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January 27, 2022

2021/ED-18(JD)

Ms. Mary Alice Evans, Director
State of Hawaii
Office of Planning and Sustainable Development
Environmental Review Program
235 South Beretania Street, Room 702
Honolulu, Hawaii 96813

Dear Ms. Evans:

SUBJECT:	Chapter 25, Revised Ordinances of Honolulu Final Environmental Assessment (EA)
Project:	61-551 Pohaku Loa Way Residence
Applicant:	Pohaku Loa Hale, LLC
Agent:	Planning Solutions Inc. (Makena White)
Location:	61-551 Pohaku Loa Way - Waialua
Tax Map Key (TMK):	6-1-009: 010

With this letter, the Department of Planning and Permitting (DPP) hereby transmits the Final EA and anticipated Finding of No Significant Impact (FONSI) for the 61-551 Pohaku Loa Way Residence Project located at 61-551 Pohaku Loa Way (TMK 6-1-009: 010) in the Waialua District on the Island of Oahu, for publication in the next February 8, 2022, edition of *The Environmental Notice*.

The Final EA includes copies of public comments received and the corresponding responses from the Applicant that were received during the 30-day public comment period on the Draft EA and Anticipated FONSI.

Enclosed is an electronic copy of the completed publication form, the FONSI, and the Final EA document. We have uploaded an electronic copy of these documents to your online submittal site.

Should you have any questions, please contact Jordan Dildy of our Zoning Regulations and Permits Branch, at (808) 768-8027 or via email at jdildy@honolulu.gov.

Very truly yours,

Dean Uchida
Director

cc: Planning Solutions, Inc., Makena White

NON-CHAPTER 343 DOCUMENT
PUBLICATION FORM
ENVIRONMENTAL REVIEW PROGRAM

Project Name: 61-551 Pohaku Loa Way Residence

Applicable Law: Chapter 25, Revised Ordinances of Honolulu, Special Management Area (SMA)

Type of Document: Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI)

Island: Oahu

District: Waialua

TMK: (1) 6-1-009: 010

Permits Required: SMA Use Permit, Individual Wastewater System, Building Permit

Applicant or Proposing Agency:
(*Address, Contact Person, Telephone, E-mail*)

Pohaku Loa Hale, LLC
3530 NW Mesa Verde Ct.
Bend, Oregon 97703
(415) 299-9742
brown@cannonphotography.com

Approving Agency or Accepting Authority:
(*Address, Contact Person, Telephone, E-mail*)

Jordan Dildy
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawaii 96813
(808) 768-8027
jdildy@honolulu.gov

Consultant:
(*Address, Contact Person, Telephone, E-mail*)

Planning Solutions, Inc.
Makena White, AICP
711 Kapiolani Boulevard, Suite 950
Honolulu, Hawaii 96813
(808) 550-4538
makena@psi-hi.com

Status: FEA-FONSI

Project Summary:
(Summarize proposed action and purpose/need in less than 200 words in the space below)**:**

The proposed action consists of the construction of a new single-family dwelling and accessory dwelling unit with approximately 3,600 square feet of combined floor area. Additionally, the proposal includes new concrete rubble masonry (CRM) walls along the perimeter of the property. The new work is being proposed on an approximately 17,720-square-foot shoreline lot within the

R-5 Residential District and Special Management Area in the Waialua District of Oahu. The entire site is located within the Coastal High Hazard Area, or Flood Zone VE. According to the preliminary shoreline survey, the proposed CRM walls and stairs will be 40 feet from the regulatory shoreline. The site is currently developed with a single-family dwelling and accessory structure. Both of these structures will be demolished.

FINAL ENVIRONMENTAL ASSESSMENT & FINDING OF NO SIGNIFICANT IMPACT, 61-551 PŌHAKU LOA WAY RESIDENCE

PREPARED FOR:
Pōhaku Loa Hale, LLC

PLANNING SOLUTIONS

JANUARY 2022

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LIST OF ACRONYMS

ADU	Accessory Dwelling Unit
AFONSI	Anticipated Finding of No Significant Impact
AMP	Archaeological Monitoring Plan
BFE	Base Flood Elevation
BMP	Best Management Practice
CCH	City and County of Honolulu
CIA	Cultural Impact Assessment
CRM	Concrete Reinforced Masonry
CZM	Coastal Zone Management
DEA	Draft Environmental Assessment
DLNR	Department of Land and Natural Resources
DPP	Department of Planning and Permitting
EA	Environmental Assessment
EIS	Environmental Impact Statement
FEA	Final Environmental Assessment
FEMA	Federal Emergency Management Agency
FONSI	Finding of No Significant Impact
HAR	Hawai‘i Administrative Rules
HCC	Honolulu City Council
HDOH	State of Hawai‘i, Department of Health
HDOT	State of Hawai‘i, Department of Transportation
HEPA	Hawai‘i Environmental Policy Act
HFD	Honolulu Fire Department
HPD	Honolulu Police Department

HRS	Hawai‘i Revised Statutes
IBC	International Building Code
IPCC	Intergovernmental Panel on Climate Change
IRC	International Residential Code
IWS	Independent Wastewater System
LLC	Limited Liability Company
MSL	Mean Sea Level
NOAA	National Oceanographic and Atmospheric Agency
NSSCP	North Shore Sustainable Community Plan
OR&L	Oahu Rail and Land Company
PSI	Planning Solutions, Inc.
ROH	Revised Ordinances of Honolulu
SHPD	State Historic Preservation Division
SLR	Sea Level Rise
SLR-XA	Seal Level Rise Exposure Area
SMA	Special Management Area
SMP	Special Management Area Permit
TMK	Tax Map Key
UBC	Uniform Building Code
USDA	U.S. Department of Agriculture
USGS	U.S. Geological Survey

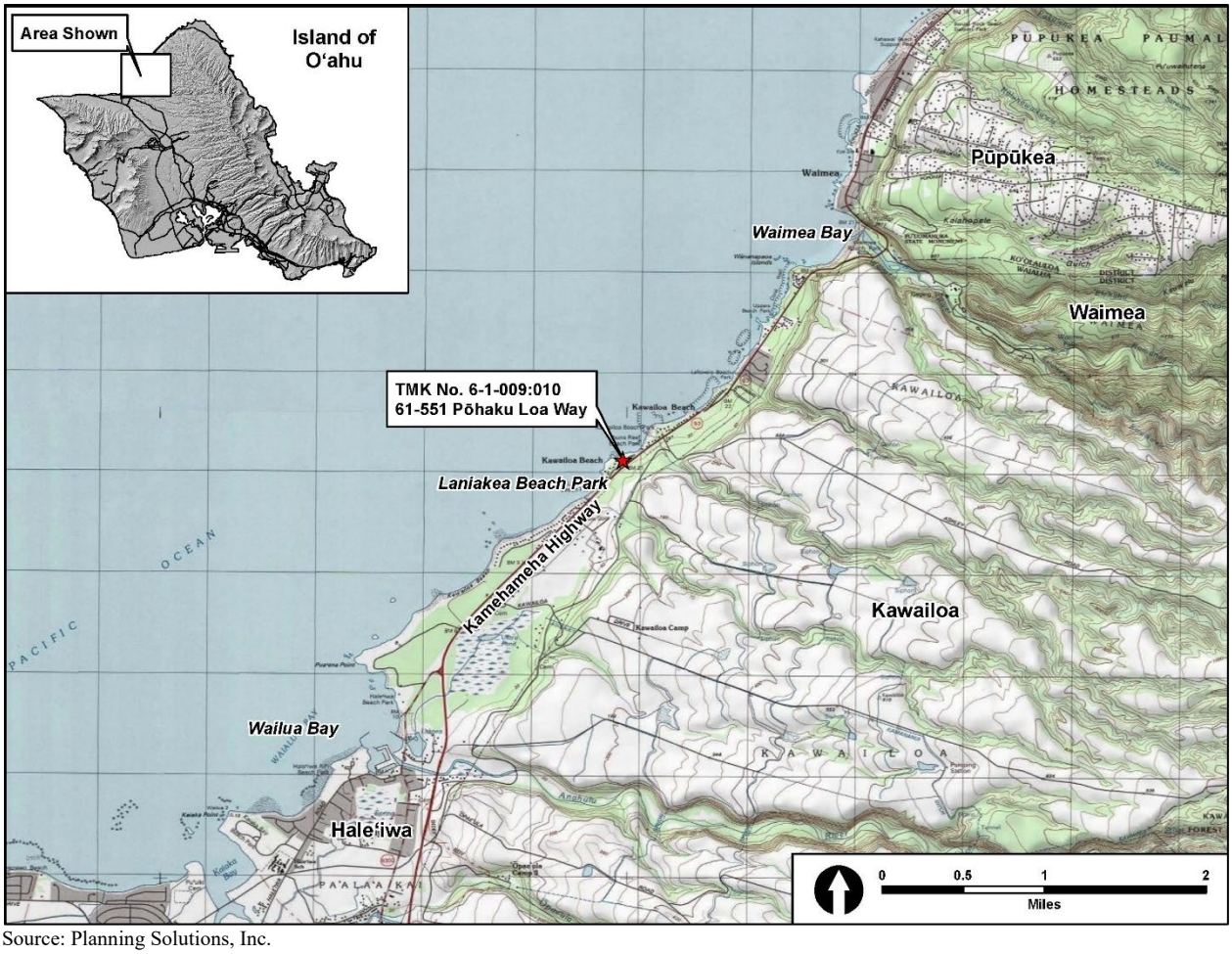
1 INTRODUCTION

1.1 PURPOSE AND NEED

The purpose of the proposal is to utilize the subject property, 61-551 Pōhaku Loa Way (TMK No. 6-1-009:010; Figure 1.1) in a manner consistent with its zoning (residential; R-5; Figure 1.2) and other applicable land use rules and regulations (e.g., shoreline setback) so that a multi-generational family can live on the property.

The proposal is needed because, although the subject property has been used in a manner consistent with its zoning for decades, the existing improvements have become dilapidated and are no longer consistent with today's land use rules and regulations.[1]

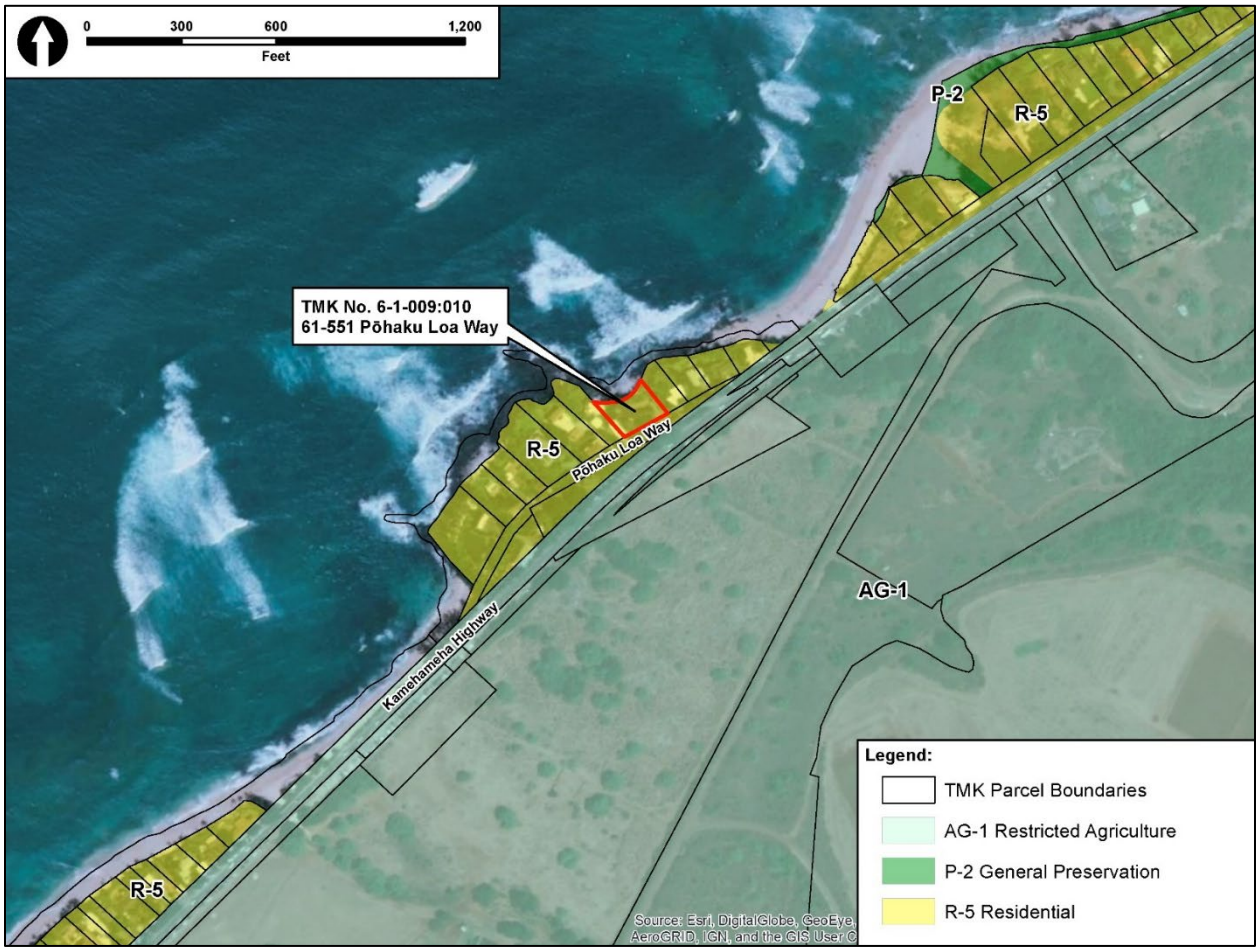
Figure 1.1: Location Map



Source: Planning Solutions, Inc.

[1] Although it has not been confirmed, the existing improvements were likely consistent with the land use rules and regulations at the time they were built.

Figure 1.2: Zoning Map



Source: Planning Solutions, Inc.

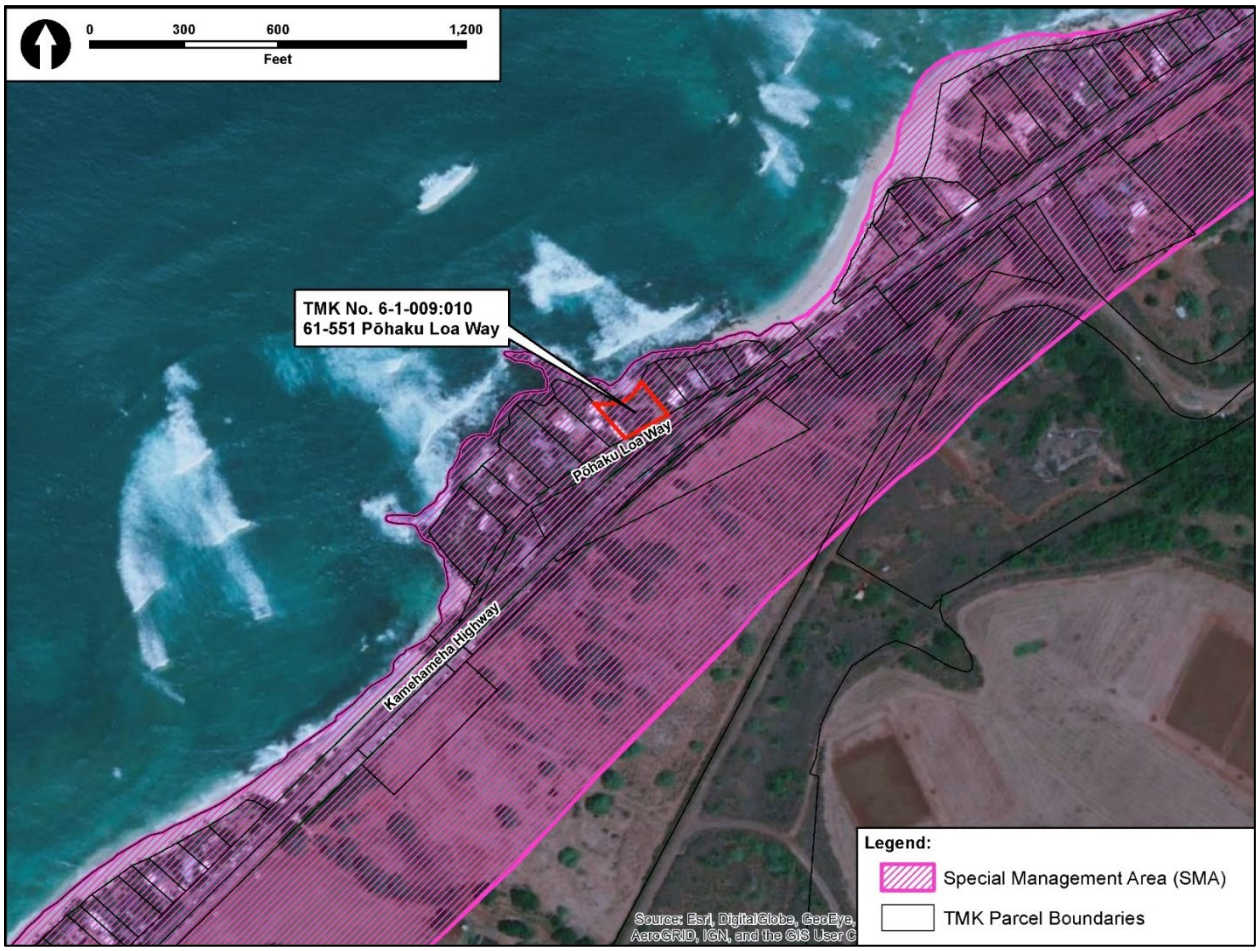
1.2 ENVIRONMENTAL ASSESSMENT TRIGGER

As detailed in Chapter 2, the new owner of the property, Pōhaku Loa Hale, LLC, is proposing to construct a single-story, single-family residence with an accessory dwelling unit (ADU), which will be similar in scope and use to the existing, roughly 80-year old structures. The residence will be located at 61-551 Pōhaku Loa Way near Haleʻiwa, Oʻahu, Hawaiʻi on TMK No. 6-1-009:010 (Figure 1.1). The subject parcel is located in the Special Management Area (SMA) and, consequently, will require an SMA Permit (SMP), pursuant to Revised Ordinances of Honolulu (ROH), Chapter 25 (Figure 1.3). Because the total value of the proposed project is greater than $500,000, it will require an SMP Major issued via Resolution by the Honolulu City Council (HCC).

In the past, pursuant to ROH, Chapter 25-1.3(2)(A), construction or reconstruction of a single-family residence of less than 7,500 square feet of floor area, and which was not part of a larger development was not considered development and was required to obtain an SMP. However, on September 15, 2020, the Governor of the State of Hawaiʻi signed into law Act 016, Senate Bill 2060 SD2, which is intended to strengthen the State's Coastal Zone Management (CZM) program. Pursuant to that, the CCH's Department of Planning and Permitting (DPP) has begun

implementing changes to how it administers ROH Chapter 25, relating to the SMA, and ROH Chapter 23, pertaining to shoreline setbacks. Thus, because the proposed residence is situated on a shoreline lot, as defined by ROH, Chapter 23-1.3, with the potential to be impacted by waves, storm surge, high tides, or shoreline erosion, it is considered "development" and is subject to the requirement for an SMP Major from the HCC.

Figure 1.3: SMA Map



Source: Planning Solutions, Inc.

In addition to the requirement for an SMP Major, pursuant to ROH, Chapter 25-3.3(c), the proposed project is also subject to the requirement for an Environmental Assessment (EA). This EA is intended to satisfy that requirement and to provide the necessary information and analysis needed to permit the DPP and HCC to support issuance of an SMP Major. This EA has been prepared in accordance with the requirements of ROH, Chapter 25, as well as Hawai'i Revised Statutes (HRS), Chapter 343 and its implementing regulations contained in Hawai'i Administrative Rules (HAR), Title 11, Chapter 200.1.

1.3 PERMITS AND APPROVALS

The permits and approvals required in order to construct the proposed residence at 61-551 Pōhaku Loa Way are identified in Table 1.2.

Table 1.1: Permits and Approvals

Permit	*Issuing Authority*
ROH §25 Environmental Review	Department of Planning and Permitting
Certified Shoreline	Department of Land and Natural Resources
Special Management Area Permit – Major	City and County of Honolulu, County Council
Individual Wastewater System Permit	Department of Health, Wastewater Branch
Building Permit	Department of Planning and Permitting
Source: Compiled by Planning Solutions, Inc.	

2 PROPOSED ACTION AND ALTERNATIVES

2.1 DESCRIPTION OF THE PROJECT PARCEL

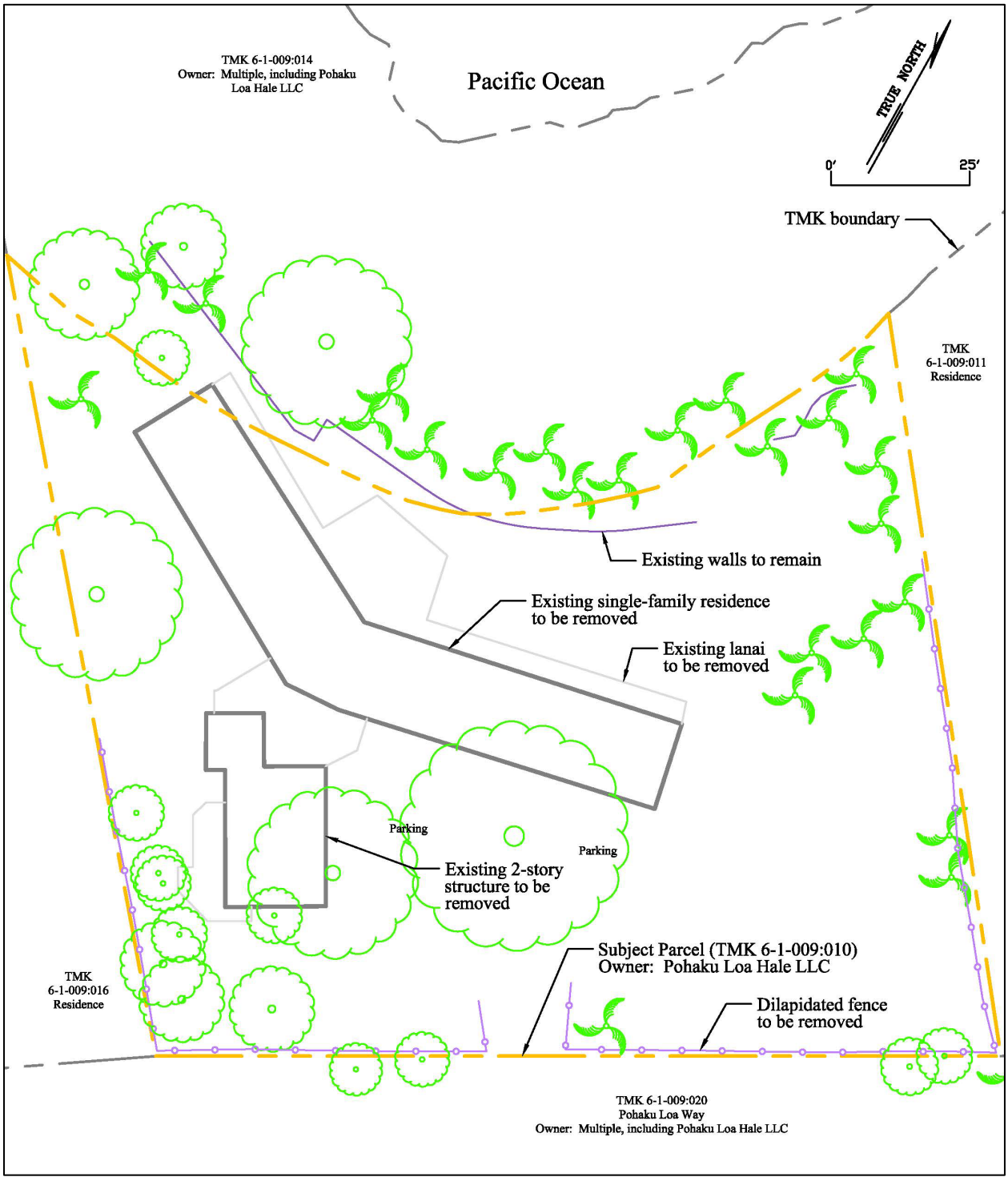
The subject parcel, TMK No. (1) 6-1-009:010 at 61-551 Pōhaku Loa Way in Haleiwa, Hawai‘i, is a shoreline lot with a total area of 0.4068 acre (17,720 square feet). The recorded owner of the parcel is Pōhaku Loa Hale, LLC with an address of 222 Wailupe Circle, Honolulu, Hawai‘i 96821.

As noted in Section 1.2, the entire project parcel is located within the SMA (Figure 1.3). The parcel is accessed via the privately-owned Pōhaku Loa Way off Kamehameha Highway (State Route 83). The properties to the north and south of the parcel are both privately-owned and in residential use. The parcels to the east and west of the parcel, are communally owned by the owners of the 11 residential parcels along Pōhaku Loa Way; the parcel to the west is a beach and the parcel to the east is Pōhaku Loa Way.

Currently, the parcel is occupied by a single-story dilapidated former residence, with an open lanai on its makai side, and a smaller two-story structure occupied by a caretaker (Figure 2.1). Figure 2.2 provides an aerial view of the parcel and Figure 2.4 provides ground-level photographs of existing conditions on the project site. CCH records indicate that the primary dwelling was constructed in 1941, with the two-story structure built subsequently in 2005, however, it appears likely that the two-story structure dates to a much earlier time. The two structures are interconnected by a shared elevated deck. The existing primary dwelling has an interior floor area of approximately 1,848 square feet, with five bedrooms and two bathrooms, and approximately 540 square foot elevated lanai. The two-story structure has an interior garage and half story on the ground floor, with a total interior area of approximately 425 square feet. The condition of the primary dwelling is very poor and would far exceed 50 percent of replacement costs to bring the structural and architectural insufficiencies into compliance with current building code standards.

These structures are surrounded by a grass lawn interspersed with vegetation, including naupaka, coconut palms, and a hau tree (Figure 2.2). A wooden fence, also in poor condition, surrounds the mauka portion of the property (Figure 2.4, photographs a and b). Rock and cement walls are present along the makai portion of the parcel (Figure 2.4, photographs c and e); these walls will remain and are nonconforming structures that were likely built when the existing residence was constructed in the early 1940s. A previous resident indicated that the walls were present when he moved to the site in 1954 and shared photographs of himself (at 6 years old) with the wall from that period (Figure 2.3).

Figure 2.1: Site Plan, Existing Conditions



Source: KN Surveying and Planning Solutions, Inc.

Figure 2.2: Aerial Photograph of Existing Site Conditions

Source: Pōhaku Loa Hale LLC

Figure 2.3: Historic (1955) Photograph of Previous Owners at the Site

Source: Sutherland family.

Figure 2.4: Ground-Level Photographs of Existing Site Conditions

a. Existing entrance to the property from Pōhaku Loa Way.

b. Existing boundary fence to be removed.

c. View west toward primary dwelling to be removed. Wall on right to remain.

d. Interior view of primary dwelling unit.

e. View from parcel 14 toward primary dwelling to be removed. Wall on right to remain.

f. View west toward primary dwelling to be removed. Adjacent two-story structure on far left to be removed.

Source: Planning Solutions, Inc.; all photos dated July 7, 2021.

2.2 DESCRIPTION OF THE PROPOSED ACTION

The proposed action consists of:

1. The City and County of Honolulu, County Council issuing a SMA Major Permit to Pōhaku Loa Hale, LLC for the proposed project.
2. Pōhaku Loa Hale, LLC obtaining other necessary permits and approvals and implementing the proposed project as described in Section 2.3.

2.3 DESCRIPTION OF THE PROPOSED PROJECT

Pōhaku Loa Hale, LLC purchased the property in 2020 with the intention of constructing a single-family residence for two generations of the Cannon family. A site plan for the proposed project is provided in Figure 2.5. Elevation and rendered views of the proposed structures are provided in Figure 2.6 and Figure 2.7, respectively. These figures are provided for quick reference; a set of drawings with additional details are included in Appendix B. All figures and plans are conceptual at this stage of project development. Plans will be refined based on review comments and owner desires; however, substantial modifications are not anticipated. The following subsections provide additional detail on various elements of the proposed development.

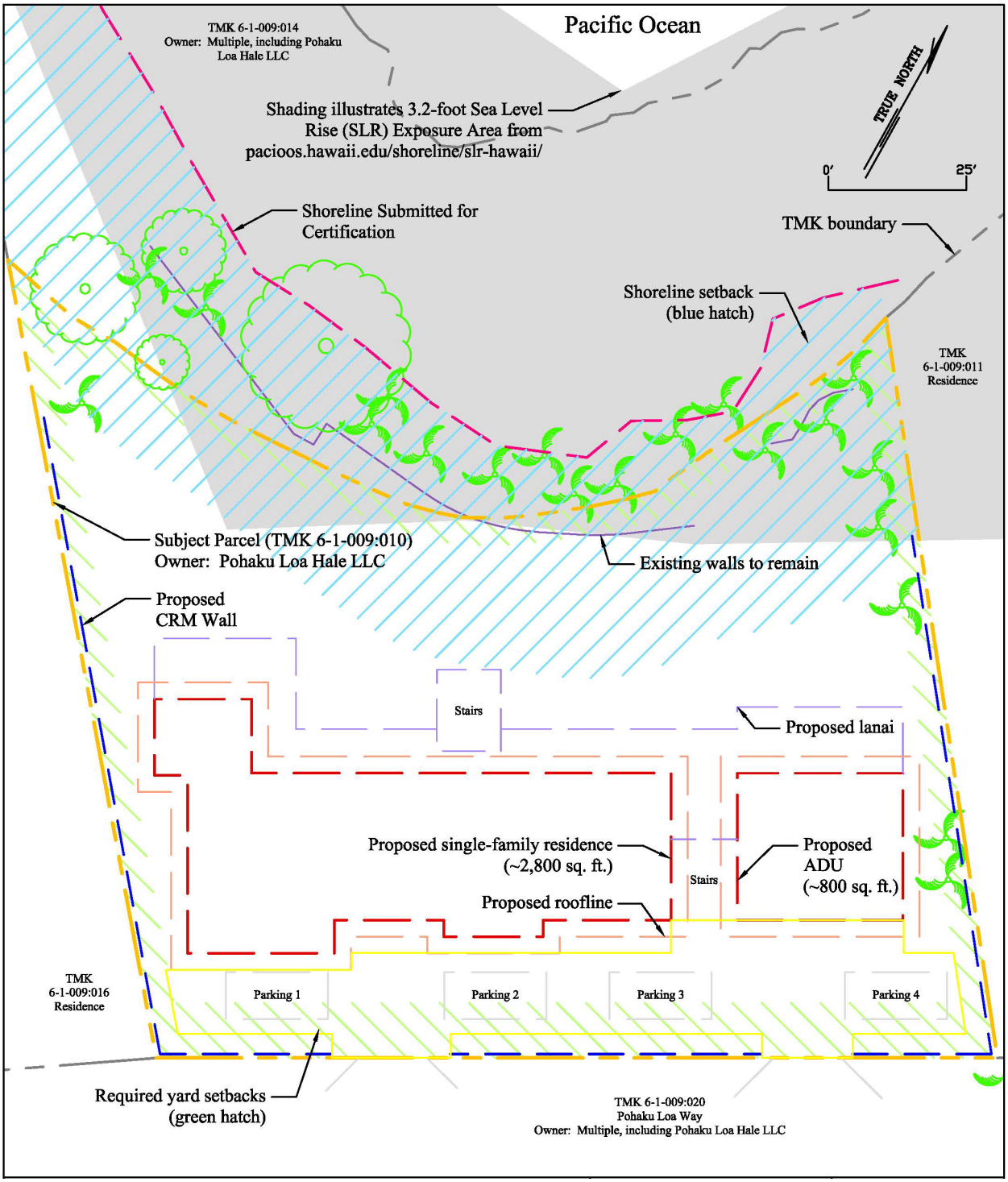
2.3.1 PRIMARY COMPONENTS

The primary proposed project components consist of Pōhaku Loa Hale, LLC:

- Demolishing (Figure 2.1):
  - The 1,848 square foot primary dwelling.
  - The 425 square foot two-story structure.
  - The associated elevated lanai.
- Constructing and utilizing (Figure 2.5, Figure 2.6, and Figure 2.7):
  - A single-story, single-family residence with approximately 2,800 square feet of interior space, including 3 bedrooms with 2.5 baths.
  - A single-story ADU with approximately 800 square feet of interior space, including 1 bedroom and 1 bath.
  - An elevated lanai interconnecting the two dwellings and exterior stairs from ground level to living level on both the front and back.

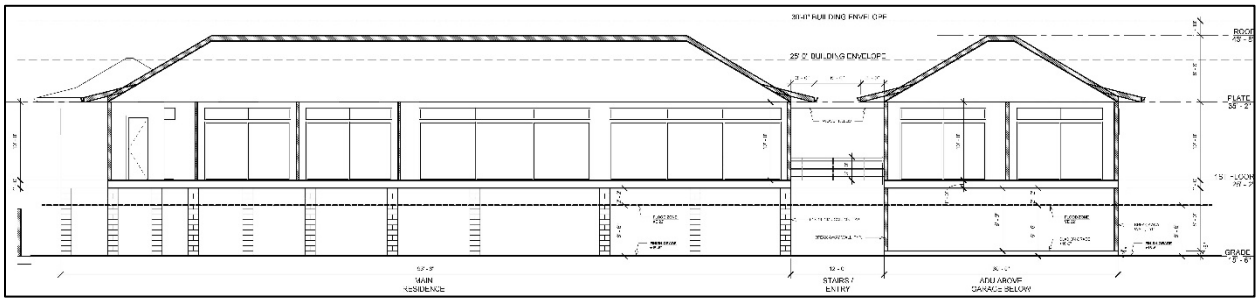
Demolition of the existing structures will eliminate the non-conforming structures, which are partially in the 40′ shoreline setback. The design of the proposed structures is intended to maintain a low profile and a Hawaiian sense of scale and place, harmonized with the character of the residential community along Pōhaku Loa Way. The structures will be elevated 8′8″ above grade so that the bottom of the floor structure is above the base flood elevation (BFE). All new structures will conform to all applicable regulations and standards. For example, the new residential structures will be outside all yards and setbacks, including the 40′ shoreline setback; be less than the applicable height limit of 30 feet; and not exceed the allowable building area (Section 4.2.3 and 4.2.4).

Figure 2.5: Proposed Site Plan with Proposed Shoreline Certification, Setbacks, and 3.2-foot Sea Level Rise Exposure Area



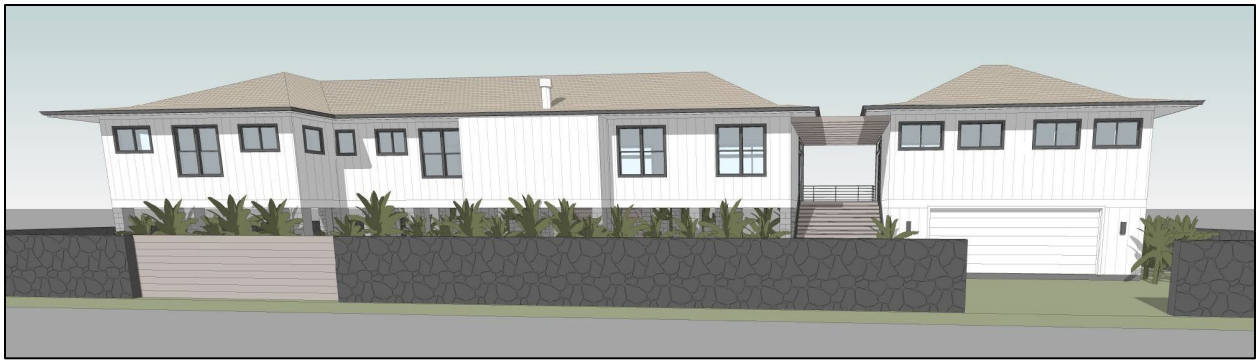
Source: KN Surveying, Pōhaku Loa Hale, LLC, and Planning Solutions, Inc.

Figure 2.6: Elevation View



Note: Applicable height limit is 30 feet because the structure is elevated above the flood elevation (Section 4.2.3).
Source: Pōhaku Loa Hale, LLC.

Figure 2.7: Rendering of Proposed Project from Pōhaku Loa Way



Note: Shown with right rolling gate open.
Source: Pōhaku Loa Hale, LLC.

2.3.2 ACCESSORY COMPONENTS

Parking. Two types of parking will be provided:

- *Garage*. The space under the 800 square foot ADU will be finished as a two-vehicle garage with a concrete slab on grade and breakaway walls (Figure 2.7).
- *Uncovered*. The property affords adequate space for at least four uncovered parking stalls, two for the primary dwelling and two for the ADU (Figure 2.5). These open-air parking areas will be located on the mauka side of the property, between the proposed dwellings and Pōhaku Loa Way (Figure 2.5), and screened from view by the proposed perimeter wall and gates. The ground surface in this area will be finished with concrete pavers.

Wastewater System. A HDOH-permitted (Section 1.3) Individual Wastewater System (IWS) for use by both the primary dwelling unit and the ADU. Wastewater will be piped to an underground IWS, located near the property boundary along Pōhaku Loa Way for ease of access. The IWS will consist of a new septic tank and leach field that will be located between the residence and boundary wall along Pōhaku Loa Way, with at least 5 feet of clearance from both.

Stormwater System. A subsurface drainage system, including a drywell, will be installed and stormwater from roof downspouts will be directed to it.

Walls, Fences, and Gates. A 6-foot-high lava-rock wall (concrete reinforced masonry (CRM)) will be built on the north, east, and south boundaries of the property (Figure 2.5). Two rolling gates for ingress and egress along Pōhaku Loa Way (gaps in the eastern CRM wall, Figure 2.5) will be installed for vehicular and pedestrian access. The existing walls in the makai portion of the parcel (Figure 2.1 and Figure 2.4, photographs c. and e.) will remain.

Landscaping. The existing landscape shown in Figure 2.5 will remain. Additional landscaping may be added; however, the bulk of the lot will be planted and maintained as a lawn.

Rooftop Solar. Roughly 75 photovoltaic (PV) panels will be installed on the roof to generate electricity. The energy produced will be used to sustainable power the dwelling and electric vehicles with excess energy going to the island grid.

2.3.3 DESCRIPTION OF PROPOSED CONSTRUCTION

The proposed demolition and construction can be accomplished with standard construction equipment; no novel equipment or techniques are required to complete the project. Little or no grading will be required; however, some trenching and excavation will be required for: (*i*) the 40 concrete piers to support the structures; (*ii*) the IWS; (*iii*) perimeter CRM wall, (*iv*) subsurface drainage system with drywell, and (*v*) utility interconnections (e.g., water pipes and lawn sprinklers). Best Management Practices (BMPs) will be implemented throughout the entire process from demolition through construction to prevent fugitive dust from leaving the site and stormwater from discharging into waters of the State of Hawai‘i. Physical BMPs will include:

- An 8-foot-tall dust fence.
- A stabilized construction site ingress and egress.
- The use of silt fences and/or silt socks to manage stormwater runoff.

The construction plans provided in Appendix B detail the BMPs for erosion and sediment control.

The construction will employ traditional trades (e.g., carpentry, electricians, plumbers, laborers) and will be carried out during normal business hours. All construction staging will occur on-site. Materials will be delivered in phases, as needed, as the construction progresses.

Notification of residents along Pōhaku Loa Way has already been initiated and will continue. Worker travel and parking will also be coordinated to either occur on-site or in appropriate nearby areas.

An archaeological monitor will be present on-site to observe all ground-disturbing activities to ensure that any archaeological resources inadvertently encountered during construction are properly identified and recovered (Section 3.2.3).

2.3.4 PRELIMINARY SCHEDULE

Pōhaku Loa Hale, LLC intended to complete all phases of the proposed residential project, including obtaining all required permits and approvals, demolition, and reconstruction as expeditiously as practicable. The major project-related tasks, and their preliminary schedule for completion, are presented in Table 2.1 below.

Table 2.1: Preliminary Schedule for the Proposed Action

Task	*Estimated Start Date*	*Estimated Completion Date*
Pre-Environmental Assessment Scoping	6/4/2021	7/4/2021
Shoreline Certification	8/31/2021	11/2021
Environmental Assessment	5/14/2021	2/2022
Special Management Area - Major Permit	2/2022	6/2022
Other Permitting, Construction Bidding, and Contractor Selection	6/2022	9/2022
Demolition and Removal	10/2022	11/2022
Construction	11/2022	11/2023
Source: Pōhaku Loa Hale, LLC		

2.3.5 ESTIMATED PROJECT BUDGET

The estimated project cost is $1.4 million.

2.4 PROJECT ALTERNATIVES

2.4.1 FRAMEWORK FOR CONSIDERATION OF ALTERNATIVES

Title 11, Chapter 200.1, HAR contains the State of Hawai‘i, Department of Health (HDOH) environmental review rules. HAR, §11-200.1-9 deals with applicant actions such as the proposed project. It requires that, for actions not exempt, the applicant must consider the environmental factors and available alternatives and disclose those in an EA or Environmental Impact Statement (EIS). HAR §11-200.1-18 establishes the process for the preparation and content of an EA. Among the requirements listed, HAR §11-200.1-18(d)(7) requires the identification and analysis of impacts of alternatives considered during project planning.

In accordance with those requirements, Pōhaku Loa Hale, LLC has considered a number of alternatives before determining that the proposed action described above is its preferred alternative. The process consisted of formally defining the purpose and need for the project (Section 1.1), identifying other ways in which those objectives might be achieved (i.e., alternatives, including those specifically recommended by HRS, Chapter 343 and HAR §11-200.1), and evaluating each alternative with respect to the project's objectives. Possibilities considered included the "No Action" alternative, alternative locations, alternative configurations for the project, alternative scales for the proposed project, and alternative timing (i.e., delayed action).

2.4.2 ALTERNATIVES FOR DETAILED CONSIDERATION

Pōhaku Loa Hale, LLC has concluded that the only alternatives that merit detailed consideration in this EA are:

- ALT-1, the Proposed Action Alternative, described previously in this chapter. Pōhaku Loa Hale, LLC has concluded that constructing and occupying facilities at the proposed site on its present timeline would enable it to best meet its purpose and need as described in Section 1.1. Thus, the proposed action represents its preferred alternative.
- ALT-2, the No Action Alternative. Under the No Action Alternative, existing conditions on the project parcel would not be changed. No attempts would be made to

remove the dilapidated structures present on the site, and no new construction would occur there. While the No Action Alternative does not meet the project's purpose and need as defined in Section 1.1, it is considered here pursuant to the recommendations of HRS, Chapter 343 and HAR 11-200.1, and to provide a baseline for comparison and contrast with the action alternative (i.e., the Proposed Action).

Only these two alternatives will be analysis in Chapters 3 and 4.

2.4.3 ALTERNATIVES CONSIDERED BUT REJECTED

The following subsections briefly describe the other alternatives considered and the factors that were used to decide that they should be excluded from detailed consideration.

2.4.3.1 Restoration of Existing Residence

The condition of the primary dwelling is very poor and would far exceed 50 percent of replacement costs to bring the structural and architectural insufficiencies into compliance with current building code standards. Furthermore, the existing primary dwelling is not consistent with current land use regulations, including the shoreline setback. These issues, coupled with the current owners' needs, make the proposed project (Section 2.3) a preferrable course of action. Therefore, Pōhaku Loa Hale, LLC eliminated this alternative from further consideration.

2.4.3.2 Alternative Scale

In considering the residential needs of the project, Pōhaku Loa Hale, LLC considered constructing a single-family residence at the same location, but with an alternative scale. The scale could be larger or smaller than that outlined in Section 2.3. The subject 17,720 square foot parcel is certainly capable of hosting a larger residence; a larger residence could be achieved through greater lot coverage or by a multi-level structure. Having evaluated the larger scale possibility, project planners and owners concluded that it would exceed their residential needs and lacked the Hawaiian sense of place and scale that they are trying to create. A smaller structure was determined to be less attractive because it would not provide sufficient space for the primary family residence or a separate ADU for extended family. Therefore, Pōhaku Loa Hale, LLC eliminated these alternative scale alternatives from further consideration.

2.4.3.3 Delayed Action Alternative

As noted above, HAR §11-200.1 recommends the consideration of a variety of alternatives, including those of a substantially different nature than the proposed action, to include alternative timing (i.e., delayed action). Pōhaku Loa Hale, LLC was formed for the sole purpose of developing a residence at 61-551 Pōhaku Loa Way, meeting the purpose and need identified in Section 1.1 of this report. As such, the project planners believe that a delayed action alternative may be dismissed out of hand because it would neither address the purpose nor meet the needs of the proposed project. Further, to prolong development of the residence would offer no countervailing advantages, particularly since the existing residence on the site is dilapidated and uninhabitable in its present condition. For these reasons, Pōhaku Loa Hale, LLC has determined that a delayed action alternative is not a viable option and eliminated it from further consideration in this EA.

2.4.3.4 Alternative Location

HAR §11-200.1 also recommends the consideration of alternative locations for a proposed action. Effectively, the determination with regard to siting was made when its principals formed Pōhaku Loa Hale, LLC and acquired TMK No. 6-1-009:010. Pōhaku Loa Hale, LLC believes that this site possesses all of the characteristics which make it a desirable location for the proposed project, and that other available sites did not possess the same combination of characteristics which make the current location ideal for the proposed use. Having now purchased this property, which possess the appropriate underlying zoning and other characteristics, the project planners can see no advantage to further investigating alternative locations. For these reasons, Pōhaku Loa Hale, LLC has determined that an alternative location is not a reasonable option and therefore eliminated it from further consideration in this EA.

3 EXISTING ENVIRONMENT, POTENTIAL IMPACTS, AND MITIGATION

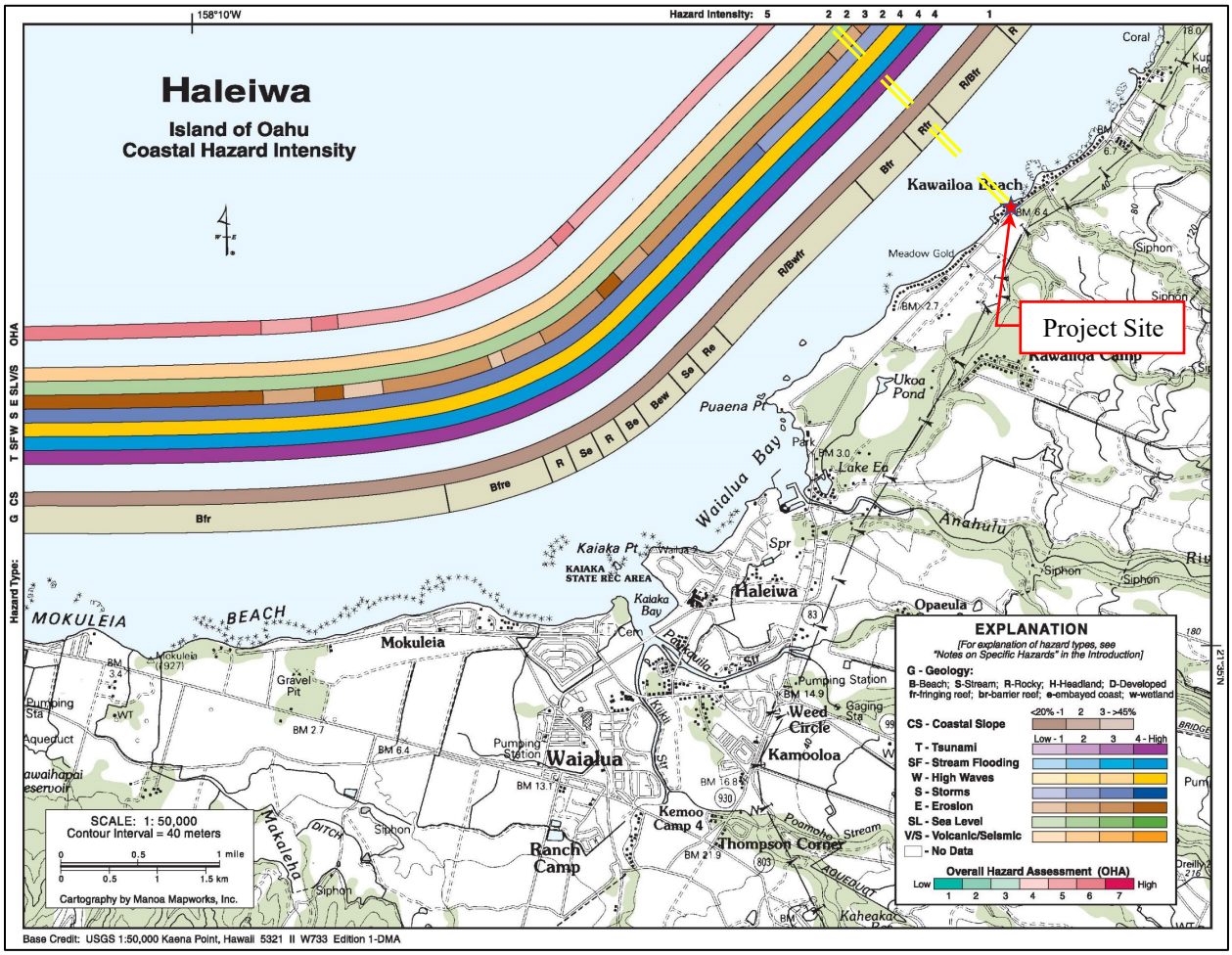
This chapter describes the potential environmental effects of the Proposed Action and the No Action Alternative, as described in Chapter 2. This chapter is organized by resource category (e.g., water quality, air quality, noise, etc.). The discussion under each topic includes: (*i*) an overview of existing conditions on the project site; (*ii*) the potential environmental impacts that may occur as a result of implementation of one of the alternatives considered in this EA; and, where appropriate, (*iii*) any measures that Pōhaku Loa Hale, LLC will take to avoid, minimize, or mitigate potential adverse effects. The scale of the discussion is commensurate with the potential for impacts. Where appropriate, the larger environmental context (e.g., the North Shore) is discussed, and in other cases the focus is narrower (e.g., the project site). The discussion of impacts also distinguishes between short-term impacts (i.e., those occurring when construction equipment and personnel are actively implementing demolition and construction processes) and those that may result over the long-term as a result of the project.

3.1 COASTAL ZONE HAZARDS

The *Atlas of Natural Hazards in the Hawaiian Coastal Zone* (USGS, 2002) provides an overview of coastal hazards throughout Hawai‘i, including in the vicinity of the project site. It indicates that the conditions and hazards for the Pōhaku Loa Way community, including the subject parcel, are as follows (Figure 3.1):

- Geology: Rocky coast with a fringing reef (Rfr)
- Coastal Slope: 1 (<20%)
- Tsunami hazard: 4 out of 4, the highest hazard level
- Stream Flooding hazard: 4 out of 4, the highest hazard level
- High Waves hazard: 4 out of 4, the highest hazard level
- Storms hazard: 2 out of 4, medium-low hazard level
- Erosion hazard: 2 out of 4, medium-low hazard level
- Sea Level hazard: 2 out of 4, medium-low hazard level
- Volcanic/Seismic hazard: 2 out of 4, medium-low hazard level
- Overall Hazard Assessment: 5 out of 7

Figure 3.1: Overview of Coastal Hazards



Source: Atlas of Natural Hazards in the Hawaiian Coastal Zone (USGS, 2002)

The report summarizes that "The moderate to high (5) to high (6) Overall Hazard Assessment (OHA) for the Haleiwa coast is largely influenced by the low coastal slope and a history of high wave energy and stream flooding."

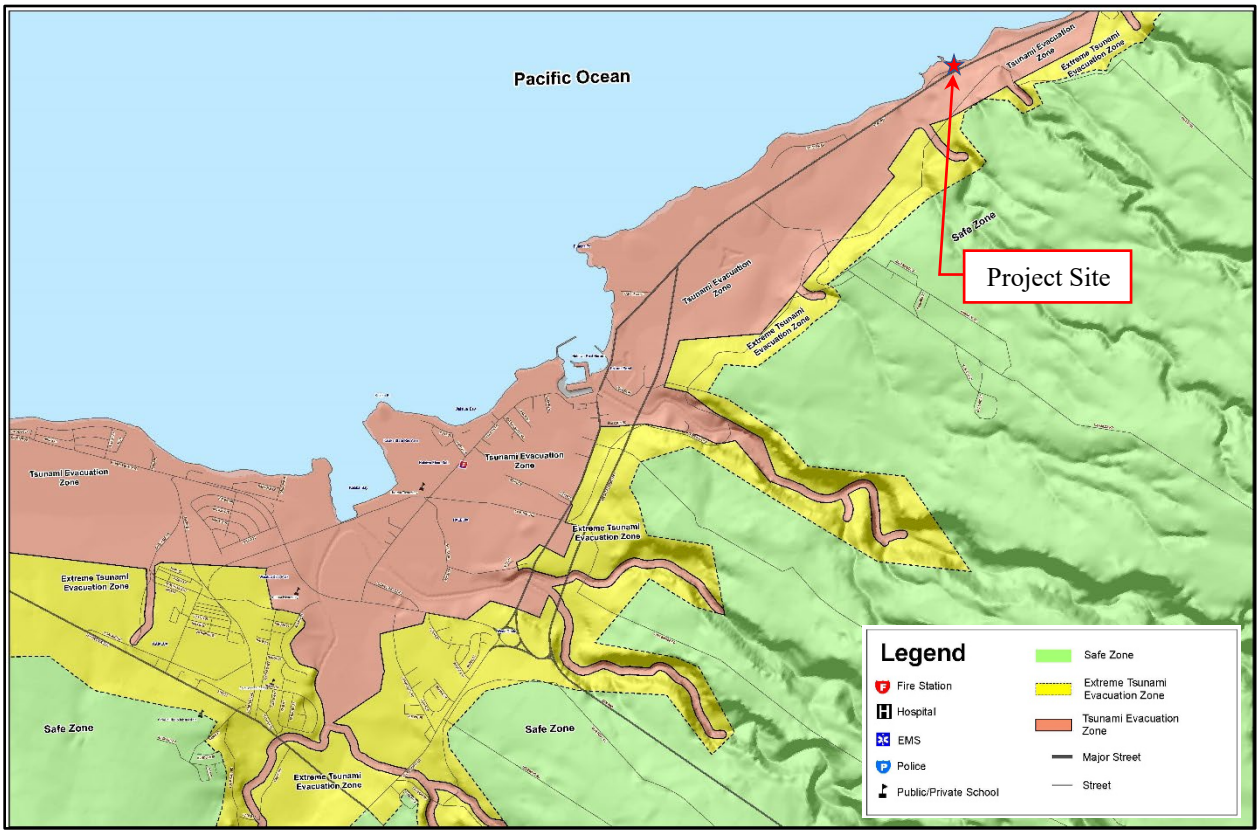
The following subsections consider these hazards in more detail, then the impacts are discussed (Section 3.1.8), and finally, the avoidance, minimization, and mitigation measures are presented (Section 3.1.9).

3.1.1 TSUNAMI HAZARD

The *Atlas of Natural Hazards in the Hawaiian Coastal Zone* (USGS, 2002) indicates that "The tsunamis of 1946, 1952, and 1957 generated flood heights of 11, 17, and 17 feet, respectively, along the Haleiwa coastline. … Because of this history and the low coastal slopes found here, hazards due to … tsunami … [is] ranked high along this coast."

The subject site is within the tsunami evaluation zone as illustrated on Figure 3.2.

Figure 3.2: Tsunami Evaluation Zone



Source: http://www.honolulu.gov/rep/site/dem/dem_docs/tsunami_evac/etez_final/Waialua_Bay_to_Mokuleia_map13_inset1.pdf (downloaded September 16, 2021)

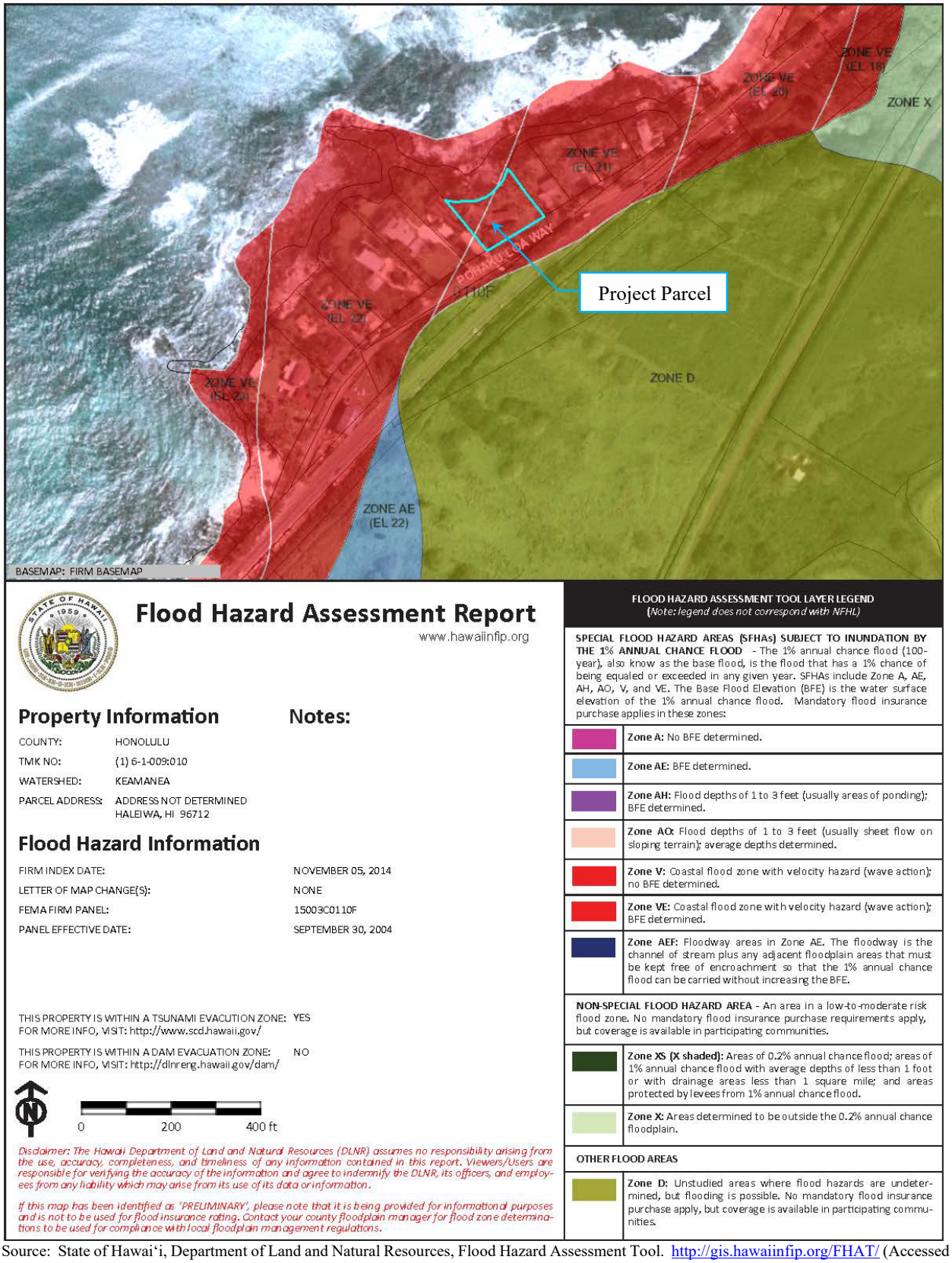
3.1.2 FLOODING HAZARDS – TSUNAMI, STREAMS, & STORMS

The National Flood Insurance Program, administered by the Federal Emergency Management Agency (FEMA), maintains floodplain and flood hazard maps for use in determining a reference height that allows property insurance companies to assess flood risk, known as the BFE. On the North Shore of O'ahu, Hawai'i, the greatest 1 percent annual flood risk is considered by FEMA to be associated with tsunami wave inundation, and not from storm surge or stream flooding.

The project parcel is entirely in the VE zone, which indicates a 100-year coastal flood zone that have additional velocity hazards associated with waves (including tsunami runup) (Figure 3.3). The Base Flood Elevation (BFE) has been determined in this zone and is 22 feet in the western portion of the parcel and 21 feet in the bulk of the parcel, including the portion where structures are proposed.

The project parcel is roughly equidistant (1,500 feet) from Kawailoa and Laniākea Streams. These are relatively small streams and runoff flowing down them, even during high flow, is not expected to affect the parcel, or, if they do, the flood elevation would be lower than the BFE identified above.

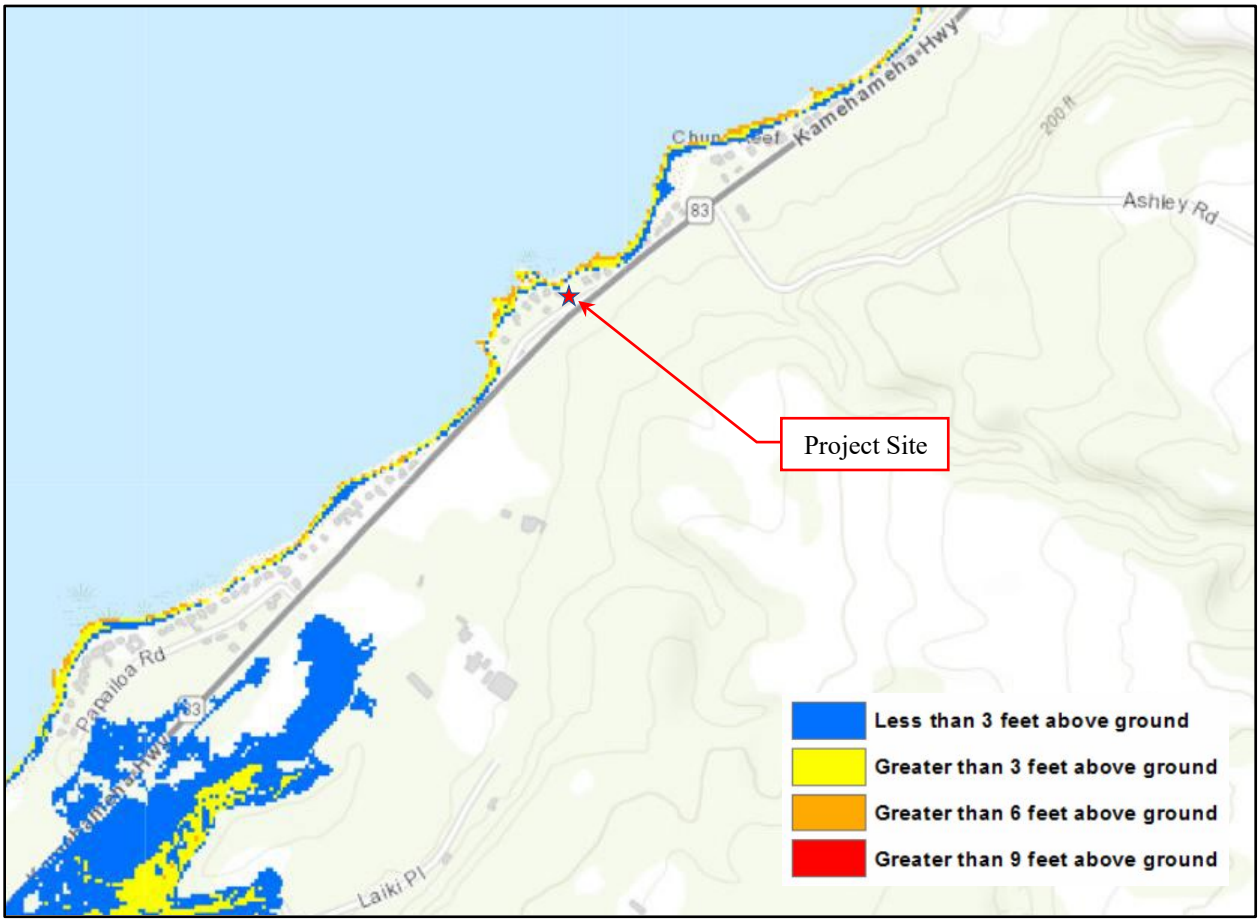
Figure 3.3: Flood Zone Assessment Report



Source: State of Hawai'i, Department of Land and Natural Resources, Flood Hazard Assessment Tool. http://gis.hawaiinfip.org/FHAT/ (Accessed September 16, 2021)

The *Atlas of Natural Hazards in the Hawaiian Coastal Zone* (USGS, 2002) set the storm hazard level at the project site at 2 out of 4 (medium low) for storms. The Atlas' hazard ranking for storms is primarily associated with the storm surge and high wind hazards. The medium low ranking is primarily associated with the relatively low predicted storm surge in the area (less than 10 feet). According to the National Oceanographic and Atmospheric Agency (NOAA) National Storm Surge Hazard Maps (Figure 3.4), no portion of the Pōhaku Loa Way community would likely experience a storm surge of more than 9 feet during a category 4 hurricane (see Section 3.1.4 for further discussion of storms). Therefore, storm surge in the area is anticipated to be far below the BFE at the project site.

Figure 3.4: Storm Surge Hazard, Category 4 Hurricane



Source: https://www.nhc.noaa.gov/nationalsurge/ (downloaded September 16, 2021)

3.1.3 HIGH WAVES HAZARD

The *Atlas of Natural Hazards in the Hawaiian Coastal Zone* (USGS, 2002) indicates that "This is a high wave-energy coastline that receives some of the largest breaking waves in the state. In 1969, for example, wave heights of between 30 and 35 ft were recorded offshore of Haleiwa, and in 1998 as high as 50 ft. … Because of this history and the low coastal slopes found here, hazards due to … high waves … [is] ranked high along this coast."

High waves are known to overtop Kamehameha Highway near the project site (Figure 3.5). Kamehameha Highway is at an elevation of roughly 15 feet but is seaward of the certified shoreline at this location.

Figure 3.5: Photograph of Sand Deposition from High Waves Overtopping Kamehameha Highway at Laniākea Beach

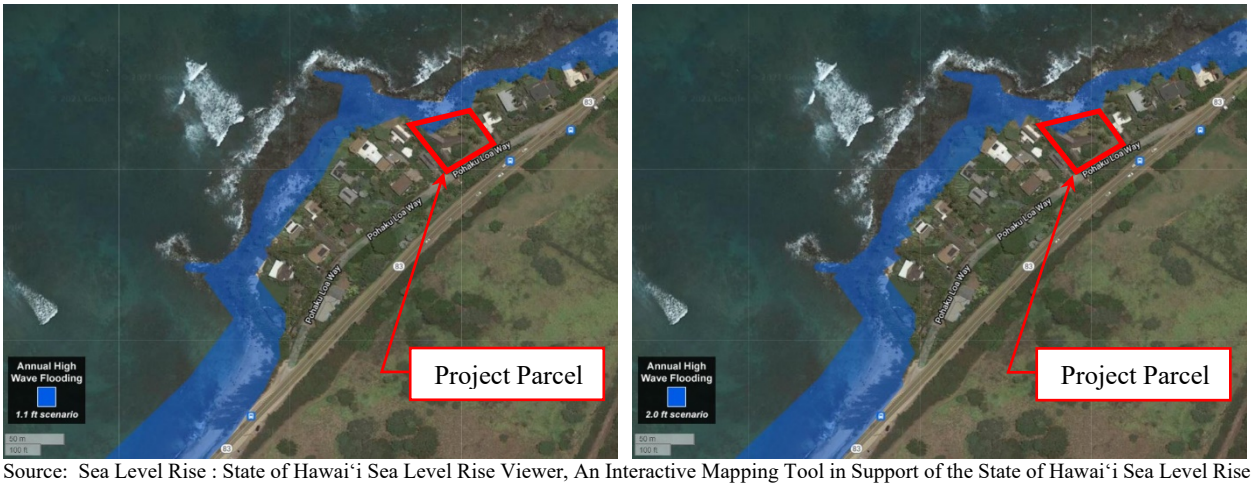
Source: Draft Environmental Assessment and Anticipated Finding of No Significant Impact for Kamehameha Highway Pedestrian Safety Project, Vicinity of Laniakea Beach, Haleiwa, Island of Oahu, Hawaii (HDOT, 2021)

The *Hawaii Sea Level Rise Vulnerability and Adaptation Report* (Hawaii Climate Change Mitigation and Adaptation Commission (HCCMAC), 2017) included numerical modeling to estimate the potential impacts that a 0.5, 1.1, 2.0, and 3.2-foot rise in sea level would have on coastal hazards, including annual high wave flooding. Those heights of sea level rise are predicted to occur in 2030, 2050, 2075, and 2100, respectively. Figure 3.6 shows the annual high wave flooding exposure area in the vicinity of the project area with 0.5 feet of sea level rise; Figure 3.7 shows both the 1.1 and 2.0 foot of sea level rise scenarios; and Figure 3.8 shows the annual high wave flooding exposure area in the vicinity of the project area with 3.2 feet of sea level rise (a sea level rise that is not expected to occur until 2100).

Figure 3.6: Annual High Wave Flooding in Project Area under a 0.5-foot Sea Level Rise Scenario (2030)

Source: Sea Level Rise : State of Hawai'i Sea Level Rise Viewer, An Interactive Mapping Tool in Support of the State of Hawai'i Sea Level Rise Vulnerability and Adaptation Report. http://www.pacioos.hawaii.edu/shoreline/slr-hawaii/ (accessed September 16, 2021).

Figure 3.7: Annual High Wave Flooding in Project Area under a 1.1-foot (2050), and 2.0-foot (2075) Sea Level Rise Scenarios



Source: Sea Level Rise : State of Hawai'i Sea Level Rise Viewer, An Interactive Mapping Tool in Support of the State of Hawai'i Sea Level Rise Vulnerability and Adaptation Report. http://www.pacioos.hawaii.edu/shoreline/slr-hawaii/ (accessed September 16, 2021).

Figure 3.8: Annual High Wave Flooding in Project Area under a 3.2-foot Sea Level Rise Scenario

Source: Sea Level Rise : State of Hawai'i Sea Level Rise Viewer, An Interactive Mapping Tool in Support of the State of Hawai'i Sea Level Rise Vulnerability and Adaptation Report. http://www.pacioos.hawaii.edu/shoreline/slr-hawaii/ (accessed September 16, 2021).

As shown in Figure 3.6, Figure 3.7, Figure 3.8, a gradually increasing, but not dramatically expanding, portion of the project parcel is modeled to be affected by annual high wave flooding between now and 2100. Only the makai portion of the parcel is expected to be impacted; the affected portion is roughly the same as the portion of the parcel that is in the shoreline setback. No structures are proposed in that portion of the parcel.

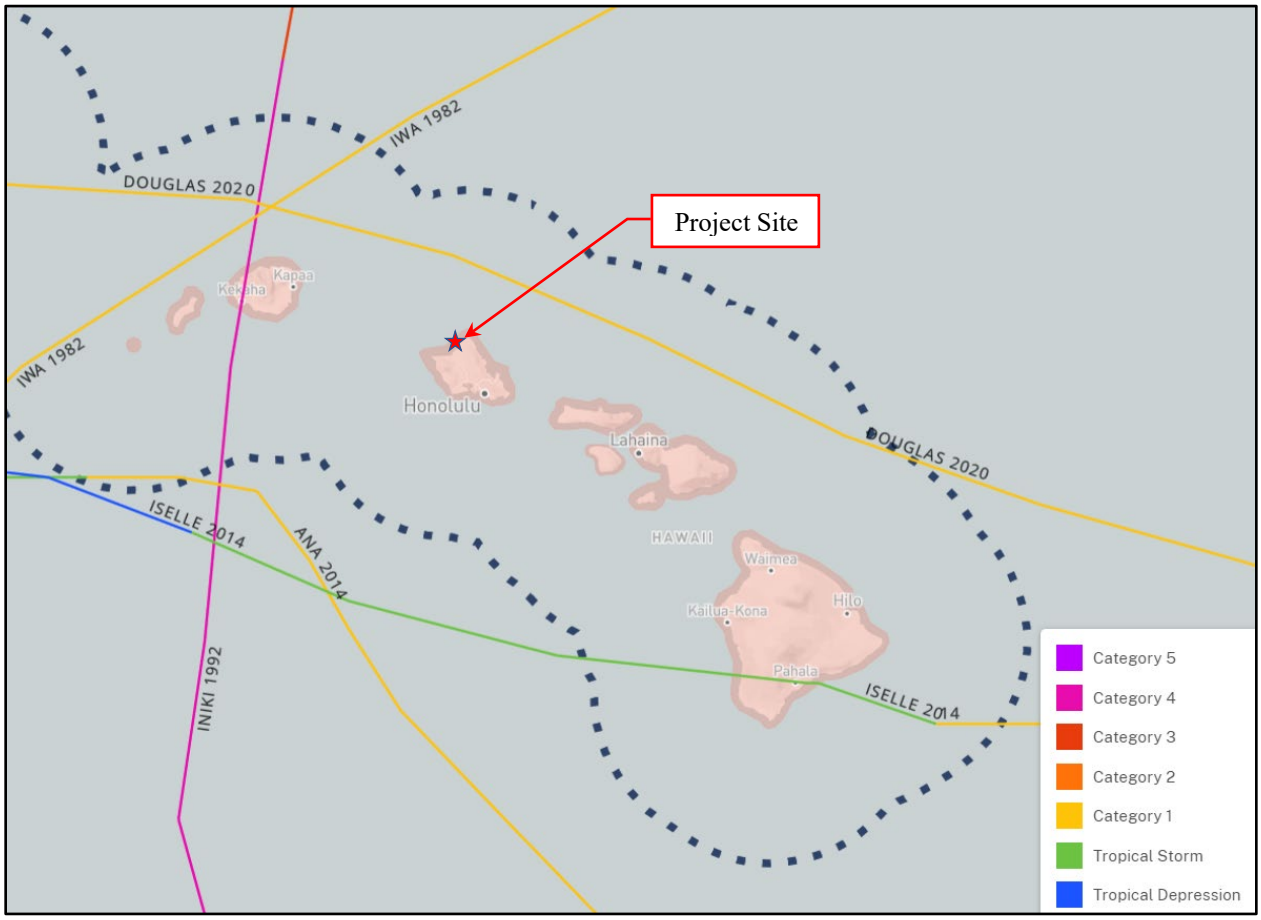
3.1.4 STORM HAZARD

During the primary hurricane season of July through September, tropical storms generally form off the west coast of Mexico and move westward across the Central Pacific. These storms typically pass south of the Hawaiian Islands and sometimes have a northward curvature near the islands. Late season tropical storms follow a somewhat different track, forming south of Hawai'i and moving north toward the islands. When these storms generate sustained wind speeds over 64 knots (74 mph) they are hurricanes. A handful of hurricanes have passed within 60 miles of the main Hawaiian Islands in the past 40 years (Figure 3.9):

- Iwa in 1982 (Category 1)
- Iniki in 1992 (Category 4)

- Iselle in 2014 (Category 1)
- Ana in 2014 (Category 1)
- Douglas in 2020 (Category 1)

Figure 3.9: Hurricanes Within 60 Miles of the Main Hawaiian Islands (1980-2020)



Source: https://coast.noaa.gov/hurricanes/#map=4/32/-80 (accessed September 16, 2021).

The damage and injury associated with these meteorological phenomena is the result of high winds, marine overwash (storm surge), heavy rains, tornadoes, and other intense small-scale winds and high waves. The intensity of the hazard is typically proportional to the proximity (distance) from the storm and the intensity (category) of the storm. The *Atlas of Natural Hazards in the Hawaiian Coastal Zone* (USGS, 2002) set the storm hazard level at the project site at 2 out of 4 (medium low) for storms. The Atlas' hazard ranking for storms is primarily associated with the storm surge and high wind hazards. As detailed in Section 3.1.2, the storm surge is not anticipated to exceed 9 feet for a category 4 hurricane; if the storm surge was predicted to exceed 10 feet, then the hazard ranking would be higher.

3.1.5 EROSION HAZARD

The causes of coastal erosion and beach loss in Hawai'i are numerous but poorly understood and rarely quantified. Factors that contribute to coastal erosion and beach loss include:

- Construction of shoreline hardening structures, which, while limiting coastal land loss landward of the structure, does not alleviate beach loss and may accelerate erosion on the seaward side of the structures by reducing sediment deposition.
- Reduced sediment supply either from landward or seaward (primarily reef) sources. Obvious causes, such as beach sand mining and structures that prevent natural access to backbeach deposits, remove sediment from the active littoral system. More complex issues may be related to reef health and carbonate production which, in turn, may be linked to changes in water quality.
- Large storms, which can transport sediment beyond the littoral system.[2]
- Sea-level rise, which leads to a landward migration of the shoreline.

The Coastal Geology Group in the School of Ocean and Earth Science and Technology at the University of Hawai‘i (UH) have developed a web map that provides information from their Hawai‘i Shoreline Study. As part of the study they developed "Future Erosion Hazard Zones," which are lands that are projected to be vulnerable to erosion by a specified year and associated height of sea level rise. The hazard zone is not meant to be a prediction of the exact lands that will be eroded in the future, nor a prediction of where the shoreline will be in the future. Rather, the erosion hazard zone represents lands that fall within a zone with a certain likelihood of exposure to erosion, according to probabilistic modeling. Figure 3.10 provides the output from the website for the area of the subject project.

As Figure 3.10 shows, the study does not project the coastline at the project site as being vulnerable to erosion; vulnerable areas can be seen on either side of the Pōhaku Loa Way area. This is because the Pōhaku Loa Way community is one of the few areas along this coast with a rocky coast and fringing reef, which lowers the erosion hazard relative to sandy shorelines in the region. Therefore, shoreline erosion is not considered a substantial hazard to the subject parcel or project.

[2] The littoral system is the area from the landward edge of the coastal upland (e.g., the certified shoreline) to the seaward edge of the nearshore zone (e.g., the edge of the shallow fringing reef).

Figure 3.10: Projected Future Shoreline Erosion Vulnerability

Source: Hawai'i Shoreline Study web map https://www.soest.hawaii.edu/coasts/index.php/resources/hawaii-shoreline-study-web-map/ (accessed September 16, 2021)

3.1.6 SEA LEVEL RISE HAZARD

The global community of climate scientists has concluded that sea levels are currently rising and that this trend is expected to continue for the foreseeable future. The Intergovernmental Panel on Climate Change (IPCC) has predicted (IPCC, 2013) that the average temperature in the Hawaiian Islands is likely to increase by 0.9° F to 1.7° F (0.5° to 1.5 C°) by 2100, rainfall is likely to decrease by, at most, 10 percent, and sea level could rise between 0.85 to 3.2 feet (0.26 to 0.98 meter). Given that likelihood, it is incumbent upon planners to look at the potential effects this trend could have on development and examine ways in which project designs can accommodate these changes. To partially illustrate the impact of Sea Level Rise (SLR) on the project vicinity, Figure 3.11 depicts the project site superimposed with the NOAA 1 meter (3.2 feet) SLR contour.

Figure 3.11: One Meter SLR Map (2100)

Source: NOAA Office of Coastal Management (2016)

While Figure 3.11 depicts the change in the static sea level rise, or passive flooding, associated with a 1-meter (3.2 feet) SLR, the *Hawaii Sea Level Rise Vulnerability and Adaptation Report* (HCCMAC, 2017) goes a step further when assessing the hazards associated with SLR. It modeled the three chronic flood hazards associated with SLR: (*i*) passive flooding; (*ii*) annual high wave flooding, see Section 3.1.3 for detailed discussion; and (*iii*) coastal erosion, see Section 3.1.5 for a detailed discussion. The combined footprint of these three hazards define what the report terms the "Sea Level Rise Exposure Area" (SLR-XA) and indicates flooding in the area will be associated with "long-term, chronic hazards punctuated by annual or more frequent flooding events."

Figure 3.12 shows the SLR-XA in the vicinity of the project area with 3.2 feet of sea level rise, which is not expected to occur until 2100. Because annual high wave flooding is the greatest SLR hazard in the Pōhaku Loa Way area, the SLR-XA is identical to the annual high wave flooding exposure area shown in Figure 3.8.

Figure 3.12: Sea Level Rise Exposure Area in Project Area under a 3.2-foot Sea Level Rise Scenario (2100)

Source: Sea Level Rise : State of Hawai'i Sea Level Rise Viewer, An Interactive Mapping Tool in Support of the State of Hawai'i Sea Level Rise Vulnerability and Adaptation Report. http://www.pacioos.hawaii.edu/shoreline/slr-hawaii/ (accessed September 16, 2021).

3.1.7 VOLCANIC/SEISMIC HAZARD

The *Atlas of Natural Hazards in the Hawaiian Coastal Zone* (USGS, 2002) indicates that "The hazard due to volcanism and seismicity is also ranked moderately low as it is throughout the northern half of Oahu." The Atlas' ranking of this hazard attempt to account for the variability in (*i*) geology, (*ii*) Uniform Building Code (UBC) seismic zone factor rankings for each island, (*iii*) history of volcanic and seismic activity, and (*iv*) recent scientific predictions of the probability distribution of seismic hazards among the main Hawaiian Islands. It notes that the volcanic/seismic hazard ranking generally increases uniformly from Kaua'i toward Hawai'i Island, because of the increase in volcanic and seismic activity found along Hawai'i Island's south-east coast.

Like all of O'ahu, the project site is designated by the UBC as Seismic Zone 2a. Current building codes, including the International Building Code (IBC), include minimum design criteria for structures to address the potential for damage due to seismic disturbances specific to each seismic zone. There is no threat of volcanic eruptions directly affecting the project area directly.

3.1.8 POTENTIAL IMPACTS

The Proposed Action will not have a discernable impact on these coastal zone hazards (tsunami, flooding, high waves, storms, erosion, sea level rise, or earthquakes). However, the project parcel, being a shoreline parcel, is situated such that it can be impacted by one or more of these natural events. Because the project parcel is located along a rocky shoreline with a fringing reef and is at an elevation of roughly 15 feet, the potential impacts associated with the coastal zone hazards are somewhat muted. The only hazard predicted to directly affect the portion of the parcel where structures would be built is the flood hazard associated with a tsunami. The more makai (seaward) portion of the parcel, the portion within the shoreline setback, is modeled to be affected by annual high waves (Figure 3.6, Figure 3.7, and Figure 3.8). Based on these factors, it has been assessed the associated impact will be less than significant.

Similar to the proposed action, the No Action Alternative will not have a discernable impact on these coastal zone hazards (tsunami, flooding, high waves, storms, erosion, sea level rise, or earthquakes). However, the existing structures have become dilapidated and are not elevated above the BFE and one of them is within the portion of the parcel that is anticipated to be directly affected by annual high waves once sea level rise advances to 0.5 feet. Therefore, the continued presence of the existing structures constitute a potential hazard (e.g., it could collapse and become flotsam or airborne) should one of these natural hazards occur.

3.1.9 AVOIDANCE, MINIMIZATION, OR MITIGATION MEASURES

In general, the proposed project will address these hazards and their associated potential impacts in a similar manner as existing residences have for years and new residences will in the future. This will include:

- All facilities constructed as part of the proposed project will meet or exceed IBC's minimum design standards for Seismic Zone 2a.
- All construction conditions shall conform to current construction practices, and meet all requirements of the 2012 International Residential Code (IRC), as amended by CCH.
- Design and construction will consider measures to reduce hurricane risk as outlined in FEMA's Coastal Construction Manual. This will involve the use of roofing materials that are engineered to withstand category 5 hurricane winds and other building materials designed to protect against wind, fire, and rain.
- Complying with all development standards of ROH, §21-9.10 *Flood Hazard Districts* applicable to the coastal high hazard district.
- Elevating the residence and lanai so that the bottom of the first floor structure is at an elevation of roughly 24 feet, which is above the BFE.
- Not placing structures within the shoreline setback.
- Abiding by emergency orders, such as tsunami evacuations.
- Maintaining the property in a way that minimizes the potential for the coastal zone hazards to cause property damage or undo risk to human health and safety, such as

keeping the property reasonably clear of debris and maintaining easy ingress and egress.

- Maintaining flood insurance coverage, provided it is available.

Implementing these measures will avoid, minimize, and mitigate the potential impacts of the coastal zone hazards.

3.2 ARCHAEOLOGICAL AND CULTURAL RESOURCES

3.2.1 CONTEXT

The project site is located in the ahupua‘a of Kawailoa, Waialua Moku, on the northern side of O‘ahu.

3.2.1.1 Historical Context

In pre-Contact and early historic times, the region was scattered with small fishing villages, extending from the west side of Waimea Bay toward Waialua. Cultivation in and around the area would have been limited to small gardens for taro and sweet potato rather than extensive irrigated complexes. Area inhabitants likely exchanged marine resources, which they obtained and managed for other foodstuffs, such as taro, with their more agriculturally invested neighbors in Waimea River Valley to the northeast and Anahulu River Valley to the southwest.

Large heiau were built on both sides of Waimea River Valley, which was a population center on the North Shore in pre-Contact times. Several sites have also been reported in the project area, including ‘Ili‘ilikea Heiau, Pu‘upea Heiau, and Kahokuwelewelo, among others.

Beginning in the early 1800s, the sandalwood trade initiated economic and cultural transformations in the Waialua Moku. The demands put on the maka‘āinana (commoners) to harvest sandalwood for trade caused many taro fields to become fallow. As the sandalwood trade collapsed in the 1830s, Protestant missionaries were establishing their presence in Waialua. In the latter half of the 1800s, Chinese immigrants began to cultivate rice in areas where taro once thrived. In 1892, there were 180 acres under rice cultivation in Waialua Moku, including Kawailoa.

During the Māhele in 1848, nearly the entire ahupua‘a of Kawailoa was awarded to Victoria Kamāmalu. Following the death of Kamāmalu in 1866, Kawailoa Ahupua‘a was passed on to successive members of the ali‘i. The Bernice Pauahi Bishop Estate Trust (Kamehameha Schools) presently retains ownership of much of the area.

Land Commission Awards documentation from the Māhele indicates a wide range of indigenous Hawaiian subsistence activities being practiced in the vicinity. The coastal ‘āpana (section) was used for fishing and habitation and the mauka ‘āpana as kula (field) to cultivate sweet potatoes. The pali (cliffs) were a source of wauke and hala.

The Oahu Railway and Land Company (OR&L), which connected outlying areas of O‘ahu to Honolulu, reached Waialua in 1898 and continued on to Kahuku. In 1899, the two-story Haleiwa Hotel was opened at Waialua Bay providing a place for tourists riding the OR&L a place to stay on the North Shore. The OR&L also spurred large scale sugar farming in Waialua. From about

1900 to the 1950s, the Waialua Agricultural Company, later named the Waialua Sugar Company, expanded to eventually reach more than 12,000 acres, including a large portion of the Kawailoa Ahupua‘a uplands, which was leased from the Bishop Estate (Kamehameha Schools). Meadow Gold Dairies also operated in the area, utilizing the coastal plain area for grazing and production. Meadow Gold also leased land from Bishop Estate (Kamehameha Schools) for their operation.

Following the Japanese attack on Pearl Harbor in 1941, the immediate project area, including the subject parcel, was developed as a coastal artillery fortification. It is reported that an antiaircraft gun was located roughly 35 feet southeast of the entrance to the subject parcel between what is now Pōhaku Loa Way and Kamehameha Highway and that the existing dilapidated residence was originally the barracks for the coastal artillery branch that manned the gun.

3.2.1.2 Cultural Practices

Cultural practices and resources are not known to occur on the project parcel, which has been in private residential use since at least the 1950s. The shoreline area in the vicinity of the project parcel, but not the project parcel itself, is often traversed to access surfing and fishing areas. Fishermen, surfers, and others access the shoreline from Kamehameha Highway at nearby Laniākea or Kawailoa Beaches.

3.2.1.3 Identified Potential Historical Resources

Reports available from other projects in the vicinity indicate that there are number of potential archaeological resources in the area, but none have been identified within the footprint of the proposed project. Nearby resources, mauka of Kamehameha Highway, include enclosures, possible burials, and “alignments.” Several potentially significant historic sites in the region may have been significantly damaged or destroyed by historic and modern period agricultural, ranching, military, residential, and other activities.

Burials have been encountered during excavations or archaeological surveys in the region; however, none are known to have been encountered within any of the residential parcels along Pōhaku Loa Way.

3.2.1.4 Soil and Ground Surface Conditions

According to the soil survey, the soil at the subject parcel is part of the Jaucas Series (JaC). No excavations have been performed to date to inform project planning. The rocky shoreline and evidence of large lava rocks at the ground surface within the subject parcel suggest that, unlike nearby Papa‘iloa, the subject parcel does not consist of a coastal sand dune or storm berm.

The bulk of the proposed location for the new residence has been utilized by parcel residents for parking for decades. A portion of the proposed location of the new residence is currently occupied by existing structures. An old hau tree is also present in the area of the proposed residence. The entire parcel, including the proposed location of the new residence, is generally flat and devoid of natural surface features except for low stone walls along the parcel boundary.

3.2.1.5 Previous Ground Disturbance

Plans associated with historic and modern period development and disturbance, including OR&L, agricultural, military, and highway developments, are not available and the extent of ground disturbance that occurred is unknown. Those past developments, especially the military, likely involved some grading on the subject parcel. It is assumed that ground disturbance also occurred in the Pōhaku Loa Way neighborhood during residential and roadway construction following World War II. The roughly two-foot difference in grade between the subject parcel and neighboring parcel 16, to the west, suggest that some mass grading has occurred.

The following specific ground disturbances related to the existing improvements on the subject parcel are evident or inferred:

- Structure foundations for the existing structures;
- Water line installation;
- Wastewater system installation;
- Concrete and CRM wall installation, mostly seaward of the dilapidated residence; and
- Fences and low rock walls in other portions of the property.

3.2.2 POTENTIAL IMPACTS

Under the Proposed Action, given that the project site has been in continuous residential use for over 70 years and no archaeological or cultural resources or practices have been identified within the project area, project planners have concluded that the proposed action will have a less than significant impact on cultural and historic resources. The project will not affect access to the shoreline in the area. In the parlance of HRS Chapter 6E, planners have concluded that the proposed action would have no effect on archaeological or historic properties. To substantiate this conclusion materials have been submitted to the State Historic Preservation Division (SHPD) with a request for their review and response (Appendix A). In addition, this EA is being provided to SHPD with a request for review and comment.

The No Action Alternative would not involve any demolition or ground-disturbing activities and does not have the potential to impact archaeological or historic properties.

3.2.3 AVOIDANCE, MINIMIZATION, OR MITIGATION MEASURES

Pōhaku Loa Hale, LLC proposes to conduct archaeological monitoring during all initial ground disturbances associated with the proposed project. Should SHPD concur that archaeological monitoring is the appropriate approach for the proposed project and that no archaeological inventory survey is required in advance, then an Archaeological Monitoring Plan (AMP) will be prepared and submitted for SHPD review and approval prior to the commencement of construction.

The AMP will include the following provisions:

- SHPD will be notified upon the onset and completion of the monitoring activities.

- Prior to the start of any subsurface development activities, a meeting will be held among the construction contractor, the project proponent, and the qualified archaeological monitor to discuss the procedures for monitoring. At the meeting, it will be explained that the monitoring archaeologist has the authority to halt ground-disturbing activities in the event that archaeological or other cultural resources are encountered. If archaeological or other cultural resources identified during monitoring are deemed significant, SHPD will be notified and consultations will be conducted as appropriate.
- The qualified archaeological monitor will be present on-site to observe all subsurface ground-disturbing activities. When on-site, monitors will keep a daily log of activities performed and any discoveries made. Monitors will inspect all exposed soil and sediments, and the stratigraphic profiles of any deep cuts will be examined.
- All cultural deposits and sequences (including representative natural sequences) identified during the monitoring effort will be mapped, representative scaled profile drawings and plan views will be prepared, photographs will be taken, and the stratigraphic deposits will be described in detail using standard U.S. Department of Agriculture (USDA) soil descriptions and Munsell colors. If intact cultural deposits are discovered during monitoring, an assessment will be made as to their integrity and significance using the criteria enumerated in HAR, 13§13-275-6(b). If the deposit is deemed significant and is likely to be further impacted by demolition activities, work in the affected area will be curtailed, and an appropriate mitigation strategy will be developed in consultation with SHPD.
- Subsurface cultural features observed will be fully described, drawn, and photographed. Provenience information will also be recorded and related to an established project datum ensuring accurate horizontal and vertical placement. The limits of the feature will be defined, if possible, without further excavation, and any natural or cultural associations (including surrounding soil) will be noted. Where appropriate, samples (e.g., soil, charcoal, etc.) for further analyses will be recovered and processed.
- Artifacts observed in the removed soil will be recovered and their general provenience recorded. All traditional pre-Contact Hawaiian artifacts and diagnostic post-Contact artifacts will be recovered for laboratory analysis. The precise locations of any items found in situ will be recorded and the items photographed and recovered for subsequent laboratory analysis. Any observed associations will also be documented, and the surrounding soil will be fully described using standard USDA soil descriptions and Munsell colors.

If human skeletal remains are encountered during the monitoring effort, the on-site monitor will halt all ground-disturbing activity in the immediate area of the discovery, stabilize the remains, and contact the appropriate authorities. SHPD staff from the Archaeology Branch and from the History and Culture Branch will be notified immediately, and the monitor will notify the appropriate on-site construction personnel, the Police, and Medical Examiner, as appropriate. If the skeletal material is determined to be Historic or Pre-Contact (as opposed to recent), the monitoring archaeologist will direct the applicant to seek SHPD guidance on how to proceed with the discovery, and the human skeletal remains will be handled in compliance with HRS Chapter

43.6, HAR §13-300, and DLNR-SHPD directives. If the remains are determined to be recent, the Honolulu Police Department will be contacted.

Following completion of archaeological monitoring, a draft monitoring report will be prepared and submitted to SHPD for review and acceptance. This report will follow the specifications contained in HAR §13-279-5. If any human skeletal remains are recovered as part of the monitoring project, they will be summarized in the final monitoring report following procedures contained in HAR §13-300.

3.3 VISUAL AND AESTHETIC RESOURCES

3.3.1 EXISTING CONDITIONS

The CCH's *General Plan* (Amended 2002), regarding aesthetic and scenic resources, is focused on:

> *"the preservation of scenic resources such as mature trees, scenic views and vistas, key landmarks, and historic and cultural features; the use of urban design principles that emphasize aesthetic compatibility while meeting functional standards; and reviewing standards to ensure that the character of older communities is maintained while still allowing for new construction and maintaining older facilities."*

The 2011 *North Shore Sustainable Communities Plan* (NSSCP) contains a number of relevant provisions related to scenic resources, identifying mauka views of the Koʻolau Mountains, makai views of the ocean from Kamehameha Highway, and lateral views along area beaches and parks as scenic resources deserving special recognition and protection. These provisions are encapsulated in the first guideline related to scenic resources, identified in Section 3.1.2.7 Scenic Resources and Scenic Views of the NSSCP:

> *"Conduct planning with attention to preservation of natural open space, protecting coastal and mauka views from public roadways, and conserving important viewsheds."*

Throughout the area near Pōhaku Loa Way, including the Laniākea Beach Park to the south and Kawailoa Beach to the north, the primary views are toward or along the coast. None of the significant scenic views identified in the NSSCP are in the immediate vicinity of the proposed project site. Figure 3.13 depicts a Google Maps™ street view from Kamehameha Highway toward the Pacific Ocean when near the project site. As can be seen, the intervening vegetation, including kukui, kiawe, and haole koa, prevent direct views of the property or the ocean beyond it. Figure 3.14 contains a photograph of a view toward the Pacific Ocean from Pōhaku Loa Way at the project site; the photograph illustrates that the perimeter fencing, structures, and vegetation prevent views of the ocean from Pōhaku Loa Way.

Figure 3.13: View Toward Ocean from Kamehameha Highway near the Project Site

Source: Google Earth Streetview (accessed September 2021)

Figure 3.14: View toward Ocean from Pōhaku Loa Way at the Project Site

Source: Planning Solutions. Inc.

3.3.2 POTENTIAL IMPACTS

The Proposed Action will not materially change views from Kamehameha Highway, Pōhaku Loa Way, the beach, or other publicly-accessible locations relative to the existing condition. The vegetation that can be seen in Figure 3.13 that prevents views from Kamehameha Highway toward the ocean is in the highway right-of-way and/or the Pōhaku Loa Way parcel (TMK 6-1-009:020) and will not be modified by the proposed project. From Pōhaku Loa Way, which is a private road, the view will be somewhat modified by the proposed project (the wood fence will be replaced by a rock wall) but the view will remain the same (the ocean not visible). The proposed project will result in the on-site structures becoming more distant from the shoreline; therefore, views from and along the shoreline may be incrementally improved.

Thus, none of the scenic resources identified in the NSSCP would be impacted by the proposed action. Consequently, Pōhaku Loa Hale, LLC has concluded that the visual impact of the proposed action is negligible and no mitigation is required.

The No Action Alternative (i.e., ALT-2) would not have any significant impact on visual and aesthetic resources; however, as the existing improvements continue to degrade, they would become an even greater eyesore than they already are.

3.4 PROTECTED SPECIES

3.4.1 EXISTING CONDITIONS

No rare, threatened, endangered, or otherwise protected species are known to exist on the project site. Some protected species, including the Pacific Golden Plover (*Pluvialis fluva*) and Hawaiian Hoary Bat or Opeʻapeʻa (*Lasiurus cinereus semotus*), may occasionally visit the project site, but have not been seen during site inspections or reported by previous residents.

Green sea turtles (*Chelonia mydas*) are known to occur in nearshore waters adjacent to the project site. They frequently haul out on the sandy area at the water's edge fronting the subject parcel but do not approach the subject parcel due to the rock nature of the area. No turtle nesting is known to have occurred along the shoreline fronting the parcel and is unlikely to occur due to the rocky nature of the beach. Other protected species may occur in nearshore waters or overfly the area. These include other sea turtle species, monk seals, and seabirds (shearwaters, petrels, terns, tropicbirds, and frigates).

The marine water offshore of the project parcel are part of the Hawaiian Islands Humpback Whale National Marine Sanctuary. The nearest terrestrial designated critical habitat or sanctuary is more than 7 miles from the project parcel.

3.4.2 POTENTIAL IMPACTS

Under the Proposed Action, the project will not substantially change the overall character of the project parcel: it will continue to be used as a residence, lot coverage will be roughly the same, and similar landscaping will be maintained. The proposed project will not alter the character of the shoreline area. Thus, the proposed project does not have the potential to result in more than a negligible impact on protected species or their habitat.

The No Action Alternative does not have the potential to directly impact protected species.

3.4.3 AVOIDANCE, MINIMIZATION, OR MITIGATION MEASURES

To reduce the potential for harmful interactions between nocturnally flying seabirds, including Wedge-tailed shearwaters, and sea turtles with external lighting and manmade structures, construction activities will be limited to daylight hours when lighting is not required. If it becomes necessary to conduct any construction operations after dark, construction lighting will be shielded to prevent light attraction of native seabirds and turtles.

To avoid and minimize potential impacts to protected species, the project will:

- Only utilize exterior lighting that is identified as "acceptable" by the DLNR's Wildlife Lighting guidelines at the time it is specified in project designs. The current guidelines are available at https://dlnr.hawaii.gov/wildlife/files/2016/03/DOC439.pdf. Thus, all exterior lighting will be fully shielded.
- Design all exterior lighting to avoid light trespass beyond the relatively level area on the project parcel so the light sources (the bulbs or diodes) are not visible from the beach or water line.
- Use light sources that are "warm" with ratings of 3000 Kelvin or lower, which typically have a lower blue light content.
- Maintain landscaping on the project parcel.
- Preserve and maintain vegetation on the adjoining beach parcel (TMK 6-1-009:014) as specified in neighborhood covenants and in a manner that does not unnaturally encourage or discourage shoreline groundcover vegetation such as naupaka.
- Should construction activities impact or pose a threat of impact to protected species (e.g., a sea turtle enters the work site) or the aquatic environment (e.g., result in a silt plume or petroleum sheen on any waters of the State), the contractor will stop work and notify the National Oceanic and Atmospheric Administration (NOAA) at 808-725-5161, DLNR Division of Aquatic Resources (DAR) at 808-587-0100, and, if the incident involves impacts to State water quality, the Hawai'i Department of Health Clean Water Branch at 808-586-4309.

3.5 OTHER RESOURCES AND TOPICS

Due to the nature of the proposed project – replacing existing structures with similar new structures in order to continue the same use, which is consistent with all applicable land use rules and regulations, at the same intensity of use – it has no potential to substantially impact other resources or conditions. Therefore, the following topics, which are sometimes discussed in detail in EAs, are only briefly mentioned in this section:

- *Topography, geology, and soils*. The project parcel is essentially flat, is part of a lava rock protrusion into the Pacific Ocean, and the soil is mapped as Jaucas Series (JaC). The proposed project does not involve mass grading or other activities that have the potential to meaningfully modify topography or impact geology and soil resources.

- *Hydrology (surface waters, groundwater, and marine waters)*. The nearest surface waters are Kawailoa and Laniākea Streams roughly 1,500 feet to the northeast and southwest, respectively. The Kawailoa basal freshwater lens aquifer is present beneath the site; there are no wells nearby. The Pacific Ocean in the area is considered Class A, which is to be protected for recreational purposes and aesthetic enjoyment.
- *Air Quality*. Air quality in the region is good; all federal and state air quality standards have been attained.
- *Noise*. The predominant noise sources in the vicinity of the project site are traffic from Kamehameha Highway and background noise from the ocean due to wave action.
- *Public Utilities, Infrastructure, and Services*.
    - *Water*. The Board of Water Supply provides potable water to the project parcel. This will continue to be the case and substantial changes in water use are not anticipated.
    - *Electricity and communications.* Overhead lines provide electrical and communication services to the project parcel. This will continue to be the case and substantial changes in demand are not anticipated.
    - *Wastewater*. There is no municipal sanitary wastewater system serving the project parcel. The project site is currently served by an IWS that is permitted by the HDOH and will be closed per HDOH guidelines. A new HDOH IWS permit will be obtained and a new IWS installed as part of the proposed action (Section 2.3.2).
    - *Stormwater management.* Currently, stormwater from roofs, the only large areas of hardscape, is allowed to flow to the ground surface and percolate into the ground. Roofs will remain the principle large areas of hardscape under the proposed project. Stormwater from roofs will be directed to a stormwater system that includes a dry well. The concrete pavers used in driveway and parking areas are considered impervious, but will not be continuous and stormwater will infiltrate via the paver gaps and surrounding landscaped areas.
    - *Solid waste.* The project site is served by the Department of Environmental Services, Solid Waste Division, which provides weekly collection of solid waste, recycling, and green waste. This will continue to be the case and substantial changes in solid waste generation are not anticipated.
    - *Fire.* The project parcel is primarily served by the Honolulu Fire Department's (HFD) 2nd Battalion, which is headquartered at Waialua Fire Station No. 14 at 66-420 Haleʻiwa Road. The area is also served by the Sunset Beach Fire Station No. 11 at 59-719 Kamehameha Highway.
    - *Police.* The project parcel is in Honolulu Police Department Wahiawā District. The police station is located at 330 North Cane Street.
    - *Schools.* The project parcel is in the Leilehua-Mililani-Waialua public school complex. Children residing at the site, if any, would attend Haleʻiwa Elementary School at 66-505 Haleʻiwa Road and the Waialua High School and Intermediate School at 67-160 Farrington Highway.

- *Parks.* The project parcel is in the Department of Parks and Recreation's District 4. The nearest parks to the project site are Laniākea Beach Park and Kawailoa Beach Park (Chun's Reef), which are undeveloped. The nearest developed parks are Haleiwa Beach Park (Pua'ena Point) to the southwest and Waimea Bay Beach park to the northeast, both of which are over a mile from the project parcel.
- *Other services.* Primary medical services on the North Shore are provided by: (*i*) Queen's Health Care Center Hale'iwa; (*ii*) Kahuku Medical Center; and (*iii*) Wahiawā General Hospital. In addition, Emergency Medical Services Division staff and trucks are located at the Sunset Beach Fire Station and co-respond with HFD.
- *Roads.* The parcel is accessed via the privately-owned Pōhaku Loa Way, which is off Kamehameha Highway (State Route 83). In January 2021, 24-hour traffic volumes on Kamehameha Highway were nearly 15,000 vehicles and peak hour volumes were roughly 600 vehicles in each direction.

3.6 CONSTRUCTION

Although the construction period will be short relative to the life of the structures built, the potential for impacts related to air quality, water quality, noise, and other neighborhood-level inconveniences and impacts is greatest during the relatively brief construction period. This is because there will be more people and equipment at the site and more ground disturbance of the site than at any other time over the life of the project. Several measures will be implemented to avoid, minimize, and/or mitigate potential construction-phase impacts including the following:

- All materials and equipment will be staged on the project parcel.
- Require contractors to park on-site, or in areas along Pōhaku Loa Way which are entirely out of the travelway.
- Work hours will be standard hours: Monday through Friday (excluding holidays) from 7am to 6pm and Saturday from 9am to 6pm and comply with all applicable provisions of HAR §11-46 *Community Noise Control*.
- Construction activities will be conducted such that they comply with (*i*) Honolulu's *Rules Relating Storm Drainage Standards*, (*ii*) ROH Chapter 14 regarding Public Works Infrastructure Requirements, (*iii*) HAR 11-54 *Water Quality Standards*, and (*iv*) HAR 11-55 *Water Pollution Controls*. Typical measures will include establishing and maintaining appropriate construction BMPs until the site has been stabilized, such as a designated site ingress and egress, appropriately stockpiling materials on-site to prevent runoff, limiting the total area of exposed earth, and establishing landscaping as early as possible on disturbed areas. The construction plans provided in Appendix B provide additional information on BMPs for erosion and sediment control.
- Maintain all construction equipment in proper tune according to manufacturer's specifications and further minimize noise by properly maintaining mufflers and other noise-attenuating equipment.

- Fuel all off-road and equipment, including but not limited to backhoes, tractors, generator sets, and compressors, in a designated location with sufficient spill response equipment and materials.
- Maintain a dust control barriers to minimize the amount of airborne dust leaving the site.

3.7 CUMULATIVE IMPACTS

Cumulative effects are impacts which result from the incremental effects of an activity when added to other related past, present, and reasonably foreseeable future action, regardless of which agency, organization, or individual undertakes such action(s). Cumulative impacts may result from individually minor but collectively significant actions taking place over a period of time.

The proposed action consists of demolition and removal of an existing, dilapidated single-family residence and two-story structure, and their replacement with a new single-family residence and ADU, constituting continued residential use of a residential lot. The proposed project is not contingent on any other action, public or private, and will not individually cause future actions to be taken by any public or private entities. Therefore, the project will not generate secondary or cumulative impacts.

4 CONSISTENCY WITH LAND USE PLANS, POLICIES, AND CONTROLS

This chapter discusses the relationship of the proposed action with applicable land use plans, policies, and regulations at the local and state level.

4.1 STATE OF HAWAI‘I

4.1.1 HAWAI‘I STATE PLAN, HRS §226

Adopted in 1978 and last revised in 1991, the *Hawai‘i State Plan* is intended to guide the long-range development of the State by:

- Identifying goals, objectives, and policies for the State and its residents;
- Establishing a basis for determining priorities and allocating resources; and
- Providing a unifying vision to enable coordination between the various counties' plans, programs, policies, projects and regulatory activities to assist them in developing their county plans, programs, and projects and the State's long-range development objectives.

The *Hawai‘i State Plan* is a policy document. It depends on implementing laws and regulations to achieve its goals. While not all sections of the *Hawai‘i State Plan* are directly applicable to the proposed action, the most relevant are identified and discussed below.

> *§226-19: Objectives and policies for socio-cultural advancement—housing: (a) Planning for the State's socio-cultural advancement with regard to housing shall be directed towards achievement of the following objectives:*
>
> > *(1) Greater opportunities for Hawaii's people to secure reasonably priced, safe, sanitary, livable homes situated in environments that satisfactorily accommodate the needs and desires of families and individuals.*
> >
> > *(2) The orderly development of residential areas sensitive to community needs and other land uses.*

Discussion: The proposed action is intended to develop a single-family residence and ADU in a residentially-zoned community on a parcel currently in residential use. As such, the project is intended to develop an appropriately-located, livable home to meet the needs and desires of the multi-generational family that will inhabit it. The proposed action will result in the orderly redevelopment of a residential parcel, and has been planned in consultation with the adjacent landowner and in a manner sensitive to the needs of the Pōhaku Loa Way community.

> *§226-19(b): To achieve the housing objectives, it shall be the policy of the State to:*
>
> > *(1) Effectively accommodate the housing needs of Hawaii's people.*
> >
> > *(3) Increase homeownership and rental opportunities and choices in terms of quality, location, cost, densities, style, and size of housing.*

(4) Promote appropriate improvement, rehabilitation, and maintenance of existing housing units and residential areas.

(5) Promote design and location of housing developments taking into account the physical setting, accessibility to public facilities and services, and other concerns of existing communities and surrounding areas.

(6) Facilitate the use of available vacant, developable, and underutilized urban lands for housing.

(7) Foster a variety of lifestyles traditional to Hawaii through the design and maintenance of neighborhoods that reflect the cultures and values of the community.

Discussion: The proposed action is intended to develop a single-family residence and ADU on a residentially-zoned lot in an existing residential community. As such, it is a modest contribution to meeting the residential needs of the people of Hawai‘i. By removing an existing but unusable single-family residence and replacing it with a habitable single-family residence and ADU, it will rehabilitate and enhance an existing residential parcel in an existing residential area. Further, the design of the proposed structures is intended to maintain a low profile and a Hawaiian sense of scale and place, in tune with the character of the surrounding community along Pōhaku Loa Way. In doing so, it is consistent with the policy of siting and design of housing which is in harmony with its physical setting, easily accommodated by the public facilities and services in the area, and which is in harmony with the neighborhood.

4.1.2 HAWAI‘I 2050 SUSTAINABILITY PLAN

The *Hawai‘i 2050 Sustainability Plan* is a blueprint for Hawai‘i’s preferred future. It is the most comprehensive planning process since the Hawai‘i State Plan was developed over four decades ago. The *Hawai‘i 2050 Sustainability Plan* has five major goals, designed to achieve the State of Hawaii’s preferred future by the year 2050. Each goal is supported by a set of strategic actions that must be implemented in order to achieve the goal. Under each goal and set of strategic actions are a specific indicators, which are quantifiable measures of progress. Considered together, the *Hawai‘i 2050 Sustainability Plan*’s: (*i*) goals identify what it hopes to achieve, (*ii*) the strategic actions characterize the paths to achieving the Plan’s goals, and (*iii*) the indicators serve to measure progress along the way. The Plan’s goals are in no particular order or priority and are of equal importance, both interrelated and interdependent of one another; they are:

Goal One. A Way of Life – Living sustainably is part of our daily practice in Hawai‘i.

Goal Two. The Economy – Our diversified and globally competitive economy enables us to meaningfully live, work and play in Hawai‘i.

Goal Three. Environment and Natural Resources – Our natural resources are responsibly and respectfully used, replenished and preserved for future generations.

Goal Four. Community and Social Well-Being – Our community is strong, healthy, vibrant and nurturing, providing safety nets for those in need.

Goal Five. Kānaka Maoli and Island Values – Our Kānaka Maoli and island cultures and values are thriving and perpetuated.

Discussion: Of these, goal four is the most relevant to the proposed action, touching on the need to provide for the community's social well-being. While the focus of the goal is not housing development, it's first Strategic Action (i.e., Goal 4, Strategic Action 1) stipulates that having a safe and decent place to live is a measure of a humane and compassionate society. The Plan goes on to establish that providing for the basic necessities of living, including adequate housing, is a critical component of sustainable development in the State of Hawai'i. To the extent that the proposed action will result in a very modest increase in the available housing stock on O'ahu while not interfering with the ability to achieve the other goals, it is consistent with the goals and strategic actions of the *Hawai'i 2050 Sustainability Plan.*

4.1.3 HAWAI'I LAND USE LAW; HRS §205

Chapter 205, HRS established the State Land Use Commission and gives this body the authority to designate all lands in the State as Urban, Rural, Agricultural, or Conservation District. The counties make all land use decisions within the Urban District in accordance with their respective county general plans, development plans, and zoning ordinances. The counties also regulate land use in the State Rural and Agricultural Districts, but within the limits specified by HRS, Chapter 205.

The proposed project is located in the State's Urban Land Use District. Hawai'i Administrative Rule §15-15-18 characterizes the Urban District as exhibiting "city-like" concentrations of people, structures, streets, with an urban level of services and other related land uses. It also stresses the importance of ensuring availability of basic services and utilities in urban areas.

Discussion: The proposed action, while modest and residential in nature and scope, is consistent with the land uses envisioned for the State Urban District, contributing to the envisioned concentration of people and structures in appropriate areas. In addition, the proposed project will not alter or detract from the overall character of the surrounding community; therefore, it is an appropriate land use in the Urban District.

4.1.4 COASTAL ZONE MANAGEMENT PROGRAM, HRS §205A

The objectives of the Hawai'i Coastal Zone Management (CZM) Program are set forth in Hawai'i Revised Statutes, Chapter 205A. The program is intended to promote the protection and maintenance of valuable coastal resources. All lands in Hawai'i are classified as valuable coastal resources. The State Office of Planning administers Hawai'i's CZM Program. A general discussion of the project's consistency with the objectives and policies of Hawai'i's CZM Program follows.

4.1.4.1 Recreational Resources

Objective: Provide coastal recreational opportunities accessible to the public.

Policies:

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

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

a) Protecting coastal resources uniquely suited for recreational activities that cannot be provided in other areas;

b) 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;

c) Providing and managing adequate public access, consistent with conservation of natural resources, to and along shorelines with recreational value;

d) Providing an adequate supply of shoreline parks and other recreational facilities suitable for public recreation;

e) 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;

f) Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;

g) Developing new shoreline recreational opportunities, where appropriate, such as artificial lagoons, artificial beaches, and artificial reefs for surfing and fishing; and

h) 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 proposed project will have no effect on coastal recreational resources. It is not near a dedicated public right-of-way to access the shoreline. While the project is adjacent to the shoreline and near areas used by the public for recreation, including surfing and fishing, the project will be confined to the project parcel and not affect access or recreation in a way material different than the existing residential use of the subject parcel, if at all.

4.1.4.2 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:

1) Identify and analyze significant archaeological resources;

2) Maximize information retention through preservation of remains and artifacts or salvage operations; and

3) Support state goals for protection, restoration, interpretation, and display of historic resources.

Discussion: There are no known archaeological or historic resources present on the project site, it is not within a historic or cultural district, and all project activity will be confined to a parcel that has been completely developed since the 1940s. Section 3.2 provides archaeological and cultural background information for the area. That section also outlines why it has been determined that no historic resources will be directly or adversely affected by the proposed project. Thus, the proposed action is consistent with this policy of the CZM Program.

4.1.4.3 Scenic and Open Space Resources

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

Policies:

1) Identify valued scenic resources in the coastal zone management area;

2) 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;

2) Preserve, maintain, and, where desirable, improve and restore shoreline open space and scenic resources; and

4) Encourage those developments that are not coastal dependent to locate in inland areas.

Discussion: Coastal open space and scenic resources will not be adversely affected by the proposed action. The project site does not abut a scenic landmark, the proposed structure will be single-level, all adjacent parcels are developed, the proposed structure will not be visible from Kamehameha Highway (the nearest coastal public roadway), and all development will be outside the shoreline setback. Once completed, the new single-family residence and ADU should be compatible with other residences along Pōhaku Loa Way. In addition, the proposed action will not appreciably alter natural landforms or adversely impact public views to and from the shoreline from publicly-accessible locations.

4.1.4.4 Coastal Ecosystems

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

Policies:

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

2) Improve the technical basis for natural resource management;

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

4) 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

5) 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 proposed action will not interact with or affect coastal ecosystems or any other water body in a manner materially different than the existing residential use of the subject parcel. As described in Section 3.4, the project site does not provide habitat for protected species and is not near protected habitat, reserves, conservation districts, or wetlands.

4.1.4.5 Economic Uses

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

Policies:

1) Concentrate coastal dependent development in appropriate areas;

2) 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

3) 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:

a) Use of presently designated locations is not feasible;

b) Adverse environmental effects are minimized; and

c) The development is important to the State's economy.

Discussion: The proposed action is a residential development in a coastal, residentially-zoned community. The parcel has been placed in the State Urban Land Use District and is zoned R-5 Residential by the CCH. As such, it is appropriately located on a parcel which is already in residential use, consistent with these state and county land use designations. There are no harbors, ports, designated tourist destinations, or other substantial commercial operations nearby.

4.1.4.6 Coastal Hazards

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

Policies:

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

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

3) Ensure that developments comply with requirements of the Federal Flood Insurance Program; and

4) Prevent coastal flooding from inland projects.

Discussion: Section 3.1 discussed coastal hazards in detail. The project site is not experiencing shoreline erosion. Although the project site is within the tsunami evaluation zone, it complies with the related programs. The living level of the structure will be above the BFE; the proposed single-family residence and ADU will not cause or contribute to coastal flooding.

4.1.4.7 Managing Development

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

Policies:

1) Use, implement, and enforce existing law effectively to the maximum extent possible in managing present and future coastal zone development;

2) Facilitate timely processing of applications for development permits and resolve overlapping or conflicting permit requirements; and

3) 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: Pōhaku Loa Hale, LLC has initiated contact (see Chapter 6) and continues to work cooperatively with all government agencies with oversight responsibilities to facilitate efficient processing of permits and informed decision-making by the responsible parties. In addition, Pōhaku Loa Hale, LLC has, via public outreach and this EA, attempted to communicate the potential impacts of the proposed action to the public in clear and understandable terms. The proposed activity conforms with applicable state and county land use designations and rules, no variances are being requested.

4.1.4.8 Public Participation

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

Policies:

1) Promote public involvement in coastal zone management processes;

2) 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

3) Organize workshops, policy dialogues, and site-specific mediations to respond to coastal issues and conflicts.

Discussion: A public notice of availability for the DEA was published in the ERP's bi-monthly bulletin, *The Environmental Notice* on November 8, 2021. The public was provided an opportunity to review and comment on the DEA, pursuant to the requirements of HAR 11-200.1. The SMA Major Permit process will provide additional opportunities for public participation.

4.1.4.9 Beach Protection

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

Policies:

1) 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;

2) 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

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

Discussion: The project complies with the objectives of HRS §§ 205A-2(b)(9)[3] and 205A-2(c)(9)[4] and poses no risk to beaches. The proposed project poses no risk to beaches or littoral processes because the subject parcel is not experiencing shoreline erosion, no structures are planned seaward of the shoreline setback, and no structures are planned within the 3.2-foot sea level rise exposure area.

[3] HRS §§ 205A-2(b)(9) states that a CZM program objective is "(9) Beach and coastal dune protect; (A) Protect beaches and coastal dunes for: (i) Public use and recreation; (ii) The benefit of costal ecosystems; and (iii) Use as natural buffers against coastal hazards; and (B) Coordinate and fund beach management and protection."

[4] HRS §§ 205A-2(c)(9) states that a CZM program policy is "(9) Beach protection; (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 shoreline hardening structures, including seawalls and revetments, at sites having sand beaches and at sites where shoreline hardening structures interfere with existing recreational and waterline activities; (C) Minimize the construction of public shoreline hardening structures, including seawalls and revetments, at sites having sand beaches and at sites where shoreline hardening structures interfere with existing recreational and waterline activities; (D) Minimize grading of and damage to coastal dunes; (E) Prohibit private property owners from creating a public nuisance by inducing or cultivating the private property owner's vegetation in a beach transit corridor; and (F) Prohibit private property owners from creating a public nuisance by allowing the private property owner's unmaintained vegetation to interfere or encroach upon a beach transit corridor[.]"

4.1.4.10 Marine Resources

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

Policies:

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

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

3) 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;

4) 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

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

Discussion: The proposed project will not adversely impact the protection, use, and sustainable development of marine and coastal resources. No new structures are slated to occur within 40 feet of the shoreline.

4.2 CITY AND COUNTY OF HONOLULU

4.2.1 COUNTY GENERAL PLAN

The *General Plan for the City and County of Honolulu* was adopted in 1977, and has been subsequently amended (most recently in 2002). The *General Plan for the City and County of Honolulu* is a comprehensive statement of objectives and policies which sets forth the long-range aspirations of O‘ahu’s residents and the strategies of actions to achieve them. It is the focal point of a comprehensive planning process that addresses physical, social, economic and environmental concerns affecting the CCH. This planning process serves as the coordinative means by which the CCH government provides for the future growth of the metropolitan area of Honolulu.

The *General Plan for the City and County of Honolulu* poses several objectives related to housing. Section I, Population, Objective C, proposes: “To establish a pattern of population distribution that will allow the people of Oahu to live and work in harmony.” Further developing this theme, Section I, Objective C, Policy 3 states:

Policy 3

Manage physical growth and development in the urban-fringe and rural areas so that:

a. An undesirable spreading of development is prevented; and

b. Their population densities are consistent with the character of development and environmental qualities desired for such areas.

Discussion: To the extent that the proposed action will develop a new single-family residence and ADU on a lot already designated and used for residential purposes in a rural area, it will avoid any undesirable spread of development. Furthermore, the proposed structures are consistent with the character of development and environmental qualities of the surrounding Pōhaku Loa Way community in both nature and scope.

The *General Plan for the City and County of Honolulu* further devotes an entire chapter to the subject of housing. Section IV, Housing, Objective A states the CCH's policy, "To provide decent housing for all the people of Oahu at prices they can afford." Specific policies follow from that, including:

Policy 4

Establish public, and encourage private, programs to maintain and improve the condition of existing housing.

Policy 11

Encourage the construction of affordable homes within established low-density communities by such means as 'ohana units, duplex dwellings, and cluster development.

Discussion: The proposed action, which consists of demolition, removal, and replacement of an existing but dilapidated single-family residence and two-story structure is intended to rehabilitate an existing residential lot, allowing its continued use for years to come, consistent with the policy of maintaining and improving the existing housing stock on O'ahu. Further, by incorporating an ADU into the design, the proposed action increases its potential housing capacity in concert with the primary dwelling. Thus, the proposed action actively promotes these housing policies of the *General Plan for the City and County of Honolulu.*

4.2.2 NORTH SHORE SUSTAINABLE COMMUNITY PLAN

The NSSCP (2011) establishes the role of the North Shore in O'ahu's development pattern is to maintain the rural character, agricultural lands, open space, natural environment, and recreational resources and scenic beauty of the island's northern coast. The NSSCP proposed land use policies are intended to outline policies for future actions and agency decision-making. General policies are broad statements of intent that express the CCH's overall philosophy toward particular land uses and their effective management. Planning principles and guidelines provide more specific guidance in terms of planning, design, and implementation of projects and programs. The overarching theme of the NSSCP is that the North Shore region should remain relatively stable, and oriented toward maintaining and enhancing the region's ability to sustain its suburban and rural character and the relaxed lifestyle that flows from it.

As depicted in Exhibit 2.1 of the NSSCP, the proposed project site and all of Pōhaku Loa Way are within the Community Growth Boundary. While the proposed action constitutes redevelopment, as opposed to development of a previously undeveloped lot, it is within the limits designated by the NSSCP for residential use. As no proposals for residential uses can be considered outside the

Community Growth Boundary, the proposed action is consistent with this directive, preventing the encroachment of development onto agricultural lands and open space resources. In addition, the proposed project site is outside of the Haleiwa Special District and is not subject to the design provisions related to it.

Section 3.5 of the NSSCP discusses residential communities in the plan area, defining appropriate elements which aid and enhance the overall quality of life in the community. Pōhaku Loa Way is defined as a rural-residential area in the NSSCP. Section 3.5.2 *Guidelines* and Table 3-8 *Density and Height Guidelines by Residential Category* in the NSSCP provides the following guidelines for the rural-residential as: (*i*) not exceeding 5-8 units per acre, and (*ii*) not over two stories or 25 feet in height, although the height may vary in response to required flood elevation, slope, or other physical site constraints. In addition, specific design guidelines include (NSSCP, Section 3.5.2):

> • *Smaller building footprints, less lot coverage, and greater open space than encountered in more urbanized areas;*
>
> • *Alternative development patterns such as clustering and traditional compact layouts to preserve open space and minimize infrastructure demands;*
>
> • *Low-rise structures, generally not exceeding two stories;*
>
> • *Plantation style architecture;*
>
> • *Relatively narrow roadway widths;*
>
> • *Minimal amount of paved driveway surfaces;*
>
> • *Landscaping and design alternatives that reduce impervious surfaces, such as grassed; swales rather than curbs and gutters, and*
>
> • *Rural-oriented landscaping and fencing.*

Discussion: The design of the proposed single-family residence and ADU generally comport with these design guidelines for development in rural-residential portions of the NSSCP's plan area. Finally, as called for in Section 3.5.2.2 of the NSSCP, the proposed action has been designed to be generally compatible with the predominant form and character of existing homes on adjacent properties and within the Pōhaku Loa Way neighborhood as a whole.

4.2.3 LAND USE ORDINANCE, ROH §21

The purpose of the CCH's Land Use Ordinance (LUO), contained in ROH, Chapter 21, is to regulate land use in a manner that will encourage orderly development in accordance with adopted land use policies, including the *General Plan for the City and County of Honolulu* and the NSSCP. These standards govern the location, height, area, and siting of structures, yard areas, off-street parking facilities, and open spaces, and the use of structures and land for agriculture, industry, business, residences, and other purposes.

Discussion: The proposed action is located in the CCH's R-5 Residential District (Figure 1.2). The intent of the R-5 Residential District is to allow for urban residential development. Because the proposed action consists of construction of a new single-family residence and ADU on a designated and currently used for residential purposes, it is an allowable use per the CCH's LUO. In addition, the proposed structures will meet all applicable design standards with respect to

minimum lot area and width/depth, minimum front and side yards, maximum building area, height, and other factors, as summarized in Table 4.1. Thus, the proposed action is consistent with the CCH's LUO.

Table 4.1: Summary of LUO Compliance

LUO Standard	*R-5 Zone*	*Proposed Action*
Minimum Lot Area	5,000 square feet	17,720 square feet
Minimum lot width and depth	50 feet	98 feet
Front Yard	10 feet	18 feet
Side Yard	5 feet	9 feet
Rear Yard	5 feet	43 feet
Maximum Building Area	50%	21%
Maximum Height	25-30 feet	28'2" (see note below)
Maximum Density Floor Area Ratio	0.7	0.2
Maximum Number of Wet Bars/Dwelling	1	SFH: 0; ADU: 0
Maximum Number of Laundry Rooms/Dwelling	1	SFH: 1; ADU: 0
Maximum Number of Bathrooms/Dwelling	8 if one dwelling/lot 4 if two dwellings/lot	SFH: 2.5; ADU: 1
Maximum Impervious Surface	75% of total zoning lot area	41%
Minimum Off-Street Parking Ratio	1:1,000	1:900 (4 spots)

Notes: Per LUO Sec. 21-9.10, "(b) Dwellings in country, residential and agricultural districts, as well as detached dwellings and duplex units in apartment and apartment mixed use districts, may exceed the maximum height in the district by no more than five feet if required to have its lowest floor elevated to or above the base flood elevation, provided such additional height shall not be greater than 25 feet above the base flood elevation." This is applicable to the proposed project, where the lowest floor is elevated 8'8" off the ground so that it is above the BFE.
SFH = single-family home; ADU = accessory dwelling unit.
Source: LUO Standard and R-5 Zone columns: Land Use Ordinance, Department of Planning and Permitting, City and County of Honolulu, December 2020, Revise to January 22, 2021. Proposed Action column: Planning Solutions, Inc.

4.2.4 SHORELINE SETBACK, ROH §23

ROH Chapter 23 Shoreline Setbacks establishes the standards and procedures, which apply to all lands within the shoreline area on O'ahu. The "shoreline area" means all the land area between the certified shoreline and the shoreline setback line. The "certified shoreline" means the shoreline as established by a surveyor and certified by the DLNR under HAR 13-222. The shoreline survey conducted on August 13, 2021, by KN Surveying, LLC, and attached in Appendix C, was submitted to DLNR on August 31, 2021, for certification. The shoreline determined by that survey and the associated shoreline area (the 40-foot setback) is illustrated in Figure 2.5.

Uses permitted in the shoreline setback are minor structures, such as open work fences and limited paver walkways (20 square feet). The Proposed Action does not propose any new construction in the shoreline area (Figure 2.5). It does, however, propose the demolition of the existing residence, which is partially within the shoreline area. All proposed new structures on the subject parcel will be landward of the certified shoreline and shoreline area; therefore, the proposal complies with ROH Chapter 23 and no variance is required.

4.2.5 SPECIAL MANAGEMENT AREA REVIEW, ROH §25

As discussed in Section 1.2, the proposed action is located in the CCH's SMA (Figure 1.3), and therefore will require SMA Major Permit coverage prior to being initiated. The following subsections discuss the project's consistency with *SMA Review Guidelines* contained in ROH, Chapter 25, which relates to shoreline management. Each subsection addresses one of the

guidelines listed in this ordinance. For ease of review, the guidelines are reproduced in italics, followed by a discussion of the project's consistency with them.

4.2.5.1 Public Access

Impacts on Public Access

All development in the special management area shall be subject to reasonable terms and conditions set by the council to ensure that: §25-3.2a(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 proposed action would take place entirely within TMK No. 6-1-009:010, which is not accessible to the public. Because there is no public shoreline access via the site, and because no work will take place in any off-site public shoreline access, no impacts related to public access are anticipated. The improvements to the parcel will not affect the shoreline, and would not impair off-site public access to beaches, recreation areas, or reserves. The public will continue to have unfettered lateral access along the shoreline fronting the project parcel.

4.2.5.2 Recreation Areas and Wildlife Reserves

Impacts on Recreation Areas and Wildlife Reserves

All development in the special management area shall be subject to reasonable terms and conditions set by the council to ensure that: §25-3.2a(2): Adequate and properly located public recreation areas and wildlife preserves are reserved;

Discussion: As discussed in Section 3.3.1, Laniākea Beach Park to the south and Kawailoa Beach to the north are the closest public recreation areas; the nearest reserve is Pūpūkea Forest Reserve, approximately 4 miles to the northeast. Because all of the work for the proposed action would be confined to TMK No. 6-1-009:010, there is no potential for these activities to impact public recreation areas or wildlife reserves in the area.

4.2.5.3 Solid and Liquid Waste Treatment Facilities

Impacts on Solid and Liquid Waste Treatment Facilities

All development in the special management area shall be subject to reasonable terms and conditions set by the council to ensure that: §25-3.2a(3): Provisions are made for solid and liquid waste treatment, disposition, and management which will minimize adverse effects upon special management area resources;…

Discussion: The proposed project will not have any impact on solid or liquid waste treatment facilities, aside from minor deposits of solid waste to an appropriate landfill during the demolition and removal of the existing single-family residence and two-story structure on the property. Once complete, the proposed single-family residence and ADU will deposit liquid waste into an on-site, HDOH-permitted IWS (Section 1.3) and will, therefore, have no impact on municipal sewers or wastewater treatment facilities.

4.2.5.4 Land Forms, Vegetation, and Water Resources

Impacts on Land Forms, Vegetation, and Water Resources

All development in the special management area shall be subject to reasonable terms and conditions set by the council to ensure that: §25-3.2a(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: Because the proposed site has already been developed for residential purposes, only very minor grading and site preparation is needed. The proposed action will not significantly affect or alter land forms, vegetation, or water resources. The site will continue to have the same general physiographic and topographic characteristics, and thus would have a similar overall appearance as it does at the present time (Figure 2.4).

4.2.5.5 Cumulative Impacts

Cumulative Impacts and Impacts on Planning Options

No development shall be approved unless the council has first found that:

§25-3.2b(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 proposed action consists of removing an existing single-family residence and two-story structure and replacing them with a new single-family residence and ADU. As a one-for-one replacement, the proposed action will not make any cumulative contribution to adverse environmental impacts, nor is it part of a larger action which could have substantial adverse effects, or which would eliminate planning options in the future.

4.2.5.6 CZM Program Objectives and SMA Guidelines

Consistency with CZM Program Objectives and Policies and with the State SMA Guidelines

No development shall be approved unless the council has first found that: §25-3.2b (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: As discussed in detail in Section 4.1.4, the proposed action is consistent with the objectives and policies of the CZM Program. The CCH's SMA Review Guidelines, discussed in this Section, are based upon and consistent with the State of Hawai‘i's CZM Guidelines. The Office of Planning and Sustainable Development (OPSD) of the Department of Business, Economic Development and Tourism (DBEDT) was provided with a copy of the DEA/AFONSI to permit their confirmation that the project is consistent with the CZM Program's policies and

objectives. OPSD submitted a comment on the DEA/AFONSI (Section 6.3); their comment did not suggest that the project is inconsistent with any State programs or policies. The nature and scope of this project does not trigger the requirement for a CZM consistency review.

4.2.5.7 County General Plan, Development Plans, and Zoning

Consistency with County General Plan, Development Plans, and Zoning

No development shall be approved unless the council has first found that: §25-3.2b(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: Section 4.2 documents the proposed action's consistency with the *General Plan for the City and County of Honolulu*, the NSSCP, and the LUO.

4.2.5.8 Bays, Salt Marshes, River Mouths, Sloughs, or Lagoons

Impacts on Bays, Salt Marshes, River Mouths, Sloughs, or Lagoons

The council shall seek to minimize, where reasonable: §25-3.2c(1) Dredging, filling or otherwise altering any bay, estuary, salt marsh, river mouth, slough or lagoon;

Discussion: The proposed action described and analyzed in this report will not include any dredging, filling, or other modifications to any bay, estuary, salt marsh, river mouth, slough, or lagoon.

4.2.5.9 Beaches and Public Recreation

Impacts on Beaches and Public Recreation

The council shall seek to minimize, where reasonable: §25-3.2c(2) Any development which would reduce the size of any beach or other area usable for public recreation;

Discussion: The beach and shoreline fronting the subject parcel is not experiencing erosion. The proposed action will have no impact on the size of any beach or other area usable for public recreation. All of the proposed demolition, removal, and construction activities proposed as part of the project will be confined to TMK No. 6-1-009:010 and will have no impact on nearby beaches or public recreation.

4.2.5.10 Other Coastal Resources within the SMA

Impacts on Other Coastal Resources within the Special Management Area

The council shall seek to minimize, where reasonable: §25-3.2c(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 proposed action will not restrict public access to any coastal resource in the area. It is not near a dedicated public right-of-way to access the shoreline.

4.2.5.11 Lines of Sight Toward the Sea

Impacts on Lines of Sight Toward the Sea

The council shall seek to minimize, where reasonable: §25-3.2c(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;…

Discussion: As discussed in Section 3.3, the proposed action will not lead to substantial modifications to the existing line of sight from Kamehameha Highway, the area's principal arterial and nearest coastal road. Existing vegetation, topography, and structures currently obstruct views of the shoreline from Kamehameha Highway in the project vicinity, and will continue to do so once the proposed action is implemented, and the project will have no effect on available lines of sight in nearby areas.

4.2.5.12 Water Quality, Open Water, Fisheries, Fishing Grounds, Wildlife Habitats and Agricultural Land Use

Impacts on Water Quality, Open Water, Fisheries, Fishing Grounds, Wildlife Habitats and Agricultural Land Use

The council shall seek to minimize, where reasonable: §25-3.2c(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: No project-related activities will involve work in, or discharges to, area waterbodies. No adverse impacts to area water quality, fisheries, fishing grounds, wildlife habitat, or agricultural lands are anticipated as a result of the proposed action.

5 DETERMINATION

5.1 SIGNIFICANCE CRITERA

Hawai‘i Administrative Rule §11-200.1-14 establishes procedures for determining if an EIS should be prepared or if a FONSI is warranted. HAR §11-200.1-14(d) provides that proposing agencies should issue an environmental impact statement preparation notice for actions that it determines may have a significant effect on the environment. HAR §11-200.1-13(b) lists the following criteria to be used in making that determination.

In most instances, an action shall be determined to have a significant effect on the environment if it:

1. Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;
2. Curtails the range of beneficial uses of the environment;
3. Conflicts with the State's long-term environmental policies or goals as expressed in Chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders;
4. Substantially affects the economic or social welfare of the community or State;
5. Substantially affects public health;
6. Involves substantial secondary impacts, such as population changes or effects on public facilities;
7. Involves a substantial degradation of environmental quality;
8. Is individually limited but cumulatively has considerable effect on the environment or involves a commitment for larger actions;
9. Substantially affects a rare, threatened, or endangered species, or its habitat;
10. Detrimentally affects air or water quality or ambient noise levels;
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, fresh water, or coastal waters;
12. Substantially affects scenic vistas and viewplanes identified in county or state plans or studies; or,
13. Requires substantial energy consumption.

5.2 FINDINGS

The potential effects of the proposed action was evaluated relative to these 13 significance criteria. Pōhaku Loa Hale, LLC's findings with respect to each criterion are summarized in the following subsections.

5.2.1 IRREVOCABLE LOSS OR DESTRUCTION OF VALUABLE RESOURCE

The proposed action consists of the demolition and removal of an existing, dilapidated single-family residence and two-story structure and construction of a new single-family residence and ADU in its place. It does not involve the loss of any significant or valuable cultural or natural resources.

5.2.2 CURTAILS BENEFICIAL USES

The proposed single-family residence and ADU would be for residential use on a lot zoned R-5 Residential by the CCH, and consequently may be deemed a beneficial use of the environment. Further, the site has been in continuous residential use since the post-WWII era. Thus, it's continued residential use will not curtail other beneficial uses of the area and will allow for the continued, beneficial use of the site for residential purposes.

5.2.3 CONFLICTS WITH LONG-TERM ENVIRONMENTAL POLICIES OR GOALS

As discussed in Chapter 4, the proposed action is consistent with all applicable plans, policies, and controls, including the *Hawai'i State Plan* and the *General Plan for the City and County of Honolulu*. Further, the proposed action is consistent with the State of Hawai'i's long-term environmental policies and goals, as expressed in HRS, Chapter 344 and elsewhere in state law.

5.2.4 SUBSTANTIALLY AFFECTS ECONOMIC OR SOCIAL WELFARE

The proposed action will not have substantial effects on economic or social welfare. Its purpose is solely to demolish and remove an existing, dilapidated single-family residence and two-story structure and replace it with a new single-family residence and ADU.

5.2.5 PUBLIC HEALTH EFFECTS

The proposed action will not adversely affect air or water quality, including water sources used for drinking or recreation. Neither will it generate other emissions that will have a significant adverse effect on public health.

5.2.6 PRODUCE SUBSTANTIAL SECONDARY IMPACTS

The proposed action will not produce substantial secondary impacts, nor will it foster population growth, promote economic development, or stress public facilities or services. Instead, it is solely intended to demolish and remove an existing, dilapidated single-family residence and two-story structure and replace it with a new single-family residence and ADU.

5.2.7 SUBSTANTIALLY DEGRADE THE ENVIRONMENT

The proposed action will not have substantial long-term environmental effects. The work will temporarily elevate noise levels and generate limited nuisance airborne dust during construction, but these impacts will be localized and of limited duration. Adequate measures will be taken to control the intensity of construction noise and dust, and the effects will be brief and minimal.

5.2.8 CUMULATIVE EFFECTS OR COMMITMENT TO A LARGER ACTION

The proposed action does not represent a commitment to a larger action and is not intended to facilitate substantial economic or population growth. It is intended solely to demolish and remove an existing, dilapidated single-family residence and two-story structure, and replace it with a new single-family residence and ADU on a parcel designated by the State and CCH for residential use.

5.2.9 EFFECTS ON RARE, THREATENED, OR ENDANGERED SPECIES

As discussed in Section 3.4, no rare, threatened, or endangered species are known to utilize the project site, and no activities are contemplated that would pose a threat to rare, threatened, or endangered species, or their habitat. In addition, the proposed action does not utilize any resource or habitat needed for the protection of rare, threatened, or endangered species.

5.2.10 AFFECTS AIR OR WATER QUALITY OR AMBIENT NOISE LEVELS

Noise levels and airborne emissions will temporarily increase during demolition, removal, and construction activities. BMPs will be implemented and any effects will be brief, relatively minor, and restricted to the immediate vicinity of the project site. Once construction is completed, the proposed project will not produce airborne emissions, waterborne pollution, or noise.

5.2.11 ENVIRONMENTALLY SENSITIVE AREA

As discussed in Section 3.1, and due to its proximity to the shoreline, the project site is in a Special Flood Hazard Area and a Tsunami Inundation Zone. However, the project site has been in continuous use for residential purposes since shortly after WWII. In addition, the parcel on which the proposed action is located has been designated as being in the Urban Land Use District by the State of Hawai‘i and placed in the R-5 Residential Zoning District by the City and County of Honolulu. These designations indicated that state and local governments consider the site appropriate for residential development.

5.2.12 AFFECTS SCENIC VISTAS AND VIEW PLANES

As discussed in Section 3.3, the proposed project is not visible from scenic vistas identified in county or state plans or studies and is not visible in view planes identified in county or state plans or studies; therefore, it will not substantially affect them.

5.2.13 REQUIRES SUBSTANTIAL ENERGY CONSUMPTION

The proposed demolition, removal, and construction operations that are proposed will require the use of modest amounts of energy. However, once these relatively brief construction operations are complete, the proposed project will require only as much energy as is typical of a single-family residence and ADU of its size.

5.3 DETERMINATION

In view of the foregoing, Pōhaku Loa Hale, LLC’s assessment is that the proposed project will not have a significant adverse impact on the environment. Consequently, DPP has issued a FONSI for the proposed action.

6 CONSULTATION AND DISTRIBUTION

6.1 EARLY CONSULTATION

A critical component of the planning effort for the proposed action was developing and implementing an early consultation program to inform public agencies and obtain their input regarding the project's purpose, scope, potential impacts, and recommended mitigation measures. Pursuant to HAR, 11-200.1-18, Pōhaku Loa Hale, LLC sought, at the earliest practicable time, the advice and input of DPP, the CCH agency responsible for implementing the *General Plan for the City and County of Honolulu*, other agencies that have jurisdiction over resources with the potential to be affected by the proposed action, and the owner of both adjacent parcels. Table 6.1 identifies the agencies that were sent early consultation letters. The complete text of all scoping letters and responses are provided in Appendix A.

Table 6.1: Early Consultation

Level	*Department*	*Division*	*Recipient*	*Response*
State of Hawai'i	Department of Land and Natural Resources (DLNR)	Office of Conservation and Coastal Lands	Sam J. Lemmo, Administrator	Yes
State of Hawai'i	Department of Business, Economic Development and Tourism	Office of Planning and Sustainable Development	Mary Alice Evans, Director	Yes
State of Hawai'i	DLNR	Division of Forestry and Wildlife	David G. Smith, Administrator	No
State of Hawai'i	DLNR	State Historic Preservation Division (SHPD)	Alan S. Downer, Administrator	No
CCH	DPP	--	Dean Uchida, Director	Yes
--	--	--	Carl F. Hodel	Yes
Source: Compiled by Planning Solutions, Inc.				

6.2 DISTRIBUTION OF THE DEA/AFONSI

The Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA/AFONSI) was published in the November 8, 2021, edition of *The Environmental Notice*. The 30-day comment period for the DEA/AFONSI ended on December 8, 2021. On or before November 8, 2021, Pōhaku Loa Hale, LLC sent the DEA/AFONSI to the parties listed in Table 6.2 with a request for review and comment.

Table 6.2: DEA Distribution List

Federal Agencies	**City and County of Honolulu**
U.S. Army Corps of Engineers, Honolulu District	Board of Water Supply
U.S. Department of Agriculture	Department of Community Services
U.S. Department of Commerce	Department of Design and Construction
U.S. Department of Homeland Security	Department of Environmental Services
U.S. Department of Housing and Urban Development	Department of Facility Services
U.S. Department of Transportation – Federal Aviation Administration	Department of Parks and Recreation
U.S. Department of Transportation – Federal Highway Administration	Department of Planning and Permitting
U.S. Environmental Protection Agency, Region 9	Department of Transportation Services
U.S. Fish and Wildlife Service, Pacific Islands Field Office	Honolulu Fire Department
State Agencies	Honolulu Police Department
Department of Agriculture	**Elected Officials**
Department of Accounting and General Services	U.S Senator Brian Schatz
Department of Business, Economic Development, and Tourism (DBEDT)	U.S. Senator Mazie Hirono
DBEDT, Hawai‘i Housing and Finance Development Corporation	U.S. Representative Kaiali‘i Kahele
DBEDT, Hawai‘i State Energy Office	U.S. Representative Ed Case
DBEDT, Office of Planning and Sustainable Development	Governor David Ige
Department of Defense	Mayor Rick Blangiardi
Department of Education	State Senator Gil Riviere
Department of Hawaiian Home Lands	State Representative Sean Quinlan
Department of Health (DOH), Clean Air Branch	Councilmember Heidi Tsuneyoshi
DOH, Clean Water Branch	North Shore Neighborhood Board No. 27
DOH, Environmental Health Services	**Libraries and Depositories**
DOH, Wastewater Branch	Hawai‘i State Library Documents Center
Department of Human Services	Waialua Public Library
Department of Labor and Industrial Relations	**Media**
Department of Land and Natural Resources (DLNR)	Honolulu Star Advertiser
DLNR, Division of Forestry and Wildlife	Honolulu Civil Beat
DLNR, State Historic Preservation Division	**Other**
Department of Transportation, Long Range Planning Branch	Carl Hodel
Office of Hawaiian Affairs	
Water Resources Research Center	
Utilities	
Hawai‘i Gas	
Hawaiian Electric Co., Inc.	
Hawaiian Telcom	

Source: Compiled by Planning Solutions, Inc. (2021)

6.3 RESPONSE TO COMMENTS AND DISTRIBUTION OF THE FEA/FONSI

Table 6.3 lists the parties that submitted written comments on the DEA/AFONSI during the 30-day comment period (November 8 through December 8, 2021). Pōhaku Loa Hale, LLC is providing a response to their comments and a copy of the FEA/FONSI to each of the agencies and individuals that submitted written comments (Table 6.3); a copy of the FEA/FONSI is also being provided to the Hawai‘i Document Center. Copies of all comments received, and the responses provided, are reproduced at the end of this chapter.

Table 6.3: Comments on the DEA/AFONSI

No.	*Commenter*	*Organization*
1	Lauren H. Thielen	Department of Parks and Recreation
2	Thomas G. Lileikis, Program Manager	HDOH Indoor and Radiological Health Branch
3	Jiny Kim, Acting Team Island Manager	USFWS Pacific Islands Fish and Wildlife Office
4	Assistant Chief Jason Samala	Honolulu Fire Department
5	Anton C. Krucky, Director Designate	Department of Community Services
6	Sina Pruder, Chief	HDOH Wastewater Branch
7	Rouen Liu, Permit Engineer	Hawaiian Electric Co., Inc.
8	Scott Nakasone, Administrator	Department of Human Services
9	Roger Babcock, Jr., Director	Department of Facility Maintenance
10	Assistant Chief Darren Chun	Honolulu Police Department
11	Mary Alice Evans, Director	Office of Planning and Sustainable Development
12	Alex Kozlov, Director	Department of Design and Construction
13	Roy Ikeda, Interim Public Works Manager	Department of Education
14	Keith K. Yamamoto, Manager, Engineering	Hawai‘i Gas
15	Brian J. Neilson, Administrator	DLNR Division of Aquatic Resources
16	Carty S. Chang, Chief Engineer	DLNR Engineering Division
17	Trevor Fitzpatrick	DLNR Office of Conservation and Coastal Land
18	-	HDOH Clean Air Branch
19	Dean Uchida, Director	Department of Planning and Permitting
20	Ernest Y.W. Lau, P.E., Manager and Chief Engineer	Board of Water Supply

Source: Compiled by Planning Solutions, Inc. (2021)

From:	DPR Parks MS
To:	Makena White
Cc:	Dildy, Jordan W; DPR Parks MS
Subject:	FW: 2021/ED-18 (61-551 Pohaku Loa Way Residence
Date:	Monday, November 8, 2021 1:49:13 PM
Attachments:	DOC.pdf
Importance:	High

Makena:

Thank you for the opportunity to review and comment on the Draft Environmental Assessment for construction of a new single-family dwelling and accessory dwelling unit with approximately 3,600 square feet of combined floor area located at 61-555 Pohaku Loa Way, Waialua, Tax Map Key 6-1-009:010.

The Department of Parks and Recreation has no comment as the proposed improvements will have no impact on any facility or program of the Department and you are invited to remove us from the balance of the EA process.

We suggest you ask the Department of Planning and Permitting to let you know if this project is exempt or not from the requirements of the Park Dedication Ordinance.

Aloha

From: Faleafine, Lorinda U
Sent: Friday, November 5, 2021 2:10 PM
To: BWS Contact Us <contactus@hbws.org>; Department of Emergency Management <dem@honolulu.gov>; DPR Parks MS <parks@honolulu.gov>; Yamashiro, Cindi <cindi.yamashiro@honolulu.gov>; Naval, Cecily <CNaval@honolulu.gov>; Office of the Chief of Police <hpdchiefsoffice@honolulu.gov>; Neighborhood Commission Office <nco@honolulu.gov>; Resilient Oahu <resilientoahu@honolulu.gov>; 'dbedt.stateplanning@hawaii.gov' <dbedt.stateplanning@hawaii.gov>; 'maryalice.evans@hawaii.gov' <maryalice.evans@hawaii.gov>; 'dhhl.contactcenter@hawaii.gov' <dhhl.contactcenter@hawaii.gov>; 'DOH.wwb@doh.hawaii.gov' <DOH.wwb@doh.hawaii.gov>; 'oha' <compliance@oha.org>; 'pifwo_admin@fws.gov' <pifwo_admin@fws.gov>; 'pirohonolulu@noaa.gov' <pirohonolulu@noaa.gov>
Cc: Dildy, Jordan W <jdildy@honolulu.gov>; Krueger, Elizabeth S <ekrueger@honolulu.gov>
Subject: 2021/ED-18 (61-551 Pohaku Loa Way Residence
Importance: High

Please see attached for Agency Comments.

Thank you!

Aloha
Lori Faleafine
Land Use Permit Division
City and County of Honolulu
(808) 768-8015
lfaleafine@honolulu.gov

PLANNING SOLUTIONS

January 8, 2022

Department of Parks and Recreation
City and County of Honolulu
Via email: parks@honolulu.gov

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Sir or Madam:

Thank you for your November 8, 2021, message concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response.

Thank you for confirming that the proposed action will have no impact on any Department of Parks and Recreation facility or program, and that the Department of Parks and Recreation has no comments at this time.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

Pacific Park Plaza, Suite 950 • 711 Kapiʻolani Boulevard • Honolulu, Hawaiʻi 96813-5213
Phone: 808-550-4483 • www.psi-hi.com

DAVID Y. IGE
GOVERNOR OF HAWAII

ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
File:

November 9, 2021

Makena White, AICP
Planning Solutions, Inc.
711 Kapiolani Boulevard, Suite 950
Honolulu, HI 96813

Dear Mr. White:

Thank you for your submittal requesting comments to the Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA/AFONSI) for the 61-551 Pohaku Loa Way Residence.

Project activities shall comply with the following Administrative Rules of the Department of Health:

- Chapter 11-39 Air Conditioning & Ventilating
- Chapter 11-41 Lead-based Paint Activities
- Chapter 11-45 Radiation Control
- Chapter 11-46 Community Noise Control
- Chapter 11-501 Asbestos Requirements
- Chapter 11-504 Asbestos Abatement Certification Program

Should you have any questions, please contact me at (808) 586-4700.

Sincerely,

Thomas G. Lileikis
Program Manager
Indoor and Radiological Health Branch

PLANNING SOLUTIONS

January 8, 2022

Mr. Thomas Lileikis, Program Manager
Indoor and Radiological Health Branch
Department of Health
Via email: Thomas.lileikis@doh.hawaii.gov

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Lileikis:

Thank you for your November 9, 2021, letter concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your letter.

Thank you for providing the information regarding applicable Hawai'i Administrative Rules of the Department of Health. Pōhaku Loa Hale, LLC understands that it must comply with all applicable rules, regulations, and statutes.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawai‘i 96850

In Reply Refer To:
01EPIF00-2022-TA-0070

November 10, 2021

Mr. Dean Uchida
Attn: Mr. Jordan Dildy
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, Hawai‘i 96813

Technical Assistance for Draft Environmental Assessment on the Proposed Construction of Single-family Dwelling and Accessory Unit, 61-551 Pōhaku Loa Way, O‘ahu

Dear Mr. Uchida:

Thank you for your recent correspondence requesting technical assistance on species biology, habitat, or life requisite requirements. The Pacific Islands Fish and Wildlife Office (PIFWO) of the U.S. Fish and Wildlife Service (Service) appreciates your efforts to avoid or minimize effects to protected species associated with your proposed actions. We provide the following information for your consideration under the authorities of the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531 *et seq*.), as amended.

Due to significant workload constraints, PIFWO is currently unable to specifically address your information request. The table below lists the protected species most likely to be encountered by projects implemented within the Hawaiian Islands. Based on your project location and description, we have noted the species most likely to occur within the vicinity of the project area, in the '**Occurs In or Near Project Area'** column. Please note this list is not comprehensive and should only be used for general guidance. We have added to the PIFWO website, located at https://www.fws.gov/pacificislands/promo.cfm?id=177175840 recommended conservation measures intended to avoid or minimize adverse effects to these federally protected species and best management practices to minimize and avoid sedimentation and erosion impacts to water quality. If your project occurs on the island of Hawai‘i, we have also enclosed our biosecurity protocol for activities in or near natural areas.

If you are representing a federal action agency, please request an official species list following the instructions at our PIFWO website https://www.fws.gov/pacificislands/articles.cfm?id=149489558. You can find out if your project occurs in or near designated critical habitat here: https://ecos.fws.gov/ipac/.
Under section 7 of the ESA, it is the Federal agency's (or their non-Federal designee) responsibility to make the determination of whether or not the proposed project "may affect" federally listed species or designated critical habitat. A "may affect, not likely to adversely affect" determination is appropriate when effects to federally listed species are expected to be discountable (i.e., unlikely to occur), insignificant (minimal in size), or completely beneficial. This conclusion requires written concurrence from the Service. If a "may affect, likely to adversely affect" determination is made, then the Federal agency must initiate formal consultation with the Service. Projects that are determined to have "no effect" on federally listed species and/or critical habitat do not require additional coordination or consultation.

Implementing the avoidance, minimization, or conservation measures for the species that may occur in your project area will normally enable you to make a "may affect, not likely to adversely affect" determination for your project. If it is determined that the proposed project may affect federally listed species, we recommend you contact our office early in the planning process so that we may assist you with the ESA compliance. If the proposed project is funded, authorized, or permitted by a Federal agency, then that agency should consult with us pursuant to section 7(a)(2) of the ESA. If no Federal agency is involved with the proposed project, the applicant should apply for an incidental take permit under section 10(a)(1)(B) of the ESA. A section 10 permit application must include a habitat conservation plan that identifies the effects of the action on listed species and their habitats and defines measures to minimize and mitigate those adverse effects.

We appreciate your efforts to conserve endangered species. We regret that we cannot provide you with more specific protected species information for your project site. If you have questions that are not answered by the information on our website, you can contact PIFWO at (808) 792-9400 and ask to speak to the lead biologist for the island where your project is located.

Sincerely,

JINY KIM

Digitally signed by JINY KIM
Date: 2021.11.10 07:31:52 -10'00'

Acting Island Team Manager
Pacific Islands Fish and Wildlife Office

Enclosures (2)

cc: Planning Solutions, Inc.

The table below lists the protected species most likely to be encountered by projects implemented within the Hawaiian Islands. For your guidance, we have marked species that may occur in the vicinity of your project, this list is not comprehensive and should only be used for general guidance.

Enclosure 1. Federal Status of Animal Species

Scientific Name	Common Name / Hawaiian Name	Federal Status	May Occur In Project Area
Mammals			
Lasiurus cinereus semotus	Hawaiian hoary bat/‘ōpe‘ape‘a	E	☒
Reptiles			
Chelonia mydas	green sea turtle/honu - Central North Pacific distinct population segment (DPS)	T	☐
Eretmochelys imbricata	hawksbill sea turtle/ honu ‘ea or ‘ea	E	☐
Birds			
Anas wyvilliana	Hawaiian duck/koloa	E	☐
Branta sandvicensis	Hawaiian goose/nēnē	T	☐
Fulica alai	Hawaiian coot/‘alae ke‘oke‘o	E	☐
Gallinula galeata sandvicensis	Hawaiian gallinule/‘alae ‘ula	E	☐
Himantopus mexicanus knudseni	Hawaiian stilt/ae‘o	E	☐
Oceanodroma castro	band-rumped storm-petrel Hawai‘i DPS/‘akē‘akē	E	☒
Pterodroma sandwichensis	Hawaiian petrel/‘ua‘u	E	☒
Puffinus auricularis newelli	Newell’s shearwater/‘a‘o	T	☒
Ardenna pacificus	wedge-tailed shearwater/‘ua‘u kani	MBTA	☒
Buteo solitarius	Hawaiian hawk/‘io	MBTA	☐
Gygis alba	white tern/manu-o-kū	MBTA	☐
Insects			
Manduca blackburni	Blackburn’s sphinx moth	E	☐
Megalagrion pacificum	Pacific Hawaiian damselfly	E	☐
Megalagrion xanthomelas	orangeblack Hawaiian damselfly	E	☐
Megalagrion nigrohamatum nigrolineatum	blackline Hawaiian damselfly	E	☐

Enclosure 2. Federal Status of Plant Species

Plants				
Scientific Name	**Common Name or Hawaiian Name**	**Federal Status**	**Locations**	**May Occur In Project Area**
Abutilon menziesii	koʻoloaʻula	E	O, L, M, H	☐
Achyranthes splendens var. *rotundata*	ʻewa hinahina	E	O	☐
Bonamia menziesii	no common name	E	K, O, L, M, H	☐
Canavalia pubescens	ʻāwikiwiki	E	Ni, K, L, M	☐
Colubrina oppositifolia	kauila	E	O, M, H	☐
Cyperus trachysanthos	puʻukaʻa	E	K, O	☐
Gouania hillebrandii	no common name	E	Mo, M	☐
Hibiscus brackenridgei	maʻo hau hele	E	O, Mo, L, M, H	☐
Ischaemum byrone	Hilo ischaemum	E	K, O, Mo, M, H	☐
Isodendrion pyrifolium	wahine noho kula	E	O, H	☐
Marsilea villosa	ʻihiʻihi	E	Ni, O, Mo	☐
Mezoneuron kavaiense	uhiuhi	E	O, H	☐
Nothocestrum breviflorum	ʻaiea	E	H	☐
Panicum fauriei var. *carteri*	Carter's panicgrass	E	Molokini Islet (O), Mo	☐
Panicum niihauense	lauʻehu	E	K	☐
Peucedanum sandwicense	makou	E	K, O, Mo, M	☐
Pleomele (Chrysodracon) hawaiiensis	halapepe	E	H	☐
Portulaca sclerocarpa	ʻihi	E	L, H	☐
Portulaca villosa	ʻihi	E	Le, Ka, Ni, O, Mo, M, L, H, Nihoa	☐
Pritchardia affinis (maideniana)	loulu	E	H	☐
Pseudognaphalium sandwicensium var. *molokaiense*	ʻenaʻena	E	Mo, M	☐
Scaevola coriacea	dwarf naupaka	E	Mo, M	☐
Schenkia (*Centaurium*) *sebaeoides*	ʻāwiwi	E	K, O, Mo, L, M	☐
Sesbania tomentosa	ʻōhai	E	Ni, Ka, K, O, Mo, M, L, H, Necker, Nihoa	☐
Tetramolopium rockii	no common name	T	Mo	☐
Vigna o-wahuensis	no common name	E	Mo, M, L, H, Ka	☐

Location key: O=Oʻahu, K=Kauaʻi, M=Maui, H=island of Hawaiʻi, L=Lānaʻi, Mo=Molokaʻi, Ka=Kahoʻolawe, Ni=Niʻihau, Le=Lehua

PLANNING SOLUTIONS

January 8, 2022

Ms. Jiny Kim, Acting Island Team Manager
Attention: Elyse Sachs
Pacific Islands Fish and Wildlife Office
U.S. Fish and Wildlife Service
Via Email: elyse_sachs@fws.gov

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Ms. Kim:

Thank you for your November 10, 2021, letter (Ref. No. 01EPIF00-2022-TA-0070) concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). While we understand that the Pacific Islands Field Office is not able to provide technical assistance for the DEA/AFONSI at the present time, we appreciate the time you and your staff spent preparing your letter.

Thank you for providing the information and recommendations regarding protected species of plants and animals that may occur in the immediate vicinity of the project area. As outlined in Section 3.4 of the DEA, no protected species, including those listed in your letter, have been observed in the project area. Pōhaku Loa Hale, LLC will work with its contractors to understand and observe the measures contained in Section 3.4.3 of the DEA, which will avoid and minimize impacts to protected species.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

HONOLULU FIRE DEPARTMENT

CITY AND COUNTY OF HONOLULU

636 South Street
Honolulu, Hawaii 96813-5007
Phone: 808-723-7139 Fax: 808-723-7111 Internet: www.honolulu.gov/hfd

RICK BLANGIARDI
MAYOR

LIONEL CAMARA JR.
ACTING FIRE CHIEF

SHELDON K. HAO
ACTING DEPUTY FIRE CHIEF

November 10, 2021

Mr. Makena White, AICP
Planning Solutions, Inc.
711 Kapiolani Boulevard, Suite 950
Honolulu, Hawaii 96813

Dear Mr. White:

Subject: Draft Environmental Assessment
New Single-Family Dwelling
61-551 Pohaku Loa Way - Waialua
Tax Map Key: 6-1-009: 010

In response to a letter from Mr. Dean Uchida of the City and County of Honolulu's Department of Planning and Permitting (DPP) dated November 5, 2021, regarding the above mentioned subject, the Honolulu Fire Department (HFD) reviewed the submitted information and requires that the following be complied with:

1. Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 feet (46 meters) from fire department access roads as measured by an approved route around the exterior of the building or facility. (National Fire Protection Association [NFPA] 1; 2018 Edition, Sections 18.2.3.2.2 and 18.2.3.2.2.1, as amended.)

   A fire department access road shall extend to within 50 feet (15 meters) of at least one exterior door that can be opened from the outside and that provides access to the interior of the building. (NFPA 1; 2018 Edition, Section 18.2.3.2.1.)

2. An approved water supply capable of supply the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved

into the jurisdiction. The approved water supply shall be in accordance with Section 18.4. (NFPA 1; 2018 Edition, Section 18.3.1.)

3. The fire department access roads shall be in accordance with Section 18.2.3. (NFPA 1; 2018 Edition, Section 18.2.3.)

4. Submit civil drawings to the HFD for review and approval.

Should you have questions, please contact Battalion Chief Reid Yoshida of our Fire Prevention Bureau at 808-723-7151 or ryoshida@honolulu.gov.

Sincerely,

JASON SAMALA
Assistant Chief

JS/DM:bh

cc: Jordan Didly, DPP

PLANNING SOLUTIONS

January 8, 2022

Assistant Chief Jason Samala
Attention: Battalion Chief Reid Yoshida
Honolulu Fire Department
By Electronic Mail: ryoshida@honolulu.gov

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Assistant Chief Samala:

Thank you for your November 10, 2021, letter concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent preparing your letter. To simplify your review, we have reproduced your substantive comments below in italics, followed by our response:

Comment 1:

> *Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 feet from fire department access roads as measured by an approved route around the exterior of the building or facility. (National Fire Protection [NFPA] 1; 2018 Edition, Section 18.2.3.2.2 and 18.2.3.2.2.1, as amended.)*
>
> *A fire department access road shall extend to within 50 feet (15 meters) of at least one exterior door that can be opened from the outside and that provides access to the interior of the building (NFPA 1; 2018 Edition, Section 18.2.3.2.1.)*

Response:

Thank you for this information. The proposed design for the single-family residence and accessory dwelling unit, as characterized in Chapter 2 of the DEA/AFONSI, conforms to all applicable requirements of the NFPA, including those related to fire prevention and access. The entirety of the proposed structure is within 150 feet of Kamehameha Highway and Pōhaku Loa Way; Kamehameha Highway is considered the "fire department access road."

Comment 2:

> *An approved water supply capable of supply the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into the jurisdiction.*

The approved water supply shall be in accordance with Section 18.4. (NFPA 1, 2018 Edition, Section 18.3.1.)

Response:

Adequate firefighting water, from an approved source and meeting the requirements of all applicable provisions of the NFPA is available. Fire hydrants are present along Kamehameha Highway; the nearest hydrant (C0046, which is class AAA) is roughly 500 feet from the proposed structures.

Comment 3:

The fire department access roads shall be in accordance with Section 18.2.3. (NFPA 1; 2018 Edition, Section 18.2.3.)

Response:

Kamehameha Highway complies with all applicable provisions of the NFPA.

Comment 4:

Submit civil drawings to the HFD for review and approval.

Response:

All civil drawings for the proposed single-family residence and accessory dwelling unit will be submitted to HFD for review and approval once they are finalized. This will be done coincident with the project seeking building permits.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

DEPARTMENT OF COMMUNITY SERVICES
CITY AND COUNTY OF HONOLULU
925 DILLINGHAM BOULEVARD, SUITE 200•HONOLULU, HAWAII 96817
PHONE: (808) 768-7762 • FAX: (808) 768-7792
www.honolulu.gov/dcs

RICK BLANGIARDI
MAYOR

ANTON C. KRUCKY
DIRECTOR DESIGNATE

November 12, 2021

Mākena White
Planning Solutions, Inc.
711 Kapi'olani Boulevard, Suite 950
Honolulu, Hawai'i 96813
Email: makena@psi-hi.com

Dear Ms. White:

SUBJECT: DRAFT Environmental Assessment & Anticipated FONSI
61-551 Pōhaku Loa Way Residence
TMK: (1) 6-1-009:010 Waialua, O'ahu, Hawai'i

Thank you for your notice of a Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA/AFONSI) for the 61-551 Pōhaku Loa Way Residence project.

Our review indicates that the proposed project will have no adverse impacts on any Department of Community Services activities or projects in the surrounding neighborhood.

Thank you for providing us the opportunity to comment on this matter.

Sincerely,

Anton C. Krucky
Director Designate

PLANNING SOLUTIONS

January 8, 2022

Anton C. Krucky, Director Designate
Department of Community Services
City and County of Honolulu
925 Dillingham Boulevard, Suite 200
Honolulu, Hawai‘i 96817

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Krucky:

Thank you for your November 12, 2021, letter concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response.

Thank you for confirming that the proposed action will have no adverse impacts on any Department of Community Services activities or projects, and there are no comments at this time.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

DAVID Y. IGE
GOVERNOR OF HAWAII

ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:

LUD – 1 6 1 009 010 DEA
61-551 Pohaku Loa Way ID 5880

November 15, 2021

Mr. Makena White
Planning Solutions, Inc.
711 Kapiolani Boulevard, Suite 950
Honolulu, Hawaii 96813
Email: Makena@psi-hi.com

Dear Mr. White:

Subject: Draft Environmental Assessment (DEA)
61-551 Pohaku Loa Way Residence
Waialua, Hawaii 96712
TMK (1) 6-1-009: 010
Pohaku Loa Hale, LLC

Thank you for allowing us the opportunity to provide comments for the subject DEA.

The subject DEA is for a residential project that involves the construction of a new three (3) bedroom single family dwelling and a new one (1) bedroom accessory dwelling. Please ensure that the appropriate individual wastewater system (IWS) is designed and constructed in accordance with applicable requirements of Chapter 11-62, Hawaii Administrative Rules (HAR) for the two proposed dwellings.

Since this property is located near the shoreline, the groundwater table is expected to be high. An NSF/ANSI 245 aerobic treatment unit with ultraviolet disinfection and a leach field will most likely be required for this project. In addition, a variance may be required for the new IWS.

Furthermore, please be informed that the design plans should address any effects associated with the construction of and/or discharges from the wastewater systems to any public trust, Native Hawaiian resources or the exercise of traditional cultural practices.

Should you have any questions, please call Mr. Mark Tomomitsu of my staff at (808) 586-4294.

Sincerely,

SINA PRUDER, P.E., CHIEF
Wastewater Branch

LM/MST:sp

c: Jordan Dildy (jdildy@honolulu.gov)

PLANNING SOLUTIONS

January 8, 2022

Sina Pruder, P.E., Chief
Wastewater Branch, Department of Health
State of Hawai‘i
P.O. Box 3378
Honolulu, Hawai‘i 96801-3378

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Ms. Pruder:

Thank you for your November 15, 2021, letter (your reference LUD – 1 6 1 0009 010 DEA) concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your letter. To simplify your review, we have reproduced your substantive comments below in italics, followed by our response:

Comment 1:

> *Please ensure that the appropriate individual wastewater system (IWS) is designed and constructed in accordance with applicable requirements of Chapter 11-62, Hawaii Administrative Rules (HAR) for the two proposed dwellings.*

Response:

As listed in Section 1.4 and Table 1.2 of the DEA, the project understands that a IWS permit is required from your department. Pōhaku Loa Way, LLC will work with Wastewater Branch to meet all required standards and obtain all necessary permits and approvals for the proposed IWS prior to construction.

Comment 2:

> *Furthermore, please be informed that the design plans should address any effects associated with the construction of and/or discharges from the wastewater systems to any public trust, Native Hawaiian resources or the exercise of traditional cultural practices.*

Response:

Section 3.2 of the DEA addresses archaeological and cultural resources in the project area. Other sections of the DEA address public trust resources, such as Section 3.5 which addresses

surface waters and other resources. Such resources are not expected to be adversely impacted by the project, including the installation and operation of the IWS. This will be addressed in the IWS design plans and permit application materials.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

From:	Liu, Rouen
To:	Makena White
Cc:	Kuwaye, Kristen
Subject:	Draft EA 61-551 Pohaku Loa Way Residence
Date:	Friday, November 19, 2021 10:51:58 AM

Dear Mr. White,

Thank you for the opportunity to comment on the subject project. Hawaiian Electric Company has no objection to the project. Should Hawaiian Electric have existing easements and facilities on the subject property, we will need continued access for maintenance of our facilities. We appreciate your efforts to keep us apprised of the subject project in the planning process. As the proposed Pohaku Loa Way Residence project comes to fruition, please continue to keep us informed.

Should there be any questions, please contact me at 543-7245.

Thank you,
Rouen Liu
Permit Engineer

PLANNING SOLUTIONS

January 8, 2022

Rouen Liu, Permit Engineer
Hawaiian Electric Company, Inc.
Via Electronic Mail: rouen.liu@hawaiianelectric.com

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Liu:

Thank you for your November 19, 2021, message concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response.

Thank you for confirming that the Hawaiian Electric Company, Inc. (henceforth, "Hawaiian Electric") has no objections to the proposed project. Further, it is our understanding that there are no Hawaiian Electric easements or facilities present on the subject parcel.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

DAVID Y. IGE
GOVERNOR

CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
BENEFIT, EMPLOYMENT AND SUPPORT SERVICES DIVISION
1010 Richards Street, Suite 512
Honolulu, Hawaii 96813

Re: 21-0736

November 16, 2021

Mr. Makena White
AICP
Planning Solutions, Inc.
711 Kapiolani Boulevard, Suite 950
Honolulu, Hawaii 96813

Dear Mr. White:

Subject: Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA/AFONSI), 61-551 Pohaku Loa Way Residence, Waialua District, Island of Oahu, Tax Map Key: (1) 6-1-009:010

This is in response to your letter dated November 6, 2021 requesting the Department of Human Services (DHS) review and comment on the above-named project.

The DHS has reviewed the project area and has no comments at this time.

If you should have any questions regarding this matter, please contact Ms. Lisa Galino, Child Care Program Specialist at (808) 586-5712.

Sincerely,

Scott Nakasone
Assistant Division Administrator

c: Cathy Betts, Director

AN EQUAL OPPORTUNITY AGENCY

PLANNING SOLUTIONS

January 8, 2022

Scott Nakasone, Assistant Division Administrator
Department of Human Services
Benefit, Employment and Support Services Division
State of Hawai‘i
1010 Richards Street, Suite 512
Honolulu, Hawai‘i 96813

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Nakasone:

Thank you for your November 16, 2021, letter (Reference No.: 21-0736) concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response.

Thank you for confirming that your Department has no comments on the proposed action at this time.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

DEPARTMENT OF FACILITY MAINTENANCE

CITY AND COUNTY OF HONOLULU

1000 Ulu`ohia Street, Suite 215, Kapolei, Hawaii 96707
Phone: (808) 768-3343 • Fax: (808) 768-3381
Website: www.honolulu.gov

RICK BLANGIARDI
MAYOR

ROGER BABCOCK, JR., Ph.D., P.E.
DIRECTOR AND CHIEF ENGINEER

DAWN B. SZEWCZYK, P.E.
DEPUTY DIRECTOR

IN REPLY REFER TO:
21-665

November 18, 2021

Planning Solutions
711 Kapiolani Boulevard, Suite 950
Honolulu, Hawaii 96813
Attention: Ms. Makena White, AICP

Dear Ms. Makena White:

Subject: Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA/AFONSI)
61-551 Pōhaku Loa Way Residence
Waialua District, Island of O'ahu
Tax Map Key: (1) 6-1-009:010

Thank you for the opportunity to review and to give our input regarding the subject "Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence."

We have no comments at this time, as we do not have any facilities or easements on the subject property. Please note that Pōhaku Loa Way was identified as a private road that the City does not provide road maintenance.

Should you have any questions, please contact Kyle Oyasato of the Division of Road Maintenance, at 768-3697.

Sincerely,

for Roger Babcock, Jr., Ph.D., P.E.
Director and Chief Engineer

PLANNING SOLUTIONS

January 8, 2022

Roger Babcock, Jr., Ph.D., P.E.
Director and Chief Engineer
Department of Facility Maintenance
City and County of Honolulu
1000 Ulu‘ōhi‘a Street, Suite 215
Kapolei, Hawai‘i 96813

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Babcock:

Thank you for your November 18, 2021, letter (Reference No.: 21-665) concerning Pōhaku Loa Hale, LLC’s *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response.

Thank you for confirming that your Department has no facilities or easements on the subject property, and identifying Pōhaku Loa Way as a private road that is not maintained by the City and County of Honolulu.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

POLICE DEPARTMENT

CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulupd.org

RICK BLANGIARDI
MAYOR

RADE K. VANIC
INTERIM CHIEF

OUR REFERENCE EO-DK

November 22, 2021

SENT VIA EMAIL

Mr. Makena White
Makena@psi-hi.com

Dear Mr. White:

This is in response to a letter dated November 5, 2021, from the Department of Planning and Permitting, requesting input on the Draft Environmental Assessment for the proposed project located at 61-551 Pohaku Loa Way in Haleiwa.

Based on the information provided, the Honolulu Police Department does not have any comments or concerns at this time.

If there are any questions, please call Major Mark Thompson of District 2 (Wahiawa) at (808) 723-8700.

Thank you for the opportunity to review this project.

Sincerely,

DARREN CHUN
Assistant Chief of Police
Support Services Bureau

PLANNING SOLUTIONS

January 8, 2022

Assistant Chief Darren Chun
Support Services Bureau
Honolulu Police Department
801 South Beretania Street
Honolulu, Hawai‘i 96813
Via Email: hpdchiefsoffice@honolulu.gov

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Assistant Chief Chun:

Thank you for your November 22, 2021, letter (Reference No. EO-DK) concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response.

Thank you for confirming that your Department has no comments or concerns regarding the project at this time.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: http://planning.hawaii.gov/

DTS202111081631SE

Coastal Zone Management Program

Environmental Review Program

Land Use Commission

Land Use Division

Special Plans Branch

State Transit-Oriented Development

Statewide Geographic Information System

Statewide Sustainability Program

December 1, 2021

Mr. Dean Uchida, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, Hawaii 96813

Atten: Mr. Jordan Dildy

Dear Mr. Uchida:

Subject: Chapter 25, Revised Ordinances of Honolulu, Draft Environmental Assessment for Construction of a New Single-Family Dwelling and Accessory Dwelling Unit at 61-551 Pohaku Loa Way, Haleiwa, Oahu; Tax Map Key: (1) 6-1-009: 010

The Office of Planning and Sustainable Development (OPSD) is in receipt of your review request, dated November 5, 2021, on the Draft Environmental Assessment (Draft EA), for a new single-family residence project, located at 61-551 Pohaku Loa Way, Haleiwa, Oahu.

According to the Draft EA, Pohaku Loa Hale, LLC proposes to replace the existing single-family dwelling and accessory structure with a new single-story, single-family residence and an accessory dwelling unit, with approximately 3,600 square feet of combined floor area. In addition, the proposed action includes new 6-foot-high concrete rubble masonry walls along the perimeter of the property. The project will demolish the existing residence, which is partially within the shoreline area.

The project is located on an approximately 17,720 square-foot shoreline parcel within the county designated Special Management Area (SMA). The subject EA is triggered by Revised Ordinances of Honolulu Chapter 25 that any proposed development requiring a SMA use permit shall be subject to an assessment by the agency in accordance with the procedural steps set forth in Hawaii Revised Statutes (HRS) Chapter 343.

The project parcel is located along a rocky shoreline with a fringing reef. The 40-foot shoreline area in the vicinity of the project parcel is roughly subject to the 3.2-foot sea level rise exposure area.

The construction is anticipated to be completed by 2023, and the estimated project cost is $1.4 million.

The OPSD has reviewed the Draft EA, and has the following comments to offer:

1. Page 4-8, the EA should refer to HRS §§ 205A-2(b)(9) and 205A-2(c)(9), as amended, enacted by Act 160, Session Laws of Hawaii (SLH) 2010, and Act 16, SLH 2020, for compliance with the objective of beach protection and its supporting policies.

2. In enacting Act 224, SLH 2005, the legislature found that light pollution in Hawaii's coastal areas and artificial lighting illuminating the shoreline and ocean waters can be disruptive to avian and marine life. The exterior lighting and lamp posts associated with the proposed residence project shall be cut-off luminaries to provide the necessary shielding to mitigate potential light pollution in the coastal areas and lessen possible seabird strikes. No artificial light, except as provided in HRS §§ 205A-30.5(b) and 205A-71(b), shall be directed to travel across property boundaries toward the shoreline and ocean.

3. The OPSD concurs that the proposed project shall implement site-specific best management practices with erosion and sediment control measures, including silt fences, silt socks, berms and other erosion control devices, to confine the proposed excavation and construction activities, and prevent potential soil, construction debris and polluted runoff from adversely impacting the coastal ecosystem, and State waters as specified in Hawaii Administrative Rules Chapter 11-54.

If you have any questions regarding this comment letter, please contact Shichao Li of our office at (808) 587-2841, or by email at shichao.li@hawaii.gov.

Sincerely,

Mary Alice Evans

Mary Alice Evans
Director

c: Makena White of Planning Solutions, Inc.

PLANNING SOLUTIONS

January 8, 2022

Ms. Mary Alice Evans, Director
Attention Shichao Li
Office of Planning and Sustainable Development
State of Hawai‘i
Via Electronic Mail: shichao.li@hawaii.gov

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Ms. Evans:

Thank you for your December 1, 2021, letter (Reference No. DTS202111081631SE) concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response. To simplify your review, we have reproduced your comments in italics, followed by our response.

Comment 1:

> *Page 4-8, the EA should refer to HRS §§ 205A-2(b)(9) and 205A-2(c)(9), as amended, enacted by Act 160, Session laws of Hawaii (SLH) 2010, and Act 16, SLH 2020, for compliance with the objective of beach protection and its supporting policies.*

Response:

Section 4.1.4.9 of the Final Environmental Assessment (FEA) has been revised to reference the project's compliance with the objectives of HRS §§ 205A-2(b)(9) and 205A-2(c)(9). The proposed project poses no risk to beaches or littoral processes because the subject parcel is not experiencing shoreline erosion, no structures are planned seaward of the shoreline setback, and no structures are planned within the 3.2-foot sea level rise exposure area.

Comment 2:

> *In enacting Act 224, SLH 2005, the legislature found that light pollution in Hawaii's coastal areas and artificial lighting illuminating the shoreline and ocean waters can be disruptive to avian and marine life. The exterior lighting and lamp posts associated with the proposed residence project shall be cut-off luminaries to provide the necessary shielding to mitigate the potential light pollution in the coastal areas and lessen possible seabird strikes. No artificial light, except as provided in HRS §§ 205A-30.5(b) and 205A-71(b), shall be directed to travel across property boundaries toward the shoreline and ocean.*

Response:

To avoid and/or minimize potential impacts to protected species of seabirds and sea turtles, Pōhaku Loa Hale, LLC will, as discussed in Section 3.4.3 of the Environmental Assessment, only utilize exterior lighting that is identified as "acceptable" by the Department of Land and Natural Resources, Division of Forestry and Wildlife's *Wildlife Lighting* guidelines. The current guidelines are available at https://dlnr.hawaii.gov/wildlife/files/2016/03/DOC439.pdf. Thus, all exterior lighting will be fully shielded. In addition, Pōhaku Loa Hale, LLC will design all exterior lighting to avoid light trespass beyond the relatively level area on the project parcel so the light sources—bulbs and diodes—are not visible from the beach or waterline.

Comment 3:

> *The OPSD concurs that the proposed project shall implement site-specific best management practices with erosion and sediment control measures, including silt fences, silt rocks, berms and other erosion control devices, to confine the proposed excavation and construction activities, and prevent potential soil, construction debris and polluted runoff from adversely impacting the coastal ecosystem, and State waters as specified in Hawaii Administrative Rules, Chapter 11-54.*

Response:

Pōhaku Loa Hale, LLC appreciates your expression of support for the proposed Best Management Practices for erosion and sediment control, as outlined in Appendix B of the Environmental Assessment.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

DEPARTMENT OF DESIGN AND CONSTRUCTION
CITY AND COUNTY OF HONOLULU
650 SOUTH KING STREET, 11TH FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8480 • Fax: (808) 768-4567
Web site: www.honolulu.gov

RICK BLANGIARDI
MAYOR

ALEX KOZLOV, P.E.
DIRECTOR

HAKU MILLES, P.E.
DEPUTY DIRECTOR

November 26, 2021

Makena White, AICP
Planning Solutions, Inc.
711 Kapiolani Boulevard, Suite 950
Honolulu, Hawaii 96813

Dear Makena:

Subject: Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA/AFONSI)
61-551 Pohaku Loa Way Residence
Waialua District, Island of Oahu, TMK: (1) 6-1-009:010

Thank you for the opportunity to review and comment. The Department of Design and Construction has no comments to offer at this time.

Should you have any further questions, please contact me at 768-8480.

Sincerely,

for Alex Kozlov, P.E.
Director

AK:krn (867007)

PLANNING SOLUTIONS

January 8, 2022

Mr. Alex Kozlov, P.E., Director
Department of Design and Construction
City and County of Honolulu
650 South King Street, 11th Floor
Honolulu, HI 96813

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Kozlov:

Thank you for your November 26, 2021, letter concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response.

We appreciate confirmation that your Department has no comments at this time.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

DAVID Y. IGE
GOVERNOR

KEITH T. HAYASHI
INTERIM SUPERINTENDENT

STATE OF HAWAI`I
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAI`I 96804

OFFICE OF FACILITIES AND OPERATIONS

November 29, 2021

Makena White, AICP
Planning Solutions, Inc.
711 Kapiolani Boulevard, Suite 950
Honolulu, Hawaii 96813

Re: Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA/AFONSI) 61-551 Pohaku Loa Way Residence, Waialua District, Island of Oahu, Tax Map Key: (1)6-1-009:010

Dear Mr. White:

Thank you for your letter dated November 6, 2021. The Hawaii State Department of Education (Department) has the following comment for the Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the Residence located at 61-551 Pohaku Loa Way (Project).

Based upon the information provided, the proposed Project will not impact Department facilities.

Thank you for the opportunity to comment. Should you have questions, please contact Robyn Loudermilk, School Lands and Facilities Specialist with the Facilities Development Branch, Planning Section, at (808) 784-5093 or via email at robyn.loudermilk@k12.hi.us.

Sincerely,

Roy Ikeda
Interim Public Works Manager
Planning Section

RI:ctc

c: Facilities Development Branch

PLANNING SOLUTIONS

January 8, 2022

Mr. Roy Ikeda, Interim Public Works Manager
Attention Robyn Laudermilk
Planning Section, Department of Education
State of Hawai‘i
P.O. Box 2360
Honolulu, Hawai‘i 96804
By Electronic Mail: robyn.laudermilk@k12.hi.us

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Ikeda:

Thank you for your November 29, 2021, letter concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response.

Thank you for confirming that the proposed project will not impact your Department's facilities or operations.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

HAWAI'I GAS
THE CLEAN ENERGY COMPANY

December 7, 2021

Mr. Makena White, AICP
Planning Solutions, Inc.
711 Kapiolani Boulevard, Suite 950
Honolulu, Hawaii 96813

Dear Mr. White:

Subject: Draft Programmatic Environmental Impact Statement
61-551 Pohaku Loa Way Residence
Waialua District, Island of O'ahu
TMK: [1] 6-1-009:010
Plan Review and Comment

In response to your letter dated November 6, 2021, it has been determined that the area is currently clear of utility gas facilities.

Thank you for the opportunity to review the DEA for this project. Should there be any questions, or if additional information is desired, please call Christian Miyagawa-Briones 594-5549.

Sincerely,

Hawaii Gas

Keith K. Yamamoto
Manager, Engineering

KKY:krs

PLANNING SOLUTIONS

RECEIVED NOV - 8 2021

November 6, 2021

SUBJECT: Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA/AFONSI)
61-551 Pōhaku Loa Way Residence
Waialua District, Island of O'ahu
Tax Map Key: (1) 6-1-009:010

Dear Participant

On behalf of the applicant, Pōhaku Loa Hale, LLC, and the Department of Planning and Permitting, Planning Solutions, Inc. transmits to you the *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence* (DEA/AFONSI). The document discloses the potential environmental effects of the proposed action. You may download a copy of the DEA/AFONSI here:

https://planningsolutions.sharefile.com/d-s25b39cfe1670460882f2ff03aa300a09

The Environmental Review Program (ERP) of the State of Hawai'i, Office of Planning and Sustainable Development has indicated that it will publish a Notice of Availability for the subjected DEA/AFONSI in the November 8, 2021 edition of The Environmental Notice (TEN). The DEA/AFONSI will also be available, via the TEN, online at: http://oeqc2.doh.hawaii.gov

We invite you to review the DEA/AFONSI and provide your comments to:

Mākena White, AICP
Planning Solutions, Inc.
711 Kapiolani Boulevard, Suite 950
Honolulu, Hawaii 96813
makena@psi-hi.com

The ERP's deadline for comments on the DEA/AFONSI is Wednesday, December 8, 2021.

Please contact me at (808) 550-4538 if you have any questions or concerns regarding this letter or the DEA/AFONSI. Thank you for your participation in this environmental review process.

Sincerely,

Mākena White, AICP

cc: Pōhaku Loa Way, LLC (electronic copy only)

PLANNING SOLUTIONS

January 8, 2022

Mr. Keith K. Yamamoto, Manager, Engineering
Hawai‘i Gas
P.O. Box 3000
Honolulu, Hawai‘i 96802-3000

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Yamamoto:

Thank you for your December 7, 2021, letter concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response.

Thank you for confirming that the proposed project area is currently clear of utility gas facilities.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF AQUATIC RESOURCES
1151 PUNCHBOWL STREET, ROOM 330
HONOLULU, HAWAII 96813

Date: 11/30/2021
DAR # AR0131

MEMORANDUM

TO: Brian J. Neilson
DAR Administrator

FROM: Bryan Ishida, Aquatic Biologist

SUBJECT: DAR review: draft environmental assessment of a proposed construction project at 61-551 Pōhaku Loa Way, in the Hale'iwa area of Oahu.

Request Submitted by: Mākena White, Planning Solutions Inc.
61-551 Pōhaku Loa Way, Hale'iwa, Hawaii. TMK No. (1) 6-1-009:010

Location of Project: _____

Brief Description of Project:
The project includes demolition of the existing primary dwelling and unattached Accessory Dwelling Unit (ADU) and construction of a new primary dwelling and ADU on a different area of the property. The existing approximately 80-year old structures are in very poor condition, and not in compliance with today's land use rules and regulations (the preparers note that existing improvements were likely in compliance at the time of initial construction). The existing 1,848 square foot primary dwelling, its 540 square foot elevated lanai, and 425 square foot ADU would all be completely demolished, and replaced with a 2,800 square foot primary dwelling, 800 square foot ADU, and 1,432 square foot elevated lanai. In addition, a roughly 290-foot, 6-foot tall Concrete

Comments:
☐ No Comments ☒ Comments Attached

Thank you for providing DAR the opportunity to review and comment on the proposed project. Should there be any changes to the project plan, DAR requests the opportunity to review and comment on those changes.

Comments Approved: _____ Date: Dec 1, 2021
Brian J. Neilson
DAR Administrator

DAR# AR0131

Brief Description of Project

Masonry Reinforced (CRM) wall will be built along the perimeter of the parcel. The project would remove the primary dwelling which currently sits partially within the 40-foot shoreline setback area, and construct all structures on the roadside-half of the parcel and outside of the shoreline setback. Aerial photos and diagrams of the existing and proposed structures are included in the DEA.

The proposed structures will be primarily elevated above ground level and build on a system of piers. Ground disturbance will be limited to installation of roughly 40, 3-foot deep piers, installation of an approved wastewater system (septic tank and leach field) between the dwelling and road, 290-foot long trench along the perimeter of the parcel to accommodate the CRM wall, and dry well for roof storm water runoff. As detailed in the DEA, the project will not significantly affect the existing land forms, vegetation, and water resources. The activities proposed in the DEA are limited to the parcel, and largely (other than demolition activities) outside of the 40-foot shoreline setback.

The northern perimeter of the rectangular parcel fronts a section of shoreline. Composition of the shoreline is mixed sand and boulder and features a protected cove. A border of vegetation (mainly naupaka and coconut trees) runs along the approximate perimeter of the parcel boundary and shoreline. The area can be accessed by the public at Laniākea Beach to the Southwest and Kawailoa Beach to the Northeast.

DAR# AR0131

Comments

The activities proposed by the applicants fall entirely within the property boundary and do not include direct physical disturbance to the adjacent aquatic environment. However, such close proximity to highly important habitat warrants that extra care be taken to minimize impacts to surrounding areas. As noted in section 3.4.1 of the DEA, the sandy cove located in front of the property is an area known for honu or green sea turtle (Chelonia mydas) basking. Laniākea Beach to the Southwest is also a known honu basking area, but can be overcrowded by tourists due to its ease of access and reputation as being a good place to view turtles up close. The isolated sandy cove fronting the property may provide critical refuge for honu looking to avoid human interaction. Additionally, the shallow boulder-strewn habitat fronting the property provides critical habitat for a variety of marine vertebrates and invertebrates otherwise not commonly found along adjacent sandy shores. Some species that rely heavily on this type habitat including (but not limited to) ououa (Neomyxus leuciscus), āholehole (Kuhlia spp.), and ʻaʻama (Grapsus spp.) also hold cultural importance as valued food sources.

DAR recognizes that the DEA does note multiple Best Management Practices (BMPs) and precautionary steps to minimize potential impacts to the aquatic environment. Strict adherence to the BMPs and precautionary measures detailed in the DEA will do much to avoid potential impacts to the aquatic environment, namely escape of silt, dust, and water into the surrounding areas, unnecessary light pollution, and chemical spills. Recognizing that a project such as this will include multiple contractors and subcontractors, DAR suggests that the BMPs and precautionary measures noted throughout the DEA be compiled into a single document to be circulated to all personnel involved with the project to ensure awareness.

Lastly, DAR requests that the applicants include a process for personnel working on-site to follow in the event construction activities impact or pose threat of impact to the aquatic environment. The process should include immediate contact with a DAR representative to keep us informed of the situation.

Mahalo for the opportunity to provide comment.

PLANNING SOLUTIONS

January 8, 2022

Mr. Brian J. Neilson, Administrator
Division of Aquatic Resources
Department of Land and Natural Resources
State of Hawai‘i
P.O. Box 621
Honolulu, HI 96809

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Neilson:

Thank you for your November 30, 2021, letter (Reference No. AR0131) concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response. To simplify your review, we have reproduced your comments in italics, followed by our response.

Comment 1:

> *The activities proposed by the applicants fall entirely within the property boundary and do not include direct physical disturbance to the adjacent aquatic environment. However, such close proximity to highly important habitat warrants that extra care be taken to minimize impacts to surrounding areas. As noted in section 3.4.1 of the DEA, the sandy cove located in front of the property is an area known for honu or green sea turtle (Chelonia mydas) basking. Laniākea Beach to the Southwest is also a known honu basking area, but can be overcrowded by tourists due to its ease of access and reputation as being a good place to view turtles up close. The isolated sandy cove fronting the property may provide critical refuge for honu looking to avoid human interaction. Additionally, the shallow boulder-strewn habitat fronting the property provides critical habitat for a variety of marine vertebrates and invertebrates otherwise not commonly found along adjacent sandy shores. Some species that rely heavily on this type habitat including (but not limited to) ououa (Neomyxus leuciscus), āholehole (Kuhlia spp.), and ‘a‘ama (Grapsus spp.) also hold cultural importance as valued food sources.*
>
> *DAR recognizes that the DEA does note multiple Best Management Practices (BMPs) and precautionary steps to minimize potential impacts to the aquatic environment. Strict adherence to the BMPs and precautionary measures detailed in the DEA will do much to avoid potential impacts to the aquatic environment, namely escape of silt, dust, and water into the surrounding areas,*

unnecessary light pollution, and chemical spills. Recognizing that a project such as this will include multiple contractors and subcontractors, DAR suggests that the BMPs and precautionary measures noted throughout the DEA be compiled into a single document to be circulated to all personnel involved with the project to ensure awareness.

Response:

The project owners understand the importance of the construction-phase BMPs and will implement the suggestion that they be compiled into a single document that shall be circulated to all contractors and personnel. The compilation will be included with the project's Special Management Area permit application.

Comment 2:

DAR requests that the applicants include a process for personnel working on-site to follow in the event construction activities impact or pose threat of impact to the aquatic environment. The process should include immediate contact with a DAR representative to keep us informed of the situation.

Response:

The following measure has been added to Section 3.4.3 concerning avoidance, minimization, or mitigation measures associated with protected species:

- Should construction activities impact or pose a threat of impact to protected species (e.g., a sea turtle enters the work site) or the aquatic environment (e.g., result in a silt plume or petroleum sheen on any waters of the State), the contractor will stop work and notify the National Oceanic and Atmospheric Administration (NOAA) at 808-725-5161, DLNR Division of Aquatic Resources (DAR) at 808-587-0100, and, if the incident involves impacts to State water quality, the Hawai'i Department of Health Clean Water Branch at 808-586-4309.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

DAVID Y. IGE
GOVERNOR OF HAWAII

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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

November 19, 2021

LD 1285

MEMORANDUM

FROM:

~~TO:~~ **DLNR Agencies:**

X Div. of Aquatic Resources *(via email: kendall.l.tucker@hawaii.gov)*
__ Div. of Boating & Ocean Recreation
X Engineering Division *(via email: DLNR.Engr@hawaii.gov)*
X Div. of Forestry & Wildlife *(via email: rubyrosa.t.terrago@hawaii.gov)*
__ Div. of State Parks
X Commission on Water Resource Management *(via email: DLNR.CWRM@hawaii.gov)*
X Office of Conservation & Coastal Lands *(via email: sharleen.k.kuba@hawaii.gov)*
X Land Division – Oahu District *(via email: barry.w.cheung@hawaii.gov)*

TO: *Russell Tsuji*

~~FROM:~~ Russell Y. Tsuji, Land Administrator

SUBJECT: **Draft Environmental Assessment (DEA) and Finding of No Significant Impact (AFONSI) for 61-551 Pōhaku Loa Way Residence**

LOCATION: Waialua District, Island of Oahu, Hawaii
TMK: (1) 6-1-009:010

APPLICANT: **Planning Solutions on behalf of Pōhaku Loa Hale, LLC**

Transmitted for your review and comment is information on the above-referenced subject. The DEA was published on November 08, 2021 by the State Environmental Review Program (formerly the Office of Environmental Quality Control) at the Office of Planning and Sustainable Development in the periodic bulletin, The Environmental Notice, available at the following link:

http://oeqc2.doh.hawaii.gov/The_Environmental_Notice/2021-11-08-TEN.pdf

Please submit any comments by **December 07, 2021** to barbara.j.lee@hawaii.gov at Land Division. If no response is received by this date, we will assume your agency has no comments. If you have any questions, please contact Barbara Lee directly via email at the above email address. Thank you.

BRIEF COMMENTS:

( ) We have no objections.
( ) We have no comments.
( ) We have no additional comments.
(✓) Comments are included/attached.

Signed: *CSC*
Print Name: Carty S. Chang, Chief Engineer
Division: Engineering Division
Date: Nov 30, 2021

Attachments
Cc: Central Files

DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION

LD/Russell Y. Tsuji

Ref: Draft Environmental Assessment (DEA) and Anticipated Finding of No Significant Impact (AFONSI) for 61-551 Pohaku Loa Way Residence
Location: Waialua District, Island of Oahu, Hawaii
TMK(s): (1) 6-1-009:010
Applicant: Planning Solutions on behalf of Pohaku Loa Hale, LLC

COMMENTS

The rules and regulations of the National Flood Insurance Program (NFIP), Title 44 of the Code of Federal Regulations (44CFR), are in effect when development falls within a Special Flood Hazard Area (high-risk areas). Be advised that 44CFR, Chapter 1, Subchapter B, Part 60 reflects the minimum standards as set forth by the NFIP. Local community flood ordinances may stipulate higher standards that can be more restrictive and would take precedence over the minimum NFIP standards.

The owner of the project property and/or their representative is responsible to research the Flood Hazard Zone designation for the project. Flood zones subject to NFIP requirements are identified on FEMA's Flood Insurance Rate Maps (FIRM). The official FIRMs can be accessed through FEMA's Map Service Center (msc.fema.gov). Our Flood Hazard Assessment Tool (FHAT) (http://gis.hawaiinfip.org/FHAT) could also be used to research flood hazard information.

If there are questions regarding the local flood ordinances, please contact the applicable County NFIP coordinating agency below:

- Oahu: City and County of Honolulu, Department of Planning and Permitting (808) 768-8098.
- Hawaii Island: County of Hawaii, Department of Public Works (808) 961-8327.
- Maui/Molokai/Lanai County of Maui, Department of Planning (808) 270-7139.
- Kauai: County of Kauai, Department of Public Works (808) 241-4849.

Signed: _____
CARTY S. CHANG, CHIEF ENGINEER

Date: Nov 30, 2021

PLANNING SOLUTIONS

January 8, 2022

Mr. Carty S. Chang, Chief Engineer
Engineering Division
Department of Land and Natural Resources
State of Hawai‘i
P.O. Box 621
Honolulu, HI 96809

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Neilson:

Thank you for your November 30, 2021, letter (Reference No. LD 1285) concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response.

Thank you for providing the information concerning the National Flood Insurance Program and the local agencies, which may stipulate higher standards. The project is working with the City and County of Honolulu, Department of Planning and Permitting, and as stated in Section 3.1.9 of the Environmental Assessment, will comply "with all development standards of ROH, §21-9.10 *Flood Hazard Districts* applicable to the coastal high hazard district."

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

TF Same as OA-21-150? ref:

DAVID Y. IGE
GOVERNOR OF HAWAII

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

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS
2021 NOV 26 P 3:58
DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

November 19, 2021

LD 1285

MEMORANDUM

TO: **DLNR Agencies:**
X Div. of Aquatic Resources *(via email: kendall.l.tucker@hawaii.gov)*
__Div. of Boating & Ocean Recreation
X Engineering Division *(via email: DLNR.Engr@hawaii.gov)*
X Div. of Forestry & Wildlife *(via email: rubyrosa.t.terrago@hawaii.gov)*
__Div. of State Parks
X Commission on Water Resource Management *(via email: DLNR.CWRM@hawaii.gov)*
X Office of Conservation & Coastal Lands *(via email: sharleen.k.kuba@hawaii.gov)*
X Land Division – Oahu District *(via email: barry.w.cheung@hawaii.gov)*

FROM: Russell Tsuji
Russell Y. Tsuji, Land Administrator

SUBJECT: **Draft Environmental Assessment (DEA) and Finding of No Significant Impact (AFONSI) for 61-551 Pōhaku Loa Way Residence**

LOCATION: Waialua District, Island of Oahu, Hawaii
TMK: (1) 6-1-009:010

APPLICANT: **Planning Solutions on behalf of Pōhaku Loa Hale, LLC**

Transmitted for your review and comment is information on the above-referenced subject. The DEA was published on November 08, 2021 by the State Environmental Review Program (formerly the Office of Environmental Quality Control) at the Office of Planning and Sustainable Development in the periodic bulletin, The Environmental Notice, available at the following link:

http://oeqc2.doh.hawaii.gov/The_Environmental_Notice/2021-11-08-TEN.pdf

Please submit any comments by **December 07, 2021** to barbara.j.lee@hawaii.gov at Land Division. If no response is received by this date, we will assume your agency has no comments. If you have any questions, please contact Barbara Lee directly via email at the above email address. Thank you.

BRIEF COMMENTS:

( ) We have no objections.
(✓) We have no comments. Not in Conservation District
( ) We have no additional comments.
( ) Comments are included/attached.

Signed: _____
Print Name: Trevor Fitzpatrick
Division: OCCL
Date: 12/7/2021

Attachments
Cc: Central Files

LD 1285

PLANNING SOLUTIONS

November 6, 2021

SUBJECT: Draft Environmental Assessment and Anticipated Finding of No Significant Impact (DEA/AFONSI)
61-551 Pōhaku Loa Way Residence
Waialua District, Island of O'ahu
Tax Map Key: (1) 6-1-009:010

Dear Participant

On behalf of the applicant, Pōhaku Loa Hale, LLC, and the Department of Planning and Permitting, Planning Solutions, Inc. transmits to you the *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence* (DEA/AFONSI). The document discloses the potential environmental effects of the proposed action. You may download a copy of the DEA/AFONSI here:

https://planningsolutions.sharefile.com/d-s25b39cfe1670460882f2ff03aa300a09

The Environmental Review Program (ERP) of the State of Hawai'i, Office of Planning and Sustainable Development has indicated that it will publish a Notice of Availability for the subjected DEA/AFONSI in the November 8, 2021 edition of The Environmental Notice (TEN). The DEA/AFONSI will also be available, via the TEN, online at: http://oeqc2.doh.hawaii.gov

We invite you to review the DEA/AFONSI and provide your comments to:

Mākena White, AICP
Planning Solutions, Inc.
711 Kapiolani Boulevard, Suite 950
Honolulu, Hawaii 96813
makena@psi-hi.com

The ERP's deadline for comments on the DEA/AFONSI is Wednesday, December 8, 2021.

Please contact me at (808) 550-4538 if you have any questions or concerns regarding this letter or the DEA/AFONSI. Thank you for your participation in this environmental review process.

Sincerely,

Mākena White, AICP

cc: Pōhaku Loa Way, LLC (electronic copy only)

PLANNING SOLUTIONS

January 8, 2022

Mr. Trevor Fitzpatrick
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawai‘i
P.O. Box 621
Honolulu, HI 96809

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Fitzpatrick:

Thank you for your December 7, 2021, letter concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your letter.

Thank you for confirming that the proposed action is not in the Conservation District and that your division has no comments.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

Pacific Park Plaza, Suite 950 • 711 Kapi‘olani Boulevard • Honolulu, Hawai‘i 96813-5213
Phone: 808-550-4483 • www.psi-hi.com

Standard Comments for Land Use Reviews
Clean Air Branch
Hawaii State Department of Health

If your proposed project:

Requires an Air Pollution Control Permit

You must obtain an air pollution control permit from the Clean Air Branch and comply with all applicable conditions and requirements. If you do not know if you need an air pollution control permit, please contact the Permitting Section of the Clean Air Branch.

Includes construction or demolition activities that involve asbestos

You must contact the Asbestos Abatement Office in the Indoor and Radiological Health Branch.

Has the potential to generate fugitive dust

You must control the generation of all airborne, visible fugitive dust. Note that construction activities that occur near to existing residences, business, public areas and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne, visible fugitive dust. The plan, which does *not* require Department of Health approval, should help you recognize and minimize potential airborne, visible fugitive dust problems.

Construction activities must comply with the provisions of Hawaii Administrative Rules, §11-60.1-33 on Fugitive Dust. In addition, for cases involving mixed land use, we strongly recommend that buffer zones be established, wherever possible, in order to alleviate potential nuisance complaints.

You should provide reasonable measures to control airborne, visible fugitive dust from the road areas and during the various phases of construction. These measures include, but are not limited to, the following:

a) Planning the different phases of construction, focusing on minimizing the amount of airborne, visible fugitive dust-generating materials and activities, centralizing on-site vehicular traffic routes, and locating potential dust-generating equipment in areas of the least impact;
b) Providing an adequate water source at the site prior to start-up of construction activities;
c) Landscaping and providing rapid covering of bare areas, including slopes, starting from the initial grading phase;
d) Minimizing airborne, visible fugitive dust from shoulders and access roads;
e) Providing reasonable dust control measures during weekends, after hours, and prior to daily start-up of construction activities; and
f) Controlling airborne, visible fugitive dust from debris being hauled away from the project site.

If you have questions about fugitive dust, please contact the Enforcement Section of the Clean Air Branch

Clean Air Branch (808) 586-4200 cab@doh.hawaii.gov	Indoor Radiological Health Branch (808) 586-4700

April 1, 2019

PLANNING SOLUTIONS

January 8, 2022

Clean Air Branch
Department of Health
State of Hawai‘i
Via email: cab@doh.hawaii.gov

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Clean Air Branch:

Thank you for your submittal concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI).

Thank you for providing the information regarding air pollution control permits, asbestos, and fugitive dush. Pōhaku Loa Hale, LLC understands that it must comply with all applicable rules, regulations, and statutes and will implement best management practices (BMPs) to minimize fugitive dust.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU
650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041
DEPT. WEB SITE: www.honoluludpp.org • CITY WEB SITE: www.honolulu.gov

RICK BLANGIARDI
MAYOR

DEAN UCHIDA
DIRECTOR

DAWN TAKEUCHI APUNA
DEPUTY DIRECTOR

EUGENE H. TAKAHASHI
DEPUTY DIRECTOR

December 8, 2021

2021/ED-18(JD)

Mr. Makena White
Planning Solutions, Inc.
Pacific Park Plaza, Suite 950
711 Kapiolani Boulevard
Honolulu, Hawaii 96813

Dear Mr. White:

SUBJECT: Draft Environmental Assessment (DEA) Comments
61-551 Pohaku Loa Way Residence
61-551 Pohaku Loa Way - Waialua
Tax Map Key 6-1-009: 010

We have reviewed the DEA, received October 7, 2021 and published in the November 8, 2021, issue of The Environmental Notice. We understand that the Project will consist of the demolition of a single-family dwelling and the construction of a new single-family dwelling and accessory dwelling unit on the subject site within the Special Management Area (SMA). Our comments regarding the items to address prior to the submittal of the Final Environmental Assessment (FEA) are provided below:

1. We understand that a shoreline survey has been submitted to the State of Hawaii for certification. A color copy of the certified shoreline survey must be included in the FEA. Should the certified shoreline not be located where originally anticipated, the analysis must be updated to reflect this in the FEA.

2. Include within the FEA a proposed site plan with an overlay of the 3.2-foot Sea Level Rise (SLR) Exposure Area to demonstrate how the proposed structures will or will not be affected by passive flooding, annual high wave flooding, and erosion at various rates of SLR.

3. Project plans should be revised to show that the outdoor shower is not attached to a breakaway wall and the slab for the garage floor is un-reinforced and able to breakaway.

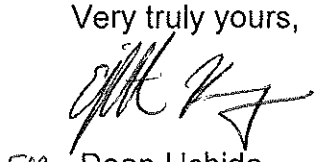
4. Section 1.2 of the DEA states an SMA Major Permit is issued by Ordinance. SMA Major Permits are adopted by Resolution. Please correct this in the FEA.

5. Section 2.1 of the DEA states that one of the existing structures (to be demolished) is an accessory dwelling unit (ADU) built in 2005. We have no record of a building permit for the site during that time period and ADUs were not a permitted accessory use until 2015. Please update the reference to this structure accordingly.

6. Section 2.3.1 of the DEA states the demolition of the existing structures will eliminate the nonconforming structures, which are located partially within the 40-foot shoreline setback. However, you state that there is an existing nonconforming wall within the 40-foot shoreline setback, which will remain. Within the FEA, please provide more information to prove the existing wall was lawfully established and is nonconforming.

Thank you for the opportunity to comment on this proposal. Should you have any questions, please contact Jordan Dildy, of our Zoning Regulations and Permits Branch, at (808) 768-8027 or via email at jdildy@honolulu.gov.

Very truly yours,



FOR: Dean Uchida
Director

PLANNING SOLUTIONS

January 8, 2022

Mr. Dean Uchida, Director
Attention: Jordan Dildy
Department of Planning and Permitting
City and County of Honolulu
By Electronic Mail: jdildy@honolulu.gov

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Uchida:

Thank you for your December 7, 2021, letter (Reference No. 2021/ED-18(JD)) concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response. To simplify your review, we have reproduced your comments in italics, followed by our response.

Comment 1:

> *We understand that a shoreline survey has been submitted to the State of Hawaii for certification. A color copy of the certified shoreline survey must be included in the FEA. Should the certified shoreline not be located where originally anticipated, the analysis must be updated to reflect this in the FEA*

Response:

A color copy of the certified shoreline survey is attached in Appendix C of the FEA. The shoreline remains located where it was original anticipated.

Comment 2:

> *Include within the FEA a proposed site plan with an overlay of the 3.2-foot Sea Level Rise (SLR) Exposure Area to demonstrate how the proposed structures will or will not be affected by passive flooding, annual high wave flooding, and erosion at various rates of SLR.*

Response:

An overlay of the 3.2-foot Sea Level Rise (SLR) Exposure Area has been added to Figure 2.5 in the FEA. As it illustrates, the SLR Exposure Area is similar to the shoreline setback, but generally does not extend as far into the subject parcel as the shoreline setback. This demonstrates how the proposed structures are not anticipated to be adversely affected by

passive flooding, annual high wave flooding, and erosion through a sea level rise of 3.2 feet (1 meter), which is forecast to occur in roughly 2100.

Comment 3:

Project plans should be revised to show that the outdoor shower is not attached to a breakaway wall and the slab for the garage floor is un-reinforced and able to breakaway.

Response:

The project plans included in Appendix B, A001 and A002, have been revised to address this comment.

Comment 4:

Section 1.2 of the DEA states an SMA Major Permit is issued by Ordinance. SMA Major Permits are adopted by Resolution. Please correct this in the FEA.

Response:

Section 1.2 has been corrected as requested.

Comment 5:

Section 2.1 of the DEA stales that one of the existing structures (to be demolished) is an accessory dwelling unit (ADU) built in 2005. We have no record of a building permit for the site during that time period and ADUs were not a permitted accessory use until 2015. Please update the reference to this structure accordingly.

Response:

In Section 2.1 and elsewhere in the FEA, the second structure to be demolished is referred to as a "two-story structure," rather than an ADU as it was in the DEA.

Comment 6:

Section 2.3.1 of the DEA states the demolition of the existing structures will eliminate the nonconforming structures, which are located partially within the 40-foot shoreline setback. However, you state that there is an existing nonconforming wall within the 40-foot shoreline setback, which will remain. Within the FEA, please provide more information to prove the existing wall was lawfully established and is nonconforming.

Response:

Figure 2.3 provides a photograph, dated 1955, of the previous owner's family standing along the subject nonconforming wall. Subsequent to its comment letter, DPP has provided an aerial photograph from 1967 that also illustrates the presence of this wall.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU
630 SOUTH BERETANIA STREET
HONOLULU, HI 96843
www.boardofwatersupply.com

December 8, 2021

Mr. Makena White, AICP
Planning Solutions, Inc.
711 Kapiolani Boulevard, Suite 950
Honolulu, Hawaii 96813

Dear Mr. White:

Subject: Your Letter Dated November 6, 2021 Requesting Comments on the Draft Environmental Assessment of the Proposed 61-551 Pohaku Loa Way Residence – Tax Map Key: 6-1-009: 010

Thank you for your letter regarding the proposed residential development.

The existing water system is adequate to accommodate the proposed project. However, please be advised that this information is based upon current data, and therefore, the Board of Water Supply reserves the right to change any position or information stated herein up until the final approval of the building permit application. The final decision on the availability of water will be confirmed when the building permit application is submitted for approval.

When water is made available, the applicant will be required to pay our Water System Facilities Charges for resource development, transmission, and daily storage.

Water conservation measures are required for all proposed developments. These measures include utilization of non-potable water for irrigation using rain catchment, drought tolerant plants, xeriscape landscaping, efficient irrigation systems, such as a drip system and moisture sensors, and the use of Water Sense labeled ultra-low flow water fixtures and toilets.

The on-site fire protection requirements should be coordinated with the Fire Prevention Bureau of the Honolulu Fire Department.

The proposed development shall verify with the State Department of Health in regard to wastewater disposal systems that are allowable within the "No Pass Zone".

If you have any questions, please contact Robert Chun, Project Review Branch of our Water Resources Division at (808) 748-5443.

Very truly yours,

ERNEST Y. W. LAU, P.E.
Manager and Chief Engineer

PLANNING SOLUTIONS

January 8, 2022

Ernie Y.W. Lau, Manager and Chief Engineer
Board of Water Supply
City and County of Honolulu
630 South Beretania Street
Honolulu, Hawai‘i 96843

Subject: Response to Comment on Draft Environmental Assessment for the 61-551 Pōhaku Loa Way Residence Project

Dear Mr. Lau:

Thank you for your December 8, 2021, letter concerning Pōhaku Loa Hale, LLC's *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the 61-551 Pōhaku Loa Way Residence Project* (DEA/AFONSI). We appreciate the time you and your staff spent reviewing the DEA and preparing your response. To simplify your review, we have reproduced your comments in italics, followed by our response.

Comment 1:

> *The existing water system is adequate to accommodate the proposed project. However, please be advised that this information is based upon current data, and therefore, the Board of Water Supply reserves the right to change any position or information stated herein up until the final approval of the building permit application. The final decision on the availability of water will be confirmed when the building permit application is submitted for approval.*

Response:

Thank you for confirming that the water system is currently adequate to accommodate the proposed project. Pōhaku Loa Hale, LLC acknowledges that the final decision on the availability of water will be confirmed when the building permit application is submitted for review.

Comment 2:

> *When water is made available, the applicant will be required to pay our Water System Facilities Charges for resource development, transmission, and daily storage.*

Response:

Pōhaku Loa Hale, LLC understands that it will be required to pay the Board of Water Supply's water system facilities charges for development, transmission, and daily storage.

Comment 3:

Water conservation measures are required for all proposed developments. These measures include utilization of non-potable water for irrigation using rain catchment, drought tolerant plants, xeriscape landscaping, efficient irrigation systems, such as a drip system and moisture sensors, and the use of Water Sense labeled ultra-low flow water fixtures and toilets.

Response:

Thank you for providing this information.

Comment 4:

The on-site fire protection requirements should be coordinated with the Fire Prevention Bureau of the Honolulu Fire Department.

Response:

Pōhaku Loa Hale, LLC is corresponding with the Fire Prevention Bureau and will continue to coordinate with them to ensure that the proposed project meets all fire protection requirements.

Comment 5:

The proposed development shall verify with the State Department of Health in regard to wastewater disposal systems that are allowable within the "No Pass Zone".

Response:

Pōhaku Loa Hale, LLC is working with the Department of Health, Wastewater Branch on the planning and permitting related to their Individual Wastewater System and will comply with all applicable requirements.

If you have any questions or concerns in the future regarding this project, please contact me at (808) 550-4538.

Sincerely,

Mākena White, AICP
Planner

7 REFERENCES

City and County of Honolulu, 1992, amended 2002. *General Plan for the City and County of Honolulu*. Amended October 3, 2002 by CCH Resolution 02-205, CD1.

City and County of Honolulu, Department of Planning and Permitting (2011). *North Shore Sustainable Communities Plan*. Prepared by Helber Hastert & Fee Planners, Inc. May 2011. Adopted by CCH Ordinance 11-3, Bill 61(2010, CD2).

HCCMAC, 2017. *Hawaii 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.

HDOT, 2021. *Draft Environmental Assessment and Anticipated Finding of No Significant Impact for Kamehameha Highway Pedestrian Safety Project, Vicinity of Laniakea Beach, Haleiwa, Island of Oahu, Hawaii*. August 2021.

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USGS, 2002. *Atlas of Natural Hazards in the Hawaiian Coastal Zone.* By: Charles H. Fletcher III, Eric E. Grossman, Bruce M. Richmond, and Ann E. Gibbs. Series I-2761. https://pubs.usgs.gov/imap/i2761/

Appendix A. Early Consultation Letters and Responses

PLANNING SOLUTIONS

June 4, 2021

Mr. Dean Uchida, Director
Department of Planning and Permitting
Attention: Alex Beatty, Land Use Approvals Branch
650 South King Street, 7th Floor
Honolulu, Hawai‘i 96813
Via Electronic Mail: abeatty@honolulu.gov

This letter was also sent to:
1. *OCCL*
2. *DLNR-DOFAW*
3. *DBEDT-OPSD*
4. *Carl Hodel*

Subject: Scoping Request for 61-551 Pōhaku Loa Way Single-Family Residence with an Accessory Dwelling Unit Project
TMK No. 6-1-009:010, Hale‘iwa, O‘ahu, Hawai‘i

Dear Director Uchida:

Pohaku Loa Hale LLC, whose sole officers are members of the Cannon family, are proposing to demolish an existing dilapidated, single-family residence and construct a new single-family residence with an accessory dwelling unit (ADU) on TMK No. 6-1-009:010, located at 61-551 Pōhaku Loa Way in Hale‘iwa, O‘ahu, Hawai‘i (Figure 1). The subject parcel is in the State of Hawai‘i’s Urban Land Use District and the City and County of Honolulu’s (CCH) R-5 Residential District. The site is located in the CCH’s Special Management Area (Figure 2), the proposal is considered development, and requires a Special Management Area Permit (SMP). Because the total value of the proposed project exceeds $500,000, the SMP will be an SMP Major, which is granted via CCH Council resolution.

Conceptual plans for the proposed project are provided in Figure 3. The project will obtain a Certified Shoreline and intends to comply with the shoreline setback, yard requirements, height limits, and other applicable development standards.

Because the proposed project requires an SMP Major, an Environmental Assessment (EA) is being prepared per the Revised Ordinances of Honolulu, Chapter 25. Planning Solutions, Inc. (PSI) has been retained to prepare the EA and SMP application. In addition to approvals and permits mentioned above, HRS Chapter 6E review, grading, building, and other permits may be required prior to demolition of the existing residence and construction of the proposed residence.

In order for the EA to better address the potential concerns of agencies, organizations, and individuals that may be interested in the proposed project, PSI has prepared this information and the attachments for your review and comment. At this time, we are seeking any input you may have regarding the project’s nature, scope, potential alternatives, or any permits or approvals that may be required. In particular, we are interested in hearing about resources or plans in the area that could be affected by the proposed project and any specific information you feel should be discussed and evaluated in the EA.

We would appreciate your response by July 5, 2021. Please respond either by regular mail to 711 Kapi‘olani Boulevard, Suite 950, Honolulu, HI 96813, or by email at jim@psi-hi.com. If you have any questions or concerns, please contact me at (808) 550-4559.

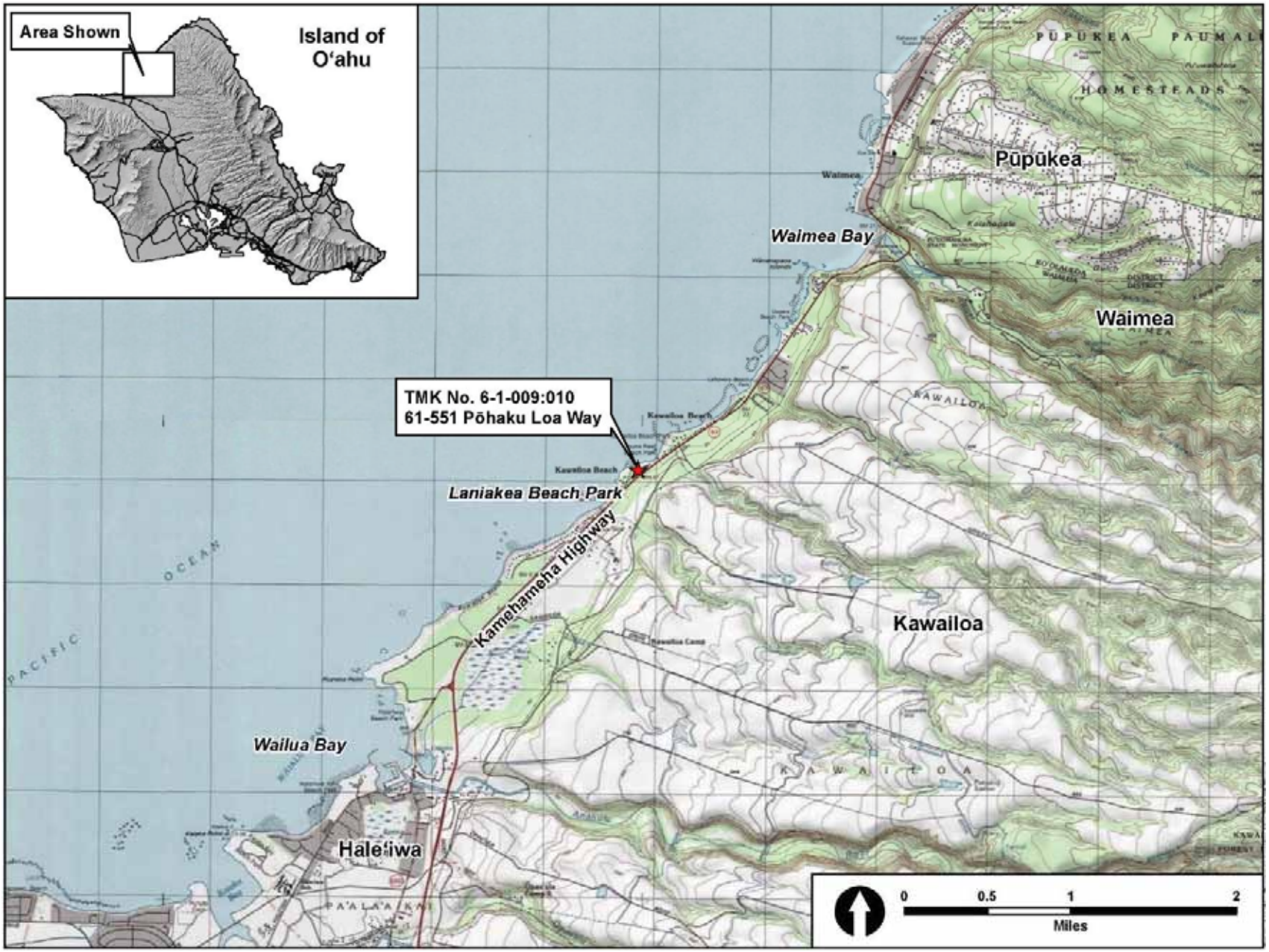
Sincerely,

James T. Hayes
Planner

Enclosures:
- Figure 1: Location Map
- Figure 2: Vicinity and SMA Map
- Figure 3: Conceptual Plan

cc: Pohaku Loa Hale LLC (electronic only)

Figure 1: Location Map

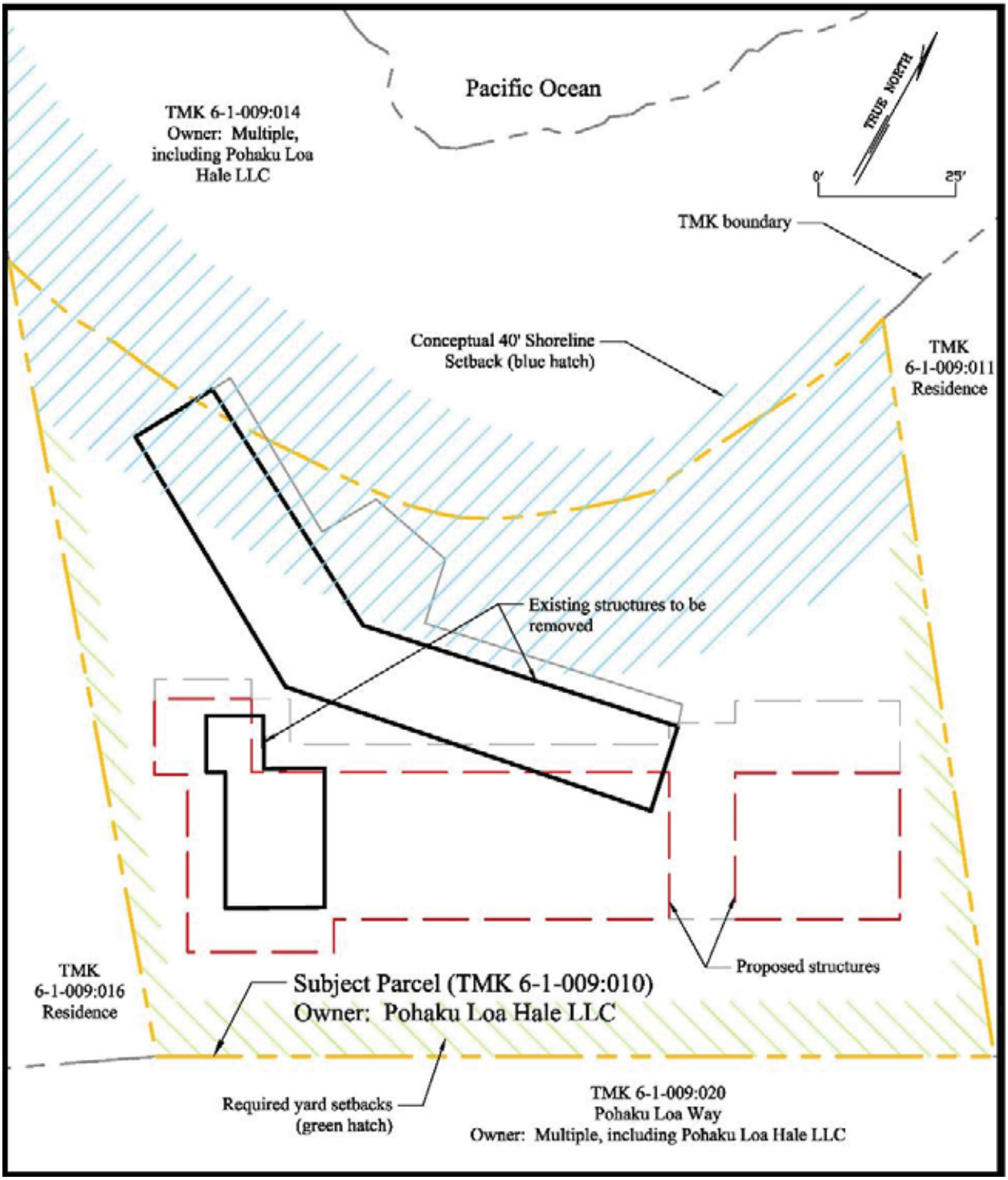


Source: Planning Solutions, Inc. (2021)

Figure 2: Vicinity and SMA Map

Source: Planning Solutions, Inc. (2021) using publicly-available GIS shapefiles.

Figure 3: Conceptual Plan



Source: Pohaku Loa Hale LLC

PLANNING SOLUTIONS

June 8, 2021

Alan Downer, Administrator
State Historic Preservation Division
Department of Land and Natural Resources
Kakuhihewa Building
601 Kamokila Blvd., Suite 555
Kapolei, HI 96707
Via Electronic Submittal: https://shpd.hawaii.gov/hicris

Subject: Environmental Assessment Scoping Request
Single-Family Residence with an Accessory Dwelling Unit Project
61-551 Pōhaku Loa Way, Haleʻiwa, Oʻahu, Hawaiʻi
TMK No. (1) 6-1-009:010 and 014 (portion)

Dear Mr. Downer:

Pohaku Loa Hale LLC, whose sole officers are members of the Cannon family, recently purchased TMK No. (1) 6-1-009:010, located at 61-551 Pōhaku Loa Way in Haleʻiwa, Oʻahu, Hawaiʻi (Figure 1). Pohaku Loa Hale LLC are proposing to demolish an existing dilapidated, single-family residence and secondary residential building and construct a new single-family residence with an accessory dwelling unit (ADU) on the subject parcel. A portion of the existing residence and associated graded and landscaped area extends onto a small portion TMK No. (1) 6-1-009:014, which is collectively owned by the 11 shoreline parcels along Pohaku Loa Way, including Pohaku Loa Hale LLC. The subject site is in the State of Hawaiʻi's Urban Land Use District and the City and County of Honolulu's (CCH) R-5 Residential District. The site is located in the CCH's Special Management Area (Figure 2), the proposal is considered development, and requires a Special Management Area Permit (SMP). Because the total value of the proposed project exceeds $500,000, the SMP will be an SMP Major, which is granted via CCH Council resolution.

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Because the proposed project requires an SMP Major, an Environmental Assessment (EA) is being prepared per the Revised Ordinances of Honolulu, Chapter 25. Planning Solutions, Inc. (PSI) has been retained to prepare the EA and SMP application. In addition to approvals and permits mentioned above, HRS Chapter 6E review, building, and other permits may be required prior to demolition of the existing residence and construction of the proposed residence.

Pacific Park Plaza, Suite 950 • 711 Kapiʻolani Boulevard • Honolulu, Hawaiʻi 96813-5213
Phone: 808-550-4483 • www.psi-hi.com

Project Information

The information provided here is based on a conceptual design. A permit set of drawings has not yet been prepared. The design will be informed by scoping input.

Conceptual Project Description and Scope of Work

The proposed project involves the demolition of certain existing structures and the construction of new structures. The existing and new structures will have similar scope, scale, and use. The new structures will not be located exactly where the existing structures occur because certain existing structures are within the shoreline setback area (Figure 3). Certain existing features will also be retained.

Demolish

The proposed project will demolish and remove the following:

- A dilapidated, single-family residence that, based on DPP records, was built in 1941. The structure consists of a single-family home with roughly 1,850 square feet of interior space and a roughly 540 square foot wood deck. As illustrated on Figure 3, a small portion (roughly 35 square feet) of the residence extends onto TMK (1) 6-1-009:014.
- A dilapidated, detached structure of unknown age mauka of the primary residence. The structure is roughly 425 square feet and has a roughly 100 square foot lanai.
- The wastewater system serving the existing improvements.
- A dilapidated perimeter wood and/or chain-link fence or rock wall of unknown age mauka of the shoreline setback. The limited rock walls likely date to 1941 but wood and chain-link portions are likely less than 50 years old.

Retain

Rock, concrete, and concrete rock masonry (CRM) walls in the shoreline setback area will be retained. These walls likely date to 1941.

New Construction

The proposed project will involve the construction of the following:

- A roughly 2,700 square foot single-family residence.
- A roughly 800 square foot ADU.
- A roughly 1,400 square foot wood deck and stairs.
- A new wastewater system consisting of a septic tank and leach field.
- A 6-foot tall CRM wall around the perimeter of the parcel outside of the shoreline setback area, except at the two driveways which will have rolling gates.

The residence, ADU, and deck will be built on piers so that floor level is roughly 6 to 8 feet above existing grade. A total of roughly 40 piers will be necessary.

Previous Ground Disturbance

The Oahu Railway and Land Company (OR&L), which connected outlying areas of O‘ahu to Honolulu, reached Waialua in 1898 and continued on to Kahuku. Its alignment was similar to present day Kamehameha Highway. It is unknown if the construction of these transportation facilities or the past use of the area as a dairy farm resulted in ground disturbances at the subject parcel. Those past uses and developments may have affected the overall grade in the region to a limited extent.

Plans associated with the 1941-era residential construction are not available. It is assumed that substantial ground disturbance occurred in the Pohaku Loa Way neighborhood during residential and roadway construction at that time. The roughly two-foot difference in grade between the subject parcel and neighboring parcel 16, to the west, suggest that some mass grading occurred at that time. The following specific ground disturbances are also evident:

- Structure foundations for the existing structures.
- Water line installation.
- Wastewater system installation.
- Concrete and CRM wall installation, primarily within the shoreline setback area.
- Fences and low rock walls in other portions of the property.

Proposed Ground Disturbance

Ground disturbance will be limited to the degree possible. The conceptual limit of ground disturbance is shown on Figure 3; the conceptual limit covers 17,225 square feet (0.41 acres) and is predominantly on TMK 6-1-009:010. Across most of that area ground disturbance will be limited to moving equipment during demolition and landscaping. There will be no mass grading and, based on conceptual plans, no grading permit will be triggered. The following ground disturbances are anticipated:

- Structure pier foundations. There will be roughly 40 structural piers that are 16 inches square and 3 feet deep.
- Wastewater system installation. The new wastewater system consisting of a septic tank and leach field will be placed between the new residents and the street.
- A roughly 290-foot-long, 1.5-foot-wide, and 1-foot-deep trench along the perimeter of the parcel, outside of the shoreline setback area, for the foundation of the CRM wall. This will be located where dilapidated fences and walls are currently located in order to minimize new ground disturbance.
- A dry well for roof stormwater runoff.

Request for Input

In order for the EA to better address the potential concerns of agencies, organizations, and individuals that may be interested in the proposed project, PSI has prepared this information and the attachments for your review and comment. At this time, we are seeking any input you may have regarding the project's nature, scope, potential alternatives, or any permits or approvals that may be required. In particular, we are interested in hearing about resources or plans in the area that could be affected by the proposed project and any specific information you feel should be discussed and evaluated in the EA.

We would appreciate your response by July 9, 2021. Please respond either by regular mail to 711 Kapi'olani Boulevard, Suite 950, Honolulu, HI 96813, or by email at jim@psi-hi.com. If you have any questions or concerns, please contact me at (808) 550-4559.

Sincerely,

James T. Hayes
Planner

Enclosures:
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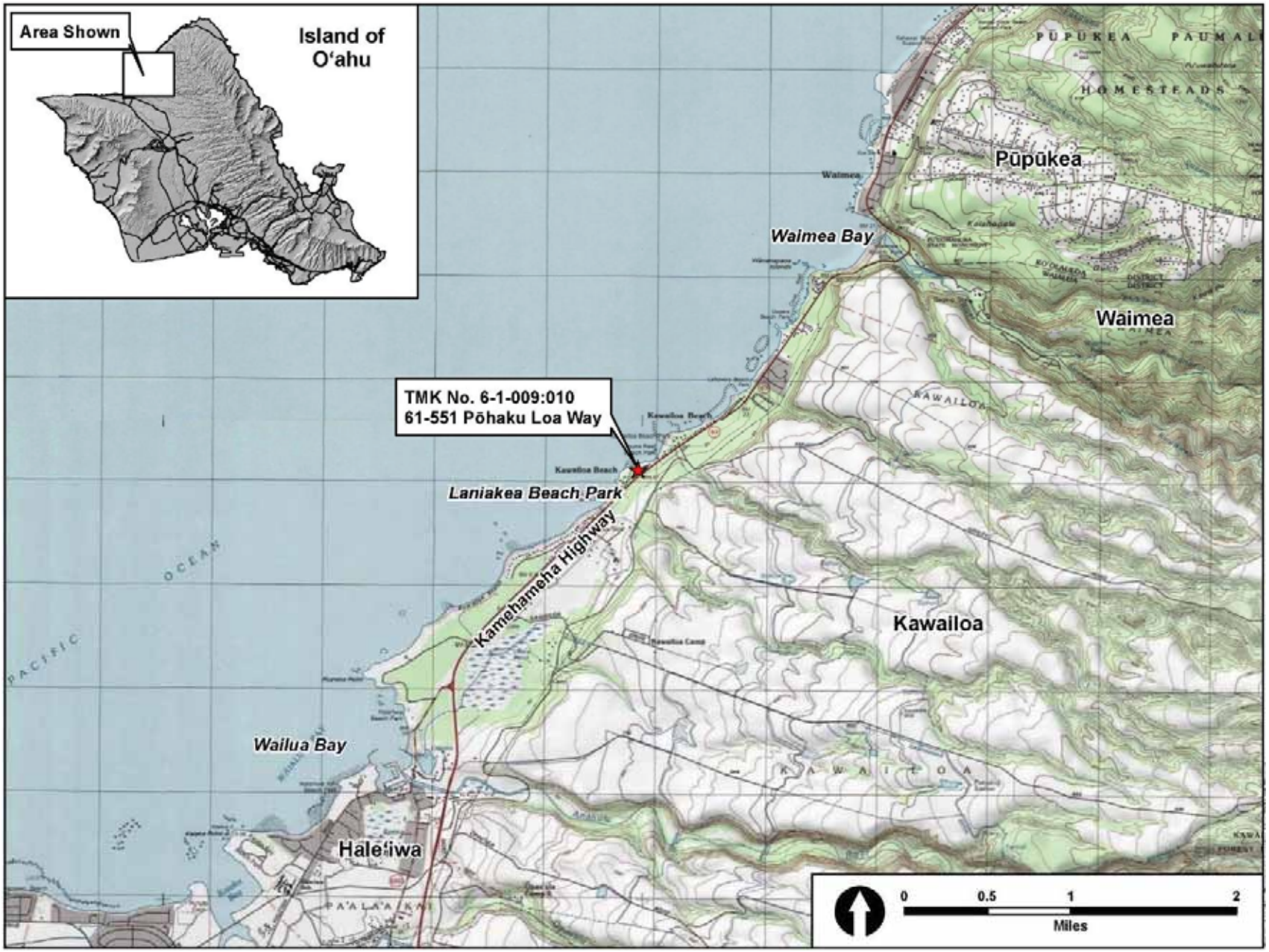
Figure 2: Vicinity and SMA Map
Figure 3: Conceptual Plan
TMK Map

cc: Pohaku Loa Hale LLC (electronic only)

Figure 1: Location Map

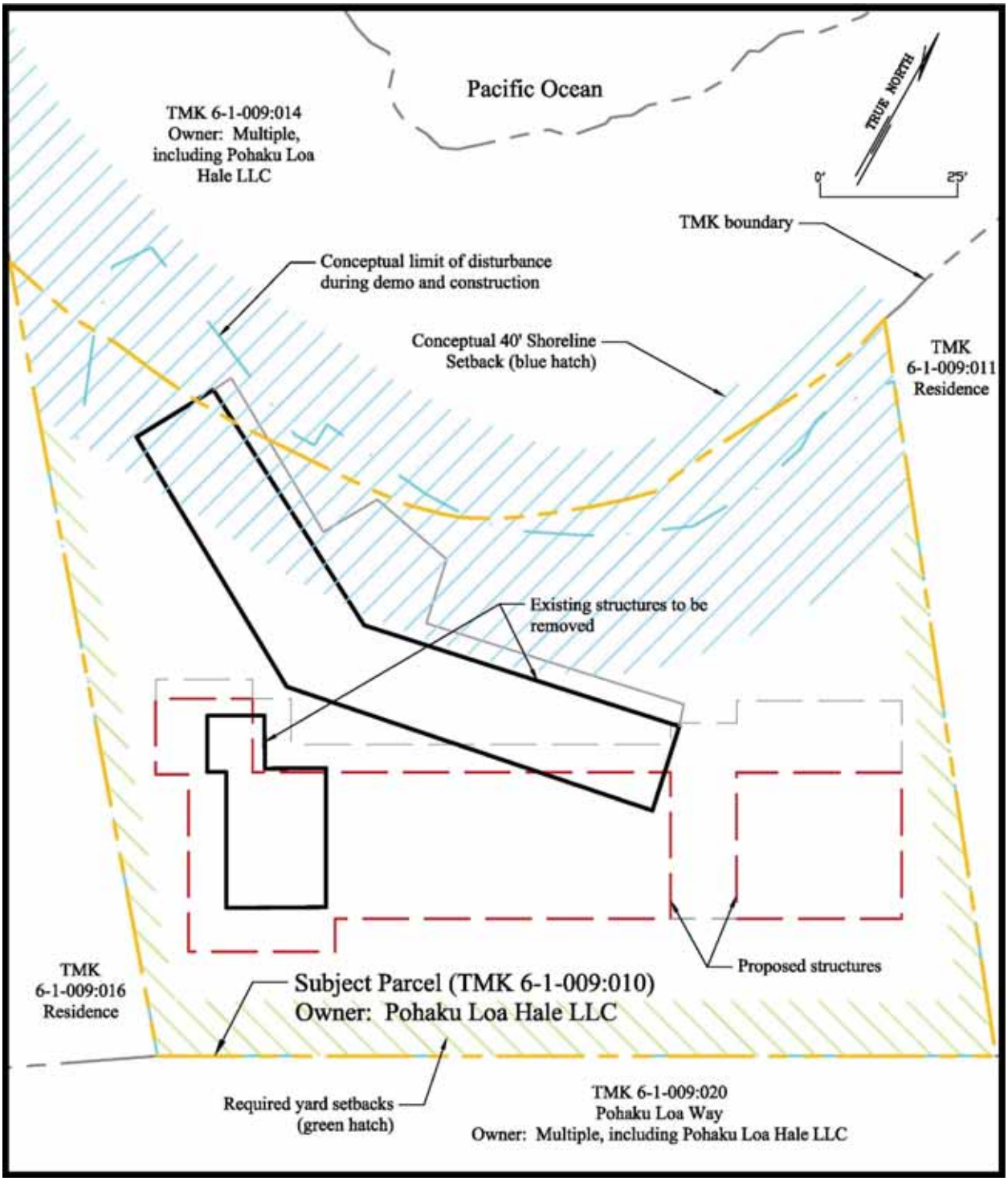


Source: Planning Solutions, Inc. (2021)

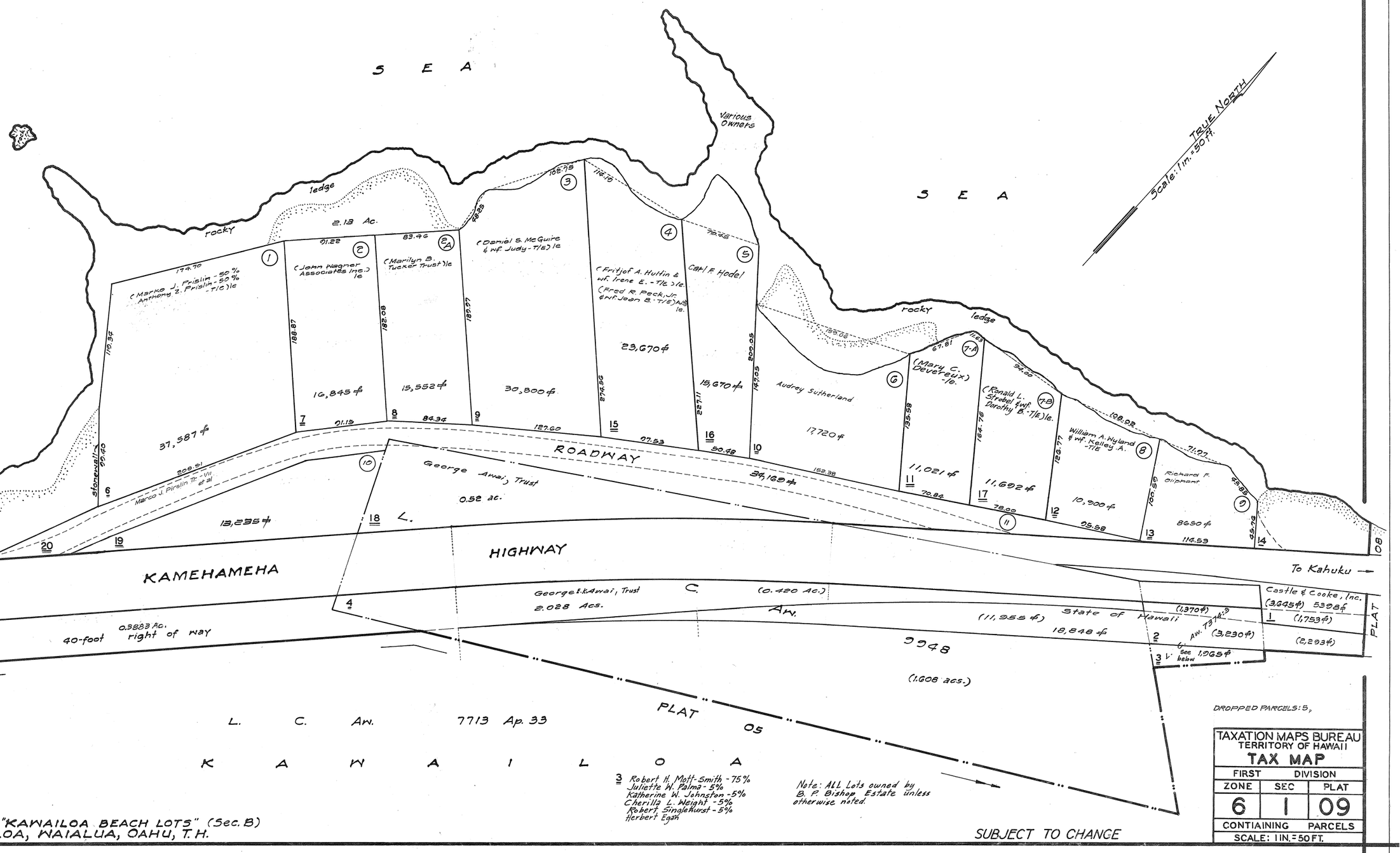
Figure 2: Vicinity and SMA Map

Source: Planning Solutions, Inc. (2021)

Figure 3: Conceptual Plan



Source: Pohaku Loa Hale LLC



3 Robert H. Mott-Smith - 75%
Juliette W. Palma - 5%
Katherine W. Johnston - 5%
Cherilla L. Weight - 5%
Robert Singlehurst - 5%
Herbert Egan

Note: ALL Lots owned by B. P. Bishop Estate unless otherwise noted.

SUBJECT TO CHANGE

POR. "KAWAILOA BEACH LOTS" (Sec. B)
KAWAILOA, WAIALUA, OAHU, T. H.

Dwg. No.: 3831
Source: Survey by W. P. Thompson 1938 & J. Loomis 1948.
By: HN & RYT Date: Feb. 1948.

TAXATION MAPS BUREAU TERRITORY OF HAWAII TAX MAP		
FIRST DIVISION		
ZONE	SEC	PLAT
6	1	09
CONTIAINING PARCELS		
SCALE: 1 IN. = 50 FT.		

PLANNING SOLUTIONS

July 20, 2021

Alan Downer, Administrator
State Historic Preservation Division
Department of Land and Natural Resources
Kakuhihewa Building
601 Kamokila Blvd., Suite 555
Kapolei, HI 96707
Via Electronic Submittal: https://shpd.hawaii.gov/hicris

Subject: **Hawai‘i Revised Statutes, Chapter 6E-42**
Single-Family Residence with an Accessory Dwelling Unit Project
61-551 Pōhaku Loa Way, Hale‘iwa, O‘ahu, Hawai‘i
TMK No. (1) 6-1-009:010 and 014 (portion)
HICRIS Project Number 2021PR00643

Dear Mr. Downer:

This letter supplements our initial submittal dated June 6, 2021, for the subject project. Following that initial submittal, we were contacted by Susan Lebo and instructed to provide the information provided in this letter so that your office could determine if an Archaeological Inventory Survey is necessary.

City and County of Honolulu, Department of Planning and Permitting, Special Management Area Permit

As detailed in our previous submittal, the subject project requires a Special Management Area Permit (SMP), and because the total value of the proposed project exceeds $500,000, the SMP will be an SMP Major.

The Department of Planning and Permitting has identified Jordan Dildy, of the Zoning Regulations and Permits Branch, as the project contact. Jordan Dildy may be contacted by phone at (808) 768-8027 and via email at jdildy@honolulu.gov.

Historical, Cultural, and Archaeological Background

In pre-Contact and early historic times, the region was scattered with small fishing villages, extending from the west side of Waimea Bay toward Waialua. Cultivation in and around the area would have been limited to small gardens for taro and sweet potato rather than extensive irrigated complexes. Area inhabitants likely exchanged marine resources, which they obtained and managed for other foodstuffs, such as taro, with their more agriculturally invested neighbors in Waimea River Valley to the northeast and Anahulu River Valley to the southwest.

Large heiau were built on both sides of Waimea River Valley, which was a population center on the North Shore in pre-Contact times. Several sites have also been reported in the project area, including ʻIliʻilikea Heiau, Puʻupea Heiau, and Kahokuwelewelo, among others.

Beginning in the early 1800s, the sandalwood trade initiated economic and cultural transformations in the Waialua Moku. The demands put on the makaʻāinana (commoners) to harvest sandalwood for trade caused many taro fields to become fallow. As the sandalwood trade collapsed in the 1830s, Protestant missionaries were establishing their presence in Waialua. In the latter half of the 1800s, Chinese immigrants began to cultivate rice in areas where taro once thrived. In 1892, there were 180 acres under rice cultivation in Waialua Moku, including Kawailoa.

During the Māhele in 1848, nearly the entire ahupuaʻa of Kawailoa was awarded to Victoria Kamāmalu. Following the death of Kamāmalu in 1866, Kawailoa Ahupuaʻa was passed on to successive members of the aliʻi. The Bernice Pauahi Bishop Estate Trust (Kamehameha Schools) presently retains ownership of much of the area.

Land Commission Awards (LCA) documentation from the Māhele indicates a wide range of indigenous Hawaiian subsistence activities being practiced in the vicinity. The coastal ʻāpana (section) was used for fishing and habitation and the mauka ʻāpana as kula (field) to cultivate sweet potatoes. The pali (cliffs) were a source of wauke and hala.

The Oahu Railway and Land Company (OR&L), which connected outlying areas of Oʻahu to Honolulu, reached Waialua in 1898 and continued on to Kahuku. In 1899, the two-story Haleiwa Hotel was opened at Waialua Bay providing a place for tourists riding the OR&L a place to stay on the North Shore. The OR&L also spurred large scale sugar farming in Waialua. From about 1900 to the 1950s, the Waialua Agricultural Company, later named the Waialua Sugar Company, expanded to eventually reach more than 12,000 acres, including a large portion of the Kawailoa Ahupuaʻa uplands, which was leased from the Bishop Estate (Kamehameha Schools). Meadow Gold Dairies also operated in the area, utilizing the coastal plain area for grazing and production. Meadow Gold also leased land from Bishop Estate (Kamehameha Schools) for their operation.

Following the Japanese attack on Pearl Harbor in 1941, the immediate project area, including the subject parcel, was developed as a coastal artillery fortification. It is reported that an antiaircraft gun was located roughly 35 feet southeast of the entrance to the subject parcel between what is now Pōhaku Loa Way and Kamehameha Highway and that the existing dilapidated residence was originally the barracks for the coastal artillery branch that manned the gun.

The antiaircraft gun was removed, and the barracks repurposed as a residence following World War II. The OR&L ceased operating its rail line in 1947. Meadow Gold moved to Waimānalo in 1990 and sugar production ceased in 1996. The coastline has largely been developed for residential purposes, the coastal plain is utilized for ranching, and the upland (mauka ʻāpana) is utilized for diversified agriculture and wind energy.

Identified Potential Historic Resources

Reports available from other projects in the vicinity indicate that there are number of potential archaeological resources in the area, but none have been identified within the footprint of the proposed project. Nearby resources, mauka of Kamehameha Highway, include enclosures, possible burials, and “alignments.” Several potentially significant historic sites in the region may

have been significantly damaged or destroyed by historic and modern period agricultural, ranching, military, residential, and other activities.

Burials have been encountered during excavations or archaeological surveys in the region; however, none are known to have been encountered within any of the residential parcels along Pōhaku Loa Way.

Soil and Ground Surface Conditions

According to the soil survey, the soil at the subject parcel is part of the Jaucas Series (JaC). No excavations have been performed to inform planning for the subject project. The rocky shoreline and evidence of large lava rocks at the ground surface (see enclosed photograph 6) within the subject parcel suggest that, unlike nearby Papa‘iloa, the subject parcel does not consist of a coastal sand dune.

The bulk of the proposed location for the new residence has been utilized for parking for decades. A portion of the proposed location of the new residence is currently occupied by existing structures. An old hau tree is also present in the area of the proposed residence. The entire parcel, including the proposed location of the new residence, is generally flat and devoid of natural surface features except for low stone walls along the parcel boundary (see enclosed photographs).

Previous Ground Disturbance

Plans associated with historic and modern period development and disturbance, including OR&L, agricultural, military, and highway developments, are not available and the extent of ground disturbance that occurred is unknown. Those past developments, especially the military, likely involved some grading on the subject parcel. It is assumed that ground disturbance also occurred in the Pōhaku Loa Way neighborhood during residential and roadway construction following World War II. The roughly two-foot difference in grade between the subject parcel and neighboring parcel 16, to the west, suggest that some mass grading has occurred.

The following specific ground disturbances related to the existing improvements on the subject parcel are evident or inferred:

- Structure foundations for the existing structures;
- Water line installation;
- Wastewater system installation;
- Concrete and CRM wall installation, mostly seaward of the dilapidated residence; and
- Fences and low rock walls in other portions of the property.

Project Information

Pōhaku Loa Hale LLC, whose sole officers are members of the Cannon family, recently purchased TMK No. (1) 6-1-009:010, located at 61-551 Pōhaku Loa Way in Hale‘iwa, O‘ahu, Hawai‘i (Figure 1). Pōhaku Loa Hale, LLC are proposing to demolish an existing dilapidated, single-family residence and secondary residential building and construct a new single-family residence with an accessory dwelling unit (ADU) on the subject parcel. A portion of the existing residence

and associated graded and landscaped area extends onto a small portion TMK No. (1) 6-1-009:014, which is collectively owned by the 11 shoreline parcels along Pōhaku Loa Way, including Pōhaku Loa Hale, LLC.

A conceptual plan for the proposed project is provided in Figure 2. The project will obtain a Shoreline Certification and will comply with the shoreline setback, yard requirements, height limits, and other applicable development standards. The information provided here is based on a conceptual design. A permit set of drawings has not yet been prepared. The design will be informed by the environmental review and land use permitting process.

The proposed project involves the demolition of certain existing structures and the construction of new structures. The existing and new structures will have similar scope, scale, and use. The new structures will not be located exactly where the existing structures occur because certain existing structures are within the shoreline setback area (Figure 2). Certain existing features will also be retained, as described below.

Demolish

The proposed project will demolish and remove the following:

- A dilapidated, single-family residence (and possible former military barracks) that, based on DPP records, was built in 1941. The structure consists of a single-family home with roughly 1,850 square feet of interior space and a roughly 540 square foot wood deck. As illustrated on Figure 2, a small portion (roughly 35 square feet) of the residence extends onto TMK (1) 6-1-009:014.
- A dilapidated, detached structure of unknown age mauka of the primary residence. The structure is roughly 425 square feet and has a roughly 100 square foot lanai.
- The wastewater system serving the existing improvements, which is believed to be present within the area plan for the new residence.
- A dilapidated perimeter barrier composed of a combination of wood fence, chain-link fence, and rock wall of unknown age mauka of the shoreline setback. The limited rock walls likely date to 1941 but wood and chain-link portions are likely less than 50 years old.

Retain

Rock, concrete, and concrete rock masonry (CRM) walls in the vicinity of the makai property line will be retained (Figure 2). These walls likely date to 1941.

New Construction

The proposed project will involve the construction of the following:

- A roughly 2,700 square foot single-family residence;
- A roughly 800 square foot ADU;
- A roughly 1,400 square foot wood deck and stairs;

- A new wastewater system consisting of a septic tank and leach field; and
- A 6-foot-tall CRM wall around the perimeter of the parcel outside of the shoreline setback area, except at the two driveways which will have rolling gates.

Figure 3 shows the proposed improvements and the location of photographs that illustrate the ground surface conditions where the single-family residence, ADU, and wood deck are proposed. The residence, ADU, and deck will be built on piers so that floor level is roughly 6 to 8 feet above existing grade. A total of roughly 40 piers will be necessary.

Proposed Ground Disturbance

Ground disturbance will be limited to the degree possible. The conceptual limit of ground disturbance is shown on Figure 2; the conceptual limit covers 17,225 square feet (0.41 acres) and is predominantly on TMK 6-1-009:010. Across most of that area, ground disturbance will be limited to moving equipment during demolition and landscaping. There will be no mass grading and, based on conceptual plans, no grading permit will be triggered. The following ground disturbances are anticipated:

- Structure pier foundations. There will be roughly 40 structural piers that are 16 inches square and 3 feet deep.
- Wastewater system installation. The new wastewater system consisting of a septic tank and leach field will be placed between the new residence and the street.
- A roughly 290-foot-long, 1.5-foot-wide, and 1-foot-deep trench along the perimeter of the parcel, outside of the shoreline setback area, for the foundation of the CRM wall. This will be located where dilapidated fences and walls are currently located in order to minimize new ground disturbance.
- A dry well for roof stormwater runoff.

Proposed Historic Preservation Measures

Pōhaku Loa Hale, LLC proposes to conduct archaeological monitoring during all initial ground disturbances associated with the proposed project. Should SHPD concur that archaeological monitoring is the appropriate approach for the proposed project and that no archaeological inventory survey is required in advance, then an Archaeological Monitoring Plan (AMP) will be prepared and submitted for SHPD review and approval prior to the commencement of project development activities.

The AMP will include the following provisions:

- SHPD will be notified upon the onset and completion of the monitoring activities.
- Prior to the start of any subsurface development activities, a meeting will be held among the construction contractor, the project proponent, and the qualified archaeological monitor to discuss the procedures for monitoring. At the meeting, it will be explained that the monitoring archaeologist has the authority to halt ground disturbing activities in the event that archaeological or other cultural resources are encountered. If archaeological or other cultural resources identified during monitoring

are deemed significant, SHPD will be notified and consultations will be conducted as appropriate.

- They qualified archaeological monitor will be present on site to observe all subsurface ground disturbing activities. When on-site, monitors will keep a daily log of activities performed and any discoveries made. Monitors will inspect all exposed soil and sediments, and the stratigraphic profiles of any deep cuts will be examined.
- All cultural deposits and sequences (including representative natural sequences) identified during the monitoring effort will be mapped, representative scaled profile drawings and plan views will be prepared, photographs will be taken, and the stratigraphic deposits will be described in detail using standard USDA soil descriptions and Munsell colors. If intact cultural deposits are discovered during monitoring, an assessment will be made as to their integrity and significance using the criteria enumerated in HAR, 13§13-275-6(b). If the deposit is deemed significant and is likely to be further impacted by demolition activities, work in the affected area will be curtailed, and an appropriate mitigation strategy will be developed in consultation with SHPD.
- Subsurface cultural features observed will be fully described, drawn, and photographed. Provenience information will also be recorded and related to an established project datum ensuring accurate horizontal and vertical placement. The limits of the feature will be defined, if possible, without further excavation, and any natural or cultural associations (including surrounding soil) will be noted. Where appropriate, samples (e.g., soil, charcoal, etc.) for further analyses will be recovered and processed.
- Artifacts observed in the removed soil will be recovered and their general provenience recorded. All traditional Precontact Hawaiian artifacts and diagnostic post-Contact artifacts will be recovered for laboratory analysis. The precise locations of any items found *in situ* will be recorded and the items photographed and recovered for subsequent laboratory analysis. Any observed associations will also be documented, and the surrounding soil will be fully described using standard USDA soil descriptions and Munsell colors.
- If human skeletal remains are encountered during the monitoring effort, the on-site monitor will halt all ground-disturbing activity in the immediate area of the discovery, stabilize the remains, and contact the appropriate authorities. SHPD staff from the Archaeology Branch and from the History and Culture Branch will be notified immediately, and the monitor will notify the appropriate on-site construction personnel, the Police, and Medical Examiner, as appropriate. If the skeletal material is determined to be Historic or Pre-Contact (as opposed to recent), the monitoring archaeologist will direct the applicant to seek SHPD guidance on how to proceed with the discovery, and the human skeletal remains will be handled in compliance with HRS Chapter 43.6, HAR §13-300, and DLNR-SHPD directives. If the remains are determined to be recent, the Honolulu Police Department will be contacted.
- Following completion of archaeological monitoring, a draft monitoring report will be prepared and submitted to SHPD for review and acceptance. This report will follow

the specifications contained in HAR §13-279-5. If any human skeletal remains are recovered as part of the monitoring project, they will be summarized in the final monitoring report following procedures contained in HAR §13-300.

Request for Input

At this time, we are seeking SHPD's determine if the area proposed for the project needs to undergo an inventory survey to determine if historic properties are present. Based on the research conducted and summarized above, we propose that an inventory survey is not needed and that an AMP be prepared, approved, and implemented to mitigate potential damage to unknown historic properties that may be present in the subsurface.

We would appreciate your response by August 19, 2021. Please respond either by regular mail to 711 Kapi'olani Boulevard, Suite 950, Honolulu, HI 96813, or by email at jim@psi-hi.com. If you have any questions or concerns, please contact me at (808) 550-4559.

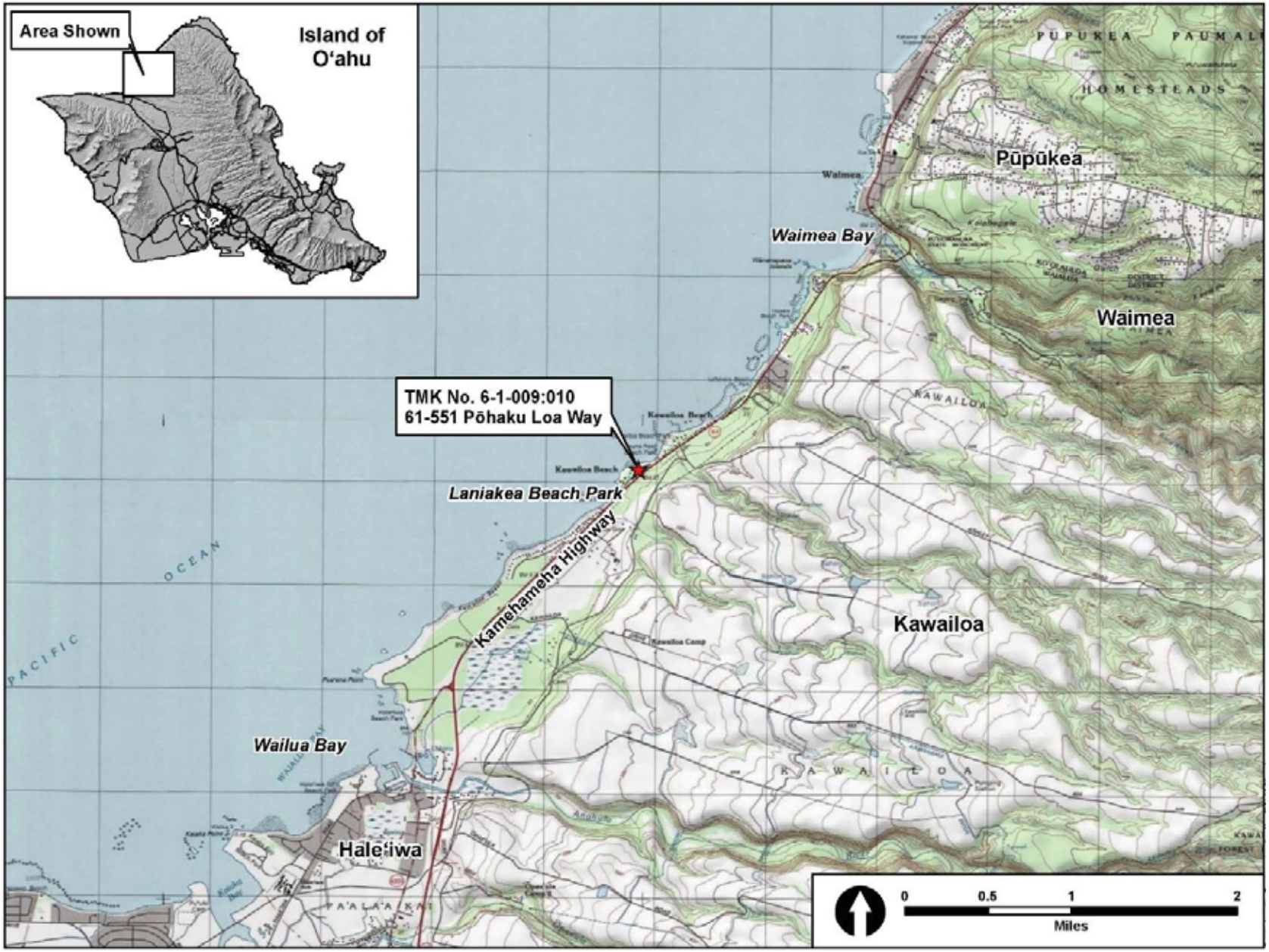
Sincerely,

James T. Hayes
Planner

Enclosures:
Figure 1: Location Map
Figure 2: Conceptual Plan
Figure 3: Photograph Locations
Photographs

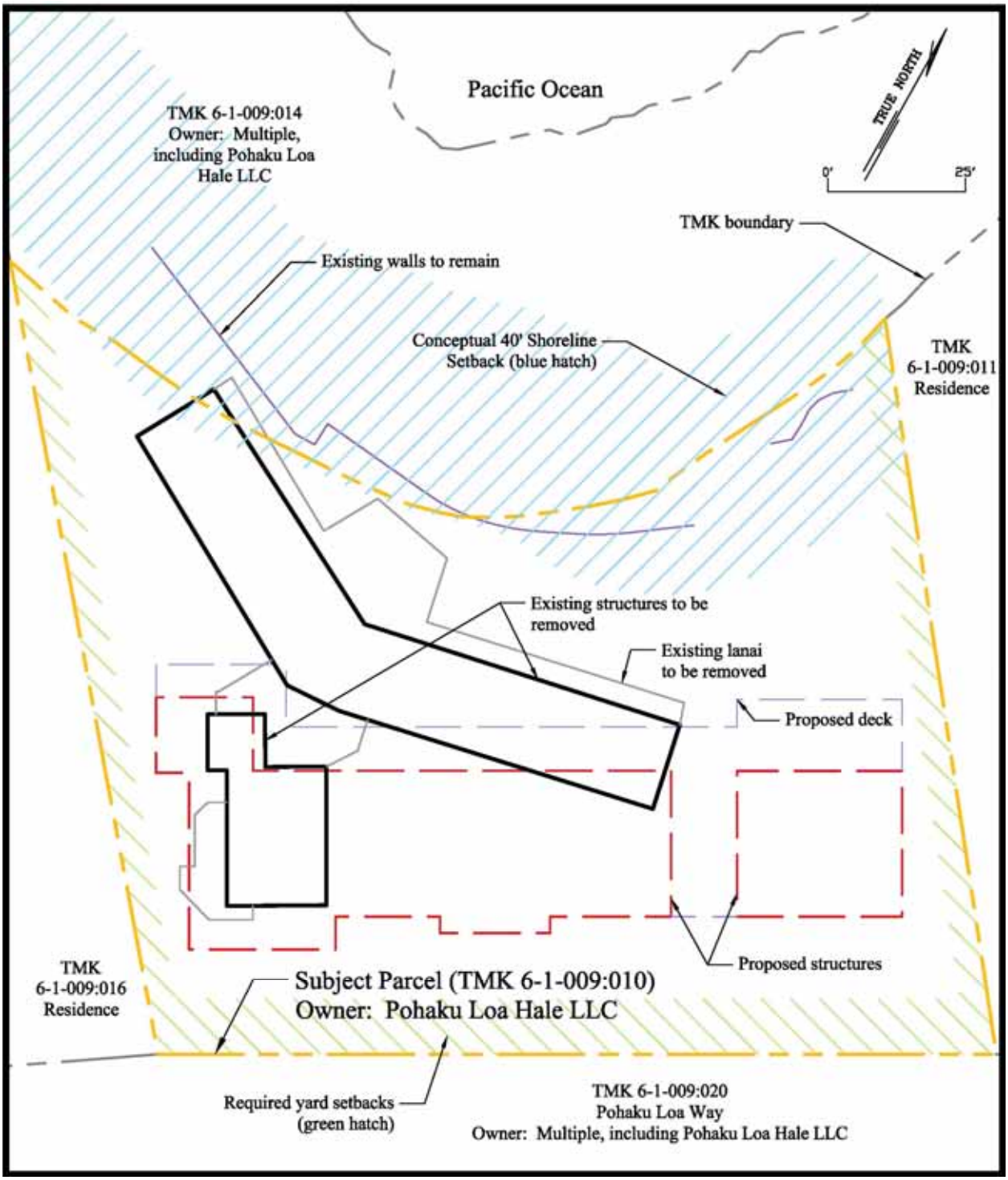
cc: Pohaku Loa Hale LLC (electronic only)

Figure 1: Location Map



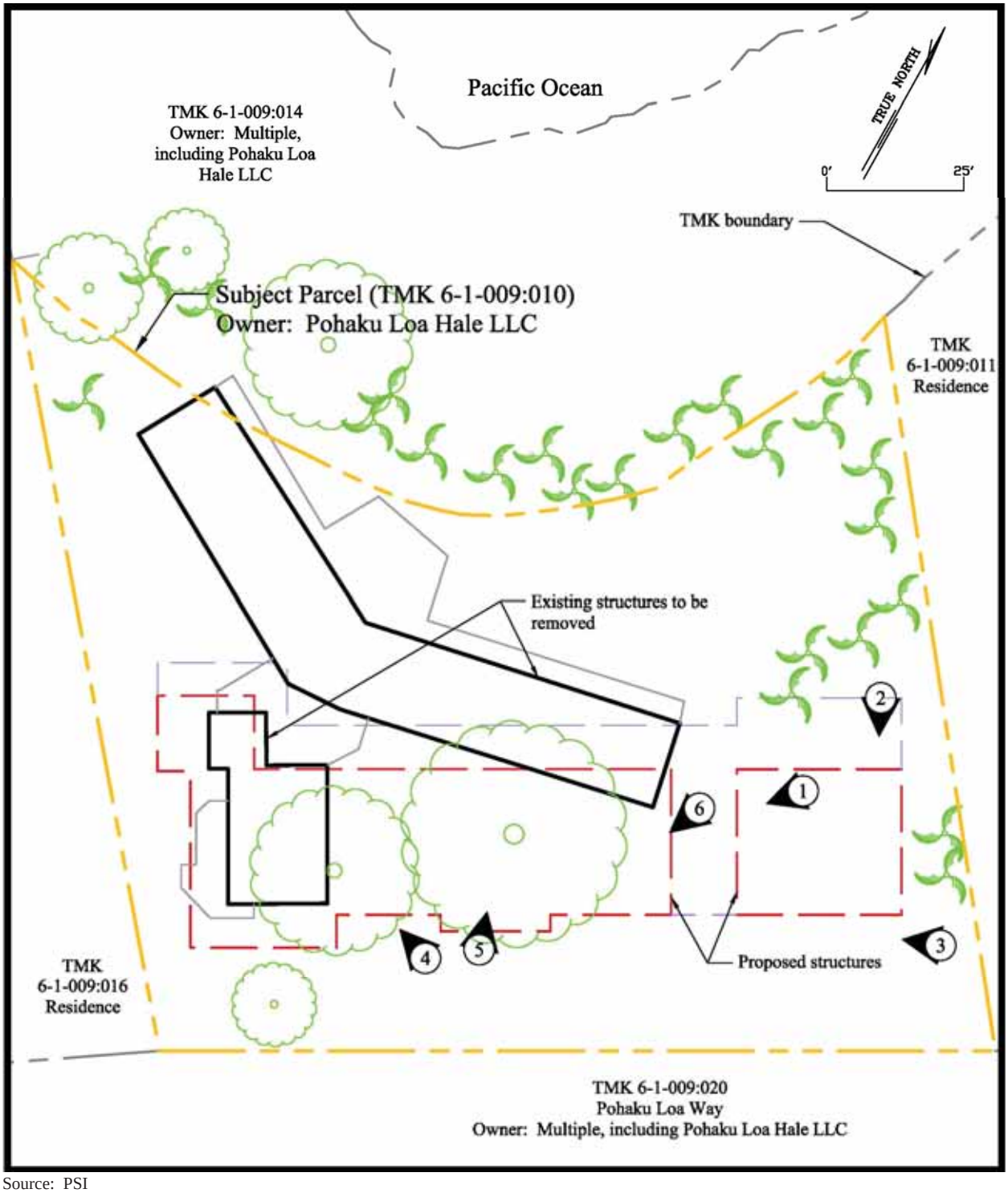
Source: Planning Solutions, Inc. (2021)

Figure 2: Conceptual Plan



Source: Pohaku Loa Hale LLC

Figure 3: Photograph Locations



Source: PSI

SITE PHOTOGRAPHS, JUNE 7, 2021

1. Area of proposed residence (proposed residence will be located between existing residents visible to the right and the fence visible to the left)

2. Area of proposed residence (proposed residence will be located between photographer and the fence)

3. Area of proposed residence (proposed residence will be located between photographer and white structure behind the tree in the distance and between the existing residence and the waste receptacles to the left)

4. Area of proposed residence (it is assumed that the existing wastewater system is in this area).

5. Area of proposed residence.

6. Example of lava rocks visible at the ground surface in the area of the proposed residence

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU
650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041
DEPT. WEB SITE: www.honoluludpp.org • CITY WEB SITE: www.honolulu.gov

RICK BLANGIARDI
MAYOR

DEAN UCHIDA
DIRECTOR

DAWN TAKEUCHI APUNA
DEPUTY DIRECTOR

EUGENE H. TAKAHASHI
DEPUTY DIRECTOR

June 14, 2021

2021/ELOG-1134(JD)

Mr. James T. Hayes
Planning Solutions, Inc.
Pacific Park Plaza, Suite 950
711 Kapiolani Boulevard
Honolulu, Hawaii 96813

Dear Mr. Hayes:

SUBJECT: Request for Pre-Consultation Comments
61-551 Pohaku Loa Way - Waialua
Tax Map Key 6-1-009: 010

This is in response to your letter received June 4, 2021, requesting comments on the scope and content to be addressed in a Draft Environmental Assessment (DEA), as required under Chapter 343, Hawaii Revised Statutes (HRS). We understand that the Project will consist of the demolition of a single-family dwelling and the construction of a new single-family dwelling and accessory dwelling unit on the subject site. The 17,720-square-foot irregularly shaped lot is a shoreline lot located within the Special Management Area (SMA) and the R-5 Residential District. Our comments regarding the items to address within the DEA are provided below:

1. Chapter 21, Land Use Ordinance, Revised Ordinances of Honolulu (ROH): The proposed development must comply with the development standards of the R-5 Residential District.

2. SMA Use Permit: As noted in your letter, a SMA Major permit is required for the proposed development. The DEA should include an analysis of all the required components for an SMA Use Permit under both Chapter 205A, HRS and Chapter 25, ROH.

3. Shoreline Setback: You state that the Applicant will obtain a certified shoreline survey. The shoreline survey must show all existing structures including any walls or fences. A copy of the draft shoreline survey should be included in the

DEA. The certified shoreline survey should be included in the Final Environmental Assessment.

4. Flood Hazard Area: The entire Project site is located in Flood Zone VE. The VE Flood Zone is considered a coastal high hazard zone subject to high velocity wave action. Therefore, the DEA should discuss the Project's compliance with Chapter 21A, ROH, the City's Flood Hazard Ordinance.

5. Coastal Hazards: According to the State of Hawaii Pacific Islands Ocean observing System Sea Level Rise (SLR) Viewer, a small portion of the subject site is anticipated to be subject to 3.2 feet of SLR. Additionally, National Hurricane Storm Surge Hazard Maps indicate that the coastal area within the immediate vicinity of the Project site maybe subject to flooding inundation during a Category 1 or greater hurricane event. The property is also within a tsunami evacuation zone. Therefore, the DEA should include a site-specific coastal hazards study that evaluates SLR and potential storm surge.

6. Alternatives: The DEA must include potential development alternatives and provide reasons for why the proposed action is the most practical approach.

Thank you for the opportunity to comment on this proposal. Should you have any questions, please contact Jordan Dildy, of our Zoning Regulations and Permits Branch, at 768-8027, or jdildy@honolulu.gov.

Very truly yours,

FOR: Dean Uchida
Director

DAVID Y. IGE
GOVERNOR OF
HAWAII

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

REF: OCCL: TF

COR: OA 21-150

JUN 17 2021

James T. Hayes
Planning Solutions
Pacific Park Plaza, Suite 950
711 Kapiolani Boulevard
Honolulu, HI 96813

SUBJECT: Scoping Request for Single-Family Residence with an Accessory Dwelling Unit Project.
Located at 61-551 Pohaku Loa Way
Por. Of Kawailoa Beach Lots (Sec. B), Kawailoa, Waialua, Oahu
Tax Map Key (TMK): (1) 6-1-009:010

Dear Mr. Hayes:

The Office of Conservation and Coastal Lands (OCCL) has reviewed your letter and attachments regarding the subject matter. According to your letter, the landowners of TMK: (1) 6-1-009:010 are proposing to demolish the existing dilapidated single-family residence and construct a new single-family residence with an accessory dwelling unit (ADU) on the property. Your letter notes that the project will obtain a Certified Shoreline and intends to comply with the shoreline setback, yard requirements, height limits, and other applicable development standards and required approvals.

Your letter states that the project site is located in the City and County of Honolulu's (CCH) Special Management Area (SMA) and will require a SMA Major Permit. As part of the SMA application process, an Environmental Assessment (EA) is being prepared. On behalf of your clients, you are seeking early review and comments regarding the proposed project in development of the EA.

The OCCL regulates land uses in the State Land Use Conservation District through the issuance of Conservation District Use Permits (CDUPs) and Site Plan Approvals (SPAs) to help conserve, protect, and preserve important natural and cultural resources. According to the State of Hawaii Flood Hazard Assessment Tool (FHAT - http://gis.hawaiinfip.org/FHAT/), it appears that TMK: (1) 6-1-009:010 lies entirely in Special Flood Hazard Area Zone VE. We suggest that you include a thorough discussion of coastal hazards, climate change, sea level rise, and associated impacts in the

development of the EA. The landowners and their agent may want to consider reviewing the Hawaii Sea Level Rise Vulnerability and Adaptation Report (2017) in preparing the EA. A copy of the report can be obtained at https://climateadaptation.hawaii.gov/wp-content/uploads/2017/12/SLR-Report_Dec2017.pdf . The OCCL also suggests the Draft EA include a review of the proposed project and the Hawaii State Sea Level Rise Viewer (https://www.pacioos.hawaii.edu/shoreline/slr-hawaii/).

Should you have any questions, contact Trevor Fitzpatrick of the Office of Conservation and Coastal Lands at (808) 798-6660 or trevor.j.fitzpatrick@hawaii.gov .

Sincerely,

Sam Lemmo

Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

CC: Oahu District Land Division Office
City and County of Honolulu, Department of Planning and Permitting

OFFICE OF PLANNING
STATE OF HAWAII

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

DAVID Y. IGE
GOVERNOR

MARY ALICE EVANS
DIRECTOR
OFFICE OF PLANNING

Telephone: (808) 587-2846
Fax: (808) 587-2824
Web: http://planning.hawaii.gov/

DTS 202106280908LI

July 1, 2021

Mr. James T. Hayes
Planning Solutions, Inc.
711 Kapi'olani Boulevard, Suite 950
Honolulu, HI 96813

Dear Mr. Hayes:

Subject: Scoping Request for 61-551 Pōhaku Loa Way Single-Family Residence with an Accessory Dwelling Unit Project, Hale'iwa, O'ahu; Tax Map Key: (1) 6-1-009: 010

The Office of Planning (OP) is in receipt of your Environmental Assessment (EA) pre-consultation request, dated June 4, 2021, for the proposed single-family residence project at 61-551 Pōhaku Loa Way, Hale'iwa, O'ahu.

According to the pre-consultation request, the proposed project is to demolish an existing single-family residence, and construct a new single-family residence with an accessory dwelling unit. The subject parcel is in the State Urban Land Use District and the City and County of Honolulu's R-5 Residential District. The site is located on a shoreline parcel, and within the county designated special management area (SMA).

The OP has reviewed the subject pre-consultation request and has the following comments to offer:

1. The EA should provide a regional location map of the subject property on the Island of Oahu, with the project site in relation to the county designated SMA.

2. The EA should discuss the trigger(s) of preparation of an EA under HRS Chapter 343 and/or county SMA Ordinance if the proposed project is required to obtain a SMA use permit.

3. The Hawaii Coastal Zone Management (CZM) Law, Hawai'i Revised Statutes (HRS) Chapter 205A, requires all state and county agencies to enforce the CZM objectives and policies. The subject EA should include an assessment with mitigation measures if needed, as to how the proposed project conforms to each of the CZM objectives and supporting policies set forth in HRS § 205A-2, as amended.

4. If the subject EA will serve as a supporting document for the SMA Use Permit application, the OP recommends that the EA specifically discuss the compliance with the requirements of SMA use under Revised Ordinances of Honolulu (ROH) Chapter 25, and

shoreline setbacks under ROH Chapter 23, for the proposed residence project by consulting with the Department of Planning and Permitting, City and County of Honolulu. Please note that shoreline hardening structures, including seawalls and revetments, are prohibited at sites with beaches pursuant to HRS § 205A-2(c)(9)(B) and HRS § 205A-46(a)(9), as amended, enacted by Act 16, Session Laws of Hawaii 2020.

5. Sea level rise increases the risk of flooding, storm surges, and coastal erosion. To assess any potential impacts of sea level rise on the proposed development area, the OP suggests the EA refer to the findings of the Hawaii Sea Level Rise Vulnerability and Adaptation Report 2017, accepted by the Hawai'i Climate Change Mitigation and Adaptation Commission. The Report, and Hawai'i Sea Level Rise Viewer at https://www.pacioos.hawaii.edu/shoreline/slr-hawaii/ particularly identifies a 3.2-foot sea level rise exposure area across the main Hawaiian Islands, including O'ahu, which may occur in the mid to latter half of the 21st century. The EA should provide a map of 3.2-foot sea level rise exposure area in relation to the property area, and consider site-specific mitigation measures, including setbacks from the shoreline erosion during the life of the proposed structures, to respond to the potential impacts of 3.2-foot sea level rise on the proposed development.

6. The OP has developed guidance documents on stormwater runoff strategies, which offer techniques to prevent land-based pollutants and sediment from potentially affecting water resources. The OP recommends that the subject EA consider the following stormwater assessment guidance to mitigate stormwater runoff impacts:

    - Stormwater Impact Assessments can be used to identify and analyze information on hydrology, sensitivity of coastal and riparian resources, and management measures to control runoff, as well as consider secondary and cumulative impacts to the area. https://files.hawaii.gov/dbedt/op/czm/initiative/stomwater_imapct/final_stormwater_impact_assessments_guidance.pdf

    - Low Impact Development - A Practitioner's Guide covers a range of structural best management practices for stormwater control management, onsite infiltration techniques, and water reuse methods that minimize negative environmental impacts. http://files.hawaii.gov/dbedt/op/czm/initiative/lid/lid_guide_2006.pdf

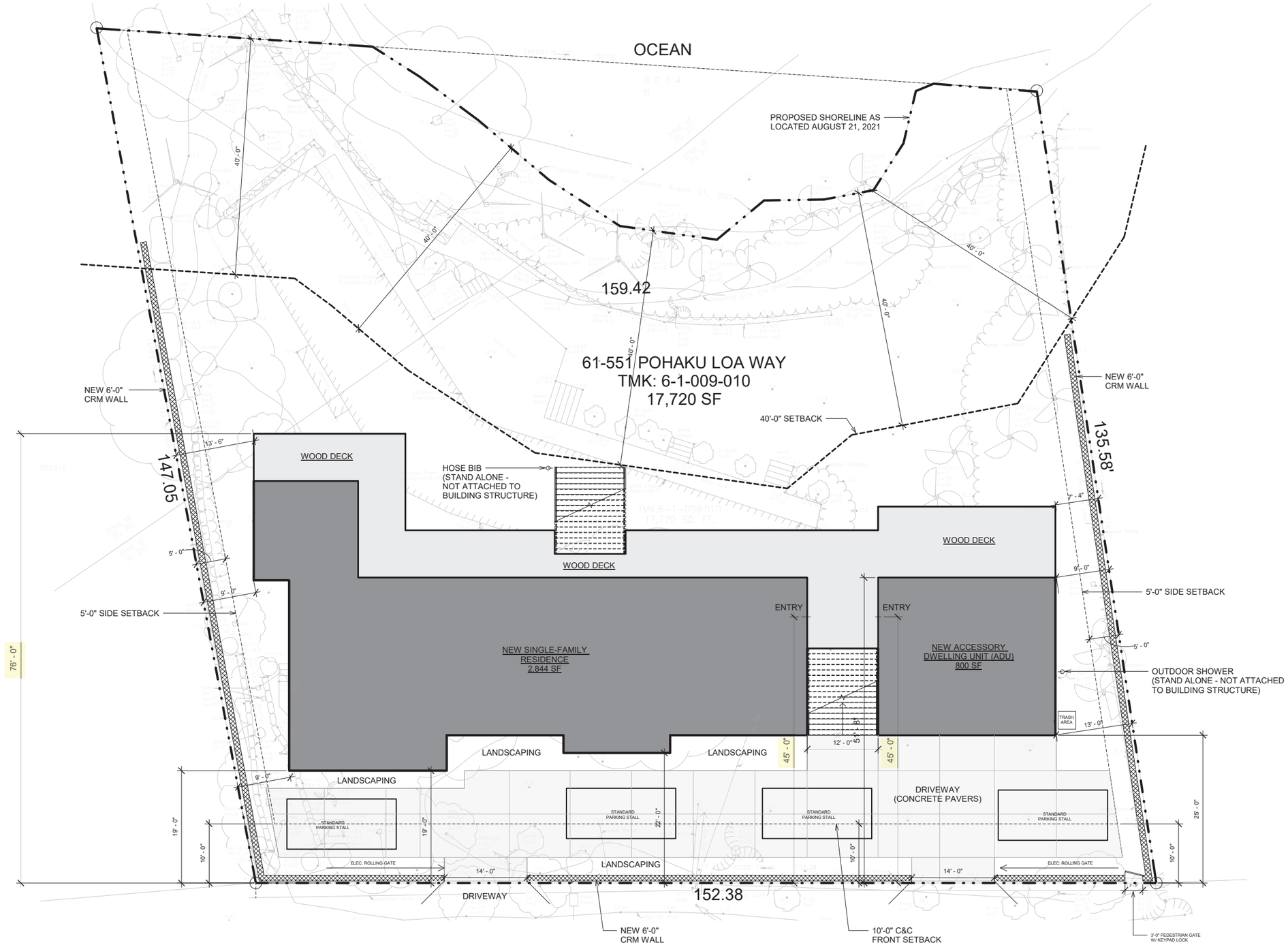
If you have any questions regarding this comment letter, please contact Shichao Li of our office at (808) 587-2841.

Sincerely,

Mary Alice Evans

Mary Alice Evans
Director

Appendix B. Construction Drawings (11″ x 17″)



1 SITE PLAN
1/8" = 1'-0"

FLOOR AREA

INTERIOR:	2,844 SF
ADU:	800 SF
TOTAL:	3,644 SF
LANAI/STAIRS:	1,432 SF
GARAGE:	800 SF

4 PARKING STALLS REQUIRED
4 PARKING STALLS PROVIDED

0' 4' 8' 16'

SCHEMATIC DESIGN - 10/05/2021

NEW SINGLE-FAMILY DWELLING FOR:
61-551 POHAKU LOA WAY
HALEIWA HAWAII 96712
TMK: 6-1-009-010

REVISIONS
NO. | DESCRIPTION | DATE

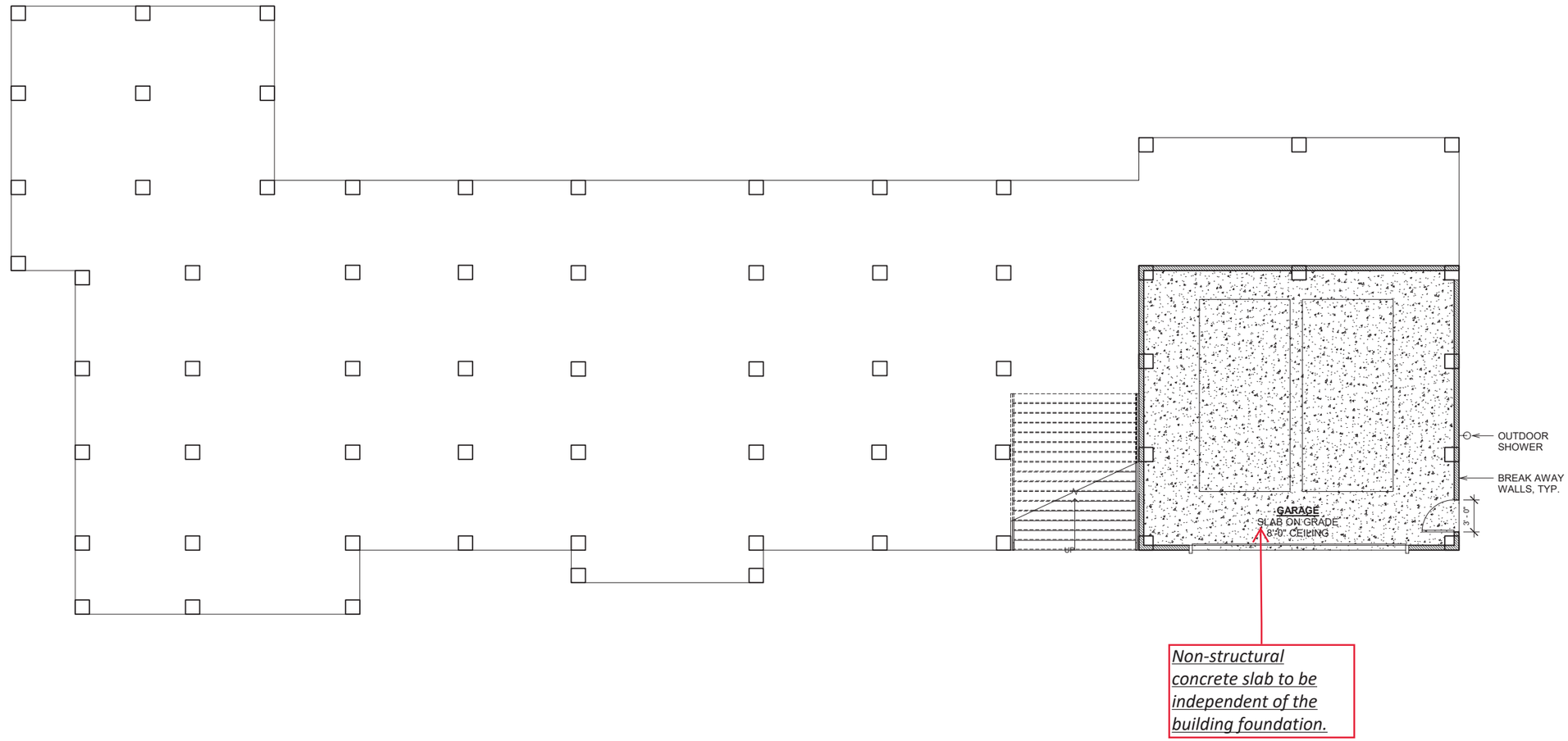
TITLE: SITE PLAN

PROJECT PHASE: PERMIT SET
DATE: 09/21/16
DRAWN BY:
CHECKED BY:

SHEET NO: A001

SHEET ... OF ...

SCHEMATIC DESIGN - 10/05/2021



Non-structural concrete slab to be independent of the building foundation.

1 FLOOR PLAN - GROUND FLOOR
3/16" = 1'-0"

0' 2' 4' 8'

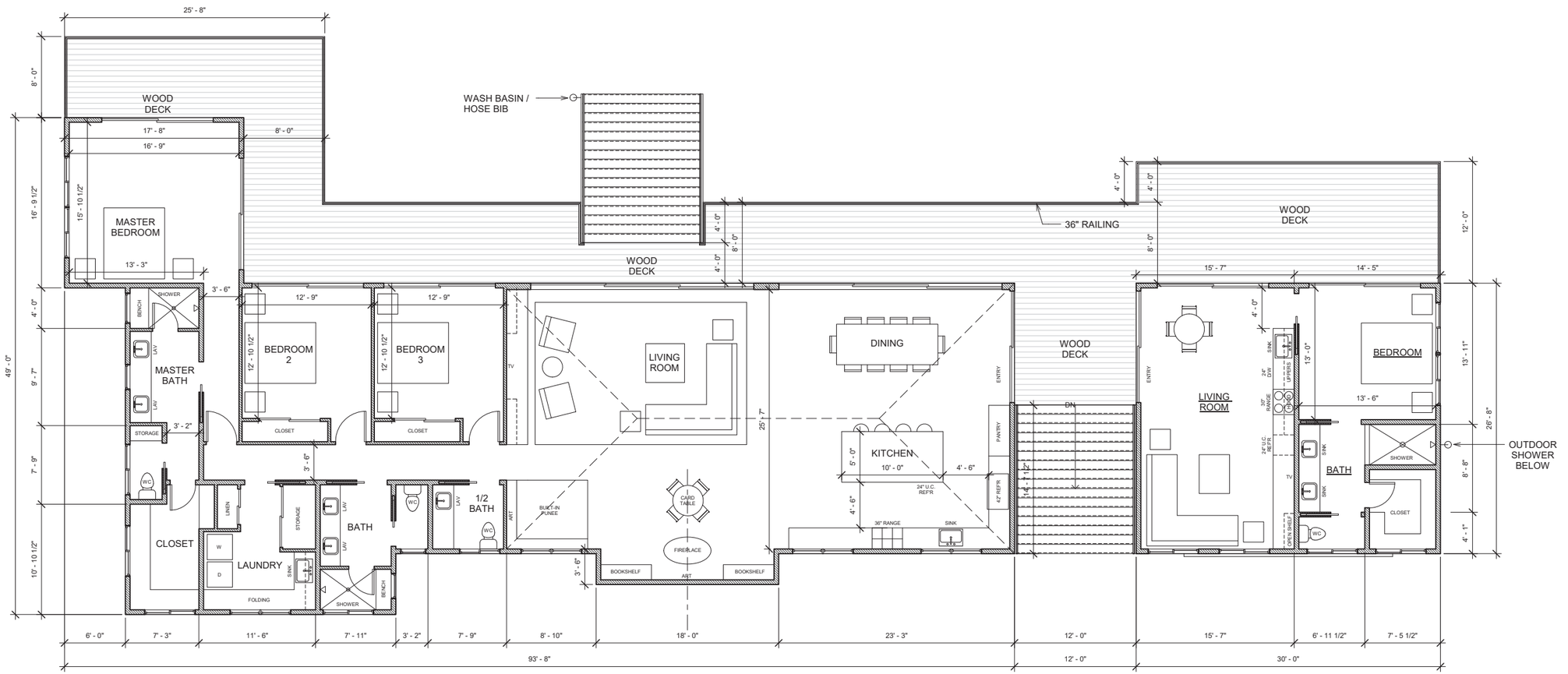
NEW SINGLE-FAMILY DWELLING FOR:
61-551 POHAKU LOA WAY
HALEIWA HAWAII 96712
TMK: 6-1-009-010

REVISIONS
NO. | DATE | DESCRIPTION

TITLE
FLOOR PLAN - GROUND FLOOR

PROJECT PHASE: PERMIT SET
DATE: 09/21/16
DRAWN BY:
CHECKED BY:
SHEET NO:
A002
SHEET ... OF ...

SCHEMATIC DESIGN - 10/05/2021



1 1ST FLOOR
3/16" = 1'-0"

0' 2' 4' 8'

NEW SINGLE-FAMILY DWELLING FOR:

61-551 POHAKU LOA WAY

HALEIWA HAWAII 96712

TMK: 6-1-009-010

REVISIONS

NO.	DATE	DESCRIPTION
1		

TITLE:

FLOOR PLAN - 1ST FLOOR

PROJECT PHASE: PERMIT SET

DATE: 09/21/16

DRAWN BY:

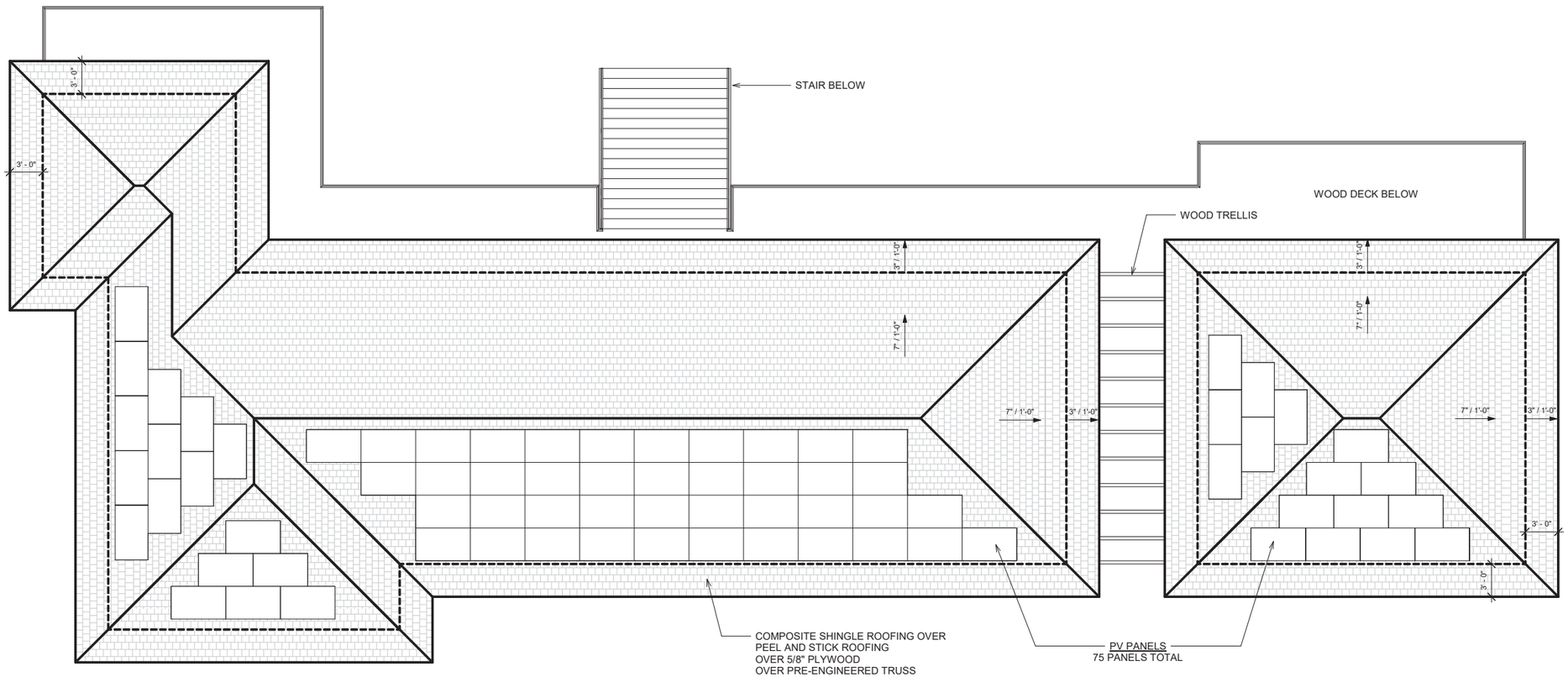
CHECKED BY:

SHEET NO:

A003

SHEET ... OF ...

SCHEMATIC DESIGN - 10/05/2021



1 ROOF PLAN
3/16" = 1'-0"

0' 2' 4' 8'

NEW SINGLE-FAMILY DWELLING FOR:

61-551 POHAKU LOA WAY

HALEIWA HAWAII 96712

TMK: 6-1-009-010

REVISIONS

NO	DATE	DESCRIPTION

TITLE:
ROOF PLAN

PROJECT PHASE: PERMIT SET

DATE: 09/21/16

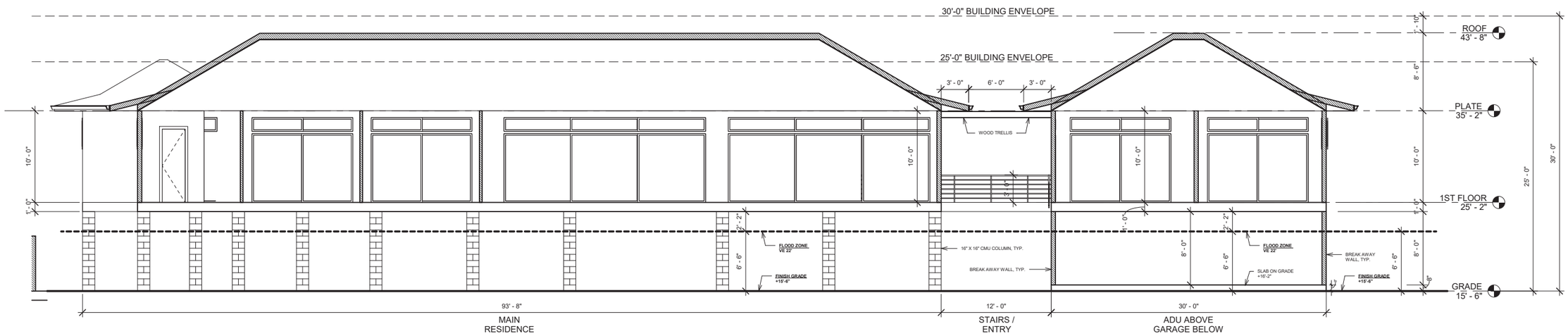
DRAWN BY:

CHECKED BY:

SHEET NO:
A004

SHEET ... OF ...

SCHEMATIC DESIGN - 10/05/2021



1 SITE SECTION
3/16" = 1'-0"

0' 2' 4' 8'

NEW SINGLE-FAMILY DWELLING FOR:

61-551 POHAKU LOA WAY

HALEIWA HAWAII 96712

TMK: 6-1-009-010

REVISIONS

NO	DATE	DESCRIPTION

TITLE

SECTION

PROJECT PHASE: PERMIT SET

DATE: 09/21/16

DRAWN BY:

CHECKED BY:

SHEET NO

A005

SHEET ... OF ...

SCHEMATIC DESIGN - 10/05/2021

NEW SINGLE-FAMILY DWELLING FOR:

61-551 POHAKU LOA WAY

HALEIWA HAWAII 96712

TMK: 6-1-009-010

REVISIONS		
NO.	DATE	DESCRIPTION
1		

TITLE

3D VIEWS - FRONT

PROJECT PHASE: PERMIT SET

DATE: 09/21/16

DRAWN BY:

CHECKED BY:

SHEET NO:

A006

SHEET __ OF __

SCHEMATIC DESIGN - 10/05/2021

NEW SINGLE-FAMILY DWELLING FOR:

61-551 POHAKU LOA WAY

HALEIWA HAWAII 96712

TMK: 6-1-009-010

NO.	DATE	DESCRIPTION
REVISIONS		

TITLE

3D VIEWS - REAR

PROJECT PHASE: PERMIT SET

DATE: 09/21/16

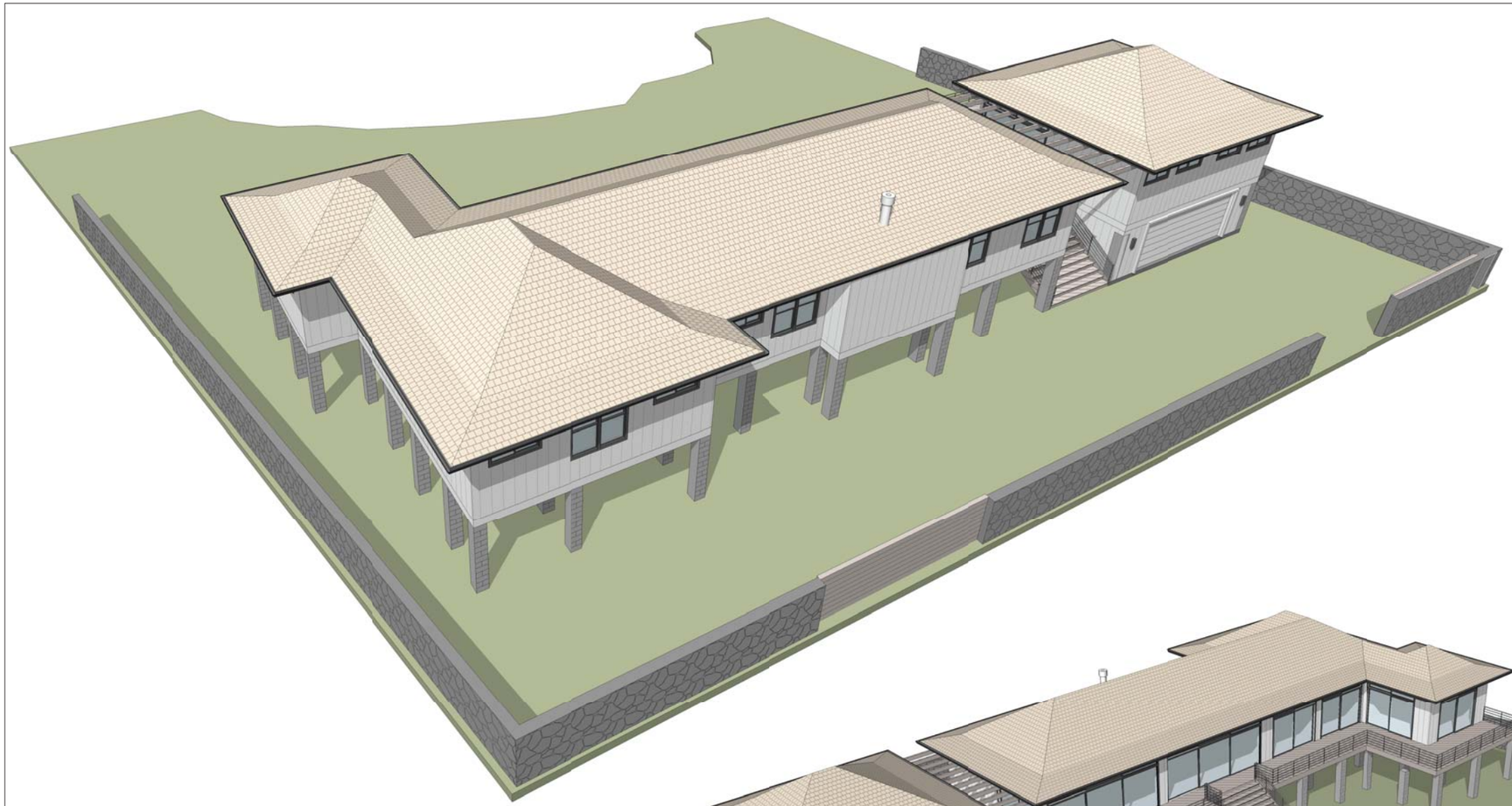
DRAWN BY:

CHECKED BY:

SHEET NO:

A007

SHEET __ OF __



SCHEMATIC DESIGN - 10/05/2021

NEW SINGLE-FAMILY DWELLING FOR:

61-551 POHAKU LOA WAY

HALEIWA HAWAII 96712

TMK: 6-1-009-010

REVISIONS		
NO.	DATE	DESCRIPTION
△		

TITLE

3D VIEWS - OVERHEAD

PROJECT PHASE: PERMIT SET

DATE: 09/21/16

DRAWN BY:

CHECKED BY:

SHEET NO:

A008

SHEET __ OF __

Appendix C. Certified Shoreline

DAVID Y. IGE
GOVERNOR OF HAWAII

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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 1, 2021

File No.: OA-1961

Kenn Nishihira
500 Alakawa Street, #100A
Honolulu, Hawaii 96817

Dear Applicant:

Subject: Transmittal of Signed Shoreline Certification Maps
Owner(s): Pohaku Loa Hale, LLC
Tax Map Key: (1) 6-1-009:010 & 014

Enclosed please find three (3) copies of the certified shoreline survey maps for the subject property.

If you have any questions, please feel free to call us at (808) 587-0424. Thank you.

Sincerely,

Cal Miyahara
Shoreline Disposition Specialist

Enclosures

cc: DAGS

Ocean

The shoreline as delineated in red is hereby certified as the shoreline as of

DEC 0 1 2021

Chairperson, Board of Land and Natural Resources

BEACH RESERVE
TMK: 6-1-009: 014

LOT 6
17,720 SQ. FT.
TMK: 6-1-009: 010

LOT 5

LOT 7-A

Kamamalu

Proposed shoreline follows debris line as located on August 13, 2021

SHORELINE SURVEY

LOT 6
KAWAILOA BEACH LOTS
(SECTION B)

KAWAILOA, WAIALUA, OAHU, HAWAII

TAX MAP KEY: 6-1-009: 010 AND 014

SCALE: 1 IN. = 20 FT.

Notes:

⇨ *Denotes photo number and direction*

Property Address: 61-551 Pohaku Loa Way
Waialua, HI 96791

Owner: Pohaku Loa Hale LLC
202 Wailupe Circle
Honolulu, HI 96821

Coordinates and Azimuths referred to "WAIMEA" △

KENN S. NISHIHIRA
LICENSED PROFESSIONAL LAND SURVEYOR
No. 9043
HAWAII, U.S.A.

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION

Ken Nishihira Exp. 04/22

LICENSED PROFESSIONAL LAND SURVEYOR No. 9043

DATE OF MAP AUGUST 23, 2021
DATE OF FIELD WORK AUGUST 13, 2021

10" x 15"

KN SURVEYING, LLC
500 ALAKAWA STREET #100A

FIELD BOOK NO. 467: 37

PHOTOGRAPH 1 (8/13/21 10:30 AM)

PHOTOGRAPH INDEX
SHORELINE SURVEY
LOT 6
KAWAILOA BEACH LOTS
(SECTION B)

8.5"X11"

DATE: AUGUST 23, 2021

KN SURVEYING, LLC
500 ALAKAWA STREET #100A
HONOLULU, HAWAII 96817

FIELD BOOK NO. 467:37

PHOTOGRAPH 2 (8/13/21 10:30 AM)

PHOTOGRAPH INDEX
SHORELINE SURVEY
LOT 6
KAWAILOA BEACH LOTS
(SECTION B)

8.5"X11"

DATE: AUGUST 23, 2021

KN SURVEYING, LLC
500 ALAKAWA STREET #100A
HONOLULU, HAWAII 96817

FIELD BOOK NO. 467:37

PHOTOGRAPH 3 (8/13/21 10:30 AM)

PHOTOGRAPH INDEX
SHORELINE SURVEY
LOT 6
KAWAILOA BEACH LOTS
(SECTION 6)

8.5"X11"

DATE: AUGUST 23, 2021

KN SURVEYING, LLC
500 ALAKAWA STREET #100A
HONOLULU, HAWAII 96817

FIELD BOOK NO. 467:37

PHOTOGRAPH 4 (8/13/21 10:30 AM)

PHOTOGRAPH INDEX
SHORELINE SURVEY
LOT 6
KAWAILOA BEACH LOTS
(SECTION B)

8.5"X11"

DATE: AUGUST 23, 2021

KN SURVEYING, LLC
500 ALAKAWA STREET #100A
HONOLULU, HAWAII 96817

FIELD BOOK NO. 467:37