

STATE OF HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
Honolulu, Hawai'i
August 25, 2023

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

REGARDING: Approval of Sea Life Park Conceptual Master Plan

OPERATOR: Sea Life Park Hawai'i

CONSULTANT: G70

LANDOWNER: State of Hawai'i

LOCATION: Waimānalo, Ko'olaupoko, O'ahu

TMK: (1) 4-1-014:004

SUBZONE: Sea Life Park Special Subzone

Sea Life Park is considered a non-conforming use, a use that was established prior to the advent of the Conservation District in October 1964. Sea Life Park proposes to expand the number of exhibits provided to the visiting public, improve other facilities such as entrances, walkways, parking and the dining area to include a viewing deck.

Background

Below is a brief timeline of actions taken regarding the development of the site for Sea Life Park improvements:

Aug 10, 1962: Following a public hearing, the Board of Land and Natural Resources (Board) approved a regulation for the subject location establishing a new subzone designated as "Kaupo Park". The regulation provided for use of the subzone for recreational, educational, and commercial use of the property. The Board further stipulated that "the manner and extent of operations carried on the premises shall be subject at all times to the regulation and approval of the Board of Land and Natural Resources."

Nov 12, 1976: The Board approved Conservation District Use Permit (CDUP) OA-831 for a 728-ft² expansion of a commercial kiosk in conjunction with recreational use at Sea Life Park subject to several conditions including condition #6:

“Hereafter, any future uses or structures determined to be in conformance with the recreational, educational, and commercial purposes of the conservation regulation covering that portion of TMK: 4-1-014:013, further identified as GL S-3709 and depicted on CSF No. 3252, shall be permitted; provided, however, that no such undertaking shall proceed without the prior approval of the Board of Land and Natural Resources in each and every instance.”

- Nov 28, 1977: The Board approved a Master Plan for the Sea Life Park complex.
- Mar 23, 1978: The area was re-subzoned to the General and Limited subzones of the Conservation District.
- April 1981: Environmental Impact Statement published for the Proposed Expansion of Sea Life Park. Accepted by the City Department of Land Utilization
- Jun 22, 1981: The 1962 regulation “Kaupo Park” was repealed. At the same time, the area was put into a Conservation District Special Subzone called “Sea Life Park.”
- Aug 11, 1982: DLNR staff acknowledges the Master Plan approved by the City’s DLU.
- Dec 1, 1988: DLU accepts the Sea Life Park revised Master Plan as the current Master Plan.

Staff notes land uses at Sea Life Park were approved under the previous General Lease and Conservation District rules. Further in the 1980’s, thru City permitting, the Master Plan was improved and acknowledged by DLNR. While there are some minor discrepancies between what is existing and the last Master Plan done in 1988, existing land uses are consistent with the objective of the Sea Life Park Special subzone for recreational, educational, and commercial purposes. Sea Life Park operates under a sublease from Hawaii Pacific University that holds the master lease from the Department.

CURRENT REQUEST (EXHIBIT A)

The renovation plan identifies 13 improvement projects that range from the renovation of existing structures to the replacement of an existing facility with a brand-new facility. These improvements are necessary for the park to continue to attract repeat visitors and to update the Park. Major exhibits are over 50-yrs old and existing structures are nearing the end of useful life. The Thirteen Improvement Projects are:

- **Entry Features**-Landscaping and Signage.
- **Entry/Ticket Office/Retail Building**-New building consisting of the ticket lobby, entry deck, view deck, retail, offices, restrooms on the lower level and a new bridge to the shark tank.

- **Shark Reef and Tunnel Renovation**-Themed geological, reef and natural environment walkway renovation, structural renovation of building, life system upgrade, rerouting of seawater.
- **Honu Conservation and Education Center**-Separate pools for Green and Hawksbill Turtles, renovation to create the conservation pavilion for walk-thru exhibit with hatchling nursery, classroom and retail space, gathering area for education programs and show, stage and seating.
- **Indoor Aquarium**-New climate control facility with indoor aquarium with exhibitions, gift shop and back of house services areas.
- **Kaupō Fishing Village**-Demonstration area with hale(s) for traditional and customary ethnobotanical crafting; dressing/breakroom for performers, restrooms; new service road; refuse enclosure.
- **Hawai'i Ocean Theater**-Performance area with bleacher seating for guests, haul out area and resting tanks, underwater viewing area, new roof to shade seating area, sealion holding tanks.
- **Sea Lion Habitat**-Exhibit area.
- **Penguin Habitat**-Exhibit area.
- **Snack Shop Renovation**-Conversion of existing snack shop to a Grab and Go Food Kiosk with outdoor seating area, new roof, new signage and new kitchen equipment, new furniture.
- **Seabird Sanctuary and Lovebird Aviary**-Shorebird rehabilitation center for seabirds brought in by the public, office for medical services, outdoor enclosures and pools, intake shelter; covered pavilion, walking path to exhibit, screened enclosures, structures to provide shade.
- **Menehune Island Splash Play Area**-Water Play Area, Toddler Play Area, covered seating area, carousel ride improvements.
- **Beach Boy Lanai Renovation**-Main food operations for the park. Food court and lanai seating, roof replacement, renovation of deck, kitchen, dining area.
- **Conservation Center Renovation**-Renovate interior of existing building for museum space and meeting rooms.
- **Traffic Circulation and Parking Improvements**-Vehicular and tour bus parking and improve pedestrian crossings.

This latest Master Plan is conceptual for future projects, and enhancements will be within the same footprint as the existing facility. Improvements are to update and refresh the

Park. On a yearly basis the Park's team decides on the capital improvement projects to carry out. The Plan is expected to be completed in fifteen years.

Public Outreach

The draft Environmental Assessment (EA) was presented to the Hawai'i Kai Neighborhood Board and the Waimānalo Neighborhood Board in November 2019. The Final EA was accepted by the City Department of Planning and Permitting and published in the May 8, 2020, edition of *The Environmental Notice*.

Regarding the Special Management Area (SMA) Use Permit, Neighborhood Board presentations were done in May, June and August 2022, and the City DPP held a public hearing on the SMA in October 2022. Resolution 22-293 granting a Special Management Area Use Permit to allow renovations and additions at Sea Life Park was adopted by the City Council on February 22, 2023.

The OCCL conducted a public hearing on the evening of May 3, 2023, at the Waimānalo Library. Five members of the community were in attendance. There were inquiries regarding the State lease and statements that the newspaper and facebook were not the best way to reach out to the public. When asked how to reach out to people in Waimānalo, it was stated that it is best to reach out through the Kūpuna.

The community members shared that a Kahuna lived in a cave to the east of the Park. Also the muliwai of Ko'onāpou [former name of Kaupō], use to flow across the road near the bend before the entrance but has been capped. It was requested that authentic cultural aspects be brought back to Sea Life Park. It was also requested that during construction, cultural monitors be from Waimānalo.

According to Sea Life Park through its consultant G70, Sea Life Park is creating a new identity that embraces Hawaiian culture and provide visitors the Hawaiian experience they expect. In particular, the existing events area will be re-themed to portray the ancient Hawaiian fishing village of Kaupō and display a fishing stone and canoes. Replica fishing village structures within the Kaupō Fishing Village area will include demonstrations of canoe carving, hale thatching, fabricating fishing nets, mat weaving, and food preparation. Sea Life Park is partnering with the local Waimānalo community and encourages student involvement. Hawaiian architectural elements, thatched roofs and carved columns will be added to existing buildings.

Sea Life Park has further stated that Waimānalo residents make up about 30-40% of the employees at the Park. Sea Life Park has an ongoing agreement with the Waimānalo Bridge Program and do on site job training for many of their graduates with the hopes of having them retained as permanent employees. The Park also currently utilizes the services of a Waimānalo group to prepare the imu daily for the lū'au and patronizes many Waimānalo small businesses for various services (construction, laundry, masonry, etc).

There were questions regarding increased use of sea water for the improvements, the quality of the discharged sea water, and a comment about the potential increase of trash, waste, and pollution. At this time, it appears there will be no increased use of sea water. Regarding the discharge of water, weekly testing takes place, and the Park has been in

compliance as polluted discharge cannot be released into the ocean. There have not been any incidents all these years.

ANALYSIS

As previously stated, Sea Life Park is a non-conforming use, as the use was established prior to the advent of the Conservation District in October 1964. Per the Hawai'i Administrative Rules (HAR) §13-5-2, "Nonconforming use" means the lawful use of any building, premises, or land for any trade, industry, residence, or other purposes which is the same as and no greater than that established prior to October 1, 1964, or prior to the inclusion of the building, premises, or land within the conservation district.

Further, HAR §13-5-7 states that Chapter 13-5 shall not prohibit the continuance, or repair and maintenance, of nonconforming land uses and structures as defined in this chapter.

Regarding the Special subzone, HAR §13-5-15 notes, the objective of this subzone is to provide for sustainable use of areas possessing unique developmental qualities that complement the natural resources of the area. Unlike other subzones of the Conservation District, there are no specific identified land uses that could be applied for under the Special Subzone.

The Sea Life Park Special Subzone designation is for recreational, educational, commercial purposes. All proposed land uses must be consistent with the Special Subzone designation.

DISCUSSION

The nonconforming "Kaupo Park" subzone that existed prior to the advent of the Conservation established the regulation providing for recreational, educational, and commercial use of the property in 1962. The Board further stipulated that "the manner and extent of operations carried on the premises shall be subject at all times to the regulation and approval of the Board of Land and Natural Resources."

As Sea Life Park is a nonconforming land use, Conservation District rules cannot prohibit the continuance, or repair and maintenance of the Park. Further, unlike other subzones of the Conservation District, there are no identified land uses that could be applied for under the Special Subzone. Either proposals in the Special Subzone are consistent with the Special Subzone designation, or if not consistent with the designation, then it should not be allowed.

The main permit to regulate the construction of the elements presented in the Environmental Assessment and Master Plan for the improvements have been processed by the City under Resolution 22-293 granting a Special Management Area Use Permit to allow renovations and additions at Sea Life Park that was adopted by the City Council on February 22, 2023.

This newest Master Plan includes thirteen projects that range from the renovation of existing structures to the replacement of an existing facility with a brand-new facility. Sea Life Park proposes to expand the number of exhibits provided to the visiting public, improve other facilities such as entrances, walkways, parking, and an expansion of the

dining area to include a viewing deck with tables above the existing dining lanai. These improvements are necessary for the park to continue to attract repeat visitors and to update the Park. Major exhibits are over 50-yrs old and existing structures are nearing the end of useful life.

The proposed improvements are to be developed over a fifteen-year timeline and are consistent with the Sea Life Park Special Subzone designation for recreational, educational, commercial purposes.

RECOMMENDATION

Staff recommends that the Board of Land and Natural Resources find the improvements and renovations to Sea Life Park are in conformance with the Sea Life Park Special Subzone and APPROVE this newest Master Plan as illustrated in **Exhibit A** 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 HAR Chapter 13-5;
- (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) The permittee shall obtain appropriate authorization from the department for the occupancy of state lands, if applicable;
- (4) The permittee shall comply with all applicable department of health administrative rules;
- (5) Before proceeding with any work authorized by the department or the board, the permittee shall submit a minimum of two copies of the construction plans and specifications to the chairperson or an authorized representative for approval for consistency with the conditions of this authorization. A copy shall be retained by the Department and other copies will be returned to the permittee. Plan approval does not constitute approval required from other agencies;
- (6) 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 or an authorized representative and shall be completed within twenty years of the approval of such use.

- (7) The permittee shall notify the Office of Conservation and Coastal Lands department in writing when construction activity is initiated and when it is completed;
- (8) All representations relative to mitigation set forth in the accepted environmental assessment for the proposed use are incorporated as conditions of the permit;
- (9) The permittee understands and agrees that the permit does not convey any vested right(s) or exclusive privilege;
- (10) In issuing this approval, 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;
- (11) When provided or required, potable water supply and sanitation facilities shall have the approval of the department of health and the county department of water supply;
- (12) Provisions for access, parking, drainage, fire protection, safety, signs, lighting, and changes on the landscape shall be provided;
- (13) 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;
- (14) 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, trails, lateral beach access, or pathways acceptable to the department;
- (15) During construction, appropriate mitigation measures shall be implemented to minimize impacts to the aquatic environment, off-site roadways, utilities, and public facilities;
- (16) Cleared areas shall be revegetated, in accordance with landscaping guidelines provided in this chapter, within thirty days unless otherwise provided for in a plan on file with and approved by the department;
- (17) For all landscaped areas, landscaping and irrigation shall be contained and maintained within the property. Landscaping shall give preference to plant materials that are endemic or indigenous to Hawai'i. The introduction of invasive species is prohibited;

- (18) 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 directed to project across property boundaries toward the shoreline and ocean waters, except as may be permitted pursuant to section 205A-71, HRS. All exterior lighting shall be shielded to protect the night sky;
- (19) 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;
- (20) 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; and
- (21) Other terms and conditions as prescribed by the chairperson.

Respectfully submitted,



K. Tiger Mills, Staff Planner
Office of Conservation and Coastal Lands

Approved for submittal:



Dawn N.S. Chang, Chairperson
Board of Land and Natural Resources

MC



G70

Sea Life Park

Renovation Plan
Concept Design Workbook
05/07/19

Exhibit A

Sea Life Park Hawaii is developing a near term 5-year renovation plan to improve its existing facilities and develop new facilities to expand its current offerings. The park is located within lands designated as the State of Hawaii Land Use Conservation District and the City and County of Honolulu Special Management Area (SMA). Sea Life Park Hawaii is under contract with G70 to complete the required Environmental Assessment and SMA Use Permit, and review under the Conservation District Special Subzone.

The 5-year renovation plan identifies 13 individual improvement projects, which range from the renovation of existing structures, to the replacement of an existing facility with a brand new facility, with expanded program and intensified use.

This document is intended to be utilized as a guide for the park to implement improvements. The sketches, renderings, graphic materials, plans, and tabulations contained herein are conceptual and proposed only. The exhibits herein convey a design intent which may be modified based on factors which include, but are not limited to the development agreement, land use codes, building codes and the construction market.

Dimensions and square footage are approximate and should be used for planning purposes only. The preliminary cost estimates are opinions of probable costs and are to be used for planning purposes only.

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- 12 | Conservation Center Renovation
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- A | Project Schedule
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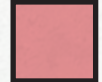


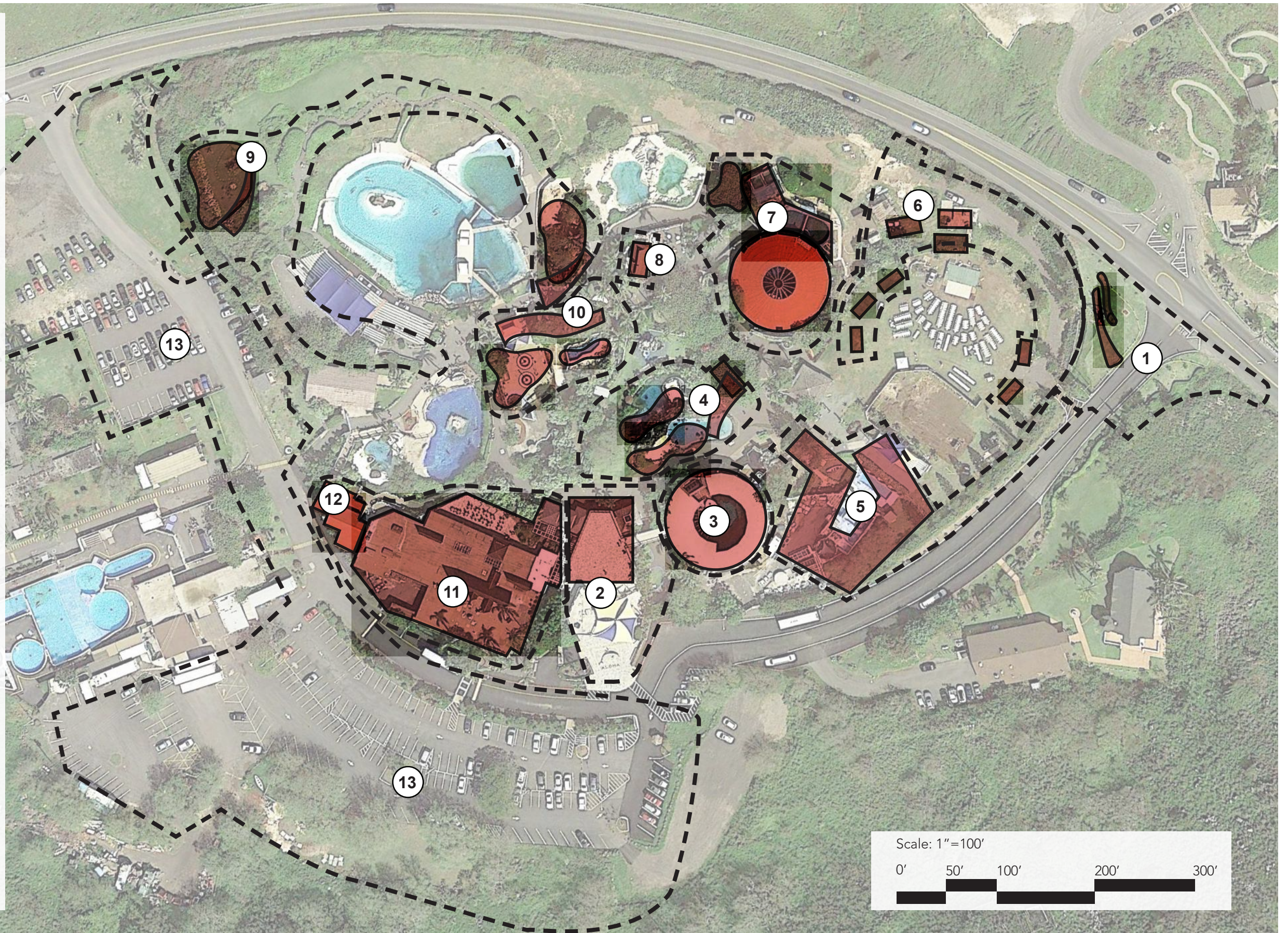


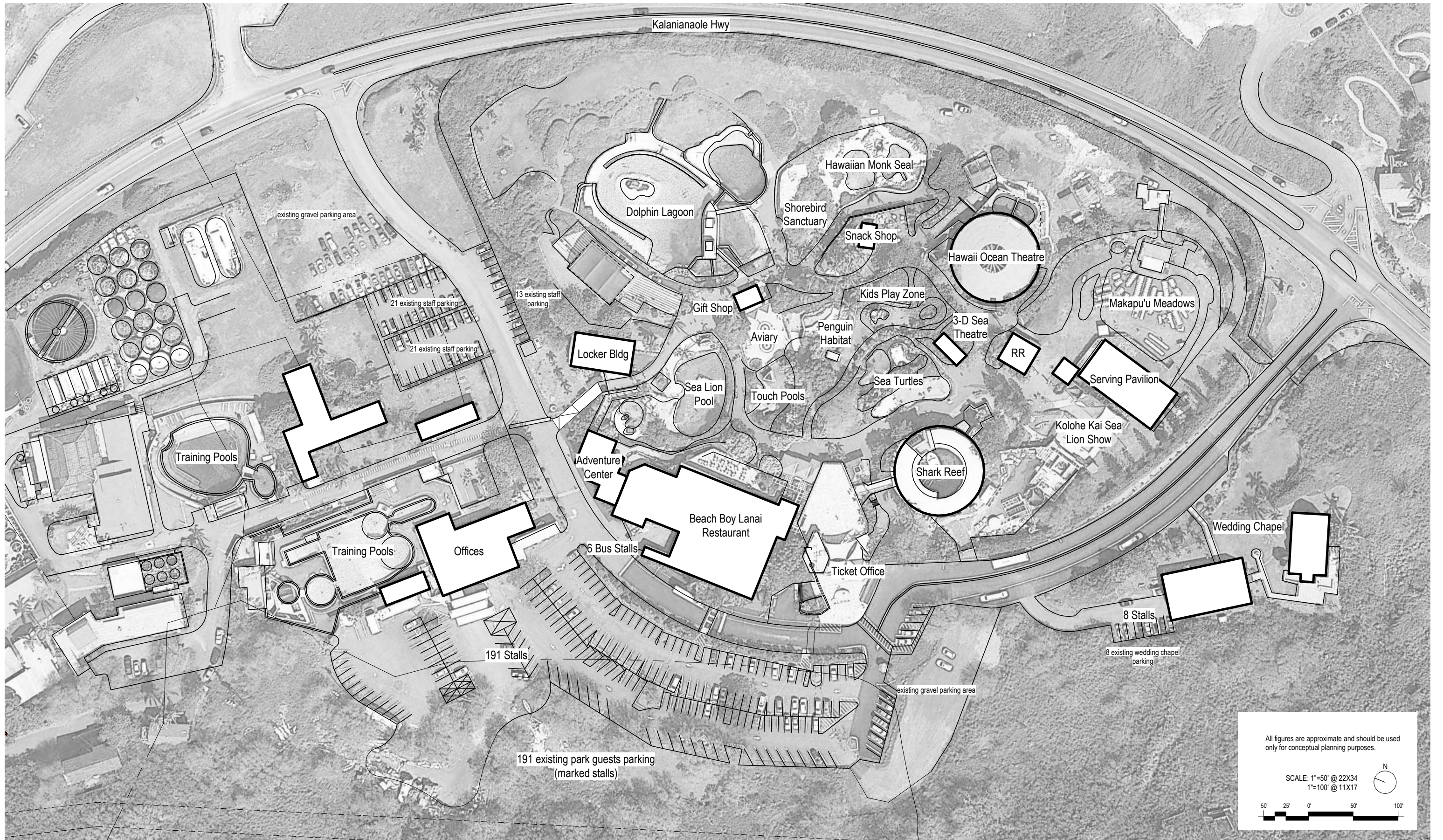
Legend

- 1. Entry Feature
- 2. Entry and Retail Building
- 3. Shark Reef and Tunnel Renovation
- 4. Honu Conservation and Education Center
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- 6. Kaupō Fishing Village
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- 9. Seabird Sanctuary and Lovebird Aviary
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- 11. Beach Boy Lanai Renovation
- 12. Conservation Center Renovation
- 13. Traffic Circulation and Parking Improvements

Area of Improvements 

Renovated or New Building Locations 



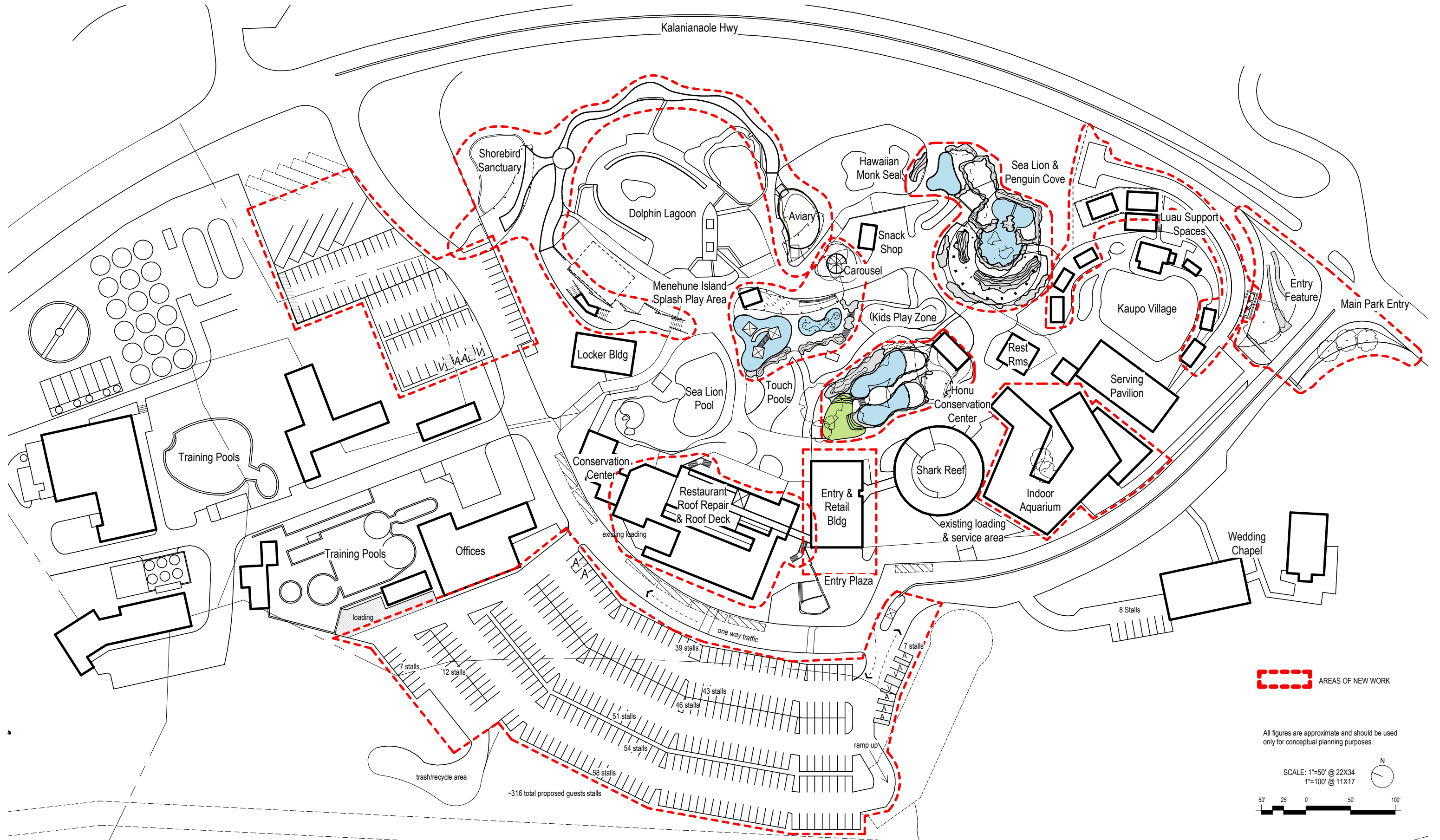


All figures are approximate and should be used only for conceptual planning purposes.

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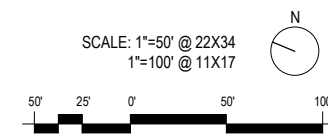
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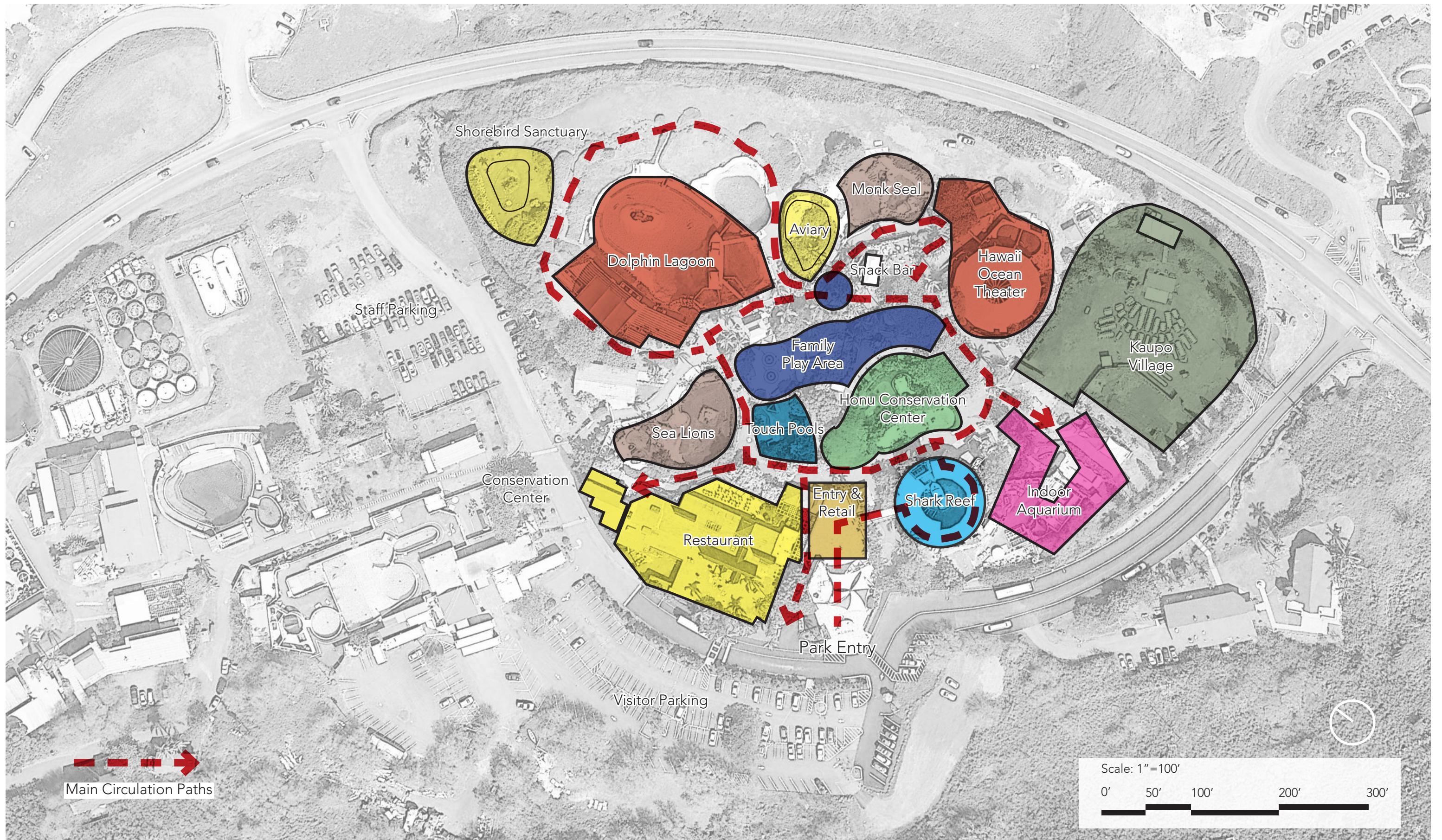
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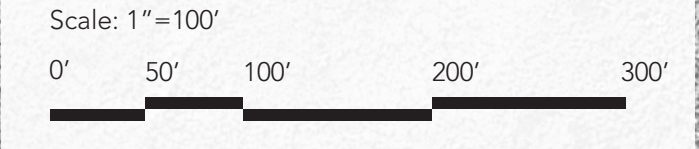
AREAS OF NEW WORK

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Main Circulation Paths





Entry Feature



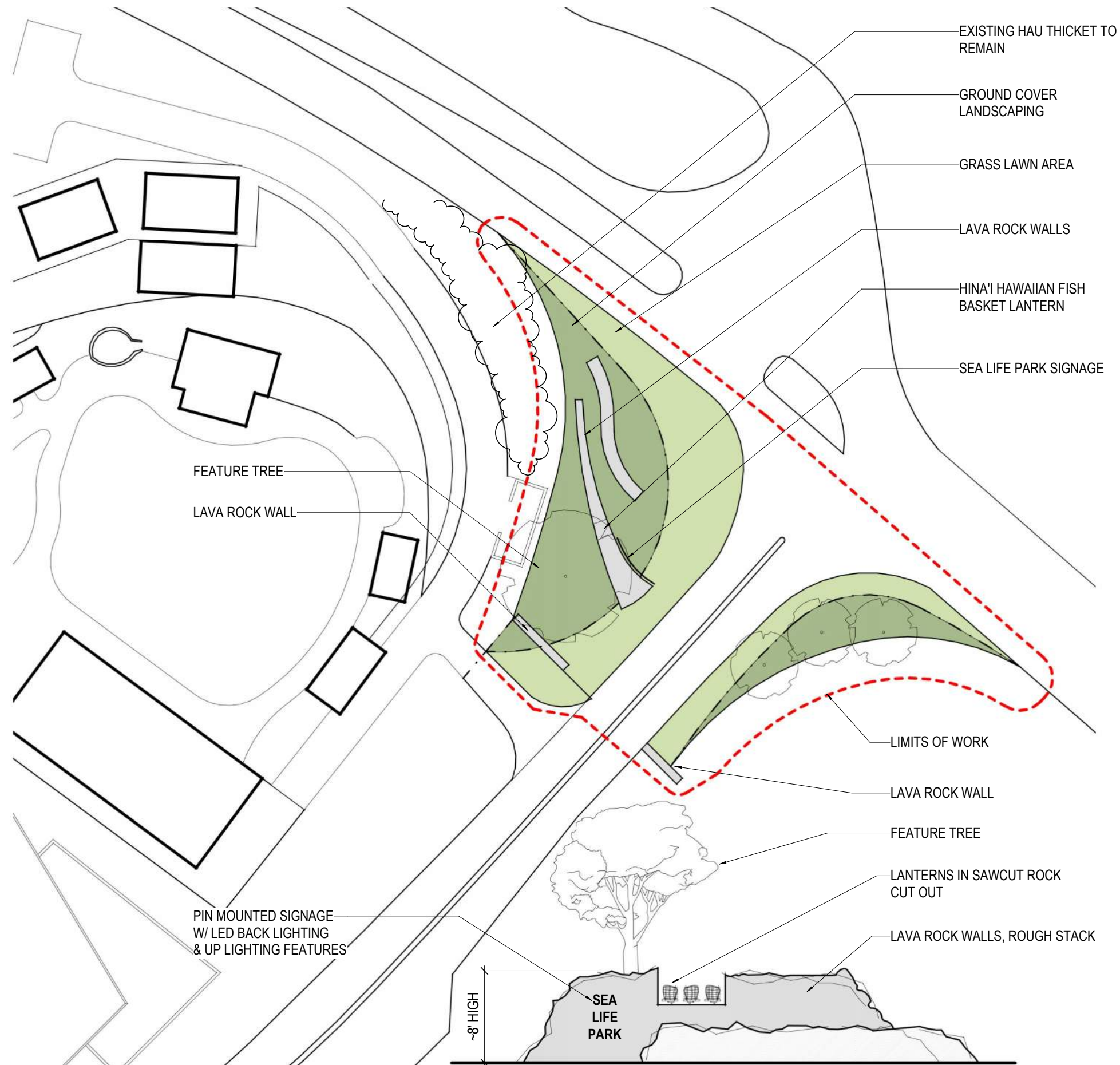
Overall Site Context



Existing Conditions - looking north

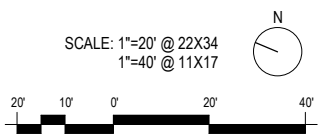


Existing Conditions - looking west



All figures are approximate and should be used only for conceptual planning purposes.

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Site Context

SEA
LIFE
PARK
HAWAII



SEA LIFE PARK Logo Concept



Hawaiian Fishing Basket



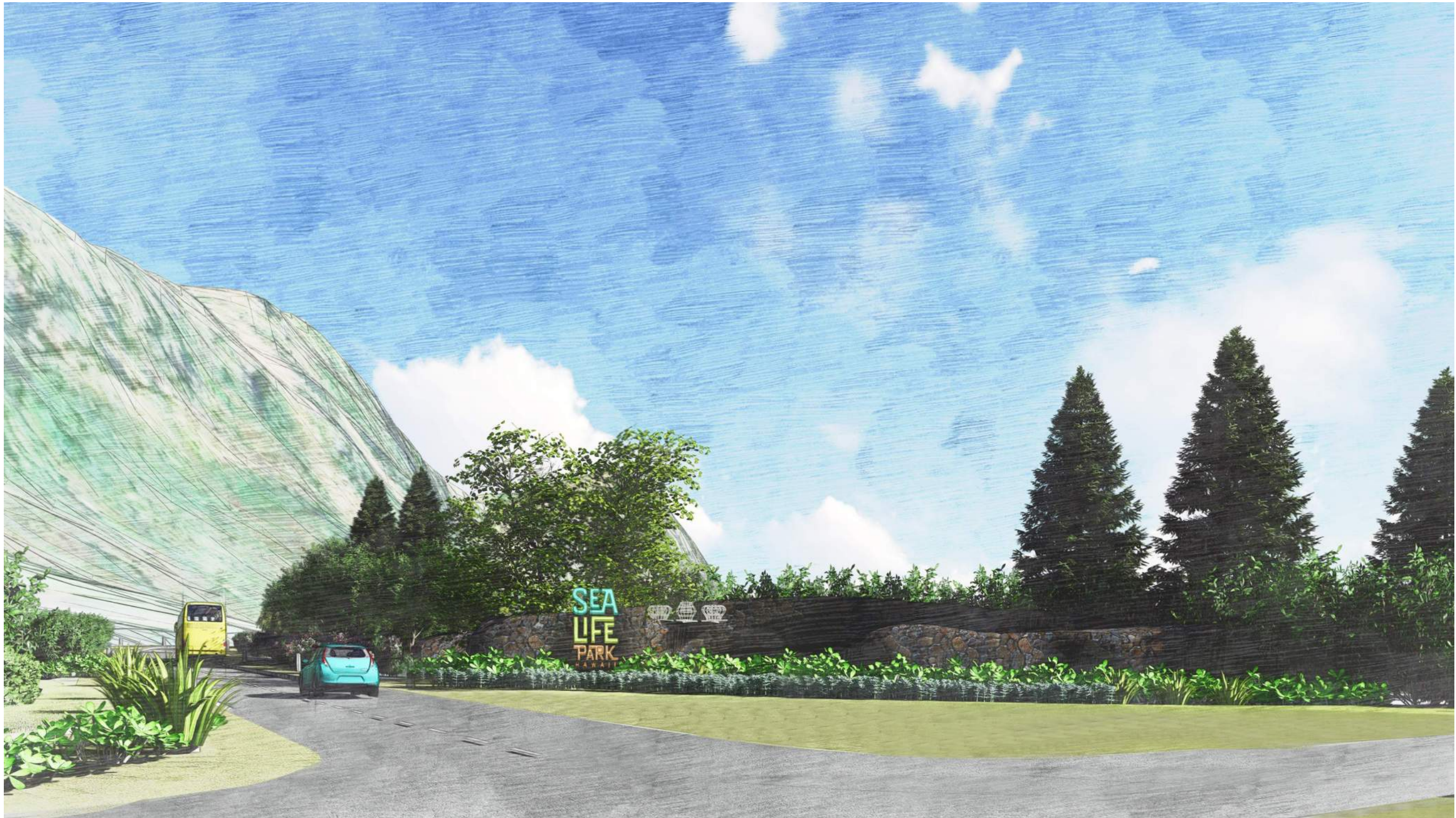
Signage Precedent



Native Landscaping



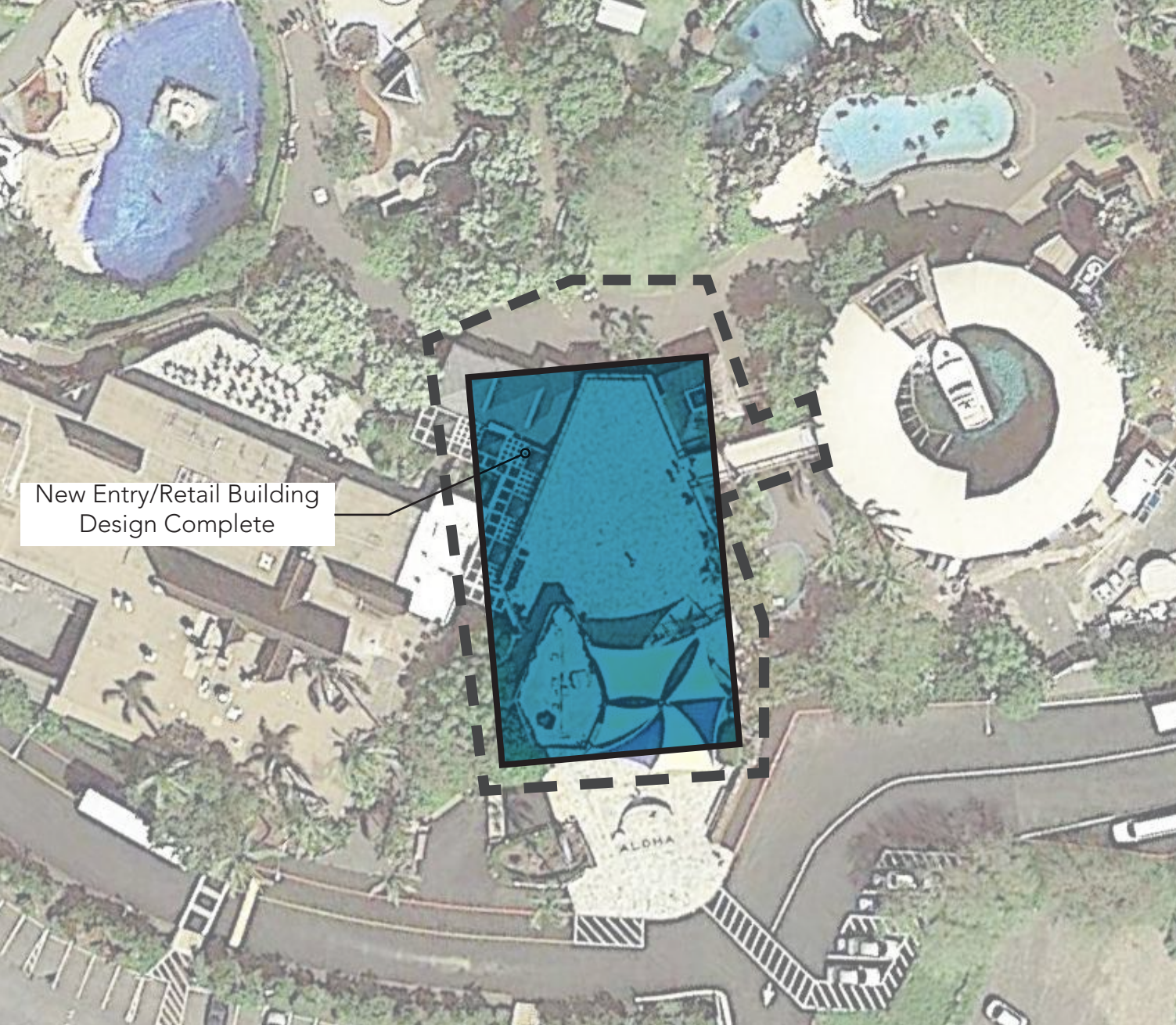
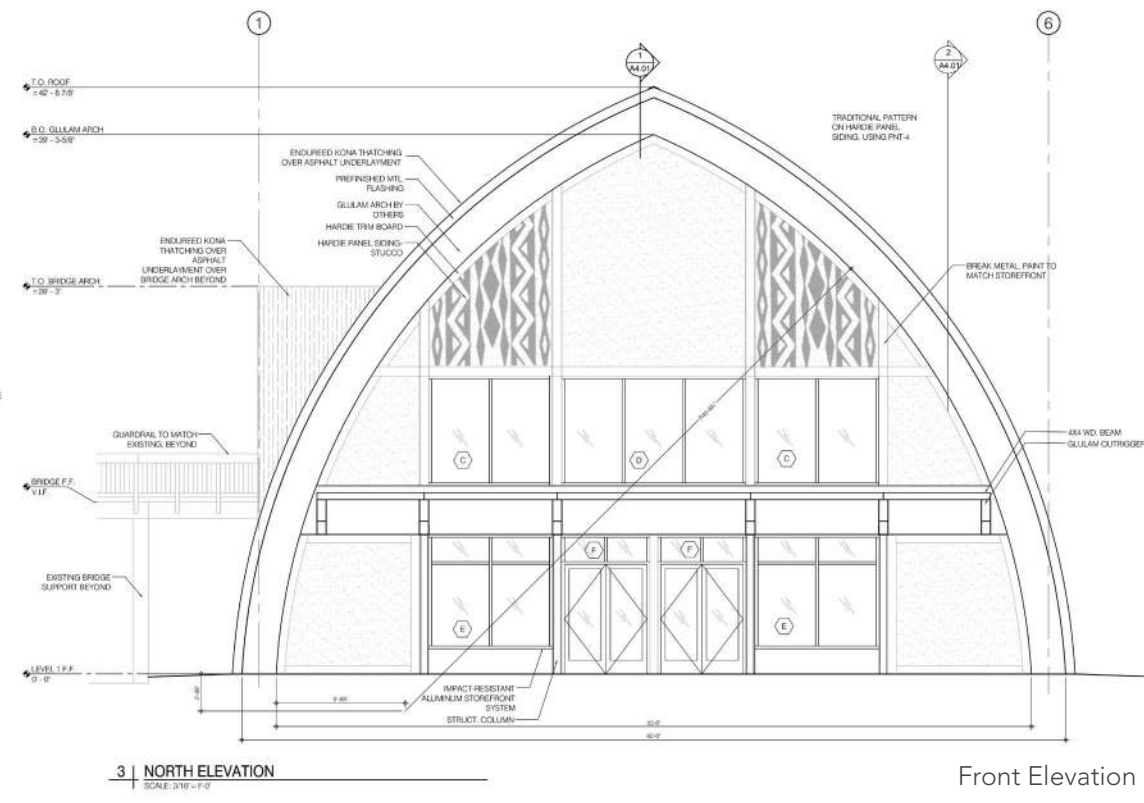
Ancient Rock Structure



View looking towards park entry road from Kalanianaʻole Hwy intersection

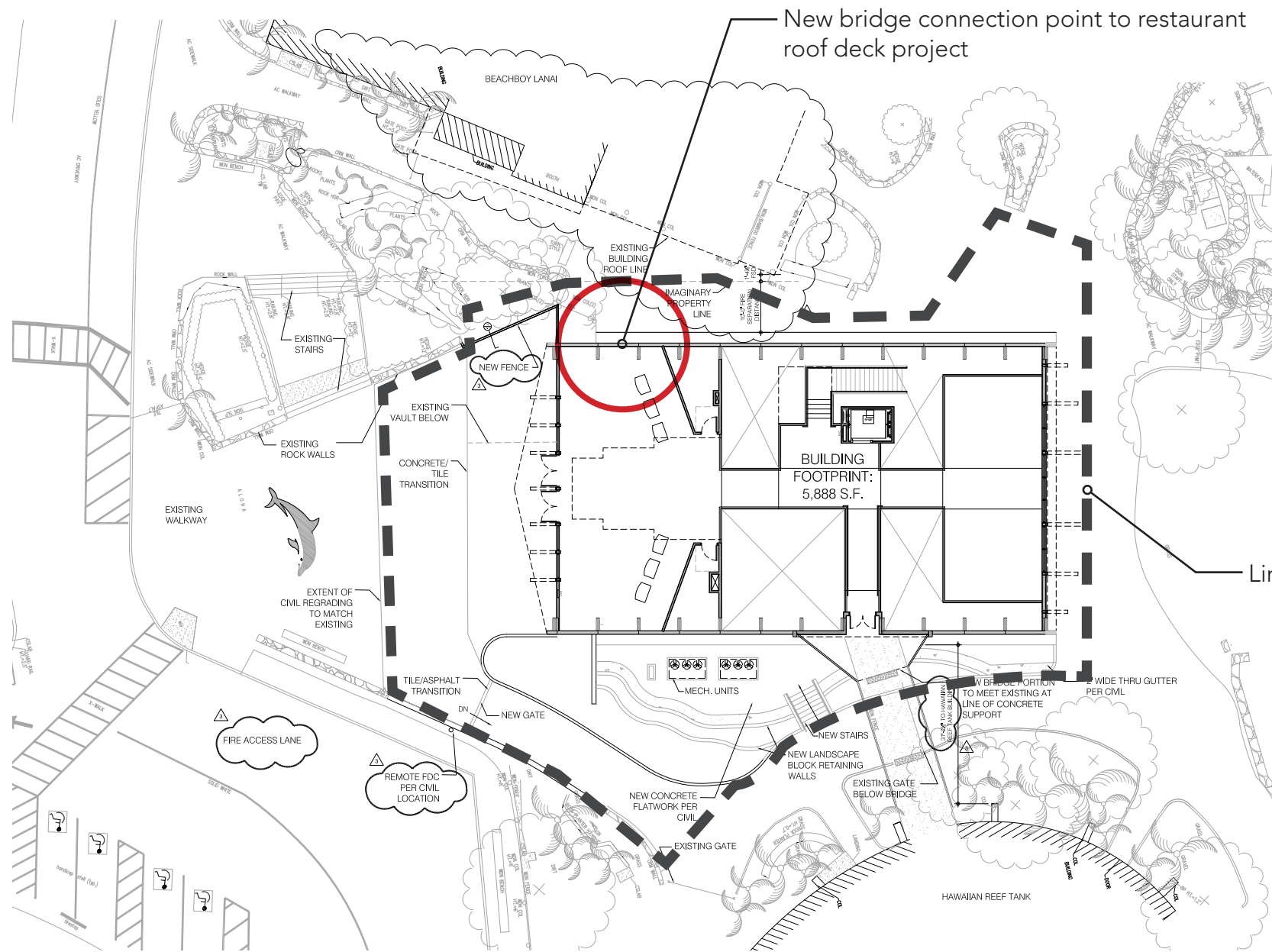
Entry & Retail Building



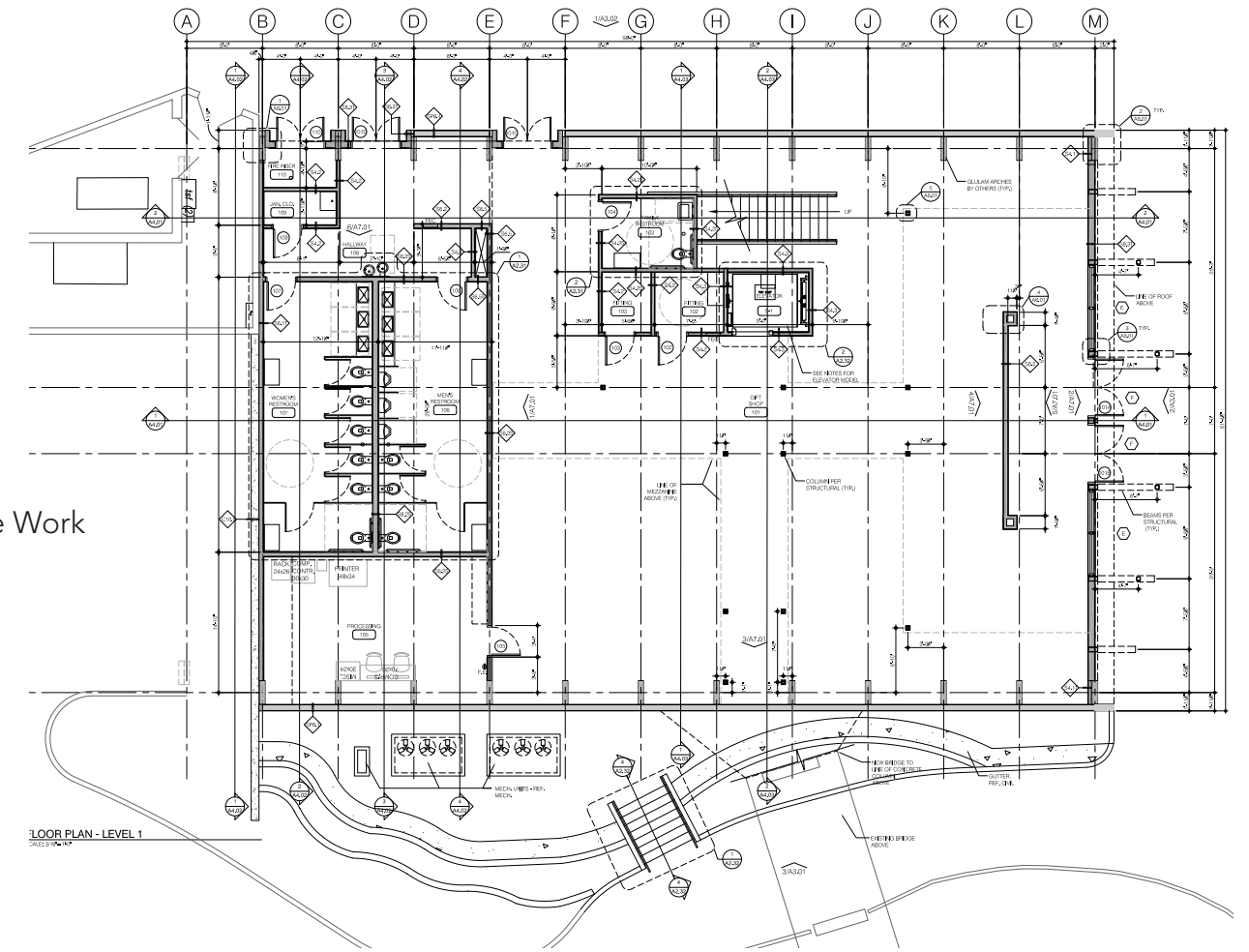


Design Theme





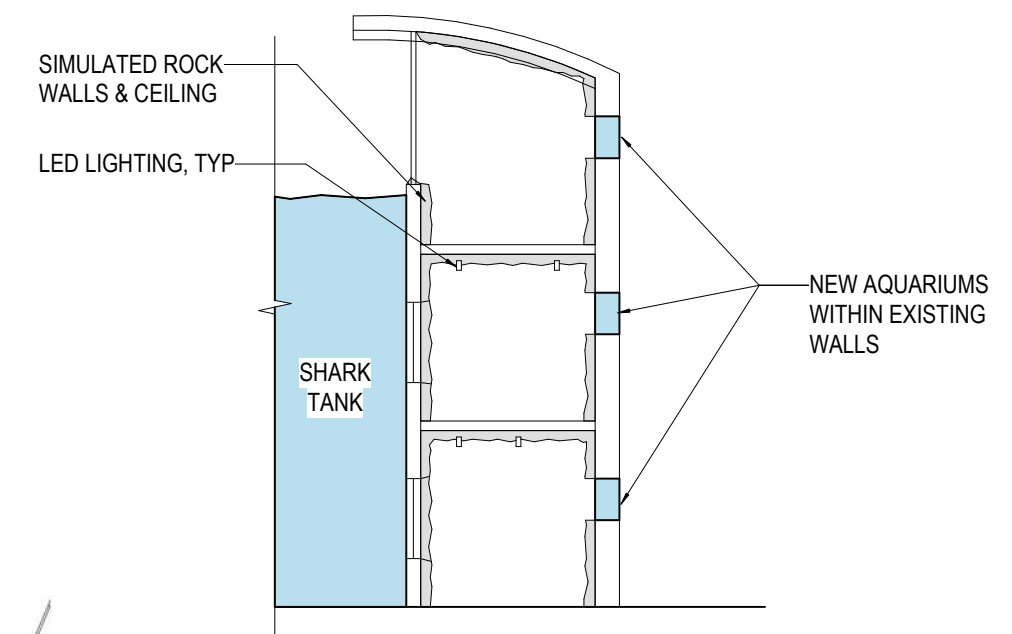
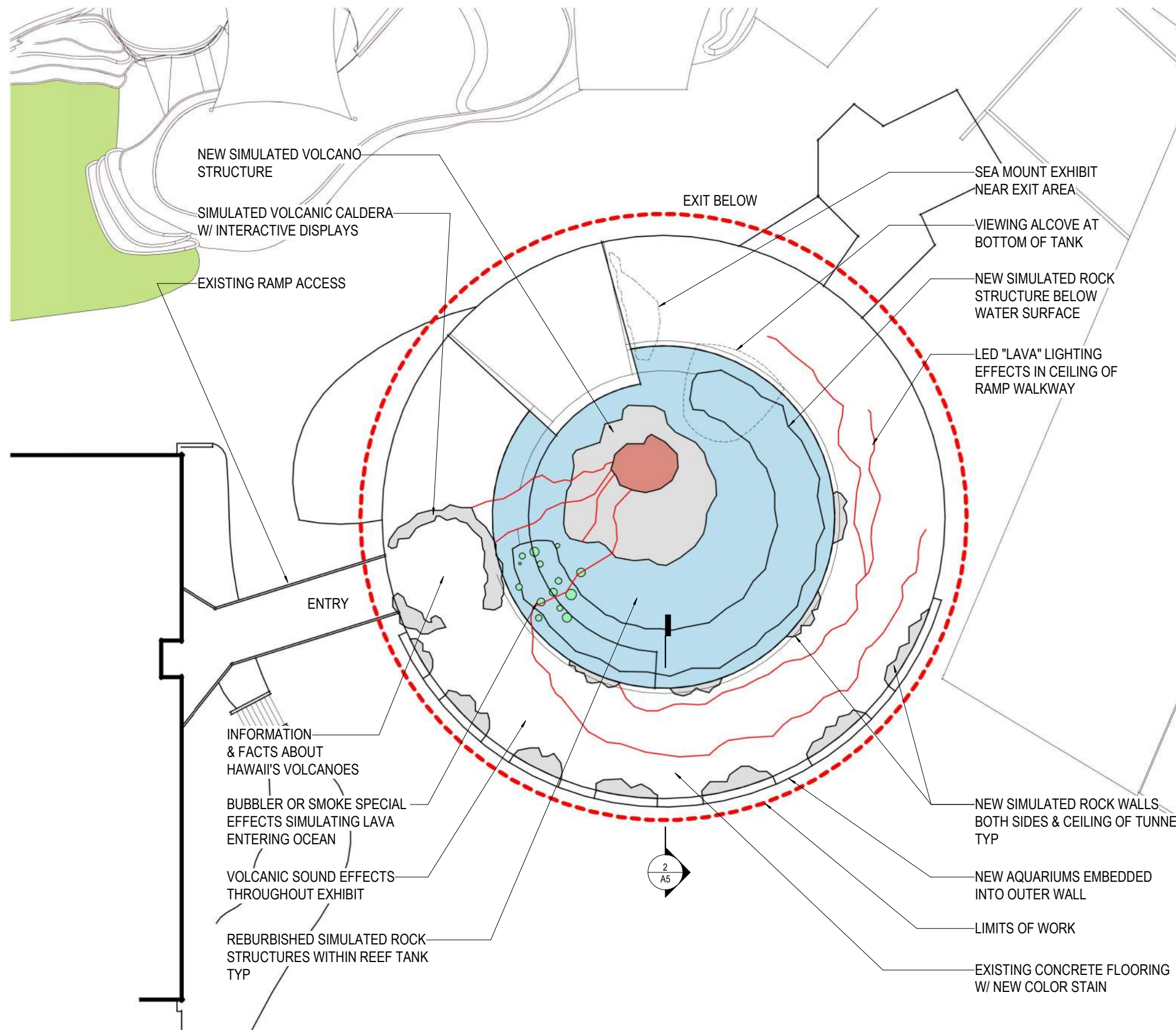
Site Plan/Upper Level Plan



Lower Level Plan



Shark Reef Renovation

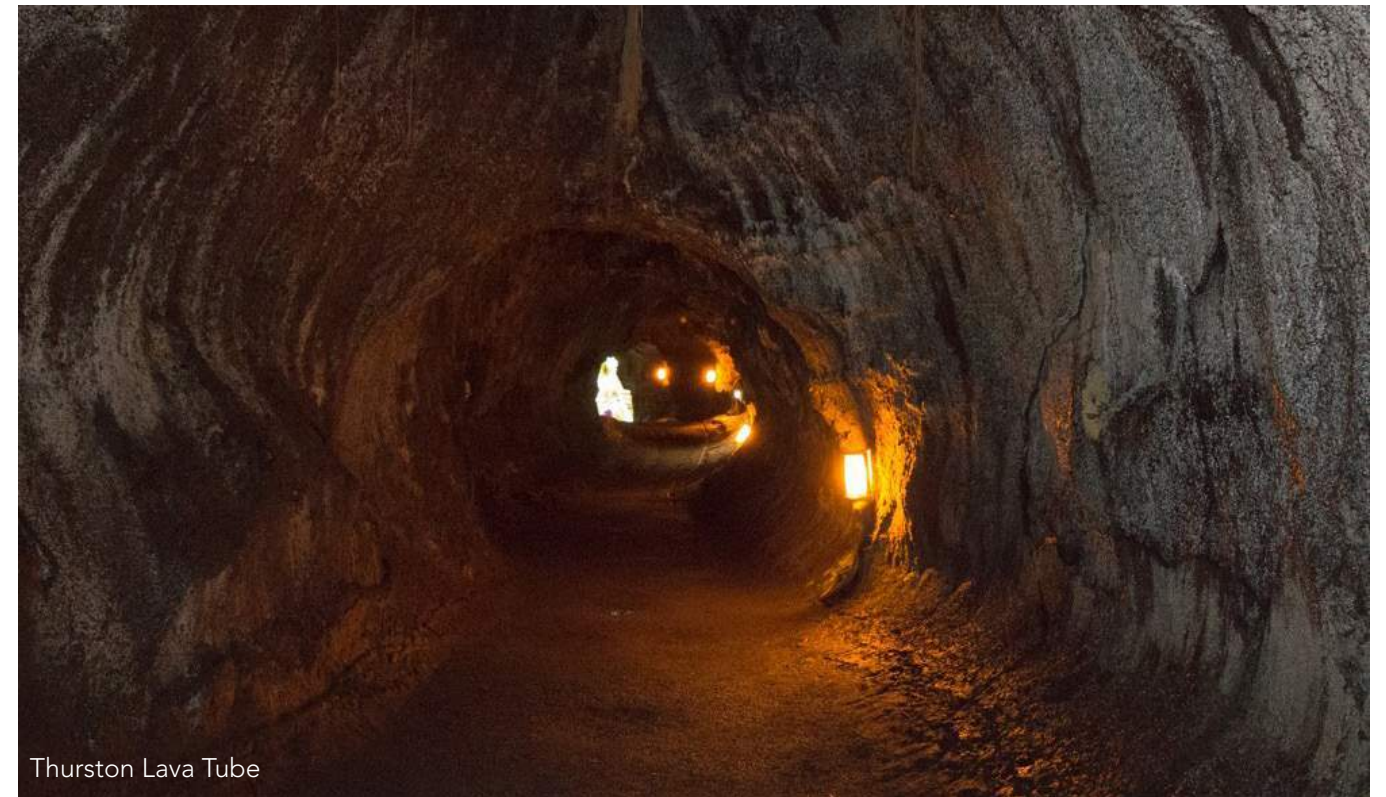
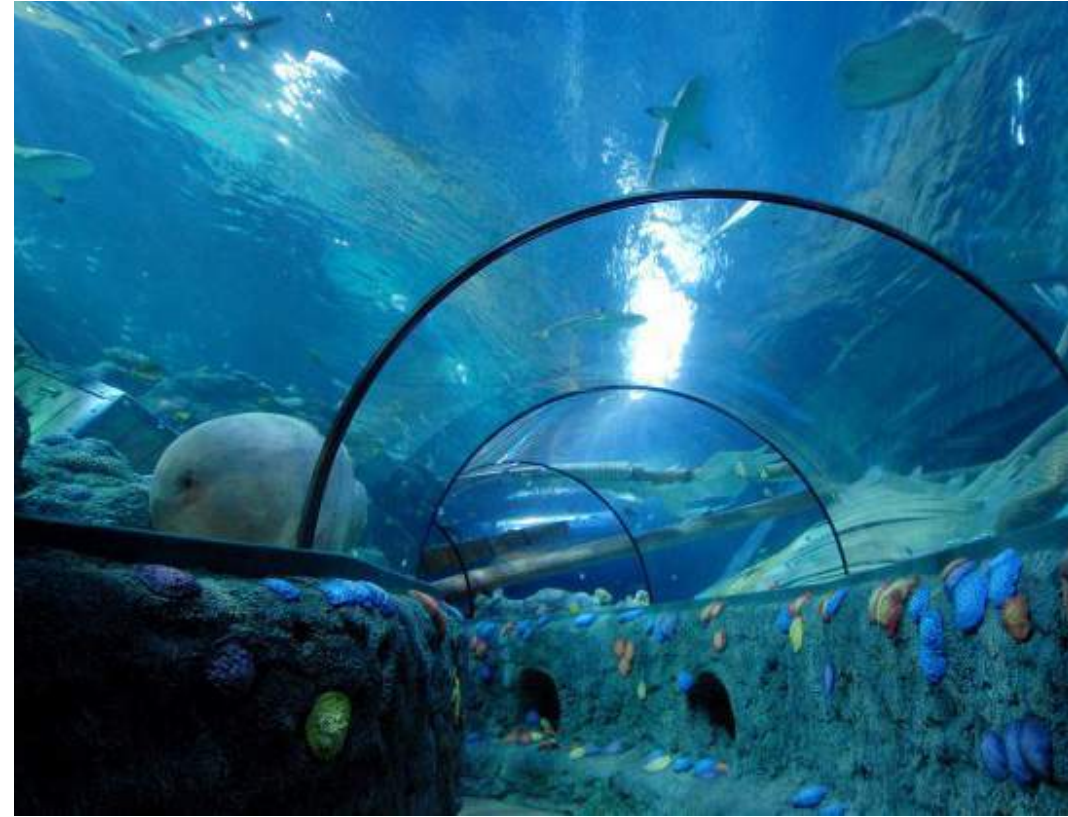


2 CONCEPTUAL SECTION
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All figures are approximate and should be used only for conceptual planning purposes.

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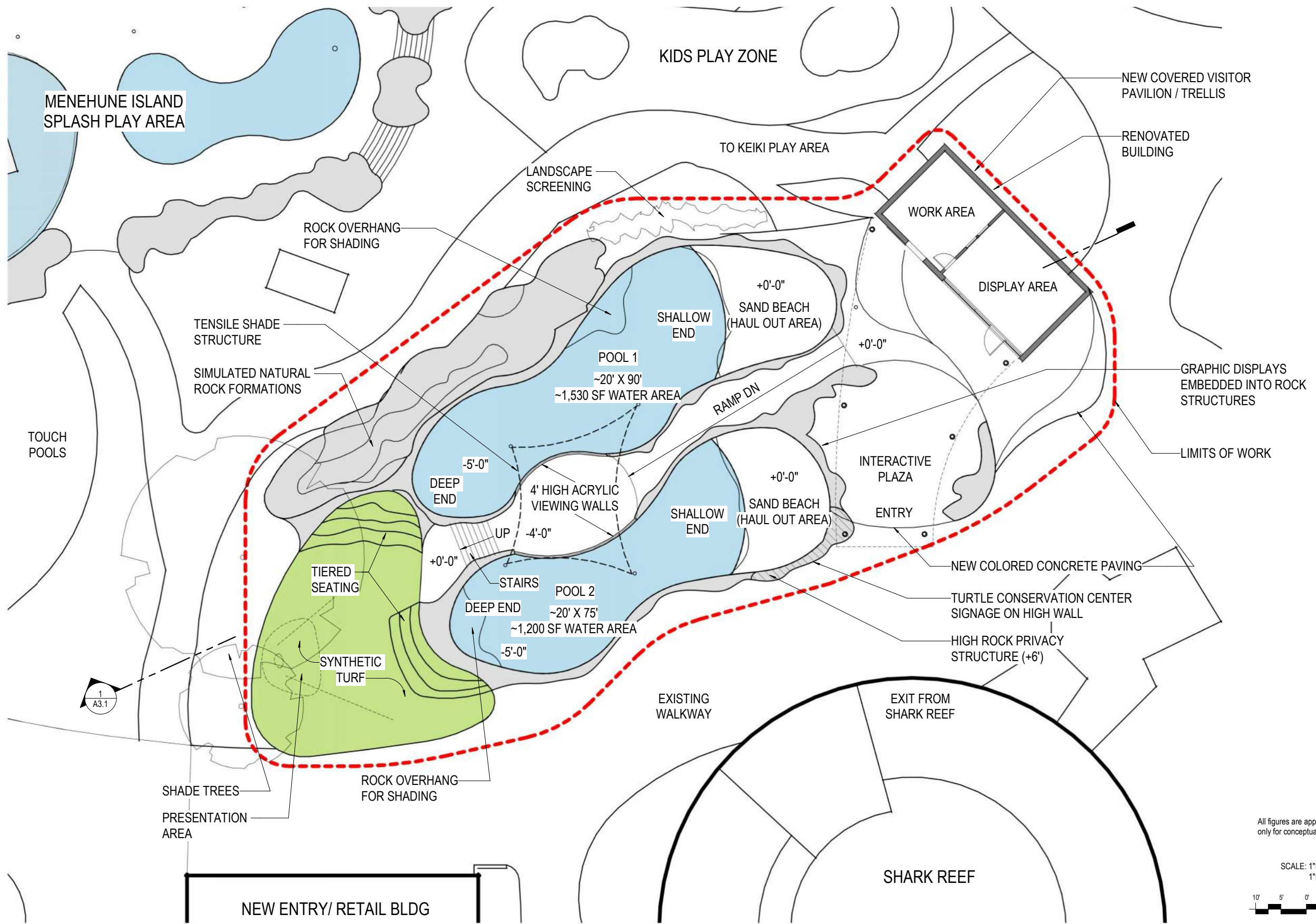
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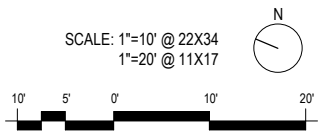
Thurston Lava Tube
Design Themes

Honu Conservation & Education Center





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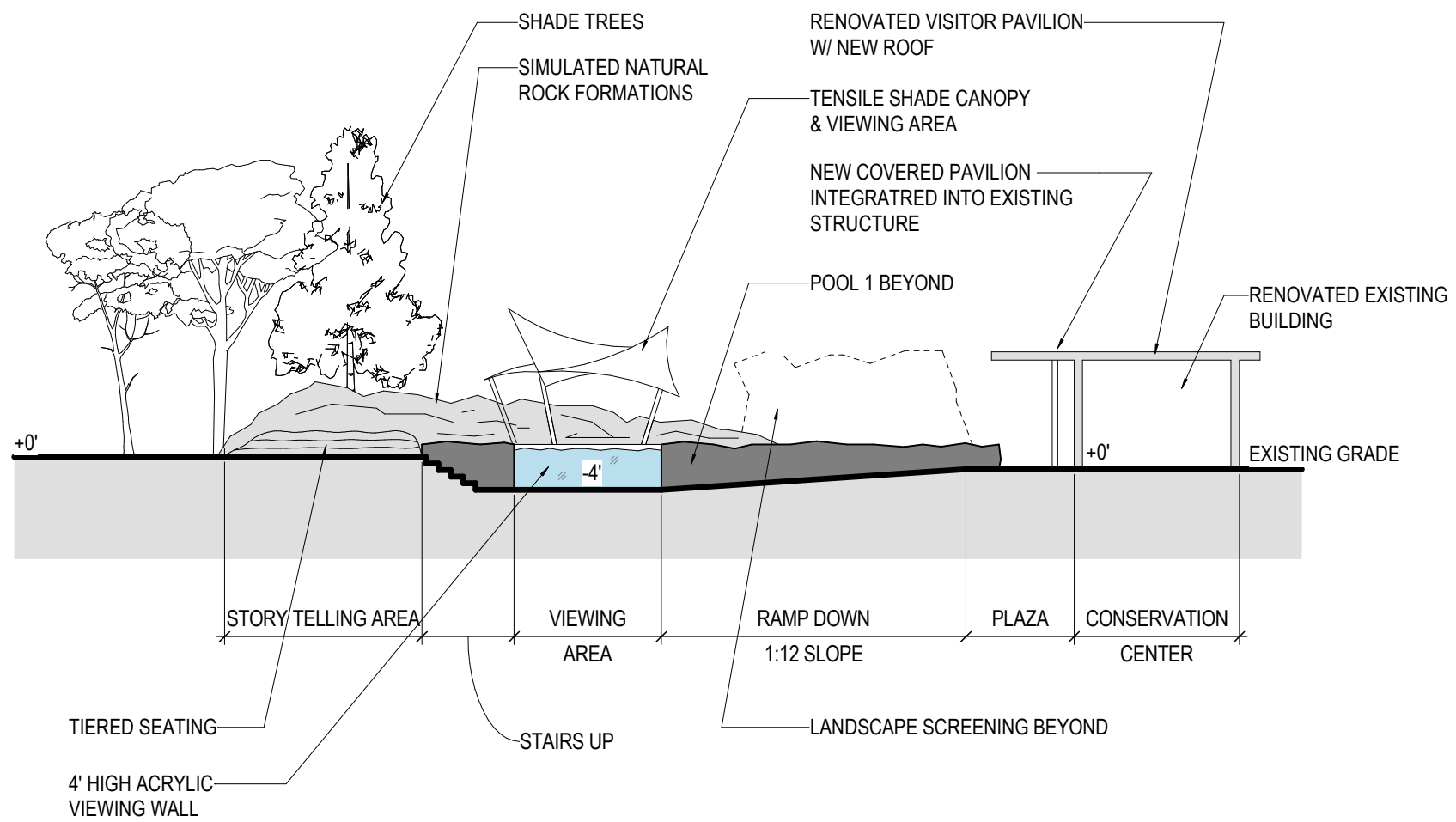
Renovated Conservation Center Building Precedent



Simulated Rock Structure Precedent



View looking towards Makapu'u of Honu Conservation Center



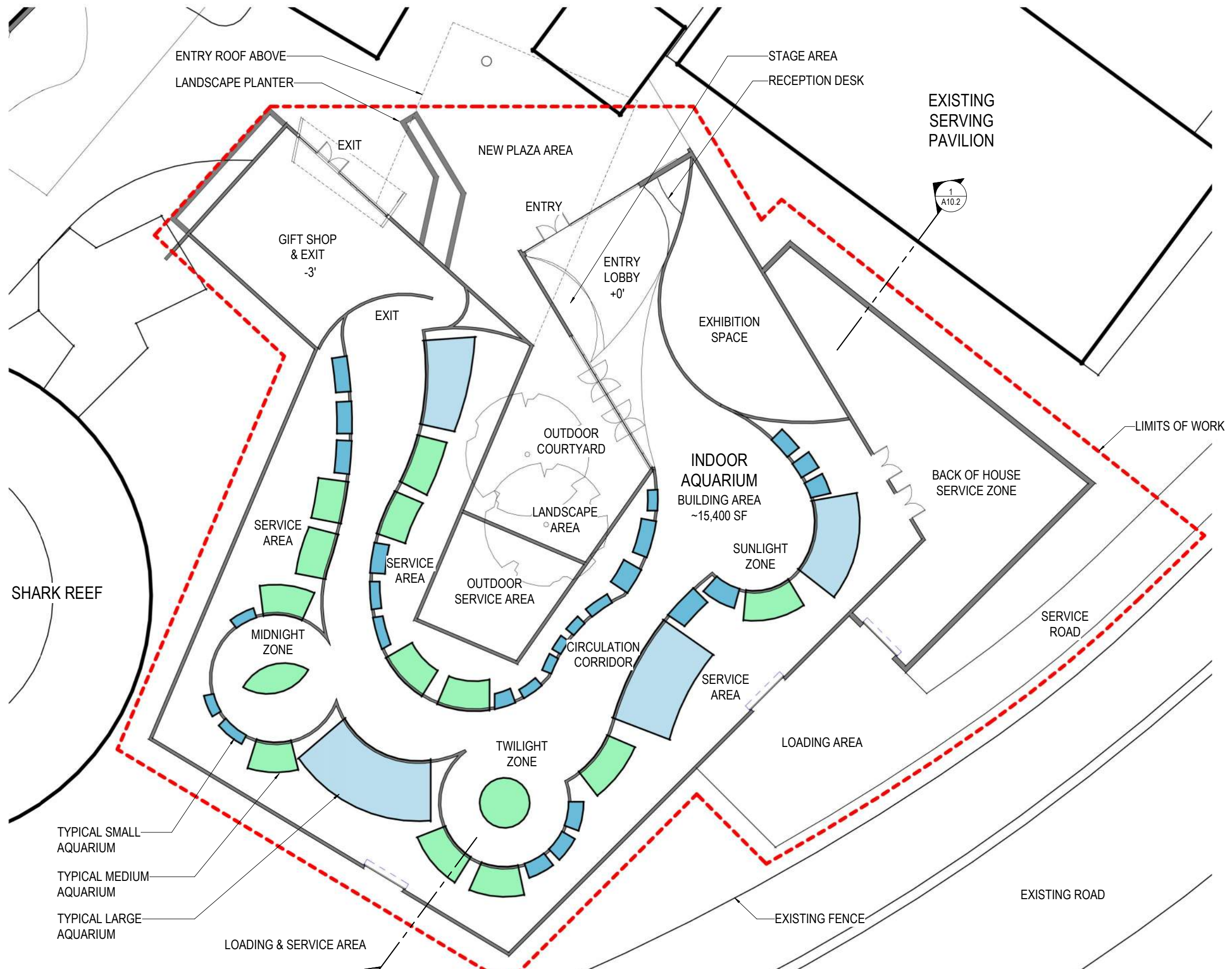
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Indoor Aquarium





TYPICAL SMALL
AQUARIUM

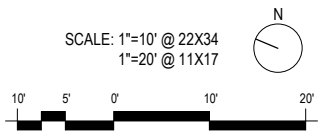
TYPICAL MEDIUM
AQUARIUM

TYPICAL LARGE
AQUARIUM

LOADING & SERVICE AREA

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Tide Pool Inspiration



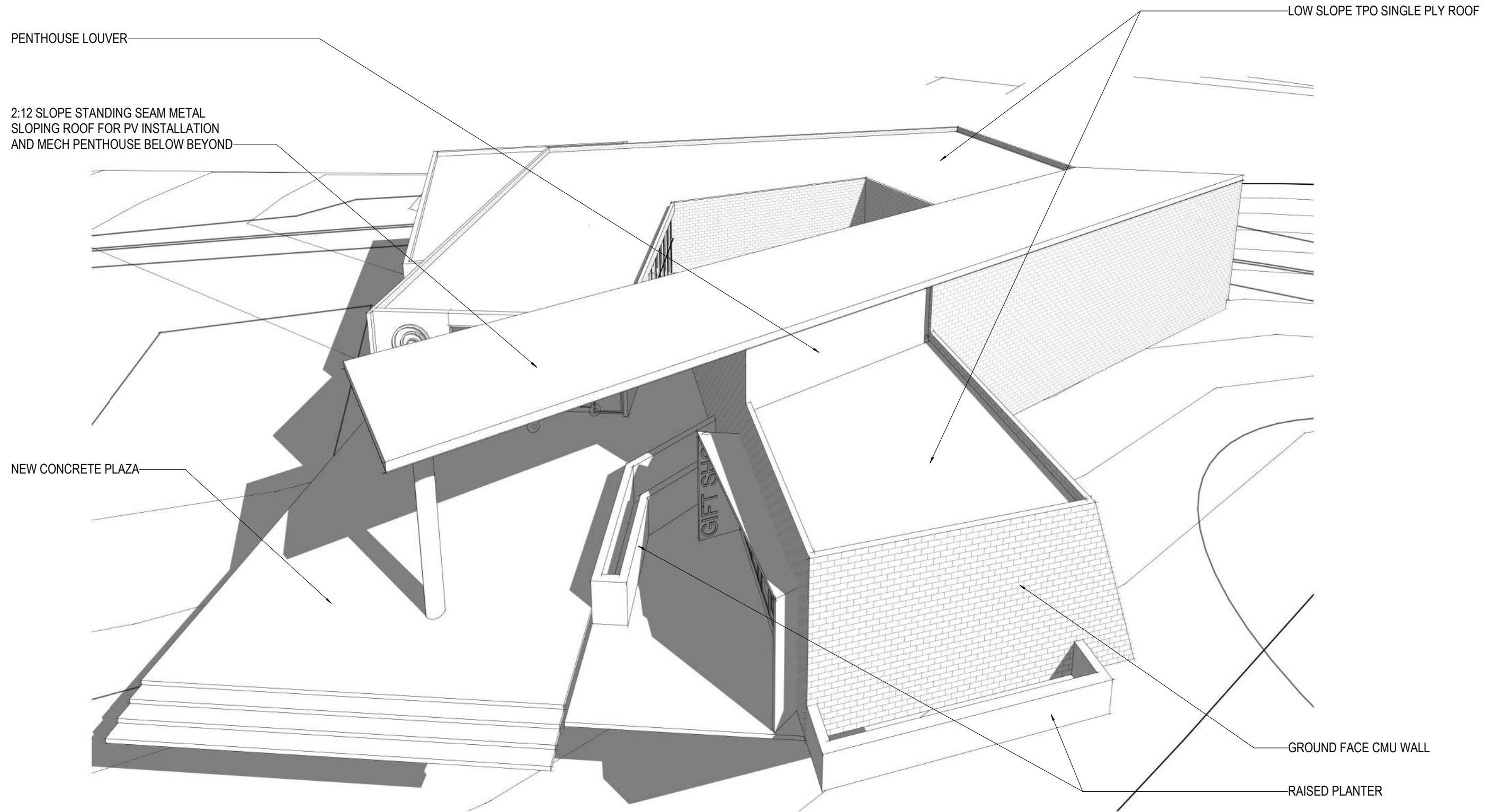
Lava Tube Inspiration

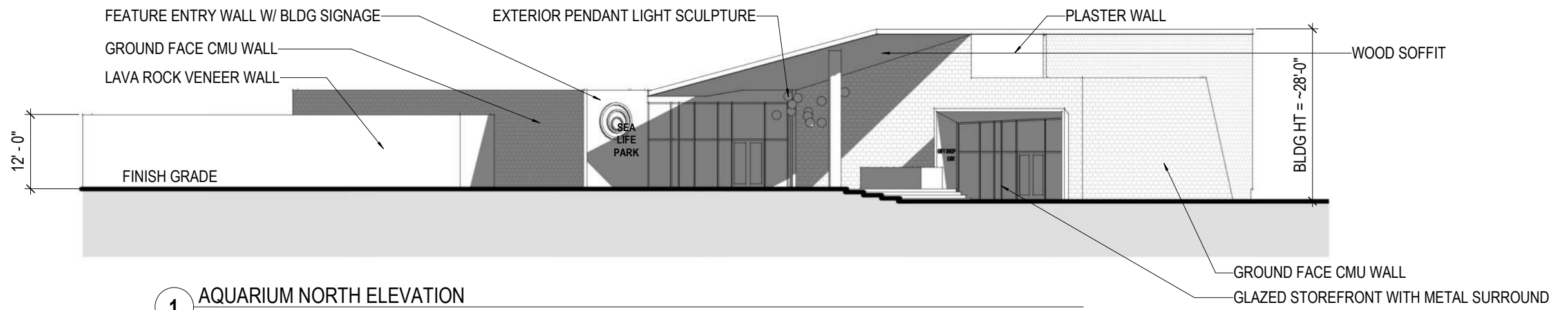


Aquarium Interior Precedent

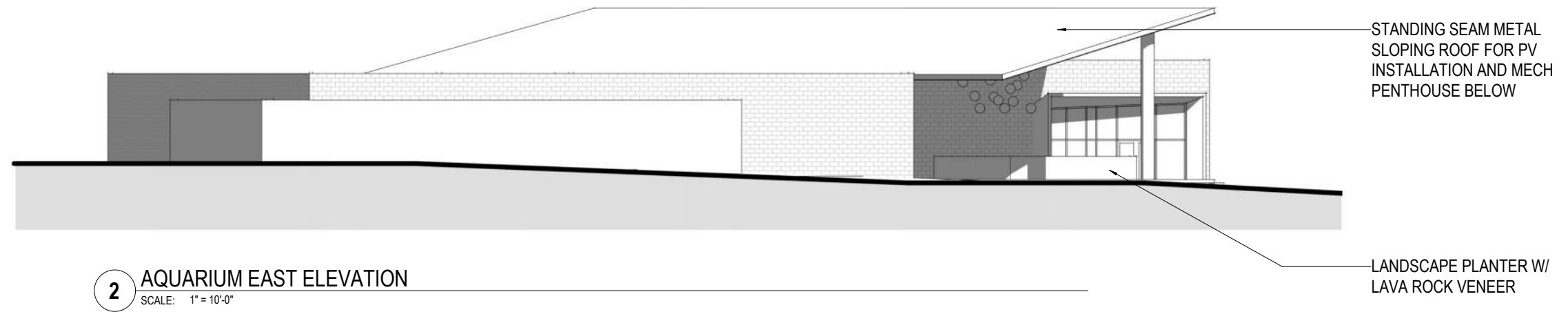


View looking mauka towards Indoor Aquarium entry plaza

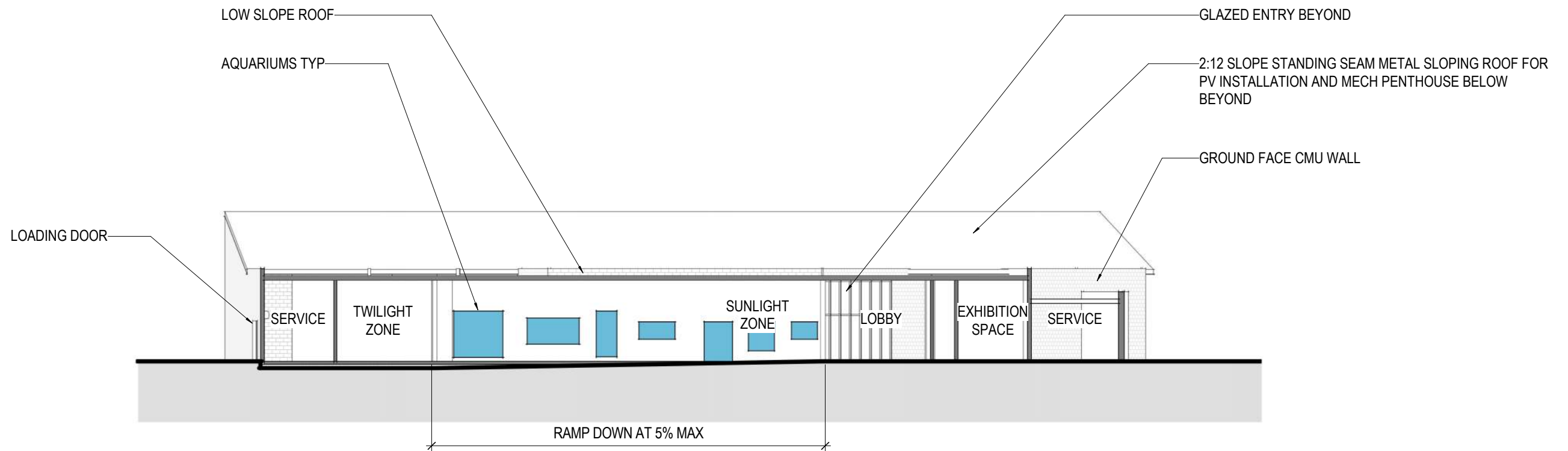




1 AQUARIUM NORTH ELEVATION
SCALE: 1" = 10'-0"



2 AQUARIUM EAST ELEVATION
SCALE: 1" = 10'-0"



1 AQUARIUM BUILDING SECTION
SCALE: 1" = 10'-0"

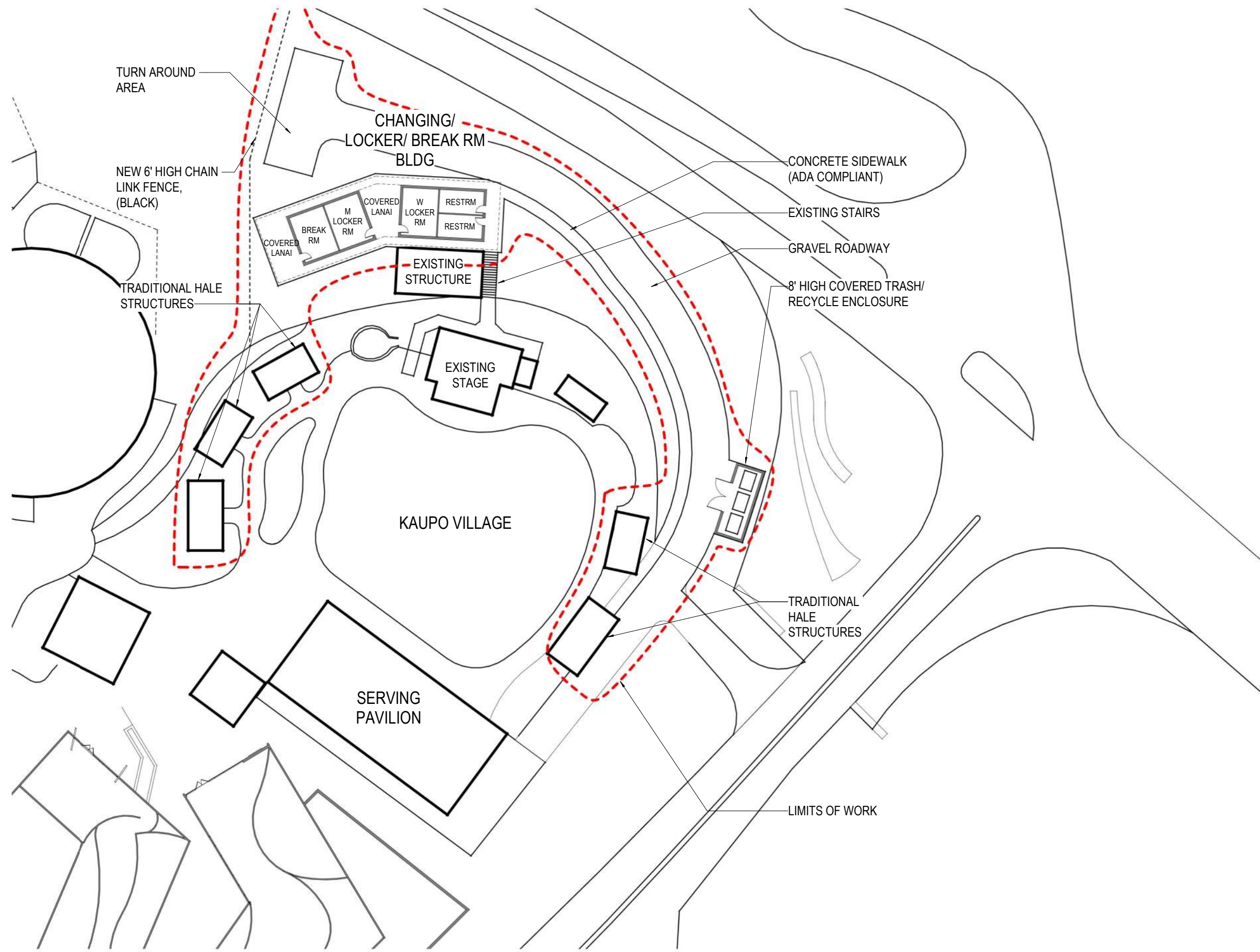
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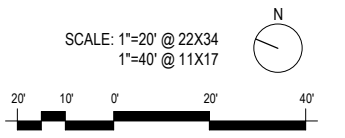


Kaupō Fishing Village





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Maui Hawaiian Village

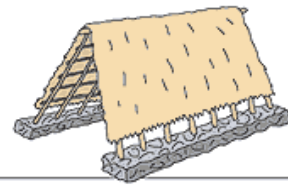
Hale for Maui

Maui County is considering a revision of its building codes to allow for the construction of traditional Hawaiian hale using locally available wood and unique fire sprinkler standards. The basic architectural styles under consideration:

Hale Wa'a

Allowable uses include:

- Eating
- Meeting
- Sleeping
- Retailing
- Storage
- Working



Hale Halawai

Allowable uses include:

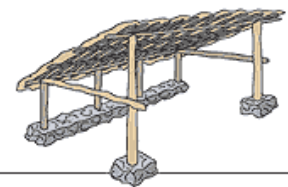
- Eating
- Meeting
- Retailing
- Working



Hale Ku'ai

Allowable uses include:

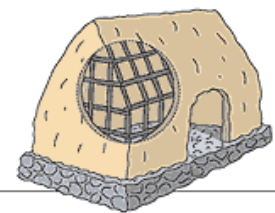
- Eating
- Meeting
- Retailing
- Storage
- Working



Hale Noa

Allowable uses include:

- Sleeping
- Storage

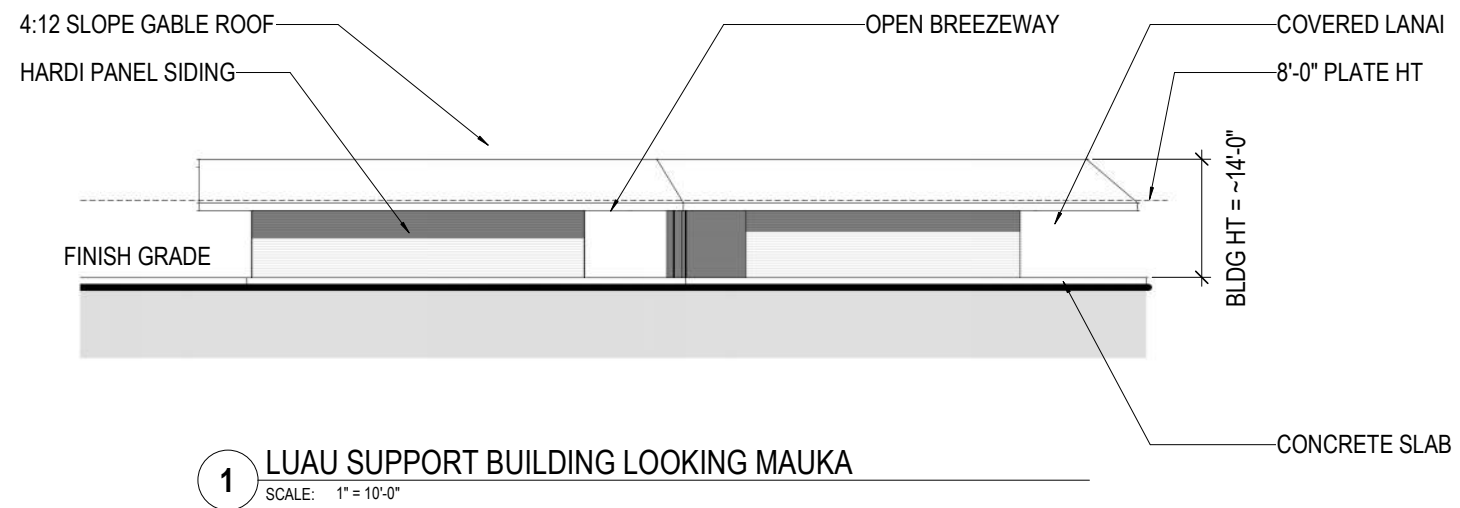


Source: County of Maui

GREG TAYLOR • The Honolulu Advertiser

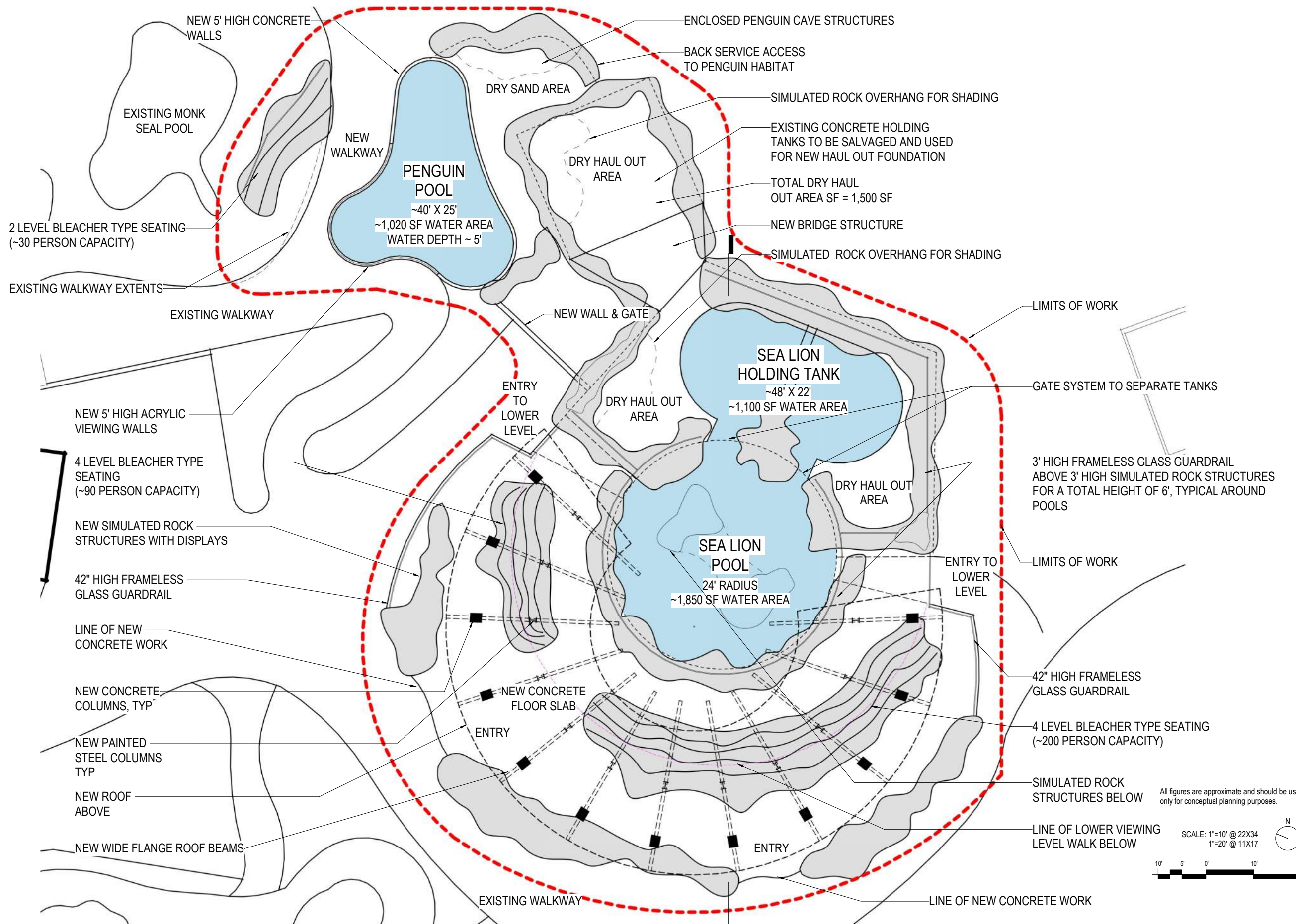


Design Inspiration



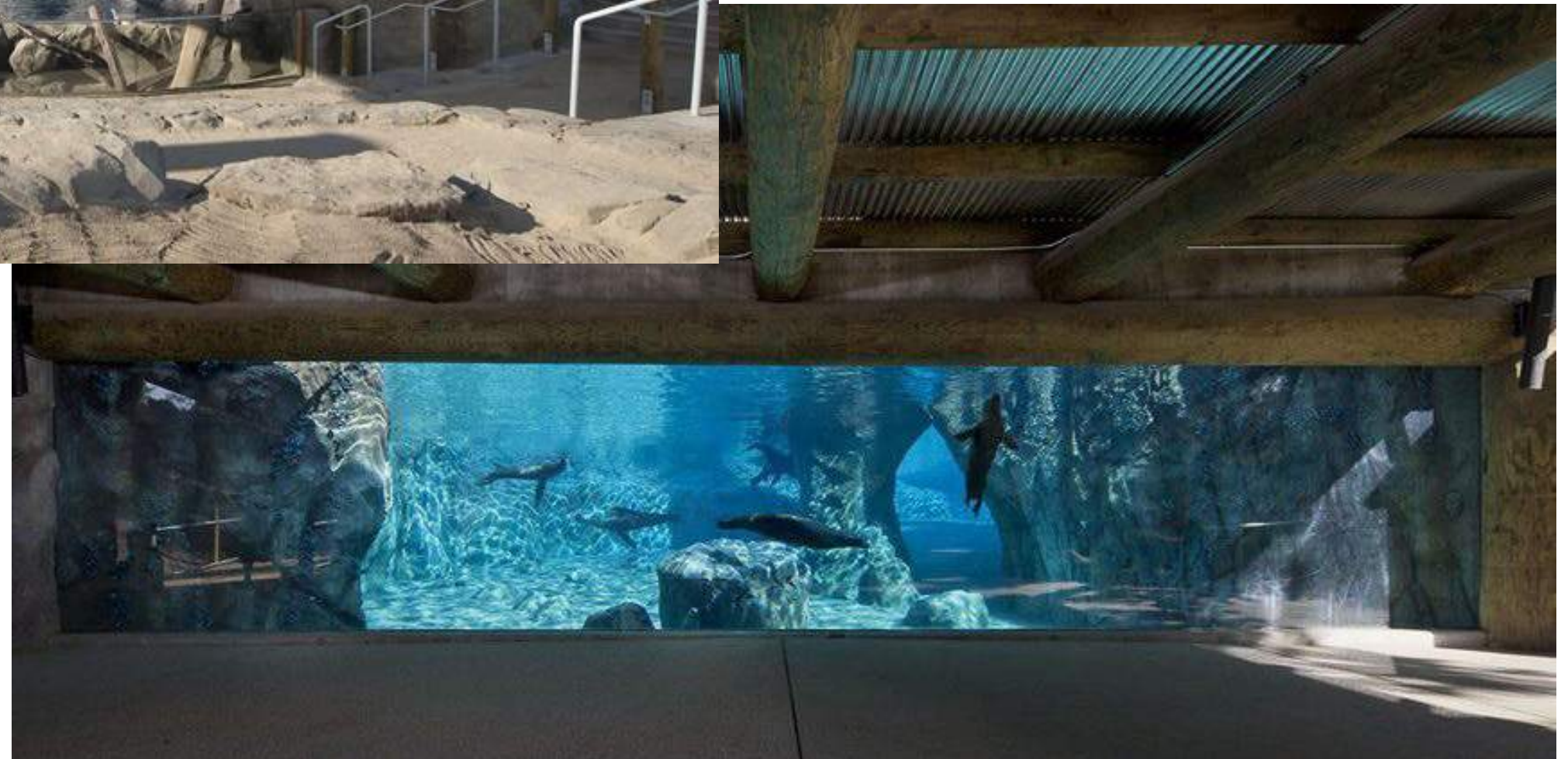
Hawaii Ocean Theater







Fresno Zoo Sea Lion Cove Precedent





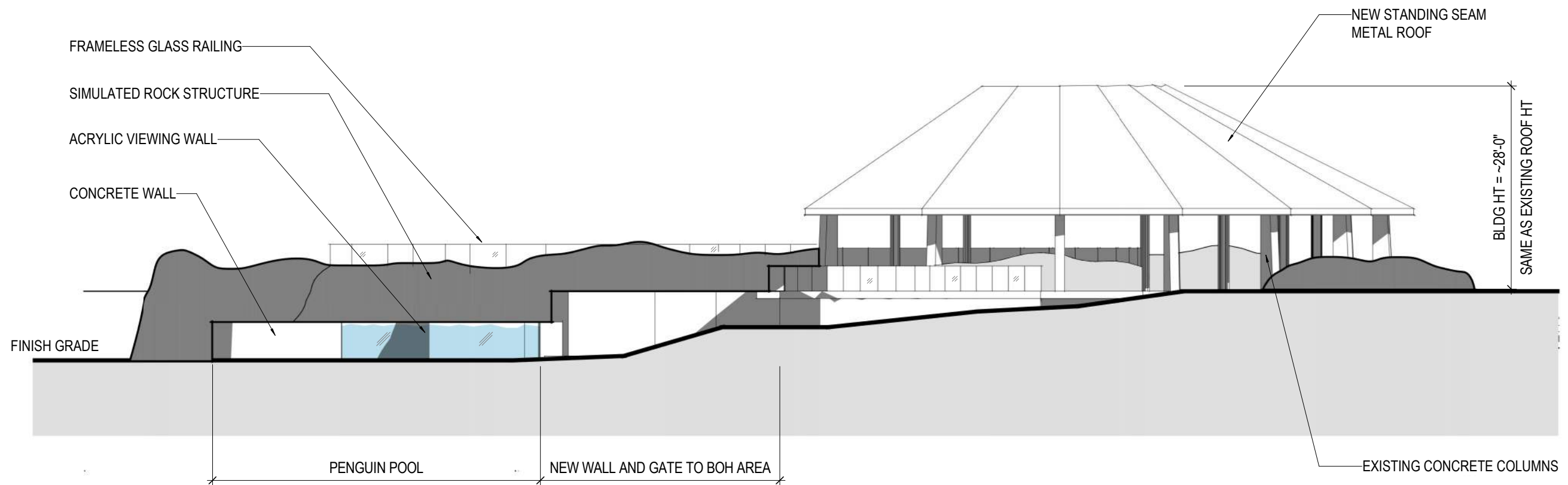
View looking makai at upper level of Hawaii Ocean Theater



View from lower level of Hawaii Ocean Theater



View looking towards Makapu'u of Penguin Habitat

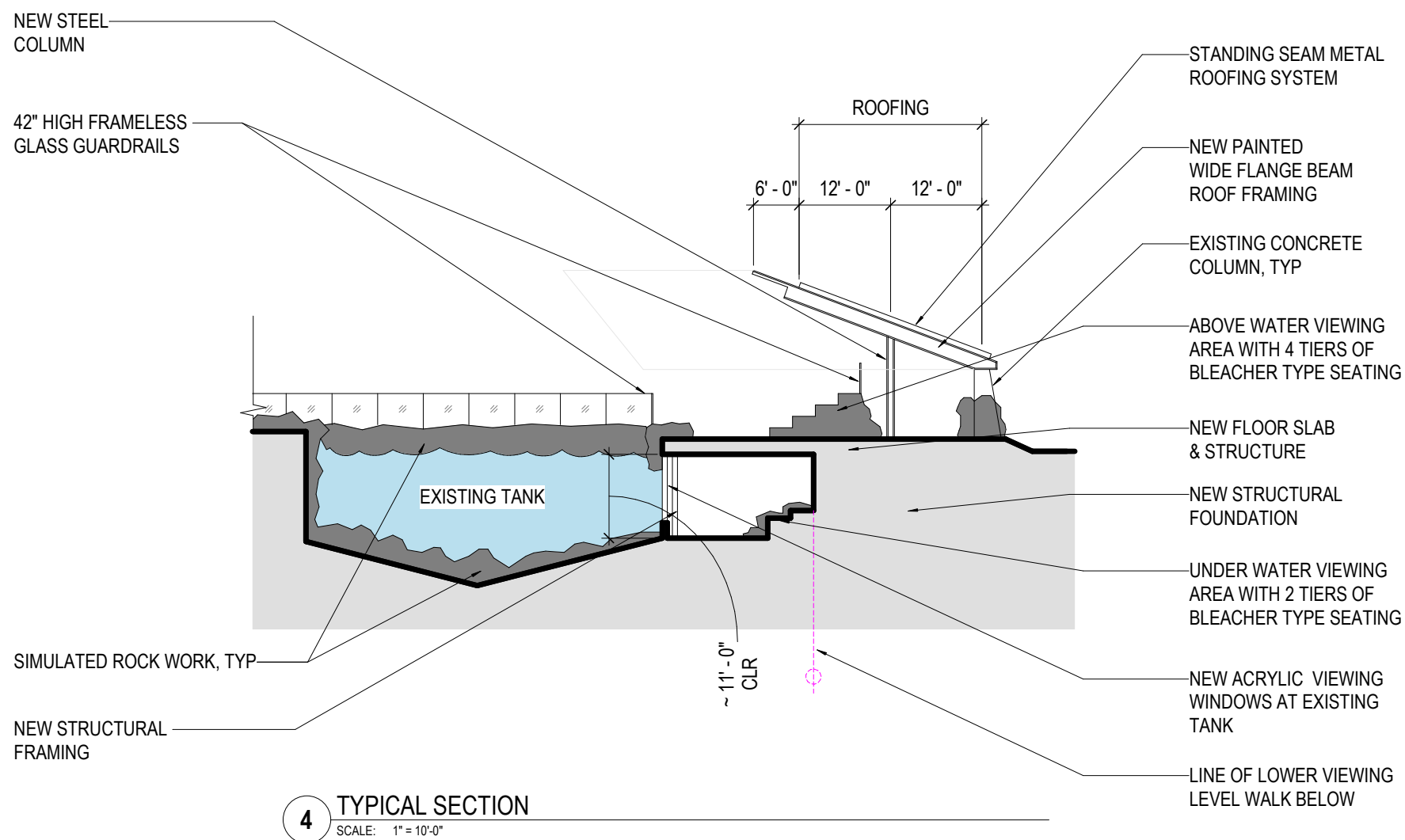


1 SEA LION COVE NORTH ELEVATION
SCALE: 1/8" = 1'-0"

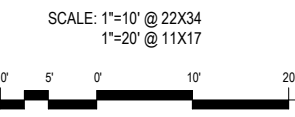
All figures are approximate and should be used only for conceptual planning purposes.

SCALE: 1"=10' @ 22X34
1"=20' @ 11X17



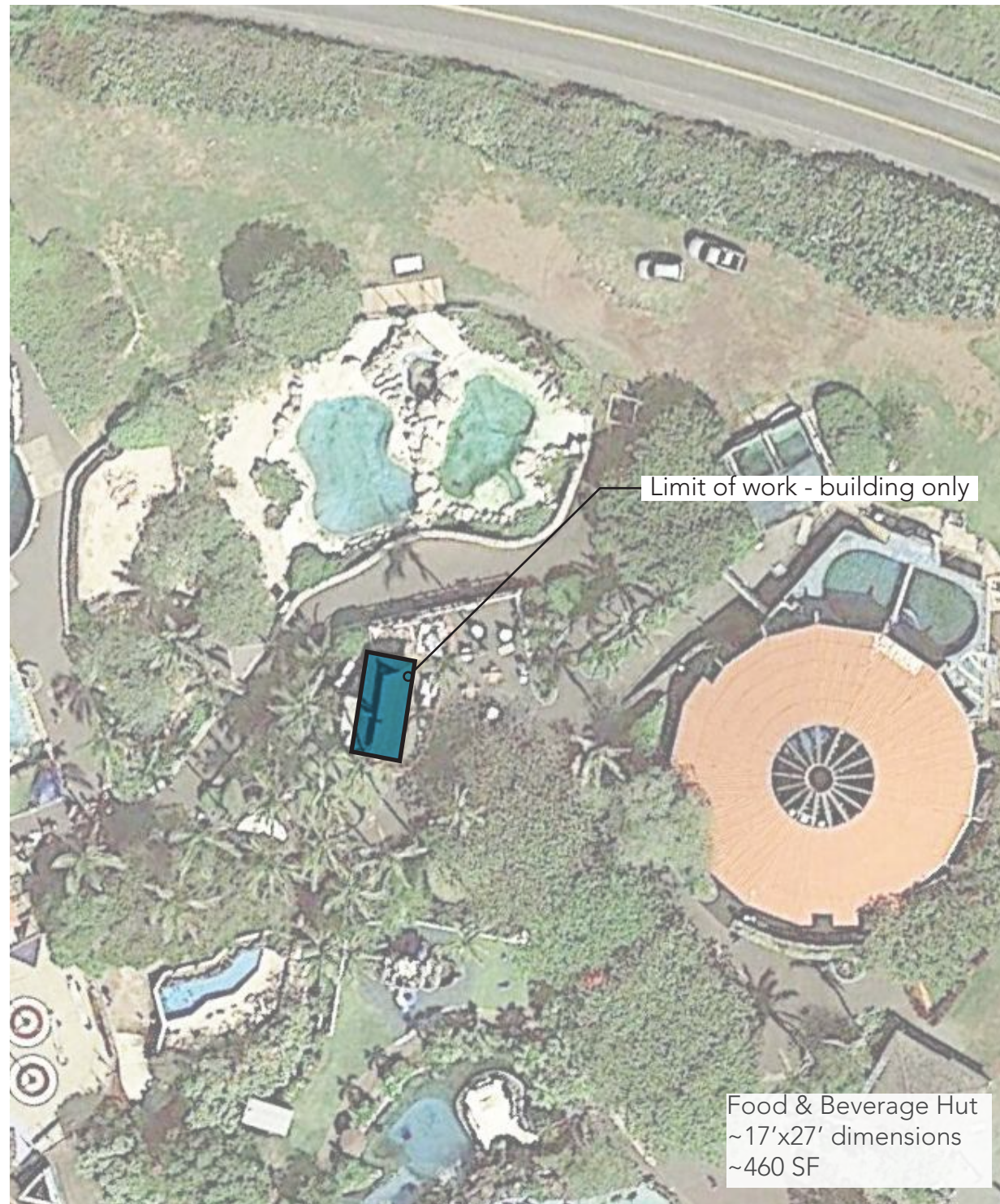


All figures are approximate and should be used only for conceptual planning purposes.





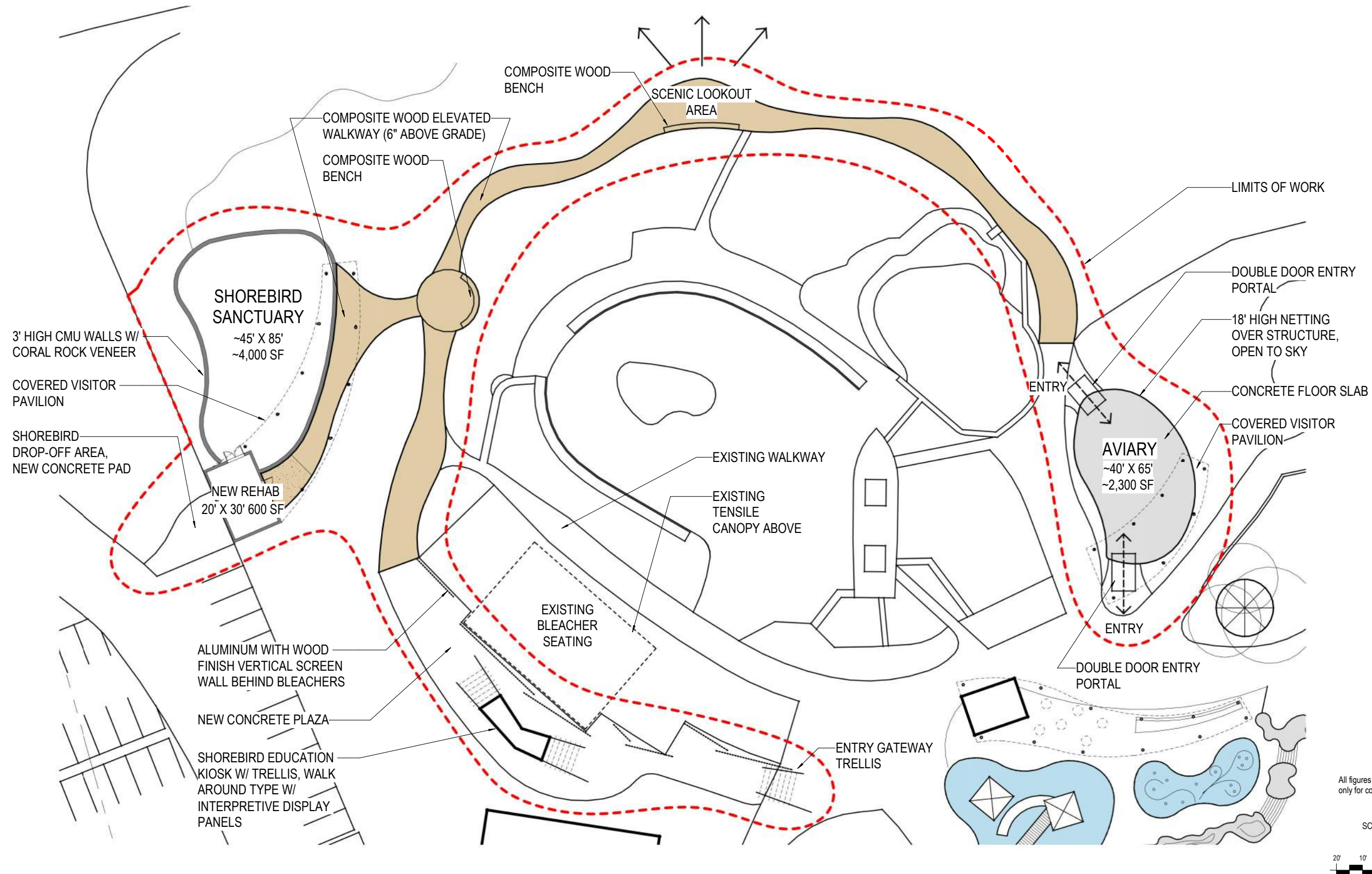
Snack Shop Renovation



8 | Snack Shop Renovation (by others)

Shorebird Sanctuary & Aviary







Pavilion and Boardwalk Precedent



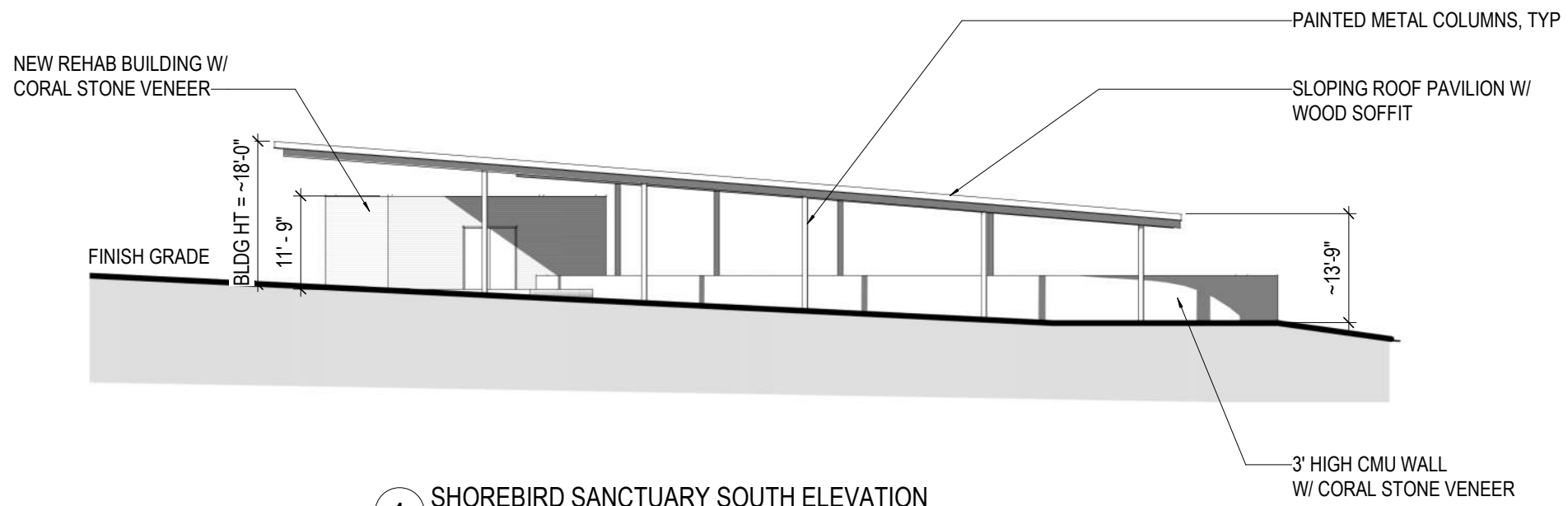
Pavilion Precedent



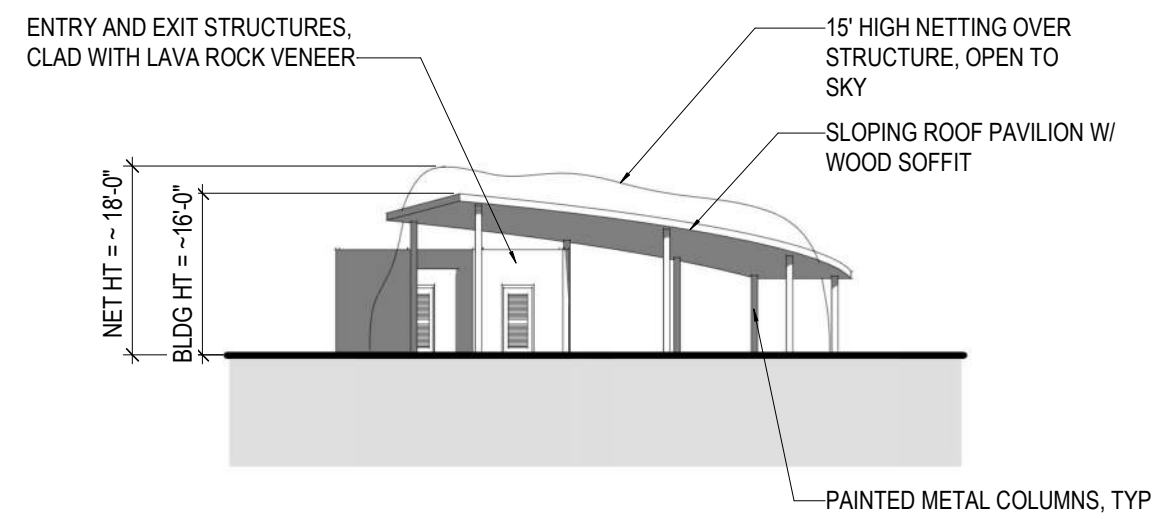
Aviary Precedent



View looking makai towards new Shorebird Sanctuary



1 SHOREBIRD SANCTUARY SOUTH ELEVATION
SCALE: 1" = 10'-0"



2 LOVEBIRD AVIARY WEST ELEVATION
SCALE: 1" = 10'-0"

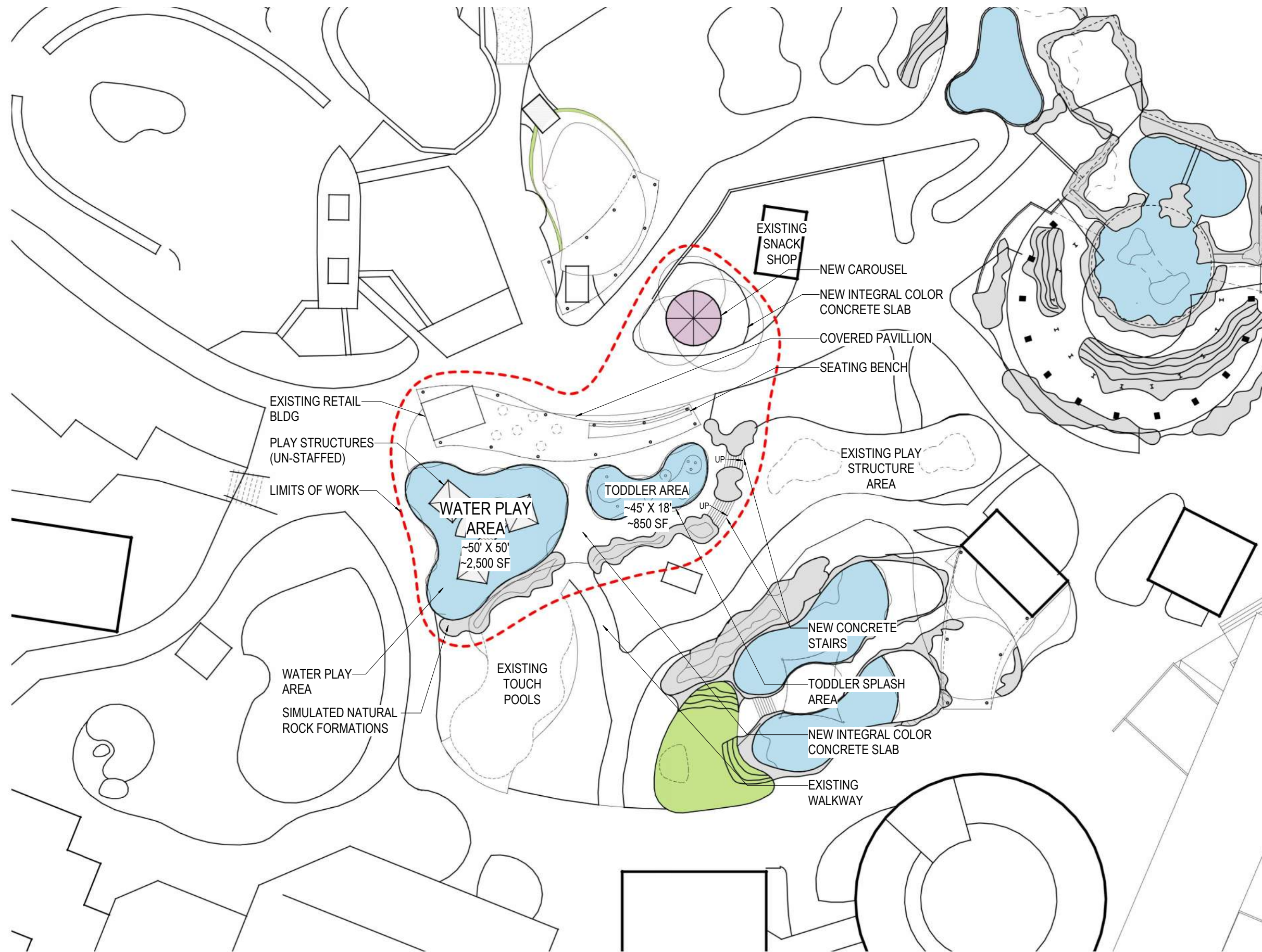
All figures are approximate and should be used only for conceptual planning purposes.

SCALE: 1"=10' @ 22X34
1"=20' @ 11X17



Menehune Island Splash Play Area





All figures are approximate and should be used only for conceptual planning purposes.

SCALE: 1"=20' @ 22X34
1"=40' @ 11X17





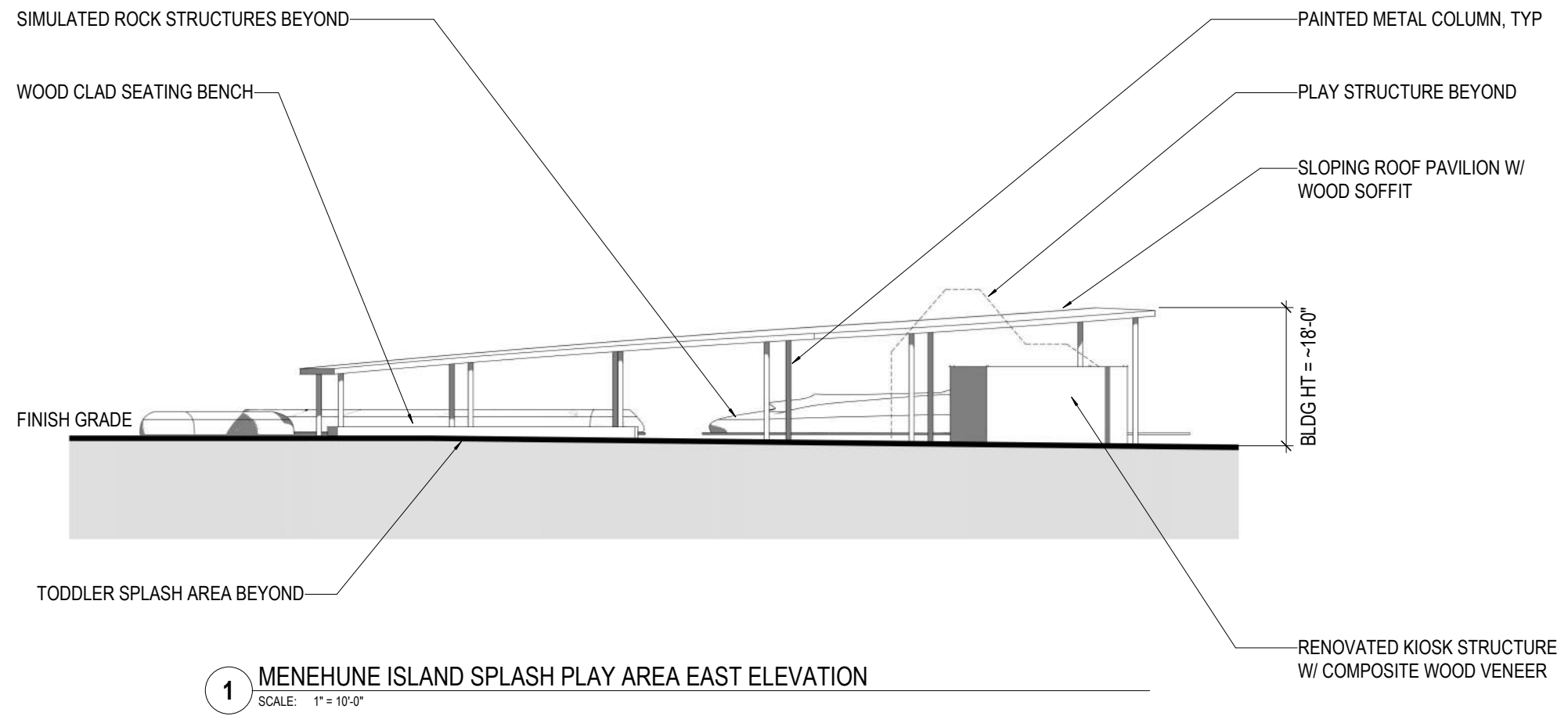
Toddler Splash Area Precedent



Play Structure Precedent

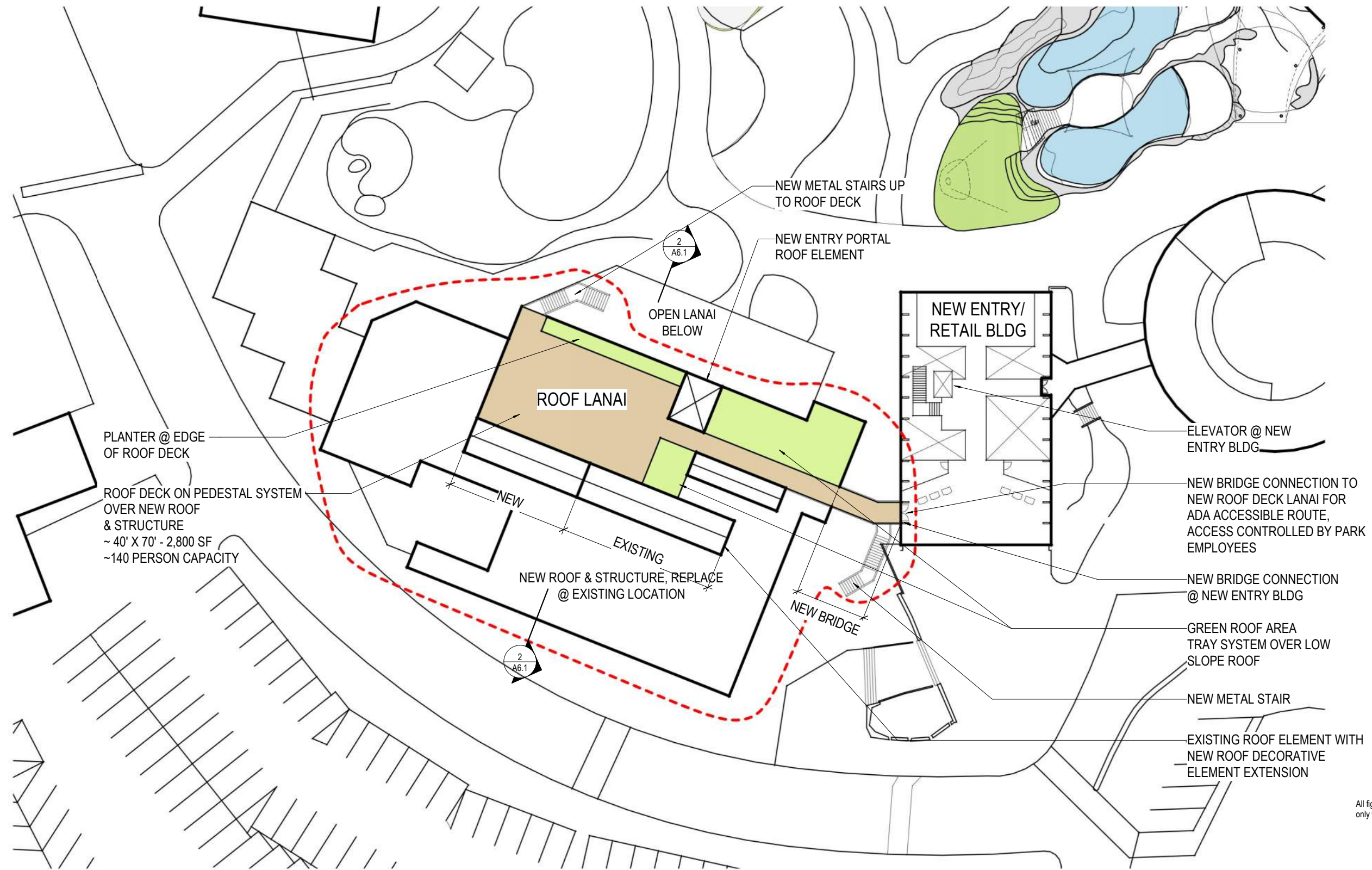


View looking makai towards Splash Play areas and Aviary

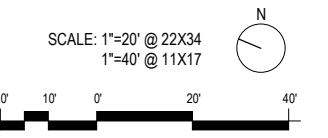


Beach Boy Lanai Renovation





All figures are approximate and should be used only for conceptual planning purposes.





Green Roof Precedent



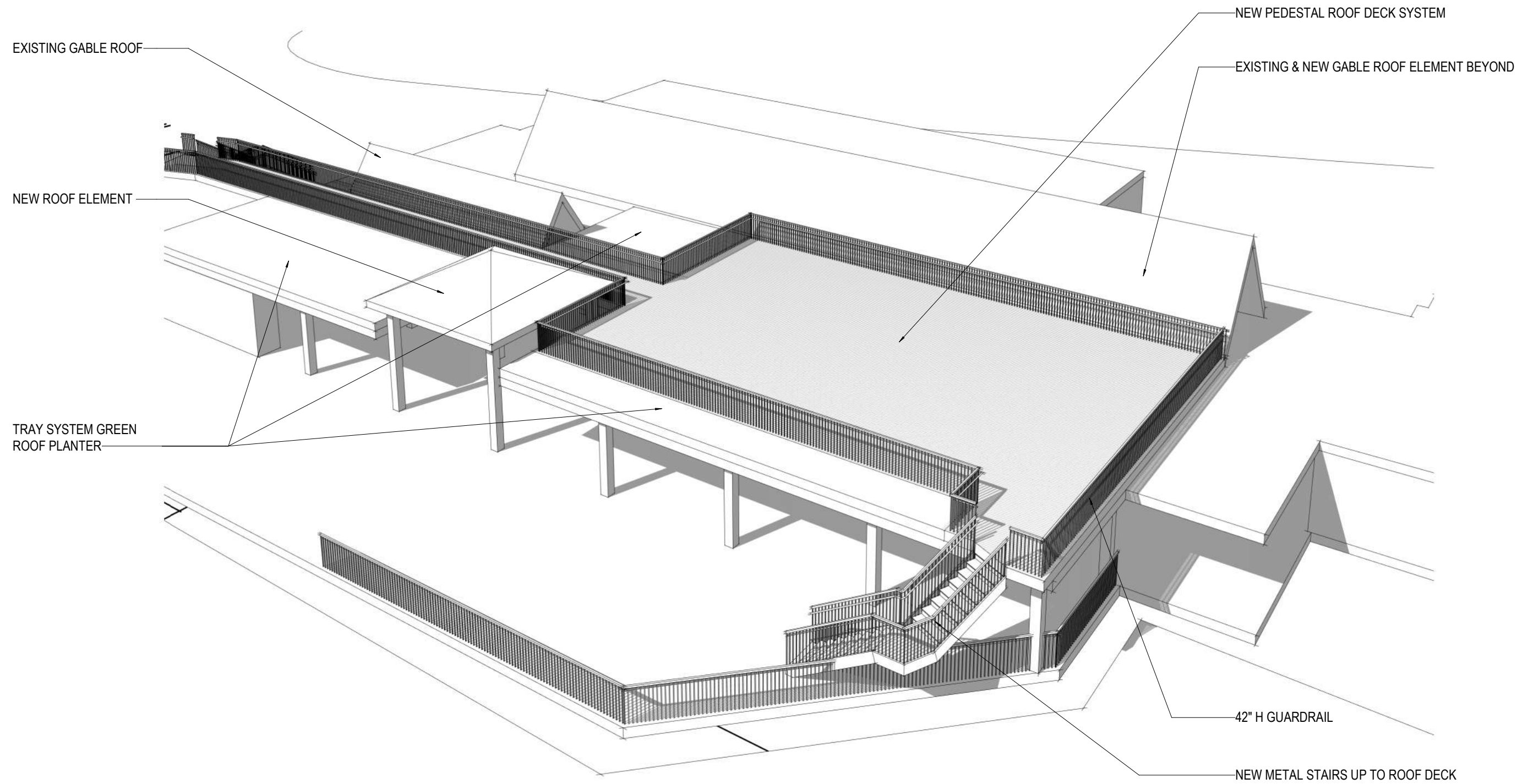
Pedestal Deck System

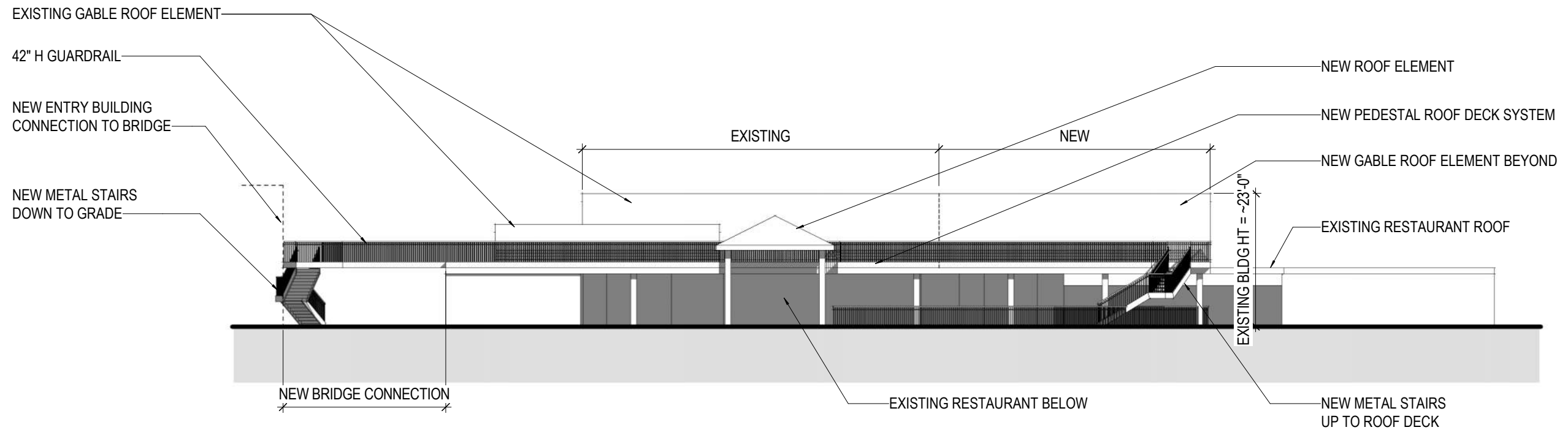


Green Roof Tray System

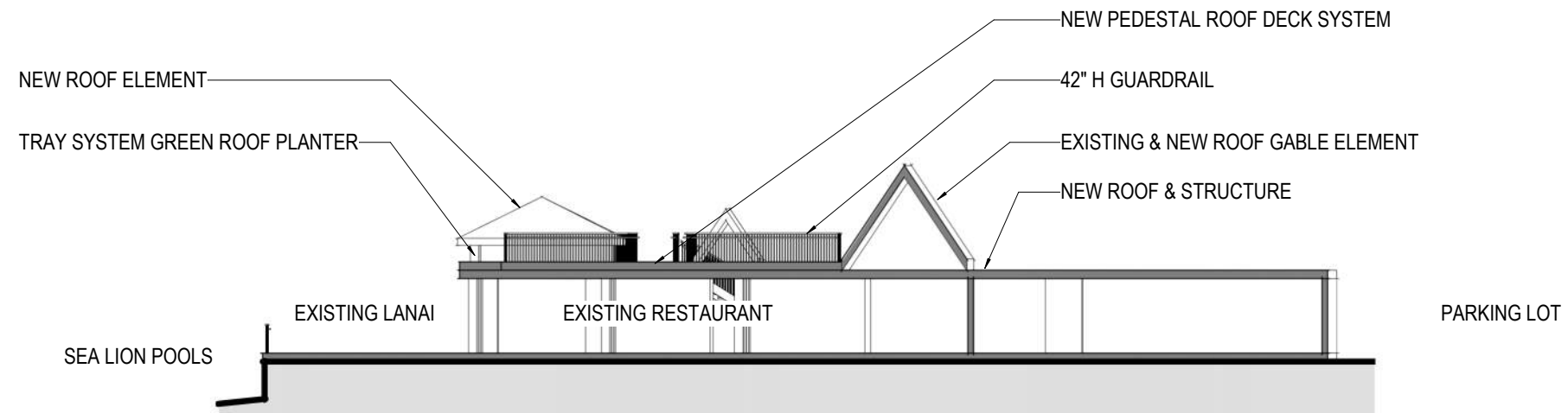


Roof Deck Precedent





1 RESTAURANT ELEVATION LOOKING MAUKA
SCALE: 1" = 10'-0"



2 RESTAURANT SECTION
SCALE: 1" = 10'-0"

Conservation Center Renovation





Renovated Conservation Center
(interior work only)

Conservation Center
~50'x50' dimensions
~2,500 SF



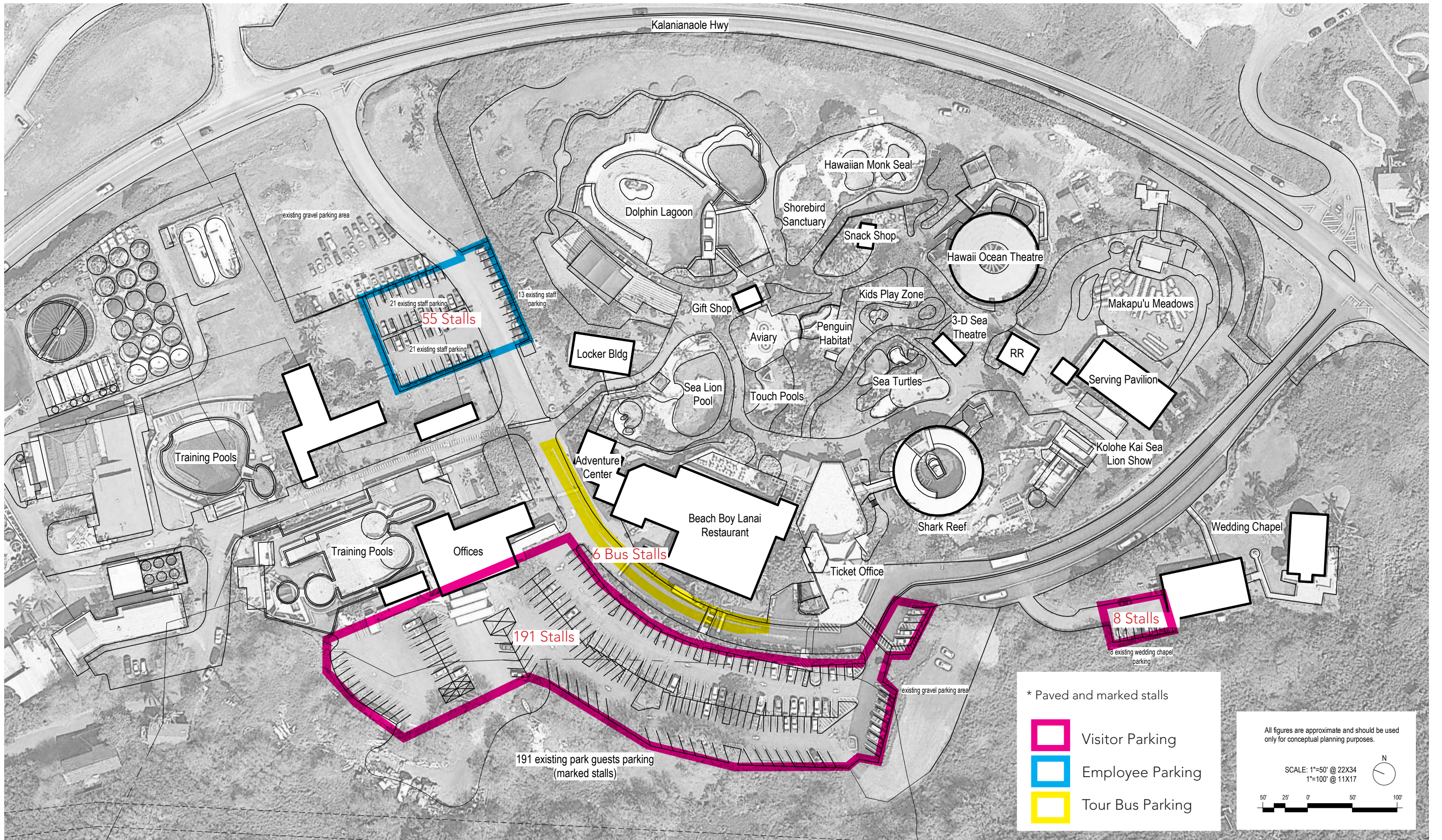
Traffic & Parking Improvements



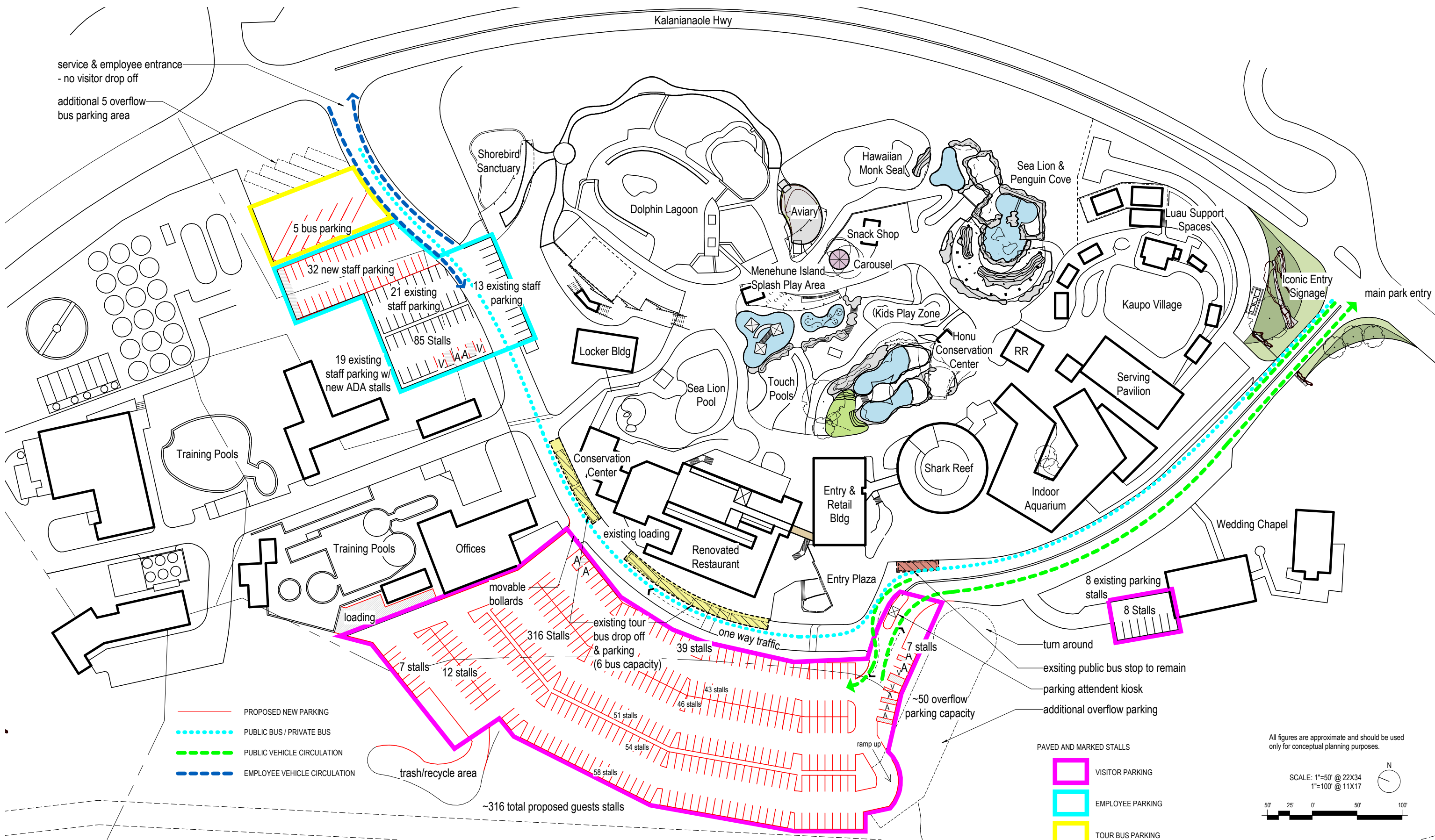
		Existing (marked)	Proposed with expansion capacity	Target	Proposed EA/SMA Plan (marked)
Visitor		199 stalls	324 stalls	324 stalls	324 stalls
		254 stalls	459 stalls	409 stalls	409 stalls
Employee		55 stalls	85 stalls	85 stalls*	85 stalls
Tour Bus	visitor drop off area	6 stalls	6 stalls	6 stalls	6 stalls
	north end holding area		10 stalls	5 stalls	5 stalls
Overflow: for events	cars	~50 stalls	~50 stalls		
	buses	?	5 stalls		

* 6 stalls for Oceanic Institute

Parking Tabulation: Plan Review Summary



Existing Parking Layout



Proposed Parking Layout

13| Traffic and Parking Improvements

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