

FINAL ENVIRONMENTAL ASSESSMENT

Prepared and submitted in accordance with Hawai'i Revised Statutes, Chapters 205A and 343

Hale`iwa Beach House

Hale`iwa, Island of O`ahu, Hawai`i



APPLICANT:

A 6 LLC

Mr. D. G. Andy Anderson

4391 A Kahala Avenue

Honolulu, Hawai`i 96816

TABLE OF CONTENTS

PROJECT SUMMARY	ix
SECTION 1 INTRODUCTION	1-1
1.1 Project Overview	1-1
1.2 Project Purpose and Need	1-2
1.3 Basis for the Environmental Assessment.....	1-3
1.4 Applicant and Approving Authority	1-4
SECTION 2 PROJECT DESCRIPTION AND ALTERNATIVES	
CONSIDERED	2-1
2.1 Project Location	2-1
2.1.1 Owner Information.....	2-1
2.2 Permit History	2-1
2.3 Project Description.....	2-5
2.3.1 Interior Building Renovations.....	2-5
2.3.2 Exterior Building Renovations	2-6
2.3.3 Completed Site Work.....	2-7
2.3.4 Proposed Site Work – Final Condition	2-8
2.4 Project Schedule and Cost	2-9
2.4.1 Schedule	2-9
2.4.2 Cost	2-9
2.5 Alternatives Considered.....	2-10
2.5.1 Preferred Alternative.....	2-10
2.5.2 No Action.....	2-10
SECTION 3 DESCRIPTION OF AFFECTED ENVIRONMENT	3-1
3.1 Physical Environment.....	3-1
3.1.1 Climate & Climate Change.....	3-1
3.1.2 Topography, Geology, and Soils	3-3
3.1.3 Ground Water, Surface Waters and Hydrology	3-9
3.1.4 Air Quality	3-13
3.1.5 Noise	3-14
3.1.6 Natural Hazards	3-14

	3.1.7 Flora and Fauna.....	3-19
3.2	Human Environment.....	3-20
	3.2.1 Land Use	3-20
	3.2.2 Archaeological and Cultural Resources.....	3-21
	3.2.3 Scenic and Visual Resources	3-24
	3.2.4 Recreational Facilities.....	3-26
	3.2.5 Fire, Police and Medical Services.....	3-27
	3.2.6 Socio-Economic Conditions	3-27
3.3	Infrastructure and Utilities	3-29
	3.3.1 Traffic and Circulation.....	3-29
	3.3.2 Drainage System	3-35
	3.3.3 Water System	3-36
	3.3.4 Wastewater System.....	3-38
	3.3.5 Electrical/Communications Systems	3-42
	3.3.6 Solid Waste Disposal	3-43
SECTION 4	RELATIONSHIP TO LAND USE PLANS AND POLICIES	4-1
4.1	State of Hawai‘i Plans and Policies	4-1
	4.1.1 The Hawai‘i State Planning Act	4-1
	4.1.2 State Land Use Law	4-2
	4.1.3 Coastal Zone Management Area.....	4-4
4.2	City and County of Honolulu Plans and Policies.....	4-12
	4.2.1 City General Plan.....	4-12
	4.2.2 City Zoning and Land Use Ordinance	4-13
	4.2.3 Special Management Area	4-16
	4.2.4 North Shore Sustainable Communities Plan.....	4-21
	4.2.5 Hale‘iwa Special District	4-27
SECTION 5	NECESSARY PERMITS AND APPROVALS	5-1
5.1	City and County of Honolulu.....	5-1
5.2	State of Hawai‘i	5-1
SECTION 6	ORGANIZATIONS AND AGENCIES CONSULTED DURING THE PREPARATION OF THE DRAFT EA	6-1
6.1	City and County of Honolulu.....	6-1
6.2	State of Hawai‘i	6-1

6.3	Federal.....	6-1
6.4	Community Organizations	6-1
SECTION 7	ORGANIZATIONS AND AGENCIES CONSULTED DURING THE 30-DAY DRAFT EA REVIEW PERIOD	7-1
7.1	City and County of Honolulu.....	7-1
7.2	State of Hawai‘i	7-1
7.3	Federal Agency	7-1
7.4	Elected Officials and Boards	7-1
7.5	Utility Companies	7-2
7.6	Community	7-2
SECTION 8	DETERMINATION	8-1
SECTION 9	REFERENCES.....	9-1

FIGURES

Figure 1-1	Project Location	1-5
Figure 2-1	Site Plan – Pre-2015.....	2-11
Figure 2-2	Site Plan – March 2016, After Completion of Interior and Exterior Renovations.....	2-12
Figure 2-3	Site Plan – Existing and Planned Conditions After WWTP Installation.....	2-13
Figure 3-1	SLR Scenario – 0.5 Feet	3-4
Figure 3-2	SLR Scenario – 1.0 Feet	3-5
Figure 3-3	SLR Scenario – 2.0 Feet	3-6
Figure 3-4	SLR Scenario – 3.2 Feet	3-7
Figure 3-5	Soil Types	3-8
Figure 3-6	Surface Water and Drainage	3-10
Figure 3-7	Tsunami Evacuation Zone Map.....	3-16
Figure 3-8	FEMA-FIRM Zones.....	3-17
Figure 3-9	Managed Parking Plan	3-37
Figure 4-1	State Land Use Map.....	4-3
Figure 4-2	City Zoning Map.....	4-14
Figure 4-3	Special Management Area Map.....	4-17
Figure 4-4	North Shore SCP – Land Use Map	4-24

Figure 4-5	North Shore SCP – Public Facilities	4-25
------------	---	------

TABLES

Table 2-1	Schedule of Major Project Activities	2-2
Table 2-2	Development Permits, Approvals and Notices of Violation.....	2-4
Table 2-3	Project Cost Summary	2-9
Table 3-1	Estimated Demographics Data for 2014.....	3-28
Table 3-2	Existing Conditions LOS Based on Recent Traffic Studies in the Vicinity	3-31
Table 3-3	IWS Calculated Wastewater Flow	3-39
Table 3-4	DOH-WWB Wastewater Facility Dye Test Results for HBH.....	3-40
Table 3-5	WWTP Calculated Wastewater Flow	3-41
Table 3-6	Design Conditions and Effluent Quality	3-42

APPENDICES

Appendix A Photos and Photo Key Maps

- A.1 Pre-renovation Photo Key Map
- A.2 Existing conditions Photo Key Map

Appendix B Building Permits

- B.1 Exterior Renovation (Dated August 10, 2016)
- B.2 Interior Renovation (Dated October 21, 2015)
- B.3 Trellis Second Story (Dated February 10, 2016)
- B.4 Awning Canopy (Dated August 3, 2016)
- B.5 Sign Permit (Dated March 29, 2016)
- B.6 Request for Courtesy Inspection (Dated November 6, 2015)
- B.7 WWTP Permit Package (Dated September 8, 2016)

Appendix C Land Use Permits

- C.1 SDD Permit (Minor) 2014/SDD-27 and SMA permit (Minor) 2014/SMA-22 (Dated May 13, 2014)
- C.2 SDD Permit (Minor) 2015/SDD-25 and SMA permit (Minor) 2015/SMA-30 (Dated July 14, 2015)
- C.3 DPP request for Minor Modification Ref. No. 2016/ELOG-1904(GT) (Dated October 28, 2016)

- C.4 DPP request for Minor Modification Ref. No. 2016/ELOG-3114(GT) (Dated December 29, 2016)

Appendix D Notices of Violation

- D.1 DPP Notice of Violation Ref. No. 2016/NOV-04-179 (Dated May 3, 2016)
- D.2 DPP Notice of Violation Ref. No. 2016/NOO-167; 2016/NOV-04-179 (Dated January 27, 2017)
- D.3 DPP Notice of Violation Ref. No. 2016/NOO-211; 2016/NOV-06-052 (Dated January 27, 2017)
- D.4 DOH Notice of Violation, Permit Suspension and Order Ref. No. 16-SAN-WW-EO-01 (Dated June 2, 2016)

Appendix E Project Budget

- E.1 Hale‘iwa Beach House Total Estimated Project Budget

Appendix F Preliminary Consultation Letters

- F.1 Community
- F.2 City and County of Honolulu
- F.3 State of Hawai‘i
- F.4 Federal
- F.5 All Preliminary Consultation Letters Sent

Appendix G Graphic Representation of the Relationship between Hale‘iwa Beach House Project Site and Previous Cultural Impact Assessment Studies, Hale‘iwa, O‘ahu (Garcia and Associates, February 2, 2018)

Appendix H ALTA Survey Map (Dated March 19, 2018)

Appendix I Transportation Assessment Report for Hale‘iwa Beach House (The Traffic Management Consultant, April 2, 2018)

Appendix J Draft EA Comment and Response Letters

- J.1 Community
- J.2 City and County of Honolulu
- J.3 State of Hawai‘i
- J.4 Federal

ABBREVIATIONS AND ACRONYMS

AA	Archaeological Assessment
AASHTO	American Association of State Highway and Transportation Officials
ADA	Americans with Disabilities Act
BH	Backyard Hale‘iwa Project
BMP	Best Management Practice
BP	Building Permit
BPA	Building Permit Application
BWS	Board of Water Supply
City	City and County of Honolulu
CDP	Census Designated Place
CFR	Code of Federal Regulations
CIA	Cultural Impact Assessment
CRM	Concrete Rock Masonry
CWA	Clean Water Act
CWB	Clean Water Branch, DOH
CZMP	Coastal Zone Management Program
DDC	Department of Design and Construction, City
DLNR	Department of Land and Natural Resources, State of Hawaii
DOH	Department of Health, State of Hawaii
DOT	Department of Transportation, State of Hawaii
DPP	Department of Planning and Permitting, City
EA	Environmental Assessment
ENV	Department of Environmental Services, City
EPA	Environmental Protection Agency
EWL	Extreme Water Levels
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
GPD	Gallons Per Day
HAR	Hawaii Administrative Rules
HBH	Hale‘iwa Beach House Restaurant
HCR	Hale‘iwa Commercial Redevelopment (KS Hale‘iwa Store Lots)
HFD	Honolulu Fire Department, City

HID	Hale‘iwa Improvement District Project
HPD	Honolulu Police Department, City
HRS	Hawaii Revised Statutes
HWY	Highway
IBC	International Building Code
ITE	Institute of Transportation Engineers
IWS	Individual Wastewater System
KS	Kamehameha Schools
lf	linear feet
LID	Low Impact Development
LOS	Level of Service (traffic conditions)
LUO	Land Use Ordinance, City
MLEF	Mālama Loko Ea Foundation
msl	Mean Sea Level
NFIP	National Flood Insurance Program
NHC	National Hurricane Center
NO ₃ +NO ₂	Nitrate +Nitrite
NOI	Notice of Intent
NOV	Notice of Violation
NPDES	National Pollutant Discharge Elimination System
NSRWAP	North Shore Regional Wastewater Alternatives Plan
NSSCP	North Shore Sustainable Communities Plan
OHA	Overall Hazard Assessment
pph	Pedestrians Per Hour
PTWC	Pacific Tsunami Warning Center
ROH	Revised Ordinances of Honolulu
ROW	Right-of-Way
SCP	Sustainable Communities Plan
SD	Special District
SDC	Seismic Design Categories
sf	square feet
SHPD	State Historic Preservation Division, DLNR
SLU	State Land Use
SMA	Special Management Area

TMK	Tax Map Key
PTWC	Pacific Tsunami Warning Center
UIC	Underground Injection Control
USACE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USGS	U.S. Geological Survey
TAR	Traffic Assessment Report
TMK	Tax Map Key
Total N	Total Nitrogen
Total P	Total Phosphorus
TRB	Transportation Review Branch, DPP, City
TRB	Transportation Research Board
TSS	Total Suspended Solids
WWTP	Wastewater Treatment Plant

PROJECT SUMMARY

Project:	Hale`iwa Beach House (HBH)
Applicant:	A 6 LLC Mr. D. G. Andy Anderson, Manager 419 South Street, Suite 174 Honolulu, Hawai‘i 96813-5070
Accepting Agency:	Department of Planning and Permitting City and County of Honolulu
Location:	Hale`iwa, North Shore, Waialua District Island of O‘ahu
Tax Map Key:	(1) 6-2-03: 014
Proposed Action:	After-the-fact Special Management Area Permit (Major) and Special District Permit (Major) for completed renovations to the HBH restaurant, including interior and exterior building renovations, site work for parking and loading spaces, landscaping, irrigation system, and a sewage treatment facility, including a Wastewater Treatment Plant, generator and two new seepage beds.
Land Area:	23,552 SF
Present Use:	Hale`iwa Beach House Restaurant
State Land Use District:	Urban
North Shore Sustainable Communities Plan Land Use Designation:	Country Town
County Zoning District:	B-1 Neighborhood Business District
Special Management Area:	Located in SMA
FEMA/FIRM Designation:	Zone AE (8 ft.) & VE (10 ft.)
Permits Required:	<p><i>Clearances and permits needed from the various Federal, State and City and County of Honolulu agencies include but are not limited to the following.</i></p> <p><u>City and County of Honolulu</u> Department of Planning and Permitting</p> <ul style="list-style-type: none"> • Environmental Assessment and Finding of No Significant Impact, per HRS 343 • Construction Plan Review and Approval • Building Permits • After-the-Fact Building Permit for refrigerator storage • Stockpiling Permit • Special Management Area Permit - Major • Hale‘iwa Special District Permit - Major

	<p><u>State of Hawai‘i</u></p> <p>Department of Health</p> <ul style="list-style-type: none">• Construction plan review and approval for new wastewater treatment plant <p>Department of Land and Natural Resources</p> <ul style="list-style-type: none">• State Historic Preservation Department Hawai‘i Revised Statute, Chapter 6E Review.
--	---

SECTION 1 INTRODUCTION

1.1 PROJECT OVERVIEW

A 6 LLC, (Applicant) is the owner of the Hale`iwa Beach House (HBH) restaurant located at 62-540 Kamehameha Highway in Hale`iwa, Waialua District, North Shore, Island of O`ahu and identified by Tax Map Key (TMK) (1) 6-2-03: 014. The project parcel is 23,552 square feet (sf) in area. The existing, two-story building was constructed in 1955 and occupies a building area of approximately 6,500 sf. Since the year of its original construction, the building has been continuously operated as a restaurant and bar, first as the Hale`iwa Sands Restaurant from 1955 to 1981, then as Jameson's by the Sea from 1982 until 2015. At various periods of time, the building has simultaneously been used for additional commercial enterprises, including a launderette, Art Gallery and gift shop. In recent years, only the ground floor has been in operation for restaurant use with office use on the second floor. See **Figure 1-1, Project Location**.

The Applicant began preparing conceptual plans in 2015 and, based upon their plans, was advised by the City and County of Honolulu (City), Department of Planning and Permitting (DPP) to apply for a Special District Permit Minor and a Special Management Area Use Permit Minor. Building Permits for the exterior and interior work were subsequently applied for under two separate Building Permit Applications. In July 2015, the Applicant obtained a Special District (SD) Permit (Minor) (No. 2015/SDD-25) and Special Management Area (SMA) Use Permit (Minor) (No. 2015/SMA-30) from the City, DPP, based on estimated SMA development costs of less than \$500,000, to undertake building renovations and operate the restaurant as the Hale`iwa Beach House. In August 2015, after agency review of the building permit applications, the DPP issued a Courtesy Inspection Letter allowing the Applicant to initiate renovation work while the submitted Permit applications and drawings were being reviewed for final approval. In March 2016, the Applicant completed renovations to the existing restaurant building, including renovations to the interior of the first and second floors, replacement of exterior doors and windows, refinishing exterior walls with cedar shingles, enclosing the front lanai with roll-up security doors, installation of an interior circular stairway to the second floor, and installation of skylights, copper gutter system, a fixed-louvered pergola, elevator, landscaping and irrigation. In August 2016, the DPP approved the building permit for the exterior renovations (BP No. 790811).

The building renovations restored the first and second floor building interiors and ground-level lanai to their original use for restaurant and bar operations and re-opened the existing second floor deck area for seating. Although the State of Hawai`i, Department of Health (DOH) initially signed off on both the exterior and interior building permit applications through the City's POSSE system in February 2016, as shown on the job site plan set, the DOH required that the Applicant replace the existing septic tank and leach field system with a package wastewater treatment plant (WWTP) as a condition of approval for the interior building permit. In August of 2016 the Building Permit for the exterior renovation was granted. In September 2016, the Applicant received approval from the DOH to install a new sewage treatment system, including a

WSI International Package WWTP, generator and two new seepage beds. The Applicant installed the new WWTP in October 2016 and was awaiting approval to operate the WWTP from DOH.

Subsequent to the completion of the renovations, the DPP determined that the total cost of the development within the SMA would be calculated based on both exterior and interior renovations, although interior alterations are typically excluded from cost calculations for development within the SMA. Based on the new calculation, including the interior and exterior building renovations, site work and new WWTP; the total development costs exceeded the \$500,000 threshold that triggers requirements for a SMA Permit (Major).

In addition, the DPP determined that the renovation work previously approved under SD Permits (Minor) No. 2014/SDD-27 and No. 2015/SDD-25 constitutes major additions and alterations to a structure visible from Kamehameha Highway, which triggers requirements for a SD Permit (Major). The Applicant is therefore applying for an after-the-fact SMA Permit (Major) and SD Permit (Major) for the completed renovations to the existing HBH restaurant and site.

1.2 PROJECT PURPOSE AND NEED

The purpose of the project is to best manage a sudden and unexpected abandonment of the property lease by the Jameson's Restaurant operator. This provided an opportunity to make needed interior repairs, alterations and renovations to the original restaurant building in order to:

- Better utilize the floor area within the building's existing footprint for restaurant operations, staff and guests;
- Reopen the existing second floor dining and deck area that has historically been used for restaurant operations;
- Meet current federal Americans with Disabilities Act (ADA) standards, fire code and DOH kitchen health code requirements;
- Create a project offering new and meaningful jobs for the North Shore community;
- Update the existing septic system with a new wastewater treatment plant to comply with current, increased DOH wastewater treatment standards;
- Rebrand the restaurant to operate as the Hale'iwa Beach House;
- Provide a more pleasant and attractive dining experience for restaurant patrons;
- Provide a more efficient, safe and enjoyable work environment for restaurant employees; and
- Remain current, viable and competitive in the dining and hospitality industry.

Prior to undertaking the recently completed renovations, the restaurant building operated as Jameson's by the Sea for 33 years. For many years, Jameson's was known island-wide for their second-floor fine dining room and the views it afforded its guests over the Pacific Ocean toward Ka'ena Point. Over time, without any major upgrades or renovations, the building exteriors became visually tired and unattended, and the interior as well, including the furniture, fixtures and equipment, became dirty, tired and run

down. In addition, the front entry and bathrooms did not meet ADA standards and the second floor, which prior to passage of the ADA of 1990 had been used for fine dining service, was not ADA accessible. This neglect and inattention eventually impacted the restaurant's annual gross sales and employment, with both declining year after year. The restaurant needed an investment and renovation in order to reverse this trend and be successful.

The original, existing wastewater treatment system that serves the restaurant has been and continues to be operated in compliance with DOH and federal requirements. The existing septic system was installed in 1992 and was designed to treat flows from the ground floor restaurant and bar area that was in operation at that time. Although the existing wastewater treatment system was approved for use with the interior and exterior renovations, the DOH subsequently determined, sometime after their February 2016 Interior Renovation permit set approval, that to meet the current wastewater treatment standards and formula for restaurant seating, the renovated restaurant would need to change from a septic system to a WWTP.

The Applicant obtained DOH approval for design and construction of the new WWTP and completed installation and final inspection in November 2016, which required fencing and landscaping prior to DOH granting the permit to operate. Fencing and landscaping were installed in November 2016 and the permit to operate was anticipated to be issued imminently. Prior to granting the approval to operate, the DOH determined that the approval to operate the new WWTP is dependent upon approval of the new SMA Permit (Major). The new WWTP provides the necessary treatment capacity for the renovated restaurant in a state-of-the art package treatment system that meets the environmental objectives for resource protection within the SMA.

The completed renovations address the original building deficiencies and will help the Applicant meet his objectives as a restaurant operator for increasing patronage, providing employment opportunities, and creating a landmark dining establishment that will be an asset to the North Shore community. The restaurant today employs nearly one hundred full-time and part-time people, the majority of them locals that have grown up in the area and want to continue to live on the North Shore. The restaurant also contributes to hundreds of related off-site jobs that service the HBH daily and weekly (See Section 3.2.5, Socio-Economic Conditions.)

1.3 BASIS FOR THE ENVIRONMENTAL ASSESSMENT

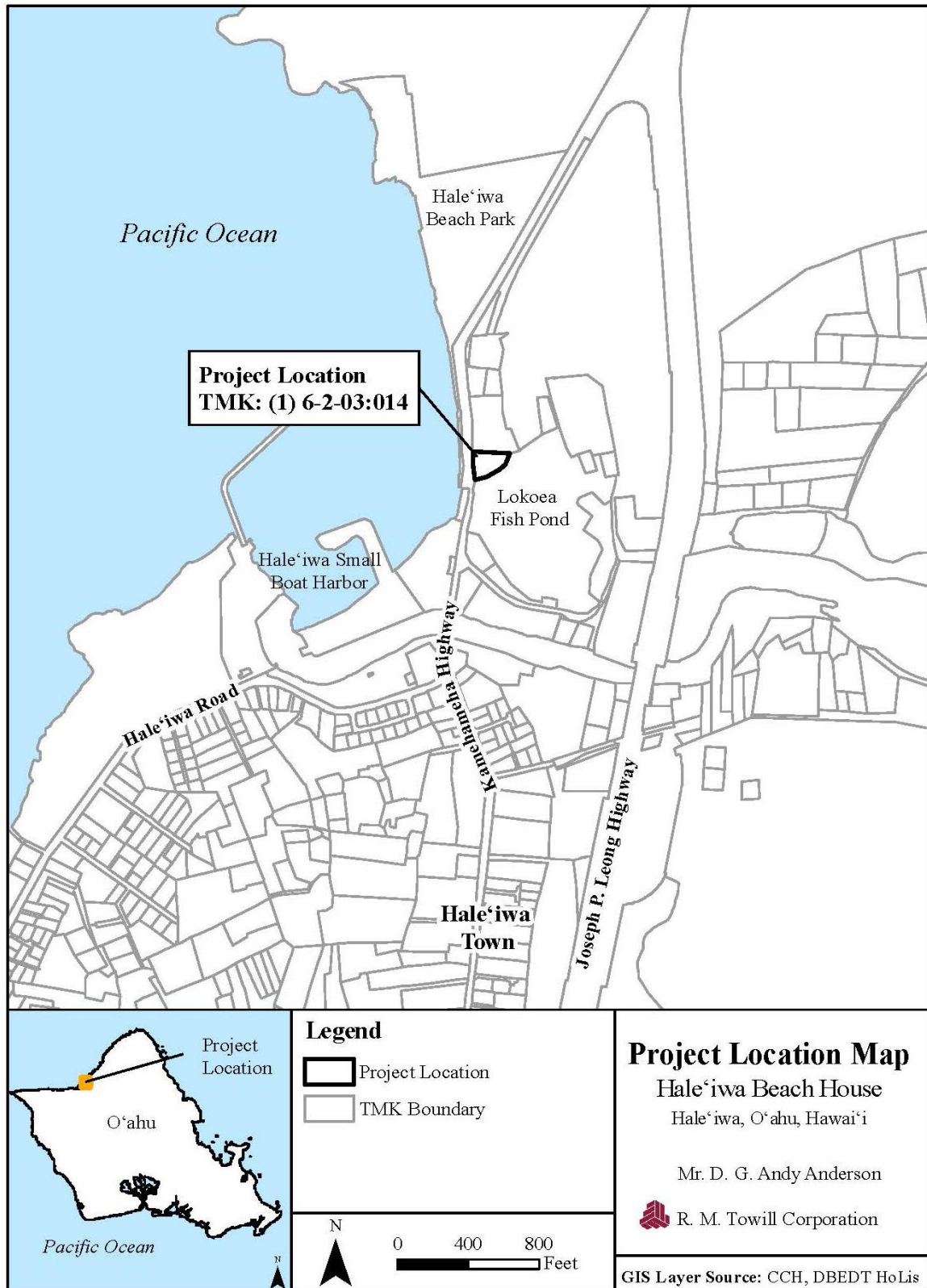
In accordance with Chapter 205A Hawai'i Revised Statutes (HRS) and Section 25-3.3 Revised Ordinances of Honolulu (ROH), this project involves development within the SMA and the processing of an application for a SMA Permit (Major) and is therefore subject to environmental assessment (EA) by the City DPP in accordance with procedural steps set forth in Chapter 343 HRS and Chapter 11-200 Hawai'i Administrative Rules (HAR).

1.4 APPLICANT AND APPROVING AGENCY

In accordance with Chapter 343 HRS, and Sections 11-200-4 and 11-200-9, HAR, the Applicant for this Final EA is Basin Project Inc., and the Approving Agency is the City DPP.

Pursuant to the requirements of Chapter 343 HRS and Chapter 11-200 HAR, and an evaluation of the significance criteria established by Section 25-4.1 ROH, the approving agency, the City DPP, has determined that the project is not expected to have significant environmental impacts. Based on analysis and review of environmental conditions, project impacts, and proposed mitigation measures, it is anticipated that a Finding of No Significant Impact (FONSI) will be issued for this project.

Figure 1-1, Project Location



SECTION 2

PROJECT DESCRIPTION AND ALTERNATIVES CONSIDERED

2.1 PROJECT LOCATION

The project site is located at 62-540 Kamehameha Highway in Haleʻiwa, Waialua District, North Shore, Island of Oʻahu and identified by Tax Map Key (TMK) (1) 6-2-03: 014. The project site is shown in **Figure 1-1, Project Location**. Adjacent land uses include a four-acre, undeveloped City-owned park land on the north side that was once going to be sold as a remnant parcel, Loko ea Fishpond to the south and east, and Haleʻiwa Beach Park across Kamehameha Highway to the west.

2.1.1 OWNER INFORMATION

The Haleʻiwa Beach House restaurant and subject property are owned by the Applicant, A 6 LLC.

2.2 PERMIT HISTORY

In 2013, the previous owner of the Jameson's by the Sea restaurant applied for land use permits [SMA Permit (Minor) No. 2014/SMA-22 and SDD Permit (Minor) No. 2014/SDD-27] and a building permit (BP) to replace a pre-existing, unpermitted covered deck addition to the first floor dining area and front entry way of the existing building. The building permit was not issued and the improvements were not constructed at that time. In 2015, the previous restaurant owner abandoned the restaurant lease to the Applicant. The Applicant subsequently took over management of the property and restaurant, including the land use permits and BPs initiated by the previous owner.

The Applicant determined that more substantial investment was required to renew and restore the restaurant to be successful. Accordingly, the Applicant processed applications for building permits and land use permits to undertake the following renovations to the existing two-story commercial building:

- New covered deck along the front ground-level dining area and front entryway;
- Interior renovations and remodeling;
- Exterior renovations;
- New fire exit stairway and safety railing;
- Ground-level entry ramp, elevator to the second story and bathroom renovations to meet Americans with Disabilities Act (ADA) accessibility standards;
- New Sign; and
- Site improvements including paving, landscaping and irrigation.

In August 2015, the Applicant submitted building permit applications for all major interior and exterior renovation work, including architectural drawings, along with the City-approved SMA (Minor) and SD (Minor) Permits. Interior and exterior renovation work to the existing building was undertaken from September 2015 to March 2016. After being informed by DOH, sometime after DOH approval of the Interior Renovation building permit set in February 2016, that a new WWTP would be required, the Applicant undertook design and permit to construct the WWTP. Installation of the new WWTP was undertaken from October 2016 to November 2016. The Applicant's

renovation work over time is represented on the attached site plans provided by project architect:

- **Figure 2-1, Site Plan – Pre-2015**
- **Figure 2-2, Site Plan – March 2016, After Completion of Interior and Exterior Renovations**
- **Figure 2-3, Site Plan – Existing and Planned Conditions After WWTP Installation**

The plans for interior and exterior renovations, the first floor covered deck addition and the WWTP installation that were submitted with the land use and building permit applications are included in **Appendix B**. A detailed description of the completed project improvements is provided in **Section 2.3**. A timeline and description of the permits and project activities undertaken by the Applicant is provided in **Table 2-1**. A list of permit applications and permits processed for the project is provided in **Table 2-2**.

Table 2-1: Schedule of Major Project Activities

Action	Start Date	End/Issue Date
The previous restaurant owner submitted Building Permit Application (BPA) No. A2013-04-2371 (2013/IBP04572) for first floor covered deck addition. The City held the application pending approval of a SMA Permit (Minor) and SDD Permit (Minor). The Applicant took over this building permit application after the previous restaurant owner defaulted and the Applicant acquired the restaurant. The Applicant obtained the BP (No. 790449) in August 2016.	4/29/2013	8/3/2016
The previous restaurant owner applied for and obtained SMA Permit (Minor) No. 2014/SMA-22 and SDD Permit (Minor) No. 2014/SDD-27 for major exterior alterations to the existing two-story commercial structure consisting of a new covered deck addition along the front ground-level dining area and front entryway. The Applicant took over this building permit application after the previous restaurant owner defaulted and the Applicant acquired the restaurant. The work was undertaken under “courtesy inspection” until Building Permit No. 790449 [Building Permit Application (BPA) No. A2013-04-2371] was issued on August 3, 2016. See below.	5/2/2014	5/13/2014
The Applicant applied for and obtained SMA Permit (Minor) No. 2015 /SMA-30 and SDD Permit (Minor) No. 2015/SDD-25 for major exterior and interior alterations to the existing two-story commercial structure, including adding a guardrail and window wash rail to the second floor, adding a new open fire exit stairway at the north side of the existing building, repairing and improving the ADA entry ramp and stairway at the front entrance, extending the existing trellis canopy roof over the ADA entry, installing overhead glass security doors above first floor covered deck, cover exterior walls with cedar rough split shingles, installing an ADA elevator, installing a new circular interior stairway to the second floor, relocating a bar on the second floor, reconfiguring existing restrooms to be ADA compliant, and replacing flooring.	6/29/2015	7/24/2015
<p>The Applicant submitted three BPAs to DPP:</p> <ul style="list-style-type: none"> • A2013-04-2371 – First Floor Covered Deck Addition (resubmitted) • A2015-07-0442 – Exterior Renovations • A2015-09-0536 – Interior Renovations <p>The BPAs were supported by the approved 2014/SMA-22 and 2014/SDD-27 for the first floor covered deck and by 2015 /SMA-30 and 2015/SDD-25 for major exterior and interior alterations.</p>	<p>Submittal Dates:</p> <p>4/29/2013 7/18/2015 9/10/2015</p>	

The DPP issued Courtesy Inspection Letter SAA 2015-09-0536 (2015/ELOG-2392) to allow the Applicant to initiate construction of interior, exterior and first floor covered deck renovations in accordance with the BPA documents and approved SMA and SDD permits. At the time of Courtesy Inspection approval, the major third-party review agencies, including BWS, DOH, and SHPD had signed off on the BPAs.	11/6/2015	
The Applicant completed the interior, exterior and covered deck renovation work in accordance with the BPA documents and Courtesy Inspection approval. The Applicant installed a fixed louvered sun screen over the existing second floor deck, which was not included in the original three BPAs.	9/2015	3/2016
The Applicant submitted an after-the-fact BPA for the fixed louvered sun screen.	12/2015	Pending SMA Permit (Major) approval.
The Applicant submitted a BPA for a new sign (BPA 2016/IBP02933)	3/24/2016	3/29/2016
The renovated HBH Restaurant opened for business.	3/28/2016	
The City issued a Notice of Violation (2016/NOV-04-179) to the Applicant for undertaking additional/alteration work to the existing building without permits, including the addition of a second floor deck and first floor enclosed space, bathroom renovations and placement of a sign, and operating the restaurant without approved building permits for the renovation work. The City corrected the NOV in December 2016 (see below).	5/3/2016	
The DOH conducted dye tests of the existing individual wastewater system (IWS) that serves the restaurant in response to allegations from an individual that the IWS septic tank was leaking into the adjacent Loko ea Stream and Pond. Based on a field inspection of the system and the results of dye tests conducted over four days, the DOH determined that there were no illegal discharges from the HBH IWS and that the restaurant could continue to operate with the IWS.	5/16-19/2016	
The Applicant submitted an application to the City for a business sign.	7/2016	Pending SMA Permit (Major) approval.
The Applicant submitted an application for a minor modification to SMA Permit (Minor) No. 2015 /SMA 30 and SDD Permit (Minor) No. 2015/SDD-25 to include installation of the new WWTP, generator, seepage bed, and site work for parking and loading spaces.	7/22/2016	
The City issued final approval for two of three BPAs: <ul style="list-style-type: none"> Permit #790449, A2013-04-2371 – First Floor Covered Deck Addition Permit #790811, A2015-07-0442 – Exterior Renovations 	8/3/2016 (BP#790449) 8/10/2016 (BP#790811)	
The City put a hold on approving BPA A2015-09-0536 – Interior Renovations pending approval of a new SMA Permit (Major).	Pending SMA Permit (Major) approval.	
The Applicant applied to DOH for approval to construct the WWTP.	8/11/2016	
DOH issued approval to the Applicant to begin WWTP Construction.	9/21/2016	
The Applicant completed construction of the new WWTP.	10/2016	11/28/2016
The City denied the application for a minor modification to 2015/SMA-30 and 2015/SDD-25 and determined that a SMA Permit (Major) and SDD Permit (Major) would be required for the project due to the inclusion of interior renovation development costs and costs associated with the WWTP construction. The City instructed the Applicant to prepare and process applications for a SMA Permit (Major) and SDD Permit (Major) for all interior and exterior renovations, new WWTP and all related site work. [2016/ELOG-1904(GT)]	10/28/2016	
The Applicant requested the City reconsider their determination.	11/18/2016	
The City corrected the Notice of Violation (2016/NOV-04-179) to acknowledge that the second floor deck and enclosed first floor space were pre-existing and approved, and to acknowledge that the restaurant was	12/2016	

permitted to operate using the original, existing IWS.	
The City denied the request for reconsideration of their October 2016 determination and directed the Applicant to process applications for after-the-fact SMA Permit (Major) and SDD Permit (Major). (2016/ELOG-3114)	12/29/2016
The City issued a notification to the Applicant that the building is required to have room capacity signs re-posted for the latest liquor license floorplans on record which indicate a maximum occupancy of 118 persons in the ground floor dining room and 49 persons in the second floor dining room. An additional capacity of 24 persons that can be accommodated in the outdoor deck area would not require a room capacity sign. [B16-318(JA)] The posted room capacity signs will apply until the new Interior Renovation building permit is approved and the existing liquor license is updated to cover the full HBH renovation.	12/29/2016
The Applicant began preparation of SMA Permit (Major) and SDD Permit (Major) application documents.	1/2017
The DOH issued a determination that approval to use the new WWTP will not be issued until the City issues a SMA Permit (Major).	1/26/2017
The Honolulu Fire Department approved the building occupancy numbers assigned in the City's December 29, 2016 letter. The City's occupancy numbers are based on the latest liquor license floor plans for which a building permit was granted. The latest interior renovation building permit on record is for Jameson's restaurant.	1/27/2017

Table 2-2: Development Permits, Approvals and Notices of Violation

Application/Permit	Date Issued	For
BP #790449 BPA A2013-04-2371 BPA 2013/IBP 04572	8/3/2016	Approved for new first floor covered deck addition.
2014/SDD-27 2014/SMA-22	5/13/2014	Approved for Jameson's By the Sea, major Exterior Alterations, First Floor Covered Deck.
2015/SDD-25 2015/SMA-30	7/14/2015	Approved for Hale'iwa Beach House, major interior and exterior renovations and first floor covered deck addition.
BP #790811 BPA A2015-07-0442 BPA 2015/IBP 07096	8/10/2016	Approved for Exterior Renovation to the existing restaurant building. The City conducted courtesy inspections prior to building permit approval.
BPA A2015-09-0536 BPA 2015/IBP 09530	Plan review in progress. Pending SMA Permit – Major approval.	Application submitted 9/10/2015 for Interior Renovation to existing restaurant building. The application was approved by Zoning Plan Review Branch, Board of Water Supply, State Historic Preservation Division, DOH-WWB, DOH Sanitation, and State Division of Industrial Safety. The City conducted courtesy inspections for all building renovation work undertaken under BPA No. A2015-09-0536, including: interior and exterior renovations, electrical, plumbing, air conditioning. DOH rescinded approval sometime after February 2016.
SAA 2015-09-0536 2015/ELOG-2392	11/6/2015	DPP Courtesy Inspection Letter. DPP approval for Courtesy Inspection for BPA A2015-09-0536, BPA A2015-07-0442 and BPA A2013-04-2371 for interior and exterior renovations and first floor covered deck addition.
2016/IBP 02933 S2016-03-0038	3/29/2016	Sign permit is on hold until BPA A2015-09-0536 for interior renovations is approved.
2016/IBP 12828	12/12/2016	BPA A2016-12-0471 for fixed louvered pergola.
2016/NOV-04-179; 2016/NOO-	5/3/2016	City issued NOV for building additions and alterations

167, 2016/NOV-06-052, 2016/NOO-211	Amended 12/2016	done to the existing restaurant without building permits, including 1 st floor renovations, bathroom renovations, placement of a sign without a sign permit, and construction of a second floor deck structure. In December 2016, the City corrected the NOV to acknowledge that the second floor deck and enclosed first floor space were approved pre-existing, and to acknowledge that the restaurant was permitted to operate using the original, existing IWS.
DOH File No. 293	9/21/2016	DOH approval to construct a new WWTP to provide wastewater treatment for renovated restaurant.
2016/ELOG-1904(GT)	10/28/2016	City determination that a SMA Permit (Major) and SDD Permit (Major) are required for the project due to the additional development costs due to the inclusion of interior renovation development costs and costs associated with the WWTP construction. The City instructed the Applicant to prepare and process applications for a SMA Permit (Major) and SDD Permit (Major) for all interior and exterior renovations, new WWTP and all related site work. [2016/ELOG-1904(GT)]
2016/ELOG-3114	12/29/2016	City reconsideration of Director's Determination on 2015/SDD-15 and 2015/SMA-30, and affirming the requirement for the Applicant to process after-the-fact Hale'iwa Special District Permit (Major) and SMA Permit (Major) due to incremental development cost increases and potential cumulative environmental and visual impacts.

Note: Copies of building permits, land use permits and notices of violation are included in **Appendix B, C and D** respectively.

2.3 PROJECT DESCRIPTION

Project improvements are described below. Permit drawing sets of the project improvements are provided in **Appendix B**. All interior and exterior renovation work and the first floor covered deck addition were completed by March 2016. The new WWTP and related site work was completed in November 2016.

The project improvements were undertaken to restore the original restaurant use to the entire existing building. The original, existing building footprint did not significantly change as a result of the project improvements; additions to the original building footprint consist of the following:

- A new fire exit stairway, installed in accordance with the Fire Code, from the second story located on the south side of the existing building added approximately 200 sf to the building footprint. See **Figure 2-2** and Sheet A002, Exterior Renovation permit drawing set in **Appendix B**.
- Entryway improvements consisting of a federally mandated ADA ramp and new trellis canopy extension over the entryway added approximately 250 sf to the building footprint. See Exterior Renovation permit drawing set in **Appendix B**.
- A new refrigerator room at the back (east side) of the building added 161 sf to the building footprint, which requires an after-the-fact Building Permit.

2.3.1 Interior Building Renovations (BPA #A2015-09-0536 and 2015/IBP 09530)

- Ground floor renovations:

- Removed and reconfigured interior walls and doors to accommodate new dining room, kitchen and back-of-house (pantry, storage, mechanical, machine room) layout.
 - Installed new carpet and tile flooring in dining and bar areas.
 - Installed tile kitchen flooring.
 - Reconfigured existing restrooms for ADA compliance.
 - Replaced and refurbished kitchen, bar and wait staff equipment.
- Second floor renovations:
 - Removed and reconfigured interior walls and doors to accommodate new layout for dining area, bar, wait staff, elevator and stairway.
 - Relocated existing bar.
 - Reconfigured existing restrooms for ADA compliance.
- Constructed new circular, steel stairway to the second floor.
- Installed new elevator to second floor for federal ADA compliance.
- Repainted and refinished interior walls, ceilings and surfaces.
- Installed new lighting and ceiling fans.
- Installed new dining room furniture.

2.3.2 Exterior Building Renovations (Approved: BP #790449 and BP #790811, and pending BPA # A2016-12-0471, 2016/IBP 12828)

- Ground Floor:
 - Reconstructed concrete lanai seating area at front of dining room with new garden flag-stone material.
 - Replaced existing roof extension above the lanai area (first floor covered deck area). This work was approved by BP #790449 as an after-the-fact building permit for the pre-existing lanai cover, which has existed since Jameson's by the Sea began operations.
 - Installed new roll-up security doors to enclose the covered stone lanai area at night when the restaurant is closed for business.
- Second Floor:
 - Converted second floor windows to open doors.
 - Installed new standing seam metal roofing to match first floor awning.
 - Used a portion of the old dining room to create a small private room for special functions. There is no other private function room like this in the community.
 - Re-opened the existing second floor deck area above first floor dining and bar area for outdoor seating.
 - Installed new 42-inch high safety railing around existing second floor deck and dining room lanai comprised of vertical aluminum pickets with horizontal cables and hardwood cap.
 - Installed a fixed, open-louvered sun shade trellis above the second floor deck (**BPA # A2016-12-0471, 2016/IBP 12828, pending**).
- Installed new windows and doors throughout building.
- Installed new Fire Code mandated steel fire exit stairway from the second floor on the south side of the back of the building, comprised of painted, galvanized steel railings and stair risers with concrete treads.

- Applied exterior colors including a range of earth tones from light sand trim around window and door openings to dark brown for guardrail posts.
- Finished exterior walls with natural cedar shingles in compliance with Hale‘iwa Special Design District guidelines.
- Installed exterior lighting using subdued light fixtures, shielded and angled downward to minimize glare.
- No change to the original building footprint except for the installation of a new exterior fire exit stairway and improvements to the ADA access ramp at the front entryway.

2.3.3 Completed Site Work

- Parking Lot Improvements (See **Figure 2-3, Site Plan**):
 - Repaved approximately 8,200 sf which provides space for existing parking and loading area.
 - Per LUO Section 21-6.3, the required parking is 21 stalls based on floor area of 6,533 sf and LUO parking standard 1 stall per 300 sf. The required parking from the approved Haleiwa Beach House - Exterior Renovation Plans BP 790811, was originally determined to be 16 stalls and 1 – loading stall based on 5,264 square feet of applicable floor area. Following completion of the renovations, an additional 1,269 sf of applicable floor area was identified which requires an additional 4 stalls for a total of 21 stalls, including a handicap stall, plus 1 – loading stall. (see **Appendix B**, Sheet A005, Interior Renovation Permit Drawings, BPA #A2015-09-0536 and 2015/IBP 09530) sf., and **Appendix J**, Applicant’s response letter to DPP’s letter dated June 16, 2018 and January 15, 2019.)
 - A total of 24 parking stalls are provided on site:
 - 21 parking stalls, including one ADA parking stall and one loading stall, are accommodated on an existing all-weather surface (20 on the existing paved surface and 1 stall on a combination of paved and gravel surface). The parking stalls are currently unstriped.
 - 3 additional parking stalls at the back of the parking lot are located on a gravel surface. These stalls will be provided with an all-weather surface of either compacted gravel or pavement.
 - An unmarked loading area is located adjacent to the restaurant building within the existing paved parking area. Loading area ingress and egress is via the restaurant driveway. This area has been used for deliveries over the more than 50 years that the restaurant has been in operation.
 - A managed parking plan layout that accommodates a total of 40 managed stalls (valet) on the restaurant property is provided in **Figure 3-9**. The Applicant will monitor parking conditions during hours of operation and implement valet parking service when required.
- Installed covered ADA access ramp at ground floor main entrance
- Installed 4.5-foot wide by 4-foot high sign at the front of the restaurant building, setback 6 feet from the front yard property line along Kamehameha Highway

- (sign permit no. S2016-03-0038).
- Installed landscaping consisting of:
 - A new naupaka security hedge to enclose the landscaped lawn area along the makai frontage of the existing building.
 - Extended the existing turf lawn to fill the entire area within the naupaka hedge.
 - New irrigation system for landscaping areas along restaurant frontage, entryway, and the entire north building wall.
 - Installed new package WWTP to replace the existing aerobic septic system. New WWTP improvements include:
 - new 26-foot long by 8-foot wide package WWTP with 9,510 gallon per day capacity, surrounded by 6-foot high chain link fence with locked gate and landscaping;
 - new standby power generator;
 - new grinder pump; and,
 - located the new 3,330 sf Primary seepage bed away from the existing leech field site to minimize potential of contamination to the stream and Pond.

2.3.4 Proposed Site Work – Final Condition

- Remove landscaping and an existing wood fence, where indicated on **Figure 2-3**, to accommodate parking stalls and vehicle maneuvering.
- Relocate the existing perimeter, chain-link fence around the WWTP to the edge of the WWTP concrete pad, as indicated on **Figure 2-3**.
- Install additional landscaping:
 - As agreed to with DPP, plant a hedge along north property line (shared boundary with City parcel 038) and along the highway frontage north of the driveway entrance.
 - Install four new canopy form trees along the north property boundary to provide shade for the parking lot, per LUO Section 21-4.70.
- Install all-weather surface constructed of compacted gravel or pavement for 3 parking stalls located at the back of the parking lot.
- Stripe all parking stalls.

See the following:

- **Figure 2-1, Site Plan – Pre-2015**
- **Figure 2-2, Site Plan – March 2016, After Completion of Interior and Exterior Renovations**
- **Figure 2-3, Site Plan – Existing and Planned Conditions After WWTP Installation**
- **Appendix A, Photos and Photo Key Maps**
- **Appendix B, Building Permits: Exterior Renovations, Interior Renovations, Proposed Addition of Trellis, and WWTP Permit and Drawing Sets.**
- **Appendix C, Land Use Permits**
- **Appendix H, ALTA Survey Map (Dated March 19, 2018)**

2.4 PROJECT SCHEDULE AND COST

2.4.1 SCHEDULE

All interior and exterior renovation work and new WWTP installation is complete. Renovation work on the restaurant building was started in September 2015 and completed in March 2016. Renovation work was performed under a Courtesy Inspection Letter issued by City on November 6, 2015. The restaurant opened for business on March 28, 2016. WWTP plans were approved for construction by DOH letter dated September 21, 2016. Installation of the new WWTP was completed November 2016. Use of the new WWTP is pending approval of the SMA Permit (Major) and SDD Permit (Major). Additional site work to complete the all-weather surface parking lot and landscaping will be undertaken upon approval of the SMA Permit (Major) and SDD Permit (Major).

The EA and after-the-fact SMA Permit (Major) and SDD Permit (Major) are estimated to take 9 months to process, with a determination rendered by the City in 2018.

2.4.2 COST

Total estimated development costs for the project, including interior and exterior building renovations, WWTP installation and site improvements is \$ 2,997,728 dollars. A cost summary is presented in the table below. A detailed cost breakdown is presented in **Appendix E, Project Budget**.

Table 2-3: Project Cost Summary

Interior and Exterior Building Renovation Costs	
Miscellaneous interior and exterior renovations	\$796,777
Trades – labor and materials (painting, roofing, landscape, flooring, plumbing)	\$485,997
Miscellaneous Kitchen and Bar Furnishings and Equipment	\$628,939
Professional Services (architecture, structural, electrical, mechanical)	\$260,450
Miscellaneous Items (doors, windows, skylights, elevator, stairways)	\$406,455
Subtotal: Interior and Exterior Renovation Work:	\$2,578,618
WWTP and Repaving Costs	
	\$419,110
Combined Total:	\$2,997,728

Notes:

1. Per Section 25-1.3 ROH, within the SMA the definition of “Development” does not include repair, maintenance or interior alterations to existing structures, and nonstructural improvements to existing commercial structures. The costs summarized in this table include these costs as a matter of disclosure.
2. The Applicant did not contract for all of the work with one individual contractor. To save dollars and expedite work, the Applicant contracted out the work with numerous different smaller contractors and personally coordinated the job. The Applicant and the Applicant’s architect placed all orders for doors, windows, furniture and kitchen equipment.
3. The WWTP cost estimate was prepared by WSI International, dated 9/16/2016.
4. By letter dated December 29, 2016 [2016/ELOG-3114(GT)] the City DPP determined that the cumulative development valuation within the SMA is \$2,359,698.

2.5 ALTERNATIVES CONSIDERED

2.5.1 PREFERRED ALTERNATIVE

The preferred alternative is as described above in Section 2.2. This alternative addresses the original building deficiencies that hindered business success and contributed to the failure of the previous restaurant operations. The completed renovation work results in better utilization of the building's existing footprint for restaurant operations, re-opens and restores the existing second floor dining and deck area, meets current ADA, fire code and health code compliance, provides a more pleasant and attractive dining experience, and provides the more enjoyable work environment for restaurant employees. The preferred alternative will help the Applicant meet his objectives as a restaurant operator for increasing patronage, providing employment opportunities, and creating a landmark dining establishment that will be an asset to the North Shore community. For these reasons, the Applicant undertook the renovations for which he is seeking an after-the-fact SMA Permit (Major) and SDD Permit (Major).

2.5.2 NO ACTION

State legislation requires that a "no-action" alternative be considered to serve as a baseline against which potential actions can be measured. For this after-the-fact application, the no-action alternative is moot, however it provides a contrasting narrative to the Applicant's undertaking. Prior to the Applicant's renovation work, the restaurant lease had been abandoned and the restaurant's reputation and ability to attract patronage was in decline due to the dilapidated condition of the building. The no-action alternative would have involved no effort to renovate or upgrade the restaurant building and operations. Under this alternative, project costs and environmental impacts resulting from work activities would have been avoided, however the restaurant building would have continued to deteriorate and the Applicant eventually would have been forced to close the business resulting in loss of a landmark North Shore restaurant, revenue and jobs. This alternative would therefore not meet the project purpose and need, and for this reason was rejected from consideration.

Figure 2-1, Site Plan – Pre-2015



Figure 2-2, Site Plan – March 2016, After Completion of Interior and Exterior Renovations

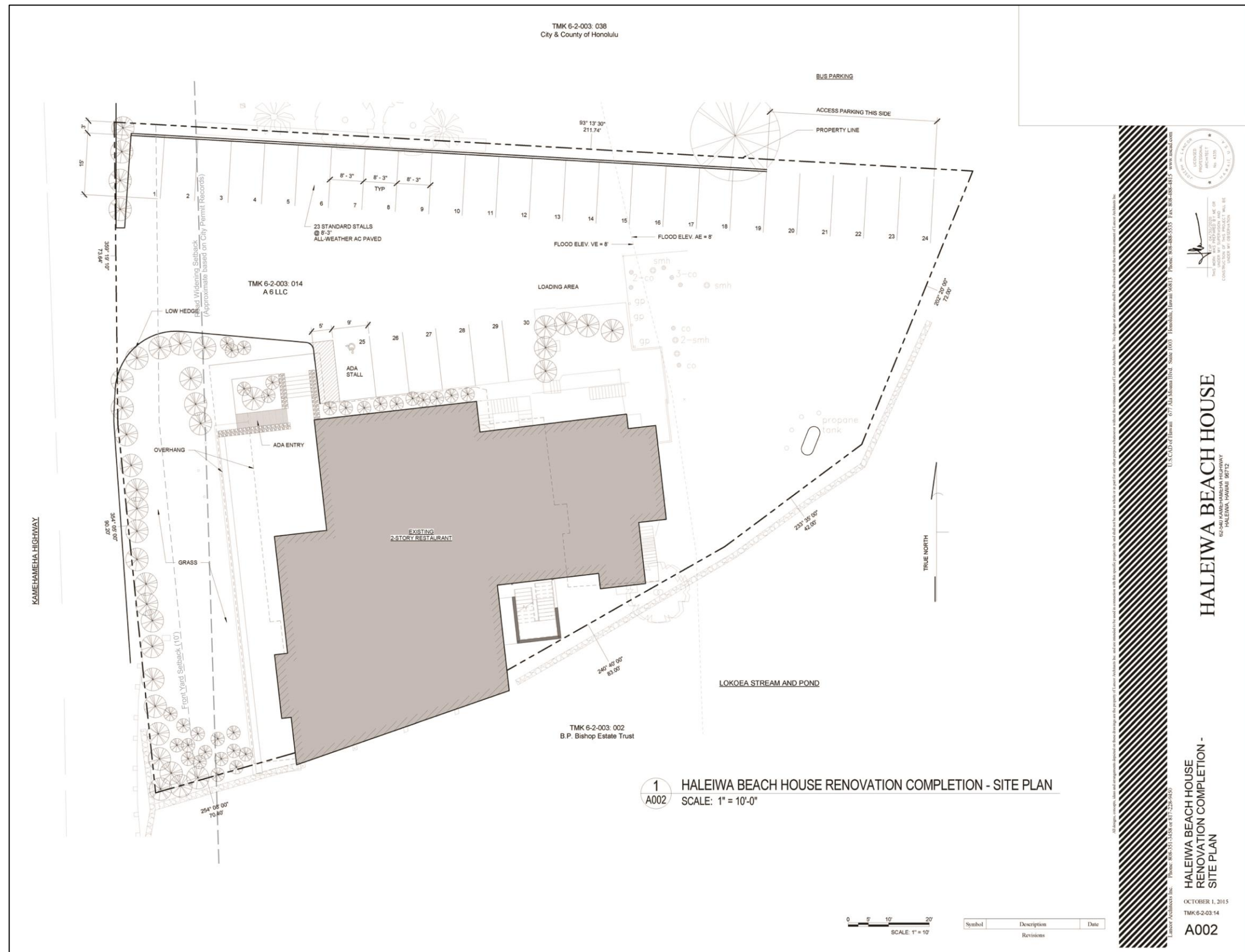
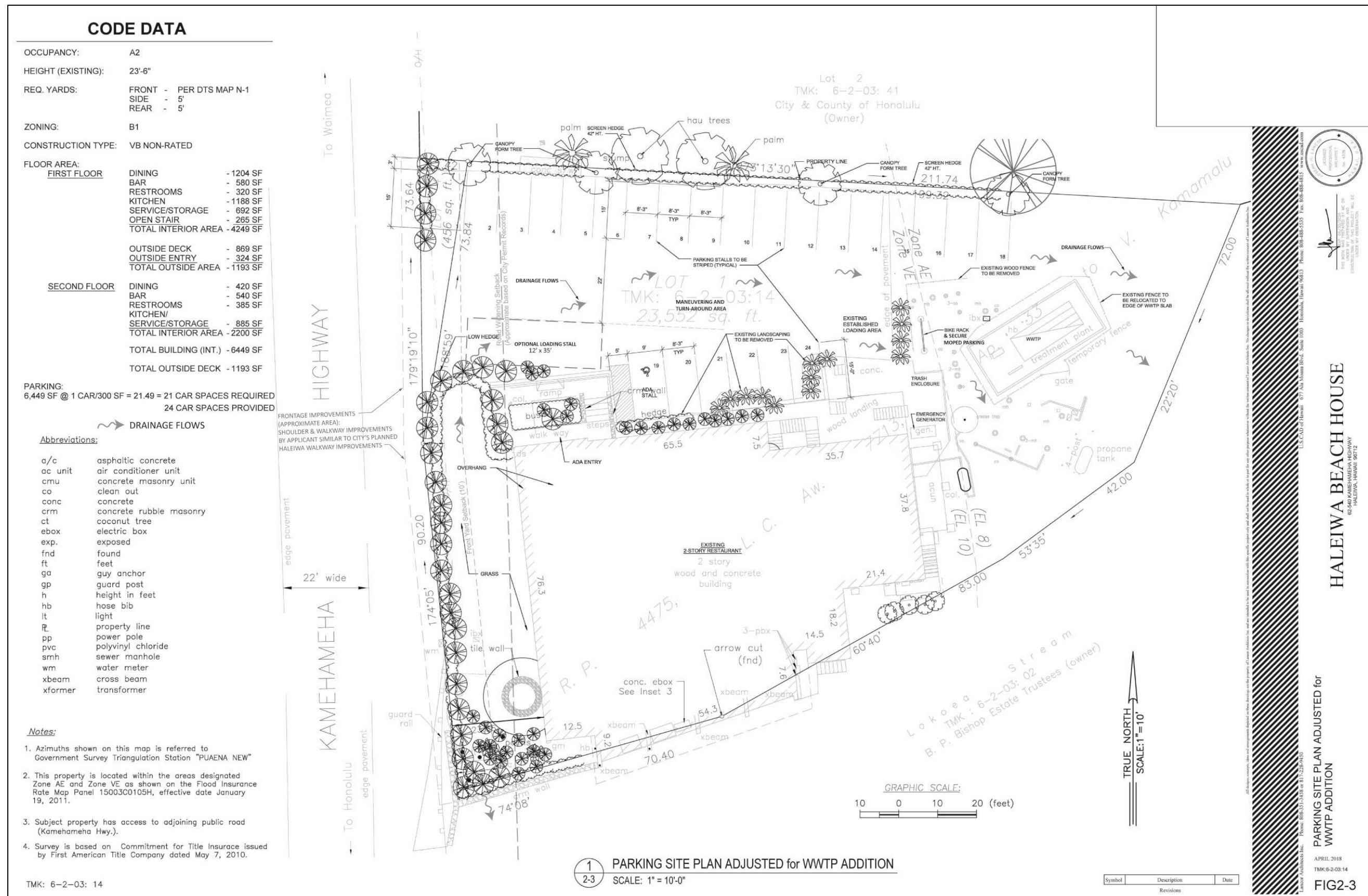


Figure 2-3, Site Plan – Existing and Planned Conditions After WWTP Installation



SECTION 3

DESCRIPTION OF AFFECTED ENVIRONMENT

3.1 PHYSICAL ENVIRONMENT

3.1.1 CLIMATE & CLIMATE CHANGE

The project site is located in Hale`iwa, on the northwest shore of O`ahu, inland of Waialua Bay. Hale`iwa has a mild subtropical and coastal climate which is characterized by abundant sunshine, persistent northeast trade winds, relatively constant temperatures and moderate humidity. The prevailing winds throughout the year are the northeasterly trade winds, with occasional southwesterly “Kona” winds. Daily temperatures vary slightly throughout the year, ranging from approximately 62°- 78° Fahrenheit (F) in January, and 68°- 87° F in July. The annual average precipitation at Hale`iwa is 29.77 inches. Most of the rainfall occurs in the winter months. The wettest month of the year is January with an average rainfall of 5.17 inches (UH 2014).

According to recent findings by researchers at the University of Hawai`i, the impacts of climate change are increasingly evident in Hawai`i (IPRC, 2014). Evidence of climate change includes rising air temperature, increased rain intensity partnered with decreased total rainfall has decreased stream flows, increased sea surface temperatures and sea levels, and has promoted a more acidic ocean (SB No. 2745, 2012). Research also shows that greenhouse gas (GHG) emissions, including carbon dioxide, methane, nitrous oxide, and fluorinated gases, are a key contributor to unprecedented increases in global atmospheric warming over the past century (EPA, 2011 and IPRC, 2013). These trends are projected to continue to increase in the future posing unique and considerable challenges to Hawai`i.

In 2016, the City’s Office of Climate Change, Sustainability and Resiliency (CCSR) and the Climate Change Commission (CCC) were established. The CCSR is tasked with tracking climate change science and coordinating with City agencies to assess potential impacts on City facilities and develop resilient infrastructure in response to the impacts from climate change and integrate sustainable and environmental values into City plans, programs and policies. The CCC is tasked to gather the latest science on climate change impacts to the State of Hawai`i and provide advice and recommendations to the Mayor, City Council, and executive City departments as they look to draft policy and engage in planning for future climate scenarios.

In 2017, the CCC in collaboration with the Department of Land and Natural Resources (DLNR), Office of Conservation and Coastal Lands (OCCL) and Tetra Tech, Inc., prepared a *Hawai`i Sea Level Rise Vulnerability & Adaptation Report* (“SLR Report”) (Tetra Tech et. al., 2017). The SLR Report is a comprehensive report on where Hawai`i is today and where we will be in the future as SLR increases with global warming. The SLR Report includes recommendations on how to reduce exposure to SLR along with recommendations on how to increase Hawai`i’s capacity to adapt. The SLR Report produced a vulnerability model using the best available data and methods to determine the potential future exposure of each island to multiple coastal hazards as a result of SLR.

Three (3) chronic flooding hazards were modeled; passive “bathtub” flooding, annual high wave flooding, and coastal erosion. The three (3) hazards were then combined to define the projected extent of chronic flooding due to SLR, which is called the SLR exposure area (SLR-XA). The Hawai‘i Sea Level Rise (SLR) Viewer (“SLR Viewer”) is an online interactive map which illustrates the scale of potential flooding and erosion with SLR. While the Intergovernmental Panel on Climate Change’s (IPCC) “business as usual” scenario, where GHG emissions continue at the current rate of increase, predicts up to 3.2 feet of global SLR by year 2100, recent observations and projections suggest that this magnitude of SLR could occur as early as year 2060 under more recently published scenarios (Tetra Tech et. al., 2017).

Based on review of the SLR-XA on the SLR Viewer, the project site is partially covered by the 3.2-foot SLR Scenario, which models three chronic flooding hazards: i. passive flooding, ii. annual high wave flooding, and iii. coastal erosion, however the building footprint is mostly outside of the inundation area. **Figures 3-1 through 3-4** illustrate the project site in relation to the various 0.5, 1.1, 2.0 and 3.2 feet of SLR scenarios. The SLR Report includes a disclaimer that the report is to be used to estimate the scale and cost of potential damages related to SLR, and not for permitting or other legal purposes.

Impacts and Mitigation Measures

The operation of the renovated restaurant will not have any significant impacts on the existing climatic conditions of the site or the surrounding region. The project vicinity will however be subject to the impacts of climate change and rising sea levels. The project site is adjacent to Waialua Bay and the Loko ea Fishpond which will be impacted by rising sea levels. The project site’s existing elevations range between approximately 5 feet and 10 feet.

According to the SLR Viewer, the project site is projected to not be directly impacted in 2050; to be partially impacted in the parking lot in 2075 and impacted in 2100. Stretches of Kamehameha Highway leading to the restaurant will be impacted by the 0.5-foot SLR, indicating that the road and possibly utilities that support the restaurant could be impacted earlier if these systems are compromised. **See Figures 3-1 through 3-4.** Mitigation strategies to address SLR are relocation or designing the development for the impact of SLR. As this project is the renovation of an existing two-story building, structure relocation or retreat is not viable short term options. The building renovations were constructed with an estimated 30-year lifespan and will likely be at the end of its useful life by 2050, at which point the structure would require renovation, reconstruction, or a complete retreat to address the SLR. However, the economic impact would be severe if the restaurant was required to improve the on-site infrastructure or to retreat to higher ground now. Transportation systems and the utilities supporting the use of this site would need to be upgraded to address the impacts of SLR, much of which is beyond the ability of this individual development. During extreme storm surges the restaurant will be closed down for the safety of patrons and employees. No other mitigation measures are required or recommended.

3.1.2 TOPOGRAPHY, GEOLOGY, AND SOILS

The project site is located on a low coastal plain between the Ko'olau and Wai'anae volcanoes. The project region's topography is relatively flat and generally slopes downward from mauka to makai. The project site has an approximate topographic gradient of 0% running mauka-makai and is essentially flat. It has an elevation range of approximately 3 feet to 6 feet above mean sea level (msl).

Soils underlying the project site, as classified by the U.S. Soil Conservation Service (USDA, 1972), are described below and illustrated on **Figure 3-5, Soil Types**.

- Jaucas Sand (JaC) – Surface layer is dark brown due to accumulation of organic matter and alluviums. Permeability is rapid and the runoff is very slow to slow. The hazard of water erosion is slight, but wind erosion is a severe hazard where vegetation has been removed.
- Tropaquepts (TR) – Poorly drained soils that are periodically flooded by irrigation in order to grow crops that thrive in water; surface layers consists of dark-gray, soft, mucky silt loam.

Impacts and Mitigation Measures

All major construction activities are completed. Remaining construction activities consist of paving, landscaping, WWTP fence relocation and signage. Completed construction activities consist of earthwork, including excavation and grading to install the upgraded WWTP and subsurface seepage beds with traffic rated infiltrators. The project improvements did not significantly change or adversely affect topographic, geologic or soil conditions within the project site. Grading and excavation were undertaken in accordance with state and county regulations. Finished grades follow the pre-existing grades and excavated areas were restored to their existing surface grades upon project completion. Excess fill material from the installation of the subsurface WWTP infiltrators was taken off-site for storage and eventual re-use.

Figure 3-1, SLR Scenario – 0.5 Feet

Sea Level Rise : Hawai'i Sea Level Rise Viewer

[view full-screen map](#)

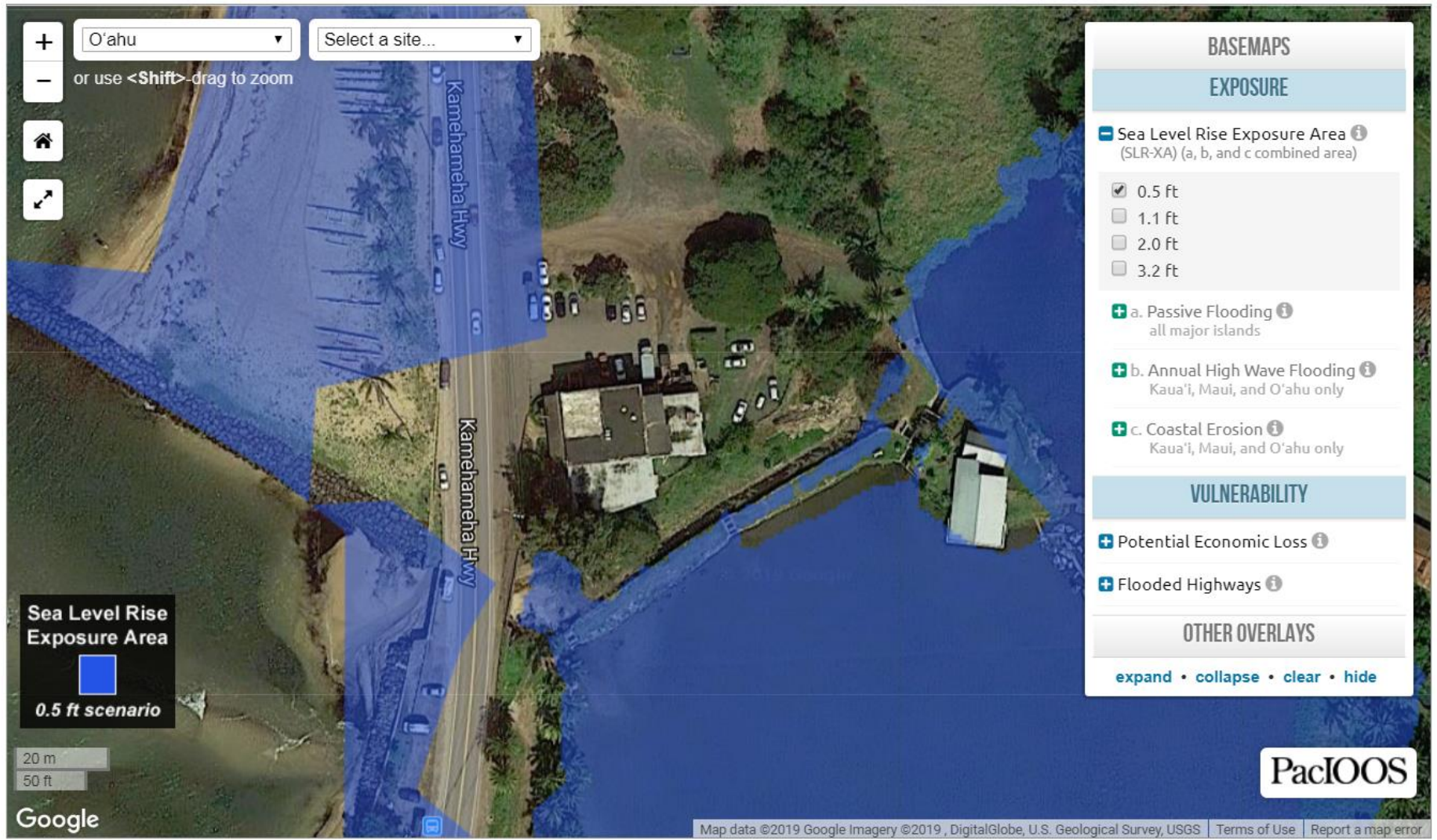


Figure 3-2, SLR Scenario – 1.0 Feet

Sea Level Rise : Hawai‘i Sea Level Rise Viewer

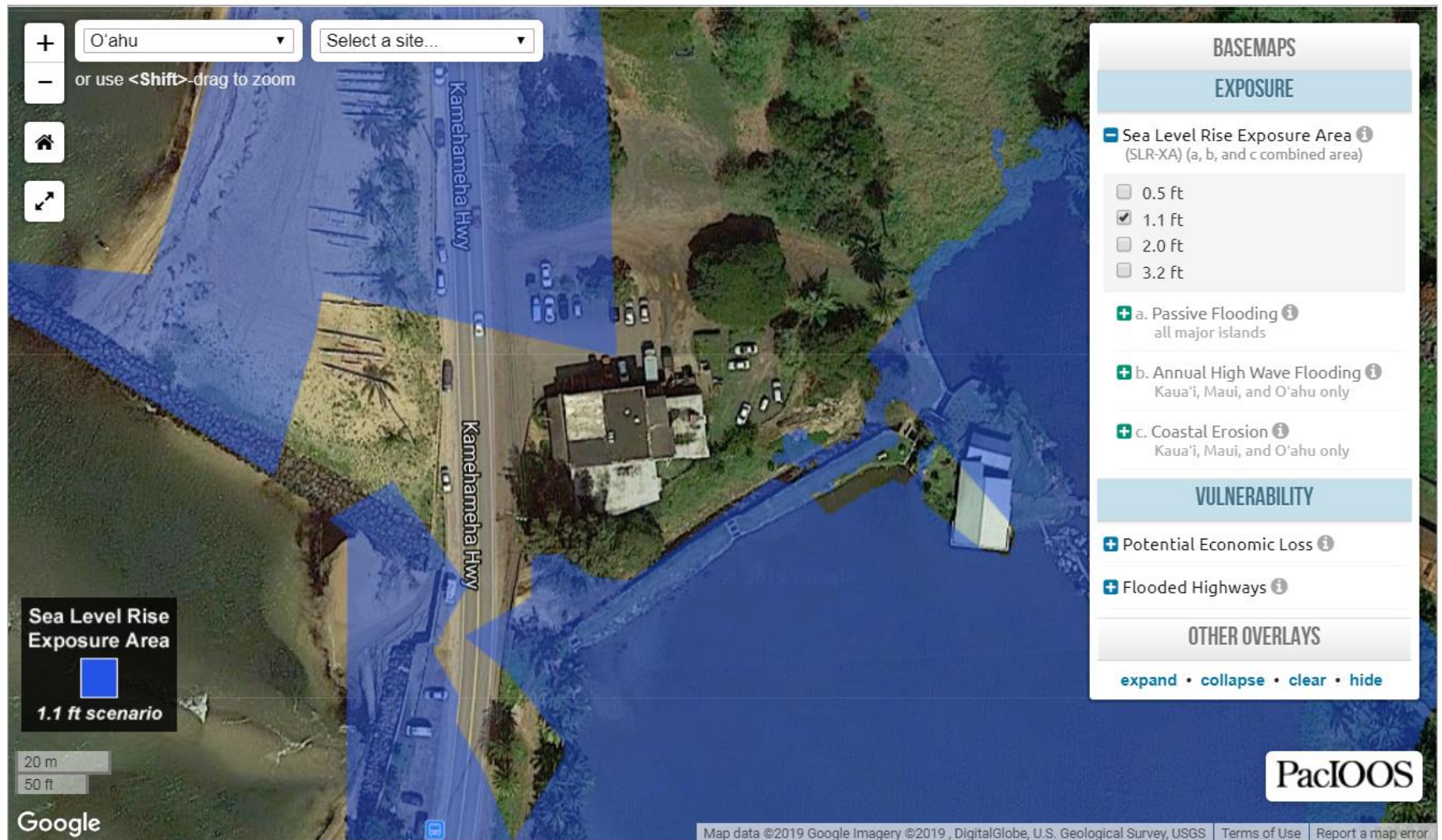
[view full-screen map](#)

Figure 3-3, SLR Scenario – 2.0 Feet

Sea Level Rise : Hawai'i Sea Level Rise Viewer

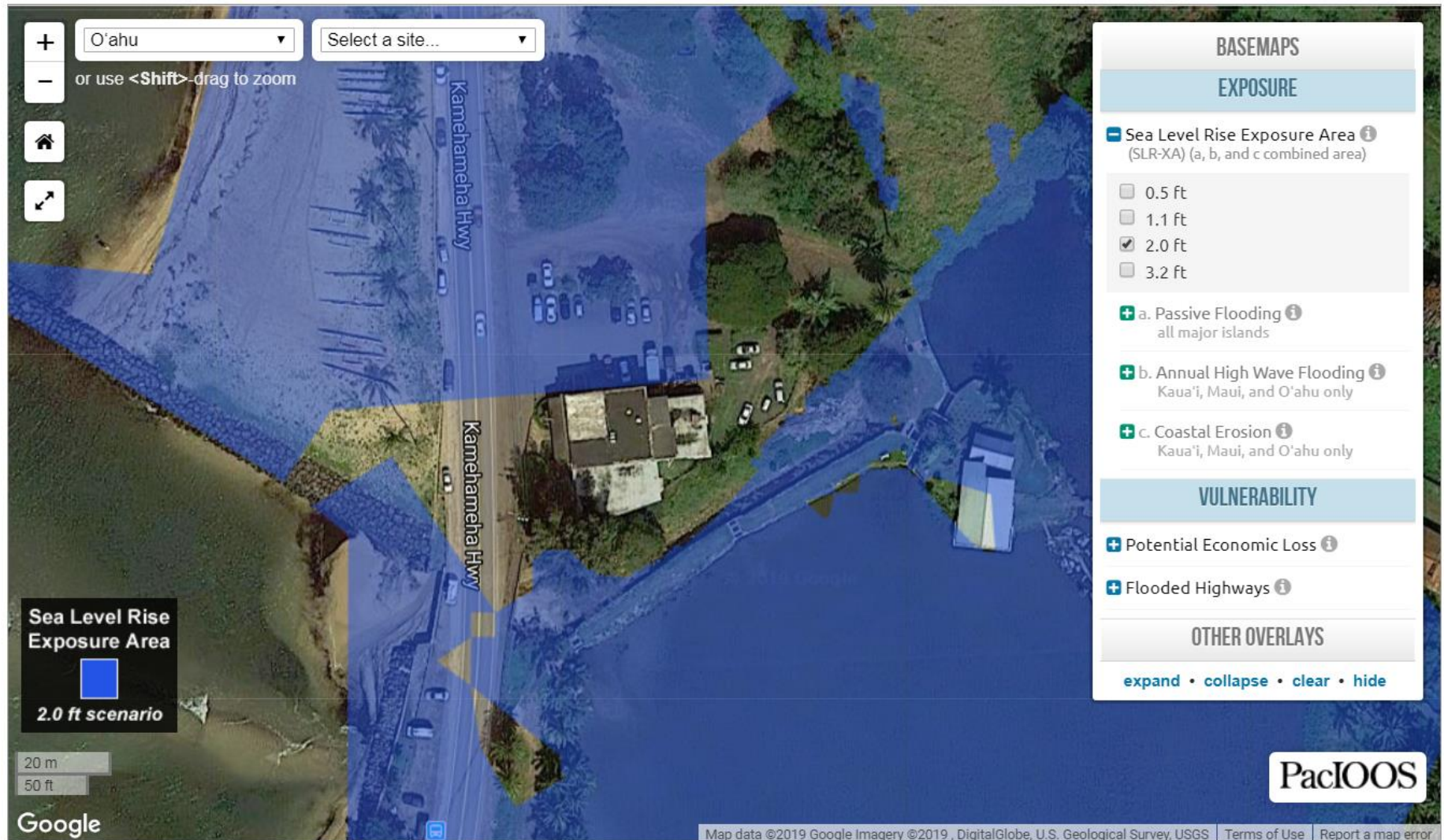
[view full-screen map](#)

Figure 3-4, SLR Scenario – 3.2 Feet

Sea Level Rise : Hawai'i Sea Level Rise Viewer

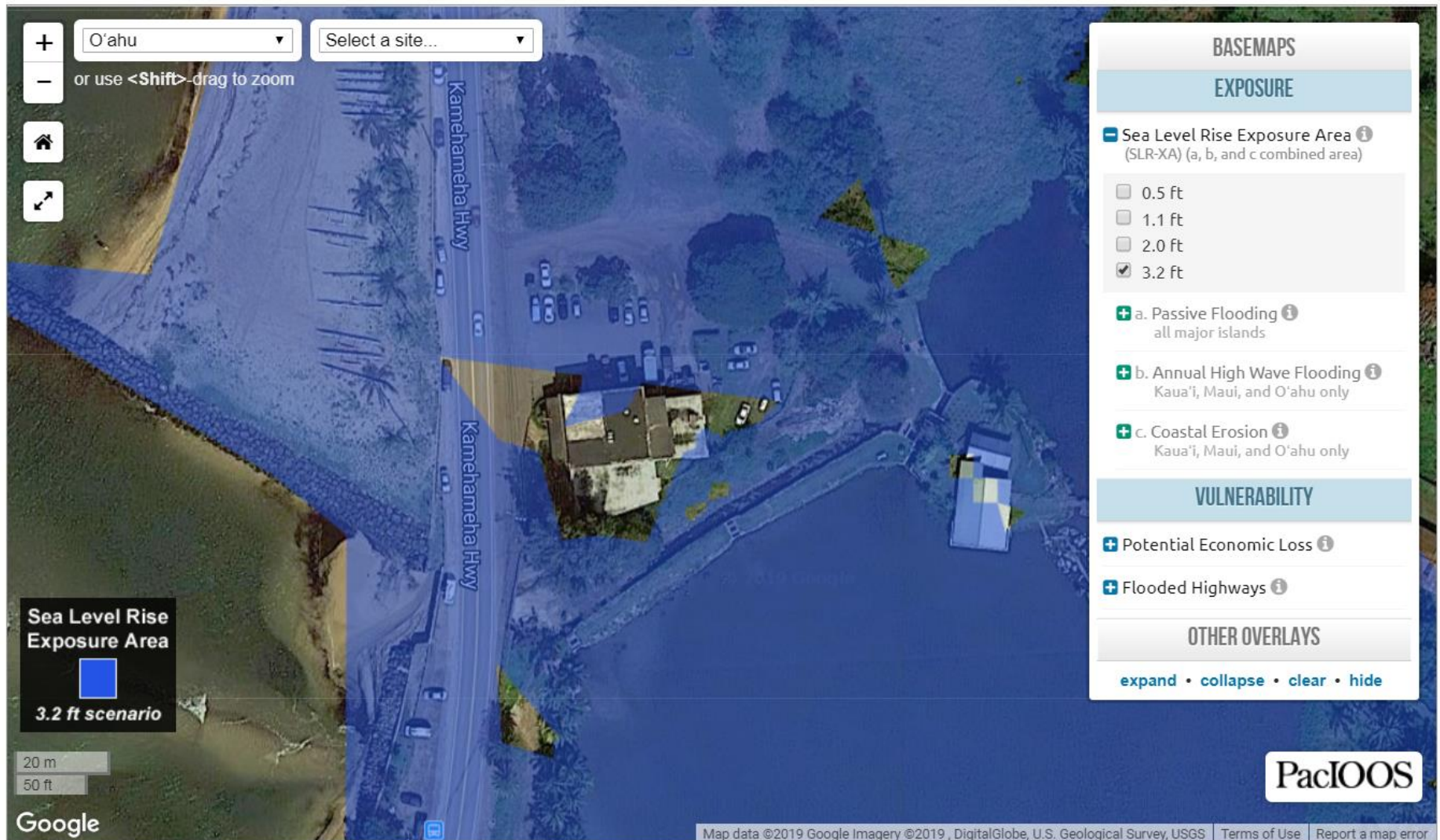
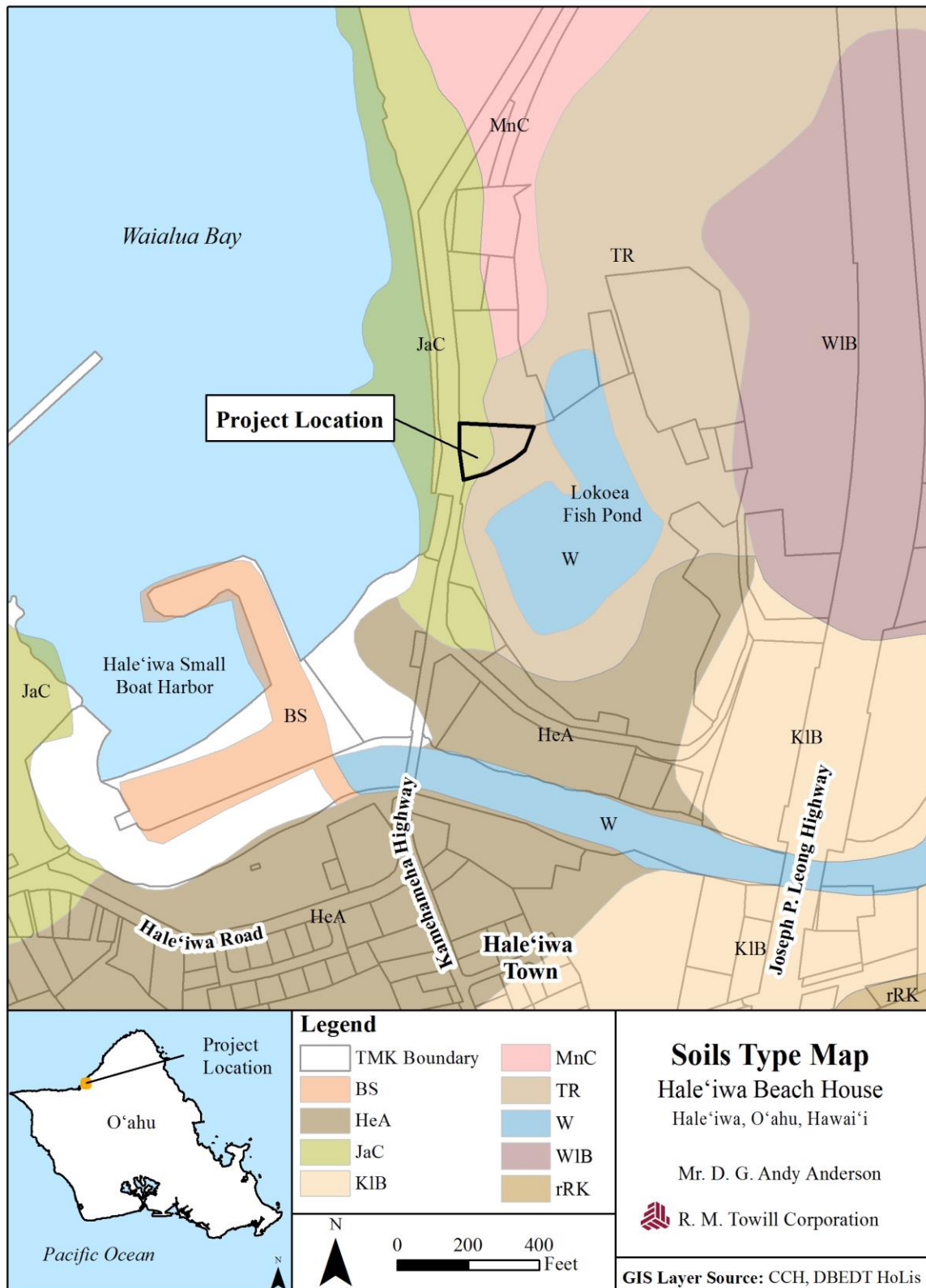
[view full-screen map](#)

Figure 3-5, Soil Types



3.1.3 GROUND WATER, SURFACE WATERS AND HYDROLOGY

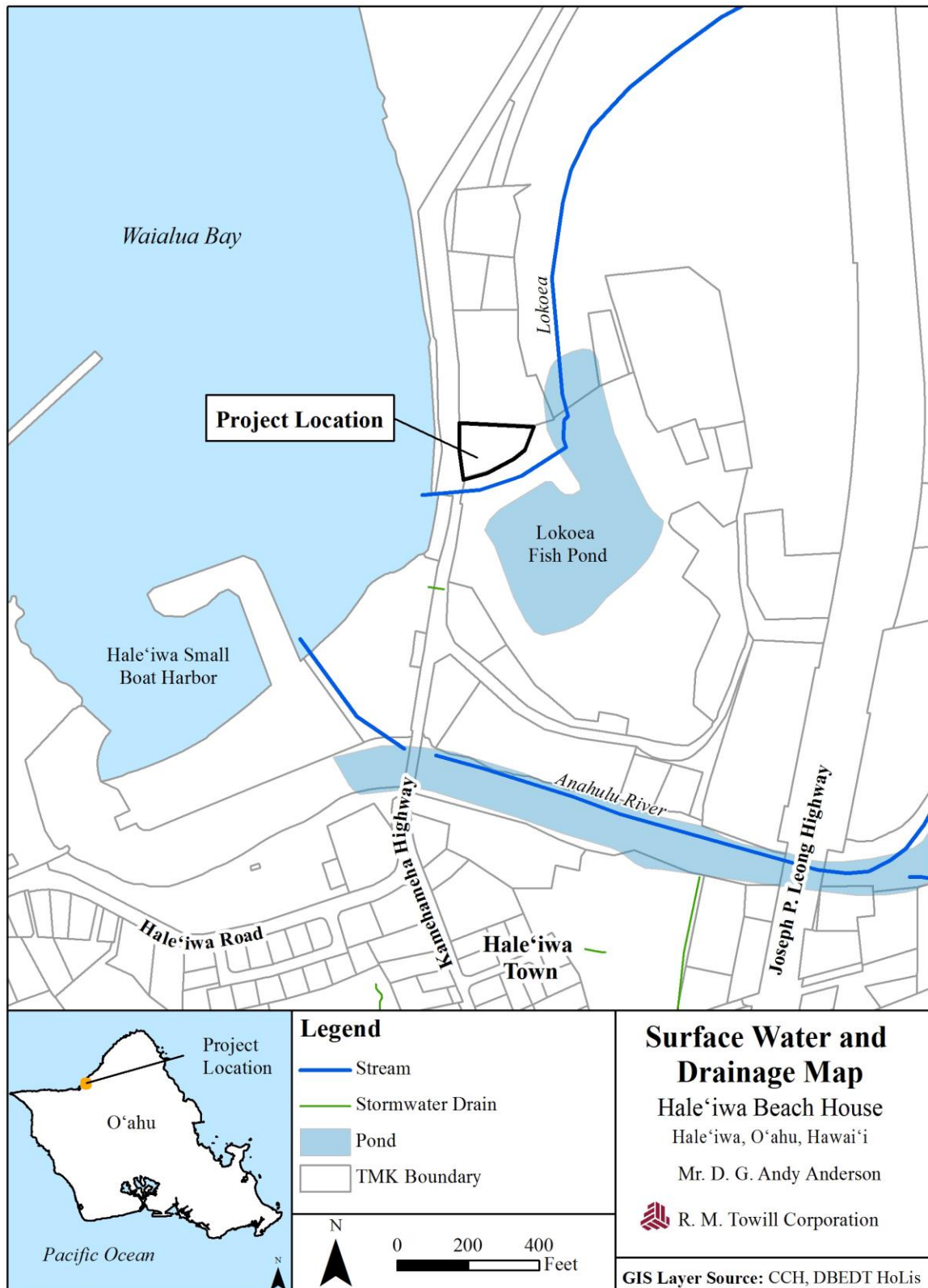
The project site is located in the Kawaihoa Ahupua'a (land division/watershed) and the Waialua district. There are no wetlands on the project site. The project site is located above (mauka) the underground injection controls (UIC) line, which prohibits areas for injection wells in order to protect the water quality of underground drinking water sources. The project site is located within the Honolulu Board of Water Supply (BWS) no-pass zone, which delineates areas that are prohibited for wastewater disposal including cesspools or septic tanks. A description of surface waters near the project site is listed below and illustrated in **Figure 3-6, Surface Water and Drainage**.

- Loko ea Fishpond – is fed both by freshwater springs and the 'Uko'a fishpond. It is a historically, culturally, and environmentally significant waterbody. Loko ea and 'Uko'a fishponds are connected by an unnamed stream and make up the third largest wetland on O'ahu (KS 2000). The Loko ea fishpond outfalls into Waialua Bay through an open surface channel that flows underneath Kamehameha Highway (USDOT 1981). The environmental health of Loko ea has been identified in the North Shore Sustainable Communities Plan (NSSCP) Section 3.1.2.3 Wetlands, as important for flood protection, water quality improvements, habitat and opportunities for recreation, education and research. The DOH CWB water quality standards, classify the Loko ea fishpond as Marine Class 'A' waters (DOH CWB, 2014). A 2015 water quality assessment identified an order of magnitude higher level of nitrogen and phosphate/phosphorus than the adjacent Waialua Bay. The study was unable to substantiate whether the higher nutrient levels were from natural groundwater input or cesspools (GROUP 70, 2016). The DOH dye-tested the restaurant's existing on-site wastewater facility and determined that it is not a source of excess nutrients in Loko ea fishpond (see **Section 3.3.4 Wastewater System**). Note: At least a six old cesspools and septic tanks exist mauka and adjacent to the pond. In addition, the accumulation of silt over the years from mauka has raised the pond's base level to a point dredging is being consideration by the land owner.

Oral-histories identify Loko ea and 'Uko'a as royal fishponds and Waialua's greatest assets. The Kawaihoa ahupua'a was known as a district of royal lands and fishponds, valued for its abundance of freshwater, marine water and agricultural resources. Loko ea was used by King Kamehameha I, Queen Emma Kaleleonalani, and Queen Lili'uokalani (KPAC 2015).

It was reported that fish from Loko ea were reserved for Queen Lili'uokalani, whose house and private swimming pond were located along the fishpond (USDOT 1991). In addition to royal uses, the two fishponds are considered spiritually connected by its mo'o guardian (water spirit), Laniwai (sky-water), who is described as a shark god and also the royal lizard of Waialua. Laniwahine is known to live in 'Uko'a fishpond with her brother, Puhi-uli (red-eel). The following excerpts summarize the historical and spiritual importance of Loko ea and 'Uko'a fish ponds:

Figure 3-6, Surface Water and Drainage



Two large fishponds were among Waialua's greatest assets. 'Uko'a was a long, narrow freshwater pond about a mile in length. Laniwai (Sky-water) was its *mo'o* guardian. With her lived her brother, Puhi-'ula (Red-eel).

The pond was said to be connected with the ocean by a tunnel, through which the *mo'o* would go to bathe in the sea...Another pond named Loko ea is mentioned elsewhere...(Handy et al. 1972).

Oral-historical information about Loko ea and 'Uko'a describe their elevated status as royal fishponds. Kamakau (and other accounts including Hawaiian language newspapers) described these fishponds as the "long house" of its famous *mo'o* (supernatural water spirit), Laniwahine (Kamakau 1991:84), where she lived with her brother, Puhi-'ula. There is a fairly extensive record of *mo'olelo* about Laniwahine, who is variously described as a shark or a shark god, a *mo'o* akua and *kia'i* (guardian), and/or a woman. We believe the name of Loko ea and 'Uko'a's ahupua'a, Ka-wai-loa, literally "the long water," may refer to these two famous fishponds. 'I'i' (1959:98) stated there were "many homes about . . . the ponds of Ukoa and Loko ea," and that the main coastal trail passed closely to the "sluice gate of Loko ea." (Monahan and Thurman 2015)

From the 1900s to the 1980s, Kamehameha Schools leased the fishpond to families as a means to generate income. In 2008, Kamehameha Schools partnered with Mālama Loko ea Foundation (MLEF) to restore and reconnect both the Loko ea and 'Uko'a fishponds. The restoration of the Loko ea fishpond is an educational opportunity for community members and students to learn about traditional Hawaiian land and water management practices for sustainable natural resource use. MLEF volunteers, community members and staff work to remove invasive species and reestablish a balanced native ecosystem that can support a sustainable local food source (MLEF 2017).

- 'Uko'a fish pond – is fed by freshwater springs and mauka streams. It is a historically, culturally, and environmentally significant waterbody (See Loko ea Fishpond description). 'Uko'a has a subterranean connection with the ocean and shows signs of ecological disturbance during strong offshore conditions and storms (KS 2000). 'Uko'a is also connected to Loko ea fishpond by an unnamed stream. The water flow between the two fishponds is managed by a weir at the Loko ea fishpond. The 'Uko'a fishpond is classified by the DOH CWB water quality standards as Class 2 waters (DOH CWB, 2014). Kamehameha Schools is currently engaging with a partner to restore the wetland ecology to support the native wetland bird populations. The North Shore Sustainable Communities Plan (NSSCP) Section 3.1.2.3 Wetlands, notes the importance of protecting and managing the 'Uko'a fishpond for flood protection, water quality improvements, habitat and opportunities for recreation, education and research.

- Oral historical information details the cultural importance of ‘Uko’a and Loko ea fishponds as an abundant food resource for royal Hawaiian families. After the 1810 consolidation of the Hawaiian Islands, King Kamehameha I helped to restore the fishpond. Hawaiian stories detail the ‘Uko’a fishpond as a fishing location for the Menehune. It is said that on dark nights, the Menehune’s voices and flickering torch lights can be seen out on the ocean (USDOT 1981).
- Anahulu River –is the longest flowing perennial stream on O’ahu. It is approximately seven miles long and originates in the Ko’olau range and converges with Loko ea flows in Waialua Bay. The watershed area for Anahulu River is 17 square miles with maximum elevation of 2844 feet (AHWAR 2008). Anahulu River is classified by the DOH CWB water quality standards as a Class 2 estuary. The “2” classification signifies that the waters should be protected for recreational purposes, the support and propagation of aquatic life, agricultural and industrial water supplies, shipping, and navigation. The estuarine reach of Anahulu River (Geocode ID 3-6-08-E) is on the Clean Water Act (CWA) 303(d) list in the 2014 State of Hawai‘i Water Quality Monitoring and Assessment Report (“§303(d) List”) and is impaired for Enterococci, Nitrate+Nitrite (NO₃+NO₂), Total Nitrogen (Total N), Total Phosphorus (Total P), turbidity, and Total Suspended Solids (TSS).
 - Waialua Bay – receives freshwater from Anahulu River, Loko ea fishpond and coastal springs. The environmental health of Waialua Bay is identified in NSSCP Section 4.6.1 as an important waterbody to maintain in a natural and pristine state. Waialua Bay is classified by the DOH CWB water quality standards as marine class AA waters (DOH CWB, 2014). The “AA” classification signifies that the waters should remain in their natural pristine state as nearly as possible with an absolute minimum of pollution or alteration of water quality from any human-caused source or actions. Waialua Bay is on the §303(d) List and is listed as impaired for NO₃+NO₃, Total N, Total P, turbidity, and TSS.

Impacts and Mitigation Measures

All major construction activities are completed. Construction activities were conducted in compliance with Water Pollution Control, City grading and erosion control standards, and included construction BMPs to stabilize disturbed soils and prevent discharge of sediments from the project site in storm water runoff. Permanent landscaping, including existing and proposed additional landscaping, will further stabilize soils on the site and promote rainwater infiltration by reducing the velocity of storm water runoff.

The operation of the renovated restaurant is not anticipated to lead to an increase in the discharge of pollutants in surface waters or marine waters. The DOH WWB determined that the original on-site wastewater treatment facility was not leaching excess nutrients into the adjacent Loko ea fishpond and/or adjacent stream. The new wastewater treatment plant (WWTP) plans were approved by the DOH in a letter dated September 21, 2016, as in conformance with applicable provisions of

the Hawaii Administrative Rules (HAR), Chapter 11-62, entitled “Wastewater Systems”. The new on-site WWTP was installed in order to provide higher quality wastewater treatment to protect ground water, surface waters and marine waters. In addition, the two new leech fields have been moved away from the stream and pond. When approved for use, the new facility will prevent the potential for pollution and sewage overflows. No other mitigation is recommended or required.

The restaurant building presently encroaches approximately 5 feet into the adjacent parcel containing Loko ea fish pond. The renovation project restored and enhanced the existing restaurant building which had fallen into disrepair and dilapidated condition. The renovation improves the aesthetic appearance of the building and grounds through the adherence to Hale‘iwa Special District design guidelines for architectural form, building materials and landscaping, which improves the overall setting adjacent to Loko ea fish pond. The renovations extend the life of the existing, established restaurant building and preclude the use of the site for other development.

3.1.4 AIR QUALITY

Air pollutant levels are monitored by the DOH at a network of sampling stations statewide; however, currently there is no air quality monitoring station on the North shore of O‘ahu. The state air quality monitoring consistently shows readings well in compliance with state and federal air quality standards, and the present ambient air quality in the project area is considered good due to the prevailing northeasterly trade winds and the absence of major industrial activities. Air quality in the project vicinity can be affected by air pollutants from natural and/or human sources. Natural sources of air pollution include wind-blown dust, wild fires, and occasional distant volcanic emissions (vog) from the Island of Hawai‘i. Human sources of air pollution include vehicular emissions from motorists traveling on residential streets, refuse burning, emissions from equipment using internal combustion engines, BBQs, and other intermittent sources.

Impacts and Mitigation Measures

Construction activities are completed. Any additional work activities will be undertaken in compliance with the State of Hawai‘i Air Pollution Control regulations. Completed construction activities resulted in short-term air quality impacts from fugitive dust and exhaust emissions from construction vehicles and equipment. However, construction-related impacts to air quality were temporary and ceased after construction was completed.

It is intended that the completed renovation will result in increased patronage to the restaurant, which would result in increased traffic and, in turn, a slight impact to air quality from exhaust emissions. Impacts from increased automobile exhaust are expected to be negligible. The project site is not anticipated to generate significant adverse impacts or changes to air quality in the project vicinity. No mitigation measures are required or recommended.

3.1.5 NOISE

Noise is regulated by the DOH under HAR Chapter 11-42, *Vehicular Noise Control for O'ahu*, and Chapter 11-46, *Community Noise Control*. The current allowable noise limits for Class A (residential, conservation, preservation, public space, open space, or similar type zones) is 55 dBA (day) and 45 dBA (night). Class B (Multi-family dwellings, apartment, business, commercial, hotel, resort, or similar type zones) is 60 dBA (day) and 50 dBA (night). Class C (Agriculture, country, industrial, or similar type zones) is 70 dBA (day) and 70 dBA (night). The project site is in Class B and is designated business (B-1) zoning.

Existing noise levels in the project vicinity are typically low due to the rural country-town uses for single family residential and small-scale commercial activities. The closest residential neighborhood to the restaurant is approximately three-quarters of a mile across the Loko ea fishpond. Existing ambient noise levels are attributable to both human activity and the natural environment. Human sources of noise pollution include motor vehicles, emergency sirens, construction-related noise, recreational/tourist activities and pets. Natural sources of noise pollution include the waves, wind, weather, and bird calls. Existing noise levels at the restaurant correspond to peak meal service times around lunch and dinner.

Impacts and Mitigation Measures

The project will involve the same permitted land use and may generate a slight increase in noise due to increased patronage between normal business hours from 11:00 a.m. to 11:00 p.m.. The increase in noise is not anticipated to generate significant adverse impacts and will be in accordance with community noise standards. No noise generating activities, such as concerts or outdoor events, are proposed as part of normal restaurant operations. No mitigation measures are required or recommended.

3.1.6 NATURAL HAZARDS

The Hale'iwa coast has an Overall Hazard Assessment (OHA) of moderate to high (5) to high (6). This is due to the fact that Hale'iwa is located on a high-wave energy coastline on a low coastal plain. The region also has a history of stream flooding and high erosion rates (USGS).

Tsunami

A tsunami involves the generation of a series of destructive ocean waves that can affect all shorelines. Tsunamis that affect Hawai'i typically originate from distant, seismically active areas around the Pacific, or from local, shallow undersea earthquakes, primarily near the seismically active island of Hawai'i. Tsunami waves can occur at any time with limited or no warning. The Pacific Tsunami Warning Center (PTWC) in Hawai'i issues warnings when a potential tsunami is imminent (PTWC, 2009). The project region has a history of flooding from the tsunamis of 1946, 1952, and 1957, which created flood levels of 11, 17, and 17 feet, respectively along the Hale'iwa coastline (USGS). The project site is located within the City Tsunami Evacuation Zone (Map 13, Inset 2, Waialua Bay to Mokūle'ia, dated April 2015) and thus is at risk from tsunami wave inundation. See **Figure 3-7, Tsunami Evacuation Zone Map**.

Seismic Hazard

The Hawaiian Islands experience thousands of earthquakes each year, but most are so small that they can only be detected by instruments. Some are strong enough to be felt and a few cause minor to moderate damage. Most of Hawai‘i’s earthquakes are directly related to volcanic activity and are caused by magma moving beneath the earth’s surface. According to FEMA’s seismic design categories (SDC), the project area is located in SDC ‘C’, which indicates that the project site could experience strong shaking and damage of structures depending on the design of the structure.

Flood

The project site is located within the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Flood Zones ‘VE’ and ‘AE’. See **Figure 3-8, FEMA-FIRM Zones**.

- Zone VE: Areas within the 1% annual chance coastal floodplain that have additional hazards associated with inundation by storm waves. Base flood elevations are 10 feet above mean sea level (msl).
- Zone AE: Areas subject to inundation by the 1% annual chance flood event; base flood elevations are 8 feet above msl.

Ground elevations at the project site range from 5 to 9 feet above msl.

Hurricane and Wind

The Hawaiian Islands are seasonally affected by Pacific hurricanes from the late summer to early winter months. The State has been affected twice since 1982 by significant hurricanes, ‘Iwa in 1982 and ‘Iniki in 1992. During hurricanes and storm conditions, high winds can cause strong uplift forces on structures, particularly on roofs. Wind-driven materials and debris can attain high velocity and cause devastating property damage and harm to life and limb. It is difficult to predict these natural occurrences, but it is reasonable to assume that future events will occur.

Impacts and Mitigation Measures

The project will not increase the risk of human safety or property damage due to natural hazards.

Tsunami

The project site is within the tsunami evacuation zone and vulnerable to tsunami wave action and inundation. The project is not anticipated to exacerbate or increase long-term vulnerability to tsunami events. In the event of a tsunami, the PTWC will issue a tsunami warning and civil defense agencies, including the Honolulu police and fire departments will oversee the evacuation of areas at risk for tsunami inundation.

Figure 3-7, Tsunami Evacuation Zone Map

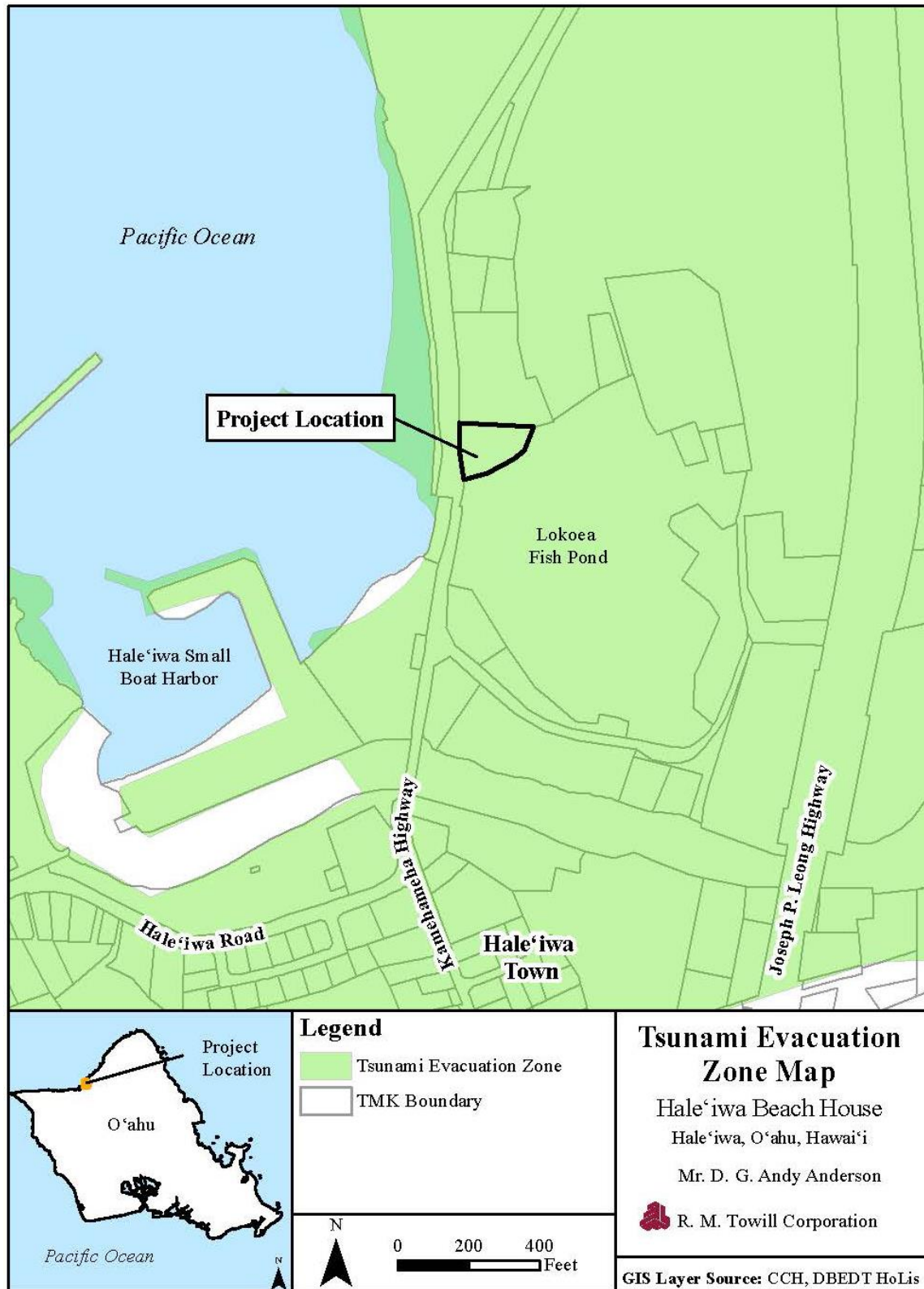
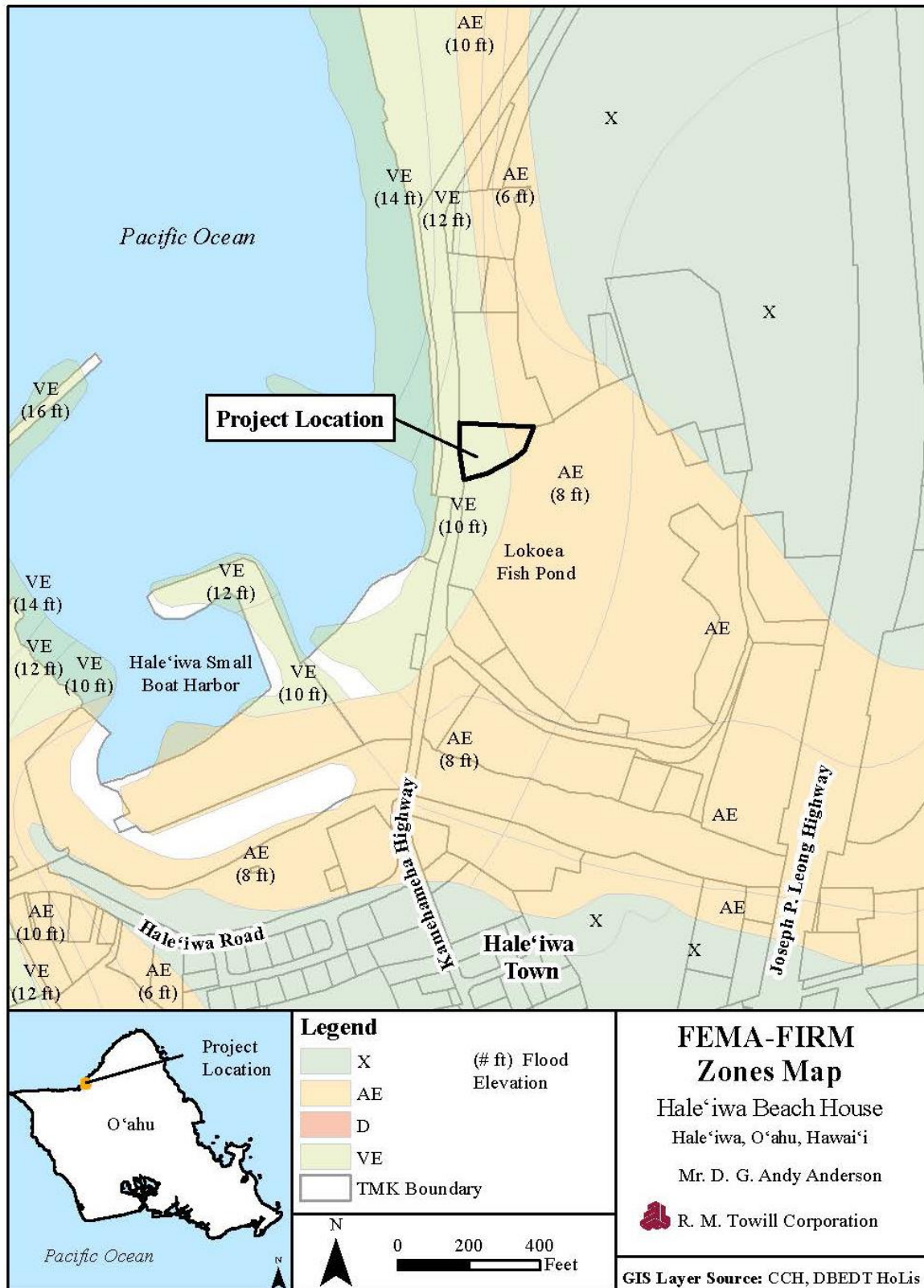


Figure 3-8, FEMA-FIRM Zones



Seismic Hazard

The project site is no more or less vulnerable to seismic activity than the rest of the northwestern shore of O’ahu. The project is not anticipated to exacerbate or increase long-term vulnerability to seismic activity conditions. The City has adopted International Building Code (IBC) standards, City Land Use Ordinance (LUO), Chapter 16, Article 1, *Adoption of the International Building Code (IBC)*. The project was designed and constructed in accordance with the IBC.

Flood

The project will not disturb existing drainage patterns. The renovated restaurant occupies approximately the same footprint as the original structure which has existed on the site since 1955, except for the 400 square foot area for the Americans with Disabilities Act (ADA) access ramp and the fire exit stairway on the south side of the building. Access, storage and parking are allowable uses in FEMA Flood Hazard Zones. The first floor finish floor elevation is approximately 11 feet above msl, which is at or above the VE and AE BFE of 10 feet and 8 feet respectively. In a letter dated May 11, 2016, from R. M. Towill Corporation to DPP’s Building Division, it was determined that the finished floor elevation was 10.61 feet. The project complies with the rules and regulations of the National Flood Insurance Program (NFIP) presented in the Code of Federal Regulations (CFR) Title 44, as well as applicable ordinances in ROH, Section 21-9.10-6, *Flood Fringe District*. Verification will be provided with certification by the Project’s Architect at the time of building permit issuance. A separate certification will be provided for the packaged wastewater treatment plant.

The project site and vicinity will be subject to the impacts of climate change and rising sea levels. The project site is adjacent to Waialua Bay and the Loko ea Fishpond which will be impacted by rising sea levels. According to the SLR Viewer, the project site is projected to not be impacted by SLR in 2050; to be partially impacted by SLR in the parking lot in 2075 and be impacted by SLR in 2100. Stretches of Kamehameha Highway leading to the restaurant will be impacted by the 0.5-foot SLR, indicating that the road and possibly utilities that support the restaurant could be impacted earlier if these systems are compromised. See **Figures 3-1 through 3-4**. The building renovations were constructed with an estimated 30-year lifespan and will likely be at the end of its useful life by 2050 and will require renovation or reconstruction at that time. During extreme storm surges the restaurant will be closed down for the safety of patrons and employees.

Hurricane and Wind

The project is no more or less vulnerable than the rest of the island to destructive wind and rain associated with hurricanes. The National Hurricane Center (NHC) typically issues a “Hurricane Watch” within 48 hours of a potential hurricane event, which alerts residents that weather conditions may lead to hazards occurring. NHC issues a “Hurricane warning” 36 hours in advance of tropical-storm-force-winds, which alerts residents to immediately leave the threatened area

if directed by local officials. NHC issues an “Extreme Wind Warning” if winds (115 mph or greater) are expected within an hour, which alerts residents to immediately take shelter in a well-built structure. Upon notification of an impending hurricane event, the restaurant will be closed, the building and site, outdoor furnishings, loose articles and equipment will be secured, and patrons and employees would be directed to seek shelter.

3.1.7 FLORA AND FAUNA

The project site has been developed as a restaurant since 1955 and as such, a majority of the on-site flora and fauna are typical of an urbanized area.

Common avifauna that may likely be seen on the project site are the Common Mynah (*Acridotheres tristis*), Red-Crested Cardinal (*Paroaria coronata*), House Finch (*Carpodacus mexicanus*), Java Sparrow (*Padda oryzivora*), Cattle Egret (*Bubulcus ibis*), Rock Pigeon (*Columba livia*), Spotted Dove (*Streptopelia chenensis*), Zebra Dove (*Geopelia striata*), Red-Vented Bulbul (*Pycnonotus cafer*), and Japanese White-Eye (*Zosterops japonica*), and the migratory Pacific Golden Plover (*Pluvialis fulva*) (King Intermediate FEA). Common fauna may include domesticated pets, feral cats (*Felis catus*), rats (*Rattus* sp), house mouse (*Mus musculus*), and the small Indian Mongoose (*Herpestes javanicus*). The Hawaiian Hoary Bat or ‘ōpe‘ape‘a (*Lasiurus cinereus semotus*) may fly over or nest/roost within the project vicinity. However, the direct project site has limited vegetation suitable for nesting or roosting. Additionally, the US Fish and Wildlife Service (in a letter dated May 23, 2018) have noted that threatened / endangered avifauna and fauna most likely occur in the project vicinity; including the threatened Newell’s shearwater (*Puffinus auricularis newelli*) and Green Sea Turtle (*Chelonia mydas*); and the endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*), Hawaiian petrel (*Pterodroma sandwichensis*), Band-rumped storm-petrel (*Oceanodroma castro*), Hawaiian stilt (*Himantopus mexicanus knudseni*), Hawaiian coot (*Fulica alai*), Hawaiian common gallinule (*Gallinula galeata sandvicensis*), and Hawaiian duck (*Anas wyvilliana*).

Common flora on the project site include ornamental species commonly found in the urban landscape including, but not limited to Ti Leaf (*Cordyline fruticosa*), Croton (*Croton* spp.), White Ginger (*Hedychium coronarium*), Manila palm (*Veitchia merrillii*), Alexandra Palm (*Archontophoenix alexandrae*), Bougainvillea (*Bougainvillea* spp.), Naupaka (*Scaevola taccada*), Coconut (*Cocos nucifera*), Mock orange (*Murraya paniculata*), Mango tree (*Mangifera indica* L.), Bamboo (*Bambusa vulgaris*) and Hau tree (*Hibiscus tiliaceus*).

The Loko ea Fishpond is adjacent to the project site and provides habitat to many native species of flora and fauna. The Loko ea Fishpond is actively stewarded by Mālama Loko ea Foundation (MLEF) and Kamehameha Schools. MLEF coordinates ongoing habitat restoration to remove invasive species and restore the native fishpond ecology. Aquatic species known to inhabit the Loko ea Fishpond consist of endemic and indigenous aquatic species. Endemic aquatic species include Āhole or Hawaiian Flagtail (*Kuhlia xenura*), ‘O’opu Akupa or Hawaiian Sleeper (*Electris sandwicensis*), ‘O’opu Naniha or

Goby (*Stenogobius hawaiiensis*) and ‘Ōpae ‘Oeha’ or Hawaiian River Shrimp (*Macrobrachium grandimanus*). Indigenous aquatic species include ‘Ama’ama or Mullet (*Mugil cephalus*), ‘O’opu Nakea or Scribbled Goby (*Awaous guamensis*), Awa or Milkfish (*Chanos Chanos*), Kākū or Great Barracuda (*Sphyrna barracuda*) and Ulua ‘Aukea or Giant Trevally (*Caranx ignobilis*) (MLEF 2017). Flora species found near the Loko ea Fishpond consist of indigenous and endemic species. Endemic flora species include ‘Ākia (*Wikstroemia uva-ursi*), ‘Ōhai (*Sesbania tomentosa*), ‘Āweoweo (*Chenopodium oahuense*). Indigenous flora species include ‘Ae’ae (*Bacopa monnieri*), Makaloa (*Cyperus laevigatus*), ‘Ahu’awa (*Cyperus javanicus*), Nena (*Heliotropium curassavicum*), ‘Ākulikuli (*Sesuvium portulacastrum*), Pōhinahina (*Vitex rotundifolia*) and Pōhuehue or Beach Morning Glory (*Ipomoea per-caprae*) (MLEF 2017).

Impacts and Mitigation Measures

All major construction activities are complete. Site contractors used BMPs to stabilize soils and prevent discharges of pollutants in construction storm water. Construction activities may have temporarily disrupted routine behavior of common faunal species in the immediate project area, but did not result in permanent displacement, or adversely affect regional distribution of affected fauna.

During the hours of operation, all nighttime lighting will be shielded and angled downward to prevent nighttime glare from disorienting or disrupting flight patterns of Laysan Albatross, Hawaiian Hoary Bat or other seabirds. Additionally, the new WWTP facility is intended to provide a higher level of water quality treatment, which will provide added protection against wastewater discharges that could affect local flora and fauna inhabiting the adjacent Loko ea Fishpond and Waialua Bay. No long-term adverse impacts to flora or fauna are anticipated. No other mitigation measures are required or recommended.

3.2 HUMAN ENVIRONMENT

3.2.1 LAND USE

The project parcel is in the Neighborhood Business (B-1) zoning district. Zoning adjacent to the project includes City-owned preservation-general (P-2) on the north and agricultural land (AG-1) to the south and east, owned by the B.P Bishop Trust Estate. The land use in the surrounding area is a mixture of agricultural (AG-1 and AG-2), residential (R-5), industrial (I-3), neighborhood business (B-1), and preservation (P-2). See **Figure 4-2, City Zoning Map**.

Hale’iwa Beach House is a landmark restaurant, serving both residents and visitors. The building has continuously operated as a restaurant since 1955. It operated as the Hale’iwa Sands Restaurant from 1955 to 1981, then as Jameson’ by The Sea from 1982 to 2015 and now currently as the Hale’iwa Beach House

The project site is located at the north end of Hale’iwa town. Hale’iwa is a rural, unique and historically significant town located on the North Shore on the island of O`ahu. Kamehameha Highway through Hale’iwa functions as a rural commercial ‘main street’.

Hale‘iwa serves as a vibrant commercial center and economic hub for North Shore residents, locals and tourists and is home to noteworthy surf and souvenir shops, art galleries, boutiques, specialty stores and restaurants and bars. Located less than five miles from world-famous surf spots, Hale‘iwa is also a popular visitor destination for professional surfers and surf-enthusiasts during the winter months. For these reasons, Hale‘iwa is promoted in the North Shore Sustainable Communities Plan as a regional destination and commercial attraction for residents and visitors.

The project site is located at the mouth of the Anahulu River. The project site is triangular in form and encompasses 23,522 square feet. The land is fairly level at and below the grade of the abutting Kamehameha Highway to the west. This is a two lane paved roadway without curbs, gutters or sidewalks. There are overhead power and telephone lines and street lights along the side of the roadway. To the west across the roadway is Hale‘iwa Harbor. To the east are agricultural lands used to grow macadamia nuts, papaya, and other local produce. The property is bordered to the north by Parcel 038 (part of a four-acre remnant park parcel) owned by the City & County of Honolulu. This remnant parcel is vacant, partially cleared and historically has been used for parking by the general public.

Further north of the project site are Hale‘iwa Beach Park, Pua‘ena Point Beach Park, and the well-known north shore waves at Laniākea Beach, Sunset and Pipeline. The property is bordered to the south by unimproved land and Loko ea Fish Pond owned by Bishop Estate. Further south of the project site are Hale‘iwa’s main downtown street, Hale‘iwa Ali‘i Beach Park and Waialua.

Impacts and Mitigation Measures

The proposed project is not anticipated to have any long-term or adverse impacts on land uses in the project area. The project site has operated since 1955 under the same permitted land use as a business and restaurant. The project renovations maintain the same overall building footprint, with the exception of new additions in order to comply with current ADA and fire requirements for public access and safety. A slight increase in the intensity of land use may occur as a result of the renovations which will hopefully restore restaurant patronage to original historic levels that occurred when the second floor was fully utilized. No mitigation measures are proposed.

3.2.2 ARCHAEOLOGICAL AND CULTURAL RESOURCES

The Applicant obtained the required permit to construct the WWTP and leach field before initiating ground disturbing activities. Following completion of the WWTP, leach field and related site work in November 2016, the Applicant was notified by the State Historic Preservation Division (SHPD) that SHPD did not have an opportunity to review the WWTP construction permit application, per HRS Section 6E-42 and HAR Section 13-284-1, and that an archaeological study should have been conducted prior to ground disturbing activities. In accordance to HAR 13-284, SHPD only responds to requests for historic preservation review initiated by government agencies. SHPD advised the Applicant that stockpiled excavated material from the property should be screened to

verify if it contained any native Hawaiian skeletal remains. In response, the Applicant hired a licensed archaeologist (Garcia and Associates) to conduct the screening work. On December 30, 2016, while screening a fifteen percent sample of the excavated material, 26 archaeological elements were discovered. The remaining excavation backfill was screened and an additional 21 elements were discovered. The remains were immediately placed in a lauhala box and wrapped in muslin cloth. The remains were temporarily stored in a secure cabinet at the project archaeologist's (Garcia and Associates) facility in Kailua. The short-term curation approach was selected because a secure on-site location to store the remains was not available. Based on consultation with SHPD archaeologists and the Oahu Burial Sites Specialist, it was determined that the remains should be reburied as close as possible to where they originated. The specific location that the bones originated from is adjacent to a high traffic parking area, therefore it was agreed that the remains be reburied in a more appropriate location in a grassy landscaped, low-traffic area on the subject property. The reburial location has been documented in SHPD's database as SIHP No. 50-80-04-08047.

An archaeological assessment (AA) and Cultural Impact Assessment (CIA) were not specifically conducted for the project site. However, in 2015, an AA and CIA were completed for the southern perimeter of the Loko ea fishpond for the Shops at Anahulu EA (Group70 2016). During the CIA, local cultural practitioners were interviewed. Some of their key concerns and recommendations for the Shops at Anahulu project that are relevant to the project site include:

- Noise, traffic, and congestion could result from the project
- The project should deter people entering Loko ea Fishpond through unauthorized access points
- Dumping (e.g. cooking oil) should be avoided
- The project should employ locals and welcome locals as patrons, and sell kanaka maoli items at the store
- It would be appreciated if the merchants use profits to give back to the community
- Display photos of old Waialua and Hawaiian history to strengthen association between Waialua and Hale'iwa
- Network with the community and local entities

For the Shops at Anahulu project, the AA did not encounter any archaeological materials or deposits during their fieldwork, but recommended archaeological monitoring due to the site's proximity to the beach and the Loko ea fishpond. The CIA did not indicate knowledge of archaeological resources, but recommended anticipating ancestral bones may be encountered during ground disturbing activities (Group 70, 2016).

In response to Draft EA pre-consultation comments from DPP, the Applicant hired Garcia and Associates, the project archaeologist, to review the existing CIAs that they researched and found for their applicability to the project, including the CIA prepared in 2015 for the Shops at Anahulu. The archaeologist evaluated the CIA and produced maps to demonstrate the applicability of the existing CIA to the subject project. The findings and maps are included in **Appendix G**, and summarized as follows (Garcia, 2018):

“The recent ‘Shops at Anahulu’ CIA was conducted for a parcel located 280 feet south of the subject site. This CIA included cultural and historical data, plus ethnographic interviews, covering all of Kawaihoa Ahupua’a and Haleiwa. Ethnographic survey data focused primarily on Loko ea, the pond adjacent to both sites. These interviews identified a variety of concerns regarding general development of the area, but no cultural practices associated with the parcel. Although Loko ea is a culturally important geographic feature, there is no evidence that redevelopment of the existing Hale‘iwa Beach House site will impact current or traditional cultural practices. According to the CIA, fishing, crabbing, and hula ceremonies occur along the shoreline to the west, across the road. Gathering of *kukunaokalā* (mangrove) for lei occurs in the general vicinity, but there are no relevant resources for this activity on the subject parcel. Results of the McElroy et al. (2016) CIA indicate that the Hale‘iwa Beach House Restaurant project will have no impact on customary cultural practices.”

Impacts and Mitigation Measures

All major construction is complete. If any future construction is required and unknown or unexpected historic or cultural features, deposits, or burials are discovered during project activities, all work in the immediate area of the find will be suspended immediately until the monitoring archaeologist evaluates the significance of the findings and notifies the SHPD to determine the appropriate course of action. For any future construction in the vicinity of the reburial site, a 5.0-meter-diameter temporary buffer around the site will be established. The buffer will be marked with high-visibility flagging tape and indicated on landscape and construction plans (Garcia, 2017).

Long-term mitigation and preservation for SIHP No. 50-80-04-08047 included reburying the remains away from the high traffic parking lot in a secure low-traffic grassy landscaped area where no development can occur. A small boulder (ca. 75 cm diameter) surrounded by Kī (*Cordyline fruticosa*) plants marks the burial site. There will not be an interpretive or warning sign to mark the burial, which would draw unnecessary attention to the site. A long-term maintenance plan will be implemented to respectfully maintain the burial site. The project applicant will adhere to the following long-term stipulations from the approved burial treatment plan:

- Establish 5-meter-diameter virtual buffer around the site within which any ground disturbing activity will be consider to be ‘*of concern*;
- The landowner shall maintain the reburial area and its buffer and shall remove litter, trash, or debris every 6 months or more regularly as needed;
- The landowner shall maintain the preservation buffer landscaped area with vegetation management every 6 months or more regularly as needed;
- Vegetation management shall be done by hand with non-mechanized hand-tools;
- No construction work, or ground altering activities besides vegetation management shall be permitted within the temporary or permanent buffer zones;

- The landowner shall notify SHPD in writing of any future projects planned within or near the reburial site; and
- The landowner shall report any disturbance of the reburial site to SHPD immediately so that corrective treatment and consultation may occur.

Access to the site for cultural uses will be permissible during daylight hours in coordination with the project applicant in accordance with HAR 13-300-40(m). Additionally, a Preservation Agreement with SHPD will create an encumbrance on the project TMK that will remain with the parcel to ensure that the burial site is protected in perpetuity by the current and any future landowner (Garcia, 2017).

To further mitigate the inadvertent discovery of native Hawaiian remains, SHPD recommended either a cultural landscape plan or ethnographic study be prepared for the wider vicinity around the project site. The Applicant has identified multiple ethnographic studies recently completed in the project vicinity. The Applicant believes these recent ethnographic studies provide sufficient relevant information for the project site and that based on the Applicant's commitment to the same mitigation measures documented in the Shops at Anahulu CIA, that a new ethnographic study is not warranted.

The Applicant has continued to informally consult with SHPD and DPP throughout the after-the-fact EA and permit process. As directed by DPP, the Applicant and the project archaeologist will complete and submit a SHPD HRS 6E Submittal Form to SHPD to formally request historic preservation review as a pre-requisite for SMA-Major and SDD-Major permit approval. The Applicant will continue to work with SHPD and undertake additional mitigation measures, if required, to comply with HRS Section 6E Historic Preservation.

The Applicant agrees that the same concerns and recommendations expressed in the CIA for the Shops at Anahulu will be addressed by this project. The Applicant will submit the CIA to SHPD and the Applicant will work with DPP and SHPD for concurrence with Garcia's findings.

3.2.3 SCENIC AND VISUAL RESOURCES

The City's LUO Section 21-9.90-3 Significant Public Views and Resources define four significant views within the Hale'iwa Special District:

- Views of Mount Ka'ala, the Waianae Range, Loko ea Fishpond and Waialua Bay from Kamehameha Highway.
- Views of Anahulu Stream from Kamehameha Highway, at the old arched Anahulu ("Hale'iwa") Bridge.
- Views of Paukauila Stream, with landscaped buffer material, from Kamehameha Highway.
- Ma kai views from Kamehameha Highway and Hale'iwa Town (see Exhibit 21-9.18, ROH, Hale'iwa Special District – Significant Views).

The North Shore Sustainable Communities Plan (NSSCP)

NSSCP identifies intermittent and continuous panoramic views along the shoreline, and scenic views of the mountains, coastal pali and shoreline areas, including view from heavily traveled corridors such as Kamehameha Highway, as important scenic resources that should be preserved.

Significant scenic views within the project corridor that are identified in the NSSCP to be protected and enhanced include:

- Mauka views of the Wai‘anae Mountains and mauka views of the Ko‘olau Mountains from Kamehameha Highway;
- Makai views along Hale‘iwa Road into Hale‘iwa Ali‘i Park, Hale‘iwa Small Boat Harbor and Hale‘iwa Beach Park;

Guidelines in the NSSCP to protect scenic views include:

- *Evaluate the impact of land use proposals on the visual quality of the landscape, including viewplane and open space considerations*
- *Discourage the use and installation of overhead utility lines and poles. Strong consideration should be given to placing replacement and new transmission lines underground. Undergrounding utility lines will enhance viewplanes and increase highway safety. Whenever possible, relocate or place underground overhead utilities that significantly obstruct public views. If unavoidable, locate any future overhead utilities on the mauka side of the public coastal highway.*

Impacts and Mitigation Measures

All major construction activities are complete. During construction, views of the construction activities and equipment were apparent in various locations for the duration of the project, but did not completely block scenic views at any given point in time.

The renovated building does not adversely affect significant views identified in the LUO or NSSCP. The building does not intrude on views toward the Wai‘anae Mountains from the Kamehameha Highway corridor and is not visible from Joseph P. Leong By-Pass Highway. The restaurant building generally maintains the original floor area, height and massing as the original structure which has existed on the site since 1955. The addition of a new exterior fire exit stairway on the south side of the building and covered awning over the first-floor front entryway are visible modifications, but do not add significantly to the visual presence of the building. The building is visible in mauka views from Kamehameha Highway, but occupies the foreground backed by tall trees and vegetation on surrounding properties and does not affect views of the Ko‘olau Mountains or other scenic view planes.

Prior to the renovation, the building appeared worn and dilapidated. The renovations have improved the appearance of the restaurant within the landscape and restored its visual presence as a landmark dining establishment.

The completed renovations and site landscaping conform to the Hale‘iwa Special District Design Guidelines and are compatible with the visual historic character of Hale‘iwa town. (See **Section 4.2.5, Hale‘iwa Special District**). The restaurant offers locals and visitors a venue to enjoy the beautiful scenic views of the North Shore, including distant views of the ocean horizon, Ka‘ena Point and the Wai‘anae Mountains, and nearby views of Loko ea Fishpond, Waialua Bay, and Hale‘iwa Small Boat Harbor. No mitigation measures are required or recommended.

3.2.4 RECREATIONAL FACILITIES

There is an abundance of recreational opportunities located near HBH Restaurant that attract residents and visitors to the area. Hale‘iwa features numerous public beach parks along Waialua Bay and Kaiaka Bay. Parks and recreational facilities in the near vicinity of the HBH include the following:

- Hale‘iwa Beach Park (approximately 0.1 miles west of the project, directly across Kamehameha Highway);
- Pua‘ena Point Beach Park (approximately 0.5 miles north of the project);
- Hale‘iwa Ali‘i Beach Park (approximately 0.6 miles southwest of the project);
- Kaiaka Bay Beach Park (approximately 1.8 miles southwest of the project); and
- Waialua District Park (approximately 2.2 miles southwest of the project).

In addition to public beach parks, recreational opportunities exist along the streams that define the Hale‘iwa town. Stand-up paddling, canoe paddling, swimming, and fishing occur in both the ‘Ōpae‘ula Stream and Anahulu River. The Hale‘iwa Small Boat Harbor is located on Hale‘iwa Road near the project site. The boat harbor hosts numerous private recreational businesses such as sailing, snorkeling tours, and shark encounter tours. In addition there are numerous surfboard and canoe lesson and rental companies located near the Anahulu River Bridge adjacent to the project site.

Impacts and Mitigation Measures

All major construction activities are complete. If any future additional construction is required, it will be minor. Construction activities may have resulted in temporary and intermittent impacts to access, in the form of traffic slow-downs, but at no time was access to recreational resources prevented by the project. Noise from construction activities may have resulted in temporary and intermittent disturbances but have now ceased as construction is complete.

The project may result in additional demands on the adjacent Hale‘iwa Beach Park by restaurant patrons. The slight increase of visitors to Hale‘iwa Beach Park is not anticipated to adversely impact the park. No long-term adverse impacts to the other nearby recreational facilities are anticipated. No mitigation measures are required or recommended.

3.2.5 FIRE, POLICE AND MEDICAL SERVICES

Fire Services

The North Shore is served by three Honolulu Fire Department (HFD) fire stations.

- Station 11, Sunset Beach Fire Station, located at 56-460 Kamehameha Highway
- Station 14, Waialua Fire Station, located at 66-420 Hale‘iwa Road near Kaiaka Beach Park in Hale‘iwa.
- Station 16, Wahiawā Fire Station, located at 40 California Avenue in Wahiawa

HBH is served by Station 14, located near Kaiaka Bay Beach Park approximately one mile from the project site. Sunset Beach Fire Station and Wahiawā Fire Station provide backup response as necessary.

Police Services

Police services are provided by the Honolulu Police Department (HPD). The HPD is comprised of 29 divisions. HBH is within Patrol District 2, Sector 3, which covers the “Waialua and North Shore” area. The nearest police station is located in Wahiawa, approximately 11 miles away.

Medical Services

The closest medical service provider is the Hale‘iwa Family Heath Center, located within Hale‘iwa Town Center. The Hale‘iwa Family Heath Center is a family care center and does not provide emergency medical services. Wahiawā General Hospital is located at 128 Lehua Street in Wahiawā, approximately 11 miles from the project site. Kahuku Hospital is located approximately 14 miles from the project site at 56-117 Pualalea Street in Kahuku.

Impacts and Mitigation Measures

The project is not expected to result in significant increases in demands on police, fire, or medical services. All major construction activities are complete. If any future additional construction is required, it will be minor. During construction, there may have been an increase in phone calls to the police concerning project related traffic and noise. Emergency vehicle access to the project site was maintained for the duration of construction.

No significant increases in service calls or long-term adverse impacts to fire, police, and medical service facilities are anticipated to result from the project. The Applicant will provide an adequate water supply for fire protection, as required by the HFD, and will submit civil drawings to HFD for review and approval. No other mitigation measures are proposed.

3.2.6 SOCIO-ECONOMIC CONDITIONS

The following table shows various summary data on the overall demographics of the Hale‘iwa CDP compared to Honolulu County. **Table 3-1** shows a breakdown of data on population, ethnic groups, household information, and income estimated by the U.S. Census Bureau for 2014 comparing Hale‘iwa CDP to Honolulu County.

Impacts and Mitigation Measures

The proposed project is anticipated to have positive short-term and long-term impacts on socio-economic conditions in Hale'iwa. All major construction is complete. During construction, there was a temporary increase in economic benefits in the form of construction jobs and material procurement. Surrounding businesses may have seen a temporary increase in revenue from expenditures by construction personnel. The short-term economic benefits from temporary construction jobs have ended.

The proposed project is anticipated to create long-term benefits to socio-economic conditions in Hale'iwa. The restaurant creates new employment opportunities for the North Shore community. The restaurant today employs nearly one hundred full-time and part-time people, including wait staff, bar and culinary staff, managerial positions, and landscaping and maintenance staff, with an annual payroll of \$1,654,500 with approximately \$562,200 in related direct employee benefits, health care and payroll taxes.

Table 3-1: Estimated Demographics Data for 2014*

	Hale'iwa CDP	Honolulu County
Population	3,883	975,690
Race		
White	29.1%	21.5%
African American	2.1%	2.5%
Asian	27.4%	43.2%
American Indian/Alaskan Native	0.0%	0.2%
Native Hawaiian/Pacific Islander	8.2%	9.4%
Some Other Race	0%	0.9%
Two or More Races	21.1%	22.3%
Hispanic/Latino	12.1%	8.9%
Gender		
Male	49%	50.5%
Female	51%	49.5%
Age		
Under 14	20.4%	18.4%
15-24	16.4%	14.0%
25-34	14.9%	15.0%
35-44	14.4%	12.7%
45-60	15.1%	19.0%
60 and Over	18.8%	20.9%
Median Income by Household	\$65,786	\$73,581
Persons Below Poverty Level	13.3%	9.8%
Median Home Value	\$573,800	\$564,400
Median Household Size	3.43	3.22

*2014 estimates US Census Bureau

<http://factfinder.census.gov/faces/nav/jsf/pages/searchresults.xhtml?refresh=t>

In addition, the restaurant generates more than \$228,126 in GET taxes annually. The majority of the Hale'iwa Beach House's employees are local residents that have grown up on the North Shore and want to continue to live on the North Shore. The HBH also has a multiplier effect within Hawai'i's economy by indirectly contributing to hundreds of related off-site jobs that service the HBH daily and weekly (i.e. farmers, fisherman, suppliers, building trades and maintenance people). The restaurant provides lunch and dining services to both local residents and visitors. The restaurant also encourages visitor spending and supports Hale'iwa as a tourist destination. No long-term adverse impacts to socio-economic conditions are anticipated. No mitigation measures are proposed.

3.3 INFRASTRUCTURE AND UTILITIES

3.3.1 TRAFFIC AND CIRCULATION

Existing Roadway Infrastructure

The project site is located adjacent to Kamehameha Highway, south of the T-turn junction with Kamehameha Highway and Joseph P. Leong Highway and north of the Anahulu River Bridge (Rainbow Bridge). Kamehameha Highway serves as the main north-south commercial corridor through Hale'iwa. The two-lane rural major collector arterial provides access to the project site and the surrounding commercial, residential and agricultural areas. There are wide intermittently paved shoulders that are used as informal parking and sidewalks. There are no raised sidewalks, curb and gutter, or bicycle facilities along the segment of the highway fronting the project property.

Key streets and driveways in the project vicinity, listed from north to south, include the following:

- *Joseph P. Leong Highway* is a paved two-lane bypass highway designed to alleviate traffic congestion on Kamehameha Highway through Hale'iwa Town. There is north and southbound access to the bypass highway, which provides a parallel arterial makai of Kamehameha Highway. The posted speed limit ranges between 35 to 45 mph. The highway is also part of the State's bikeway master plan and is a signed shared roadway with wide paved shoulders.
- *Kahalewai Place* is a paved, two-lane road that is located ma kai of Kamehameha Highway. It provides access to Hale'iwa Beach Park and Pua'ena Point Beach Park. There are no sidewalk, curb and gutter or bicycle facilities. There are wide grassy dirt shoulders, which serve as an informal parking area.
- *Loko ea Place* is a paved, two-lane road that is located mauka of Kamehameha Highway. It is a private road that provides access to residential properties and the Hale'iwa Club adjacent to the Loko ea Fishpond. There are no sidewalk, curb and gutter or bicycle facilities. There are narrow unpaved shoulders for pedestrian or bicycle traffic.
- *Hale'iwa Road* is a paved, two-lane, collector road with a stop-controlled intersection on the west side of the highway and posted speed limit of 25 mph. The road provides access to Hale'iwa Harbor, Ali'i Beach Park, and residential

areas, and provides access between Haleʻiwa town and Waialua. There are no raised sidewalks, curb or gutter or bicycle facilities. There are intermittent narrowly paved shoulders for pedestrian or bicycle traffic. There are public transit bus stops with posted bus signs in the road shoulder.

- *Anahulu Place* is a paved, two-lane, residential cul-de-sac with a hammer-head turn-around and stop-controlled intersection located mauka of the highway. It provides access to eight single-family residential properties. There are no sidewalks, curbs or bicycle facilities. There are gutters along the shoulder for roadway drainage.

Vehicle Traffic and Circulation – Existing Studies in the Vicinity

Six traffic studies have been completed in the project vicinity within the past six years which provide recent information on the existing conditions along Kamehameha Highway in Haleʻiwa (see **Table 3-2: Existing Conditions LOS Based on Recent Traffic Studies in the Vicinity**).

Based on analysis of existing traffic conditions, the studies provide existing level of service (LOS) ratings at various intersections along the highway. Studies evaluate transit conditions during peak hours, which typically are weekday mornings and evenings and weekend midday. The LOS ratings range from A to F, where A is the highest rating and F is the lowest rating. The City designates LOS D as the minimum satisfactory rating for intersections and urban areas. The traffic studies indicate that the northern section of Kamehameha Highway (Loko ea Place to Joseph P. Leong Highway) operates at LOS B. Typically, the restaurant's traffic does not coincide with existing peak traffic hours as most of the patrons visit the restaurant during off-peak hours for lunch or dinner.

There are no center lanes or left-turn lanes on Kamehameha Highway within the project vicinity, except for the left-turn lane at the intersection with Haleʻiwa Road. Left-turn lanes reduce traffic congestion by adding an additional lane dedicated for left-turns and eliminating the queue of stopped vehicles behind the turning vehicle. However, a majority of Haleʻiwa residents do not prefer left-turn lanes and instead prefer narrow roadways in order to maintain the town's rural character.

Existing vehicle circulation on the project site is primarily from parking by staff and patrons, deliveries and refuse services, and occasionally from trade professionals performing maintenance and repair and services. Vehicle ingress and egress on the restaurant property is via a single, two-way driveway with connection to Kamehameha Highway. Patrons to the restaurant have historically circulated between the restaurant property and the adjacent, vacant City-owned TMK parcel (1) 6-2-03: 038. Access between the restaurant and City-owned parcel has been on-going for the entire 50 plus years of the restaurant's operation. This accustomed use is consistent with historic and current use of the City's parcel by the general public, by local surfing companies who stage surf school activities on the City parcel, local canoe clubs who store canoes and trailers on the parcel, by Kamehameha Schools who use the parcel daily for parking and access to and from Loko ea Fishpond by staff, volunteers and visiting students, and for a variety of other community needs and events. The City Department of Parks and

Recreation (DPR) installed temporary fencing on the City-owned lot along the common property boundary with the restaurant. Required off-street parking for the renovated restaurant is provided within the restaurant property, as described below.

Multi-Modal Traffic and Circulation

Traditionally, LOS analysis methods focus on vehicle traffic. A multi-modal transportation study is currently being prepared in the vicinity for the Hale'iwa Improvement District to evaluate the traffic impacts on multiple modes of transportation, including pedestrians, bicycles, motor vehicles and transit through Hale'iwa. The traffic study determined the existing north and southbound traffic conditions between segments Hale'iwa Road/Mahaula Lane to Anahulu Bridge and Anahulu Bridge to Joseph Leong Highway, for pedestrian mode operate at LOS F, as there are no pedestrian facilities on this segment of the highway. Bicycle mode heading north and southbound on the same segments operate at LOS D or C, with bicycles traveling on the highway's irregular shoulders and sharing travel lanes with motor vehicles. Transit mode heading northbound on the same segments operate at LOS D or C. Transit more heading southbound on the same segments operate at LOS B or C.

The existing pedestrian circulation to and from the project site is mainly from restaurant patrons visiting Hale'iwa Beach Park and Wailua Bay before or after their meal. Pedestrian circulation is along the intermittently paved shoulder on Kamehameha Highway. Similarly, existing bicycle and transit circulation is within the travel way and along the widened shoulder on Kamehameha Highway.

Table 3-2: Existing Conditions LOS Based on Recent Traffic Studies in the Vicinity

Kamehameha Highway & Joseph P. Leong Highway			
Intersection	LOS (PM)	LOS (SAT MD)	Traffic Study
Overall LOS (EB LT/RT, NB LT/RT, SB TH/RT)	B	B	HID
Kamehameha Highway & Loko ea Place			
Intersection	LOS (PM)	LOS (SAT MD)	Traffic Study
LT/RT from Loko ea Place	B	B	SA
Kamehameha Highway & Hale'iwa Road			
Intersection	LOS (PM)	LOS (SAT MD)	Traffic Study
EB LT	D	F	HID
EB RT	B	C	HID
NB LT	A	A	HID
Kamehameha Highway & Emerson Road			
Intersection	LOS (PM)	LOS (SAT MD)	Traffic Study
WB LT/RT	C	D	HID

WB	C	C	BH
SB LT	A	A	HID and BH
Overall	C	C	HCR
Kamehameha Highway & Kewalo Lane/’Ōpae’ula Road			
Intersection	LOS (PM)	LOS (SAT MD)	Traffic Study
EB LT/RT	E	F	HID
WB LT/RT	C	E	HID
NB LT	A	B	HID
SB LT	A	B	HID
Overall	C	C	HCR
<p>Table Abbreviations: PM – weekday evening; SAT MD – Saturday midday; NB – northbound; SB – southbound; WB – westbound; EB – eastbound; LT – left turn; RT – right turn; TH - through-put</p> <p>Traffic studies: BH – Backyard Hale’iwa from 2015 (proposed mixed-use development between Kamehameha Highway and Joseph P. Leong Highway) (HCR – Hale’iwa Commercial Redevelopment from 2011 (Kamehameha Highway from Maha’ulu Lane to Kewalo Lane) HID – Hale’iwa Improvement District from 2016 (Kamehameha Highway right-of-way between the ‘Ōpae’ula Stream Bridge or Twin Bridges and the Anahulu River Bridge); and SA – The Shops at Anahulu from 2015 (62-594 Kamehameha Highway)</p>			

Parking – LUO Compliance

Per LUO Section 21-6.3, the required parking is 21 stalls based on floor area of 6,533 sf and LUO parking standard 1 stall per 300 sf. The required parking from the approved Haleiwa Beach House - Exterior Renovation Plans BP 790811, was originally determined to be 16 stalls and 1 – loading stall based on 5,264 square feet of applicable floor area. Following completion of the renovations, an additional 1,269 sf of applicable floor area was identified which requires an additional 4 stalls for a total of 21 stalls, including a handicap stall, plus 1 – loading stall. (see **Appendix B**, Sheet A005, Interior Renovation Permit Drawings, BPA #A2015-09-0536 and 2015/IBP 09530) sf., and **Appendix J**, Applicant’s response letter to DPP’s letter dated June 16, 2018 and January 15, 2019.)

A total of 24 parking stalls are provided on site:

- 21 parking stalls, including one ADA parking stall and one loading stall, are accommodated on an existing all-weather surface (20 on the existing paved surface and 1 stall on a combination of paved and gravel surface). The parking stalls are currently unstriped.
- 3 additional parking stalls at the back of the parking lot are located on a gravel surface. These stalls will be provided with an all-weather surface of either compacted gravel or pavement.
- An unmarked loading area is located adjacent to the restaurant building within the existing paved parking area. Loading area ingress and egress is via the restaurant driveway. This area has been used for deliveries over the more than 50 years that the restaurant has been in operation and is identified in previous land use and

- building permits approved by the City, including SD permit (minor) 2014/SDD-27 and SMA Permit (minor) 2014/SMA-22, and Building Permit No. 790449.
- A managed parking plan layout that accommodates a total of 40 managed stalls (valet) on the restaurant property is provided in **Figure 3-9**. The Applicant will monitor parking conditions during hours of operation and implement valet parking service when required.

Traffic Assessment Report for Hale‘iwa Beach House

A Transportation Assessment Report (TAR) for the Hale‘iwa Beach House was prepared by the Traffic Management Consultant in March 2018 (TMC, 2018). The TAR includes an analysis of the restaurant’s impact on the existing roadways, automobile and pedestrian traffic and parking conditions. A copy of the TAR is included in the Final EA as **Appendix I**.

Traffic Conditions

Turning movement traffic count surveys were conducted on Kamehameha Highway at the HBH Driveway and the Loko ea Driveway, which provides access to the adjacent City-owned parcel 038, on January 17 through 21, 2018 during peak weekday (1:00 PM to 2:00 PM) and weekend (12:45 PM to 1:45 PM) traffic periods. The TAR assessed trip generation rates based on Institute of Transportation Engineers’ (ITE) Trip Generation, 9th Edition; capacity level of service (LOS) ratings based on the Transportation Research Board’s (TRB) Highway Capacity Manual; and conducted a left-turn lane analysis based on American Association of State Highway and Transportation Officials’ (AASHTO) Policy on Geometric Design of Highways and Streets. The existing capacity of the HBH Driveway and the Loko ea Driveway operates at a LOS “C” and LOS “B”, respectively, during the peak hour of *weekday* traffic. The existing capacity of HBH Driveway and the Loko ea Driveway operates at a LOS “B” and LOS “C”, respectively, during the existing peak hour of *weekend* traffic. The existing left-turn movements from Kamehameha Highway (southbound) operates at LOS “A” at both the HBH Driveway and the Loko ea Driveway during weekday/weekend peak traffic hours.

Parking Conditions

Video surveillance of the HBH parking lot was conducted during weekday/weekend peak traffic hours on January 17 through 21, 2018. Based on ITE’s Parking Generation, 4th Edition, peak parking demands for a 114-seat quality restaurant is estimated to require between 51 and 56 parking stalls. During the observed peak hours, the existing demand for parking stalls exceeds the HBH’s parking lot’s current capacity of 24 stalls. Operating the restaurant at the full, restored seating capacity is expected to increase demand for parking at the restaurant.

Pedestrian Conditions

Pedestrian counts were conducted during the weekday/weekend peak traffic hours on January 17, 18, 20 and 21, 2018 and on January 19, 2018 from 9:00 AM through 7:00 PM. During the average peak hour of weekday traffic, 26 pedestrians crossed Kamehameha Highway in the vicinity of the project site, while 43 pedestrians walked along the mauka roadside. Twenty-seven (27) pedestrians crossed Kamehameha

Highway, while 26 pedestrians walked along the mauka roadside, during the average peak hour of weekend traffic.

About 200 pedestrians crossed Kamehameha Highway, in the vicinity of the project site, between the hours of 9:00 AM and 8:00 PM. The pedestrian traffic volumes exceeded 25 pedestrians per hour (pph) for four (4) hours between 9:00 AM and 8:00 PM. The pedestrian traffic volumes, crossing Kamehameha Highway, peaked at 90 pph during sunset. According to the NCHRP Report 562, the recommended treatment for pedestrians, crossing Kamehameha Highway, is a marked crosswalk (TMC, 2018).

Bicycle Conditions

Existing bicycle counts on Kamehameha Highway are not significant. A TAR addendum letter has been prepared by the Traffic Engineer to address bicycle counts and is included in **Appendix I** of the Final EA.

Impacts and Mitigation Measures

All major construction activities are completed and no additional construction activities are planned that could affect traffic conditions. As part of normal restaurant operations, minor construction activities and projects involving building trades will be required periodically to maintain the restaurant facilities. These activities are not expected to result in significant increases in traffic to and from the project site. All construction and trade vehicles that are required in the future, including vehicle maneuvering, will be accommodated on site.

Traffic

Based on the TAR for the Haleʻiwa Beach House, the increase in traffic associated with the restoration of the restaurant to its original historic seating capacity will likely result in the HBH Driveway and the Loko ea Driveway operating at LOS “C” during weekday/weekend peak hours, while the left-turn demand from Kamehameha Driveway to the HBH Driveway is expected to continue to operate at LOS “A” during weekday/weekend peak hours. Restaurant operations at full, restored seating capacity do not require an exclusive left-turn lane, based on the AASHTO volume guidelines (TMC, 2018).

The restaurant accommodates vehicle maneuvering on-site by managing the delivery hours. All deliveries are scheduled prior to opening (11 a.m.). On rare occasions when large delivery vehicles have to back out onto the highway shoulder to exit, restaurant staff will direct traffic to facilitate the vehicle maneuver. As a policy, the restaurant avoids scheduling deliveries during service hours to avoid both inconvenience to restaurant staff and patrons, and to maintain the aesthetics of the restaurant setting.

Parking

The HBH complies with LUO requirements for off-street parking. While the HBH meets its parking requirements under the City LUO, the TAR prepared for HBH determined that current restaurant operations and the restoration of the restaurant to full seating capacity will exceed the existing HBH parking lot capacity of 24

stalls during peak service periods (lunch and dinner). To accommodate the expected increase in parking demands from the restoration of the full restaurant seating capacity during peak service hours, the HBH will monitor parking conditions during hours of operation and will implement managed valet service for tandem parking as required. As is common practice, when the restaurant parking lot is full, the valet will put up a temporary “LOT FULL” sign at the driveway entrance to prevent overfilling the vehicle maneuvering area in the restaurant parking lot. The valet will re-open the parking lot as patron’s leave and parking space becomes available. The managed parking stall layout is provided in **Figure 3-9, Managed Parking Plan**. The managed parking plan provides space for 40 managed parking stalls in the restaurant parking lot, including 24 standard striped parking stalls and 16 tandem and miscellaneous parking stalls.

Pedestrian Access

The existing pedestrian traffic crossing Kamehameha Highway meets the NCHRP, ITE, and FHWA criteria for considering the installation of a midblock crosswalk across Kamehameha Highway in the vicinity of the Hale`iwa Beach House. The Applicant will work with the DPP and DTS to install a midblock crosswalk across Kamehameha Highway. The crosswalk location will be determined by the City. The Applicant will provide information on street lighting, sight distance, and potential multi-modal traffic conflicts in the area. The crosswalk will be located entirely within the City right-of-way (ROW) and will be owned and maintained by the City. No street frontage or pedestrian improvements were required as part of the building permit approvals for exterior renovations. However, the Applicant will consider implementing Complete Streets improvements along the street frontage, similar to what is being contemplated for the City’s “Hale`iwa Shoulder and Walkway Improvements” project. The Applicant will work with DPP and DTS on frontage improvements and the location of a new crosswalk and will take Complete Streets policies into consideration. The Applicant is proposing improvements similar to what is being contemplated for the City’s Hale`iwa Shoulder and Walkway Improvements project. Construction plans for the sidewalk/walkway will be submitted to DPP for review and approval. The crosswalk along with appropriate treatment will be included in the construction plans that will be submitted to DPP. The applicant’s consultant will meet with DTS and DPP during the development of the construction plans.

Bicycle Access

The HBH will provide a designated, secure parking area for a bicycle and moped rack, which is indicated on **Figure 3-9, Managed Parking Plan**.

3.3.2 DRAINAGE SYSTEM

There are no formal drainage systems on-site, or on the fronting City-owned road. The asphalt parking lot does not have curbs or gutters. Storm water tends to sheet flow off the road and parking lot, across the asphalt parking lot towards the northeast corner of the property and percolate down within an unpaved gravel parking area. This percolation

area prevents the water from reaching the stream and fish pond areas. Storm water from the rooftop drains into the surrounding landscape.

Impacts and Mitigation Measures

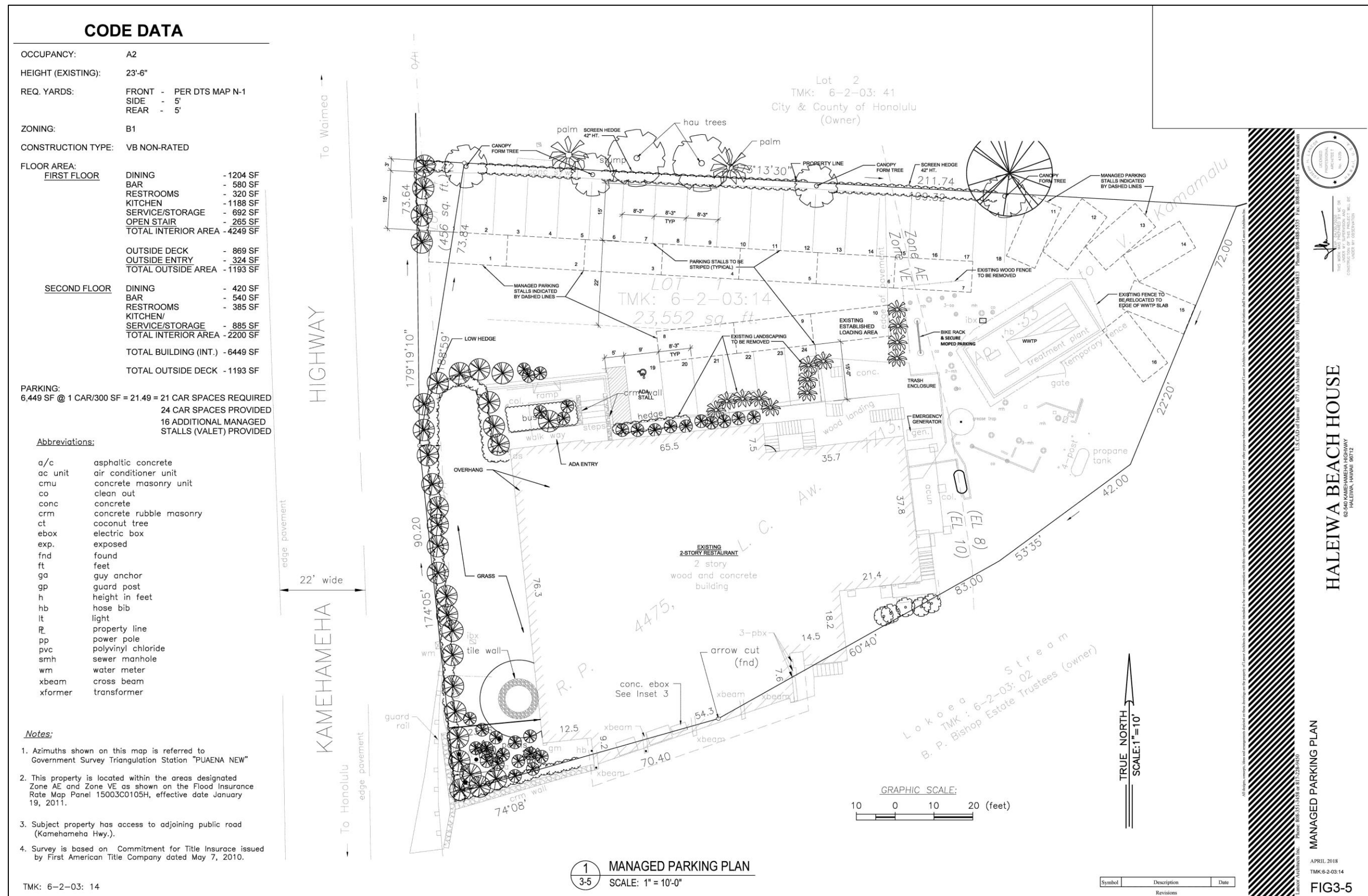
All major construction is complete. Best Management Practices (BMPs) were employed during construction to prevent discharge of sediments and pollutants in construction storm water runoff.

Except for Loko ea Stream Bridge, there are no City storm drain systems on the highway or in the vicinity of the project. The project renovations will increase impermeable surfaces with the addition of the wastewater treatment plant (WWTP) and minor additions to the building (fire exit stairway and covered entrance). However, the renovations decreased impermeable surfaces in the front of the restaurant by replacing concrete and outdoor floor tiling with landscape. The reduced permeable surface area for rainwater recharge may be mitigated by the use of grass for the extended parking lot. This Low Impact Development feature would serve to clean the parking lot's storm water, recharge local groundwater, and further protect water quality in Loko ea fishpond by slowing surface runoff velocities, capturing sediment and other pollutants and promoting infiltration. No other mitigation measures are proposed.

3.3.3 WATER SYSTEM

BWS maintains potable water sources in Hale'iwa. The restaurant receives domestic water for potable use and fire protection from a 16-inch cast iron pipe water main along Kamehameha Highway, which provides adequate fire flow. BWS standards require a fire hydrant to be located within 125 linear feet of parcels in business-zoned developments and provide a flow of 2,000 gallons per minute. The restaurant property is presently located between two fire hydrants to the north and south. Both fire hydrants are approximately 175 feet from the restaurant property. The BWS installed the fire hydrants at a spacing that they felt was appropriate for the mix of land use zoning in the area, including the pre-existing commercial restaurant use.

Figure 3-9, Managed Parking Plan



Impacts and Mitigation Measures

All major construction activities are completed. The existing BWS system has sufficient capacity to accommodate future, temporary increases in water use for construction activities required to complete the site work. During any future construction activities, clear access to the fire hydrants along Kamehameha Highway and to the restaurant building will be maintained for emergency responders.

The proposed project is not anticipated to have long-term adverse impacts on the existing potable water system infrastructure. The Applicant has implemented water conservation measures such as the installation of low-flow plumbing fixtures in the restaurant and a landscape drip-irrigation system. The renovated restaurant's estimated average daily demand is 3,100 gallons per day (GPD), based on the fixture unit count in Sheet P107 of the Interior Renovation permit set (See **Appendix B**), which is a 300 gpd increase compared to pre-renovation conditions. BWS approval of the Interior Renovation permit set indicates that there is adequate water available to meet the restaurant's estimated daily water demand. To ensure fire access and safety, the entire building is within 150-ft of the fire access road. Additionally, the building's doors that are within 50-ft of the fire access road. The nearest two fire hydrant(s) are located in the Kamehameha Highway ROW, approximately 175 linear feet away from the property boundary to the north and south, which doesn't comply with a strict application of BWS fire hydrant spacing standard of 125 feet. The Applicant will provide an adequate water supply for fire protection, as required by the BWS and HFD, and will submit civil drawings to HFD for review and approval.

3.3.4 WASTEWATER SYSTEM

In Hale'iwa, wastewater is managed with a patchwork system of individual cesspools, septic tanks/leach field systems and private wastewater treatment plants (WWTP). The City's North Shore Regional Wastewater Alternatives Plan (NSRWAP) evaluates alternatives for providing small regional wastewater treatment in Hale'iwa (City ENV, 2012). The NSRWAP recommends the following:

- Upgrade cesspool systems with septic tank addition;
- Neighborhood cluster systems with reuse (irrigation);
- Upgrade existing private/commercial wastewater treatment systems; and
- Sewer commercial/residential areas for treatment/water reuse (small WWTPs).

Background Information

In 2013, the existing individual wastewater system (IWS) was installed by the restaurant's previous owners. It was designed to treat effluent flows for 114 seats (83 dining room and 31 bar) with a designed treatment flow of 3,792 GPD (see **Table 3-3: IWS Calculated Wastewater Flow**). The IWS has the treatment capacity of 4,500 GPD. In order to install the existing IWS, the restaurant's previous owner applied for a five year variance from Chapter 62 of Title 11, sections 11-62-31.1(a)(2)(A) and 11-62-31.1(a)(2)(D). On March 12, 2013, the DOH denied a variance from section 11-62-

31.1(a)(2)(A) and approved a variance from 11-62-31.1(a)(2)(D). The approved variance from 11-62-31.1(a)(2)(D) was granted for five years based on six provisions. Two key provisions were that only one IWS is allowed on the property and the installation of a WWTP would be required if any future development or expansion plans for the restaurant increase wastewater flows.

Table 3-3: IWS Calculated Wastewater Flow

Use	Seats	Turn Over	Unit Flow	GPD
Dining Room	83	2.5	15	3,112
Kono Bar	31	2.5	8	620
Total	114			3,792

On September 25, 2015, the Applicant submitted plans to expand the existing IWS for the proposed renovations. The proposed renovation would increase seating capacity from 114 to 350. The IWS expansion was designed with a treatment capacity of 9,800 GPD. The Applicant was subsequently notified by the DOH that they would not approve the proposed IWS plans and would require the installation of a WWTP to accommodate the proposed design flow of 9,800 GPD, in accordance with Chapter 11-62, Subchapter 2 and the 2013 variance provisions. On February 17, 2016, the DOH approved the building permit A2015-09-0536 (interior). On March 11, 2016, the DOH contacted DPP to rescind approval for the interior building permit.

In April 2016, the DOH received a community complaint that the existing IWS was undersized to accommodate the increase in seating capacity. On May 3, 2016, the DOH investigated the complaint and found the restaurant was operating with 388 seats (196 dining and 192 first/second floor bars). The DOH inspector also documented ponding near the Hale`iwa Beach House's leach field on the adjacent Kamehameha Estate Trust property. On May 16, 2016, the DOH Wastewater Branch issued field citation #16-WW-4256-FC-01 for violation of sections 11-62-08(b) and 11-62-31.1(f) for the use of the IWS. On May 16-19, 2016, the DOH performed fluorescein dye testing of the IWS's septic system and leach field to assess whether it was leaching excess nutrients into the Loko ea fishpond. Water samples were collected in two locations on Kamehameha Estate Trust property: a depression along the rock wall (KSBE/HBH) and the Loko ea stream (KSBE/Stream). The dye test is not considered a water quality assessment. On May 31, 2016, the dye test results indicated the Hale`iwa Beach House's wastewater was being discharged into the depression along the rock wall. On June 2, 2016, the DOH issued a Notice of Violation, Permit Suspension and Order No. 16-SAN-WW-EO-01 because of the discharge of effluent resulting from an unapproved use of the IWS (see **Table 3-4: DOH WWB Wastewater Facility Dye Test Results for HBH**). On June 6, 2016, an Administrative Order on Consent (AOC) was agreed upon by the Applicant and the DOH. The AOC outlined terms and conditions by which the Applicant would correct the violations identified in the NOV No. 16-SAN-WW-EO-01. The AOC required the Hale`iwa Beach House's operational seat count to be consistent with the original calculation's seat count used to design the existing IWS, in order to ensure adequate capacity for wastewater treatment. The original IWS calculations are designed for 83

dining room and 31 bar seats. Additionally, the Applicant was required to submit a Corrective Action Agreement to the DOH to identify specific actions to resolve the NOV. The agreement terms for the HBH included the submission of preliminary designs for a WWTP and to limit seating capacity to 114 (83 dining room and 31 lounge/bar) until completion of the new WWTP. The agreement terms for the DOH included advising DPP that the DOH would support the interior renovations permit #A2015-09-0536 and review preliminary designs for a new WWTP. On June 14, 2016, the DOH conducted a follow-up inspection and found that there were 88 dining seats, 25 bar seats, and 1 seat by the kitchen door, which violated the 83 dining seats agreed upon in the terms of the AOC because 5 seats were being cleaned and aired out. On June 16, 2016, a First Amended Administrative Order on Consent (FAAOC) was agreed upon by the Applicant and the DOH to address the seat count violation of the AOC. It should be noted that restaurants rarely fill all their seats at any given time because many of the four-seat tables are occupied by couples.

Table 3-4: DOH-WWB Wastewater Facility Dye Test Results for HBH

Station Location	Sampling Date	Sampling Time	Sample Type	Result
1 KSBE/HBH (Control)	5/16/16	1105	Grab	< 0.02 ppm (Control)
1.2 KSBE/HBH	5/17/16	1035	Grab	0.116 ppm (positive for dye)
1.3 KSBE/HBH	5/18/16	1204	Grab	0.036 ppm (positive for dye)
1.4 KSBE/HBH	5/19/16	1115	Grab	0.049 ppm (positive for dye)
A KSBE/Stream (Control)	5/16/16	1109	Grab	< 0.02 ppm (Control)
A.2 KSBE/Stream	5/17/16	1040	Grab	<0.02 ppm (negative for dye)
A.3 KSBE/Stream	5/18/16	1206	Grab	<0.02 ppm (negative for dye)
A.4 KSBE/Stream	5/19/16	1120	Grab	<0.02 ppm (negative for dye)
Note: Dye test results analyzed by State of Hawaii, Department of Health Laboratories, Environmental Health Analytical Services Branch, Water Pollution Section Laboratory				

On September 15, 2016, the Applicant submitted design plans for a new WWTP, generator and seepage beds / leach fields to the DOH. The new WWTP is designed for a potential seating capacity of 354, including 130 restaurant seats, 154 bar seats and 70 private dining seats with a flow of 9,510 gallons per day, and complies with the DOH's current requirements for treatment capacity and water quality. The private dining has not been used to date so the majority of restaurant use is based on 284 seats. See **Table 3-5: WWTP Calculated Wastewater Flow**. On September 21, 2016, the DOH approved the WWTP plans for construction with the capacity for 354 seats. In October 2016, the

WWTP was installed on-site, and the DOH inspected and approved the completed WWTP. The DOH's final inspection and approval to use the new WWTP is pending DPP's review and approval of the after-the-fact SMA permit and SDD (major) permits. The IWS will continue to treat the Hale'iwa Beach House's wastewater until the new WWTP is approved by DOH. The WWTP as-builts were prepared by James R. Matichuk, P.E. License # 8198-C, and Kingdom Builders, and are included in **Appendix B**. A certification from the licensed contractor, confirming that the new IWS and WWTP were constructed in accordance with the drawings and as-builts and are completely within the restaurant property is provided in **Appendix B**.

Table 3-5: WWTP Calculated Wastewater Flow

Use	Seats	Unit Flow	GPD
Dining Room	130	50	6,500
Kono Bar	74	15	1,110
Loko ea Deck	80	15	1,200
Private Room	70	10	700
Total	354	90	9,510

The existing three grease traps and three 1,500-gallon septic tanks will continue to be used for wastewater pretreatment. The kitchen wastewater will be pre-treated by the existing grease traps and septic tanks prior to treatment by the new WWTP. The restroom wastewater will also receive pre-treatment by the three existing septic tanks prior to treatment by the new WWTP (WSI, 2016).

WWTP Sludge

The WWTP digester has a working volume of 1,178 gallons. At the maximum design flow, the estimated sludge production is 52.6 GPD with a sludge removal frequency of 22.4 days. During normal operations, the frequency of sludge removal will be reduced (WSI, 2016). The sludge will be removed by a commercial operator and delivered to a City-approved WWTP for final disposal.

WWTP Design

The existing IWS has a designed treatment capacity of 4,500 GPD. The new WWTP has a designed treatment capacity for total average dry weather flow (ADWF) of 9,510 GPD. The capacity is calculated based on the seat count after renovation and the flows-per-seat provided in the HAR Chapter 11-62, Appendix D, Table 1. To be conservative, the existing septic tanks will be used as a pre-treatment system to reduce the biological load on the new WWTP. The treatment process of the new WWTP assumes a high biological design load which increases the capacity if the biological load is lower than the assumed load. The new WWTP utilizes biological wastewater treatment processes to remove organic matter and nutrients. The biological treatment utilizes various microorganisms in the suspended growth process (activated sludge) and attached growth process (trickling filter). The WWTP has been designed to manage influent wastewater strengths of 750 mg/L for BOD₅, 250 mg/L for TSS and 40 mg/L for TKN (see **Table 3-6: Design Conditions and Effluent Quality**).

Table 3-6, Design Conditions and Effluent Quality

Parameter	Influent	Effluent
Design Flow	9,510 GPD	--
BOD5 (mg/L)	750	25
TSS (mg/L)	250	25
TKN (mg/L)	40	--
NH3-N (mg/L)	--	2
Fecal Coliform (MPN/100 mL)	--	23

Additionally, two new primary and secondary seepage beds were designed to provide 100 percent redundancy to effectively manage effluent disposal and comply with HAR Chapter 11-62. The primary and secondary seepage beds can individually manage the total 9,510 GPD. The seepage bed area required for effluent absorption is calculated as 3,328.5 sf. The primary seepage bed is 3,330 sf and the secondary seepage bed is 2,782 sf due to the use of High Capacity H-20 Infiltrator Chambers. The primary seepage bed was relocated to the front parking lot, away from the Loko ea Fishpond. The two new primary and secondary seepage beds use traffic-rated chambers, which minimized the need for backfill.

Impacts and Mitigation Measures

All major construction activities are completed.

The new WWTP is intended to provide greater capacity and a higher level of water quality treatment for the Hale`iwa Beach House's wastewater. Additionally, the seepage beds were designed for 100% redundancy, reducing the potential for sewage overflows. The replacement of the IWS with the WWTP is consistent with City's NSRWAP. The WWTP received final inspection by DOH and is pending approval to operate by DOH. There will be a slight increase in the generation of sludge due to the reopening of the second floor seating and opening of the lanai. Sludge will continue to be removed by a commercial operator and delivered to City-approved WWTP for final disposal. The WWTP is anticipated to improve conditions and not have long-term adverse impacts on existing surface or ground water resources. No other mitigation measures are required or recommended.

3.3.5 ELECTRICAL/COMMUNICATIONS SYSTEMS

Electrical and telecommunication utilities are conveyed via overhead lines along Kamehameha Highway and underground lines through the subject property. The restaurant is serviced by Hawaiian Electric Company (HECO) and Hawaiian Telcom.

Impacts and Mitigation Measures

All major construction is complete. Other than undergrounding of utility lines fronting the property, the project did not involve modifications to the electrical and telecommunication utility systems in the project area.

The restaurant may slightly increase demand for electricity with the reopening of the second floor seating and lanai. The increase in electrical usage is not anticipated to be significant or have long-term adverse impacts on the existing electrical and telecommunication utilities system. No other mitigation measures are proposed.

3.3.6 SOLID WASTE DISPOSAL

Solid waste collection, transport and disposal operations are the responsibility of the City ENV Refuse Division. Solid waste is collected from the surrounding residential, institutional and commercial uses and disposed of at either the Waimānalo Gulch Landfill in the 'Ewa district or the H-Power facility at Campbell Industrial Park. PVT Land Company operates a privately owned and operated, licensed solid waste facility for recovery of recyclable materials and disposal of construction and demolition materials. The PVT Landfill accepts waste on a pre-arranged basis from the General Contractor. Waste loads are screened to remove recyclable materials and the remaining wastes are landfilled.

Impacts and Mitigation Measures

All major construction is complete. If any additional construction is required, it will be minor. Construction activities resulted in the generation of small amounts of construction and demolition debris. Construction and demolition debris were disposed of at the PVT Landfill in accordance with City and State DOH regulations and provisions of the PVT facility license. Non-construction solid waste generated by project activities were collected and disposed at the Waimānalo Gulch Landfill or H-Power.

The restaurant may generate slight increases in waste due to the reopening of the second floor seating and lanai. The increase in waste generation is not anticipated to be significant or have long-term adverse impacts on the existing solid waste collection system. No other mitigation measures are proposed.

SECTION 4

RELATIONSHIP TO LAND USE PLANS AND POLICIES

4.1 STATE OF HAWAI'I PLANS AND POLICIES

4.1.1 THE HAWAI'I STATE PLANNING ACT

The Hawai'i State Planning Act, adopted in 1978, and promulgated in HRS, Chapter 226, resulted in the Hawai'i State Plan, revised in 1986. The Hawai'i State Plan provides goals, objectives, policies, and priority guidelines for growth, development and the allocation of resources throughout the state in various areas of state interest. The purpose of the Hawai'i is to improve the planning process in the state; increase the effectiveness of government and private actions; improve coordination among different agencies and levels of government; provide for wise use of Hawaii's resources and to guide the future development of the state. Below is an analysis of the project's compliance with the applicable objectives, policies, and priority guidelines of the Hawai'i State Plan.

§226-6 Objectives and policies for the economy – in general:

(a) Planning for the State's economy in general shall be directed toward achievement of the following objectives:

- (1) Increased and diversified employment opportunities to achieve full employment, increased income and job choice, and improved living standards for Hawaii's people.*
- (2) A steadily growing and diversified economic base that is not overly dependent on a few industries.*

(b) To achieve the general economic objectives, it shall be the policy of this State to:

- (8) Encourage labor-intensive activities that are economically satisfying and which offer opportunities for upward mobility.*
- (11) Maintain acceptable working conditions and standards for Hawaii's workers.*
- (12) Provide equal employment opportunities for all segments of Hawaii's population through affirmative action and non-discrimination measures.*
- (13) Encourage businesses that have favorable financial multiplier effects within Hawaii's economy.*
- (14) Promote and protect intangible resources in Hawaii, such as scenic beauty and the aloha spirit, which are vital to a healthy economy.*

§226-103 Economic priority guidelines.

- (10) Enhance the quality of Hawaii's labor force and develop and maintain career opportunities for Hawaii's people through the following actions:*
 - (D) Promote career opportunities in all industries for Hawaii's people by encouraging firms doing business in the State to hire residents.*

Discussion:

The HBH is an economic asset to the North Shore community, and its continued use is consistent with the state of Hawai‘i’s economic objectives, policies, and priority guidelines, as listed in the Hawai‘i State Plan. The project allowed the HBH to continue the legacy of a landmark dining establishment near the sea, while staying competitive in the Hale‘iwa dining and visitor industry. The project renovations ensured the restaurant meets current building and fire codes, and complies with wastewater and ADA state and federal standards, which provides a safe, equitable and enjoyable work environment for restaurant employees and guests. Renovations included the restoration and expansion of the second floor dining area, which allowed the HBH to: 1) take advantage of and promote Hawai‘i’s scenic beauty and ocean views, which provides a pleasant and attractive dining experience for guests, and 2) restores the usable floor area of the entire existing building, which increases the potential for customer patronage, annual gross sales and thus employment opportunities. The HBH offers increased diverse and equal employment opportunities which have improved income and living standards for residents of the North Shore. The project has and will continue to lead to approximately 100 long-term, part and full-time positions, including wait staff, bar and culinary staff, managerial positions, and landscaping and maintenance staff, with an annual payroll of \$1,654,500 with approximately \$562,200 in related direct employee benefits, health care and payroll taxes. In addition, the restaurant generates more than \$228,126 in GET taxes annually. The majority of the Hale‘iwa Beach House’s employees are local residents that have grown up on the North Shore and want to continue to live on the North Shore. The HBH also has a multiplier effect within Hawai‘i’s economy by indirectly contributing to hundreds of related off-site jobs that service the HBH daily and weekly (i.e. farmers, fisherman, suppliers, building trades and maintenance people).

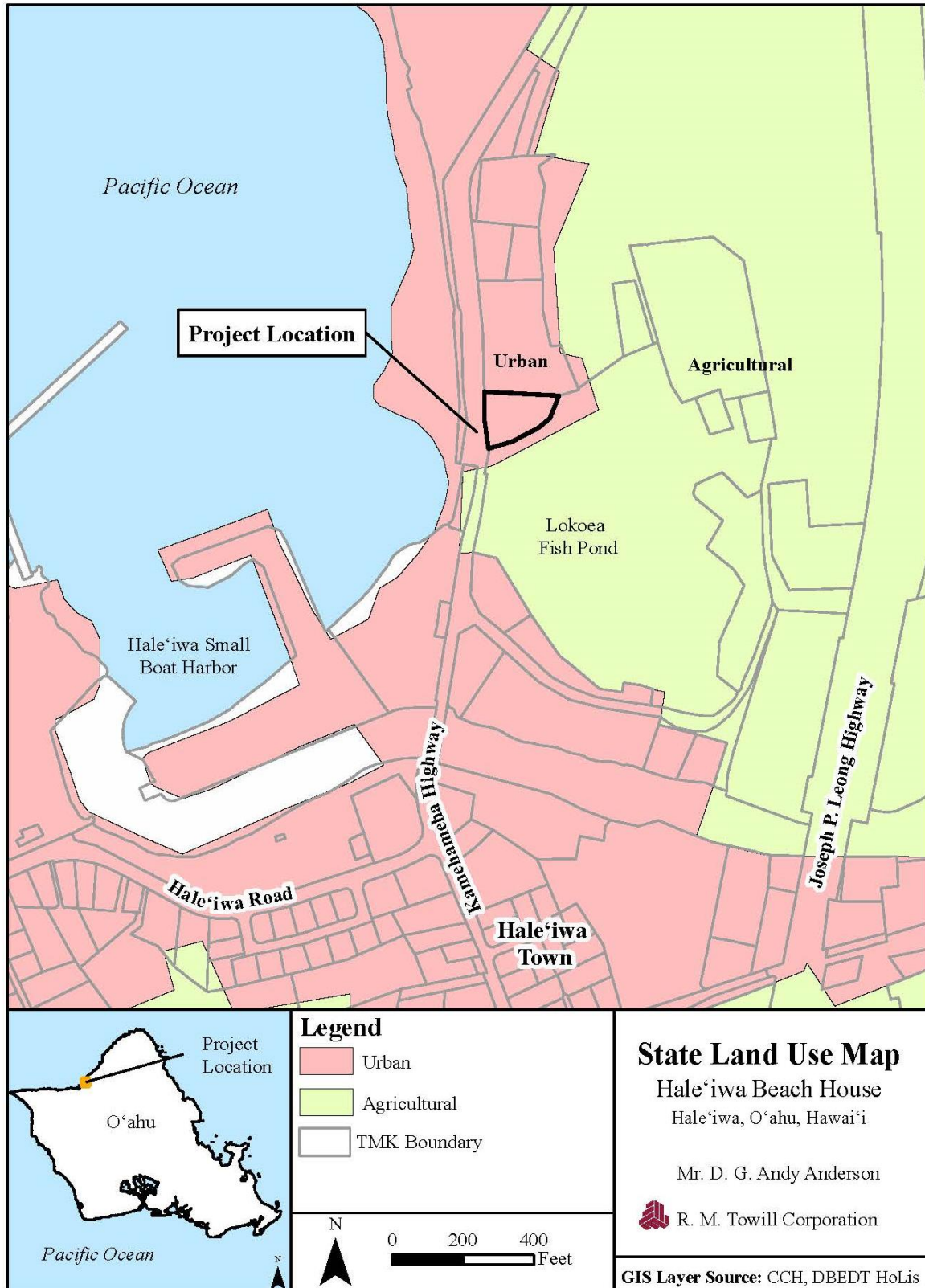
4.1.2 STATE LAND USE LAW

The Hawai‘i state land use law, HRS §205, *State Land Use Commission*, was adopted in 1961. The law is meant to preserve and protect the state’s lands, and encourage the uses to which the lands are best suited. All lands in Hawai‘i fall under one of the four land use classifications: Urban, Rural, Agricultural or Conservation.

Discussion:

The project site is located in the State Land Use (SLU) ‘Urban’ District. Land uses within the Urban District are lands characterized by “city-like” concentrations of people, structures and services. The restaurant structure has existed continuously in this location since before Hawai‘i statehood and the designation of SLU Districts and is an allowed use in the SLU “Urban’ District. No action from the State Land Use Commission is required for the project however the Applicant will pursue a SLU District Boundary Interpretation for the property. See **Figure 4-1, State Land Use Map**.

Figure 4-1, State Land Use Map



4.1.3 COASTAL ZONE MANAGEMENT AREA

The Coastal Zone Management (CZM) program is regulated under, Chapter 205(A)-2, HRS, as amended. The purpose of the CZM program is to ensure effective management, beneficial use, protection, and development of the coastal zone management area – all lands of the State and the area extending seaward from the shoreline to the limit of the State's police power and management authority, including the United States territorial sea. The following is an assessment of the project's compliance with respect to the objectives and policies of the CZMP.

(1) Recreational Resources

Objective: *Provide coastal recreational opportunities accessible to the public.*

Policies:

A) Improve coordination and funding of coastal recreational planning and management; and

B) Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:

- (i) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;*
- (ii) Requiring replacement of coastal resources having significant recreational value including, but not limited to, surfing sites, fishponds, and sand beaches, when such resources will be unavoidably damaged by development; or requiring reasonable monetary compensation to the State for recreation when replacement is not feasible or desirable;*
- (iii) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;*
- (iv) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;*
- (v) Ensuring public recreational uses of county, state, and federally owned or controlled shoreline lands and waters having recreational value consistent with public safety standards and conservation of natural resources;*
- (vi) Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;*
- (vii) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and*
- (viii) Encouraging reasonable dedication of shoreline areas with recreational value for public use as part of discretionary approvals or permits by the land use commission, board of land and natural resources, and county authorities; and crediting such dedication against the requirements of section 46-6.*

Discussion:

The project will not have an adverse impact on or impede access to the adjacent public parks coastal parks or recreational resources, such as Loko ea Fishpond, Hale'iwa Beach

Park, Waialua Bay, or the shoreline. The project will not discourage the use or development of existing or new shoreline recreational opportunities.

The project will not lead to the degradation of water quality in the nearby recreational resources and will not be a cause of point source water pollution. During construction, the General Contractor employed BMPs to prevent sediment or other pollutants from discharging in storm water runoff from the site. Project improvements include the installation of a state-of-the-art package WWTP that will provide higher level of wastewater quality treatment, increased treatment capacity, and treatment system redundancy to minimize the potential for sewage overflows. The replacement of the IWS with the WWTP is consistent with City's NSRWAP. The installed WWTP complies with State regulations for wastewater treatment systems set forth in HAR 11-62; it received final inspection approval by DOH and is awaiting approval to operate, subject to approval of the SMA Permit - Major.

(2) Historic Resources

Objective: *Protect, preserve, and, where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.*

Policies:

- A) Identify and analyze significant archaeological resources;*
- B) Maximize information retention through preservation of remains and artifacts or salvage operations; and*
- C) Support state goals for protection, restoration, interpretation, and display of historic resources.*

On December 30, 2016, the Applicant's archaeologist found a total of 52 archaeological elements while sifting through excavated backfill. Based on consultation with SHPD archaeologists and the Oahu Burial Sites Specialist, it was determined that the reburial of iwi kūpuna (SIHP No. 50-80-04-08047) should occur on the original parcel, on a grassy, low-activity landscaped area. A small boulder (ca. 75 cm diameter) surrounded by Kī (*Cordyline fruticosa*) plants will mark the burial site. A long-term maintenance plan will be implemented to respectfully maintain the burial site. Access to the site for cultural uses will be permissible during daylight hours in coordination with the project applicant in accordance with HAR 13-300-40(m). Additionally, a Preservation Agreement with SHPD will create an encumbrance on the project TMK that will remain with the parcel to ensure that the burial site is protected in perpetuity by the current and any future landowner (Garcia, 2017).

If any future construction is required and an unknown or unexpected historic or cultural features, deposits, or burials are discovered during project activities, all work in the immediate area of the find will be suspended immediately until the monitoring archaeologist evaluates the significance of the findings and notifies the SHPD to determine the appropriate course of action.

The Applicant has continued to informally consult with SHPD and DPP throughout the after-the-fact EA and permit process. As directed by DPP, the Applicant and the project archaeologist will complete and submit a SHPD HRS 6E Submittal Form to SHPD to formally request historic preservation review as a pre-requisite for SMA-Major and SDD-Major permit approval. The Applicant will continue to work with SHPD and undertake additional mitigation measures, if required, to comply with HRS Section 6E Historic Preservation.

The project is not anticipated to lead to a degradation of significant historic or prehistoric resources or resources used by native Hawaiians for subsistence or traditional cultural practices in the coastal zone management area. The project will not obstruct landforms or wayfinding features and will not result in loss of access to the shoreline or other areas customarily used by Hawaiians or others for resource gathering or traditional cultural practices. See **Section 3.2.2, Archaeological and Cultural Resources** for additional discussion.

(3) Scenic and Open Space Resources

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

Policies:

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

Discussion:

The project is not a new development; it involved the renovation of an existing restaurant building and generally retained the same building footprint, location and height as its predecessor, Jameson's by the Sea. The HBH is at or below the 40-foot height limit stipulated in the SDD guidelines. The HBH conforms to the height limit restrictions, is consistent with the low-rise rural character of the area and does not obstruct distant views. The project will not alter any natural landforms or open space resources or have an adverse impact to any of the existing, valued, public scenic views to and along the shoreline identified in ROH § 21-9.90-3 or in the North Shore Sustainable Communities Plan (SCP). See **Section 3.1.8, Scenic and Visual Resources** for additional discussion.

(4) Coastal Ecosystems

Objective: *Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.*

Policies:

(A) Exercise an overall conservation ethic, and practice stewardship in the protection, use, and development of marine and coastal resources;

(B) Improve the technical basis for natural resource management;

(C) Preserve valuable coastal ecosystems, including reefs, of significant biological or economic importance;

(D) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs; and

(E) Promote water quantity and quality planning and management practices that reflect the tolerance of fresh water and marine ecosystems and maintain and enhance water quality through the development and implementation of point and nonpoint source water pollution control measures.

Discussion:

The completed renovation work and ongoing restaurant operations do not involve work or activities in coastal waters, stream channels or other water bodies. The project did not alter existing drainage patterns. The project is not anticipated to disrupt, degrade or have an adverse impact on water quality or the quality on nearby valuable marine and coastal water ecosystems, including Loko ea Stream and Fishpond, Anahulu Stream and Waialua Bay. Project improvements included the installation of a state-of-the-art package WWTP that will provide higher level of wastewater quality treatment, increased treatment capacity, and treatment system redundancy to minimize the potential for point source water pollution. The installed WWTP was designed and will be operated in compliance with State regulations for wastewater treatment systems set forth in HAR 11-62. Site landscaping, including grassed and gravel areas, will function as low impact development features to slow surface runoff velocities, capture sediments and pollutants, and promote drainage infiltration to minimize nonpoint source water pollution to adjacent waters. For additional discussion, see **Section 3.3.2, Drainage System** and **3.3.4, Wastewater System**.

(5) Economic Uses

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

Policies:

(A) Concentrate coastal dependent development in appropriate areas;

(B) Ensure that coastal dependent development such as harbors and ports, and coastal related development such as visitor industry facilities and energy generating facilities, are located, designed, and constructed to minimize adverse social, visual, and environmental impacts in the coastal zone management area; and

(C) Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term

growth at such areas, and permit coastal dependent development outside of presently designated areas when:

- (i) Use of presently designated locations is not feasible;*
- (ii) Adverse environmental effects are minimized; and*
- (iii) The development is important to the State's economy.*

Discussion:

The project is not a new development; it involved renovations to an existing restaurant building in its exact location and did not increase the scale or footprint of the building, with the exception of a covered ADA-compliant front entryway and a new fire exit stairway in the back of the building. The building has been in continuous restaurant and commercial use since it was constructed in 1955. The HBH is in a suitable location, along Kamehameha Highway, on north end of Hale‘iwa’s ‘Main Street’, within the North Shore SCP’s Community Growth Boundary and the City business (B-1) zoning district. The project allows the HBH to continue the legacy of a landmark dining establishment near the sea that serves the local and visitor communities and provides approximately 100 long-term, full-time jobs to local residents without involving new or expanded development within the coastal zone. The HBH also has a multiplier effect within Hawai‘i’s economy by indirectly contributing to hundreds of related off-site jobs that service the HBH daily and weekly (i.e. farmers, fisherman, suppliers, building trades and maintenance people).

The installation of a state-of-the-art package WWTP to serve the restaurant will minimize potential environmental impacts in the coastal zone by providing a higher level of wastewater quality treatment, increased treatment capacity, and treatment system redundancy to minimize the potential for point source water pollution.

The renovated building does not adversely affect significant views identified in the LUO or NSSCP. The building does not intrude on views toward the Wai‘anae Mountains from the Kamehameha Highway corridor and is not visible from Joseph P. Leong By-Pass Highway. The restaurant building generally maintains the original floor area, height and massing as the original structure which has existed on the site since 1955. The addition of a new exterior fire exit stairway on the south side of the building and covered awning over the first-floor front entryway are visible modifications, but do not add significantly to the visual presence of the building. The building is visible in mauka views from Kamehameha Highway, but occupies the foreground backed by tall trees and vegetation on surrounding properties and does not affect views of the Ko‘olau Mountains or other scenic view planes. Prior to the renovation, the building appeared worn and dilapidated. The renovations have improved the appearance of the restaurant within the landscape and restored its visual presence as a landmark dining establishment. The restaurant offers locals and visitors a venue to enjoy the beautiful scenic views of the North Shore, including distant views of the ocean horizon, Ka‘ena Point and the Wai‘anae Mountains, and nearby views of Loko ea Fishpond, Waialua Bay, and Hale‘iwa Small Boat Harbor.

(6) Coastal Hazards

Objective: *Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.*

Policies:

(A) *Develop and communicate adequate information about storm wave, tsunami, flood, erosion, subsidence, and point and nonpoint source pollution hazards;*

(B) *Control development in areas subject to storm wave, tsunami, flood, erosion, hurricane, wind, subsidence, and point and nonpoint source pollution hazards;*

(C) *Ensure that developments comply with requirements of the Federal Flood Insurance Program; and*

(D) *Prevent coastal flooding from inland projects.*

Discussion:

The renovated restaurant occupies approximately the same footprint as the original structure which has existed on the site since 1955. The first floor finish floor elevation is approximately 11 feet above msl, which is at or above the VE and AE BFE of 10 feet and 8 feet respectively. The project complies with the rules and regulations of the National Flood Insurance Program (NFIP) presented in the Code of Federal Regulations (CFR) Title 44, as well as applicable ordinances in ROH, Section 21-9.10-6, *Flood Fringe District*. Project improvements did not significantly alter surface drainage patterns, increase the building footprint and mass, or otherwise alter existing conditions in a manner that could exacerbate flood conditions or increase risk of harm or hazard in a flood event.

The project is located within the Tsunami Evacuation Zone and is at risk of inundation and damage during a tsunami event. See **Figure 3-7, Tsunami Evacuation Zone Map and Figure 3-8, FEMA-FIRM Zones Map**. According to the SLR Viewer, the project site is projected to not be impacted by SLR in 2050; to be partially impacted by SLR in the parking lot in 2075 and be impacted by SLR in 2100. Stretches of Kamehameha Highway leading to the restaurant will be impacted by the 0.5-foot SLR, indicating that the road and possibly utilities that support the restaurant could be impacted earlier if these systems are compromised. See **Figures 3-1 through 3-4**. The project is no more susceptible to storm wave, tsunami, coastal and stream flooding, erosion, hurricane, wind, subsidence and point and nonpoint source pollution hazards, and SLR than any other nearshore development in the near vicinity.

The installation of a state-of-the-art package WWTP to serve the restaurant will minimize potential environmental impacts in the coastal zone by providing a higher level of wastewater quality treatment, increased treatment capacity, and treatment system redundancy to minimize the potential for point source water pollution. Landscaping, including ornamental landscaping at the perimeter of the property and grassed and gravel areas at the back of the property, is maintained on the site to stabilize soils, reduce runoff velocities, capture sediment and promote drainage infiltration.

The Applicant renovated the HBH to meet current federal ADA, municipal fire code and state DOH wastewater treatment standards; these upgrades will serve to minimize risk to

life and property from the coastal hazards. In the event of a hurricane, storm, or tsunami event, the restaurant will be closed, the site secured and employees and patrons will be instructed to move to safe shelter. See **Section 3.3.1, Climate & Climate Change** and **Section 3.1.6, Natural Hazards** for additional discussion.

(7) Managing Development

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

Policies:

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

Discussion:

The project is not a new development; it involved the renovation of an existing sixty-year old restaurant building and is not anticipated to lead to an expansion of development within the coastal zone. Project improvements were undertaken in conformance with approved building permits and approved SMA Permits (Minor) and Haleʻiwa SD Permits (Minor). (See **Section 2.2, Permit History**.) The Applicant will submit a permit application for a SMA Permit (Major) and a Haleʻiwa SD Permit (Major) subsequent to this EA document. Potential short and long-term impacts of the project are being discussed in this EA document. The public will have an opportunity to participate in the application process during the Draft EA comment period and at public hearings held by the City DPP and City Council for the SMA permit application. Additionally, preliminary consultation letters were sent out to county, state and federal agencies, elected officials and civic organizations prior to publishing the Draft EA document. Copies of pre-consultation letters sent and responses received are included in **Appendix F**. The project will be presented at the North Shore Neighborhood Board (NB) as part of the Haleʻiwa Special District Permit application process.

(8) Public Participation

Objective: *Stimulate public awareness, education, and participation in coastal management.*

Policies:

- (A) Promote public involvement in coastal zone management processes;*
- (B) Disseminate information on coastal management issues by means of educational materials, published reports, staff contact, and public workshops for persons and organizations concerned with coastal issues, developments, and government activities; and*
- (C) Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts.*

Discussion:

The HBH renovations have already been completed. The after-the-fact EA and SMA Permit (Major) and Haleʻiwa SD Permit (Major) application process will provide the public with an opportunity to comment on the project and participate in the coastal management process. Copies of the Draft EA were distributed to the county, state and federal agencies and organizations listed in Section 7, and the notice of the Draft EA 30-day public review and comment period was published in the OEQC Bulletin. As a pre-requisite for the Haleʻiwa SD Permit (Major) application, the Applicant will present the project at the North Shore NB. The SMA Permit (Major) application includes a public hearing in Haleʻiwa by the DPP and public hearings before the City Council.

(9) Beach Protection

Objective: *Protect beaches for public use and recreation.*

Policies:

(A) Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;

(B) Prohibit construction of private erosion-protection structures seaward of the shoreline, except when they result in improved aesthetic and engineering solutions to erosion at the sites and do not interfere with existing recreational and waterline activities; and

(C) Minimize the construction of public erosion-protection structures seaward of the shoreline.

Discussion:

The project involved the renovation of an existing restaurant building and generally retained the same building footprint, location and height as its predecessor, Jameson's by the Sea. The project site is located on the mauka side of the State Kamehameha Highway ROW, approximately 130 feet inland from the Haleʻiwa Beach Park shoreline. The project did not alter any natural landforms or open space resources and did not involve construction or modification to any public or private erosion-protection structures or any work seaward of the shoreline. The project is not susceptible to coastal erosion and does not interfere with natural shoreline processes or existing recreational and waterline activities.

(10) Marine Resources

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

Policies:

(A) Ensure that the use and development of marine and coastal resources are ecologically and environmentally sound and economically beneficial;

(B) Coordinate the management of marine and coastal resources and activities to improve effectiveness and efficiency;

(C) Assert and articulate the interests of the State as a partner with federal agencies in the sound management of ocean resources within the United States exclusive economic zone;

(D) Promote research, study, and understanding of ocean processes, marine life, and other ocean resources in order to acquire and inventory information necessary to understand how ocean development activities relate to and impact upon ocean and coastal resources; and

(E) Encourage research and development of new, innovative technologies for exploring, using, or protecting marine and coastal resources.

Discussion:

The project involved the renovation of an existing restaurant building. No rare, threatened, endangered or protected flora or terrestrial fauna species are known to utilize the project site for habitat or foraging purposes, however the Loko ea Fishpond, adjacent to the project site, provides habitat to many endemic and indigenous species of flora and fauna. Additionally, the US Fish and Wildlife Service (in a letter dated May 23, 2018) have noted that threatened / endangered avifauna and fauna most likely occur in the project vicinity; including the threatened Newell's shearwater (*Puffinus auricularis newelli*) and Green Sea Turtle (*Chelonia mydas*); and the endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*), Hawaiian petrel (*Pterodroma sandwichensis*), Band-rumped storm-petrel (*Oceanodroma castro*), Hawaiian stilt (*Himantopus mexicanus knudseni*), Hawaiian coot (*Fulica alai*), Hawaiian common gallinule (*Gallinula galeata sandwicensis*), and Hawaiian duck (*Anas wyvilliana*). Additionally, protected seabirds may overfly the project site at night to and from mauka nesting grounds and foraging in the open ocean.

The restaurant building renovations will not result in a significant change or intensification in use over pre-existing condition. All nighttime lighting will be shielded and angled downward to prevent nighttime glare from disorienting or disrupting seabirds. Additionally, the new WWTP facility will provide a higher level of water quality treatment, increased capacity and redundancy which will provide added protection against wastewater discharges that could affect local flora and fauna inhabiting the adjacent Loko ea Fishpond and Waialua Bay. No long-term adverse impacts to flora or fauna are anticipated.

4.2 CITY AND COUNTY OF HONOLULU PLANS AND POLICIES

4.2.1 CITY GENERAL PLAN

The General Plan, amended and approved on October 3, 2002, is a statement of the long-range social, economic, environmental, and design objectives and a statement of broad policies express the aspirations of the residents of O'ahu. The following is a discussion regarding the project's consistency with the most relevant section and subsequent objectives of the General Plan, Section II, *Economic Activity, Objectives A and E*.

***Objective A:** To promote employment opportunities that will enable all the people of Oahu to attain a decent standard of living.*

Policy 2: Encourage the development of small businesses and larger industries which will contribute to the economic and social well-being of Oahu residents.

Objective E: *To prevent the occurrence of large scale unemployment.*

Policy 1: Encourage the training and employment of present residents for currently available and future jobs.

Discussion:

The project involved the renovation of an existing restaurant building in Haleʻiwa. The HBH is a small, locally-owned business that contributes to the economic and social well-being of the Haleʻiwa-Waialua community. The HBH offers increased diverse and equal employment opportunities which have improved income and living standards for residents of the North Shore. The HBH employs approximately one hundred full-time and part-time people, the majority of them locals that have grown up in the area and want to continue to live on the North Shore. The HBH also has a multiplier effect within Hawaiʻi's economy by indirectly contributing to hundreds of related off-site jobs that service the HBH daily and weekly (i.e. farmers, fisherman, suppliers, building trades and maintenance people). The HBH is a landmark dining establishment that is an asset to the North Shore community and a venue enjoyed by visitors and local residents.

4.2.2 CITY ZONING AND LAND USE ORDINANCE

The project site is located in the City Neighborhood Business (B-1) zoning district. See **Figure 4-2, City Zoning Map**. The intent of the B-1 zoning district, as defined in ROH 21-3.110(b), is as follows:

“...to provide relatively small areas which serve the daily retail and other business needs of the surrounding population. It is intended that this district be generally applied to areas within or adjacent to urban residential areas, along local and collector streets, but not along major travel routes or on a large-scale basis. It would also be applied to rural and urban fringe town centers which may or may not be located along major travel routes.”

The adjacent property to the south, parcel 6-2-03:002, is located in the City Agricultural-Restricted (AG-1) zoning district. The intent of the AG-1 zoning district is as follows:

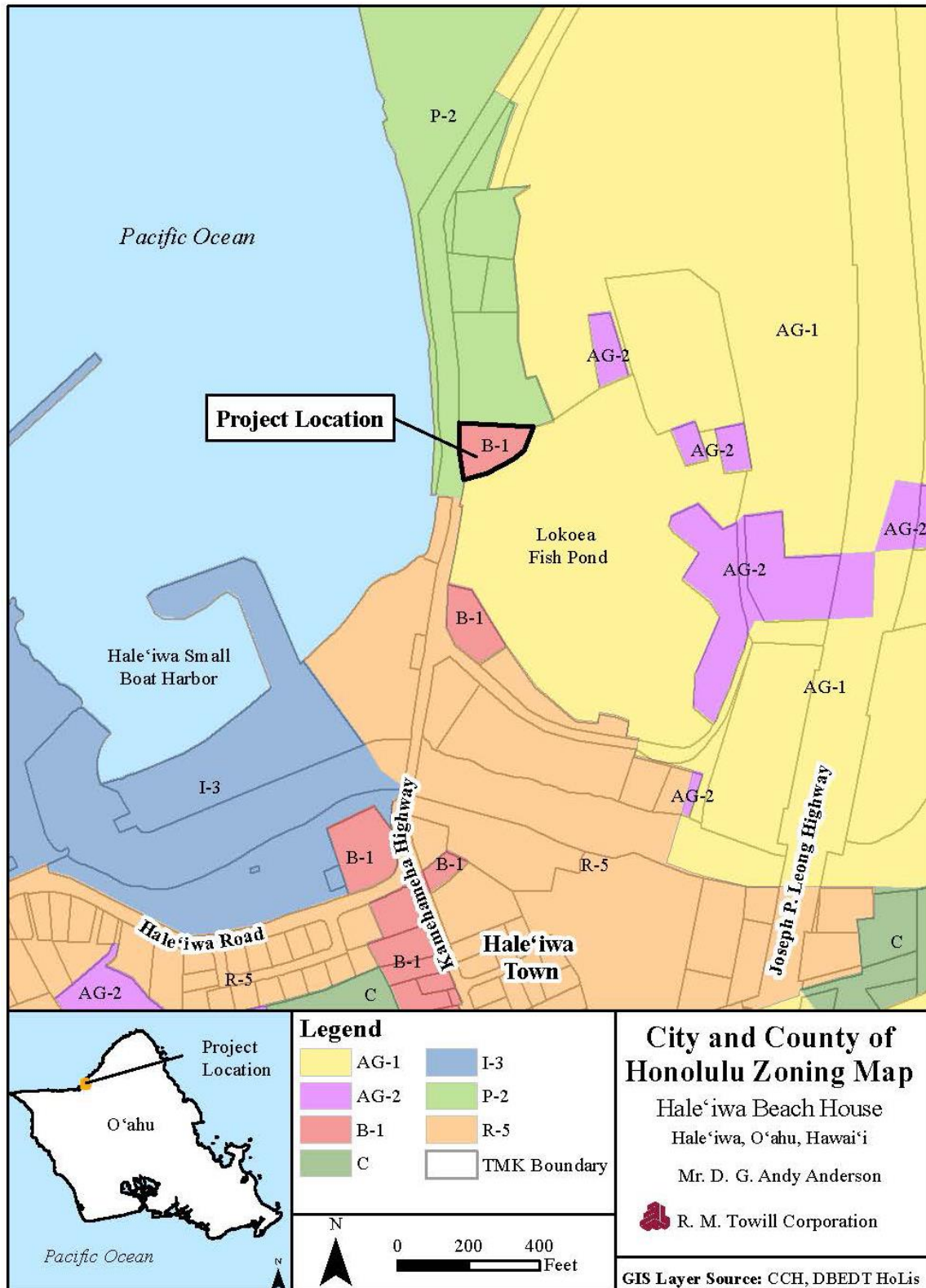
“...to conserve and protect important agricultural lands for the performance of agricultural functions by permitting only those uses which perpetuate the retention of these lands in the production of food, feed, forage, fiber crops and horticultural plants. Only accessory agribusiness activities which meet the above intent shall be permitted in this district.”

The adjacent property to the north, parcel 6-2-3:041, is located in the City Preservation – General (P-2) zoning district. The intent of the P-2 zoning district is as follows:

“...to preserve and manage major open space and recreation lands of scenic or other natural resource value.”

and

Figure 4-2, City Zoning Map



“...lands designated urban by the State, but well suited to the functions of providing visual relief and contrast to the City’s built environment or serving as outdoor space for the public’s use and enjoyment.”

Discussion:

Restaurants are a permitted use within the B-1 zoning district. The project involves the renovation of an existing restaurant building on Kamehameha Highway in Hale‘iwa town. The restaurant has existed on the site since its original construction in 1955. The project serves the surrounding population and exists on a major travel route within an urban fringe town center. Therefore, the project is consistent with the purpose and use of the underlying B-1 zoning district.

A recent ALTA commissioned for the project disclosed a long-standing (over 50 years) encroachment onto the adjoining parcel (TMK Parcel 6-2-03: 02) owned by B. P. Bishop Estate Trustees, which is within the AG-2 zoning district. The restaurant structure has existed continuously in this location since before Hawai‘i statehood and the adoption of the City Comprehensive Zoning Code and is an existing, grandfathered non-conforming use. The recently added second floor safety rail and fixed louvered roof supports (BPA No. A2016-12-0471, NOV No. 2016/NOV-06-052 and NOO No. 2016/NOO-211) are affixed to the existing deck overhang encroachment, which is shown on the ALTA map inset (see **Appendix H**). The new fire access stairway at the south side of the building, installed in compliance with the Uniform Fire Code (BP No. 790811), also slightly encroaches into the adjacent lot. These encroachments were not identified on previously approved permit drawings on record with the City, which were used by the project architect as the basis for the safety rail and louvered trellis support permit drawings.

In addition, a temporary wooden stair case and landing was installed at the south side of the building, including a wood post on concrete block footing, which partially encroaches into the adjacent property. The temporary stair case and landing was requested by Hawaiian Electric Company (HECO) to get to their meters. The City records show that the Applicant was denied a permit to install a new HECO smart meter until the SMA and SD (major) permits and interior renovation building permit are approved. Upon permit approval, the new HECO smart meter will not require the stairs and landing and these components will be removed.

The Applicant will initiate negotiations with the adjoining landowner to discuss the terms of an encroachment agreement and/or other options that may be available. Should there be no way to reach an agreement with the adjoining landowner the ultimate mitigation would be to remove the encroachments. Additionally, the Applicant will pursue a Land Use Boundary Interpretation for the property from the Land Use Commission. Should any portion of the of the development be located in the State Agricultural District, a Special Use Permit or State Land Use District Boundary Amendment to the Urban District will be required prior to further land use approvals.

4.2.3 SPECIAL MANAGEMENT AREA

The City designates the shoreline and certain inland areas of O‘ahu as the SMA. The SMA areas are designated sensitive environments that are protected in accordance with the State’s Coastal Zone Management policies, as set forth in ROH, Section 25, *Special Management Area*. The project site is located within the SMA. See **Figure 4-3, Special Management Area Map**. The following is a discussion of the project’s conformity with SMA guidelines, as cited in Section 25-3.2, ROH, *Review Guidelines*.

- (a) All development in the special management area shall be subject to reasonable terms and conditions set by the council to ensure that:*
- (1) Adequate access, by dedication or other means, to publicly owned or used beaches, recreation areas and natural reserves is provided to the extent consistent with sound conservation principles;*

Discussion:

The project involved renovation of an existing restaurant building which has been located at the same site for over 60 years. The renovations are not expected to result in a significant change or intensification of use over pre-existing conditions. Access to beaches, recreation areas and natural reserves will not be affected by the renovation or ongoing operations of the existing restaurant building. Over the years, the adjacent, vacant City park parcel (TMK parcel 038) has been used informally by locals and visitors for parking when visiting Hale‘iwa Beach Park and/or patronizing the restaurant and other nearby shops. The vacant parcel is also used by Kamehameha Schools for parking and ingress/egress to their property, including for school field trips to Loko ea Fishpond, and by north shore canoe clubs for parking and for trailer and canoe storage. These uses have not adversely impacted access to beaches, recreation areas or natural reserves.

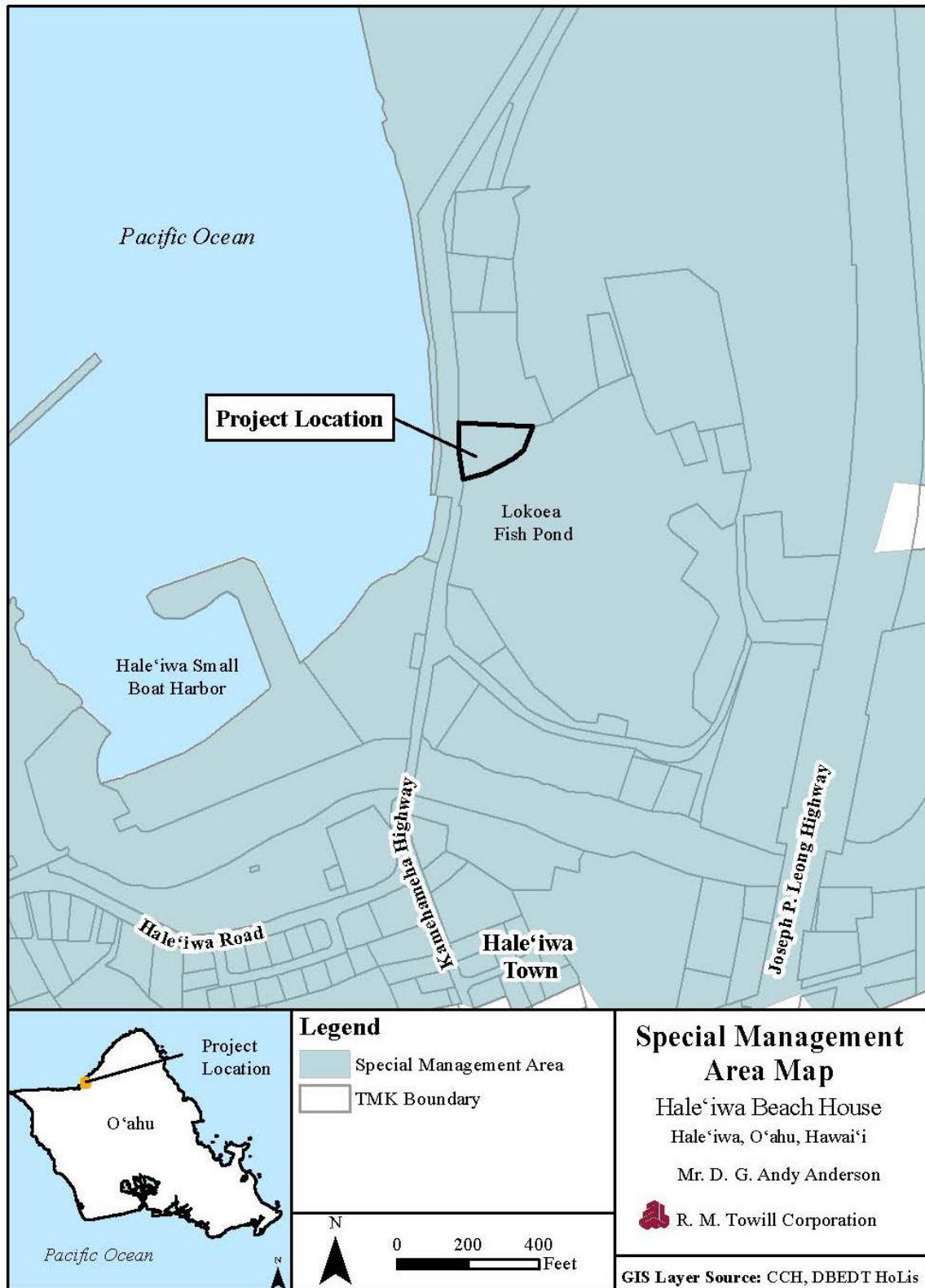
The Applicant will prepare a TMP to address parking and to support measures to educate and encourage staff to make use of alternate modes of transportation, including transit, walking, skateboarding, bicycling and ride-sharing / carpooling. The TMP will include the plans for managed (valet) parking and for delivery vehicle operations and schedule. The TMP will include traffic demand management measures and detail the recommended mitigation measures included in the traffic assessment, as it relates to how traffic will be managed on-site. The TMP will identify how the proposed increase in seating will be accommodated for from a parking and traffic management perspective. The TMP will specify how deliveries and on-site traffic during peak restaurant periods will be handled, or when the parking lot is full.

- (2) Adequate and properly located public recreation areas and wildlife preserves are reserved;*

Discussion:

The project involved renovations to an existing, established privately operated restaurant building. Public recreation areas and wildlife preserves will not be affected by project improvements or continued operation of the restaurant.

Figure 4-3, Special Management Area Map



(3) Provisions are made for solid and liquid waste treatment, disposition and management which will minimize adverse effects upon special management area resources; and,

Discussion:

Project improvements included the installation of a state-of-the-art package WWTP that will provide higher level of wastewater quality treatment, increased treatment capacity, and treatment system redundancy to minimize the potential for point source water pollution. The installed WWTP was designed and will be operated in compliance with State regulations for wastewater treatment systems set forth in HAR 11-62. There will be a slight increase in the generation of sludge due to the reopening of the second floor seating and opening of the lanai. Sludge will continue to be removed by a commercial operator and delivered to City-approved WWTP for final disposal. The WWTP is anticipated to improve conditions and not have long-term adverse impacts on existing surface or ground water resources. Site landscaping, including grassed and gravel areas that are used for parking, function as low impact development features to slow surface runoff velocities, capture sediments and pollutants, and promote drainage infiltration to minimize nonpoint source water pollution to adjacent waters. Solid waste generated at the restaurant is routinely collected by a commercial operator and disposed of at either the Waimānalo Gulch Landfill in the 'Ewa district or the H-Power facility at Campbell Industrial Park. For additional discussion, see **Section 3.3.2, Drainage System** and **3.3.4, Wastewater System**.

(4) Alterations to existing land forms and vegetation; except crops, and construction of structures shall cause minimum adverse effect to water resources and scenic and recreational amenities and minimum danger of floods, landslides, erosion, siltation or failure in the event of earthquake.

Discussion:

The project included excavation to install the new WWTP and subsurface leach fields. Site grades were restored to pre-existing conditions upon completion of the WWTP improvements. The project did not otherwise involve alterations to existing land forms or surface drainage patterns, increase the building footprint and mass, or otherwise alter existing conditions in a manner that could exacerbate or increase risk of harm or hazard from floods, landslides, erosion, siltation or failure in the event of an earthquake. New ornamental landscaping was added to the site, including a new hedge installed along the frontage of the restaurant. Grassed areas were added within the hedged area at the front of the restaurant, and will be expanded throughout the non-paved areas at the back of the property. Screening plants have been added in various locations on the site adjacent to the WWTP and back-of-house utilities. Vegetation will be maintained on the site to stabilize soils, reduce runoff velocities, capture sediment and promote drainage infiltration. No alterations to vegetation that would adversely affect scenic resources have been undertaken and none are proposed.

The renovated building does not adversely affect significant views identified in the LUO or NSSCP. The building does not intrude on views toward the Waiʻanae Mountains from

the Kamehameha Highway corridor and is not visible from Joseph P. Leong By-Pass Highway. The restaurant building generally maintains the original floor area, height and massing as the original structure which has existed on the site since 1955. The addition of a new exterior fire exit stairway on the south side of the building and covered awning over the first-floor front entryway are visible modifications, but do not add significantly to the visual presence of the building. The building is visible in mauka views from Kamehameha Highway, but occupies the foreground backed by tall trees and vegetation on surrounding properties and does not affect views of the Ko‘olau Mountains or other scenic view planes.

(b) No development shall be approved unless the council has first found that:
(1) The development will not have any substantial, adverse environmental or ecological effect except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health and safety, or compelling public interest. Such adverse effect shall include, but not be limited to, the potential cumulative impact of individual developments, each one of which taken in itself might not have a substantial adverse effect and the elimination of planning options;

Discussion:

The project is not anticipated to involve substantial degradation of environmental quality. The site has been developed and in use as a restaurant since the existing building was first constructed in 1955. The renovations and ongoing operations of the restaurant will not substantially alter environmental conditions at the project site. Completed interior and exterior renovations and site work, including the installation of a new, state-of-the-art package WWTP, have improved public health and safety by bringing the original building into conformance with current building codes, fire codes and ADA accessibility standards, and by providing WWTP that treats wastewater to a higher level, with more capacity and system redundancy that will minimize the potential for wastewater overflow. Planning and design for the project includes mitigation measures to prevent or minimize potential adverse environmental impacts. The project will not result in cumulative impacts, will not involve a commitment to larger actions, and will not result in the elimination of planning options.

(2) The development is consistent with the objectives and policies set forth in Section 25-3.1 and area guidelines contained in HRS Section 205A-26;

Discussion:

The project is in compliance with the objectives and policies set forth in HRS 205A-2, and SMA guidelines contained in HRS 205-A26. This document is prepared to describe the project impacts in relation to the SMA guidelines in HRS Section 205A-26 and ROH Section 25. See **Section 4.1.3, Coastal Zone Management**, for discussion of the project's compliance with the State's objectives and policies for the Coastal Zone.

(3) The development is consistent with the county general plan, development plans and zoning. Such a finding of consistency does not preclude concurrent

processing where a development plan amendment or zone change may also be required.

Discussion:

The project is in conformance with the General Plan, as described in **Section 4.2.1, City General Plan**. The County zoning designation for the project site is B-1, Neighborhood Business. According to Table 21-3, Master Use Table, of the LUO, restaurants are a permitted use in the B-1 zoning district, as described in **Section 4.2.2, City Zoning and Development Standards**. The North Shore SCP, Land Use Map identifies the project site within the Community Growth Boundary on land designated as “Country Town”. The restaurant renovations and use are consistent with this designation, as described in **Section 4.2.2.4, North Shore Sustainable Communities Plan**. A development plan amendment and zone change are not required or proposed for the project.

(c) The council shall seek to minimize, where reasonable:

(1) Dredging, filling or otherwise altering any bay, estuary, salt marsh, river mouth, slough or lagoon;

Discussion:

The project is located on an existing, privately owned, previously developed commercial lot and does not involve filling or otherwise altering any water body.

(2) Any development which would reduce the size of any beach or other area usable for public recreation;

Discussion:

The project is located on an existing, privately owned commercial lot and does reduce the size of any beach or other area usable for public recreation.

(3) Any development which would reduce or impose restrictions upon public access to tidal and submerged lands, beaches, portions of rivers and streams within the special management area and the mean high tide line where there is no beach;

Discussion:

The project is located on an existing, privately owned commercial lot adjacent to Loko ea Stream and Fishpond which are owned by the B.P. Estate Trust. The project site has been developed and in use as a restaurant since 1955. The completed renovations and site improvements and continued use as a restaurant will not change existing, established access to the stream and fishpond. The project is not located where it would reduce or impose restrictions upon public access to tidal and submerged lands, beaches, portions of rivers and streams within the special management area and the mean high tide line where there is no beach.

(4) Any development which would substantially interfere with or detract from the line of sight toward the sea from the state highway nearest the coast; and

Discussion:

The project is located on the mauka side of Kamehameha Highway, the state highway nearest to the coast, and does not substantially interfere with or detract from the line of sight toward the sea from the highway. The restaurant is not visible from Joseph P. Leong By-Pass Highway, which is located further mauka from the project site. The project involves an existing structure that has been part of the coastal landscape since 1955. The completed renovations did not result in a significant change. The restaurant building generally maintains the original floor area, height and massing as the original structure. The addition of a new exterior fire exit stairway on the south side of the building and covered awning over the first-floor front entryway are visible modifications, but do not add significantly to the visual presence of the building.

(5) Any development which would adversely affect water quality, existing areas of open water free of visible structures, existing and potential fisheries and fishing grounds, wildlife habitats, or potential or existing agricultural uses of land.

Discussion:

The project will not adversely affect water quality, existing areas of open water free of visible structures, existing and potential fisheries and fishing grounds, wildlife habitats, or potential or existing agricultural uses of land. The project site is located on privately owned commercial property that has been developed and in use as a restaurant since 1955. The completed renovations and site improvements, and continued use as a restaurant will not significantly change existing environmental conditions at the site. The project improvements include installation of a new, state-of-the-art package WWTP that will provide higher level of wastewater quality treatment, increased treatment capacity, and treatment system redundancy to minimize the potential for sewage overflows. The replacement of the IWS with the WWTP is consistent with City's NSRWAP. The installed WWTP complies with State regulations for wastewater treatment systems set forth in HAR 11-62; it received final inspection approval by DOH and is awaiting approval to operate, subject to approval of the SMA Permit - Major. The WWTP is anticipated to improve conditions and not have long-term adverse impacts on existing surface or ground water resources. Site landscaping, including grassed and gravel areas, will function as low impact development features to slow surface runoff velocities, capture sediments and pollutants, and promote drainage infiltration to minimize nonpoint source water pollution to adjacent waters. For additional discussion, see **Section 3.3.2, Drainage System** and **3.3.4, Wastewater System**.

4.2.4 NORTH SHORE SUSTAINABLE COMMUNITIES PLAN

The North Shore Sustainable Communities Plan (SCP) is prescribed by the City Charter to implement the broad objectives and policies contained in the City General Plan. The North Shore SCP, last updated in 2011, is intended to reflect the vision and goals of the North Shore community to help guide public policy, investment and decision-making over the next 25 years in the North Shore region to maintain its suburban and rural character and lifestyle. The following is a discussion regarding the project's consistency with the most relevant and applicable policies and guidelines of the North Shore SCP.

Policies for Hale‘iwa Town

- *Maintain Hale‘iwa and Waialua Towns as the main commercial districts on the North Shore. Encourage landowners to invest in the physical and economic revitalization of the towns’ commercial cores.*
- *Preserve and enhance the historic rural “small town” character and allow for a compatible mix of commercial, service industrial and residential uses that complement the rural town context. Encourage multifamily housing (low-density apartment districts) and housing for resident senior citizens in close proximity to both Hale‘iwa and Waialua town centers.*
- *Support the continued viability of locally-owned small businesses, while prohibiting large commercial “big box” retailers that are contradictory to the region’s rural character.*
- *Maintain the low-rise (one to two stories) human-scale and physical organization of buildings arranged along the traditional “main street”.*
- *Preserve scenic views of agricultural fields and open spaces of surrounding areas seen from Hale‘iwa and Waialua Towns.*
- *Ensure that architectural and landscaping features are compatible with the rural character.*
- *Protect and enhance natural resources and ecosystems, such as wetlands and streams, fishponds, mature trees and open space areas, within the country town areas.*
- *Protect, preserve and – where feasible – restore historic and cultural features that reflect the North Shore’s heritage and contribute to the town’s identity.*

Guidelines for Hale‘iwa Town

- *Limit building heights to two stories, and employ building design elements which reflect the architectural characteristics of the early 1900-period architecture identified in the Hale‘iwa Special District Design Guidelines.*
- *Encourage commercial and related activities that are conducive to the pedestrian character to locate at the sidewalk level along Kamehameha Highway. Encourage less pedestrian-dependent and conducive activities (such as manufacturing areas for products and compatible light industrial uses, residences, services, etc.) to locate behind or above commercial activities so as not to detract from the commercial retail character of Kamehameha Highway.*
- *Focus the town’s commercial core around a mix of compatible activities such as recreation, marine-related enterprises, farmers’ markets, historic and cultural attractions, “clean” light industrial, small businesses and offices, civic and governmental services, businesses and retail activities for both residents and visitors.*
- *Upgrade drainage, wastewater, and water infrastructure within Hale‘iwa Town, as needed.*
- *Concentrate new development near existing built areas emphasizing redevelopment and infill along Kamehameha Highway, makai of the Hale‘iwa*

- Bypass Road (Joseph P. Leong Highway). Provide adequate landscaped buffer adjacent to the bypass.*
- *Ensure that commercial uses adjoining the Kamehameha Highway corridor include support facilities such as parking lots and rest rooms that can adequately accommodate the planned commercial activities.*
 - *Provide improved, expanded, and continuous pedestrian walkways linking commercial establishments within Hale‘iwa, including connections between farmers’ markets or other kinds of agricultural product and retail outlets, and open space and environmental resources (such as beach parks, Hale‘iwa Harbor and Loko ea Pond).*
 - *Enhance the attractiveness and general landscaped open space character of the area by providing roadway improvements, street trees, streetlights, street furniture, and signage compatible with the rural character of Hale‘iwa Town.*
 - *Consolidate off-street parking to areas behind buildings, while retaining existing on street parking wherever possible and appropriate. As needed, parking should be rearranged to accommodate the pedestrian walkway system along Kamehameha Highway.*
 - *Encourage private and community-based initiatives to protect and enhance the streams, wetlands, and other natural resources within Hale‘iwa Town. Retain the agricultural use adjacent to Weed Junction and the Preservation designation at Loko ea Pond.*

Discussion:

The HBH is located on Kamehameha Highway, makai of Joseph P. Leong Highway, on the fringe of Hale‘iwa’s ‘Main Street’, within the North Shore SCP’s Community Growth Boundary, within the ‘Country Town’ designation, as shown in **Figure 4-4, North Shore SCP – Land Use Map**, and **Figure 4-5, North Shore SCP – Public Utilities Map**. The restaurant use is consistent with this designation. The HBH does not constitute a *new* development; it is and will remain a two-story restaurant. The HBH continues the legacy of a restaurant by the sea; it upholds the exact same compatible land use and same location, as its predecessor, Jameson’s by the Sea, a cultural landmark that has existed in Hale‘iwa for more than 50 years.

The HBH does not obstruct scenic views of surrounding open spaces. The restaurant is a small-scale, locally-owned restaurant that is enjoyed by visitors, local residents as well as North Shore community. The HBH is a two-story building, an appropriate scale that is consistent with the low-key, rural character of the North Shore. The HBH maintains an inviting street frontage by incorporating attractive architectural features, landscaping and signage that are compatible with the aesthetic of Hale‘iwa town and is not developed with urbanized hardscape or architectural elements.

The Applicant will work with DPP and DTS to install a midblock crosswalk across Kamehameha Highway. The Applicant is requesting that the crosswalk location be determined by the City, taking into account lighting, sight distance and conflicts in the area. The crosswalk will be located entirely within the City ROW and will be owned and maintained by the City. No street frontage or pedestrian improvements were required as

Figure 4-4, North Shore SCP – Land Use Map

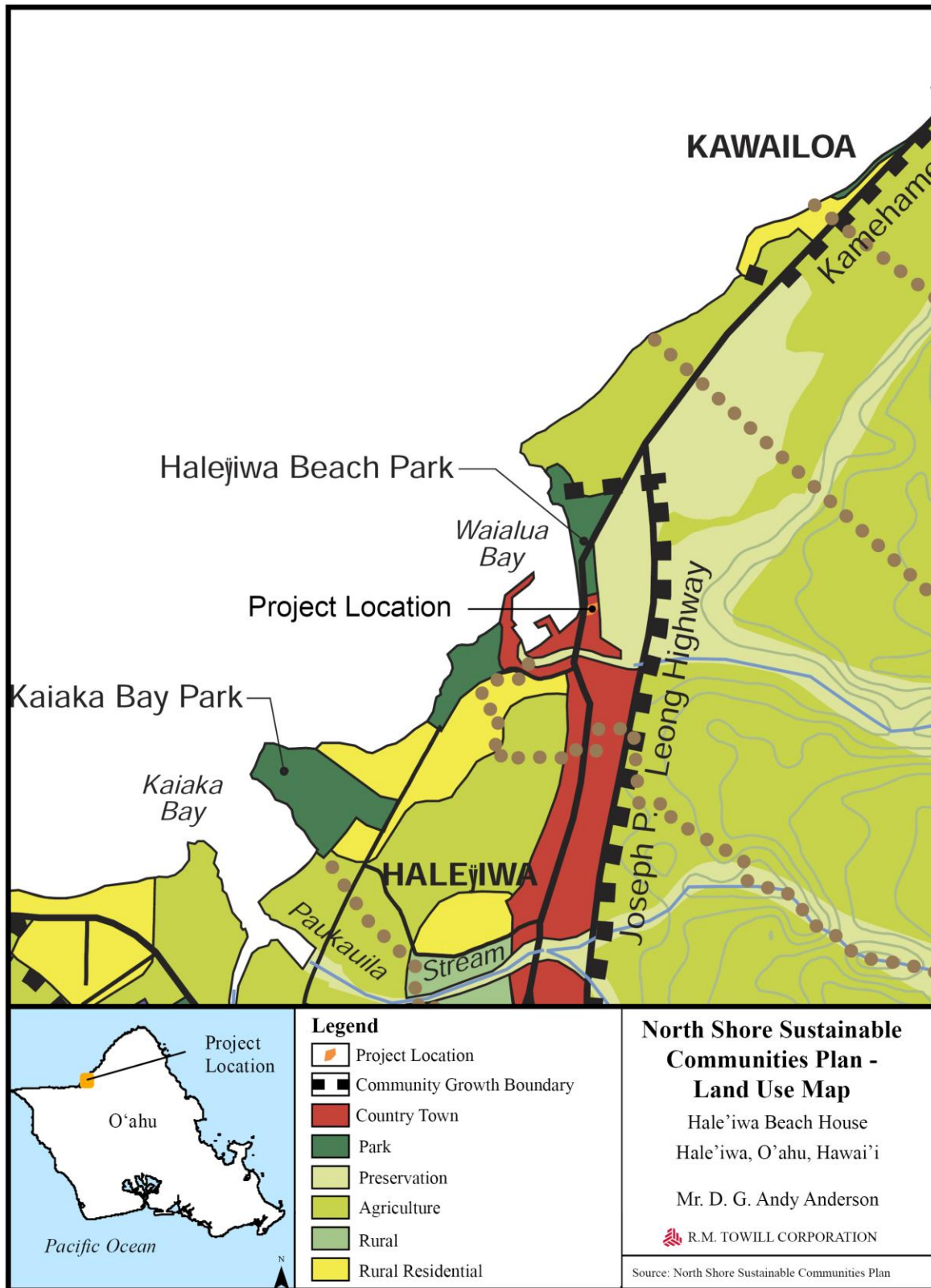
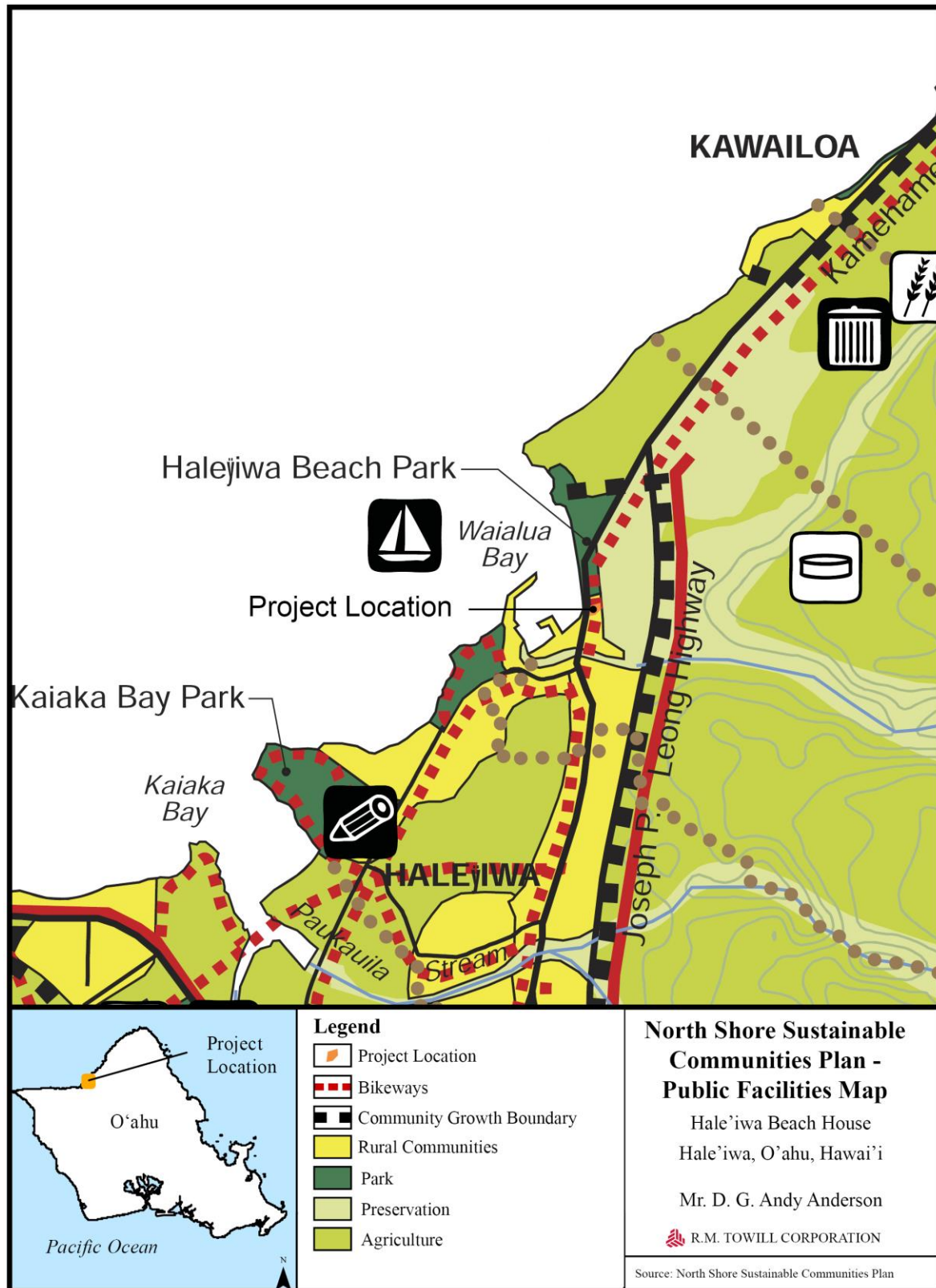


Figure 4-5, North Shore SCP – Public Facilities



part of the building permit approvals for exterior renovations. However, the Applicant will consider implementing Complete Streets improvements along the street frontage, similar to what is being contemplated for the City's "Hale'iwa Shoulder and Walkway Improvements" project.

The HBH complies with LUO requirements for off-street parking. While the HBH meets its parking requirements under the City LUO, the TAR prepared for HBH determined that current restaurant operations and the restoration of the restaurant to full seating capacity will exceed the existing HBH parking lot capacity of 24 stalls during peak service periods (lunch and dinner). To accommodate the expected increase in parking demands from the restoration of the full restaurant seating capacity during peak service hours, the HBH will monitor parking conditions and will implement managed valet service for tandem parking as required. Following common practice, when the restaurant parking lot is full, the valet will put up a temporary "LOT FULL" sign at the driveway entrance to prevent overfilling the vehicle maneuvering area in the restaurant parking lot. The valet will re-open the parking lot as patron's leave and parking space becomes available. The managed parking stall layout is provided in **Figure 3-9, Managed Parking Plan**. The managed parking plan provides space for 40 managed parking stalls in the restaurant parking lot, including 24 standard striped parking stalls and 16 tandem and miscellaneous parking stalls.

The Applicant will prepare a TMP to address parking and to support measures to educate and encourage staff to make use of alternate modes of transportation, including transit, walking, skateboarding, bicycling and ride-sharing / carpooling. The TMP will include the plans for managed (valet) parking and for delivery vehicle operations and schedule. The TMP will include traffic demand management measures and detail the recommended mitigation measures included in the traffic assessment, as it relates to how traffic will be managed on-site. The TMP will identify how the proposed increase in seating will be accommodated for from a parking and traffic management perspective. The TMP will specify how deliveries and on-site traffic during peak restaurant periods will be handled, or when the parking lot is full.

The restaurant renovation includes installation of a new, state-of-the-art package WWTP that will provide higher level of wastewater quality treatment, increased treatment capacity, and treatment system redundancy to minimize the potential for sewage overflows. The replacement of the IWS with the WWTP is consistent with City's NSRWAP.

The restaurant building presently encroaches approximately 5 feet into the adjacent parcel containing Loko ea fish pond. The renovation project restored and enhanced the existing restaurant building which had fallen into disrepair and dilapidated condition. The renovation improves the aesthetic appearance of the building and grounds through the adherence to Hale'iwa Special District design guidelines for architectural form, building materials and landscaping, which improves the overall setting adjacent to Loko ea fish pond. The renovations extend the life of the existing, established restaurant building and preclude the use of the site for other development. The restaurant use does and will not have an adverse impact on the neighboring Loko ea Stream or Loko ea Fishpond.

4.2.5 HALE'IWA SPECIAL DISTRICT

Objectives

On May 15, 2014, the previous restaurant owner obtained approval from DPP for a Hale'iwa SD Permit (Minor) for major exterior alterations for a first floor covered deck (2014/SDD-27). On July 24, 2015, the Applicant obtained approval from DPP for a Hale'iwa SD Permit (Minor) for major interior and exterior renovations. Based on these approvals, and related SMA Permit (Minor) and building permit courtesy inspection approvals, the Applicant completed renovations to the existing restaurant building in March 2016, including renovations to the interior of the first and second floors, replacement of exterior doors and windows, refinishing exterior walls with cedar shingles, enclosing the front lanai with roll-up security doors, installation of an interior circular stairway to the second floor, and installation of skylights, copper gutter system, a fixed-louvered pergola, elevator, landscaping and irrigation. In October 2016, the DPP determined that the renovation work previously approved under SD Permits (Minor) No. 2014/SDD-27 and No. 2015/SDD-25 constitutes major additions and alterations to a structure visible from Kamehameha Highway, which triggers requirements for a SD Permit (Major). The Applicant is therefore applying for an after-the-fact SMA Permit (Major) and SD Permit (Major) for the completed renovations to the existing HBH restaurant and site.

The Hale'iwa SD objectives listed in ROH § 21-9.90-1, *Objectives*, which are applicable to the project, include the following:

(a) Preserve and enhance Haleiwa's existing rural low-rise, human-scaled form and character, especially along Kamehameha Highway and Hale'iwa Road.

Discussion:

The project involves renovations and upgrades to an existing a low-rise, human-scaled, two-story restaurant on Kamehameha Highway. The existing restaurant building has been in operation on the site since it was first construction in 1955. Prior to the renovation, the building appeared worn and dilapidated. The renovations have improved the appearance of the restaurant within the landscape and restored its visual presence as a landmark dining establishment. The completed renovations and site landscaping conform to the Hale'iwa Special District Design Guidelines, as discussed further below, and are compatible with the visual historic character of Hale'iwa town. The restaurant offers locals and visitors a venue to enjoy the beautiful scenic views of the North Shore, including distant views of the ocean horizon, Ka'ena Point and the Wai'anae Mountains, and nearby views of Loko ea Fishpond, Waialua Bay, and Hale'iwa Small Boat Harbor.

(b) Preserve and restore to the extent possible buildings and sites of scenic, historic, cultural and/or architectural significance, and encourage new development which is compatible with and complements those buildings and sites, primarily through low building heights, appropriate period design features and subdued materials.

Discussion:

The project involves renovations and upgrades to an existing two-story restaurant, Jameson's by the Sea, which was built in 1955. The Applicant did not increase or change the original building footprint or height. The Applicant chose to utilize and restore the original building shell, and consciously selected design features and subdued materials that retains and are compatible with commercial development in Hale'iwa town.

(e) Retain a distinctive pedestrian-oriented commercial area for residents and visitors.

Discussion:

The building footprint and floor area have not been significantly changed and the building orientation has not been altered by the renovations. There are no pedestrian walkways fronting the subject property. A landscape hedge is installed within the property along the front of the restaurant to provide a sheltered pedestrian space adjacent to the highway for patrons and their children to enjoy. Outside of the property, pedestrians currently walk on the roadway shoulder and through the adjacent vacant, City-owned parcel. No street frontage or pedestrian improvements were required as part of the building permit approvals for exterior renovations and no change to existing pedestrian facilities or improvements to the highway shoulder are proposed. The Applicant will work with the City on additional pedestrian improvements along the street frontage.

(f) Provide for safe and pleasant pedestrian and vehicular circulation, while avoiding parking areas along the streetscape.

Discussion:

Vehicle access to the HBH is off Kamehameha Highway. Cars travelling northbound make a right turn into the property, while cars travelling southbound make a left-turn into the property. There is no pedestrian walkway fronting the subject property. The existing pedestrian circulation to and from the project site is mainly from restaurant patrons visiting Hale'iwa Beach Park and Wailua Bay before or after their meal. Pedestrian circulation is along the intermittently paved shoulder on Kamehameha Highway. Similarly, existing bicycle and transit circulation is within the travel way and along the shoulder on Kamehameha Highway. Aside from an on-site landscape hedge, which is installed within the property along the front of the restaurant to provide a sheltered pedestrian space adjacent to the highway for patrons and their children to enjoy, and a new ADA access ramp into the restaurant, no pedestrian improvements are proposed as part of the HBH renovations. The restaurant parking lot is situated along the side of the HBH building, extending to the back of the lot; patrons have safe access from the parking lot to the restaurant. The Applicant will prepare a TMP to address parking and to support measures to educate and encourage staff to make use of alternate modes of transportation, including transit, walking, skateboarding, bicycling and ride-sharing / carpooling. The TMP will include the plans for managed (valet) parking and for delivery vehicle operations and schedule. The TMP will include traffic demand management measures and detail the recommended mitigation measures included in the traffic assessment, as it

relates to how traffic will be managed on-site. The TMP will identify how the proposed increase in seating will be accommodated for from a parking and traffic management perspective. The TMP will specify how deliveries and on-site traffic during peak restaurant periods will be handled, or when the parking lot is full.

Access between the restaurant parcel and the adjacent lot, now the City-owned TMK parcel (1) 6-2-03: 038, has been on-going for the entire 50 plus years of the restaurant's operation. This accustomed use is consistent with historic and current use of the City's parcel by the general public, by local surfing companies who stage surf school activities on the City parcel, local canoe clubs who store canoes and trailers on the parcel, by Kamehameha Schools who use the parcel daily for parking and access to and from Loko ea Fishpond by staff, volunteers and visiting students, and for a variety of other community needs and events. The City DPR installed temporary fencing on the City-owned lot along the common property boundary with the restaurant.

The TAR prepared for the project (see **Appendix I**) determined that the existing pedestrian traffic crossing Kamehameha Highway meets the NCHRP, ITE, and FHWA criteria for considering the installation of a midblock crosswalk across Kamehameha Highway in the vicinity of the Hale'iwa Beach House. The Applicant will work with the City to install a midblock crosswalk across Kamehameha Highway. The location of the crosswalk will be determined by a qualified traffic engineer. The Applicant will provide information on street lighting, sight distance, and potential multi-modal traffic conflicts in the area. The crosswalk will be located entirely within the City ROW and will be owned and maintained by the City.

(g) Enhance the attractiveness and general landscaped open space character of the area.

Discussion:

Prior to the renovation, the building appeared worn and dilapidated. The renovations have improved the appearance of the restaurant building within the general landscape of Hale'iwa Town and restored its visual presence as a landmark dining establishment. See **Appendix A, Photos and Photo Key Maps**, for a comparison of before-and-after conditions. New ornamental landscaping was added to the site, including a new hedge installed along the frontage of the restaurant. Grassed areas were added within the enclosed hedged area at the front of the restaurant, and will be expanded throughout the non-paved areas at the back of the property. Screening plants have been added in various locations on the site adjacent to the WWTP and back-of-house utilities. The renovations have not altered the size or massing of the existing structure in a manner that adversely affects the open space character of Hale'iwa town.

(h) Preserve and enhance significant views in Haleiwa, especially those within the highly developed and heavily traveled areas.

Discussion:

According to ROH § 21-9.90-3, significant public views and resources in the Hale‘iwa SD, include the following:

- “(a) Views of Mount Kaala, the Waianae Range, Loko ea Pond and Waialua Bay from Kamehameha Highway.*
 - (b) Views of Anahulu Stream from Kamehameha Highway, at the old arched Anahulu ("Haleiwa") Bridge.*
 - (c) Views of Paukauila Stream, with landscaped buffer material, from Kamehameha Highway.*
 - (d) Views of other significant features delineated on Exhibit 21-9.18, set out at the end of this article.”*
- *Panoramic views towards the ocean along Kamehameha Highway within the Hale‘iwa SD.*

The renovated building does not adversely affect significant views identified in the LUO. The building does not intrude on views toward the Wai‘anae Mountains from the Kamehameha Highway corridor and is not visible from Joseph P. Leong By-Pass Highway. The restaurant building generally maintains the original floor area, height and massing as the original structure which has existed on the site since 1955. The addition of a new exterior fire exit stairway on the south side of the building and covered awning over the first-floor front entryway are visible modifications, but do not add significantly to the visual presence of the building. The building is visible in mauka views from Kamehameha Highway, but occupies the foreground backed by tall trees and vegetation on surrounding properties and does not affect views of the Ko‘olau Mountains or other scenic view planes.

Prior to the renovation, the building appeared worn and dilapidated. The renovations have improved the appearance of the restaurant within the landscape and restored its visual presence as a landmark dining establishment. The restaurant offers locals and visitors a venue to enjoy the beautiful scenic views of the North Shore, including distant views of the ocean horizon, Ka‘ena Point and the Wai‘anae Mountains, and nearby views of Loko ea Fishpond, Waialua Bay, and Hale‘iwa Small Boat Harbor. No mitigation measures are required or recommended.

Design Guidelines

The Hale‘iwa SD design guidelines are an implementation of the Hale‘iwa SD objectives. The design guidelines, as listed in ROH § 21-9.90-4 and the Hale‘iwa SD Design Guidelines published in April 1991 by the Department of Land Utilization, which are applicable to the project, include the following:

Height

The HBH is in the B-1 zoning district (Neighborhood Business District); the maximum building height limit in the B-1 zoning district is 40 feet. However, in the Hale‘iwa SD the maximum building height limit is 30 feet. Certain architectural features, including mechanical appurtenances, utilitarian features and decorative features may be 12 feet

above the maximum height limit if they do not obstruct any significant views. The HBH is less than 30 feet high (see **Appendix B**, Interior Renovation Permit Drawing Set, Sheet A009, Exterior Elevations, dated October 1, 2015, and Interior Renovation, Sheet A009 Annotated Elevation). The HBH conforms to the height limit restrictions, is consistent with the low-rise rural character of the area and does not obstruct distant views.

Landscaping

New ornamental landscaping was added to the site, including a new hedge installed along the frontage of the restaurant to create a sheltered space for patrons and their children to enjoy. Grassed areas were added within the enclosed hedged area at the front of the restaurant, and will be expanded throughout the non-paved areas at the back of the property. Screening plants have been added in various locations on the site adjacent to the WWTP and back-of-house utilities. Existing trees and landscaping were preserved and replanted where possible.

Off-street Parking

The project, as all other business in the community, enjoys customers from wherever they can find public parking. Hale'iwa as a community, is severely impacted with the limited parking availability throughout the town. Off-street parking improvements included repaving approximately 8,200 sf which provides space for existing parking and loading areas. Per LUO Section 21-6.3, the required parking is 21 stalls based on floor area of 6,533 sf and LUO parking standard 1 stall per 300 sf. The required parking from the approved Haleiwa Beach House - Exterior Renovation Plans BP 790811, was originally determined to be 16 stalls and 1 – loading stall based on 5,264 square feet of applicable floor area. Following completion of the renovations, an additional 1,269 sf of applicable floor area was identified which requires an additional 4 stalls for a total of 21 stalls, including a handicap stall, plus 1 – loading stall. (see **Appendix B**, Sheet A005, Interior Renovation Permit Drawings, BPA #A2015-09-0536 and 2015/IBP 09530) sf., and **Appendix J**, Applicant's response letter to DPP's letter dated June 16, 2018 and January 15, 2019.) See **Figure 2-3** for the HBH site and parking lot layout. A total of 24 stalls are accommodated on site:

- 21 parking stalls, including one ADA parking stall and one loading stall, are accommodated on an existing all-weather surface (20 on the existing paved surface and 1 stall on a combination of paved and gravel surface). The parking stalls are currently unstriped.
- 3 additional parking stalls at the back of the parking lot are located on a gravel surface. These stalls will be provided with an all-weather surface of either compacted gravel or pavement.
- An unmarked loading area is located adjacent to the restaurant building within the existing paved parking area. Loading area ingress and egress is via the restaurant driveway. This area has been used for deliveries over the more than 50 years that the restaurant has been in operation.
- A managed parking plan layout that accommodates a total of 40 managed stalls (valet) on the restaurant property is provided in **Figure 3-9**. The Applicant will monitor parking conditions during hours of operation and implement valet parking service when required.

Roofs & Parapets

The project improvements involved roof renovations; however, the overall shape and form of the first and second floor roof structures have not been altered. The original trellis and roll-down shades covering the lanai on the first floor has been replaced with retractable glass roll-up ‘garage-style’ doors, maintaining an indoor-outdoor atmosphere, while maintaining a weather-proof, secured and enclosed space. The second floor roof has been seamlessly extended with a permanent louvered sun shade to allow for an outdoor seating area. The underside of the second-floor roof extension reveals a minimally reflective matte-finished tan colored aluminum fixed louver, while the exterior framing and roof colors have been repainted in subdued earth-tones.

Sun Control: Porches, Canopies and Roll-up Shades

The original awning and roll-down shades covering the lanai on the first floor have been replaced with retractable glass roll-up doors, maintaining an indoor-outdoor atmosphere while providing for security during non-business hours. Over the second floor lanai, a permanent fixed-louvered trellis was installed for sun protection and shade cover. The trellis is designed with greater than 50 percent opening to the sky, and therefore is not included in floor area calculations.

Mechanical Equipment

The HBH does not have mechanical equipment that is visibly intrusive. An elevator shaft is located on the south side of the building. The exterior of the shaft is covered in cedar shingles and blends into the building façade.

Railings, Fences and Walls

On the first floor, a new ADA compliant walkway and metal railing leading to the main entrance of the HBH was constructed, ensuring easy access for all patrons. The metal railing is painted in a subdued earth tone. On the second floor, a new wood and cable safety guardrail is installed so patrons can safely enjoy ocean-front views at the building edge.

Exterior Lighting

There is no fluorescent exterior lighting. The ceiling lights on the first and second floors are shielded, directional spot lights, evenly spaced and angled down and towards the building to minimize light spillage on the streetscape. Lighting fixtures are similar in style and detail to period fixtures. Incandescent light fixtures are used. Exterior lighting was designed to be in compliance with condition 3.b. listed in the Applicant’s granted Hale‘iwa SD and SMA permits (File No. 2014/SDD-27 and 2014/SMA-22).

Street Façade Treatment

Architectural elements typically found in Hale‘iwa in the early 1900s, including large windows at the ground level and seating areas, windows and wood railings at the upper levels, were incorporated into the project design.

Doors and Windows

Project improvements involved replacing all the original doors and windows. The main entry door on the first floor is constructed of solid wood. Doors and windows on the west side of the first floor are retractable glass roll-up ‘garage-style’ doors. On the south side of the first floor are push-out windows. On the west side of the second floor are folding doors with four-panel floor to ceiling windows. On the north side of the first and second floor are sliding and push-out windows. All doors and windows are vinyl with clear glazing and a natural cedar finish, to prevent rust and corrosion and soften the building exterior, whilst complimenting the cedar wood shingles on the building exterior.

Exterior Materials & Colors

Traditional building materials were used, such as cedar wood shingles and concrete rock masonry (CRM) for the building interior and exterior walls. Exterior and interior paint colors are subdued earth tones such as tan, beige, grey and seafoam green.

Walkways and Paving

The original restaurant entryway consisted of a concrete stairway. The project included constructing an ADA compliant concrete walkway leading up to the main entrance of the restaurant. The walkway and adjacent stairway are framed with natural materials such as a moss-rock covered CRM wall and landscaped with foliage. The original meandering walkway in the front yard was replaced with a grassy enclosed lawn, which features a new rock fire pit. The fire pit is encircled with natural rock tiles, which flows into and connects with interior natural rock flooring, further facilitating a continuous indoor-outdoor dining experience.

Signs

The Applicant retained Mr. John Dillon, a recognized Hale`iwa sign-maker, to design a wooden, sandblasted sign with serif style lettering. The location and design of the sign was approved by the DPP, Building Division and the DLNR, SHPD on August 17, 2016.

SECTION 5 NECESSARY PERMITS AND APPROVALS

5.1 CITY AND COUNTY OF HONOLULU

Department of Planning and Permitting

- Finding of No Significant Impact, per HRS 205A and 343
- Construction Plan Review and Approval
- Building Permits
- After-the-Fact Building Permit for refrigerator storage
- Stockpiling Permit
- Special Management Area Permit - Major
- Haleʻiwa Special District Permit - Major

5.2 STATE OF HAWAII

Department of Health

- Construction Plan Review and Approval

Department of Land and Natural Resources

- State Historic Preservation Department Effect Determination

SECTION 6

ORGANIZATIONS AND AGENCIES CONSULTED DURING THE PREPARATION OF THE DRAFT EA

6.1 City and County of Honolulu

- Department of Design and Construction
- Department of Environmental Services
- Department of Facilities Maintenance
- Department of Parks and Recreation
- Department of Planning and Permitting
- Department of Transportation Services
- Honolulu Board of Water Supply
- Honolulu Fire Department
- Honolulu Police Department

6.2 State of Hawai‘i

- Department of Accounting and General Services
- Department of Agriculture
- Department of Business Economic Development and Tourism
- Department of Land and Natural Resources (DLNR)
- Department of Hawaiian Homelands
- Department of Health,
 - Wastewater Branch
 - Environmental Planning Office
- Department of Transportation
- State Historic Preservation Division, DLNR
- University of Hawai‘i Sea Grant Program

6.3 Federal

- U.S. Army Corps of Engineers
- National Marine Fisheries Service
- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service

6.4 Community Organizations

- Mālama Loko ea Foundation
- North Shore Chamber of Commerce
- North Shore Neighborhood Board No. 27
- Sierra Club

Pre-consultation letters are provided in **Appendix F**.

SECTION 7

ORGANIZATIONS AND AGENCIES CONSULTED DURING THE 30-DAY DRAFT EA REVIEW PERIOD

7.1 City and County of Honolulu

- Department of Design and Construction
- Department of Environmental Services
- Department of Facilities Maintenance
- Department of Parks and Recreation
- Department of Planning and Permitting
- Department of Transportation Services
- Honolulu Board of Water Supply
- Honolulu Fire Department
- Honolulu Police Department

7.2 State of Hawai‘i

- Department of Accounting and General Services
- Department of Business, Economic Development and Tourism, Office of Planning
- Department of Education, Hawaii State Library, Hawaii Documents Center
- Department of Education, Hawaii State Library, Hale‘iwa Public Library
- Department of Hawaiian Home Lands
- Department of Health, Environmental Health Administration
- Department of Education, Hale‘iwa Elementary School
- Department of Land and Natural Resources
- Department of Land and Natural Resources, State Historic Preservation Division
- Department of Transportation
- Disability and Communication Access Board
- Legislative Reference Bureau Library
- Office of Environmental Quality Control
- Office of Hawaiian Affairs
- University of Hawaii Environmental Center

7.3 Federal Agency

- U.S. Army Corps of Engineers, Honolulu District
- National Marine Fisheries Service
- U.S. Environmental Protection Agency
- U.S. Department of the Interior, Fish and Wildlife Service

7.4 Elected Officials and Boards

- Councilmember Ernie Martin, District 2
- North Shore Neighborhood Board No. 27

7.5 Utility Companies

- Hawaiian Electric Company, Inc.
- Hawaiian Telecom

7.6 Community

- Bruns, Dawn
- Costantino, Sayo
- Fitzsimmons, Diane Puanani
- McElheny, Blake
- McElheny, Larry
- Rusnell, Wendy
- Sanchez, Cora
- Saunders, Jr., William W.
- Mālama Loko ea Foundation
- North Shore Chamber of Commerce
- Sierra Club
- Surfrider Foundation, Hawaii Chapter

Draft EA comment and response letters are provided in **Appendix J**.

SECTION 8

DETERMINATION

In accordance with the content requirements of Chapter 343, Hawai‘i Revised Statutes, and the significance criteria in Section 11-200-12 of Title 11, Chapter 200, it is anticipated that this project will have no significant adverse impact to water quality, air quality, existing utilities, noise, archaeological sites, or wildlife habitat. All anticipated impacts will be temporary and will not adversely impact the environmental quality of the area. The significance criteria are listed below in italics, followed by a brief discussion of its applicability to the project.

1. *Irrevocable commitment to loss or destruction of natural or cultural resources.*

The project will not adversely affect any natural or cultural resources. The project occurred on an existing, developed site and does not involve a change in use or significant increase in the intensity of use. All major construction is complete.

Human remains that were recovered from excavated material from the site have been reinterred on site in consultation with SHPD archaeologists and the Oahu Island Burial Sites Specialist, and in conformance with an approved Burial Treatment Plan. The reburial location has been documented in SHPD’s database as SIHP No. 50-80-04-08047. A small boulder (ca. 75 cm diameter) surrounded by Kī (*Cordyline fruticosa*) plants will mark the burial site. There will not be an interpretive or warning sign to mark the burial, which would draw unnecessary attention to the site. A long-term maintenance plan will be implemented to respectfully maintain the burial site. The project applicant will adhere to the following long-term stipulations from the approved burial treatment plan:

- Establish 5-meter-diameter virtual buffer around the site within which any ground disturbing activity will be consider to be ‘*of concern*’;
- The landowner shall maintain the reburial area and its buffer and shall remove litter, trash, or debris every 6 months or more regularly as needed;
- The landowner shall maintain the preservation buffer landscaped area with vegetation management every 6 months or more regularly as needed;
- Vegetation management shall be done by hand with non-mechanized hand-tools;
- No construction work, or ground altering activities besides vegetation management shall be permitted within the temporary or permanent buffer zones;
- The landowner shall notify SHPD in writing of any future projects planned within or near the reburial site; and
- The landowner shall report any disturbance of the reburial site to SHPD immediately so that corrective treatment and consultation may occur.

Access to the site for cultural uses will be permissible during daylight hours in coordination with the project applicant in accordance with HAR 13-300-40(m). Additionally, a Preservation Agreement with SHPD will create an encumbrance on the

project TMK that will remain with the parcel to ensure that the burial site is protected in perpetuity by the current and any future landowner (Garcia, 2017).

If any future construction is required and an unknown or unexpected historic or cultural features, deposits, or burials are discovered during project activities, all work in the immediate area of the find will be suspended immediately until the monitoring archaeologist evaluates the significance of the findings and notifies the SHPD to determine the appropriate course of action.

The Applicant has identified multiple ethnographic studies recently completed in the project vicinity. The project Applicant believes these recent ethnographic studies provide sufficient relevant information for the project site and a new ethnographic study is not warranted.

The Applicant has continued to informally consult with SHPD and DPP throughout the after-the-fact EA and permit process. As directed by DPP, the Applicant and the project archaeologist will complete and submit a SHPD HRS 6E Submittal Form to SHPD to formally request historic preservation review as a pre-requisite for SMA-Major and SDD-Major permit approval. The Applicant will continue to work with SHPD and undertake additional mitigation measures, if required, to comply with HRS Section 6E Historic Preservation.

2. *Curtailment of the range of beneficial uses of the environment.*

The project involves the renovation of an existing structure on developed areas of land within the existing restaurant property rather than developing a new structure on previously undeveloped land. The renovated restaurant use will involve substantially the same uses of the environment as the original structure. No curtailment of the range of beneficial uses of the environment will result from the project.

3. *Conflicts with the State's long-term environmental policies or goals and guidelines as expressed in Chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders.*

The proposed project is consistent with the environmental policies, goals and guidelines expressed in Chapter 344, HRS. Potential sources of adverse impacts have been identified and appropriate measures have been developed to either mitigate or minimize potential impacts to negligible levels.

4. *Substantially affects the economic or social welfare of the community or state.*

The renovation project will not adversely affect the economic or social welfare for the surrounding community or state. The HBH is an economic asset to the North Shore community. The project allowed the HBH to continue the legacy of a landmark dining

establishment near the sea, while staying competitive in the Haleʻiwa dining and visitor industry. Renovations included the restoration and expansion of the second floor dining area, which allowed the HBH to: 1) take advantage of and promote Hawaiʻi's scenic beauty and ocean views, which provides a pleasant and attractive dining experience for guests, and 2) restore the usable floor area of the entire existing building, which increases the potential for customer patronage, annual gross sales and thus employment opportunities and revenues to the County and State in the form of taxes. The HBH offers increased diverse and equal employment opportunities which have improved income and living standards for residents of the North Shore. The project has and will continue to lead to approximately 100 long-term, part and full-time positions, including wait staff, bar and culinary staff, managerial positions, and landscaping and maintenance staff. The majority of the Haleʻiwa Beach House's employees are local residents that have grown up on the North Shore and want to continue to live on the North Shore. The HBH also has a multiplier effect within Hawaiʻi's economy by indirectly contributing to hundreds of related off-site jobs that service the HBH daily and weekly (i.e. farmers, fisherman, suppliers, building trades and maintenance people).

5. *Substantially affects public health.*

The proposed project will be constructed in accordance with all applicable rules and regulations governing public health and safety. Concerns involving air, water, noise, and waste impacts have been addressed in this EA document by use of appropriate mitigation measures as described. Completed interior and exterior renovations and site work, including the installation of a new, state-of-the-art package WWTP, have improved public health and safety by bringing the original building into conformance with current building codes, fire codes and ADA accessibility standards, and by providing a WWTP that treats wastewater to a higher level, with more capacity and system redundancy that will minimize the potential for wastewater overflow.

6. *Involves substantial secondary impacts, such as population changes or effects on public facilities.*

The site has been developed and in use as a restaurant since the existing building was first constructed in 1955. The renovations and ongoing operations of the restaurant will not substantially alter environmental conditions at the project site and will not be an impetus to population growth or changes, and will not have an impact on public changes. The project will not result in secondary or cumulative impacts, will not involve a commitment to larger actions, and will not result in the elimination of planning options.

7. *Involves substantial degradation of environmental quality.*

The project is not anticipated to involve substantial degradation of environmental quality. The site has been developed and in use as a restaurant since the existing building was first constructed in 1955. The renovations and ongoing operations of the restaurant will not substantially alter environmental conditions at the project site. Planning and design for

the project includes mitigation measures to prevent or minimize potential adverse environmental effects.

8. *Is individually limited but cumulatively has considerable effects on the environment, or involves a commitment for larger actions.*

Based on the description of the proposed action and mitigation measures identified in this document, potential for considerable adverse environmental effects and a commitment for larger actions are not expected. The project is a stand-alone, private restaurant operation that has existed on the site for many decades within the same building footprint. The restaurant renovations are complete and there are no plans for further expansion or for other uses that would adversely affect the environment or involve a commitment for larger actions.

9. *Substantially affects a rare, threatened or endangered species or its habitat.*

The project will not substantially affect rare, threatened or endangered species or their habitat. There are no endangered flora or fauna species or habitat within the project site. The project involved the renovation of an existing restaurant building. No rare, threatened, endangered or protected flora or terrestrial fauna species are known to utilize the project site for habitat or foraging purposes, however the Loko ea Fishpond adjacent to the project site provides habitat to many endemic and indigenous species of flora and fauna. Additionally, the US Fish and Wildlife Service (in a letter dated May 23, 2018) have noted that threatened / endangered avifauna and fauna most likely occur in the project vicinity; including the threatened Newell's shearwater (*Puffinus auricularis newelli*) and Green Sea Turtle (*Chelonia mydas*); and the endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*), Hawaiian petrel (*Pterodroma sandwichensis*), Band-rumped storm-petrel (*Oceanodroma castro*), Hawaiian stilt (*Himantopus mexicanus knudseni*), Hawaiian coot (*Fulica alai*), Hawaiian common gallinule (*Gallinula galeata sandvicensis*), and Hawaiian duck (*Anas wyvilliana*). Additionally, protected seabirds may overfly the project site at night to and from nesting grounds in the mauka lands and foraging in the open ocean.

No long-term adverse impacts to flora or fauna are anticipated. The restaurant building renovations will not result in a significant change or intensification in use over pre-existing condition. All nighttime lighting will be shielded and angled downward to prevent nighttime glare from disorienting or disrupting seabirds. Additionally, the new WWTP facility will provide a higher level of water quality treatment, increased capacity and redundancy which will provide added protection against wastewater discharges that could affect local flora and fauna inhabiting the adjacent Loko ea Stream, Fishpond and Waialua Bay.

10. *Detrimentially affects air or water quality or ambient noise levels.*

The project is not anticipated to result in long-term detrimental impacts to air, water quality, or noise levels. Construction activities are completed. Any additional work activities will be undertaken in compliance with the State of Hawai'i Air Pollution Control, Community Noise Control and Water Quality regulations. The project involves the same permitted restaurant use that has existed on the site for many decades. It is intended that the completed renovation will result in increased patronage to the restaurant, which would result in increased traffic and, in turn, a slight impact to air quality from exhaust emissions. Impacts from increased automobile exhaust are expected to be negligible. The renovated restaurant may generate a slight increase in noise due to increased patronage between normal business hours from 11:00 a.m. to 11:00 p.m. The increase in noise is not anticipated to generate significant adverse impacts and will be in accordance with community noise standards. No noise generating activities, such as concerts or outdoor events, are proposed as part of normal restaurant operations. The new, state-of-the-art WWTP will provide added protection to water resources by providing a higher level of water quality treatment, increased capacity and system redundancy that will minimize the potential for wastewater overflow. The WWTP was designed and installed and will be operated in accordance with State DOH regulations for wastewater systems.

11. *Affects or is likely to suffer damage by being located in an environmentally sensitive area, such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, freshwater, or coastal waters.*

The renovated restaurant occupies the same building footprint as the original structure which has existed on the site since 1955. The first floor finish floor elevation is approximately 11 feet above msl, which is at or above the VE and AE BFE of 10 feet and 8 feet respectively. The project complies with the rules and regulations of the NFIP as set forth in the CFR Title 44, as well as applicable ordinances in ROH, Section 21-9.10-6, *Flood Fringe District*. In the event of a major storm or flood event, portions of the project site may be inundated and subject to damage by flood waters. The project is also located in the tsunami evacuation zone and may be subject to inundation and damage during a tsunami. The project site is no more or less vulnerable to seismic activity than the rest of the northwestern shore of O'ahu. The site's proximity to Loko ea Stream and Fishpond does not represent a hazard or increased risk of damage to the site. The project is not anticipated to exacerbate or increase long-term vulnerability to flooding, tsunamis or seismic activity. In the event of a major storm or tsunami civil defense agencies, including the HPD and HFD will issue warnings and oversee the evacuation of areas at risk for harm and damage. In such an event, the restaurant will be closed and employees and patrons will be directed to move to safe shelter until the danger has passed.

12. *Substantially affects scenic vistas and view planes identified in county or state plans or studies.*

The City's LUO Section 21-9.90-3 Significant Public Views and Resources define four significant views within the Hale'iwa Special District:

- Views of Mount Ka'ala, the Waianae Range, Loko ea Fishpond and Waialua Bay from Kamehameha Highway.
- Views of Anahulu Stream from Kamehameha Highway, at the old arched Anahulu ("Hale'iwa") Bridge.
- Views of Paukauila Stream, with landscaped buffer material, from Kamehameha Highway.
- Ma kai views from Kamehameha Highway and Hale'iwa Town

The NSSCP identifies intermittent and continuous panoramic views along the shoreline, and scenic views of the mountains, coastal pali and shoreline areas, including views from heavily traveled corridors such as Kamehameha Highway, as important scenic resources that should be preserved.

Significant scenic views within the project corridor that are identified in the NSSCP to be protected and enhanced include:

- Mauka views of the Wai'anae Mountains and mauka views of the Ko'olau Mountains from Kamehameha Highway;
- Makai views along Hale'iwa Road into Hale'iwa Ali'i Park, Hale'iwa Small Boat Harbor and Hale'iwa Beach Park;

The renovated building does not adversely affect significant views identified in the LUO or NSSCP. The building does not intrude on views toward the Wai'anae Mountains from the Kamehameha Highway corridor and is not visible from Joseph P. Leong By-Pass Highway. The restaurant building generally maintains the original floor area, height and massing as the original structure which has existed on the site since 1955. The addition of a new exterior fire exit stairway on the south side of the building and covered awning over the first-floor front entryway are visible modifications, but do not add significantly to the visual presence of the building. The building is visible in mauka views from Kamehameha Highway, but occupies the foreground backed by tall trees and vegetation on surrounding properties and does not affect views of the Ko'olau Mountains or other scenic view planes.

Prior to the renovation, the building appeared worn and dilapidated. The renovations have improved the appearance of the restaurant within the landscape and restored its visual presence as a landmark dining establishment. Site improvements included undergrounding overhead utilities along the frontage of the subject property, in conformance with the NSSCP policies. The completed renovations and site landscaping conform to the Hale'iwa Special District Design Guidelines and are compatible with the visual historic character of Hale'iwa town.

13. Requires substantial energy consumption.

Compared to the original restaurant operations, ongoing operation of the renovated restaurant is anticipated to require an increase in energy consumption, but not a substantial increase. The renovations, including reopening the second floor seating and lanai, are expected to increase patronage, which will increase demand for electricity and propane gas. In addition, operation of the new WWTP is expected to require more electrical power than the IWS system. However, the renovations also provided an opportunity to replace old fixtures and appliances with new, more efficient energy saving units. The increase in electrical usage is not anticipated to be significant or have long-term adverse impacts on the existing electrical and telecommunication utilities system.

Based on the above evaluation and the information contained in this Environmental Assessment, it is anticipated that an Environmental Impact Statement (EIS) will not be required and that a recommended Finding of No Significant Impact (FONSI) will be published for this project.

SECTION 9

REFERENCES

- (AHWAR 2008) Anahulu River, O‘ahu. Atlas of Hawaiian Watersheds & Their Aquatic Resources. April 2008.
<http://hawaiiwatershedatlas.com/watersheds/oahu/36008.pdf>
- (DOH, 2014) Water Quality Standards Map of the Island of O‘ahu, to be used in Conjunction with Hawai‘i Department of Health, Chapter 54, Water Quality Standards. State of Hawai‘i, Department of Health. 2014.
- (DOH, 2016) Island of O‘ahu, Daily Air Quality Data. State of Hawai‘i, Department of Health. July 2016. <http://emdweb.doh.hawaii.gov/air-quality/>
- (EPA, 2011) Inventory of U. S. greenhouse gas emissions and sinks: 1990 – 2009. U.S. Environmental Protection Agency. April 2011.
- (FEMA, 2014) Federal Insurance Rate Map (FIRM), City and County of Honolulu. Map No. 15003C0270J, dated November 5, 2014. Federal Emergency Management Agency.
- (Garcia, 2017) *Draft – Burial Site Component of an Archaeological Data Recovery and Preservation Plan, SIHP No. 50-80-04-08047, Hale‘iwa Beach House Restaurant, Kawaihoa Ahupua‘a, Waialua District, O‘ahu Island, Hawai‘i, TMK: (1) 6-2-03:14*, Report dated May 4, 2017, Garcia and Associates – Pacific Region, Honolulu, HI.
- (Garcia, 2018) *Graphic Representation of the Relationship Between Hale‘iwa Beach House Project Site and Previous Cultural Impact Assessment Studies, Hale‘iwa, O‘ahu*, Letter Report dated February 2, 2018. Garcia and Associates - Pacific Region. Honolulu, HI.
- (HANDY 1972) Native Planters in Old Hawaii: Their Life, Lore, and Environment. Handy, E.D., E.D. Handy, and M.K. Pukui. Bishop Museum Bulletin 23, Bishop Museum Press, Honolulu.
- (HoLIS, 2015) Honolulu Land Information System, Geographic Information System. City and County of Honolulu, Department of Planning and Permitting. 2015.
- (IPCC, 2013) Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Jonathan Gregory, Lead author, Chapter 13, *Sea level change*].
- (KPAC 2015) Revised Draft – Archaeological Assessment of TMK: (1) 6-2-003:37 in Kawaihoa Ahupua‘a, Waialua District, Island of O‘ahu, Hawai‘i for EA: The

- Shops at Anahulu. Keala Pono Archaeological Consulting, LLC. Kaneohe, Hawaii, December 2015.
- (KS 2000) Kamehameha Schools Strategic Plan 2000-2015. Kamehameha Schools. September 2000.
- (MLEF 2017) Kulaiwi Nani Habitat Restoration. Mālama Loko ea Foundation. <https://www.lokoea.org/> 2017.
- (MONAHAN 2015) Continuity and Change at Pu‘uone Fishpond: Archaeological Inventory Survey Loko ea Fishpond Kawailoa Ahupua‘a, Waialua District, O‘ahu Island, Hawai‘i TMK (1) 6-2-003:002. Monahan, C.M. and D.W. Thurman. TCP Hawai‘i, LLC, Kailua, Hawai‘i.
- (UH, 2014) University of Hawai‘i, Department of Geography, Atlas of Hawai‘i, University of Hawai‘i Press, Honolulu, HI.
- (USDOT 1981) Hale‘iwa Bypass Final Environmental Impact Statement: Kamehameha Highway Realignment from Weed Junction to Hale‘iwa Beach Park, U.S. Department of Transportation, Federal Highway Administration and State of Hawaii Department of Transportation, Highways Division. City and County of Honolulu, State of Hawaii, August 18, 1981sources:
- (Stearns and Vaksviks, 1935) Geology and Groundwater Resources of the Island of O‘ahu, Hawai‘i. Division of Hydrography, Volume 1. H. T. Stearns and K. N. Vaksviks. Honolulu, HI. 1935.
- (Tetra Tech et. al., 2017). Hawai‘i Climate Change Mitigation and Adaptation Commission. 2017. Hawai‘i Sea Level Rise Vulnerability and Adaptation Report. Prepared by Tetra Tech, Inc. and the State of Hawai‘i Department of Land and Natural Resources, Office of Conservation and Coastal Lands, under the State of Hawai‘i Department of Land and Natural Resources Contract No: 64064.
- (TMC, 2018) Traffic Assessment Report for the Hale‘iwa Beach House. The Traffic Management Consultant, Randall Okaneku. Honolulu, HI. April 2018.
- (USDA, 1972) Soil Survey of Islands of Kaua‘i, O‘ahu, Maui, Moloka‘i and Lāna‘i, State of Hawai‘i. Published by the United States Department of Agriculture (USDA), Soil Conservation Service, in Cooperation with The University of Hawai‘i Agricultural Experiment Station. Honolulu, HI. August 1972.
- (USGS, 2015) Ground Water in Hawai‘i. U. S. Geological Survey. Honolulu, HI. 2015. <http://maps.waterdata.usgs.gov/mapper/index.html>