between the parties, with due regard for the use then made by the Grantee of the premises and the practical requirements of construction, including cost thereof, it being agreed that if the parties cannot so agree on location, the matter will be settled by arbitration pursuant to Chapter 658, Hawaii Revised Statutes, as the same may then be amended,"

"...covenant and agree, as covenants running with the land, that at such times as it becomes advisable to define and designate the location of the easements herein reserved unto the Grantor, and if requested by the Grantor, the Grantor may, at its own expense, cause said easement to be surveyed and defined, and the parties shall cooperate in having such designated, including joining in any appropriate documents and petitions to the Land Court, the Planning Department of the City and County of Honolulu, and any other governmental agencies having jurisdiction, and the Grantee further agrees, that, after such designation and upon payment of \$1.00 to it and costs of dedication by the Grantor, it will, on request of the Grantor and at the expense of the Grantor dedicate and convey to City and County of Honolulu or State of Hawaii for road purposes fee title to the easement areas or any portion or portions thereof."

36. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

FINAL 062206

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Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

37. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL FIFTEEN ONLY:

38. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002.

39. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

40. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCELS SIXTEEN AND SEVENTEEN ONLY:

- 41. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream as shown on Tax Map: 6-1-002
- 42. Easements "1, 2 and 4", over and across Lot 12, and Easements "1 and 3", over and across Lot 1-B-1-B, of said Application, and the corrections in values of Courses 35, 57, 58, 59, 60, 61, 63 and 65 and the ties from the end of Courses 54 and 62, as shown on Maps 4, 9 and 11, as set forth by Land Court Order No. 4335, filed on December 23, 1940.

43. GRANT OF EASEMENT

In Favor Of:

THE UNITED STATES OF AMERICA

Dated:

November 21, 1935

Recorded:

Document No. 35859 and Book 1326 Page 260

Purpose:

granting a perpetual easement through a strip of land 40-feet wide, being a portion of Grant 880 to Kaeliwai and Mahele Award 13 to Paalua, and also being a portion of Lot 1-A of the subdivision of Lot 1 of Land Court Application No. 561 for a road for military purposes

FINAL 062206

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and the right to lay and forever maintain therein wire cables and pipelines

By instrument dated January 24, 1941, filed as Land Court Document No. 56755, said Grant was amended and clarified by establishing that Easement "1", as shown on Map 4 delineates the 40-foot easement granted by said Grant.

44. GRANT OF EASEMENT

In Favor Of:

THE UNITED STATES OF AMERICA

Dated:

February 1, 1939

Recorded:

Document No. 56777

Purpose:

granting a perpetual right-of-way for underground communication

cable line, etc. within Easements "2 and 4" over Lot 12 and Easement

"3" over Lot 1-B-1-B

45. Restrictions, covenants, conditions, agreements, obligations, agreements and reservations as contained in:

WARRANTY DEED

Dated:

January 15, 1971

Recorded:

Document No. 524580 and Book 7364, Page 215

"RESERVING AND EXCEPTING also unto the Grantor, its successors and assigns, as appurtenant to the lot shown as Lot 1-C on said Map 6, an undivided interest being also covered by said Certificate of Title No. 71653, an easement 44-feet wide for road and utility purposes from said Lot 1-C to Kamehameha Highway and/or Pupukea Road over, across, along and under said Lots 1-B-1-A, 1-B-1-B, 1-D and 4-A, and the land described herein or such of them as appropriate, in such reasonable location as may be mutually agreed upon between the parties, with due regard for the use then made by the Grantee of the premises and the practical requirements of construction, including cost thereof, it being agreed that if the parties cannot so agree on location, the matter will be settled by arbitration pursuant to Chapter 658, Hawaii Revised Statutes, as the same may then be amended,"

"...covenant and agree, as covenants running with the land, that at such times as it becomes advisable to define and designate the location of the easements herein reserved unto the Grantor, and if requested by the Grantor, the Grantor may, at its own expense, cause said easement to be surveyed and defined, and the parties shall cooperate in having such designated, including joining in any appropriate documents and petitions to the Land Court, the Planning Department of the City and County of Honolulu, and any other governmental agencies having jurisdiction, and the Grantee further agrees, that, after such designation and upon payment of \$1.00 to it and costs of dedication by the Grantor, it will, on request of the Grantor and at the expense of the Grantor dedicate and convey to City and County of Honolulu or State of Hawaii for road purposes fee title to the easement areas or any portion or portions thereof."

46. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

47. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL SEVENTEEN ONLY:

48. GRANT OF EASEMENT

In Favor Of:

HAWAIIAN ELECTRIC CO., INC. and VERIZON HAWAII, INC.

Dated:

July 31, 1972

Recorded:

Document No. 599925 and Book 8617 Page 419

Purpose:

granting an easement for utility and incidental purposes, over, under,

across and through a portion of the land herein described

49. Restrictions, covenants, conditions, agreements, obligations, agreements and reservations as contained in:

DECLARATION OF RESTRICTIVE COVENANTS AS TO FLOOD DAMAGES

Dated:

April 4, 1991

Recorded:

Document No. 1811293 and Document No. 91-044308

- 50. Easement "20", as shown on Map 14, as set forth by Land Court Order No. 140355, filed on December 8, 2000.
- 51. GRANT OF NON-EXCLUSIVE EASEMENT

In Favor Of:

HAWAIIAN ELECTRIC CO., INC., a Hawaii corporation

Dated:

September 12, 1997

Recorded:

Document No. 2408865 and Document No. 97-139651

Purpose:

granting an easement for utility and incidental purposes, over, under, across and through a portion of the land herein described, designated

as Easement "20"

52. Restrictions, covenants, conditions, agreements, obligations, agreements and reservations as contained in:

WARRANTY DEED

Dated:

January 15, 1971

Recorded:

Document No. 524580 and Book 7364, Page 215

"RESERVING AND EXCEPTING, HOWEVER, unto the Grantor, its successors and assigns, as appurtenant to the lots shown as Lots 1-L, 1-K and 1-J, on said Map 6, an undivided interest therein being also covered by said Certificate of Title No. 71653, an easement 60-feet wide for road and utility purposes over, across and under portions of said Lot 1-B-1-A adjoining the southern boundary thereof, linking said Lot 1-L with said Lot 1-K, and linking also said Lot 1-K to Lot 1-J, and linking said Lot 1-J to Kamehameha Highway."

AS TO PARCEL EIGHTEEN ONLY:

- 53. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 54. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

55. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL NINETEEN ONLY:

- 56. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 57. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream, as shown on Tax Map: 6-1-002.
- 58. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

FINAL 062206

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

59. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY ONLY:

60. Reservation in favor of the State of Hawaii of all mineral and metallic mines.

61. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

62. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY-ONE ONLY:

- 63. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 64. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream, as shown on Tax Map: 6-1-002.
- 65. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

66. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY-TWO ONLY:

- 67. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 68. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream, as shown on Tax Map: 6-1-002.
- 69. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

70. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY-THREE ONLY:

- 71. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 72. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream, as shown on Tax Map: 6-1-002.
- 73. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

74. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY-FOUR ONLY:

- 75. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 76. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream, as shown on Tax Map: 6-1-002.
- 77. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

78. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY-SIX ONLY:

79. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

AS TO PARCEL TWENTY-SEVEN ONLY:

- 80. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
- 81. The free flowage of water in Kamamanui Stream, Puulupe Stream, Kaiwikoele Stream and Waimea Stream, as shown on Tax Map: 6-1-002.

82. NOTICE OF CONDITIONS OF APPROVAL AS TO ADDITIONAL ELEMENTS AT WAIMEA FALLS PARK

Made By:

ASSOCIATES FOUR, a Hawaii general partnership

Dated:

October 9, 1990

Recorded:

Document No. 1773013 and Document No. 90-159670

Re:

compliance with requirements to record Approval Letter for an

amendment to the Master Plan for Waimea Falls Park

83. AGREEMENT FOR ISSUANCE OF CONDITIONAL USE PERMIT UNDER SECTION 4.40-21 OF THE LAND USE ORDINANCE (LUO)

Dated:

October 9, 1990

Recorded:

Document No. 1792816 and Document No. 91-000375

84. Claims arising out of customary and traditional rights and practices, including without limitation those exercised for subsistence, cultural, religious, access or gathering purposes, as provided for in the Hawaii Constitution or the Hawaii Revised Statutes.

END OF EXHIBIT "A"

EXHIBIT B

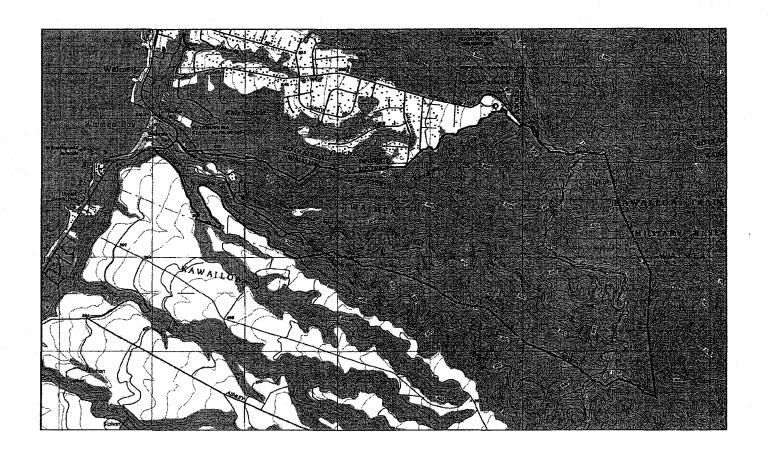


EXHIBIT C

BASELINE DOCUMENTATION REPORT

This Baseline Documentation Report consists of the inventory, prepared by the National Audubon Society ("Audubon"), of the structures on and uses of the Property as of the Operative Date attached hereto and incorporated herein as Exhibit 1.

All improvements built and existing on the Property and all current uses of the Property as reflected in Exhibits 1 and referenced herein shall be considered permitted under the Grant of Conservation and Public Access Easement ("Easement").

Nothing contained in the Easement, this Baseline Documentation Report or the exhibits thereto shall constitute any consent, waiver or approval by any governmental agency as to any built and existing improvements, conditions and/or uses that have not yet received all necessary permits or approvals from any and all applicable governmental agencies.

Exhibit 1

Uses on Property as of the Operative Date

Uses, activities and operations relating to an educational center for providing environmental, historical and cultural education, conducting research, serving as a place of gathering and recreation, promoting conservation action through programs, classes and other activities, restoring and preserving Hawaiian cultural and sacred sites, providing access to practitioners of Hawaiian subsistence, cultural and religious practices, and serving as a sanctuary for the protection of birds, other wildlife and their habitat, together with such uses that are incidental thereto, including, without limitation, facilities for office, exhibit and research space, meeting rooms, storage, exhibits, food service, a shop for the sale of books and other items, demonstration gardens, interpretative areas and trails, driveways and parking areas; fundraising and special events, including facility rentals, commercial and educational filming activities, and activities required for maintenance of the Property, including, without limitation, cutting or pruning trees and brush and control of exotics and feral animals.

Exhibit 1 (cont.)

Structures, Inventory and Other Items on Property as of the Operative Date

Structures

Residential Dwelling (gate house)

Visitor Center

Gift shop/Nature Store

Kitchen

Proud Peacock restaurant & deck

Grill/fast food counter & deck

Restrooms

Storage areas (3 locations)

Pikake Pavilion & restrooms

Administration office

Arboretum complex

Library/herbarium

Quarantine house

Office trailer w/ façade

Seedling house/room

Plant propagation house/nursery

Potting shed/education center w/ shed roof extensions

Cool House

Ticket booth (1/2 @ entrance)

Ticket booth / Maintenance Office (I/2 @ maintenance area)

Depot/butterfly/orientation/Kaalaenuiahina with door ways added

Hale Kokua (old recycled ticket booth)

POL shed

Security booth on the entry road

Falls turnaround snack stand

Jungle Trek play ground (with wood platform & slabs)

Rain shelters

Falls area 4 ea (used for storage, lifeguards, & changing)

Falls turnaround area 2 ea

Upper meadow 1ea

Hibiscus gazebo 1ea

Cultural structures/replicas

Kauhale complex

Mens' eating house

Womens' eating house

Sleeping house/Hale noa (unthatched)

Hale olelo (unthatched)

Hale o lono heiau

Anu'u towers 2 ea

Drum house

Storage hale

Fishing shrine

Falls seating

Hula seating

Kauhale seating

Stages: wood 3 ea (2 in upper meadow & one a hula amphitheater)

Changing room w/shower near Hula amphitheatre

Stone changing room near amphitheater

Cultural/Historical site (other than listed above)

Identified & documented historic sites & undocumented (including caves)

Kuleana sites claimed & unclaimed with auwai features

Rick Ortiz' ahu constructed on bluff

W.W.II Army bunkers (2ea)

Buddhist shrine @ Fujita camp

Historic blue rock cistern

155mm Panama gun mounts (3ea)

CCC moterpool grease pit mauka of Drum road

Trailers (other than arbo office)

Food & Beverage trailer in PL#1[owned by F& B concession]

Old ATV trailer in North Valley

Paved roads & parking

Entry 3/4 mi.

Parking lot 1 next to visitor center

Parking lot 3

Bus Parking along entry road

Employee parking & "wedding" parking

Upper tent site 110' x 60'

Maintenance/old barn area

Connecting roads around the ponds

Mauka & lower valley roads approx. 1 1/2 mi.

Lower sections of Palm Meadow road are paved

Section of the ridge road (mauka) are paved

Other Paved surfaces

Sidewalks around the visitor Center

30' x 30' tent pads 2 ea by visitor center

Paving at the waterfall from bridge 4 to falls pool

Concrete pads in Jungle trek (remnants)

Dirt/coral roads

STP 3/4 mi. from bridge one to Kamehameha Hwy

Jose's way from Heliconia to Kamananui crossing 1/2mi

Mauka road back of falls on North side of stream goes 1/4 mile

Mauka road crosses Kamananui and to south side 1/4 mi

Sunset Ranch road from Pupukea rod to N. valley road 1mi.

Sunset ranch side spur road 1/4 mi.

North Valley (VC to Drum Road) 3 1/2 mi.

Drum Road 2 1/2 mi.

Bluff/ridge 3mi.

Road to gun mounts

Road to mauka South west boundary

Road along boundary at Sunset Ranch

Fujita switch back 1/4 mi

Water line road parallel with ridge road 3mi

Road from central bluff down to kamananui N. fork ford

Mac nut valley road 3/4 mi.

Parking lot makai of admin office

Concrete Bridges over Kamananui & Kaiwiko'ele

Foot Bridge/wood over Kamanaiki (aka Elehaha)

Fords/culverts S. Valley

Maintenance drain Erythrina

Arboretum access for Kamanaiki

Depot ford for Kamanaiki

Drain Parking lot three 2ea

Puhala ford drain Kaiwikoele

STP road ford

Strom drain under entry road from PL#1

Storm drain down from Hale Iwi

Storm drain down from evolutionary loop & fruit collection

Drum Road has four fords with culverts

Drum Road has several storm water culverts (mostly clogged)

Kamananui North fork has ford with culvert 3 miles back form entrance

Fords/culverts N. Valley (about 30)

Kamananui/Kamana'iki Streams have small areas of channelization

Walkways & trails

Coral &/ or improved garden areas approximately 1 mi.

Trails (cleared and marked and used approximately 5 mi.) need to map

Garden trails with multiple stairs, rock alignments and walls

Water

Water meters (3ea) Note: one is a double

Water lines/irrigation (miles of PVC pipes ranging from 4" down)

Fire hydrants & stand pipes

water tank dedicated to fire sprinkler system: 31,000 gal

Well # I 100,000 gpd lined shaft

Well # II 200,000 gpd lined shaft

Tunnel into central divide 300+ feet long at sea level

Weir to divert stream water

Stream Diversion line 6"

Artificial waterfall @ Pavilion

Artificial waterfall @ Ka'alaenui'ahina

Sewer/Storm lines

WWTP/2 tanks/computer

Lift station w/ 2 pumps

Preloader in PL#1

Seepage pits for treated effluent 2 ea

Sewer lines (6" to 24") & man holes

Inverted siphon under stream

Chlorinator

cesspool pool at the residential dwelling

Electrical

Electrical infra structure 1 1/4 mi.

Transformers (7ea) w/ structures

Street/parking lights

Light poles on entry road

Telephone cable underground

Fiber optic computer cable installed underground in some office areas

Night lighting spotlight poles in upper meadow

Night lighting spotlight poles and stage lighting by falls seating

Electrical control booth for the lift station

Electrical control booth for the fire pumps

Electrical /control booth at the falls seating

HECO 46 KVA transmission lines with 4 poles

Gas

Propane Tank (2000 gal) owned by gas supplier

Gas lines/torches

2 Small tanks at entrance

Other/miscellaneous

Welded safety railings 1/2 mi.

Signs: garden and historical (40)

Flagpole

Main Sign on Kamehameha Hwy

Matson Containers

Portable restrooms 9 (1 ea owned & 8 leased)

Composting toilets 4 ea (2 in NV and 2 on top of bluff)

Green waste recycling areas near Palm Meadow and Upper meadow

USGS gauging station

USGS weather station off Drum Road

NOAA weather station

Palm Meadow used for volunteer camping, has temporary showers

Security Gates/across roads (about 10)

Safety railing on some of the mauka roads (2" x 6")

Partly dismantled animal enclosures

Miscellaneous fencing from ranching/grazing days

Abandoned cesspool (1984) on Lot 1-E entry road

Abandoned cesspool (1984) on Kamehameha Hwy lot (Cullen lots)

Natural assets/enhanced

Waterfall & Pool

Several streams/tributaries

Natural spring/seep in North Valley @ Fujita Camp

Plant collections

Mature tree growth some from reforestation by CCC

Ponds (4)

Smaller ancillary ponds/water features

Estuary habitat

PROPOSED BEST MANAGEMENT PRACTICES

EXHIBIT



EROSION PREVENTION & SEDIMENT CONTROL NOTES:

- I. THE CONTRACTOR SHALL FOLLOW THE GUIDELINES IN THE CITY AND COUNTY OF HONOLULU'S "RULES RELATING TO WATER QUALITY".
- 2. THE OWNER OF THE PROPERTY OR THEIR AUTHORIZED REPRESENTATIVE AGENT MUST DESIGNATE A PERSON RESPONSIBLE FOR IMPLEMENTING THE ESCP AT THE PROJECT SITE ("ESCP COORDINATOR") PRIOR TO PERMIT ISSUANCE USING THE FORM PROVIDED AS APPENDIX A TO THE RULES RELATING TO WATER QUALITY.
- 3. THE CONTRACTOR SHALL COMPLY WITH THE PROJECT SCHEDULING REQUIREMENTS OF THE CITY'S RULES RELATING TO WATER QUALITY.
- 4. MEASURES TO CONTROL EROSION AND OTHER POLLUTANTS SHALL BE IN PLACE BEFORE ANY EARTHWORK IS INITIATED.
- 5. TEMPORARY STABILIZATION. TEMPORARY STABILIZATION IS REQUIRED ON DISTURBED AREAS WHICH ARE AT FINAL GRADE OR WHEN THE DISTURBED AREA WILL NOT BE WORKED FOR 14 CONSECUTIVE DAYS OR MORE.
- 6. PERMANENT STABILIZATION. ALL DISTURBED AREAS SHALL BE PERMANENTLY STABILIZED USING VEGETATIVE COVERING, PAVEMENT, OR EQUIVALENT, PRIOR TO REMOVING EROSION AND SEDIMENT MEASURES. TRAPPED SEDIMENT AND AREAS OF DISTURBED SOIL WHICH RESULT FROM THE REMOVAL OF THE TEMPORARY MEASURES SHALL BE IMMEDIATELY AND PERMANENTLY STABILIZED.
- 7. PRESERVE EXISTING VEGETATION. CLEARLY MARK THE EXISTING VEGETATIVE AREAS TO BE PRESERVED WITH FLAGS OR TEMPORARY FENCING. WHERE TEMPORARY FENCING IS USED, FENCING MUST BE ADEQUATELY SUPPORTED BY POSTS AND MAINTAINED IN AN UPRIGHT POSITION.
- 8. MINIMIZE SOIL COMPACTION. AREAS WHERE FINAL VEGETATIVE STABILIZATION OR INFILTRATION PRACTICES WILL BE INSTALLED SHALL BE PROTECTED FROM EXCESSIVE COMPACTION DURING CONSTRUCTION. VEHICLE AND EQUIPMENT USE SHALL BE RESTRICTED OR TECHNIQUES TO CONDITION THE SOILS TO SUPPORT VEGETATION SHALL BE IMPLEMENTED IN THE AREAS THAT HAVE BEEN COMPACTED AND ARE DESIGNATED TO REMAIN VEGETATIVE OR POST-CONSTRUCTION INFILTRATION AREAS. CLEARLY MARK THE AREAS TO BE AVOIDED WITH FLAGS OR TEMPORARY FENCING. WHERE TEMPORARY FENCING IS USED, FENCING MUST BE ADEQUATELY SUPPORTED BY POSTS AND MAINTAINED IN AN UPRIGHT POSITION.
- 9. PERIMETER CONTROLS. PERIMETER CONTROLS ARE REQUIRED DOWN SLOPE OF ALL DISTURBED AREAS. MAINTAIN DOWNSTREAM VEGETATED BUFFER AREA.
- 10. INLET PROTECTION. ALL STORM DRAIN INLETS ONSITE AND THOSE OFFSITE WHICH MAY RECEIVE RUNOFF FROM THE SITE SHALL USE AN INLET PROTECTION DEVICE UNLESS THEY ARE DIRECTED TO A SEDIMENT BASIN. SEDIMENT LEVELS MAY NOT EXCEED ONE THIRD OF THE HEIGHT OF A SEDIMENT BARRIER OR INLET PROTECTION DEVICE AT ANY POINT ALONG THE LENGTH OF THE SEDIMENT BARRIER OR THE INLET PROTECTION DEVICE. SEDIMENT BARRIERS AND INLET PROTECTION DEVICES MUST BE UNCLOGGED AND CLEANED WHEN PERFORMANCE IS COMPROMISED. TORN, WEATHERED OR SAGGING SEDIMENT BARRIERS OR INLET PROTECTION DEVICES MUST BE REPAIRED OR REPLACED IMMEDIATELY.
- II. SEDIMENT TRAP. SEDIMENT TRAP MUST BE KEPT IN EFFECTIVE OPERATING CONDITION AND SEDIMENT SHALL BE REMOVED TO MAINTAIN AT LEAST ONE THIRD OF THE DESIGN CAPACITY AT ALL TIMES.
- 12. VELOCITY DISSIPATION DEVICES ARE CHANNEL LININGS, STRUCTURES, OR FLOW BARRIERS THAT ARE PLACED AT OUTLETS FOR STORM DRAINS, PIPES, CULVERTS, STEEP DITCHES, FLUMES AND AREAS OF CONTACTED FLOW TO LOWER FLOW VELOCITIES, PREVENT SCOUR AND DISSIPATE ENERGY. NO STORM DRAIN FACILITIES SUCH AS THESE ARE PROVIDED FOR THIS PROJECT, SO VELOCITY DISSIPATION DEVICES ARE NOT ANTICIPATED FOR THIS PROJECT.
- 13. TRACKING CONTROL. MINIMIZE SEDIMENT TRACK-OUT ONTO OFF-SITE STREETS, OTHER PAVED AREAS, AND SIDEWALKS FROM VEHICLES EXITING THE CONSTRUCTION SITE BY RESTRICTING VEHICLE TRAFFIC TO PROPERLY DESIGNATED AREAS AND USING ADDITIONAL CONTROLS TO REMOVED SEDIMENT FROM VEHICLE TIRES PRIOR TO EXITING THE SITE. VEHICULAR PARKING AND MOVEMENTS ON PROJECT SITES MUST BE CONFINED TO PAVED SURFACED OR PREDEFINED PARKING AREAS AND VEHICLE PATHS, WHICH SHALL BE MARKED WITH FLAGS OR BOUNDARY FENCING. ALL POLLUTANTS AND MATERIALS THAT ARE DROPPED, WASHED, TRACKED, SPILLED, OR OTHERWISE DISCHARGED FROM A PROJECT SITE TO OFF-SITE STREETS, OTHER PAVED AREAS, SIDEWALKS OR THE MS4 MUST BE CLEANED USING DRY METHODS SUCH AS SWEEPING OR VACUUMING. WASHING POLLUTANTS AND MATERIALS THAT ARE DISCHARGED FROM THE PROJECT SITE TO THE MS4 INTO DRAIN INLETS OR CATCH BASINS IS PROHIBITED UNLESS THE MATERIAL IS SEDIMENT AND THE INLETS ARE DIRECTED TO A SEDIMENT BASIN OR SEDIMENT TRAP.
- 14. BEST MANAGEMENT PRACTICES (BMPS) SHALL NOT BE REMOVED UNTIL FINAL STABILIZATION IS COMPLETE FOR THAT PHASE.
- 15. REFER TO CITY AND COUNTY OF HONOLULU BEST MANAGEMENT PRACTICES MANUAL CONSTRUCTION, FOR MORE INFORMATION ON BMPS.
- 16. THE FOLLOWING BMPS WERE DETERMINED TO BE NOT APPLICABLE BASED ON THE SPECIFIC SITE CONDITIONS. A BRIEF EXPLANATION OF WHY EACH OMITTED BMP IS UNNECESSARY OR IMPRACTICABLE FOR THE PROJECT HAS BEEN PROVIDED UNDER SEPARATE DOCUMENTATION TO DPP. AS CONSTRUCTION PROGRESSES, REVISIONS MAY BE NECESSARY AND WILL BE PROVIDED TO DPP INSPECTORS.
 - VELOCITY DISSIPATION DEVICES ARE NOT APPLICABLE
 - DEWATERING PRACTICES ARE NOT APPLICABLE

EROSION & SEDIMENT CONTROL PLAN SCHEDULE:

- I. INSTALL PERIMETER CONTROLS, AND TEMPORARY FENCING FOR PROTECTED AREAS, CLEARING AND GRUBBING AS NECESSARY FOR THE INSTALLATION OF THESE BMPS.
- 2. INSTALL PERMANENT DRAINAGE SYSTEM WITH TEMPORARY INLET PROTECTION FOR NEW INLETS. CLEAR AND GRUB AS NEEDED FOR INSTALLATION.
- 3. CLEAR, GRUB AND GRADE THE SITE, REFER TO SITE PLAN. RELOCATE, RECONSTRUCT AND MAINTAIN BMPS AS NEEDED TO KEEP THEM EFFECTIVE AT ALL TIMES. INITIATE TEMPORARY STABILIZATION IMMEDIATELY ONCE GRADING IS COMPLETED.
- 4. PROCEED WITH CONSTRUCTION WITH LEAST POSSIBLE DISTURBANCE OF VEGETATIVE AREAS AND TEMPORARY STRUCTURES.
- 5. PLANT PERMANENT GROUND COVER ACCORDING TO THE LANDSCAPING PLAN AS SOON AS POSSIBLE.
- 6. REMOVE OR DISMANTLE TEMPORARY EROSION CONTROL STRUCTURES AFTER FULL ESTABLISHMENT OF PERMANENT VEGETATIVE COVER.
- 7. PRACTICE GOOD HOUSEKEEPING MEASURES THROUGH THE DURATION OF CONSTRUCTION.
- 8. INSPECTIONS WILL BE PERFORMED MONTHLY.

GOOD HOUSEKEEPING BMPS:

- I. BMP AND SITE MAINTENANCE SHALL INCLUDE: VEHICLE TRACKING CONTROL
- FILTER SOCKS CONTRACTOR TO MAINTAIN EROSION CONTROL PROVISIONS THROUGHOUT ALL PHASES OF CONSTRUCTION WORK, AND ADJUST THE LOCATIONS AND CONFIGURATIONS OF SITE BMPS AS REQUIRED TO ACCOMMODATE THE WORK INVOLVED.
- 2. DURING CONSTRUCTION, PREVENTATIVE MEASURES SHALL BE USED TO CONTROL FORESEEABLE DUST, EROSION OR SEDIMENTATION PROBLEMS WHICH MAY ARISE AS THE JOB PROGRESSES.
- 3. THE CONTRACTOR, AT HIS OWN EXPENSE, SHALL KEEP THE PROJECT AREA AND SURROUNDING AREA FREE FROM DUST NUISANCE. THE WORK SHALL BE IN CONFORMANCE WITH THE AIR POLLUTION CONTROL STANDARDS AND REGULATIONS OF THE STATE DEPARTMENT OF HEALTH. DUST CONTROL SHOULD BE APPLIED TO REDUCE DUST EMISSIONS. CONTRACTOR SHALL WATER DURING CONSTRUCTION TO CONTROL DUST.
- 4. STREET SWEEPING AND VACUUMING. ALL POLLUTANTS DISCHARGED FROM CONSTRUCTION SITE TO OFF-SITE AREAS MUST BE SWEPT OR VACUUMED EACH DAY BEFORE LEAVING THE JOB SITE.
- 5. MATERIALS DELIVERY, STORAGE AND USE MANAGEMENT. PREVENT, REDUCE, OR ELIMINATE THE DISCHARGE OF POLLUTANTS FROM MATERIAL DELIVERY, STORAGE, AND USE TO THE STORM WATER SYSTEM OR WATERCOURSES BY MINIMIZING THE STORAGE OF HAZARDOUS MATERIALS ONSITE, STORING MATERIALS IN A DESIGNATED AREA, INSTALLING SECONDARY CONTAINMENT. CONSTRUCTION MATERIALS, WASTE, TOXIC AND HAZARDOUS SUBSTANCES, STOCKPILES AND OTHER SOURCES OF POLLUTION SHALL NOT BE STORED IN BUFFER AREAS, NEAR AREAS OF CONCENTRATED FLOW, OR AREAS ABUTTING THE MS4, RECEIVING WATERS, OR DRAINAGE IMPROVEMENTS THAT DISCHARGE OFF-SITE. PRIMARY AND SECONDARY CONTAINMENT CONTROLS AND COVERS SHALL BE IMPLEMENTED TO THE MAXIMUM EXTENT PRACTICABLE.
- 6. SPILL PREVENTION AND CONTROL. CREATE AND IMPLEMENT SPILL PREVENTION AND RESPONSE PLANS TO ELIMINATE AND MINIMIZE THE DISCHARGE OF POLLUTANTS TO THE MS4 AND RECEIVING WATERS FROM LEAKS AND SPILLS BY REDUCING THE CHANGE FOR SPILLS, ABSORBING, CONTAINING, AND CLEANING UP SPILLS AND PROPERLY DISPOSING OF SPILL MATERIALS. AT A MINIMUM, ALL PROJECTS SHALL CLEANUP ALL LEAKS AND SPILLS IMMEDIATELY.
- 7. HAZARDOUS MATERIALS. PREVENT OR REDUCE THE DISCHARGE OF POLLUTANTS TO STORM WATER FROM HAZARDOUS WASTE THROUGH PROPER MATERIAL USE AND WASTE DISPOSAL. IN THE EVENT THAT HAZARDOUS MATERIALS ARE DISCHARGED TO THE MS4, THE PROPERTY OWNER OR ESCP COORDINATOR SHALL IMMEDIATELY NOTIFY THE DEPARTMENT OF FACILITIES MAINTENANCE, HONOLULU FIRE DEPARTMENT, AND HONOLULU POLICE DEPARTMENT OF THE DISCHARGE BY TELEPHONE. A WRITTEN REPORT DESCRIBING THE POLLUTANTS THAT WERE DISCHARGES, THE REASONS FOR THE DISCHARGE, AND THE MEASURES THAT HAVE BEEN TAKEN OR WILL BE TAKEN TO PREVENT A REOCCURRENCE OF THE DISCHARGE SHALL BE SUBMITTED TO THE DIRECTOR NO LESS THAN 3 DAYS AFTER NOTIFICATION BY PHONE.
- 8. NON-HAZARDOUS MATERIALS. IN THE EVENT THE NON-HAZARDOUS MATERIALS ARE DISCHARGED TO THE MS4, THE PROPERTY OWNER OR ESCP COORDINATOR SHALL NOTIFY THE CITY DEPARTMENT OF FACILITIES MAINTENANCE BY TELEPHONE NO LATER THAN THE NEXT BUSINESS DAY. A WRITTEN REPORT DESCRIBING THE POLLUTANTS THAT WERE DISCHARGES, THE REASONS FOR THE DISCHARGE, AND THE MEASURES THAT HAVE BEEN TAKEN OR WILL BE TAKEN TO PREVENT A REOCCURRENCE OF THE DISCHARGE SHALL BE SUBMITTED TO THE DIRECTOR NO LESS THAN 3 DAYS AFTER NOTIFICATION BY PHONE.
- 9. VEHICLE AND EQUIPMENT CLEANING. ELIMINATE AND MINIMIZE THE DISCHARGE OF POLLUTANTS TO STORM WATER FROM VEHICLES AND EQUIPMENT CLEANING OPERATIONS BY USING OFF-SITE FACILITIES WHEN FEASIBLE, WASHING IN DESIGNATED, CONTAINED AREAS ONLY, AND ELIMINATING DISCHARGE TO THE STORM DRAIN SYSTEM BY EVAPORATING AND/OR TREATING WASH WATER, AS APPROPRIATE OR INFILTRATING WASH WATER FOR EXTERIOR CLEANING ACTIVITIES THAT USE WATER ONLY.
- IO. VEHICLE AND EQUIPMENT FUELING. PREVENT FUEL SPILLS AND LEAKS BY USING OFF-SITE FACILITIES, FUELING ONLY IN DESIGNATED AREAS, ENCLOSING OR COVERING STORED FUELS, AND IMPLEMENTING SPILL CONTROLS SUCH AS SECONDARY CONTAINMENT AND ACTIVE MEASURES USING SPILL RESPONSE KITS.
- II. VEHICLE AND EQUIPMENT MAINTENANCE. ELIMINATE AND MINIMIZE THE DISCHARGE OF POLLUTANTS TO STORM WATER FROM VEHICLE AND EQUIPMENT MAINTENANCE OPERATIONS BY USING OFF-SITE FACILITIES WHEN FEASIBLE, PERFORMING WORK IN DESIGNATED AREAS ONLY, USING SPILL PADS UNDER VEHICLES AND EQUIPMENT, CHECKING FOR LEAKS AND SPILLS, AND CONTAINING AND CLEANING UP SPILLS IMMEDIATELY.
- 12. SOLID WASTE MANAGEMENT. PREVENT OR REDUCE DISCHARGE OF POLLUTANTS TO THE LAND, GROUNDWATER, AND IN STORM WATER FROM SOLID WASTE OR CONSTRUCTION AND DEMOLITION WASTE BY PROVIDING DESIGNED WASTE COLLECTION AREAS, COLLECT SITE TRASH DAILY, AND ENSURING THE CONSTRUCTION WASTE IS COLLECTED, REMOVED, AND DISPOSED OF ONLY AT AUTHORIZED DISPOSAL AREAS.
- 13. SANITARY/SEPTIC WASTE MANAGEMENT. TEMPORARY AND PORTABLE SANITARY AND SEPTIC WASTE SYSTEMS SHALL BE MOUNTED OR STAKED IN, WELL-MAINTAINED AND SCHEDULED FOR REGULAR WASTE DISPOSAL AND SERVICING. SOURCES OF SANITARY AND/OR SEPTIC WASTE SHALL NOT BE STORED NEAR THE MS4 OR RECEIVING WATERS.
- 14. STOCKPILE MANAGEMENT. STOCKPILES SHALL NOT BE LOCATED IN DRAINAGE WAYS, WITHIN 50 FEET FROM AREAS OF CONCENTRATED FLOWS, AND ARE NOT ALLOWED IN THE CITY RIGHT-OF-WAY. SEDIMENT BARRIERS OR SILT FENCES SHALL BE USED AROUND THE BASE OF ALL STOCKPILES. STOCKPILES SHALL NOT EXCEED 15 FEET IN HEIGHT. STOCKPILES GREATER THAN 15 FEET IN HEIGHT SHALL REQUIRE 8 FOOT WIDE BENCHING IN ACCORDANCE WITH ROH CHAPTER 14, ARTICLE 15. STOCKPILES MUST BE COVERED WITH PLASTIC SHEETING OR A COMPARABLE MATERIAL IF THEY WILL NO BE ACTIVELY USED WITHIN 7 DAYS.
- 15. LIQUID WASTE MANAGEMENT. LIQUID WASTE SHALL BE CONTAINED IN A CONTROLLED AREA SUCH AS A HOLDING PIT, SEDIMENT BASIN, ROLL-OFF BIN, OR PORTABLE TANK OF SUFFICIENT VOLUME AND TO CONTAIN THE LIQUID WASTES GENERATED. CONTAINMENT AREAS OR DEVICES MUST BE IMPERMEABLE AND LEAK FREE AND SHOULD NOT BE LOCATED WHERE ACCIDENTAL RELEASE OF THE CONTAINED LIQUID CAN DISCHARGE TO WATER BODIES, CHANNELS, OR STORM DRAINS.
- 16. CONCRETE WASTE MANAGEMENT, PREVENT OR REDUCE THE DISCHARGE OF POLLUTANTS TO STORM WATER FROM CONCRETE WASTE BY CONDUCTING WASHOUT OFF-SITE OF PERFORMING ONSITE WASHOUT IN A DESIGNATED AREA CONSTRUCTED AND MAINTAINED IN SUFFICIENT QUANTITY AND SIZE TO CONTAIN ALL LIQUID AND CONCRETE WASTE GENERATED BY WASHOUT OPERATIONS. PLASTIC LINING MATERIAL SHOULD BE A MINIMUM OF IO MILLIMETER POLYETHYLENE SHEETING AND SHOULD BE FREE OF HOLES, TEARS, OR OTHER DEFECTS THAT COMPROMISE THE IMPERMEABILITY OF THE MATERIAL. CONTAINMENT AREAS OR DEVICES SHOULD NOT BE LOCATED WHERE ACCIDENTAL RELEASE OF THE CONTAINED LIQUID CAN DISCHARGE TO WATER BODIES, CHANNELS, OR STORM DRAINS. WASHOUT FACILITIES MUST BE CLEANED, OR NEW FACILITIES MUST BE CONSTRUCTED AND READY FOR USE ONCE THE WASHOUT IS 75 PERCENT FULL. ONCE CONCRETE WASTES ARE WASHED IN THE DESIGNATED AREA AND ALLOWED TO HARDEN, THE CONCRETE SHOULD BE BROKEN UP, REMOVED, AND DISPOSED OF AS SOLID WASTES.
- 17. CONTAMINATED SOIL MANAGEMENT. AT MINIMUM, CONTAIN CONTAMINATED SOIL BY SURROUNDING WITH IMPERMEABLE LINED BERMS OR COVER EXPOSED CONTAMINATED MATERIAL WITH PLASTIC SHEETING. CONTAMINATED SOIL SHOULD BE DISPOSED OF PROPERLY IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.

RAIN RESPONSE PLAN:

- I. THE FOLLOWING WILL BE PERFORMED WHEN HEAVY RAINS, TROPICAL STORM OR HURRICANE IS IMMINENT OR IS FORECASTED IN THE NEXT 48 HOURS:
- 2. TEMPORARY SUSPENSION OF ACTIVE GRADING AND TRENCHING.
- 3. INSPECT ALL SEDIMENT TRAPS, TEMPORARY DITCHES/SWALES, PERIMETER CONTROLS, AND INLET PROTECTION DEVICES, AND MAINTAIN AS NEEDED. REINSTALL ANY PERIMETER CONTROLS THAT WERE REMOVED DUE TO ACTIVE WORK IN THE AREA. IF A SEVERE STORM IS EXPECTED, REMOVE INLET PROTECTION DEVICES TO PREVENT FLOODING ON SURROUNDING STREETS.
- 4. COVER OR RELOCATE MATERIAL STOCKPILES AND LIQUID MATERIAL CONTAINERS TO AVOID CONTACT WITH RAINWATER.
- 5. PLACE SPILL PANS OR OIL-ONLY SPILL PADS UNDER CONSTRUCTION VEHICLES TO PREVENT RUNOFF FROM CONTACTING ANY SPILLED PETROLEUM PRODUCTS. PROPERTY DISPOSE OF ANY ACCUMULATED OILY WATER AFTER THE RAIN EVENT.
- 6. RE-INSPECT AFTER THE APPROACHING HEAVY RAINS, TROPICAL STORM OR HURRICANE AND REPLACE OR MAINTAIN BMPS AS

PALEKANA PERMITS THIRD PARTY CERTIFICATION ☐ BUILDING CODE ☐ ELECTRICAL CODE ☐ MECHANICAL CODE ☐ RESIDENTIAL CODE ☐ STRUCTURAL (NON-SINGLE/2-FAMILY DWELLINGS)

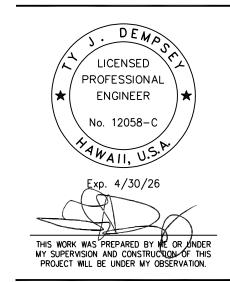
ESCP INSPECTION NOTES:

- I. AT LEAST TWO WEEKS BEFORE THE BEGINNING CONSTRUCTION, THE CONTRACTOR OR THE PERSON IN CHARGE OF CONSTRUCTION SHALL NOTIFY THE STORM WATER INSPECTOR LISTED ON THE BUILDING PERMIT.
- 2. AFTER INSTALLING THE CONSTRUCTION BMPS AND MOBILIZING ANY CONSTRUCTION APPARATUS IN ACCORDANCE WITH THE APPROVED ESCP (OR APPENDIX B - ESCP FOR SMALL PROJECT TEMPLATE), THE CONTRACTOR OR THE PERSON IN CHARGE OF CONSTRUCTION SHALL CONTACT THE ESCP COORDINATOR LISTED ON THE BUILDING PERMIT, FOR A PRECONSTRUCTION INSPECTION.
- 3. THE ESCP COORDINATOR SHALL SUBMIT THE PRECONSTRUCTION INSPECTION CHECKLIST TO THE STORM WATER INSPECTOR (EMAIL TO <u>DPP.NPDES@HONOLULU.GOV</u>) CONFIRMING THE BMPS AND GOOD HOUSE KEEPING MEASURES ARE IN COMPLIANCE, BEFORE THE START OF CONSTRUCTION.

PUBLIC HEALTH, SAFETY AND CONVENIENCE NOTES

- I. THE CONTRACTOR SHALL OBSERVE AND COMPLY WITH ALL FEDERAL, STATE, AND LOCAL LAWS REQUIRED FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY AND ENVIRONMENTAL QUALITY.
- 2. THE CONTRACTOR, AT HIS OWN EXPENSE SHALL KEEP THE PROJECT AND ITS SURROUNDING AREAS FREE FROM DUST NUISANCE. THE WORK SHALL BE IN CONFORMANCE WITH THE AIR POLLUTION CONTROL STANDARDS AND REGULATIONS OF THE STATE DEPARTMENT OF HEALTH.
- 3. NO CONTRACTOR SHALL PERFORM ANY CONSTRUCTION ACTIVITY SO AS TO CAUSE FALLING ROCK, SOIL OR DEBRIS IN ANY FORM TO FALL, SLIDE OR FLOW ONTO ADJOINING PROPERTIES, STREETS OR NATURAL WATERCOURSES. SHOULD SUCH VIOLATIONS OCCUR, THE CONTRACTOR SHALL IMMEDIATELY MAKE ALL REMEDIAL ACTIONS NECESSARY.
- 4. THE CONTRACTOR SHALL PROVIDE, INSTALL AND MAINTAIN ALL NECESSARY SIGNS, LIGHTS, FLARES, BARRICADES, MARKERS, CONES AND OTHER PROTECTIVE FACILITIES AND SHALL TAKE ALL NECESSARY PRECAUTIONS FOR THE PROTECTION, CONVENIENCE AND SAFETY OF THE PUBLIC. THE CONTRACTOR SHALL APPLY FOR A CONSTRUCTION PERMIT WITH A NOISE POLLUTION CONTROL PLAN.

55 MERCHANT STREET, SUITE 1400 HONOLULU, HAWAII 96813 PHONE: 808.550.0844 FAX 808 468 9941 www.rimarchitects.com



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LLEY RENC BUILDING EHAMEHA F 9-005:076,

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1	NO	DESCRIPTION	DATE

DATE : 6/28/2024 PROJECT NO : J23.09 DRAWN BY : JC CHECKED BY: TD

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DWG NO: