

STATE OF Hawai'i
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
Honolulu, Hawai'i

180-Day Exp. Date: July 5, 2020

June 26, 2020

**Board of Land and
Natural Resources
State of Hawai'i
Honolulu, Hawai'i**

REGARDING: Conservation District Use Application (CDUA) OA-3859 for the Kawaihoa Road Drainage Improvements Project

**APPLICANT/
LANDOWNER:** City & County of Honolulu, Department of Design & Construction (Applicant)

AGENT: Cris Takushi, P.E., Oceanit Laboratories, Inc.

LOCATION: Kailua Beach Park, Kailua, Island of Oahu
TMKs: (1) 4-3-010:088, (1) 4-3-010:084, (1) 4-3-009:001, and seaward

AREA OF PARCELS: Approximately (\approx) 8.95 acres; Work area roughly 2.8 acres

SUBZONE: Resource

DESCRIPTION OF AREA AND CURRENT USE:

The proposed work is a drainage control project to minimize ponding, flooding, and storm water runoff issues at the eastern edge of Kailua Beach Park in Kailua, Oahu on lands within TMKs (1) 4-3-010:088, (1) 4-3-010:084, (1) 4-3-009:001, and seaward. The work proposed in this project would consist of building a new, 5-foot wide concrete sidewalk with a 6-inch high curb and 2 new concrete curb ramps between Alala Road and the existing bikeway within Kailua Beach Park, construction of new concrete culverts crossing under the new sidewalk, a new 3 foot by 2 foot concrete box drain, new 8-inch thick CRM lining, a new graded grass swale, and a new 4-foot wide concrete lined swale with retaining walls and a chain link fence (*Exhibit 1*).

The majority of the work will take place within the State Land Use (SLU) Urban District. The only work being done within the Conservation District would be a portion of the proposed new box culvert and the outlet structure it discharges into potentially extending into the Conservation District. The new box culvert will be 3 feet wide by 2 feet high and will be installed in an open trench on an aggregate stabilization layer. the outlet would consist of a 3-foot dumped riprap apron that is bordered by a pair of flared CRM walls. There is currently a similar drainage system in place at the proposed work site that this project is intended to replace.

the project site. While there is presumably a subsurface sewer system running through the area as much of it is residential, there is no description of its location in the application received by our office. The damaged or otherwise compromised portions of the currently existing storm drain utility system will be replaced as a part of this project.

A draft environmental assessment was published for this proposed project in the Office of Environmental Quality Control's (OEQC) publication *The Environmental Notice* on March 8, 2018, and was republished with updated information as a final environmental assessment on November 8, 2019.

Natural Resources

This area is largely developed, with residential neighborhoods to the south and southeast of the project site and Kailua Beach Park directly to the west/northwest. Kaelepulu Stream runs through Kailua Beach Park and drains into Kailua Bay, which abuts the northern border of the project site. The section of Kailua Beach Park due west of the project site contains the sandy beach, underlain by deposits of calcareous sand, as well as the grassy area of the beach park mauka of the sandy beach. The ground on the Alala Road side of the project site largely consists of clay fill soil, roughly 3 feet in thickness, overlain by fine sand. Additionally, there is a hillside that descends down to a rocky coastline to the direct northeast of the project site between the coastline and the meeting point of Alala Road and Mokulua Drive. There is a shallow depressed area in the eastern portion of the beach park that detains storm water runoff.

Kailua Beach Park is a heavily used park by both locals and tourists alike. The shoreline in the beach park is a wide, sandy beach, while the shoreline area in the vicinity of the project site is dominated by the small boat ramp and the surrounding dirt parking lot. The current drainage system within the dirt parking lot currently sits in the middle of the lot. Changing out and updating this drainage system is the only part of this proposed project that lies within the Conservation District.

The subject area is located in Flood Zone X and is also in an area that would be vulnerable to tsunami, earthquakes, and hurricanes, and sea level rise. Potential impacts to the project area from impending sea level rise was analyzed for the project and is discussed later in this report.

Flora/Fauna

As Kailua Beach Park is a heavily trafficked area, the predominant terrestrial fauna consisted of common species that have adapted to human activity, such as rats, mice, and mongoose. A variety of common birds also inhabit the project area, including mynahs, Japanese white-eyes, cardinals, sparrows, and finches. The application notes that seabirds expected to be found in Hawaii, such as shearwaters, boobies, terns, or frigatebirds, are uncommon sights on the shoreline and are usually seen simply passing through the area. Juvenile fish and algae appear within the Kaelepulu Stream, although the nearshore environment contains minimal marine life due to the high volume of human activity that occurs in the area with the activities of both the beach park and the boat ramp.

Vegetation in the project area consists of the expected species that would be encountered in the coastal environment of the Hawaiian Islands, including coconut trees, ironwood trees, kiawe trees, and banyan trees, as well as natural grasses.

While no endangered or threatened species of flora or fauna are known to inhabit the beach park or surrounding area in the project vicinity, the application states that proper wildlife BMPs that include endangered species would be implemented during construction.

Historic/Cultural

Part of the CDUA process requires that the applicant submit an HRS, 6E form developed by the State Historic Preservation Division. Pursuant to HRS, §6E-42, prior to any agency or officer of the State [in this case, the Board] approving any project involving a permit, license, certificate, land use change, subdivision, or other entitlement for use, which may affect historic property, artifacts, or a burial site, the agency or office [OCCL] shall advise SHPD prior to any approval and allow SHPD an opportunity to review and comment on the effect of the proposed project on historic properties.

An archaeological assessment was completed by Cultural Surveys Hawai'i (CSH) between 2012 and 2017 that included evaluation of potential historical and cultural resources in the project area. Cultural Surveys Hawai'i completed both a field inspection and literature review and an archaeological inventory survey.

The report done by CSH noted one historic property identified within the project area, designated as State Inventory of Historic Places (SIHP) #50-80-11-8166. This property consists of a subsurface cultural deposit containing charcoal, few basalt and coral cobbles, faunal material, and shell midden. However, the report's Summary of Findings states, "no historic resources and/or human remains have ever been reported from this approximately 15.5-ac project area and that furthermore direct searching of exposed cuts in the sand dunes by Dr. Ross Corey in 1978 and in the present study failed to identify any clear signs of a developed cultural layer or clear trace of the presence of historic resources."

According to the application, a letter was sent out to the members of the Kailua cultural descendant group, Kai a Ho`oilo, in April 2017 notifying them of this project. Additionally, a community meeting was held on April 27, 2017 within the Kailua Community Room to discuss the project and the cultural impacts. An email dated May 10, 2017 from Kailua cultural descendants Mapuana and Kihei de Silva to CSH confirmed descent approval of the current AIS excavation plan.

The archaeological assessment completed by CSH was then forwarded to SHPD. The assessment determined that the project construction proceed under an archaeological monitoring plan. However, the assessment noted that there is a likelihood of uncovering more culturally significant properties during the project's construction and that proper mitigation measures must be taken if that occurs.

A letter from SHPD to the applicant dated March 12, 2018 acknowledged the submittal of the archaeological assessments done by CSH for the proposed project (*Exhibit 2*). The SHPD agreed

with the applicant's determination of "effect, with proposed mitigation commitments" and recommends an archaeological monitoring program for the project. **The Chapter 6E-8 Historic Preservation Review was thus accepted for the proposed project, and the project may proceed pending SHPD's receipt and approval of an archaeological monitoring plan for the project. The applicant states that the archaeological monitoring plan that meets the requirements of HAR §13-279-4 will be submitted to SHPD prior to the project commencing.**

Both the State Historic Preservation Division (SHPD) and the Office of Hawaiian Affairs (OHA) were sent a copy of this CDUA, along with relevant environmental and historical documents, for comments in January 2020. No response was received by SHPD, OHA, or other cultural agencies. However, it appears from prior interaction between SHPD and the applicant that SHPD is in concurrence with the action provided an acceptable archaeological monitoring plan is submitted to them.

PROPOSED USE

Site

The work proposed involves action within and outside the Conservation District. The work outside the Conservation District consists of building a new, 5-foot wide concrete sidewalk with a 6-inch high curb and 2 new concrete curb ramps between Alala Road and the existing bikeway within Kailua Beach Park, construction of new concrete culverts crossing under the new sidewalk, new 8-inch thick CRM lining, a new graded grass swale, and a new 4-foot wide concrete lined swale with retaining walls and a chain link fence (*see Exhibit 1*).

The only work being done within the Conservation District would be a portion of the proposed new concrete box drain and the outlet structure it discharges into. The new concrete box drain will be 3 feet wide by 2 feet high and will be installed in an open trench on an aggregate stabilization layer. The rebuilt outlet would consist of a 3-foot dumped riprap apron that is bordered by a pair of flared CRM walls (*Exhibit 3*). Temporary erosion control measures and BMPs for this portion of the work were included in the application submitted to our office (*Exhibit 4*). According to the information submitted, the entire project is expected to take roughly one year to be fully completed.

The existing CRM outlet headwall will be demolished and removed while the existing discharge drain leading into it will be cut and removed, with the remaining section plugged (*Exhibit 5*).

The proposed improvements would improve flooding and runoff issues in the area to allow continued use of public facilities including, but not limited to, the beach park, parking lots, boat ramp, and both Kawailoa and Alala Roads within the vicinity of the project site. It is stated in the application that these improvements can be expected to last between 50 and 75 years.

Site Access

Access to the site would be via Kawailoa and Alala Roads. The applicant states that the drainage improvements may have temporary adverse impacts on Alala Road specifically. Delivery of construction materials or equipment to and from the project site shall be performed only during off-peak traffic hours. If temporary closures on City streets do become necessary, the applicant

states that the contractor shall obtain a Street Usage Permit from the City & County, Department of Transportation Services. The staging area for equipment will be held in the empty parking area on the mauna side of Mokulua Drive adjacent to the project area.

Construction

The process would begin by installing the stabilized construction entrances, perimeter controls, inlet protection, and temporary fencing for protected areas. Clearing and grubbing as necessary for the installation of these best management practices (BMPs) would also occur. The contractor would then excavate and install the permanent drainage system with temporary inlet protection, clearing and grubbing as needed for installation. The improved drainage system would then be installed, relocating and maintaining the BMPs as needed to keep them effective.

The stabilization of steep slopes with hydroseeding would then be initiated immediately after completion of grading, as well as installing a temporary irrigation system prior to permanent seeding. Construction of the drainage improvements would then be completed, and planting of permanent ground cover according to the landscaping plan would be performed as soon as possible after completion of construction. Temporary erosion control structures and BMPs would then be removed after full establishment of the vegetative cover and completion of the project.

Expected Mitigative Actions and Practices

Best Management Plans (BMPs), General and Site Specific

The proposed project has been designed to be compatible with standard construction and NOAA BMPs as well as site-specific BMPs, including, but not limited to:

- Fueling of project related vehicles and equipment should take place away from the water. A contingency plan to control the accidental spills of petroleum products at the construction site should be developed. absorbent pads, containment booms and skimmers will be stored on-site to facilitate the cleanup of petroleum spills;
- No contamination (trash or debris disposal, alien species introductions, etc.) of marine (reef flats, lagoons, open ocean, etc.) environments adjacent to the project site should result from project-related activities;
- No project-related materials (fill, revetment rock, pipe, etc.) should be stockpiled in the water (intertidal zones, reef flats, stream channels, etc.);

Erosion Control Plan

The applicant submitted an erosion and sediment control plan in order to contain any potential runoff into the marine or coastal environment. The only portion of the proposed project that would be within the Conservation District is the drainage (small part of the box culvert and the riprap apron) outlet that sits within the dirt parking lot. The erosion control plan's site-specific BMPs are listed below:

- A sandbag cofferdam will be installed at the site of the drainage outlet in order to contain any potential runoff or sediments within the work area;
- Installation of roughly 550 total linear feet of a compost filter sock as a perimeter control around the work area within the Conservation District;

- Installation of roughly 1,135 linear feet of compost filter sock as perimeter control around the work area outside of the Conservation District;
- Measures to control erosion and other pollutants shall be in place before any earth moving work is initiated. These measures shall be properly constructed and maintained throughout the construction period;
- Slope protection is required on areas with slopes greater than 15% and on areas for moderate slope that are prone to erosion unless they are being actively worked, use diversion upstream of slope to divert water around the slope, provide a 10-foot buffer zone at the toe of the slope;
- Temporary stabilization is required on disturbed areas which are at final grade or when the disturbed area will not be worked for 7 consecutive days or more;
- Maintain the above Best Management Practices during site work and until permanent erosion controls are in place;

Mitigative actions for sea level rise:

The proposed project took 3.2 feet of projected global sea level rise into consideration when designing the drainage improvements that are intended to be done. However, the only portion of the project that would be within the shoreline area is a portion of the box culvert and riprap apron that currently resides within the dirt parking lot (**Figure 2**).

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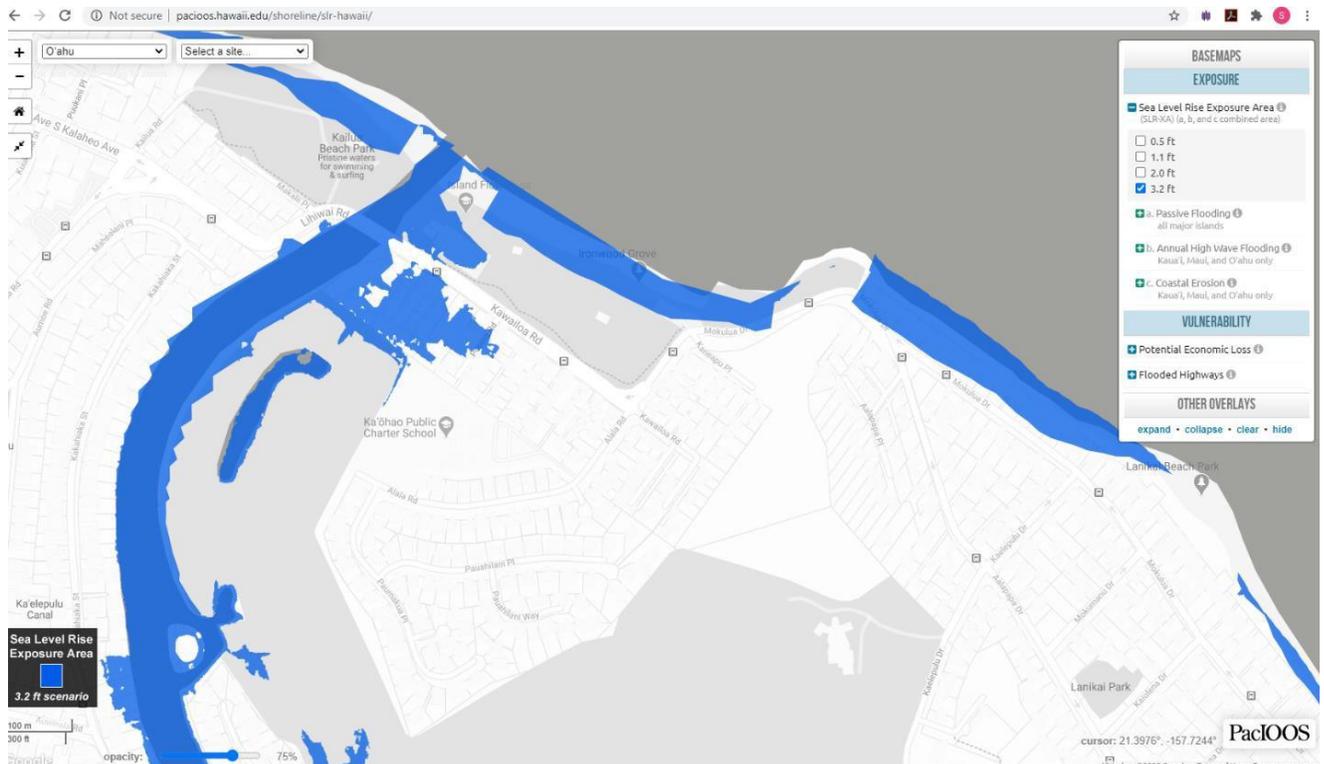


Figure 2

The design parameters of the proposed project appear to be within recommended guidelines regarding expected sea level rise. While a different type of solution to inevitable sea level rise in the area may not be dire at the moment, it is very possible that the expected sea level rise of 3.2 feet is met or surpassed by the end of the project's designed 50-75-year lifespan. However, as the project consists of improvements to the existing drainage system that is currently in place, the majority of which is not in the shoreline area, staff does not believe that unavoidable sea level rise with negatively affect the work done in this project.

Mitigative actions for endangered species and other flora and fauna:

Although unlikely, it is possible that Hawaiian monk seals, green sea turtles, Hawksbill sea turtles, or Hawaiian hoary bats could transverse through the project area. Standard mitigation measures to reduce impacts to protected species would be followed, including, but not limited to:

- Construction activities would not occur if a Hawaiian monk seal or sea turtle is within the vicinity of the construction area. Construction will only begin after the animal voluntarily leaves the area;

- If a Hawaiian monk seal or sea turtle is noticed after work has begun, all mechanical or construction activities would cease immediately until the animal voluntarily leaves the area;
- Any construction-related debris that may impose an entanglement threat to monk seals and sea turtles would be removed from the construction area at the end of each day and at the conclusion of construction;
- To minimize impacts on the Hawaiian hoary bat during construction, work hours will be established to avoid the typical foraging periods at dawn and dusk;
- Workers would not attempt to feed, touch, ride, or otherwise intentionally interact with any listed species;

Mitigative actions for Cultural and Historic Resources:

The archeological assessments done for the project were accepted by the State Historic Preservation Division (SHPD) in a letter dated March 12, 2018 following field inspections and cultural impact assessment work conducted by Cultural Surveys Hawaii. The SHPD agreed with the applicant's determination of "effect, with proposed mitigation commitments" and recommends an archaeological monitoring program for the project.

The applicant states that they will submit an archaeological monitoring plan to the SHPD prior to the project's initiation. The project may then proceed pending SHPD's receipt and approval of an archaeological monitoring plan for the project. Per standard best management practices (BMPs) for cultural and historic resources in Hawaii, should subsurface archaeological resources or burials be uncovered during construction, all work will cease and the SHPD will be contacted to determine what appropriate mitigation measures are needed.

Alternatives

While there were a few options to mitigate the drainage issue in the project area, there were negligible differences between them. The differences between the examined alternatives consisted of variations in design of the improved drainage system as well as differences in the design of the new bike path and sidewalk along Alala Road. Staff believes that the majority of improvements suggested in each of the alternatives have been taken into account in the proposed action, and thus no further action needs to be taken in examining the alternatives.

SUMMARY OF COMMENTS

The application was referred to the following agencies for their review and comment: the **State:** Department of Health; Office of Hawaiian Affairs; Department of Transportation; Department of Land and Natural Resources Divisions of: Aquatic Resources, Forestry and Wildlife, Historic Preservation, Oahu District Land Office, Conservation and Resource Enforcement, and State Parks; the **City & County of Honolulu:** Department of Parks & Recreation and Department of Planning; and the **Federal:** National Ocean and Atmospheric Administration (NOAA); the US Army Corps of Engineers; and the US Fish and Wildlife Service. In addition, this application was also sent to the nearest public library, the Kailua Public Library, to make this information readily available to those who may wish to review it. The application was also transmitted to the Kailua Neighborhood Board for community and neighborhood feedback.

Responses were received and have been summarized from the following agencies:

STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

Aquatic Resources

Erosion and Land Based Source of Pollution Mitigation: According to the CDUA provided: During construction, BMPs will be employed to reduce pollution, minimize turbidity, and control and prevent construction related runoff from the project site. BMPs will include sandbags, fiber rolls, drain inlet covers, grassing, geotextiles, and silt fences. The contractor shall consider the weather when performing construction. Some work may be performed in low rain conditions, but all construction would be halted during storm conditions or when storm conditions threaten the watershed. DAR supports this incentive and stresses the importance of using BMPs and following the erosion plans provided to prevent erosion and land-based sources of pollution (LBSP). These measures would include any type of barrier (sediment bags/barriers, petroleum absorption diapers, etc.) that limits the amount of sediment of LBSP (petroleum products, chemicals, debris, etc.) to the maximum extent practicable. DAR recommends that all construction materials be composed of environmentally inert materials to the extent practicable. DAR would like to request notification and photo-documentation of any occurrence where above-average amounts of sediment or pollution have entered the water, in order to assess impact, if any.

Entanglement Prevention: DAR recommends that the applicant utilize BMPs to eliminate any potential for incidental entanglement of any marine organism. Entanglement prevention practices will include but are not limited to: minimizing the amount of in-water structures or components that may potentially cause entanglement during operations, such as loops, holes, or slack lines. The permittee will immediately notify DAR and the appropriate federal agency to report the entanglement of any protected species if incidental entanglement occurs.

Aquatic Resources: In the provided EA, only fish were considered for aquatic organisms. DAR suggests that other organisms are considered for potential impact and necessary mitigation, such as corals, green sea turtles, invertebrates, and other marine mammals. The measures preventing against runoff and entanglement would be appropriate mitigation towards other aquatic resources that may be affected, but additional mitigation should be considered. In the event that protected species such as the Hawaiian monk seal, other marine mammal, or sea turtle is observed in close proximity to the construction/repair site, and the activities being conducted may be considered as a “negligent or intentional act which results in disturbing or molesting a marine mammal”, applicant should take appropriate action to modify activities in order to avoid disturbance to the regular behavior and activities of the animal. Appropriate action would include, but is not limited to, ceasing construction activity until the animal voluntarily leaves the area, moving to a site further away from the animal (if possible and the action results in the cessation of disturbance to the animal), conducting other portions of repairs that do not negligently or intentionally disturb the animal, until the animal voluntarily leaves the area. The applicant should report any interaction between a protected species and the construction and repair activity proposed to the NOAA Protected Species Division and State of Hawaii DOCARE.

Applicant's Response

The following paragraphs are provided in response to your comments.

- Erosion and Land Based Source of Pollution Mitigation.
 - The contractor shall consider the weather while performing construction.
 - Sheet 4 of the construction plans include provisions for the contractor to schedule demolition, site work and construction of the drainage improvements during periods of minimal rainfall to the extent practicable.
 - Sheet 7 of the construction plans contain weather-related measures the contractor shall follow in the event of heavy rain, tropical storms or hurricanes, or when these events are imminent in the next 48 hours.
 - All BMP construction materials be composed of environmentally inert materials to the maximum extent practicable.
 - Compost used for polypropylene biosock filters shall not contain biosolids and should be consistent with EPA guidelines. Sand used in polypropylene sandbags will be sourced from onsite sand.
 - Notify DAR and photo-document any occurrence of above average amounts of sediment or pollution entering the water to assess the impact.
 - The Erosion and Sediment Control Plan (ESCP) Coordinator or Contractor shall notify DAR (phone #: 587-0100) of any occurrence of above average amounts of sediment or pollution entering the water and shall photo- document any occurrence of above average amounts of sediment or pollution entering the water to assess the impact, if any.
- Entanglement Prevention.
 - The applicant should utilize best management practices to eliminate any potential for incidental entanglement of any marine organism. Entanglement prevention practices will include but are not limited to: minimizing the amount of in-water structures or components that may potentially cause entanglement during operations (loops, holes, slack lines).
 - The project will not require any in-water work. During construction of the outlet structure and a portion of the box drain near the shoreline, the contractor shall minimize use of loops, holes, slack lines or components that could cause entanglement of any marine organism.

- The permittee will immediately notify DAR and the appropriate federal agency to report the entanglement of any protected species if incidental entanglement occurs.
 - Provisions will be included in the construction contract that will require the Contractor to immediately notify DAR and the appropriate federal agency to report the entanglement of any protected species if incidental entanglement occurs.
- Aquatic Resources.
 - In the event that protected species such as the Hawaiian monk seal, other marine mammal or sea-turtle is observed in close proximity to the construction/repair site, and the activities being conducted may be considered as a “negligent or intentional act which results in disturbing or molesting a marine mammal“, applicant should take appropriate action to modify activities in order to avoid disturbance to the regular behavior and activities of the animal. Appropriate action would include but is not limited to ceasing construction activity until the animal leaves the area, moving to a site further away from the animal (if possible and if the action results in the cessation of disturbance to the animal, conducting other portions of repairs that do not negligently or intentionally disturb the animal, until the animal leaves the area.
 - Provisions will be included in the construction contract that requires the contractor to take appropriate action in order to avoid disturbance to the animal in the event protected species such as the Hawaiian monk seal, other marine mammal or sea-turtle is observed in close proximity to the construction site Appropriate action may include ceasing construction activity until the animal leaves the area, moving to a site further away from the animal or conducting other repairs that do not disturb the animal.
 - Provisions will be included in the construction contract that will require the Contractor to report any interaction between a protected species and the proposed construction activity to the NOAA Protected Species Division and the State of Hawaii DLNR Division of Conservation and Resources Enforcement (DOCARE) at the numbers below. NOAA Marine Mammal Response Coordinators (Oahu):808-220-7802 NOAA Sea Turtles (Oahu): Monday-Friday, 7:30 am to 4:00 pm National Marine Fisheries Service – PIFSC Marine Turtle Biology and Assessment Program: 808-725-5730

Forestry and Wildlife

No comments.

Oahu District Land Office

The relevant work area (TMK (1) 4-3-009:001) is presently covered by EO-115. This TMK does not have any portion of real road.

Applicant Response

We acknowledge that that the only area of proposed work that lies within the State-owned lands of the Conservation District is the work being done makai of subject parcel (1) 4-3-009:001, where a new box culvert and its outlet is proposed. This parcel is covered by Executive Order 115 and does not contain any portion of any road.

State Parks

No comments.

DEPARTMENT OF TRANSPORTATION

The DOT has determined that the project does not appear to impact State highway facilities, and therefore has no real comments to provide.

CITY AND COUNTY OF HONOLULU*Parks and Recreation Department*

No comments.

Department of Planning & Permitting

Please be informed that the DPP is processing a Major Special Management Area (SMA) Permit and a Shoreline Setback Variance (SSV) for the proposed project. Our recommendation for the SMA Permit is due to the City Council by February 13, 2020. Our current concerns regarding the CDUA are as follows:

- (1) Sea level rise (SLR) will impact the project components because the drainage outfall extends seaward of the shoreline. The environmental assessment for the project estimated 0.34 to 2.59 feet of SLR for the 50-year project life cycle, and 0.44 to 4.38 feet of SLR for a 75-year project life cycle. According to the CDUA materials, SLR may increase the frequency of and damage caused by flooding before the system is permanently inundated. The application states that the City will regularly monitor the outlet structure, and when the functionality of the drainage system is threatened, the outlet structure, dumped riprap, walls, and a portion of the connecting box drain should be removed and a new outlet structure and other drainage and erosion control improvements can be constructed near the new shoreline. The State Office of Planning submitted comments for the SMA permit and suggested considering “more site-specific mitigation measures and even long-term alternatives for drainage improvements at the subject area given the risk of shoreline erosion, high tide flooding, and sea level rise.” The DPP would also prefer a long-term alternative in order to mitigate shoreline impacts and ensure proper storm water management over time.
- (2) It is not clear whether the project would result in significant impacts to nearshore waters. If so, an alternative drainage solution that would mitigate these impacts should be presented. The CDUA states, “The proposed earth berm will contain runoff in an existing low-lying depressed area of Kailua Beach Park and minimize runoff from flowing onto Kawaihoa Road. This will reduce sediment load discharged into Kailua Bay during storm events and reduce adverse effects on the marine environment.” Storm water is already detained in a grassed area of the park. However, the project involves installing a new concrete channel and concrete rubble

masonry lining in place of an existing grass swale along Alala Road in order to move water more efficiently from the park to the bay. This would reduce the previous surface area and the amount of time storm water would be detained within the park for infiltration and biofiltration. It is not clear how this would improve storm water quality compared to the existing drainage system, or even maintain existing stormwater quality.

Applicant Response

The following paragraphs are provided as responses to the numbered comments in your letter dated January 27, 2020.

1. The State Office of Planning and DPP prefer a long-term alternative to the drainage problem in the area that would mitigate shoreline impacts and ensure proper storm water management over time.
 - a) A drainage study conducted for the project evaluated different alternatives to alleviate excess stormwater runoff along Kawailoa Road, including drywells, inlets, pipe culverts and a new drainage outlet at Kaelepulu Stream. The study concluded that a large drainage system would be required to convey stormwater runoff to Kaelepulu Stream due to the relatively flat, low-lying topography and proximity to Kailua Bay. This drainage system would likely require frequent maintenance due to the amount of sediment (sand) that is expected to collect within the drain inlets, drywells, culverts and structures.
 - b) The Applicant, Department of Design and Construction concluded that the best use of available funds was to maintain the existing drainage pattern and reconstruct and improve the drainage system along the same existing alignment.
2. How will proposed project improvements mitigate impacts to nearshore waters?
 - a) The proposed earth berm within Kailua Beach Park will improve the ability of the detention basin to decrease runoff onto Kawailoa Road and will reduce sediment loading into Kailua Bay. The proposed drainage improvements such as the concrete channel, riprap lining box drain and outlet structure will improve storm water conveyance and minimize erosion from the park.

ANALYSIS

After reviewing the application, by correspondence dated November 22, 2019, the Department has found that:

1. The proposed use is an identified land use in the Resource subzone of the Conservation District, pursuant to Hawaii Administrative Rules (HAR) §13-5-22, P-6, PUBLIC PURPOSE USES, (D-1): Not for profit land uses undertaken in support of a public service by an agency of the county, state, or federal government, or by an independent non-governmental entity, except that an independent non-governmental regulated public utility may be considered to be engaged in a public purpose use. Examples of public purpose uses

may include but are not limited to public roads, marinas, harbors, airports, trails, water systems and other utilities, energy generation from renewable sources, communication systems, flood or erosion control projects, recreational facilities, community centers, and other public purpose uses, intended to benefit the public in accordance with public policy and the purpose of the conservation district.

2. Pursuant to §13-5-40 of the HAR, a Public Hearing was not required for this project;
3. In conformance with Chapter 343, Hawai`i Revised Statutes (HRS), as amended, and Chapter 11-200, HAR, a Draft Environmental Assessment (DEA) for this project was published in the OEQC's March 8, 2018 edition of The Environmental Notice, with the Final Environmental Assessment (FEA) published in the November 8, 2019 edition. The City & County of Honolulu, Department of Design and Construction was the approving agency of the Final Environmental Assessment and anticipated Finding of No Significant Impact for the proposed project; and
4. Since the project would be constructed within the shoreline setback area, the applicant will prepare and submit an application package to the City & County of Honolulu, Department of Planning and Permitting (DPP) to obtain the necessary Shoreline Setback Variance in concurrence with the Special Management Area Use Permit. Additionally, per the comment letter from the DPP dated August 10, 2017 regarding the Draft Environmental Assessment, a grading permit may be required for this project. It is the responsibility of the applicant to obtain all other necessary permits for this project.

CONSERVATION CRITERIA

The following discussion evaluates the merits of the proposed land use by applying the criteria established in Section 13-5-30, HAR.

1. *The proposed land use is consistent with the purpose of the Conservation District.*

The objective of the Conservation District is to conserve, protect and preserve the important natural resources of the State through appropriate management and use to promote their long-term sustainability and the public health, safety, and welfare.

The proposed use is an identified land use in the Resource subzone of the Conservation District; as such, it is subject to the regulatory process established in Chapter 183C, HRS and detailed further in Chapter 13-5, HAR.

The proposed land use is to mitigate and minimize drainage problems in the eastern area of Kailua Beach Park in the vicinity of the small boat ramp and adjacent parking lots. The only part of the project that may extend into the Conservation District is the drain outlet and surrounding concrete rubble masonry (CRM) walls and riprap apron. Assessments done for the project found minimal potential impacts to natural environment in the area, including coastal erosion and sea level rise. A number of mitigative practices have been identified within the application and environmental assessments to ensure appropriate management and action shall be implemented to protect natural resources.

2. *The proposed land use is consistent with the objectives of the subzone of the land on which the use will occur.*

The objective of the Resource subzone is to ensure, with proper management, the sustainable use of the natural resources of those areas. The only part of the project that may extend into the Conservation District is the drain outlet and surrounding concrete rubble masonry (CRM) walls and riprap apron. These drainage system improvements are an identified land use pursuant to the Hawaii Administrative Rules (HAR), §13-5-22,, P-6, PUBLIC PURPOSE USES, (D-1): Not for profit land uses undertaken in support of a public service by an agency of the county, state, or federal government, or by an independent non-governmental entity, except that an independent non-governmental regulated public utility may be considered to be engaged in a public purpose use. Examples of public purpose uses may include but are not limited to public roads, marinas, harbors, airports, trails, water systems and other utilities, energy generation from renewable sources, communication systems, flood or erosion control projects, recreational facilities, community centers, and other public purpose uses, intended to benefit the public in accordance with public policy and the purpose of the conservation district.

The design of the proposed improvements to the existing drainage system in the area conforms to the objectives set forth in HAR 13-5-22, P-6, PUBLIC PURPOSE USES, as the project is an improvement on water systems and public utilities, as well as a flood control project. The current drainage system has shown need for improvement in recent years, with multiple residents having issues with flooding in addition to the drainage and flooding issues in Kailua Beach Park. The drain outlet, the only portion of the project located within the Conservation District, sits in an area exposed to coastal hazards and wear & tear and is in need of repair in order to continue functioning properly. Staff believes the proposed land use is consistent with the objectives of the subzone, provided identified mitigation and best management practices are adhered to, as it aligns with the water systems, utilities, and flood control parameters of HAR 13-5-22, P-6, PUBLIC PURPOSE USES.

3. *The proposed land use complies with provisions and guidelines contained in Chapter 205, HRS, entitled "Coastal Zone Management," where applicable.*

The intended purpose of the project is to improve the outdated drainage system at the project site, which would allow for the continued use and operation of multiple public facilities that include a boat ramp, parking lots, public roads, and Kailua Beach Park. According to the studies included in the application, there would be minimal impacts to recreational, scenic, economic, social, cultural, or natural resources. Improving the drainage in the area would allow for the continued use of Kawailoa and Alala Roads and their accompanying sidewalks, Kailua Beach Park, the small boat ramp, and adjacent parking lots, and improve drainage systems around nearby homes that have had issues with flooding and stormwater runoff. Alala Road turns into Mokulua Drive in the vicinity of the project site, which is the only access road into the Lanikai development.

As there is minimal work done makai of the shoreline or in the coastal area, OCCL staff believes that the proposed project fits within the Coastal Zone Management Program's Objectives and Policies. It is imperative that all Best Management Practices (BMPs) are carefully followed in order to minimize any potential negative impacts during construction.

4. *The proposed land use will not cause substantial adverse impacts to existing natural resources within the surrounding area, community, or region.*

The proposed project is intended to mitigate ongoing flooding and drainage issues in the area and to preserve the use of the beach park, small boat ramp, parking lots, and public roads in the area (including Mokulua Drive, the only access to the Lanikai development), as well as alleviate flooding issues for nearby residential homes.

There is currently an existing drainage system in place that this project intends to modernize and repair. These improvements should mitigate the currently existing adverse impacts that the flooding and stormwater runoff have caused in the area in recent years. Only a small portion of the drainage outlet would be located within the Conservation District.

Staff believes the proposed land use should not cause substantial adverse impacts to existing natural resources within the surrounding area, community or region provided that mitigative measures are implemented and the applicant shall be required to take measures to eliminate or minimize the interference, nuisance, harm, or hazard that the project may cause. The action would replace an existing drainage outlet with a small increase in capacity. The main purpose of the project is to replace old decrepit drainage infrastructure with a modern one to ensure better drainage and less flooding of the surrounding residential area. While staff is always concerned over the potential impacts of point source pollution discharges, this is not a new system. In addition, the applicant is required to comply with Department of Health Clean Water Act requirements.

5. *The proposed land use, including buildings, structures and facilities, shall be compatible with the locality and surrounding area, appropriate to the physical conditions and capabilities of the specific parcel or parcels.*

The project is intended to replace a currently existing drainage system that is no longer functioning properly. The existing drainage outlet - the only portion of the project within the Conservation District - would be demolished and removed.

While there is public use of the area including beach and beach park use, fishing, boating and offshore canoe paddling, and other ocean activities, the project is not expected to significantly detract from these activities, nor is it incompatible with the surrounding land uses. Staff is of the opinion that the proposed project will be compatible with the locality and surrounding areas and is appropriate to the physical conditions and capability of the specified parcels.

6. *The existing physical and environmental aspect of the land, such as natural beauty and open space characteristics, will be preserved or improved upon, whichever is applicable.*

The proposed project will maintain the physical and environmental aspects of the land, primarily as the project replaces or fixes an already existing drainage system. In regard to the Conservation District, the drainage outlet that currently exists will be removed and replaced by a new outlet, and thus it is believed there shall be no adverse impacts to the public or the neighbors.

7. *Subdivision of the land will not be utilized to increase the intensity of land uses in the Conservation District.*

No subdivision of land is proposed for this project.

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

Staff believes the proposed land use will not be materially detrimental to the public health, safety and welfare as mitigated. In fact, it is believed that the proposed action is necessary to public health, safety, and welfare as ensuring the continued existence of a public drainage system is critical in an area proven to be prone to flooding and stormwater runoff issues. With proper BMPs identified and followed correctly, the proposed land use will improve public health and welfare in the area.

CULTURAL IMPACT ANALYSIS

An archaeological assessment was completed by Cultural Surveys Hawai'i (CSH) between 2012 and 2017 that included evaluation of potential historical and cultural resources in the project area. Cultural Surveys Hawai'i completed both a field inspection and literature review and an archaeological inventory survey. These materials were included in the application.

The assessment concluded that while there were some historical and cultural properties in the area, only one was in the vicinity of the project site. This property consists of a subsurface cultural deposit containing charcoal, few basalt and coral cobbles, faunal material, and shell midden and is logged as State Inventory of Historic Places (SIHP) #50-80-11-8166.

The assessment completed by CSH determined that the project construction proceed under an archaeological monitoring plan. However, the assessment noted that there is a likelihood of uncovering more culturally significant properties during the project's construction and that proper mitigation matters must be taken if that occurs.

According to the application, a letter was sent out to the members of the Kailua cultural descendant group, Kai a Ho`oilo, in April 2017 notifying them of this project. Additionally, a community meeting was held on April 27, 2017 within the Kailua Community Room to discuss the project and the cultural impacts. An email dated May 10, 2017 from Kailua cultural descendants Mapuana and Kihei de Silva to CSH confirmed descendent approval of the current AIS excavation plan.

A letter from SHPD to the applicant dated March 12, 2018 acknowledged the submittal of the archaeological assessments done by CSH for the proposed project. The SHPD agreed with the applicant's determination of "effect, with proposed mitigation commitments" and recommends an archaeological monitoring program for the project. **The Chapter 6E-8 Historic Preservation Review was thus accepted for the proposed project, and the project may proceed pending SHPD's receipt and approval of an archaeological monitoring plan for the project.**

During the processing of this application, no comments were received from the Office of Hawaiian Affairs. The proposed action does not appear to affect traditional Hawaiian rights. It is believed that the project will not impair, diminish, or preclude customary or traditional native Hawaiian rights and no action is necessary to protect these rights.

The applicant states that an archaeological monitoring plan that meets the requirements of HAR §13-279-4 will be submitted to SHPD prior to the project commencing. It is recommended that this monitoring plan include standard Best Management Practices (BMPs) regarding cultural and historic properties in Hawaii. This includes consultation with the State Historic Preservation Division in accordance with applicable regulations in the event that important archaeological, historical or cultural features are discovered, in addition to immediately stopping all work. The mitigative measures discussed in the assessment should also include extreme caution during any ground disturbance.

DISCUSSION

The proposed land use consists of a variety of improvements to the drainage system at the eastern end of Kailua Beach Park. The project is intended to mitigate ongoing flooding and water runoff problems that have been occurring in the area for some time. A variety of improvements have been previously attempted to mitigate this problem, to no avail. See the first section of this report for a brief history of recent attempts to mitigate the drainage problem.

The location of the proposed project is in a highly developed area that sees a lot of human activity. The project area itself consists of parking lots that connect to a small boat ramp, and the site is adjacent to the very popular Kailua Beach Park. A drainage system currently exists in the area but is in dire need of repair. This proposed land use represents a permanent solution to the ongoing drainage and flooding problem.

The information provided stated that a site-specific erosion and sediment control plan will be implemented for this project - the details of this plan can be found in the *Mitigation* section of this report. A sandbag cofferdam and compost filter sock will be used as perimeter controls during the small portion of construction that lies within the Conservation District so as to minimize any potential impacts to the marine or coastal environments.

Staff notes that during construction Standard Best Management Practices will be observed. Within the Application and the Final Environmental Assessment, the applicant has identified a number of mitigative measures, conditions and practices to ensure that the proposal will have minimal effects

on the natural and other resources nearby. As such these proposed measures, conditions and practices are incorporated into the permit. These are listed in the “Mitigation” section of this report.

In the event that subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, artifacts, sand deposits, or sinkholes are identified during the demolition and/or construction work, all work shall be ceased in the immediate vicinity of the find, the find would be protected from additional disturbance, and SHPD would be notified immediately.

The parameters of this proposal are consistent with Hawai`i Administrative Rules, §13-5-22, P-6, PUBLIC PURPOSE USES, (D-1): Not for profit land uses undertaken in support of a public service by an agency of the county, state, or federal government, or by an independent non-governmental entity, except that an independent non-governmental regulated public utility may be considered to be engaged in a public purpose use. Examples of public purpose uses may include but are not limited to public roads, marinas, harbors, airports, trails, water systems and other utilities, energy generation from renewable sources, communication systems, flood or erosion control projects, recreational facilities, community centers, and other public purpose uses, intended to benefit the public in accordance with public policy and the purpose of the conservation district.

The design of the proposed improvements to the existing drainage system in the area fulfills the objectives set forth in HAR 13-5-22, P-6, PUBLIC PURPOSE USES, as the project is an improvement on water systems and public utilities, as well as a flood control project. The current drainage system has shown need for improvement in recent years, with multiple residents having issues with flooding in addition to the drainage and flooding issues in Kailua Beach Park. The drain outlet, the only portion of the project located within the Conservation District, sits in an area exposed to coastal hazards and wear & tear and is in need of repair in order to continue functioning properly. Staff believes the proposed land use is consistent with the objectives of the subzone, provided identified mitigation and best management practices are adhered to, as it aligns with the water systems, utilities, and flood control parameters of HAR 13-5-22, P-6, PUBLIC PURPOSE USES. As this project endeavors to replace an old drainage system with negligible expansion of capacity, staff does not foresee any environmental impacts beyond what the area is already experiencing.

Overall, staff believes that the project will have negligible adverse environmental or ecological effects provided that best management practices and mitigation measures as described in the application and environmental assessment, and as required by rule or laws, are fully implemented.

RECOMMENDATION

Based on the preceding analysis, staff recommends that the Board of Land and Natural Resources **APPROVE** Conservation District Use Application OA-3859 for the Kawaihoa Road Drainage Improvements Project located in Kailua, Oahu at TMKs (1) 4-3-010:084, (1) 4-3-009:001, and seaward, **subject to the following conditions:**

1. The permittee shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, state, and county governments, and applicable parts of this chapter;

2. The permittee, its successors and assigns, shall indemnify and hold the State of 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 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. Before proceeding with any work authorized by the department or the board, the permittee shall submit four copies of the construction plans and specifications to the chairperson or an authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Three of the copies will be returned to the permittee. Plan approval by the chairperson does not constitute approval required from other agencies;
4. Unless otherwise authorized, **any work or construction to be done on the land shall be initiated within one year of the approval of such use, in accordance with construction plans that have been signed by the chairperson, and shall be completed within three years of the approval of such use;**
5. The permittee shall notify the Office of Conservation and Coastal Lands (OCCL) in writing at least 24 hours prior to the initiation and upon completion of the project;
6. All representations relative to mitigation set forth in the accepted application and environmental assessment or impact statement for the proposed use are incorporated as conditions of the permit;
7. The permittee shall comply with all of the mitigation measures and Best Management Practice representations stated in this document;
8. The permittee shall comply with all applicable Department of Health administrative rules;
9. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the permittee shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;
10. The applicant shall plan to minimize the amount of dust generating materials and activities. Material transfer points and on-site vehicular traffic routes shall be centralized. Dusty equipment shall be located in areas of least impact. Dust control measures shall be provided during weekends, after hours and prior to daily start-up of project activities. Dust from debris being hauled away from the project site shall be controlled. Landscaping and dust control of cleared areas will be initiated promptly;
11. **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;

12. The applicant shall implement both site-specific and standard Best Management Practices (BMPs), including the ability to contain and minimize silt in nearshore waters and clean up fuel, fluid or oil spills immediately for projects authorized by this letter. Equipment must not be refueled in the shoreline area. If visible petroleum, persistent turbidity or other unusual substances are observed in the water as a result of the proposed operation, all work must cease immediately to ascertain the source of the substance;
13. During construction, appropriate mitigation measures shall be implemented to minimize impacts to the aquatic environment, off-site roadways, utilities, and public facilities;
14. When provided or required, potable water supply and sanitation facilities shall have the approval of the Department of Health and the City & County Board of Water Supply;
15. Obstruction of public roads, trails, lateral shoreline access, and pathways shall be avoided or minimized. If obstruction is unavoidable, the permittee shall provide alternative roads, tails, lateral beach access, or pathways acceptable to the department;
16. During construction, appropriate mitigation measures shall be implemented to minimize impacts to the aquatic environment, off-site roadways, utilities, and public facilities;
17. Artificial light from exterior lighting fixtures, including but not limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes, shall be prohibited if the light directly illuminates or is direct to project across property boundaries toward the shoreline and ocean waters, except as may be permitted pursuant to HRS §205A-71. All exterior lighting shall be shielded to protect the night sky;
- 18. No night work that requires outdoor lighting during seabird fledging season from September 15 through December 15;**
19. The activity shall not adversely affect a federally listed threatened or endangered species or a species proposed for such designation, or destroy or adversely modify its designated critical habitat;
20. The activity shall not substantially disrupt the movement of those species of aquatic life indigenous to the area, including those species which normally migrate through the area;
21. No contamination of the marine or coastal environment (trash or debris) shall result from project-related activities authorized under this letter;
22. All placed material shall be free of contaminants of any kind including: excessive silt, sludge, anoxic or decaying organic matter, turbidity, temperature or abnormal water chemistry, clay, dirt, organic material, oil, floating debris, grease or foam or any other pollutant that would produce an undesirable condition to the beach or water quality;

23. The permittee acknowledges that the approved work shall not hamper, impede, or otherwise limit the exercise of traditional, customary, or religious practices of native Hawaiians in the immediate area, to the extent the practices are provided for by the Constitution of the State of Hawai`i, and by Hawai`i statutory and case law;
24. The permittee understands and agrees that the permit does not convey any vested right(s) or exclusive privilege;
25. The permittee shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, state, and county governments, and applicable parts of this chapter;
26. In issuing the permit, the department and board have relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of the permit such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the department may, in addition, institute appropriate legal proceedings;
27. The permittee shall obtain necessary county permits for proposed the use prior to final construction plan approval by the department;
28. Any landscaping will shall be appropriate to the site location and shall give preference to plant materials that are endemic or indigenous to Hawai`i. The introduction of invasive plant species is prohibited;
29. Other terms and conditions as prescribed by the Chairperson; and
30. Failure to comply with any of these conditions shall render this Conservation District Use Permit void under Chapter 13-5, as determined by the chairperson or board.

Respectfully Submitted,

Salvatore Saluga

Salvatore Saluga, Coastal Lands Program Specialist
Office of Conservation and Coastal Lands

Approved for submittal:

Suzanne D. Case

Suzanne D. Case, Chairperson
Board of Land and Natural Resources



Exhibit 1 – Project Map and Description

DAVID Y. IGE
GOVERNOR OF
HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

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

ROBERT K. MASUDA
FIRST DEPUTY

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

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

March 12, 2018

Robert Kroning, Director
Department of Design and Construction
City and County of Honolulu
650 South King Street 11th Floor
Honolulu, HI 96813

IN REPLY REFER TO:
Log No.: 2017.01773
Doc. No.: 1803KM21
Archaeology

Dear Mr. Kroning:

SUBJECT: **Chapter 6E-8 Historic Preservation Review –
Archaeological Inventory Survey for the Kawailoa Road Drainage Improvements
Kailua Ahupua‘a, Ko‘olaupoko District, Island of O‘ahu
TMK: (1) 4-3-009:001 por.; 4-3-010:084 and 088**

Thank you for the opportunity to review the draft report titled *Archaeological Inventory Survey for the Kawailoa Road Drainage Improvements, Kailua Ahupua‘a, Ko‘olaupoko District, Island of O‘ahu, TMK: (1) 4-3-009:001 por.; 4-3-010:084 and 088* (Blahut et al., August 2017). The State Historic Preservation Division (SHPD) received this submittal on August 11, 2017. Previously, the SHPD received an archaeological literature review and field inspection (LRFI) for the proposed project on December 13, 2012. The LRFI (Hammatt and Shideler, 2012) recommended either archaeological inventory survey or archaeological monitoring; however the submittal was overtaken by events (December 24, 2015; Log No. 2012.3630, Doc. No. 1512KM14).

This archaeological inventory survey (AIS) was completed at the request of ParEn Inc. (dba Park Engineering) on behalf of the City and County of Honolulu Department of Design and Construction (DDC). The DDC is the project proponent and is proposing improvements to the storm water drainage system. The project area totals 2.8 acres and involves City and County owned land. The scope of work involves installation of new drainage improvements along Alala Road, replacing the drain line and ocean outlet by the boat ramp, and grading of an earthen berm within Kailua Beach Park adjacent to Kawailoa Road.

The AIS involved a 100% pedestrian survey and the excavation of four test trenches. The general stratigraphy within the project area included landscaping and road fills overlying natural alluvial deposits, all above natural Jaucas sands. The AIS documented one newly identified historic property: a buried cultural layer (Site 50-80-11-8166). Site 8166 included a single feature and contained small amounts of midden and charcoal material. Site 8166 is interpreted as a late pre-Contact to early post-Contact habitation site. Pursuant to Hawaii Administrative Rules (HAR) §13-275-6, the AIS assessed Site 8166 as significant under Criterion “d”. The report recommends a project effect determination of “effect, with proposed mitigation commitments” and recommends an archaeological monitoring program for the project. SHPD concurs with the effect determination.

The report meets the minimum requirements of HAR §13-276-5. **It is accepted.** Please send one hardcopy of the document, clearly marked FINAL, along with a text-searchable PDF version to the Kapolei SHPD office, attention SHPD Library.

As stipulated in HAR §13-275-7, when SHPD comments that a project will result in “effect with proposed mitigation commitments,” then detailed mitigation plans shall be developed for SHPD review and acceptance prior to project work commencing. The proposed mitigation for this project is archaeological monitoring for Site 8166.

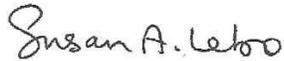
Exhibit 2 – SHPD 6E-8 Acceptance Letter

Mr. Kroning
March 12, 2018
Page 2

The SHPD looks forward to receiving an archaeological monitoring plan (AMP) meeting the requirements of HAR §13-279-4 for review and acceptance prior to project work commencing.

Please contact Kimi Matsushima at (808) 692-8027 or at Kimi.R.Matsushima@hawaii.gov for questions regarding archaeological resources or this letter.

Aloha,



Susan A. Lebo, PhD
Archaeology Branch Chief

cc: Doug Borthwick, Cultural Surveys (dborthwick@culturalsurveys.com)

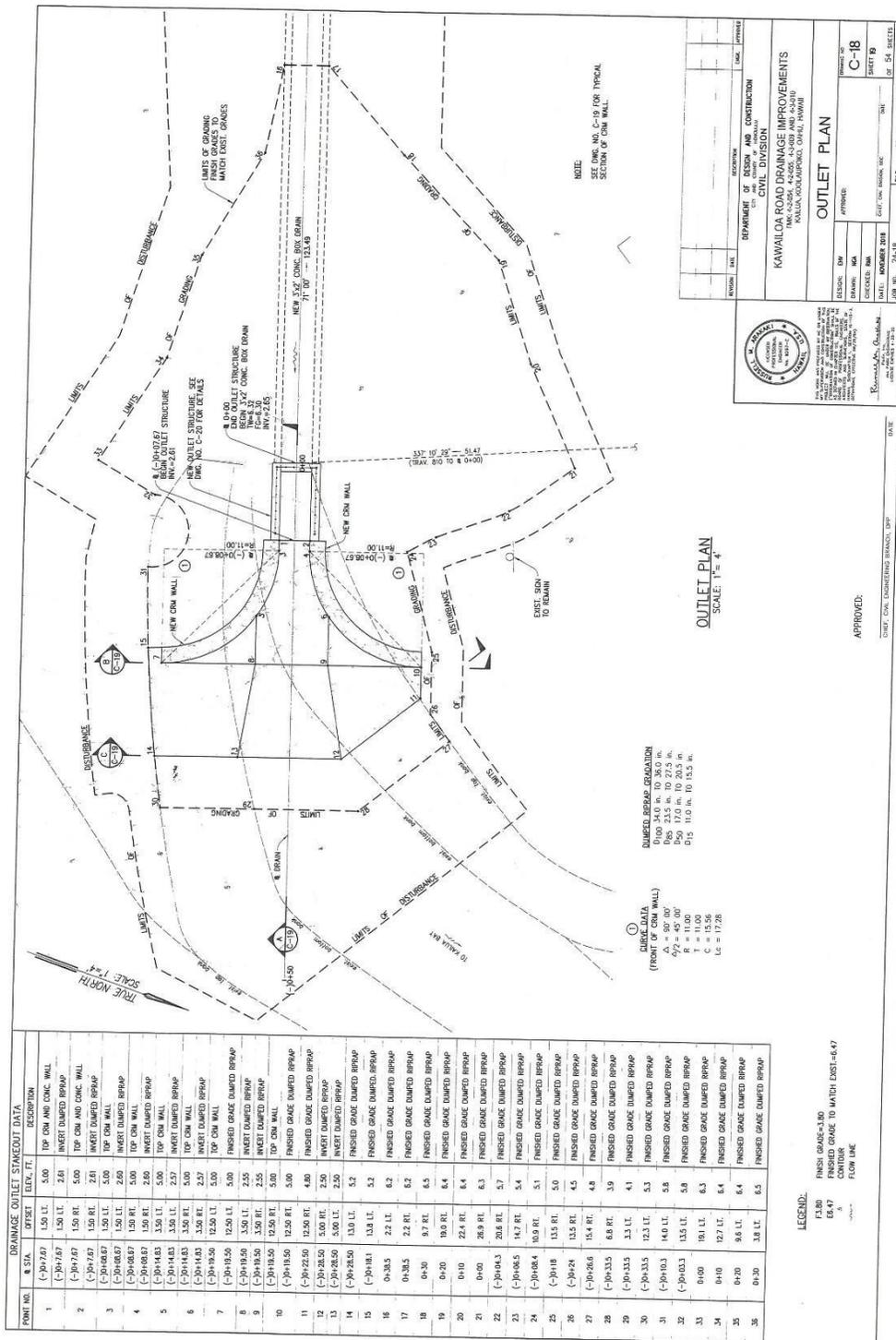


Exhibit 3 – Outlet & Drainage Plans

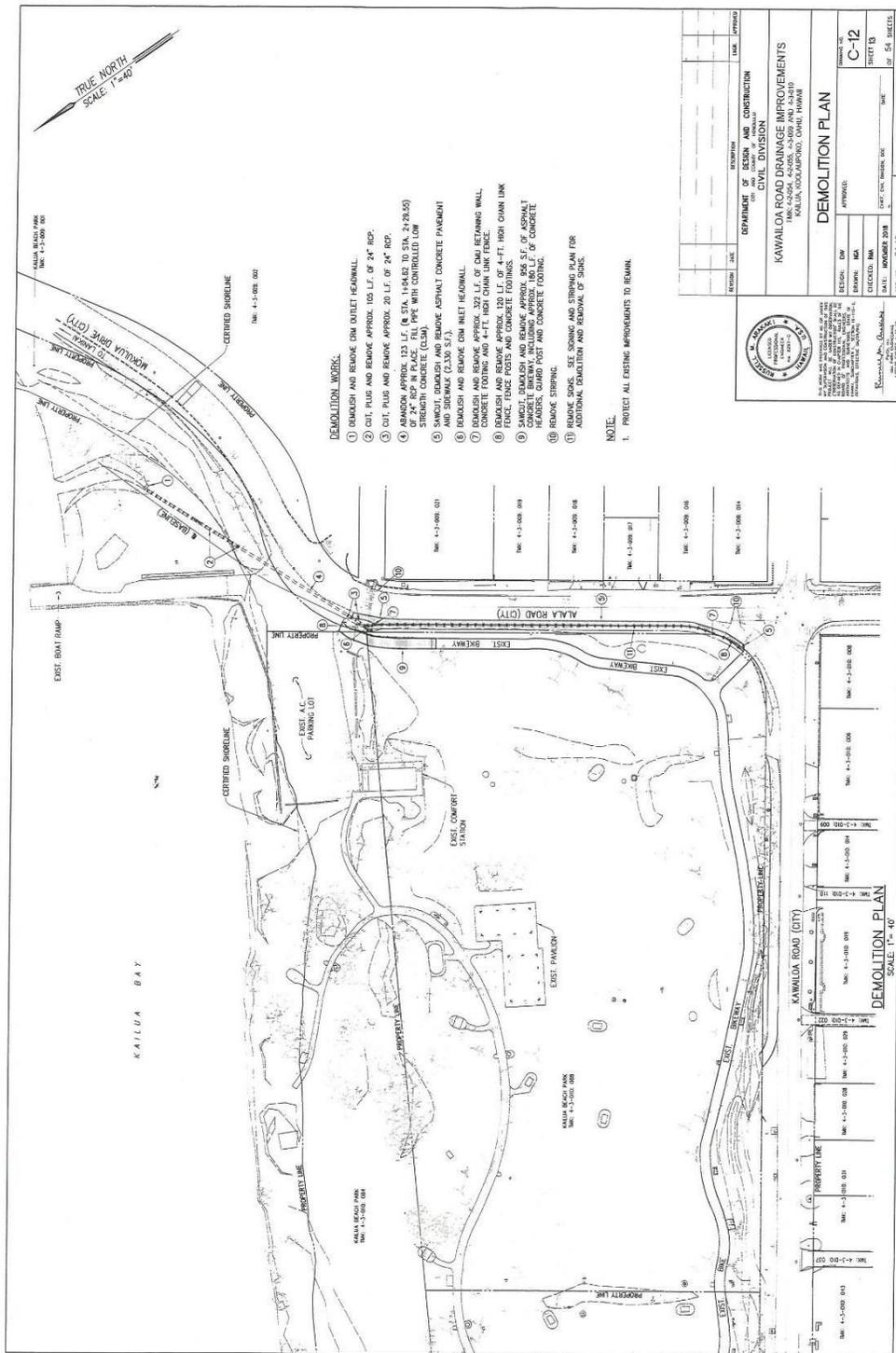


Exhibit 5 – Demolition Plans