

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

January 23, 2026

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Ref. No.: 24OD-133

OAHU

Grant of Perpetual, Non-Exclusive Easement for Slope Improvements and
Issuance of Construction and Management Right-of-Entry to City and
County of Honolulu, Department of Design and Construction; Nuuanu,
Honolulu, Oahu, Tax Map Key: (1) 2-2-054:portion of 001.

APPLICANT:

City and County of Honolulu, Department of Design and Construction

LEGAL REFERENCE:

Section 171-13, 55 and 95, Hawaii Revised Statutes (“HRS”), as amended.

LOCATION:

Portion of Government lands situated at Nuuanu, Honolulu, Oahu, Tax Map Key:
(1) 2-2-054:portion of 001, as shown on the maps attached as **Exhibits A1 and
A2.**

AREA:

6,411 square feet, more or less, subject to review and approval by the Department
of Accounting and General Services, Survey Division.

ZONING:

State Land Use District: City and County of Honolulu LUO:	Conservation Preservation-1
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TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Encumbered by Governor's Proclamation of December 24, 1926 for the Honolulu Watershed Forest Reserve.

CHARACTER OF USE:

Right, privilege and authority to conduct, construct, use, maintain, repair, replace and remove slope improvements and associated structures over, under and across State-owned land.

COMMENCEMENT DATE FOR RIGHT-OF-ENTRY:

Right-of-entry (ROE) permit to begin upon the acceptance of the terms and conditions of the most current right-of-entry form and be for a term of one (1) year, provided that the Chairperson is authorized to extend the right-of-entry term for additional one-year periods for good cause shown.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

Pursuant to Hawaii Administrative Rules ("HAR") §11-200.1-12, Staff reviewed the "Declaration of Exemption" issued by the City and County, Department of Design and Construction (DDC) which found that the project is exempt from preparation of an environmental assessment. Further Staff reviewed the analysis conducted by the Office of Conservation and Coastal Lands (OCCL) to determine if any environmental impacts were associated with the proposed project that would require further environmental review. Moreso, comments from the Division of Forestry and Wildlife (DOFAW) regarding the issuance of the ROE and easement, noted that there may be sensitive environmental receptors in the area as the project area is located in the Honolulu Watershed Forest Reserve. DOFAW provided comments outlining guidelines for mitigating impacts on these receptors and the DDC provided a response showing how those comments have been addressed and included in their project plan and specifications (see **Exhibit B**).

Based on the review of all the above mentioned information, Staff is recommending that in accordance with HAR §11-200.1-15 and the Exemption List for the Department, reviewed and concurred on by the Environmental Council on November 10, 2020, that the subject request be considered exempt from the preparation of an environmental assessment pursuant to the following (see **Exhibit C**):

General Exemption Type 1: Operations, repairs or maintenance of existing

structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing.

Part 1, Item 39: Creation or termination of easement, covenants, or other rights in structures or land.

Part 1, Item 44: Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.

General Exemption Type 4: Minor alterations in the conditions of land, water, or vegetation.

Part 2, Item 6: Grading work to stabilize existing slopes and mitigate rockfall, including work required to mobilize equipment.

As DDC appears to have incorporated proper mitigation measures and best management practices to reduce any potential impacts to sensitive receptors in the project area and is subject to conditions of a Conservation District Use Permit (CDUP OA-3974; see **Exhibit D**), any impacts as a result of the proposed action appear to be properly mitigated, no further environmental analysis is warranted and no significant impacts are anticipated as a result of the issuance of the proposed ROE and subsequent easement.

Staff requested comments from various agencies and notes that the City and County Board of Water Supply and the Department of Planning and Permitting (DPP) both had no objections and concurred with the environmental assessment exemption. The State Historic Preservation Division, the Department of Hawaiian Homelands, and the Department of Facility Maintenance did not respond before the deadline.

APPLICANT REQUIREMENTS:

The Applicant shall be required to:

1. Provide survey maps with metes and bounds description according to State DAGS standards and at Applicant's own cost;
2. Process and obtain designation of easement approval from DPP at Applicant's own cost;
3. Follow DOFAW's guidelines and recommendations to mitigate the impact on sensitive environmental receptors for the project location; and
4. Observe the terms and conditions of CDUP OA-3974.

REMARKS:

DDC is requesting the issuance of an immediate construction and management ROE, along with a perpetual, non-exclusive easement, as they need to conduct emergency improvements to a portion of the slope below Nuuanu Pali Drive. The project involves approximately 55 feet of the CRM wall, which has been damaged by an uprooted banyan tree on the southeast side of the shoulder of Nuuanu Pali Drive. The proposed project would repair the exposed section of roadway by constructing a new wall and stabilizing the slope of the southeastern side of the road with a shotcrete soil nail wall, along with the removal of trees that are currently causing damage to the wall or are within the construction zone. The DDC anticipates the construction will take approximately eight (8) months.

Staff notes that we are recommending that the ROE expire in one year or upon issuance of the requested easement, whichever shall first occur, as well as the delegation of authority to the Chairperson to extend the right-of-entry for additional one-year periods for good cause shown.

RECOMMENDATION:

That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Subject to the Applicant fulfilling all of the Applicant requirements listed above, authorize the issuance of a perpetual non-exclusive easement to the City and County of Honolulu, Department of Design and Construction over the subject area, under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current perpetual easement document form, as may be amended from time to time;
 - B. Terms and conditions of CDUP OA-3974;
 - C. DOFAW guidelines and recommendations to mitigate the impact on sensitive environmental receptors for the project location;
 - D. Review and approval by the Department of the Attorney General; and
 - E. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

3. Authorize the issuance of a construction and management right-of-entry permit to City and County of Honolulu, Department of Design and Construction for slope improvements covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - A. The standard terms and conditions of the most current ROE permit form, as may be amended from time to time;
 - B. Terms and conditions of Conservation District Use CDUP OA-3974;
 - C. DOFAW guidelines and recommendations to mitigate impact on sensitive environmental receptors for the project location;
 - D. The ROE permit shall expire after one year; provided that the Chairperson is authorized to extend the right-of-entry for additional one-year periods for good cause shown; and
 - E. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Darlene Bryant-Takamatsu
Land Agent

APPROVED FOR SUBMITTAL:



Ryan K.P. Kanaka'ole, Acting Chairperson

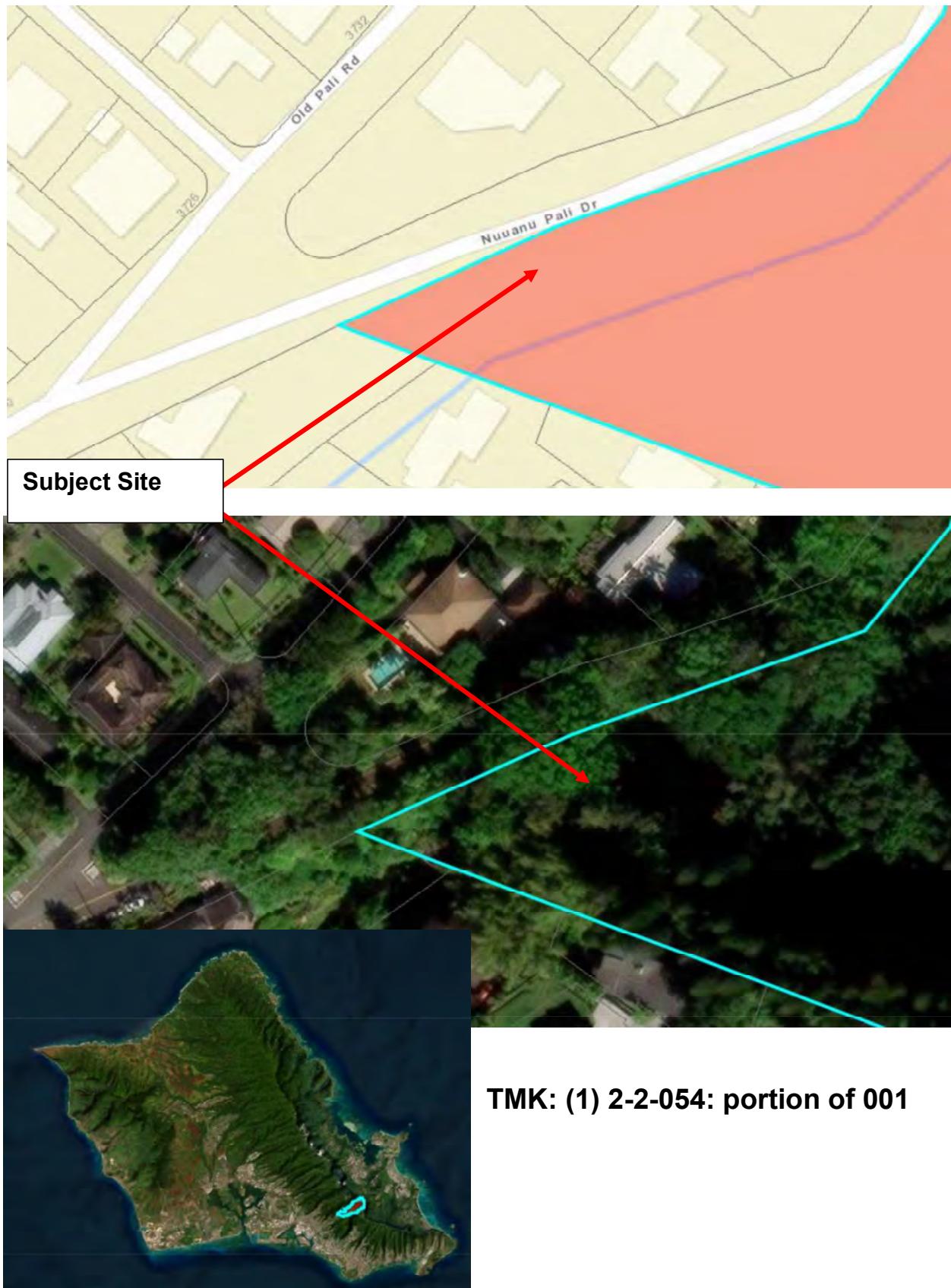


Exhibit A1

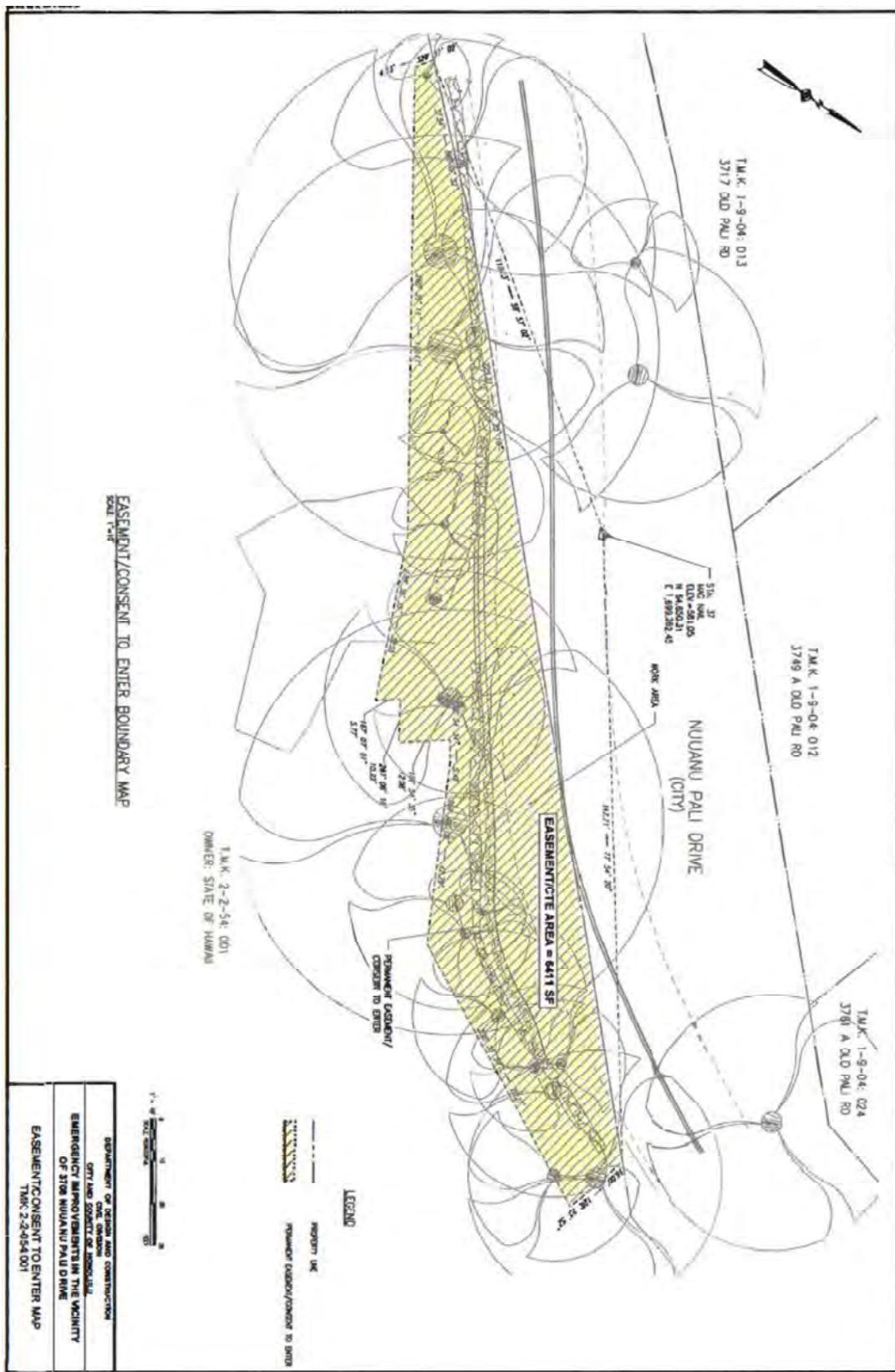


Figure 3: Site Plan showing proposed easement area; TMK: (1) 2-2-054: portion of 001

Exhibit A2

DEPARTMENT OF DESIGN AND CONSTRUCTION
KA 'OIHANA HAKULAU A ME KE KĀPILI
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 11TH FLOOR • HONOLULU, HAWAII 96813
 PHONE: (808) 768-8480 • FAX: (808) 768-4567 • WEBSITE: honolulu.gov

RICK BLANGIARDI
 MAYOR
 MEIA



HAKU MILLES, P.E.
 DIRECTOR
 P.O.

MARK YONAMINE, P.E.
 DEPUTY DIRECTOR
 HOPE P.O.

CDD-SS 25-944696

September 5, 2025

Ms. Darlene Bryant-Takamatsu, Land Agent
 Land Division
 Department of Land and Natural Resources
 1151 Punchbowl Street, Room 220
 Honolulu, Hawaii 96813

Dear Ms. Bryant-Takamatsu:

SUBJECT: Grant of Perpetual, Non-Exclusive Easement; Issuance of Right-of-Entry to City and County of Honolulu, Dept. of Design and Construction; Nu'uana, Honolulu, O'ahu, TMK (1) 2-2-054: portion of 001

Thank you for providing the letter dated April 22, 2025 (Log No. 4921), which included comments from the Department of Land and Natural Resources (DLNR) Division of Forestry and Wildlife (DOFAW) regarding the Repairs in the Vicinity of 3708 Nu'uana Pali Drive project (see Enclosure). All comments received from DOFAW have been addressed and incorporated into the project and construction plans. The following sections outline DOFAW's recommendations in the letter dated April 22, 2025, and how they have been addressed and incorporated into the project.

Hawaiian Hoary Bat

DOFAW Recommendation: Any required site clearing should be timed to avoid disturbance to bats during their birthing and pup rearing season (June 1 through September 15). During this period woody plants greater than 15 feet tall should not be disturbed, removed, or trimmed.

Response: The trimming and removal of trees and woody vegetation will be performed outside the bat birthing and pup rearing season (June 1 through September 15).

Exhibit B

DOFAW Recommendation: Barbed wire should be avoided for any construction.

Response: The project will not include the use of barbed wire fencing.

Hawaiian Seabirds

DOFAW Recommendation: Nighttime work which requires outdoor lighting should be avoided during the seabird fledgling season from September 15 through December 15. If nighttime construction is required during the seabird fledgling season, we recommend a qualified biologist be present at the project site to monitor and assess the risk of seabirds being attracted or grounded due to the lighting. If seabirds are seen circling the area, lights should be turned off. If a downed seabird is detected, please follow DOFAW's recommended response protocol by visiting <https://dlnr.hawaii.gov/wildlife/seabird-fallout-season/>.

Response: The project does not include any night work.

Best Management Practices

DOFAW Recommendation: Best Management Practices (BMPs) be employed during and after construction to contain soils and sediment with the purpose of preventing damage to nearshore waters and marine ecosystems.

Response: BMPs will be employed during construction and all disturbed soil areas will be stabilized following construction to avoid the discharge of soil and sediment to the stream, nearshore waters, and marine ecosystems.

Invasive Species

DOFAW Recommendation: Minimize the movement of plant or soil material between worksites. All equipment, materials, and personnel should be cleaned of excess soil and debris to minimize the risk of spreading invasive species.

Response: To avoid and minimize the spread of invasive species, all equipment and material brought to the project site shall be cleaned and free of soil and plant material. All green waste from the project site will be disposed of as trash for incineration and will not be disposed of at a green waste mulching or recycling facility.

DOFAW Recommendation: Consult the O'ahu Invasive Species Committee (OISC) at (808) 266-7994 to help plan, design, and construct the project, learn of any high-risk invasive species in the area, and ways to mitigate their spread.

Response: OISC was consulted regarding the project and ways to mitigate the spread of invasive species. The construction plans direct the contractor to report any invasive species discovered at the project site including, miconia, cape ivy, glory bush, Coconut Rhinoceros Beetle (CRB), and little fire ants to the statewide pest hotline at www.643pest.org or

(808) 643-7378, or to the OISC via email at OISC@hawaii.edu or by phone or text at (808) 286-4616.

DOFAW Recommendation: You should avoid importing to O'ahu soil and other plant material from off-island.

Response: No soil or plant material will be imported from off-island for this project.

DOFAW Recommendation: Consulting the Hawai'i Interagency Biosecurity Plan at <http://dlnr.hawaii.gov/hisc/plans/hibp/> in the planning, design, and construction of the project.

Response: The Hawai'i Interagency Biosecurity Plan was reviewed. The project does not include the importation of soil or plant material from off-island. All equipment and material brought to the project site shall be cleaned and free of soil and plant material. All green waste from the project site will be disposed of as trash for incineration and will not be disposed of at a green waste mulching or recycling facility. Invasive species discovered at the project site including, miconia, cape ivy, glory bush, CRB, and little fire ants will be reported to the statewide pest hotline or OISC.

DOFAW Recommendation: The invasive CRB or *Oryctes rhinoceros* is found on the islands of O'ahu, Hawai'i Island, Maui, and Kaua'i. On July 1, 2022, the Hawai'i Department of Agriculture (HDOA) approved Plant Quarantine Interim Rule 22-1. This rule restricts the movement of CRB-host material within or to and from the island of O'ahu, which is defined as the Quarantine Area. Regulated material (host material or host plants) is considered a risk for potential CRB infestation. Host material for the beetle specifically includes a) entire dead trees, b) mulch, compost, trimmings, fruit and vegetative scraps, and c) decaying stumps. CRB host plants include the live palm plants in the following genera: *Washingtonia*, *Livistona*, and *Pritchardia* (all commonly known as fan palms), *Cocos* (coconut palms), *Phoenix* (date palms), and *Roystonea* (royal palms). When such material, or these specific plants are moved, there is a risk of spreading CRB because they may contain CRB in any life stage. For more information regarding CRB, please visit <https://dlnr.hawaii.gov/hisc/info/invasive-speciesprofiles/coconut-rhinoceros-beetle/>.

Response: All green waste from the project site will be disposed of as trash for incineration and will not be disposed of at a green waste mulching or recycling facility. CRB discovered at the project site will be reported to the statewide pest hotline or OISC.

DOFAW Recommendation: Using native plant species for landscaping that are appropriate for the area. Do not plant invasive species. DOFAW also recommended referring to www.plantpono.org for guidance on the selection and evaluation of landscaping plants and to determine the potential invasiveness of plants proposed for use in the project.

Response: This project does not include landscaping.

Wildfires

DOFAW Recommendation: Due to the arid climate and risks of wildfire to listed species, we recommend coordinating with the Hawai'i Wildfire Management Organization at (808) 850-0900 or admin@hawaiiwildfire.org, on how wildfire prevention can be addressed in the project area. When engaging in activities that have a high risk of starting a wildfire (i.e. welding in grass), it is recommended that you:

- Wet down the area before starting your task,
- Continuously wet down the area as needed,
- Have a fire extinguisher on hand, and
- In the event that your vision is impaired, (i.e. welding goggles) have a spotter to watch for fire starts.

Response: The project site is not located in a dry or arid area. The project does not include welding or other activities that have a high risk of starting a wildfire. Fire extinguishers will be on hand.

(Contact information covered from original letter for privacy.)

Sincerely,



Haku Milles, P.E., LEED AP
Director

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200.1, HAR

Project Title: Grant of Perpetual, Non-Exclusive Easement for Slope Improvements and Issuance of Construction and Management Right-of-Entry to City and County of Honolulu, Department of Design and Construction.

Project/Reference No.: PSF 24OD-133

Project Location: Nuuanu, Honolulu, Oahu
Tax Map Key: (1) 2-2-054: portion of 001

Project Description: DDC is requesting the issuance of an immediate construction and management ROE, along with a perpetual, non-exclusive easement, as they need to conduct emergency improvements to a portion of the slope below Nuuanu Pali Drive. The project involves approximately 55 feet of the CRM wall, which has been damaged by an uprooted banyan tree on the southeast side of the shoulder of Nuuanu Pali Drive. The proposed project would repair the exposed section of roadway by constructing a new wall and stabilizing the slope of the southeastern side of the road with a shotcrete soil nail wall, along with the removal of trees that are currently causing damage to the wall or are within the construction zone. The DDC anticipates the construction will take approximately eight (8) months.

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rules ("HAR") § 11-200.1-15 and the Exemption List for the Department, reviewed and concurred on by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to:

General Exemption Type 1: Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing.

Part 1, Item 39: Creation or termination of easement, covenants, or other rights in structures or land.

Exhibit C

	<p>Part 1, Item 44: Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.</p>
	<p>General Exemption Type 4: Minor alterations in the conditions of land, water, or vegetation.</p>
	<p>Part 2, Item 6: Grading work to stabilize existing slopes and mitigate rockfall, including work required to mobilize equipment.</p>
Cumulative Impact of Planned Successive Actions in the Same Place:	<p>Staff is not aware of any successive actions at or in the vicinity of the proposed action.</p>
Action May Have Significant Impact on a Particularly Sensitive Environment:	<p>Comments from the Division of Forestry and Wildlife (DOFAW) regarding the issuance of the ROE and easement, noted that there may be sensitive environmental receptors in the area as the project area is located in the Honolulu Watershed Forest Reserve. DOFAW provided comments outlining guidelines for mitigating impacts on these receptors and the DDC provided a response showing how those comments have been addressed and included in their project plan and specifications. As DDC appears to have incorporated proper mitigation measures and best management practices to reduce any potential impacts to sensitive receptors in the project area and the proposed action is subject to conditions of a Conservation District Use Permit (CDUP OA-3974), any impacts as a result of the proposed action appear to be properly mitigated</p>
Consulted Parties:	<p><u>City and County:</u> Board of Water Supply Department of Planning and Permitting (DPP) Department of Facility Maintenance</p>
	<p><u>State of Hawaii:</u> State Historic Preservation Division Department of Hawaiian Homelands</p>
Analysis and Recommendation:	<p>As stated earlier, as DDC appears to have incorporated proper mitigation measures and best management practices to reduce any potential impacts to sensitive receptors in the</p>

project area and the proposed action is subject to conditions of a Conservation District Use Permit (CDUP OA-3974), any impacts as a result of the proposed action appear to be properly mitigated, it would appear no further environmental analysis is warranted and no significant impacts are anticipated as a result of the issuance of the proposed ROE and subsequent easement.



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
 DEPARTMENT OF LAND AND NATURAL RESOURCES
 KA 'OIHANA KUMUWAIWAI'ĀINA
 Office of Conservation and Coastal Lands
 P.O. BOX 621
 HONOLULU, HAWAII 96809

DAWN N.S. CHANG
 CHAIRPERSON
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 COMMISSION ON WATER RESOURCE
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 FIRST DEPUTY

CIARA W.K. KAHANANE
 DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
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CONSERVATION AND COASTAL LANDS
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 ENFORCEMENT

ENGINEERING
 FORESTRY AND WILDLIFE
 HISTORIC PRESERVATION

KAHOLUAWE ISLAND RESERVE COMMISSION
 LAND
 STATE PARKS

REF: OCCL: MK

CDUP: OA-3974

Oct 10, 2025

Kevin Uejio
 AECOM Technical Services, Inc.
 1001 Bishop Street, Suite 1600
 Honolulu, HI 96813

SUBJECT: Conservation District Use Permit (CDUP) OA-3974 for the Nu'uau Erosion Control Project

Dear Kevin Uejio:

This is to inform you that on October 9, 2025, the Chairperson of the Department of Land and Natural Resources approved Conservation District Use Application (CDUA) OA-3974 for the City and County of Honolulu (CCH) Department of Design and Construction (DDC) Nu'uau Erosion Control Project, located off Nu'uau Pali Drive, Upper Nu'uau, Honolulu, island of O'ahu, Tax Map Key (TMK): (1) 2-2-054:001, 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. 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. 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. The permittee shall notify the department in writing when construction activity is initiated and when it is completed;

Exhibit D

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CDUP: OA-3974

6. The permittee understands and agrees that the permit does not convey any vested right(s) or exclusive privilege;
7. In issuing the permit, the department and board have relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of the permit such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the department may, in addition, institute appropriate legal proceedings;
8. Provisions for access, parking, drainage, fire protection, safety, signs, lighting, and changes on the landscape shall be provided;
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. 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;
11. During construction, appropriate mitigation measures shall be implemented to minimize impacts to off-site roadways, utilities, and public facilities;
12. 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. The planting of invasive species is prohibited in the Conservation District;
13. For all landscaped areas, landscaping and irrigation shall be contained and maintained within the property, and shall under no circumstances extend seaward of the shoreline as defined in section 205A-1, HRS;
14. The permittee shall time site clearing to avoid disturbance to the Hawaiian hoary bat during their birthing and pup rearing season, between June 1 to September 15. During this period, woody plants greater than 15 feet (4.6 meters) tall shall not be disturbed, removed, or trimmed;
15. Barbed wire shall be avoided in construction to prevent injury or death to the Hawaiian hoary bat;
16. 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;
17. The permittee shall avoid night work during the seabird fledging season between September 15 to December 15. If night work is necessary, all lights shall be fully shielded to minimize seabird attraction, and a qualified biologist shall be present to monitor seabird

Kevin Uejio
AECOM Technical Services LLC

CDUP: OA-3974

risks;

18. If State-listed waterbirds are present during construction, all activities within 100 feet (30 meters) shall cease and not continue until the birds have departed the area of their own accord. If a nest is discovered at any point, the permittee shall notify DOFAW at (808) 973-9778 and establish a buffer around the nest;
19. The permittee shall coordinate with the Hawai'i Wildfire Management Organization to help with wildfire prevention within the project area;
20. The permittee shall consult with the Oahu Invasive Species Committee to help plan, design, and construct the project, learn of any high-risk invasive species in the area, and ways to mitigate their spread;
21. Prior to initiating any work or construction, the permittee shall provide the Department/OCCL with a DOFAW-approved seed mix for hydroseeding or revegetation plan in accordance with landscaping guidelines provided in this chapter. The planting of invasive species is prohibited in the Conservation District;
22. The permittee shall submit a landscape plan to OCCL for the replacement of 10 trees, identifying the species of replacement trees on a one-to-one basis with trees that are appropriate to the site location with preference to trees that are endemic or indigenous to Hawaii and their proposed location on the subject property prior to construction initiation;
23. The permittee shall replant the replacement trees prior to the construction completion deadline and shall submit evidence of their survival to OCCL at intervals of one year and two years after construction completion;
24. 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;
25. The permittee shall submit to SHPD within 60 days after project completion, photographic documentation of the new concrete barrier with rock veneer and new rock wall;
26. 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 (808-692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
27. Other terms and conditions as prescribed by the chairperson.
28. Failure to comply with any of these conditions shall render a permit void under the chapter, as determined by the chairperson or board.

Please have your client acknowledge receipt of this approval, with the above noted conditions, in the space provided below. The original should be retained for their records and return the

Kevin Uejio
AECOM Technical Services LLC

CDUP: OA-3974

copy within 30 days. If there are any questions regarding this matter, please contact

(Contact information covered from original letter for privacy.)

Sincerely,



(for) S. Michael Cain, Administrator
Office of Conservation and Coastal Lands

Receipt acknowledged:

Date: _____
Permittee's Signature

CC: *Chairperson
Land Division
City and County of Honolulu- Department of Permitting and Planning*