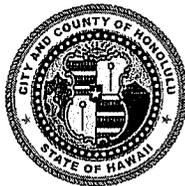


DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

FILE

KIRK CALDWELL  
MAYOR



KATHY K. SOKUGAWA  
ACTING DIRECTOR

TIMOTHY F. T. HIU  
DEPUTY DIRECTOR

EUGENE H. TAKAHASHI  
DEPUTY DIRECTOR

April 8, 2020

2020/MOD-11(ZS)  
2014/SMA-27

Mr. Manfred Zapka  
Sustainable Design & Consulting, LLC  
P.O. Box 25914  
Honolulu, Hawaii 96825

Dear Mr. Zapka:

**SUBJECT:** Request for Minor Modification  
Special Management Area (SMA) Use Permit  
No. 2014/SMA-27  
Kapaa Light Industrial Park  
897 Kalanianaʻole Highway - Kailua  
Tax Map Key 4-2-015: 014

This is in response to your submittal, received February 26, 2020, to modify the subject SMA. We regret to inform you that the submitted information is incomplete because the proposed modifications require a supplemental Environmental Impact Statement (EIS), as explained below.

You propose to modify the approved plans for the site because of design constraints that have arisen since the previous EIS, SMA (File No. 2014/SMA-27) and two subsequent Minor Modifications (File Nos. 2016/MOD-68 and 2017/MOD-37). The modifications proposed in the current application involve the stormwater management system, number of structures and building area, grading, perimeter berms, irrigation system, wastewater system, and roadway access (Pages 1 through 4 of the application). You state that the site has already been graded in accordance with approved plans, but there are no impervious surfaces or structures at this time (Page 9).

According to Hawaii Administrative Rules Chapter 11-200.1-30, a supplemental EIS is required if modifications may have significant environmental impacts. In addition, subsection (b) states, "A supplemental EIS shall be warranted ... when the mitigating measures originally planned will not be implemented, or where new circumstances or

evidence have brought to light different or likely increased environmental impacts not previously dealt with.”

The proposed stormwater management system is significantly different compared to the stormwater management system described in the EIS. The proposed modifications involve significantly more impervious surface area, significantly less stormwater harvesting capacity and reuse, and a modified treatment system that eliminates infiltration. The proposed modifications no longer include large landscaped areas within the site that were described in the EIS. According to Page 184 of the EIS, pervious, vegetated areas manage a significant portion of stormwater through retention in the topsoil and evaporation. Because the proposed modifications involve less landscaped area to irrigate, the capacity to store and reuse stormwater has been reduced by about half (Page 3 of the modification request). The previously approved stormwater management system allowed stormwater to infiltrate under perimeter berms made of fill material designed to treat the stormwater (according to Minor Modification No. 2017/MOD-37, approved August 25, 2017). Stormwater would then migrate towards an existing ditch along Kapaa Quarry Road. A 2019 geotechnical report has since concluded that this would compromise the berm’s stability. Instead, the proposed modifications direct stormwater through a manufactured treatment device and then directly into Kapaa Stream. It is unclear whether these modifications will cumulatively result in an increase in the volume of untreated overflow stormwater, which may have a significant environmental impact. In addition, the mitigating measures originally planned, including stormwater harvesting, pervious surfaces, and infiltration are significantly modified and will not be implemented as described in the EIS.

The proposed site design is also significantly different compared to the site design described in the EIS. The site design described in the EIS involves 15 buildings with a total building area of 337,000 square feet, while the proposed modification involves 14 buildings with a total building area of 373,200 square feet. Additionally, the finish grade must be raised to accommodate proposed changes to the stormwater management system. The previously approved finish grade ranges from 25 to 39 feet, while the proposed finish grade ranges from 40 to 50 feet (Page 42 of the application). The proposed finish grade is an average of 11.6 feet higher than what was previously approved, and will require 390,000 cubic yards of additional fill material. Page 325 of the EIS states a visual impact analysis shows that visual impacts can be mitigated. The proposed modifications significantly elevate the site features, which may result in a significant impact.

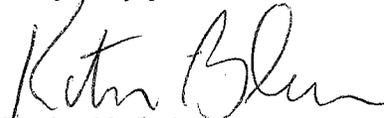
The proposed modifications require a supplemental EIS because they may have significant environmental impacts and because mitigating measures will not be implemented as described in the EIS. We will publish this determination in *The Environmental Notice*. The supplemental EIS should include, at minimum, the following:

Mr. Manfred Zapka  
April 8, 2020  
Page 3

- The percentage of annual stormwater that will overflow and bypass the proposed manufactured treatment device, as compared to the existing conditions and the approved plans under the EIS;
- The impact that treated and untreated stormwater will have on the stream and marsh, as compared to the existing conditions and the approved plans under the EIS;
- An analysis of alternatives, including the alternative of directing stormwater to the basin west of the Project site, and the impacts on water quality in the stream and marsh; and
- The visual impacts that the elevated site will have, as compared to the approved plans under the EIS.

The original application materials, including the \$200 check, are enclosed. Should you have any questions, please contact Zack Stoddard, of our Land Use Approval Branch, at (808) 768-8019 or [zachary.stoddard@honolulu.gov](mailto:zachary.stoddard@honolulu.gov).

Very truly yours,

  
Kathy K. Sokugawa  
Acting Director

Enclosure: Check No. 0415

**From:** [webmaster@hawaii.gov](mailto:webmaster@hawaii.gov)  
**To:** [HI Office of Environmental Quality Control](#)  
**Subject:** New online submission for The Environmental Notice  
**Date:** Friday, May 1, 2020 11:10:25 AM

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**Action Name**

Kapaa Light Industrial Park

**Type of Document/Determination**

Supplemental environmental impact statement (EIS) determination

**HRS §343-5(a) Trigger(s)**

- (6) Propose any amendments to existing county general plans where the amendment would result in designations other than agriculture, conservation, or preservation

**Judicial district**

Ko'olaupoko, O'ahu

**Tax Map Key(s) (TMK(s))**

(1) 4-2-015:014

**Action type**

Applicant

**Other required permits and approvals**

Numerous

**Discretionary consent required**

Minor Modification to Major Special Management Area permit

**Approving agency**

City and County of Honolulu, Department of Planning and Permitting

**Agency contact name**

Zack Stoddard

**Agency contact email (for info about the action)**

[zachary.stoddard@honolulu.gov](mailto:zachary.stoddard@honolulu.gov)

**Agency contact phone**

(808) 768-8019

**Agency address**

650 South King Street  
Honolulu, HI 96813  
United States  
[Map It](#)

**Accepting authority**

City and County of Honolulu, Department of Planning and Permitting

**Applicant**

Kapaa I, LLC

**Applicant contact name**

Paul King

**Applicant contact email**

[sustainableDC@gmail.com](mailto:sustainableDC@gmail.com)

**Applicant contact phone**

(808) 261-8991

**Applicant address**

905 Kalanianaʻole Highway  
Kailua, HI 96734  
United States  
[Map It](#)

**Was this submittal prepared by a consultant?**

Yes

**Consultant**

Sustainable Design & Consulting, LLC

**Consultant contact name**

Manfred Zapka

**Consultant contact email**

[sustainableDC@gmail.com](mailto:sustainableDC@gmail.com)

**Consultant contact phone**

(808) 265-6321

**Consultant address**

P.O. Box 25914  
Honolulu, HI 96825  
United States  
[Map It](#)

**Action summary**

The proposed industrial park would be adjacent to the Kapaa Stream and mauka of the Kawainui Marsh. Only grading work has been completed so far.

The final EIS for the project was accepted on 10/11/2011. Since then, the Department of Planning and Permitting approved a major Special Management Area permit (file number 2014/SMA-27) and two minor modifications to that permit (file numbers 2016/MOD-68 and 2017/MOD-37). The applicant is requesting to modify the Special Management Area permit a third time because design constraints have arisen.

The proposed modifications involve the stormwater management system, the number of structures and building area, grading, perimeter berms, the irrigation system, the wastewater system, and roadway access. As explained in the determination letter, the modifications require a supplemental EIS because they may have significant environmental impacts and because mitigating measures will not be

implemented as described in the EIS.

**Attached documents (signed agency letter & EA/EIS)**

- [2020MOD-11-determination.pdf](#)

**Shapefile**

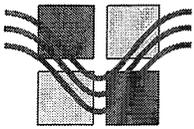
- The location map for this determination is the same as the location map for the associated Final EIS.

**Authorized individual**

Zack Stoddard

**Authorization**

- The above named authorized individual hereby certifies that he/she has the authority to make this submission.



**Sustainable Design & Consulting LLC**  
*Practical Sustainability*

2020 FEB 26 AM 10:28  
February 25, 2020

2020/E106-415

DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

Kathy K. Sokugawa, Acting Director  
Department of Planning & Permitting  
City and County of Honolulu  
650 S. King Street, 7th Floor  
Honolulu, HI 96813

**Subject:** Minor Modification Application for Special Management Area Use Permit  
(SMP Resolution 14-222, File No. 2014/SMA-27)

Dear Ms. Sokugawa,

Our company is the consultant for Mr. Paul King, the Applicant, and we are submitting this SMP Minor Modification Application on his behalf.

The Applicant is in the process of carrying out site development work on portions of the Kapa'a Light Industrial Park project site situated in TMK 4-2-15:014. The site work will prepare the project site for the future construction of several warehouses. The development goals of Kapa'a Light Industrial Park have been approved by the City Council as part of the conditional zone change and the approved subject Major SMP.

We have attached the Master Application Form and the Written Statement and Project Description report to this SMP Minor Modification application. In our report, we propose changes to seven previously approved site development design strategies. The changes are required as site development constraints were identified during the ongoing detail design phase.

Our report concludes that impacts to the environment and the community will not be negatively affected by the proposed SMP modification. In fact, impacts to the adjacent aquatic resources, especially to the adjacent Kapa'a Stream and wetland areas, will be reduced due to the more effective stormwater pollution and flooding mitigation strategies.

The proposed modifications will not negatively affect approved site development permits, including the buffer zone development concept (approved by DLNR), the NPDES construction stormwater permit (approved by DoH) and the site development phasing plan (approved by DPP and DoH).

Our report concludes that the estimated project costs will not increase relative to the original and accepted SMP.

We would like to ask for your support in accepting our proposed actions. The Applicant is in the process of grading the site in accordance with the current grading permit.

**Technical and Organizational Sustainability Consultants**

P.O. Box 25914, Honolulu, Hawaii 96825, USA Tel: 808-265-6321 [sustainabledc@gmail.com](mailto:sustainabledc@gmail.com)



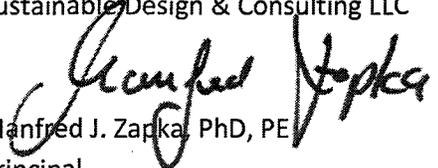
Letter to: Ms. Kathy K. Sokugawa, Acting Director, , Department of Planning & Permitting  
City and County of Honolulu, Feb. 25, 2020 Page 2 of 2

The Applicant would like to complete the earth berms and the planting of vegetation on the earth berms early in the project, since vegetated berms will be instrumental in providing effective visual impact mitigation and the plants on the berms need time to grow. The Applicant requests DPP's approval of this SMP Minor Modification as soon as possible to enable the next phase of the site development.

If you have any questions or comments, please do not hesitate to contact us via email at **sustainableDC@gmail.com** or call 808-265-6321. I will be off island in March, and but will be able to respond to your comments in a timely way via email or phone. If, based on our initial discussions, you require submittal of an amended written statement and/or plans, I will submit this in early April.

Sincerely,

Sustainable Design & Consulting LLC

  
Manfred J. Zapka, PhD, PE  
Principal

Attachments: Master Application Form, Application Fees (\$200.00), 2 copies of the Report "Written Statement and Project Description"

**CITY AND COUNTY OF HONOLULU  
DEPARTMENT OF PLANNING & PERMITTING**

650 South King Street, 7<sup>th</sup> Floor  
Honolulu, Hawaii 96813

**LAND USE PERMITS DIVISION MASTER APPLICATION FORM**

Additional data, drawings/plans, and fee requirements are listed on a separate sheet titled "Instructions for Filing." **PLEASE ASK FOR THESE INSTRUCTIONS.**

All specified materials described in the "Instructions for Filing" and required fees must accompany this form; incomplete applications will delay processing. You are encouraged to consult with Zoning Division staff in completing the application. Please call the appropriate phone number given in the "Instructions for Filing."

Please print legibly or type the required information.

SUBMITTED FEE: \$ \$200

PERMIT/APPROVAL REQUESTED (Check one or more as appropriate):

<b>Cluster:</b> <input type="checkbox"/> Agricultural <input type="checkbox"/> Country <input type="checkbox"/> Housing	<input checked="" type="checkbox"/> <b>Modify Approved Permit:</b> <u>SMP 2014/SMA-27</u> <small>(Indicate Reference File No.)</small>	<b>Special Management Area Use Permit:</b> <input type="checkbox"/> Minor <input checked="" type="checkbox"/> Major
<b>Conditional Use Permit:</b> <input type="checkbox"/> Minor <input type="checkbox"/> Major	<input type="checkbox"/> <b>Plan Review Use</b>	<input type="checkbox"/> <b>Temporary Use Approval</b>
<input type="checkbox"/> <b>Existing Use:</b> <hr/> <small>(Indicate Type of Use)</small>	<input type="checkbox"/> <b>Planned Development:</b> <input type="checkbox"/> Housing <input type="checkbox"/> Commercial (WSD Only) <input type="checkbox"/> Resort (WSD Only)	<input type="checkbox"/> <b>Variance from LUO Section(s):</b> <hr/>
<b>Environmental Document:</b> <input type="checkbox"/> Environmental Impact Statement <input type="checkbox"/> Environmental Assessment <input type="checkbox"/> Supplemental <input type="checkbox"/> Minor Shoreline Structure	<input type="checkbox"/> <b>Shoreline Setback Variance</b>	<input type="checkbox"/> <b>Waiver from LUO Section(s):</b> <hr/>
	<b>Special District Permit:</b> <input type="checkbox"/> Minor <input type="checkbox"/> Major <hr/> <small>(Indicate District)</small>	<input type="checkbox"/> <b>Zoning Adjustment, LUO Section(s):</b> <hr/>
	<input type="checkbox"/> <b>Downtown Height &gt;350 Feet</b>	<input type="checkbox"/> <b>HRS Section 201H-38 Project</b>

TAX MAP KEY(S): (1) 4-2-15:014 (port. of) (Note: the TMK designation of the project site has changed from the initial 4-2-15:006)

LOT AREA: \_\_\_\_\_

ZONING DISTRICT(S): I-1 and P-2

STATE LAND USE DISTRICT: Urban

STREET ADDRESS/LOCATION OF PROPERTY: 905 Kalaniana'ole Hwy., Kailua, HI 96734

**RECORDED FEE OWNER:**

Name (& title, if any) Kapa'a I, LLC, Paul King, GM

Mailing Address 905 Kalaniana'ole Hwy., Kailua, HI 96734

Phone Number (808) 261-8991

Signature [Signature]

**PRESENT USE(S) OF PROPERTY/BUILDING:**

Outside storage

**APPLICANT:**

Name Mr. Paul King, GM, Kapa'a I, LLC

Mailing Address 905 Kalaniana'ole Hwy., Kailua, HI 96734

Phone Number (808) 261-8991

Signature [Signature]

**AUTHORIZED AGENT/CONTACT PERSON:**

Name SDC, LLC, M. Zapka, Ph.D., P.E.

Mailing Address P.O. Box 25 914  
Honolulu, Hawaii, 96825

Phone Number (808) 265 6321

E-mail sustainableDC@gmail.com

Signature [Signature]

**PROJECT NAME (if any):** Kapa'a Light Industrial Park

, development in TMK 4-2-15:014 (port. of)

**REQUEST/PROPOSAL (Briefly describe the nature of the request, proposed activity or project):**

This Minor Modification application requests changes to seven site development approaches which were approved under SMP 2014/SMA-27 and 2017/MOD-37 (MT). The request for changes is prompted by design constraints that rule out the previously approved site development design strategies. In particular, the accepted stormwater drainage and treatment strategy needs to be modified. This includes a raised finish grade which provides the required hydraulic flow energy to convey stormwater over a longer distance to the Northern site perimeter. Further proposed modifications include: Changing the site road access, implementing a more advanced onsite wastewater treatment system, omitting the accepted baseyard and building additional warehouses on the baseyard areas and increasing the total building footprint. The design changes will not increase the environmental impacts, nor increase the estimated overall project costs.

POSSE JOB NO. \_\_\_\_\_