DEPARTMENT OF PLANNING AND PERMITTING
KA ʻOIHANA HOʻOLĀLĀ A ME NĀ PALAPALA ʻAE
CITY AND COUNTY OF HONOLULU

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June 1, 2026

GEN-2026-51 (ST)
2023/ED-5

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

Dear Director Evans:

SUBJECT:	Revised Ordinances of Honolulu Chapter 25 Final Environmental Assessment (FEA)
Project:	56-155 Kamehameha Highway Residences (Project)
Agent:	Hawaiʻi Engineering Group, Inc. (Roy Irei)
Landowners:	Linda Donoso, Malaekahana LLC c/o Century 21 Properties Hawaiʻi, Anthony Sorace, Puangkom Sananikone, and Brian Stevenson
Location:	56-155 A Kamehameha Highway – Kahuku
Tax Map Key:	5-6-001: 033
Determination:	Finding of No Significant Impact (FONSI)

With this letter, the Department of Planning and Permitting (DPP) hereby transmits the FEA and FONSI for the above referenced Project, which is located in the Special Management Area in the Koʻolauloa District, on the Island of Oʻahu. Please publish this finding in the next edition of *The Environmental Notice*.

Based on the significant criteria outlined in Title 11, Chapter 200.1, Hawaiʻi Administrative Rules, the DPP has determined that the preparation of an Environmental Impact Statement is not required. The FEA adequately discloses and describes relevant environmental impacts and responds to comments received during the required public comment period for the Draft Environmental Assessment.

We have uploaded an electronic copy of this letter, a complete Environmental Review Program electronic publication form, the FEA, and the FONSI to your online submittal site.

Should you have any questions, please contact Steve Tagawa, of our Zoning Regulations and Permits Branch, at (808) 768-8024 or via email at stagawa@honolulu.gov.

Very truly yours,

Dawn Takeuchi Apuna
Director

From: dbedt.opsd.erp@hawaii.gov
To: DBEDT OPSD Environmental Review Program
Subject: New online submission for The Environmental Notice
Date: Thursday, July 16, 2026 4:27:45 PM

Action Name
56-155 Kamehameha Highway Residences
Type of Document/Determination
ROH Ch 25 Final EA and FONSI
Judicial district
Koʻolauloa, Oʻahu
Tax Map Key(s) (TMK(s))
(1)5-6-001: 033
Action type
Applicant
Other required permits and approvals
grading and building permits
Discretionary consent required
Special Management Area Major Permit
Agency jurisdiction
City and County of Honolulu
Approving agency
Department of Planning and Permitting
Agency contact name
Steve Tagawa
Agency contact email (for info about the action)
stagawa@honolulu.gov
Email address for receiving comments
DPP@honolulu.gov
Website for receiving comments
https://www.honolulu.gov/dpp/public-input/
Agency contact phone
(808) 533-2092
Agency address
650 South King Street Honolulu, Hawaii 96813

United States
Map It

Applicant

Linda M. Donoso and Malaekahana LLC

Applicant contact name

Linda Donoso

Applicant contact email

lindadonosohi@gmail.com

Applicant contact phone

(808) 533-2092

Applicant address

56-155 A Kamehameha Highway, Unit 1
Kahuku, Hawaii 96731
United States
Map It

Is there a consultant for this action?

Yes

Consultant

Hawaii Engineering Group, Inc.

Consultant contact name

Roy Irei

Consultant contact email

roy@hawaiiengineering.net

Consultant contact phone

(808) 533-2092

Consultant address

1088 Bishop Street, Suite 2506
Honolulu, Hawaii 96813
United States
Map It

Action summary

The Project involves building six new 2-story, and one 1-story modular dwelling, driveway, and new individual/group septic systems with leach fields, on a 1.47-acre shoreline parcel in the R-5 Residential District. An existing 2-story dwelling on the site is to remain; a previous dwelling on the site, built in the 1940s, has since been removed. Access to the site is off Kamehameha Highway. Ownership of the site is divided into eight condominium property regime (CPR) units pursuant to Hawaii Revised Statutes, Chapter 514B. The City does not recognize CPR units which have not been subdivided pursuant to Revised Ordinances of Honolulu (ROH) Chapter 22. Therefore, the Project must be evaluated collectively, under a single SMA Major application. No construction is proposed in the shoreline setback. The Project triggers the preparation of an EA under ROH, Chapter 25. Upon acceptance of the Final EA

and a FONSI determination, DPP can accept the SMA application for processing, and make its recommendation. Decision-making will be made by the City Council.

Attached documents (signed agency letter & EA/EIS)

- FEA-FONSI-ADA-Compliant-56-155-Kamehameha-Highway-Residences-21.pdf
- Final-EA-Malekahana-Donoso-Final-202607162.pdf

Action location map

- TMK56001033.shp_.LAPTOP-AP36M89E.2292.35444.sr_-4-21.zip
- TMK56001033.shp_.LAPTOP-AP36M89E.2292.35444.sr_1-3-51.zip

Compliance certification (HRS §368-1.5):

The authorized individual listed below certifies that documents submitted are unlocked, searchable, and compliant with the Hawaii Electronic Information Technology Disability Access Standards (including, but not limited to transcripts, captions, and other descriptions accompanying audio/video files). The individual acknowledges that the submitter retains the responsibility for compliance after documents have been published and any compliance queries will be directed back to the agency and/or applicant.

Authorized individual

Steve Tagawa

Authorized individual email

stagawa@honolulu.gov

Authorized individual phone

(808) 768-8024

Authorization

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

Final Environmental Assessment

56-155 Kamehameha Highway (Residences)
Kahuku, Hawaii 96731

Tax Map Key (1) 5-6-001:033

Applicant:
Ms. Linda Donoso
Malaekahana LLC

Approving Agency:
City and County of Honolulu
Department of Planning and Permitting

Hawaii Engineering Group, Inc.

Consulting Civil Engineers, Structural Engineers
& Land Surveyors
1088 Bishop Street, Suite 2506
Honolulu, Hawaii 96813
www.hawaiiengineering.net

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Exhibit H SMA Map

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Exhibit K Soil Map

Exhibit L Sea Level Rise

Exhibit M Shoreline Change Rate

Exhibit N FEMA Flood Map

Exhibit O Wetland Mapper

Exhibit P Archaeological Report

Exhibit Q (Intentionally Omitted)

Exhibit R NHB Minutes

Exhibit S Hurricane Surge Map

Exhibit T Tsunami Surge Map

Exhibit U Biological & Faunal Assessment

Acronyms

AAQS	Ambient Air Quality Standards
A/ac	acre(s)
BMPs	Best Management Practices
CAA	Clean Air Act
CCH	City and County of Honolulu
CZM	Coastal Zone Management Program
DLNR	State of Hawaii Department of Land and Natural Resources
DPP	Department of Planning and Permitting
EA	Environmental Assessment
EDD	Environmental Disclosure Document
EIS	Environmental Impact Statement
ESA	Endangered Species Act
ESA	Environmental Site Assessment – Phase I, II, and III Hazmat Reports
FONSI	Finding of No Significant Impact
Ft	feet/foot
HAR	Hawaii Administrative Rules
HDOH	State of Hawaii Department of Health
HECO	Hawaiian Electric Company
HRS	Hawaii Revised Statutes
m	meter(s)
m^2	square meters(s)
mi	mile
NAAQS	National Ambient Air Quality Standards

NHPA	National Historic Preservation Act

NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
OPSD	Office of Planning and Sustainability Development
PV	Photovoltaic
ROH	Revised Ordinances of Honolulu
SHPD	State Historic Preservation Division
SF	Square Feet
SMA	Special Management Area
SSA	Shoreline Setback Area
TMK	Tax Map Key
U.S.	United States
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USDOT	United States of Department of Transportation

Project Summary

Malaekahana Bay Master Condo SFD Residences

Final Environmental Assessment (EA) has been prepared to evaluate the potential environmental impacts associated with the development of more than two single-family dwellings within the Special Management Area (SMA), in accordance with the City and County of Honolulu, Revised Ordinance of Honolulu (ROH), Chapter 25, Section 25-5.3(a), and processed pursuant to Hawaii Revised Statutes (HRS) Chapter 343 and Hawaii Administrative Rules (HAR) Title 11, Chapter 200.1. The EA assesses a five-year Condominium Master Plan for eight (8) Condominium Property Regime (CPR) units, including the construction of up to (7) new single-family dwellings.

Tax Map Key:
TMK (1) 5-6-001:033

Project Location:
56-155 A Kamehameha Highway
Kahuku (Malaekahana), O'ahu, Hawai'i 96731

Prepared For
Malaekahana LLC
Linda Donoso
Anthony Sorace
Puangkom Sananikone
Bryan Stevenson

56-155 A Kamehameha Highway
Kahuku, HI 96731

Prepared By
Roy Irei
Hawaii Engineering Group, Inc.

1088 Bishop Street, Suite 2506
Honolulu, HI 96813

In consultation With
Linda Donoso

The project site consists of eight Condominium Property Regime (CPR) units under separate ownership. The current fee owners of the CPR units are listed below.

Applicant / Fee Owners

Units 1, 2, and 6
Linda Donoso
56-155 A Kamehameha Highway, Unit 1
Kahuku, HI 96731
Email: lindadonosohi@gmail.com
Phone: (949) 903-2387

Unit 3
Anthony Sorace
Malaekahana LLC
c/o Century 21 Property Hawaii
1130 N. Nimitz Highway, Suite B-293
Honolulu, HI 96817
Development Address: 2907 Loomis Street, Honolulu, HI 96822
Contact: Abe Lee

Unit 4
Puangkom Sananikone
Malaekahana LLC
c/o Century 21 Property Hawaii
1130 N. Nimitz Highway, Suite B-293
Honolulu, HI 96817

Development Address: 2907 Loomis Street, Honolulu, HI 96822

Unit 5 and 7
Malaekahana LLC
c/o Century 21 Property Hawaii
1130 N. Nimitz Highway, Suite B-293
Honolulu, HI 96817
Development Address: 2907 Loomis Street, Honolulu HI 96822

Unit 8
Bryan Stevenson
Malaekahana LLC
c/o Century 21 Properties Hawaii
1130 N. Nimitz Highway, Suite B-293
Honolulu, HI 96817
Development Address: 2907 Loomis Street, Honolulu, HI 96822

Approving Agency
Honolulu Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, HI 96813

Project Location and Parcel Information

Parcel Area: 1.47 acres
State Land Use District: Urban
County Zoning: R-5 Residential District
Applicable Plans:

- Koʻolauloa Sustainable Communities Plan
- Oʻahu General Plan

Flood Zone: The site is located in Flood Zone X. Existing and proposed structures, walls, driveways, fencing, and parking areas are within Flood Zone X.

Required Permits

- Special Management Area (SMA) Major Permit
- Building Permits from Honolulu Department of Planning and Permitting
- Individual Wastewater System approval from the Hawaii Department of Health

---

Environmental Review Determination

Acceptance of this Final Environmental Assessment by the Honolulu Department of Planning and Permitting and publication in the Environmental Notice pursuant to Hawaii Revised Statutes Chapter 343.

Anticipated Determination: Finding of No Significant Impact (FONSI)

Summary of Proposed Action

The Proposed Action consists of the development of up to seven (7) single-family dwellings on a parcel containing eight (8) Condominium Property Regime (CPR) units within the R-5 Residential District.

- Unit 1: Existing residence, unpermitted storage shed.
- Units 2-8: Vacant, proposed for new single-family dwellings and associated improvements including fencing, landscaping, driveways, parking, and individual wastewater systems.
- Use: Private residential use by property owners and families; not for short-term vacation rentals

Development may occur in phases depending on the readiness of individual CPR unit owners. Future construction for units not included in the initial SMA Major Permit may be reviewed as a minor modification, provided no significant new environmental impact occurs.

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Executive Summary

Based on the analysis of information in this EA, it has been determined that the Proposed Action will have no significant impacts in accordance with the sections listed below. The Proposed Action potential effects are expected to be short-term and temporary in nature, related to construction activities (e.g., stormwater, noise, dust, and traffic), no long-term impacts are anticipated.

This Final Environmental Assessment (Final DEA) has been prepared to comply with

- Chapter 343, and 205A of the Hawaii Revised Statues (HRS)
- Title 11, Chapter 200.1 of the revised Hawaii Administrative Rules (HAR) (August 2019)
- Section 25-3.1 and 25-4.1, Revised Ordinances of Honolulu (ROH)

The results of the EA were compared with the significance criteria established by the State under HRS 343 (HAR Chapter 11- 200.1-13). It is concluded that the construction of the Proposed Action does not meet any of the thirteen criteria, therefore, by not meeting these criteria, it is appropriate that the Proposed Action be issued a Finding of No Significant Impacts (FONSI) and that an EIS will not be required. The applicant intends to file for a Special Management Area Major Permit upon issuance of a FONSI as it exceeds more than 2 dwelling units in accordance with ROH §25-5.3.

PURPOSE AND NEED OF THE PROPOSED ACTION

Project Overview and Location

The proposed project involves residential development within an existing Condominium Property Regime (CPR) located at Tax Map Key (TMK) (1) 5-6-001:033 in the Koʻolauloa District on the north shore of Oʻahu near Malaekahana Bay. The subject property consists of a single CPR parcel within the R-5 Residential District and is located within the City and County of Honolulu Special Management Area (SMA), *see Figure I-1*.

Revised Ordinances of Honolulu (ROH) Chapter 21, Section 21-8.20A, the development of multiple dwelling units on a single country or residential district zoning lot is an expressly permitted use, provided that all applicable development standards are satisfied. Specifically, up to eight (8) dwelling units may be established on a single zoning lot without the requirement to obtain a cluster housing permit, planned development housing approval, or subdivision approval, so long as the zoning lot meets the minimum lot area, access, and other criteria set forth in Section 21-8.20A. Development proposals exceeding eight dwelling units are the threshold at which cluster housing, planned development housing, or subdivision procedures are required.

The presence of multiple dwelling units on a single zoning lot does not alter the zoning classification of the property, nor does it, by itself, trigger a subdivision or cluster permit requirement under ROH Chapter 21. The Land Use Ordinance regulates density and land use on the zoning lot basis**,** independent of ownership configuration.

CPR Creation and Ownership Structure

The subject property is organized under a Condominium Property Regime (CPR) established pursuant to Chapter 514B of the Hawaii Revised Statutes (HRS), which governs condominium property regimes in the State of Hawaiʻi. The CPR for TMK (1) 5-6-001:033 was established in 2016 through the recording of a Condominium Property Regime Declaration and Condominium Map at the State of Hawaiʻi Bureau of Conveyances, *see Exhibit E CPR Declaration.*

Under HRS Chapter 514B, a CPR allows multiple ownership interests within a single parcel of land while the land itself remains a single legal lot of record. The CPR establishes defined unit areas and common elements for purposes of ownership, maintenance responsibilities, and management of the property. Unlike a subdivision processed through the City and County of Honolulu under the Subdivision Ordinance (Revised Ordinances of Honolulu Chapter 22), a CPR does not create new legal lots of record or independent development entitlements. Under HRS Chapter 514B, condominium units are granted separate titles and may be conveyed independently, while the underlying land remains a single zoning lot that must continue to conform to all applicable county zoning and land-use regulations.

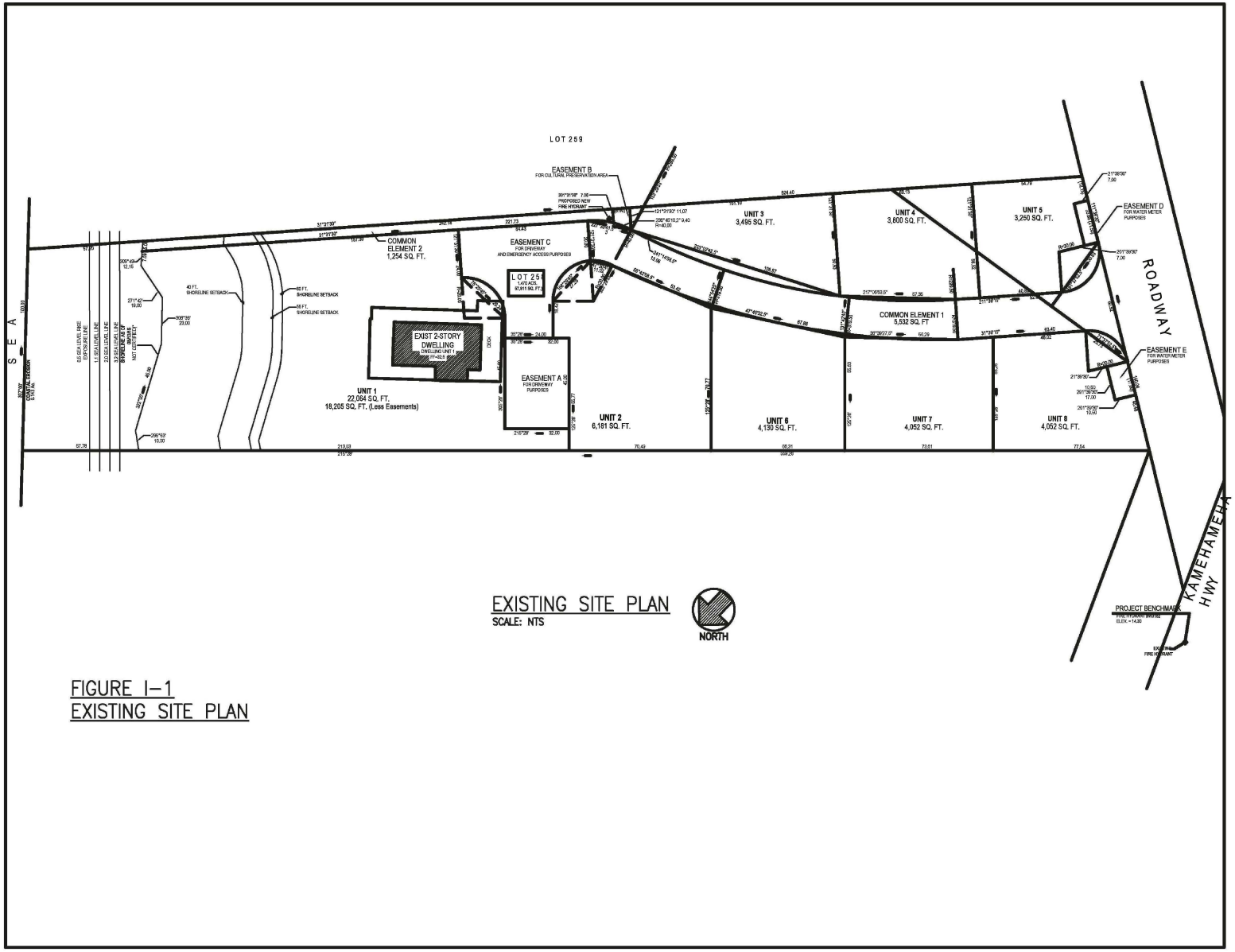
The CPR for the subject property identifies eight (8) CPR units, each with separate ownership interests. These units represent designated development areas and shared common elements but remain part of the same zoning lot regulated under the City's Land Use Ordinance (ROH Chapter 21).

The Conceptual Master Site Plan (CMSP) is provided for purposes of illustrating the proposed layout and improvements evaluated in this Environmental Assessment. The CMSP does not create or confer independent development rights for individual CPR units, and all development remains subject to applicable zoning regulations and permitting requirements of the City and County of Honolulu.

The Final Environmental Assessment (FEA) evaluates the environmental consequences of the proposed development and associated improvements within the CPR in accordance with Chapter 343, Hawaii Revised Statutes, Chapter 25 of the Revised Ordinances of Honolulu, and Title 11 Chapter 200.1 of the Hawaii Administrative Rules.

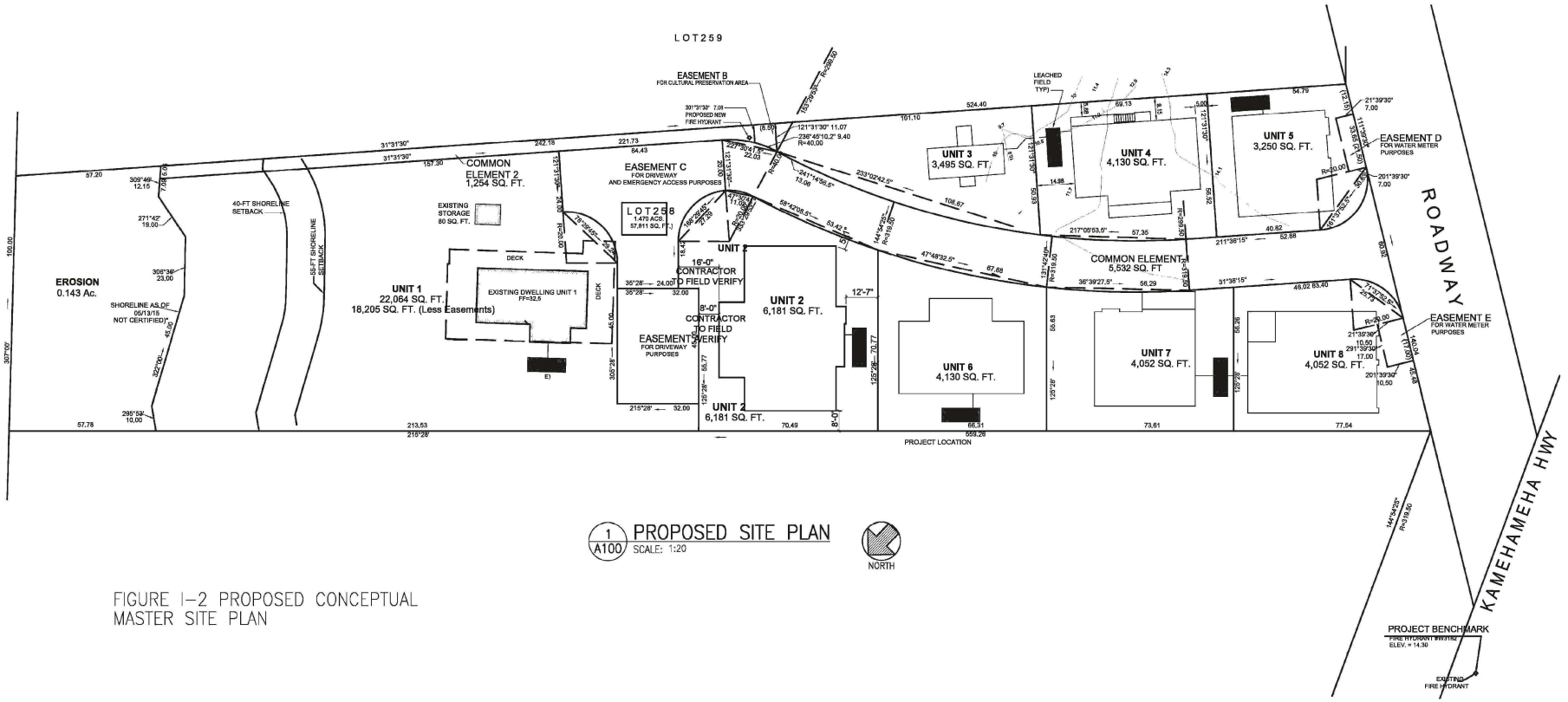
Figure I-1 (Existing Site Plan) and I-2 (Proposed Site Plan) are included in the main body of this document and illustrate the current site conditions and potential development layout for the CPR units.

Accordingly, the development concept consisting of multiple dwelling units on a single zoning lot, with ownership structured through a condominium property regime, is consistent with both the Land Use Ordinance and State condominium law, provided that the total number of dwelling units does not exceed eight and all applicable zoning, infrastructure access, and public health and safety requirements are met.



EXISTING SITE PLAN
SCALE: NTS

FIGURE I–1
EXISTING SITE PLAN



1 A100 PROPOSED SITE PLAN
SCALE: 1:20

NORTH

FIGURE I-2 PROPOSED CONCEPTUAL MASTER SITE PLAN

GRAPHIC SCALES
0 4' 10' 20' 40' 60'
SCALE: 1"=20'

HAWAII ENGINEERING GROUP, Inc.
Honolulu, Hawaii

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION AND CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION

PROJECT
56-155A KAMEHAMEHA HWY.
KAHUKU, HAWAII 96731

T.M.K.: 5-6-001:033

PROPOSED SITE PLAN

ISSUANCE/REVISIONS

Date	01/05/26
Scale	AS NOTED
Drawn By	HEG
Design By	RI
Checked By	RI
Job	25-090

Sheet A100 Of 5 Sheets

Proposed Action

The Proposed Action involves the potential development and improvement of eight CPR units within the subject property over an anticipated five-year period.

Currently, one existing single-family residence is located on CPR Unit 1. The remaining CPR units are largely undeveloped.

The Proposed Action includes:

- Construction of seven (7) new single-family dwellings on CPR Units 2 though 8
- Installation of individual wastewater systems (IWS) to replace existing or future cesspools in accordance with State of Hawai‘i Department of Health requirements
- Minor accessory improvements such as fencing, rock walls, landscaping, walking paths, and utility connections
- Retention of the existing dwelling on Unit 1, with a proposed 10-foot by 15-foot storage shed

Although the CPR establishes separate ownership interests for the units, the property remains a single zoning lot and all development is regulated under the City and County of Honolulu Land Use Ordinance (ROH Chapter 21) and applicable permitting processes.

Purpose and Need

The purpose of the Proposed Action is to allow the owners CPR Units 2 through 8 to develop single-family residences consistent with the zoning and permitted uses of the R-5 Residential District while maintaining the existing residential character of the property.

The property contains vacant residential development potential under the Land Use Ordinance, and the individual CPR unit owners wish to utilize these permitted development rights to construct residences for family occupancy and long-term residential use.

The project also includes the installation of individual wastewater systems consistent with State and City requirements for nearshore environments.

Alternatives Considered

This Environmental Assessment evaluates reasonable alternatives to the Proposed Action.

Proposed Action (Preferred Alternative)

The Preferred Alternative evaluates the development of seven new single-family dwellings, installation of wastewater systems, and minor accessory improvements within the CPR units, as illustrated in the Conceptual Master Site Plan.

The EA evaluates the maximum reasonable development potential within the zoning lot to ensure that environmental impacts are properly disclosed.

Not all CPR unit owners may proceed with development immediately. If certain units are not included in the initial SMA Major Permit application, future development proposals may be reviewed as modifications to the approved SMA permit, subject to review by the Director of the Department of Planning and Permitting.

No-Action Alternative

Under the No-Action Alternative, no additional dwellings or improvements would be constructed on the property. The site would remain in its current condition with one existing dwelling and undeveloped open land.

The No-Action Alternative would not allow the CPR unit owners to utilize the residential development potential permitted under the zoning regulations and would not result in wastewater system upgrades or other property improvements.

The No-Action Alternative is evaluated as a baseline for comparison with the environmental consequences of the Proposed Action.

Environmental Effects

The Environmental Assessment determined that the Proposed Action would result in minor, short-term construction-related impacts primarily associated with grading, construction traffic, noise, and dust.

These impacts would be temporary and mitigated through implementation of Best Management Practices (BMPs) and compliance with applicable State and City regulations.

The EA determined that the Proposed Action would not result in significant impacts to the following environmental resource area:

- Air Quality
- Noise
- Infrastructure and Utilities

- Land Use and Zoning
- Geological and Soil Resources
- Visual Resources
- Recreational Resources
- Visual Resources
- Socioeconomic Conditions
- Climate and Sea Level Rise

Potential impacts to historic, cultural, biological, and water resources would be minimized through mitigation measures including archaeological monitoring and coordination with the State Historic Preservation Division (SHPD). SHPD requests that an Archaeological Inventory Surveys be conducted prior to ground disturbance activities, *see Exhibit J-Preconsult Letters.*

No threatened or endangered species were observed on the property during site surveys, and the project is not anticipated to adversely affect sensitive habits.

Determination

Based on the analysis presented in this Environmental Assessment and evaluation under the significance criteria established in Hawaii Administrative Rules Chapter 11-200.1-13, the Proposed Action will not have a significant impact on the environment.

The project will not result in substantial adverse effects on natural, cultural, or socioeconomic resources, and any construction-related impacts will be temporary and mitigated through established best management practices.

Therefore, it is anticipated that the Proposed Action will receive a Finding of No Significant Impact (FONSI), and that preparation of an Environmental Impact Statement (EIS) will not be required.

Upon issuance of the FONSI, the applicant intends to proceed with submission of an SMA Major Permit application to the City and County of Honolulu Department of Planning and Permitting.

DEFINITION

Section Chapter 205 Definitions

§ 205-2 Districting and classification of lands. (a) There shall be four major land use districts in which all lands in the State shall be placed: urban, rural, agricultural, and conservation. The land use commission shall group contiguous land areas suitable for inclusion in one of these four major districts. The commission shall set standards for determining the boundaries of each district, provided that:

(1) In the establishment of boundaries of urban districts those lands that are now in urban use and a sufficient reserve area for foreseeable urban growth shall be included:

(2) In the establishment of boundaries for rural districts, areas of land composed primarily of small farms mixed with very low-density residential lots, which may be shown by a minimum density of not more than one house per one-half acre and a minimum lot size of not less than one-half shall be included, except as herein provided;

(3) In the establishment of the boundaries of agricultural districts the greatest possible protection shall be given to those lands with a high capacity for intensive cultivation; and

(4) In the establishment of the boundaries of conservation districts, the "forest and water reserve zones" provided in Act 234, Section 2, Session Laws of Hawaii 1957, are renamed "Conservation Districts" and, effective as of July 11, 1961, the boundaries of the forest and water reserve zones therefore established pursuant to Act 234, Section 2, Session Laws of Hawaii 1957, shall constitute the boundaries of the conservation districts; provided that thereafter the power to determine the boundaries of the conservation districts shall be in the commission.

In establishing the boundaries of the districts in each country, the commission shall give consideration to the master plan or general plan of the country.

(b) Urban districts shall include activities or uses as provided by ordinances or regulations of the county within which the urban district is situated.

HRS 343 Definitions

§343-1 Findings and purpose. The legislature finds that the quality of humanity's environment is critical to humanity's well-being, that humanity's activities have broad and profound effects upon the interrelations of all components of the environment, and that an environmental review process will integrate the review of environmental concerns with existing planning processes of the State and counties and alert decision makers to significant environmental effects which may result from the implementation of certain actions. The legislature further finds that the process of reviewing environmental effects is desirable because environmental consciousness is enhanced, cooperation and coordination are encouraged, and public participation during the review process benefits all parties involved and society as a whole.

It is the purpose of this chapter to establish a system of environmental review which will ensure that environmental concerns are given appropriate consideration in decision making along with economic and technical consideration. [L 1979, c 197, §1 (1); am L 1983, c 140, §4]

§343-2 Definitions. As used in this chapter unless the context otherwise requires:

"Acceptance" means a formal determination that the document required to be filed pursuant to section 343-5 fulfills the definition of an environmental impact statement, adequately describes identifiable environmental impacts, and satisfactorily responds to comments received during the review of the statement.

"Action" means any program or project to be initiated by an agency or applicant.

"Agency" means any department, office, board, or commission of the state or county government which is a part of the executive branch of government.

"Applicant" means any person who, pursuant to statute, ordinance, or rule, officially requests approval for a proposed action.

"Approval" means a discretionary consent required from an agency prior to actual implementation of an action.

"Council" means the environmental council.

"Discretionary Consent" means a consent, sanction, or recommendation from an agency for which judgement and free may be exercised by the issuing agency, as distinguished from a ministerial consent.

"Environmental Assessment" means a written evaluation to determine whether an action may have a significant effect.

"Environmental Impact Statement" or "statement" means an informational document prepared in compliance with the rules adopted under section 343-6 and which discloses the environmental effects of a proposed action, effects of a proposed action on the economic welfare, social welfare, and cultural practices of the community and State,

effects of the economic activities arising out of the proposed action, measures proposed to minimize adverse effects, and alternatives to the action and their environmental effects.

The initial statement filed for public review shall be referred to as the draft statement which has been approved with a FONSI determination and shall be distinguished from the final statement which is this document that has incorporated the public's comments and the responses to those comments from the DEA. **The final statement is the document that shall be evaluated for acceptability by the respective accepting authority.**

"Finding of No Significant Impact" means a determination based on an environmental assessment that the subject action will not have a significant effect and, therefore, will not require the preparation of an environmental impact statement.

"Helicopter Facility" means any area of land or water which is used or intended for use for the landing or takeoff of helicopters; and any appurtenant areas which are used, or intended for use for helicopter related activities or rights-of-way.

"Office" means the office of Environmental Quality Control.

"Person" includes any individual, partnership, firm, association, trust, estate, private corporation, or other legal entity other than an agency.

"Power-Generating Facility" means:

(1) A new, fossil-fueled, electricity-generating facility, where the electrical output rating of the new equipment exceeds 5.0 megawatts; or
(2) An expansion in generating capacity of an existing, fossil-fueled, electricity-generating facility, where the incremental electrical output rating of the new equipment exceeds 5.0 megawatts.

"Significant Effect" means the sum of effects on the quality of the environment, including actions that irrevocably commit a natural resource, curtail the range of beneficial uses of the environment, are contrary to the State's environmental policies or long-term environmental goals as established by law, or adversely affect the economic welfare, social welfare, or cultural practices of the community and State.

"Wastewater Treatment Unit" means any plant or facility used in the treatment of wastewater. [L 1947, c 246, pt of §1; am and ren L 179, c 197, §1 (2); am L 1983, c 140, §5; am L 1986, c186, §1; am L 1987, c187, §1 and c325, §2; am L 1996, c61, §1; am L 2000, c50, §2, am L 2004, c55, §2; am L 2005, c 130, §2]

Chapter 25 Definitions

For the purposes of this document, the following definitions are also applied unless the context clearly indicates or requires a different meaning. These definitions are intended to clarify but not replace or negate the definitions used in HRS Chapter 205A or HRS 343.

"Agency" means the Department of Planning and Permitting – City and County of Honolulu.

"Applicant" Includes any individual, organization, partnership, firm, association, trust, estate, limited liability company, or corporation, and any agency of the Federal, State, and County government.

"City and County" means the City and County of Honolulu.

"Council" means the city council of the City and County of Honolulu, which body shall act as the "authority" under HRS Chapter 205A.

"Crops" Agricultural produce or parts of plants or trees cultivated for commercial or personal use.

"Development" any of the uses, activities, or operations on land, or in or under water, that occur within the Special Management Area, are as follows:

(1) Development includes but is not limited to the following:

a. The placement or erection of any solid material, or any gaseous, liquid, solid or thermal waste;
b. Grading, removing, dredging, mining, or extraction of any materials;
c. Change in the density or intensity of use of land, including but not limited to the division or subdivision of land;
d. Change in the intensity of use, ecology, or access to water; and
e. Construction, reconstruction, or alteration of the size of any structure, including but not limited to the construction or reconstruction of a dwelling unit.

(2) Development does not include the following:

a. Construction or reconstruction a single-family residence that is less than 7,500 square feet of floor area and is not part of a larger development; provided that, for the purposes of this definition, "floor area" shall mean floor area as defined under Section 21-10.1;
b. Repair or maintenance of roads and highways within existing rights of-way;
c. Routine maintenance dredging of existing streams, channels, or drainageways.

d. The repair and maintenance of underground utility lines, including but not limited to water, sewer, power, or telephone lines, or minor appurtenant structures, such as pad mounted transformers and sewer pump stations.
e. Zoning variances, except for height, density, parking, or shoreline setback.
f. Repair, maintenance, or interior alterations to existing structures.
g. Demolition or removal of structures, except for structures located on any historic site as designated in National or State registers.
h. The use of any land for the purpose of cultivating, planting, growing and harvesting of plants, crops, trees and other agricultural, horticultural or forestry products, or animal husbandry, or aquaculture or mariculture of plants or animals, or other agricultural purposes subject to review by the authority in accordance with paragraph (3);
i. The transfer of title to land;
j. The creation or termination of easements, covenants, or other rights in structures or land;
k. Final subdivision approval;
l. The subdivision of land into lots greater than 20 acres in size;
m. The subdivision of land into lots greater than 20 acres in size; the subdivision of a parcel of land into four or fewer parcels when no associated construction activities are proposed; provided, that any such land which is so subdivided shall not thereafter qualify for this exception with respect to any subsequent subdivision or any of the resulting parcels;
n. Installation of underground utility lines and appurtenant aboveground fixtures less than four feet in height along existing corridors;
o. Structural and nonstructural improvements to existing single family residences including additional dwelling units, where otherwise permissible;
p. Nonstructural improvements to existing commercial structures;
q. Construction, installation, maintenance, repair, and replacement of civil defense warning or signal devices and sirens.

(3) **Cumulative Impact**. Whenever the authority finds that any use, activity, or operation excludes in paragraph (2) is or may become part of a larger project, the cumulative impact of which may have a significant environmental or ecological effect on the Special Management Area, that use, activity, operation shall be defined as “development” for the purpose of this chapter.

(4) **Significant Effect**. Whenever the authority finds that a use, activity, or operation excluded in paragraph (2) may have a significant environmental or ecological effect on the Special Management Area, Special Wetlands Areas, that use, activity, or operation shall be defined as "development" for the purposes of this chapter.

"Director" means the director of the Department of Planning and Permitting, City and County of Honolulu, or authorized subordinate.

"EIS" means an informational document prepared in compliance with the Environmental Quality Commission's rules and regulations implementing HRS Chapter 343.

"Emergency Permit" means Special Management Area emergency permit as defined in HRS Section 205A-22.

"Finding of No Significant Impact" means a determination based on an environmental assessment that the subject action will not have a significant effect and, therefore, will not require the preparation of an environmental impact statement.

"Historic Wetlands" are wetlands which have been in existence for 50 years or longer.

"Minor Permit" means Special Management Area minor permit as defined in HRS Section 205A-22.

"Natural Wetlands" are those wetlands not created by a human activity.

"Person" means any individual, organization, partnership, firm, association, trust, estate, public or private corporation, the state or any of its political subdivisions, or any other legal entity.

"Restoration" means a human activity that returns a wetland or former wetland from a disturbed or altered condition with lesser acreage or functions.

"Shoreline" means the upper reaches of the wash and waves, other than storm and tidal waves, at high tide during the season of the year in which the highest was of the waves occurs, usually evidenced by the edges of vegetation growth or the upper limit of debris left by the wash of the waves.

"Shoreline lot" means the shoreline lot as defined in ROH Chapter 23

"Shoreline Management Permit" shall also mean Special Management Area use permit.

“Shoreline Survey” means a survey map showing the shoreline as determined by the State Board of Land and Natural Resources in accordance with HRS Section 205A-42 and the rules adopted pursuant thereto.

“Special Management Area” means the land extending inland from the shoreline, as established in this chapter and delineated on the maps established by the council and filed with the council and agency pursuant to HRS Section 205A-23.

“Special Management Area Minor Permit” means an action by the agency authorizing development, the valuation of which is not in excess of $500,000.00 and which has no substantial adverse environmental or ecological effect, taking into account potential cumulative effects.

“Special Management Area Use Permit” means an action by the authority authorizing development, the valuation of which exceeds %500,000.00 or which may have a substantial adverse environmental or economic effect, taking into account potential cumulative effects.

“Special Wetland Area’ means that area that is both:

(1) Within the SMA; and
(2) In or within 300 feet of a natural or historic wetland.

“Structure” includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line and electrical power transmission tower and distribution line.

“Valuation” shall be determined by the agency and means the estimated cost to replace the structure in kind, based on current replacement costs, or in the cases of other development, as defined in this section, the fair market value of the development.

“Wetland” means an area possessing three essential characteristics:

(1) Hydrophytic vegetation;
(2) Hydric soils; and
(3) Wetland hydrology, as defined in the “Corps of Engineers Wetlands Delineation Manual” January 1987. Wetlands shall also include ponds and mudflats, which while possessing hydric soils and wetland hydrology, may not have the commonly required hydrophytic vegetation. For the purposes of this chapter, only natural or historic wetlands are included within the protected group of wetlands. (Sec. 33-1.3, R.O. 1978 (1987 Supp. To 1983 Ed.); Am. Ord. 93-74, 96-58, 00-11, 10-32, 11-28)

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1.0 Introduction

The Final Environmental Assessment (FEA) has been prepared on behalf of Donoso and Malaekahana LLC, by their representative Hawaii Engineering Group, Inc. (HEG) in support of an application for a Special Management Area (SMA) Major Permit. The Proposed Project is in Kahuku on the northeastern side of the island of Oʻahu. The project site is zoned for residential use within the R-5 Residential District. Ownership of the parcel is established through a Condominium Property Regime (CPR), with ownership interests based on acreage percentages ***(see Table I-1)***.

The Proposed Action consist of the development of a single parcel with the construction of seven (7) new single-unit dwellings (SUDs) and one (1) existing unit. The parcel contains eight (8) individual CPR units (Units 1-8) and is located within the R-5 Residential District. As such, the project is subject to the applicable development standards set forth in Chapter 21 of the Revised Ordinances of Honolulu (ROH).

All project components will be located outside the shoreline setback area; therefore, the Shoreline Setback Ordinance (Chapter 26, ROH) does not apply. However, because the property is located within the Special Management Area pursuant to Chapter 21, ROH, it is regulated as a shoreline lot under the definition of *"development"* in Chapter 205A, Hawaii Revised Statutes, as amended by Act 16 (2020). Regulatory authority for the project within the R-5 Residential District and the SMA rests with the City and County of Honolulu Department of Planning and Permitting (DPP).

This FEA has been prepared pursuant to the SMA Ordinance, Chapter 25, ROH, which requires the preparation of an Environmental Assessment (DEA/FEA) for an SMA Master Land Use Permit in accordance with the procedural requirements of the State Environmental Impact Statement (EIS) law, Chapter 343, HRS, and Hawaii Administrative Rules (HAR) Chapter 11
200.1. The project involves the construction of more than two single-unit dwellings on a single parcel and therefore qualifies as a "larger development" pursuant to Section 25.5.3(a) of ROH Chapter 25.

Several supporting technical studies were prepared in conjunction with the Environmental Assessment, including a Draft Survey and Engineered Plans, Botanical and Faunal Review, Historical and Cultural Review, Erosion and Sediment Control Plan, and a Phase I Environmental Site Assessment (ESA) for hazardous materials. The findings of these studies are summarized in this document.

These supporting documents were prepared in consideration of agency and stakeholders requested during the early consultation process conducted in 2021 and 2023. Consultation letters were distributed to the relevant agencies and stakeholders identified in Exhibit J

(Consultation) of this EA, and reflect the DPP pre-consultation guidance, as well as past actions, comments, and recommendations received.

The EA application package includes the Land Use Permit Division (LUPD) filing form, application cover letter, filing fees, and the required written statements, submitted in both digital and hard copy formats. All attachments referenced in this document are likewise provided in both formats, with digital materials submitted via flash drive.

1.1 Purpose

The primary purpose of the project is the construction of new SFDs for family residential use and to enhance infill development consistent with the surrounding neighborhood. The proposed structures are permitted under applicable Land Use Ordinances and are consistent with the R-5 Residential District zoning designation.

Construction of the SFDs will require the installation of support footings designed to mitigate potential impacts from hurricane conditions and sea level rise (SLR). Minimal grading is anticipated. No clearing will occur on the shoreline or within the shoreline setback area. Existing vegetation will remain undisturbed to the extent practicable and consist primarily of trees along the perimeter of the site and landscaped on grassed lawn areas. No shoreline vegetation will be affected.

Additional details regarding the proposed SFDs and associated stie improvements are provided in the project site plans and supporting materials included in Exhibit Q of this document.

1.2 GENERAL INFORMATION

The FEA evaluates the proposed development based on the amended definition of *“development”* under Chapter 205A, HRS, as revised by Act 16 (2020) and because the project meets the threshold for an SMA Major Permit involving multiple dwellings on a single parcel. The environmental review process consisted of both a Draft Environmental Assessment (DEA) and a Final Environmental Assessment (FEA). The DEA was circulated for agency and public review, including consultation with the Koʻolauloa Neighborhood Board, and resulted in a Finding of No Significance (FONSI). This FEA is being resubmitted to incorporate all agency comments, public input, and supporting documentation.

1.3 PROPERTY DESCRIPTION (LOCATION AND SETTING)

The proposed development site (TMK 5-6-001:033) encompasses approximately 1.47 acres of land situated in Kahuku (Malaekahana) on the northeastern side if the Island of Oʻahu, 56-155A Kamehameha Highway. Currently, this location is zoned residential. The parcel is divided into eight CPR Ownership of the parcel.

1.4 PROJECT BACKGROUND

The subject property is part of the Malaekahana Bay Condominium Property Regime (CPR) which establishes eight residential units within the overall project area. The CPR was initially established through the Amended and Restated Declaration of Condominium Property Regime for Malaekahana Bay dated May 16, 2016. The CPR created eight residential units, each representing a separate development area within the project site.

Following the establishment of the CPR, a Developer's Public Report (DPR) for Malaekahana Bay was issued on June 28, 2016, confirming the eight-unit CPR structure in the public record.

Subsequent amendments to the CPR documentation were recorded in 2017. These included the First Amendment and Second Amendment to the Amended and Restated Declaration, both dated May 10, 2017, which continued to reflect the eight-unit configuration. A Condominium Map dated May 9, 2017, also illustrates the layout and boundaries of the eight CPR units.

Exhibits illustrating the CPR master plan and associated documentation are provided in Exhibit E, including the declaration, amendments, public report, and condominium map that establish and depict the eight-unit CPR configuration.

Following establishment of the CPR, the Department of Planning and Permitting (DPP) approved Minor Special Management Area Permit No. 216/SMA-24 on April 17, 2017. The permit authorized the construction of six new single-family dwellings, each consisting of approximately 315 square feet, designed as modular residential units (e.g., container-style construction), with a total development valuation not to exceed $475,000 and depict the eight-unit CPR configuration.

The development authorized under the 2016 SMA permit was not constructed. The current project proposes a revised development plan that is being evaluated under a Major Special Management Area Permit, for which this Final Environmental Assessment (FEA) has been prepared.

1.5 PARTIES CONSULTED DURING EA PROCESS

1.5.1 Pre-Assessment Consultation

During preparation of the Draft Environmental Assessment (DEA), the Applicant conducted early consultation with agencies that may have regulatory jurisdiction, resource management responsibilities, or interest in the Proposed Action. Early consultation began on August 8, 2020. The purpose of this consultation was to identify potential environmental concerns, obtain preliminary agency input, and ensure that the environmental review addressed applicable regulatory requirements.

The agencies listed in Exhibit J were contacted during preparation of the Draft EA or were identified as agencies with potential jurisdiction or interest in the project. These agencies were provided project information and may receive copies of the Draft Environmental Assessment as part of the formal review process conducted pursuant to Chapter 25, Revised Ordinances of Honolulu (ROH), and Hawaii Revised Statutes (HRS) Chapter 343 which was published in the OPSD website on August 8, 2023.

Agencies with an asterisk (*) submitted comments during the consultation or review process. Copies of agency comments and responses are included in Exhibit J.

City and County of Honolulu

- Department of Planning and Permitting
- Department of Facility Management
- Department of Community Services
- City and County of Honolulu Police Department
- County of Oahu – Fire Department
- Department of Environmental Services
- Department of Parks and Recreation

State of Hawaii Agencies

- State of Hawaii Department of Accounting and General Services
- Department of Land and Natural Resources – Historic Preservation Division
- Department of Health

Federal Agencies

- United States Department of Interior Fish and Wildlife*

Community Organizations

- Koʻolauloa Neighborhood Board

2.0 PROPOSED ACTION DESCRIPTION

The proposed project is located on Tax Map Key (TMK) 5-6-001:033, a single 1.47-acre parcel at 56-155A Kamehameha Highway, Kahuku (Malaekahana) Oʻahu. The property is within the Koʻolauloa Residential District and zoned R-5 Residential District. The parcel currently consists of eight CPR units and associated limited common elements.

The Proposed Action involves construction of seven new single-unit dwellings on CPR Units 2 through 9, while the existing dwellings on CPR Unit 1 will remain unchanged. Proposed improvements include the residential buildings themselves, lanais, off-street parking areas, driveways, landscaping, fences and retaining walls, utility connections, and individual wastewater systems. The proposed improvements have been planned to remain outside of the shoreline setback area and are designed to comply with applicable shoreline protection requirements of the Revised Ordinances of Honolulu. Access will continue via the existing shared driveway from Kamehameha Highway, with internal circulation maintained through existing walkways and designated paths serving the CPR units.

Figure I-1. Existing Site Plan (TMK 5-6-001:033)
Illustrates the current CPR layout and existing structures.

Figure I-2. Proposed Conceptual Master Site Plan
Shows location of all proposed dwellings, common elements, driveways, and landscaping improvements.

2.1 PROPOSED RESIDENTIAL DEVELOPMENT

The new single-unit dwellings vary in size and configuration depending on the CPR unit. All units are vacant with exception of unit 1. Approximate dwelling sizes range from 430 square feet to 3,877 square feet, with bedroom counts ranging from one to five bedrooms, as summarized in Table 2-1. Structures are one or two-story single-unit dwellings, each providing one or two parking spaces either as open parking, a carport, or a garage, depending on the unit design. Covered or uncovered lanais are included where appropriate to the dwelling layout. Fencing may be installed where necessary to provide site definition and security. No retaining walls are proposed as part of the development, and no fencing proposed within the shoreline setback area. Existing perimeter landscaping, including mature trees and coastal vegetation, will be retained to the greatest extent practicable, and additional drought-and salt-tolerant plantings will be installed as appropriate. Irrigation, if provided, will be designed to avoid directing water toward the shoreline.

Unit 1

No Modification

PROPOSED TWO STORY DWELLING

UNIT 2

FOR DONOSO FAMILY
56-155 A KAMEHAMEHA HIGHWAY -LOT 2, KAHUKU, HAWAII 96731
TMK: 5-6-001:033:0002

GENERAL NOTES

1. CONTRACTOR SHALL VERIFY APPROVED JOBSITE CONTRACT DOCUMENTS, EXISTING GRADES, LUO ENVELOPE CONFORMANCES AND SITE DIMENSIONS PRIOR TO COMMENCING WORK. CONTRACTOR TO NOTIFY ARCHITECT OF CONFLICTS PRIOR TO COMMENCING WORK. DEVIATIONS OR ENCROACHMENTS SHALL BE CORRECTED AND RESUBMITTED TO THE ARCHITECT & THE CITY & COUNTY (C&C) OF HONOLULU DEPARTMENT OF PLANNING & PERMITTING (DPP). CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTIONS & REPAIRS REQUIRED DUE TO HIS/HER FAILURE TO DO SO.
2. DO NOT SCALE DRAWINGS.
3. BUILDING SHALL COMPLY WITH CODES, RULES & REGULATIONS OF THE CITY & COUNTY OF HONOLULU & THE STATE OF HAWAII.
4. CONTRACTOR SHALL VERIFY THE SITE & INFORMATION INCLUDING DISTANCE, LOT DIMENSION AND EXACT PROPERTY LINES TO ACCURATELY LOCATE THE PROPOSED PROJECT WITHIN THE MINIMUM REQUIRED SETBACK AREA.
5. CONTRACTOR SHALL PROTECT ADJOINING LAND, BUILDING & OTHER IMPROVEMENTS SITUATED THEREON. DAMAGE OCCURRED SHALL BE REPAIRED AT NO COST TO THE OWNER, THE ARCHITECT OR THE ENGINEER.
6. ANY CONDITIONS, MATERIALS, DEVICES OR DETAILS NOT SPECIFICALLY SHOWN ON THE DRAWINGS OR SPECIFIED SHALL BE CLARIFIED WITH THE ARCHITECT OR ENGINEER BEFORE BIDDING, CONSTRUCTION, INSTALLATION AND COMPLETION.
7. ARCHITECT AND/OR ENGINEER ARE NOT RESPONSIBLE FOR THE CONTRACTOR METHODS, PROCEDURES OR CONDITIONS ON JOBSITE THAT MAY DEVELOP.
8. THE DRAWINGS INTEND TO SHOW FINISHED CONCEPT ONLY. CHANGES TO THE DRAWINGS MAY BE REQUIRED DUE TO UNFORESEEN CONDITIONS.
9. ANY STRUCTURAL CHANGES BY THE CONTRACTOR SHALL BE APPROVED BY THE ARCHITECT OR ENGINEER.
10. GROUND TO BE CHEMICALLY TREATED FOR TERMITES PER SECTION R318 OF THE CURRENT INTERNATIONAL RESIDENTIAL CODE (IRC).
11. CONTRACTOR TO PROVIDE ADEQUATE BRACING & SHORING FOR ALL STRUCTURAL MEMBERS DURING ALL PHASES OF CONSTRUCTION.
12. CONTRACTOR TO PROVIDE ALL NECESSARY FLASHING, CAULKING & WATERPROOFING, ETC. TO ENSURE A WEATHER TIGHT FINISH AS PER STANDARD PRACTICE.
13. CONFLICTS, SUBSTITUTIONS OR QUESTIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.
14. PAINT NEW INTERIOR & EXTERIOR SURFACES (COLOR TO BE SELECTED BY OWNER) UNLESS OTHERWISE AGREED UPON BETWEEN OWNER & CONTRACTOR. IF SURFACES ARE TYPICALLY PAINTED SUCH AS STAINLESS STEEL OR LEAD REFER TO DRAWINGS.
15. SMOKE DETECTORS PER SECTION R314/SMOKE ALARMS:
    THE ALARM DEVICES SHALL BE INTERCONNECTED IN A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. THE ALARM SHALL BE CLEARLY AUDIBLE IN ALL BEDROOMS OVER BACKGROUND NOISE W/ INTERVENING DOORS CLOSED.
    EXCEPTIONS:
    SMOKE ALARMS IN EXISTING AREAS NOT REQUIRED TO BE INTERCONNECTED OR HARDWIRED WHERE THE ALTERATIONS OR REPAIRS DON'T RESULT IN INTERIOR WALL OR CEILING REMOVAL.
16. CARBON MONOXIDE ALARMS PER CURRENT IRC SECTION R315
17. MAXIMUM 1" DROP AT ALL EXIT DOORS.
18. SOLELY AS A CONVENIENCE TO THE OWNER AND CONTRACTOR, THE ARCHITECT MAY INCLUDE DOCUMENTS PREPARED BY CERTAIN CONSULTANTS (OR INCORPORATE RECOMMENDATIONS OF SAID CONSULTANTS INTO DOCUMENTS PREPARED BY CERTAIN CONSULTANTS OR INCORPORATE RECOMMENDATIONS OF SAID CONSULTANTS INTO DOCUMENTS PREPARED BY THE ARCHITECT WITHIN THE SET OF DOCUMENTS ISSUED BY THE ARCHITECT.) IT IS EXPRESSLY UNDERSTOOD THAT SUCH ISSUANCE ASSUMES NO LIABILITY FOR SERVICES OF SAID CONSULTANTS.
19. WHEN SCOPE OF WORK EXCEEDS THESE DOCUMENTS, CONTRACTOR SHALL SUBMIT PLANS TO THE THE DEPARTMENT OF PLANNING & PERMITTING FOR APPROVAL PRIOR TO STARTING WORK IF ADDITIONAL WORK AFFECTS APPROVED PERMIT.
20. CONTRACTOR SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOBSITE & COMPLY WITH SAFETY REGULATIONS AND RESTRICTIONS AS REQUIRED FOR WORKERS AND PEDESTRIAN PROTECTION DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT. PROVIDE PROTECTION AS REQUIRED TO PREVENT ANY DAMAGE TO EXISTING CONSTRUCTION WITHIN AND ADJACENT TO JOB SITE. WHERE DAMAGE OCCURS, THE CONTRACTOR SHALL REPAIR OR REPLACE DAMAGED AREA AND/OR MATERIAL AS REQUIRED TO THE OWNER'S APPROVAL AT NO ADDITIONAL COST. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORK HOURS.
21. PROVIDE ALL LABOR, MATERIALS, EQUIPMENT, TOOLS, TRANSPORTATION, UTILITIES, OTHER SERVICES AND RELATED NECESSARY FOR PROPER EXECUTION OF THE CONSTRUCTION REQUIRED BY CONTRACT DOCUMENTS.
22. ANY REVISION OR ADDITIONAL WORK REQUIRED BY FIELD CONDITIONS OR LOCAL GOVERNING AUTHORITIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT BEFORE PROCEEDING.
23. WHERE DETAILS ARE NOT SHOWN, CAREFULLY STUDY EXISTING CONDITIONS BEFORE REMOVAL OF WORK TO PROVIDE REPAIRS TO MATCH EXISTING.
24. TONE AREA FOR UNDERGROUND UTILITIES PRIOR TO EXCAVATION.
25. ALL WORK DAMAGED IN PERFORMANCE OF NEW WORK SHALL BE REPAIRED. PATCH ALL DAMAGE TO EXISTING SURFACES RESULTING FROM THIS WORK. FINISH TO MATCH EXISTING ADJACENT SURFACE.
26. ALL HANDRAILS TO BE 34" - 38" IN HEIGHT AND INSTALLED PER THE CURRENT INTERNATIONAL RESIDENTIAL CODE (IRC).
27. EXHAUST FANS IN BATHROOMS SHALL PROVIDE A MINIMUM OF 5 AIR CHANGES IN 1 HOUR.
28. LOCATE WC TANKS 1" FROM GYP BD WALLS.

BUILDING ENERGY

PERMIT CONDITION CLAUSE:
ALL NEW CONSTRUCTION SHALL COMPLY WITH THE CITY & COUNTY OF HONOLULU ORDINANCE 20-10

A. R404.2 SOLAR CONDUIT & ELEC PANEL READINESS
RESIDENTIAL BUILDINGS SHALL INCLUDE THE FOLLOWING:
LOCATION FOR THE INVERTERS, METERING EQUIPMENT, ENERGY STORAGE EQUIPMENT & ASSOCIATED EQUIPMENT
PATHWAY FOR ROUTING CONDUIT FROM THE SOLAR PANEL LOCATION TO THE POINT OF INTERCONNECTION W/ ELECTRICAL SERVICE
THE ELECTRICAL PANEL FOR THE NEW SFD MUST BE ADEQUATELY SIZED TO ACCOMMODATE NOT LESS THAN A 5 KW (AC) PHOTOVOLTAIC SYSTEM
INSTALL 1.5"Ø CONDUIT TO PROVIDE PATHWAY FROM ELECTRICAL PANEL TO INVERTER LOCATION FOR FUTURE SOLAR EQUIPMENT
INSTALL 1.5"Ø CONDUIT TO PROVIDE PATHWAY FROM FUTURE INVERTER LOCATION TO UNDERSIDE OF THE ROOF SUFFICIENT TO ALLOW FUTURE INSTALLATION OF SOLAR EQUIPMENT
B. R404.3 ELECTRICAL VEHICLE READINESS
IN EACH ENCLOSED GARAGE, A DEDICATED RECEPTACLE TO SUPPORT A MINIMUM LEVEL 2 ELECTRICAL VEHICLE CHARGER (208/240 VAC, SINGLE PHASE, 16A MIN CONTINUOUS)

CITY & COUNTY OF HONOLULU
ORDINANCE 23-25 CHAPTER 16B

TO THE BEST OF MY KNOWLEDGE, THIS PROJECT'S DESIGN SUBSTANTIALLY CONFORMS TO THE BUILDING ENERGY CONSERVATION CODE FOR:

_X_ BUILDING COMPONENT SYSTEMS
_____ ELECTRICAL COMPONENT SYSTEMS
_____ MECHANICAL COMPONENT SYSTEMS

SIGNATURE:_____ DATE: 12/20/2020
NAME: MICHELE L DAMICO
TITLE: ARCHITECT
LICENCE NO: AR-8785

WINDBLOWN DEBRIS

WIND BORNE DEBRIS- PROTECTION OF OPENINGS

R301.2.1.2 PROTECTION OF WINDOW OPENINGS IN BUILDINGS LOCATED IN WINDBORNE DEBRIS REGIONS MUST HAVE GLAZED OPENINGS PROTECTED FROM WINDBORNE DEBRIS. GLAZED OPENING PROTECTION FOR WINDBORNE DEBRIS SHALL MEET THE REQUIREMENTS OF THE LARGE MISSILE TEST OF ASTM E 1996 AND OF ASTM E 1886 REFERENCED THEREIN.

EXCEPTION:
1. WOOD STRUCTURAL PANELS WITH A MINIMUM THICKNESS OF 7/16 INCH (11.1 MM) AND A MAXIMUM SPAN OF 8 FEET (2438 MM) SHALL BE PERMITTED FOR OPENING PROTECTION IN ONE AND TWO STORY BUILDINGS CLASSIFIED AS GROUP R3 OR R4 OCCUPANCY. PANELS SHALL BE PRECUT SO THAT THEY ARE ATTACHED TO THE FRAMING SURROUNDING THE OPENING CONTAINING THE PRODUCT WITH THE GLAZED OPENING. PANELS MUST BE PRE-DRILLED AS REQUIRED FOR THE ANCHORAGE METHOD AND WILL BE SECURED WITH THE ATTACHMENT HARDWARE PROVIDED AND ANCHORS PERMANENTLY INSTALLED ON THE BUILDING. ATTACHMENT IN ACCORDANCE WITH TABLE R301.2.1.2 WITH CORROSION-RESISTANT ATTACHMENT HARDWARE PROVIDED AND ANCHORS PERMANENTLY INSTALLED ON THE BUILDING IS PERMITTED FOR BUILDINGS WITH A MEAN ROOF HEIGHT OF 45 FEET (10,058 MM) OR LESS, WHERE EFFECTIVE ULTIMATE DESIGN WIND SPEEDS Veff-ult DO NOT EXCEED 180 MPH (78M/S).

2. GLAZING IN ACCESSORY STRUCTURES TO THE SINGLE FAMILY DWELLINGS INCLUDING BUT NOT LIMITED TO GREENHOUSES AND MINOR STORAGE SHEDS.

3. PARTIALLY ENCLOSED OCCUPANCY R-3 BUILDINGS ARE PERMITTED TO BE DESIGNED WITHOUT WIND-BORNE DEBRIS PROTECTION. PARTIALLY ENCLOSED AND OPEN OCCUPANCY R3 BUILDINGS MUST ALSO INCLUDE A RESIDENTIAL SAFE ROOM IN ACCORDANCE WITH ROH CHAPTER 16, ARTICLE 13

DRAWING INDEX

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A001	ENLARGED PLOT PLAN & OVERALL PLOT PLAN
A002	LOWER FLOOR PLAN
A003	UPPER FLOOR PLAN
A004	FRONT AND RIGHT ELEVATIONS
A005	REAR AND LEFT ELEVATIONS
A006	CROSS SECTION, LONGITUDINAL SECTION, TYP. GUARDRAIL & EXTERIOR STAIR DETAIL
A007	DOOR / WINDOW TYPES, SCHEDULE AND INTERIOR ELEVATIONS
A008	DOORS AND WINDOW DETAILS
E001	LOWER FLOOR ELECTRICAL PLAN
E002	UPPER FLOOR ELECTRICAL PLAN
S001	STRUCTURAL NOTES
S002	FOUNDATION AND UPPER FLOOR FRAMING PLAN
S003	ROOF PLAN, ROOF FRAMING PLAN AND STRUCTURAL SECTION DETAILS
S004	STRUCTURAL SECTION DETAILS

SCOPE OF WORK

NEW TWO STORY DWELLING

PROJECT DATA

TMK	5-6-001:033:0002
ZONING:	R-5
LOT AREA:	6181 SF
MAX. BLDG HT PER LUO:	25'-0" UNLESS SLOPING
FRONT YARD SETBACK:	10'-0"
SIDE & REAR YARD SETBACK:	5'-0"
CONSTRUCTION TYPE:	WOOD CONSTRUCTION
OCCUPANCY:	R-5, SINGLE DWELLING
FLOOD ZONE	X

CODES & REGULATIONS:

2018 INTERNATIONAL RESIDENTIAL CODE (IRC) W/ AMENDMENTS
HAWAII REVISED STATUTES
LAND USE ORDINANCES (LUO) W/ REVISED ORDINANCES

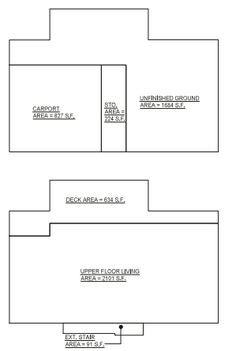
LOT COVERAGE CALCULATIONS:

STORAGE AREA	224,00 SF
CARPORT AREA	827,00 SF
UNFINISHED GROUND AREA	1.684,00 SF
UPPER FLOOR LIVING AREA	2.101,00 SF
DECK AREA	634,00 SF
EXT. STAIR AREA	91,00 SF
TOTAL LIVING AREA	3.877,00 SF

Excluding Unfinished Ground Area)

TOTAL BUILDING AREA: 2826,00 SF
Upper Floor + Deck + Ext. Stair/Landing area above 30" finish/existing grade)

AREA TABULATION



LUO DATA TABLE

ZONING DISTRICT:	R-5	LOT AREA:	6181 SF
MAXIMUM BUILDING AREA ALLOWED:			3091 SF
PROPOSED BLDG. AREA = 2826 SF (45%)			< 3091 SF (50%)
FAR CALCULATION: (.70 X LOT AREA)			4236,70 SF
MAXIMUM FLOOR AREA ALLOWED:			4326,70 SF
PROPOSED FLOOR AREA = 3877 SF (62,70%)			< 4326,70 SF (70%)

TOTAL BUILDING AREA: 2826 SF

PARKING STALLS:	REQUIRED	PROVIDED
	2	2

BWS NOTES

NEW PLUMBING FIXTURES SHALL MEET THE BOARD OF WATER SUPPLY'S LOW FLOW REQUIREMENTS.

THIS WATER METER DOES NOT HAVE AFS OR AN IRRIGATION SYSTEM.

LICENSE NOTES

GENERAL CONTRACTOR TO HOLD SPECIALTY LICENSE FOR WORK PERFORMED OR HIRE LICENSED SPECIALTY CONTRACTOR TO PERFORM THE WORK.

PLUMBING & ELECTRICAL WORK SHALL BE PERFORMED BY A STATE LICENSED PLUMBER & ELECTRICIAN.

SOLAR NOTES

NEW 200 AMP SERVICE - MM2020-0040
1) 4 X 10 SOLAR PANEL
80 GALLON SOLAR TANK

SPECIAL INSPECTION NOTES

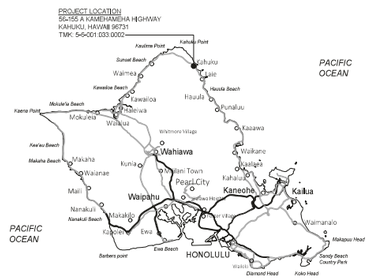
1. SPECIAL INSPECTION PROVISIONS OF CURRENT INTERNATIONAL RESIDENTIAL CODE (AS AMENDED BY THE CITY & COUNTY OF HONOLULU) GOVERN PORTIONS OF STRUCTURAL WORK AS DESCRIBED IN THE CONSTRUCTION DOCUMENTS. SPECIAL INSPECTOR SHALL BE HIRED BY THE OWNER.
2. IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR OR OWNER TO NOTIFY THE SPECIAL INSPECTOR OF ALL ITEMS REQUIRING SPECIAL INSPECTION A MINIMUM OF 48 HOURS IN ADVANCE.
3. SPECIAL INSPECTIONS DO NOT RELIEVE THE GENERAL CONTRACTOR OF HIS RESPONSIBILITIES TO COMPLETE THE PROJECT IN ACCORDANCE WITH THE CONSTRUCTION DRAWINGS & TO BE RESPONSIBLE FOR SAFETY ON THE JOBSITE.
4. SPECIAL INSPECTOR SHALL SUBMIT A FINAL REPORT TO THE CITY & COUNTY OF HONOLULU DEPARTMENT OF PLANNING & PERMITTING OR OWNER STATING WHETHER THE WORK REQUIRING SPECIAL INSPECTION WAS, TO THE BEST OF HIS/HER KNOWLEDGE, IN CONFORMANCE WITH THE CONSTRUCTION DOCUMENTS & APPLICABLE WORKMANSHIP OF THE BUILDING CODE.
5. OWNER OR GENERAL CONTRACTOR SHALL NOTIFY THE SPECIAL INSPECTOR OR ENGINEER 2 DAYS (48 HOURS) PRIOR TO POURING CONCRETE & CLOSING WALLS FOR IF WALLS ARE CLOSED IN BEFORE AN INSPECTION IS MADE, YOU MAY BE ASKED BY THE BUILDING INSPECTOR OR THE ENGINEER TO RE-OPEN THE WALLS AT YOUR EXPENSE.

- ☐ 1. CONCRETE
- ☐ 2. BOLTS INSTALLED IN CONCRETE
- ☐ 3. SPECIAL MOMENT RESISTING CONCRETE FRAME
- ☐ 4. REINFORCING STEEL & PRESTRESSING STEEL TENDONS
- ☐ 5. STRUCTURAL WELDING
- ☐ 6. HIGH STRENGTH BOLTING
- ■ 7. STRUCTURAL MASONRY
- ☐ 8. REINFORCING GYPSUM CONCRETE
- ☐ 9. INSULATING CONCRETE FILL
- ☐ 10. SPRAY APPLIED FIREPROOFING
- ☐ 11. PILING, DRILLED PIERS & CAISSONS
- ☐ 12. SHOTCRETE
- ☐ 13. SPECIAL GRADING, EXCAVATION & FILLING
- ☐ 14. FIRE PROTECTION SYSTEM
- ☐ 15. SPECIAL CASES (SPECIFY)_____
- ■ 16. SHEATHED SHEAR WALLS & DIAPHRAGMS
- ■ 17. COMPLETE LOAD PATH & UPLIFT TIES
- ■ 18. TERMITE PROTECTION

ACKNOWLEDGEMENT OF SPECIAL INSPECTIONS:
Per CURRENT INTERNATIONAL BUILDING CODE (IBC) SEC 1704.2.2 and CURRENT INTERNATIONAL RESIDENTIAL CODE (IRC) SECTION R109.6 ACCESS FOR SPECIAL INSPECTIONS:

THE CONSTRUCTION OR WORK FOR WHICH SPECIAL INSPECTION IS REQUIRED SHALL REMAIN ACCESSIBLE AND EXPOSED FOR SPECIAL INSPECTION PURPOSES UNTIL COMPLETION OF THE REQUIRED SPECIAL INSPECTIONS

VICINITY MAP



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EXP. DATE 4/30/2026

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Revisions:
1
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PROPOSED TWO STORY DWELLING
56-155 A KAMEHAMEHA HIGHWAY-LOT 2, KAHUKU HAWAII 96731
TMK: 5-6-001:033:0002

TITLE SHEET

Job No:
Drawn by: 3DAS
Date: 03202021
Drawing No:
001
1 of 17 Sheets

Bid Set Date
Bldg. Permit Date
Production Date
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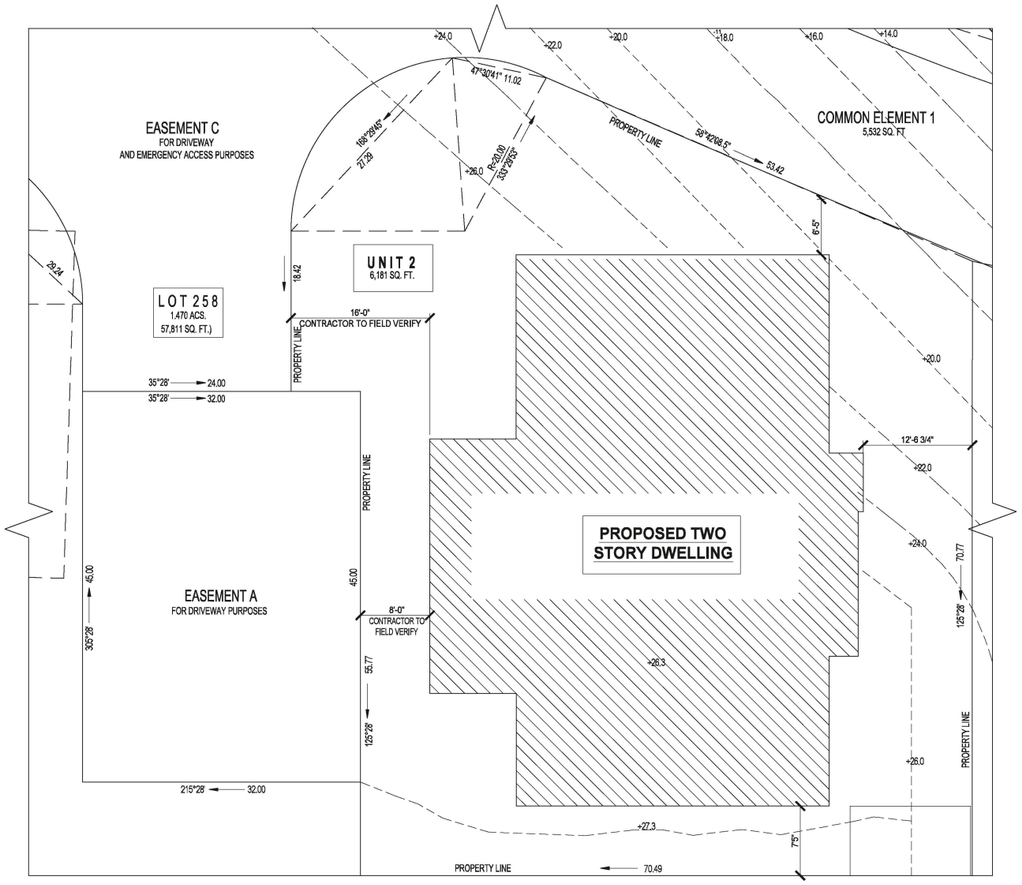
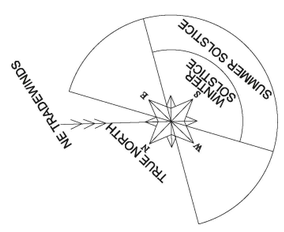
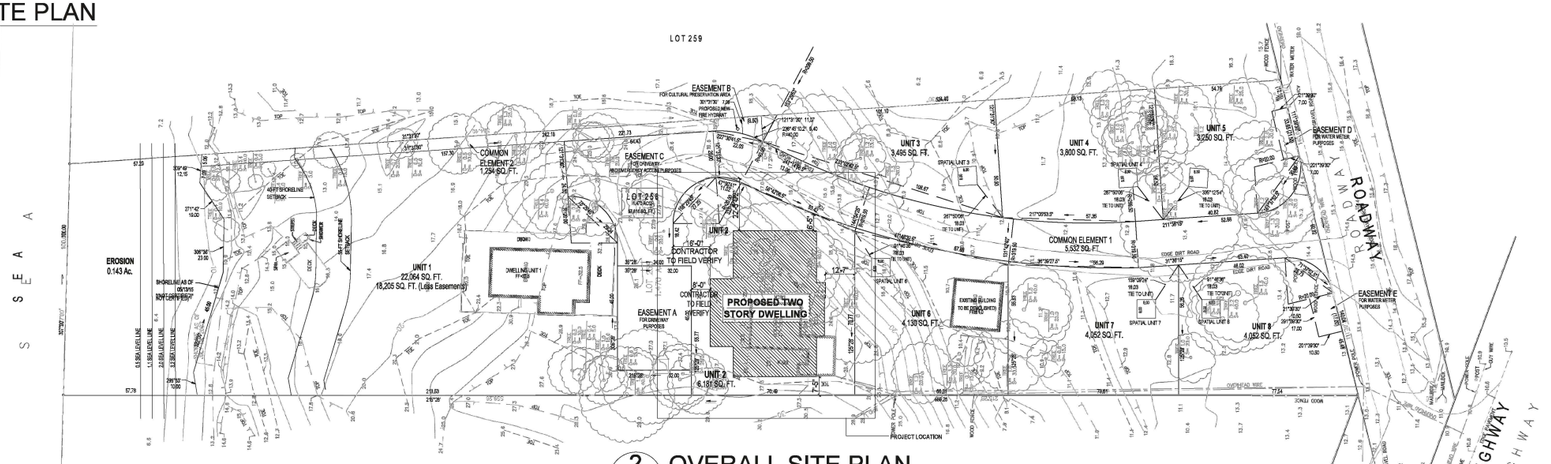
UNIT 2

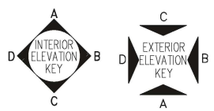


1 A-001 ENLARGED SITE PLAN
1/8"=1'-0"





2 A-001 OVERALL SITE PLAN
1"=30'-0"



10' 8' 6' 4' 2' 0 5' 10' 20'
GRAPHIC SCALE 1/8" = 1'-0"

0' 15' 30' 60' 90' 120'
GRAPHIC SCALE 1" = 30'-0"

Bid Set Date
Bldg. Permit Date
Production Date
Design Date

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PROPOSED TWO STORY DWELLING
56-155 A KAMEHAMEHA HIGHWAY-LOT 2, KAHUKU HAWAII 96731
TMK: 5-5-001:033:0002

ENLARGED SITE PLAN & OVERALL SITE PLAN

Job No:
Drawn by: 3DAS
Date: 03202021
Drawing No:
A-001
4 of 17 Sheets

UNIT 2

LEGEND:

INTERIOR WALL - 2X4 WOOD FRAMING @ 16" ON CENTER W/ 1/2" THK. GYPSUM BOARD ON EACH SIDE

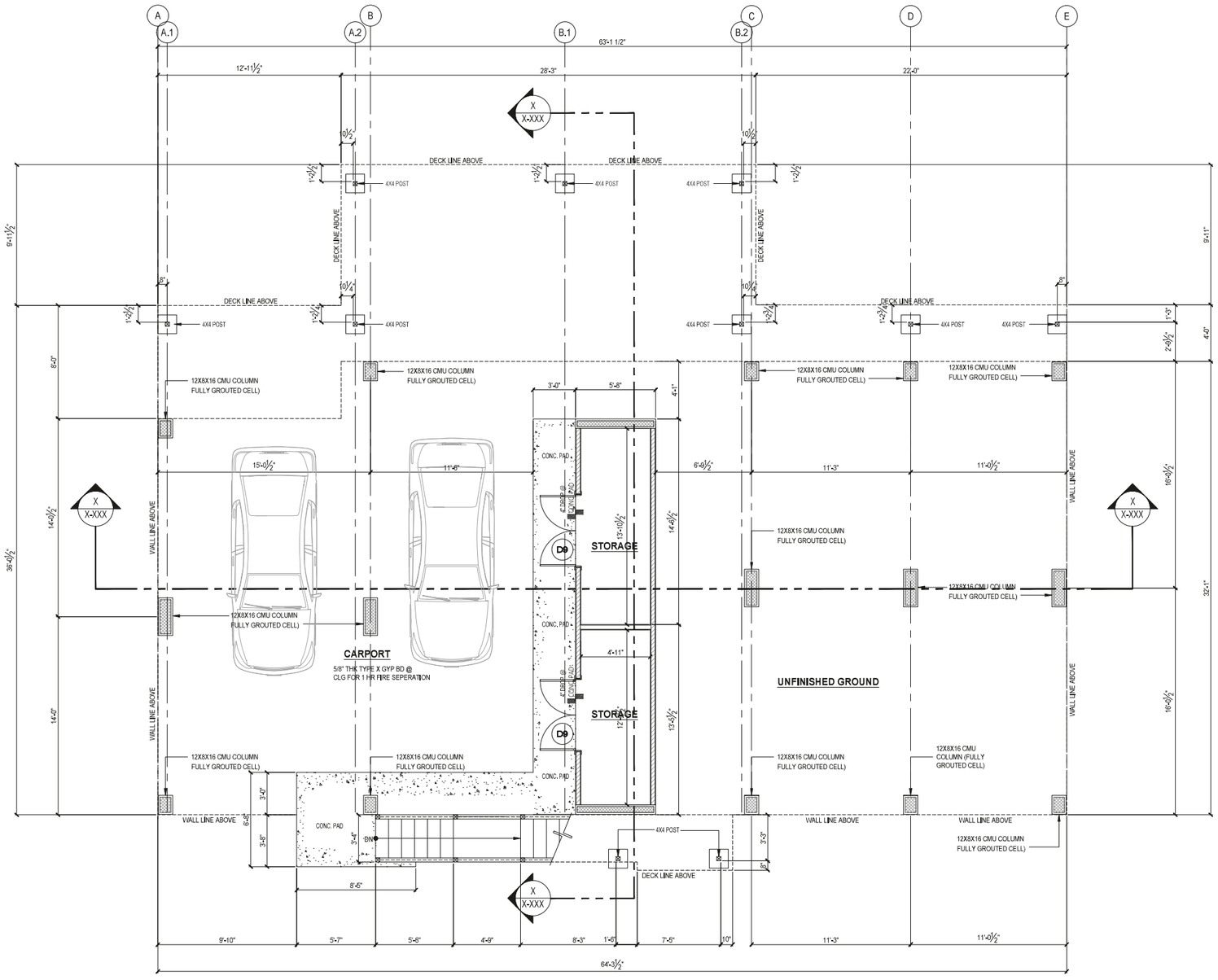
EXTERIOR WALL - 2X4 WOOD FRAMING @ 16" ON CENTER W/ 5/8" THK. LP SIDING TO MATCH EXTERIOR FINISH ON TYVEK WRAP MOISTURE BARRIER OVER 1/2" THK. GYP. BOARD WITH 10d NAILS ON 6" O.C AT EDGES AND 12" O.C @ FIELD

NOTE:
A. ALL PLUMBING WALLS TO BE 2X6 @ 16"
B. ALL WET AREAS TO HAVE MOLD & MOISTURE RESISTANT GYPSUM BOARD

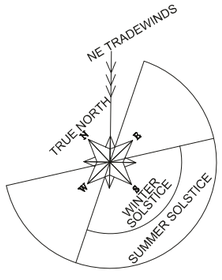
1 HR FIRE RATED OCCUPANCY SEPERATION - 2X4 FRAMING W/ 5/8 " THK TYPE X GYP BD EACH SIDE

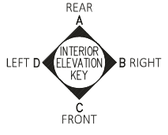
2X6 WD FRAMING @ 16" OC W/ 1/2" THK GYP BD EA SIDE

2X6 WD FRAMING @ 16" OC W/ 1/2" THK GYP BD EA SIDE & SOUND INSULATION



1 A-003 LOWER FLOOR PLAN
1/4"=1'-0"





KEY ELEVATION PLAN

5' 4' 3' 2' 1' 0 5' 10'
GRAPHIC SCALE
¼" = 1'-0"

Bid Set Date
Bldg. Permit Date
Production Date
Design Date

Drafting & Design
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PROPOSED TWO STORY DWELLING
56-155 A KAMEHAMEHA HIGHWAY-LOT 2, KAHUKU HAWAII 96731
TMK: 5-6-001:033:0002

LOWER FLOOR PLAN

Job No:
Drawn by: 3DAS
Date: 03202021
Drawing No:
A002

UNIT 2

LEGEND:

INTERIOR WALL - 2X4 WOOD FRAMING @ 16" ON CENTER W/ 1/2" THK. GYPSUM BOARD ON EACH SIDE

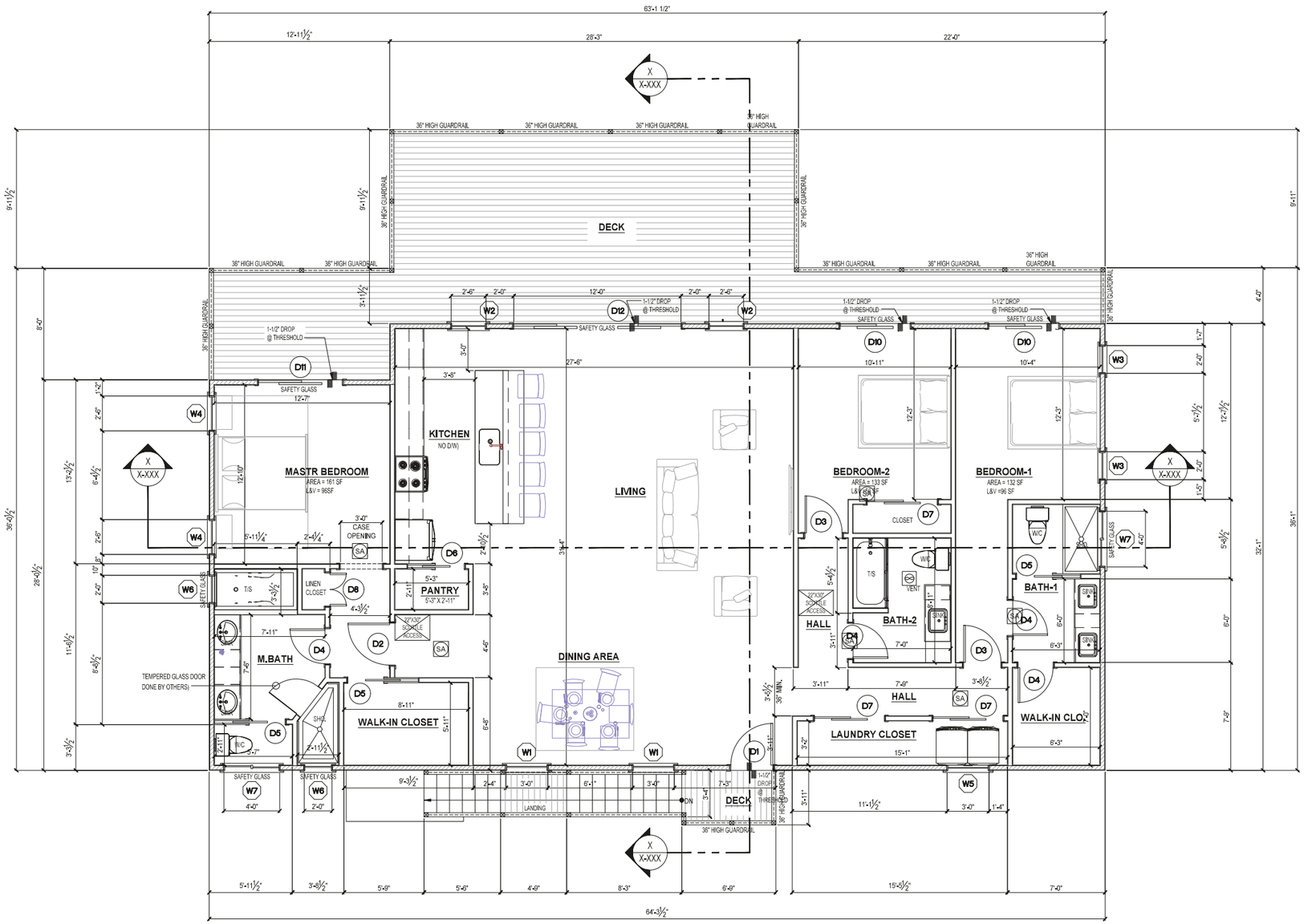
EXTERIOR WALL - 2X4 WOOD FRAMING @ 16" ON CENTER W/ 5/8" THK. LP SIDING TO MATCH EXTERIOR FINISH ON TYVEK WRAP MOISTURE BARRIER OVER 1/2" THK. GYP. BOARD WITH 10d NAILS ON 6" O.C AT EDGES AND 12" O.C @ FIELD

NOTE:
A. ALL PLUMBING WALLS TO BE 2X6 @ 16"
B. ALL WET AREAS TO HAVE MOLD & MOISTURE RESISTANT GYPSUM BOARD

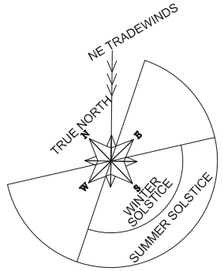
1 HR FIRE RATED OCCUPANCY SEPERATION - 2X4 FRAMING W/ 5/8 " THK TYPE X GYP BD EACH SIDE

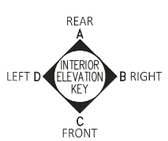
2X6 WD FRAMING @ 16" OC W/ 1/2" THK GYP BD EA SIDE

2X6 WD FRAMING @ 16" OC W/ 1/2" THK GYP BD EA SIDE & SOUND INSULATION



1 A-003 UPPER FLOOR PLAN
1/4"=1'-0"





KEY ELEVATION PLAN

5' 4' 3' 2' 1' 0 5' 10'
GRAPHIC SCALE
¼" = 1'-0"

Bid Set Date
Date
Bldg. Permit Date
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TMK: 5-6-001:033:0002

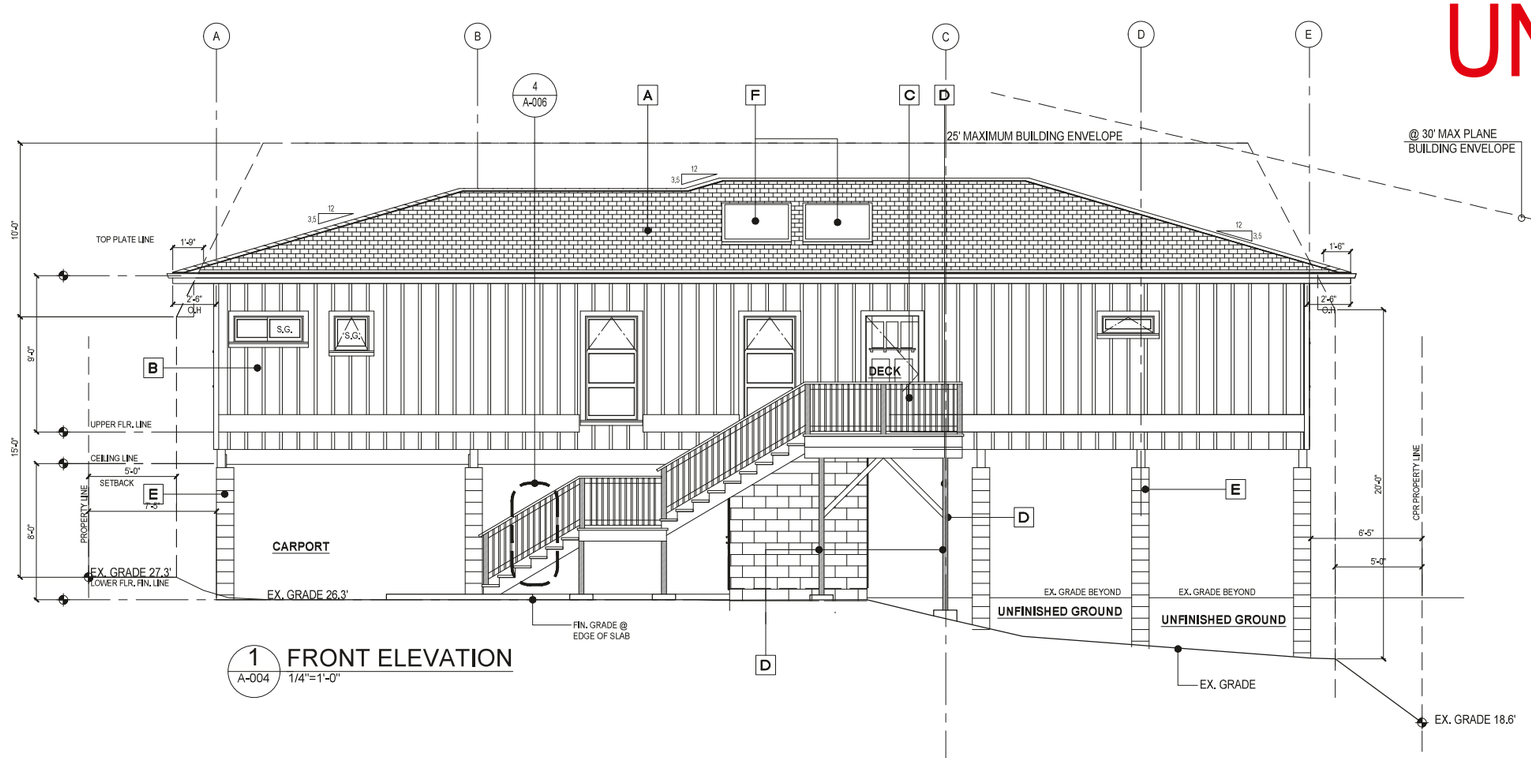
UPPER FLOOR PLAN

Job No:
Drawn by: 3DAS
Date: 03202021

Drawing No:
A-003

6 of 17 Sheets

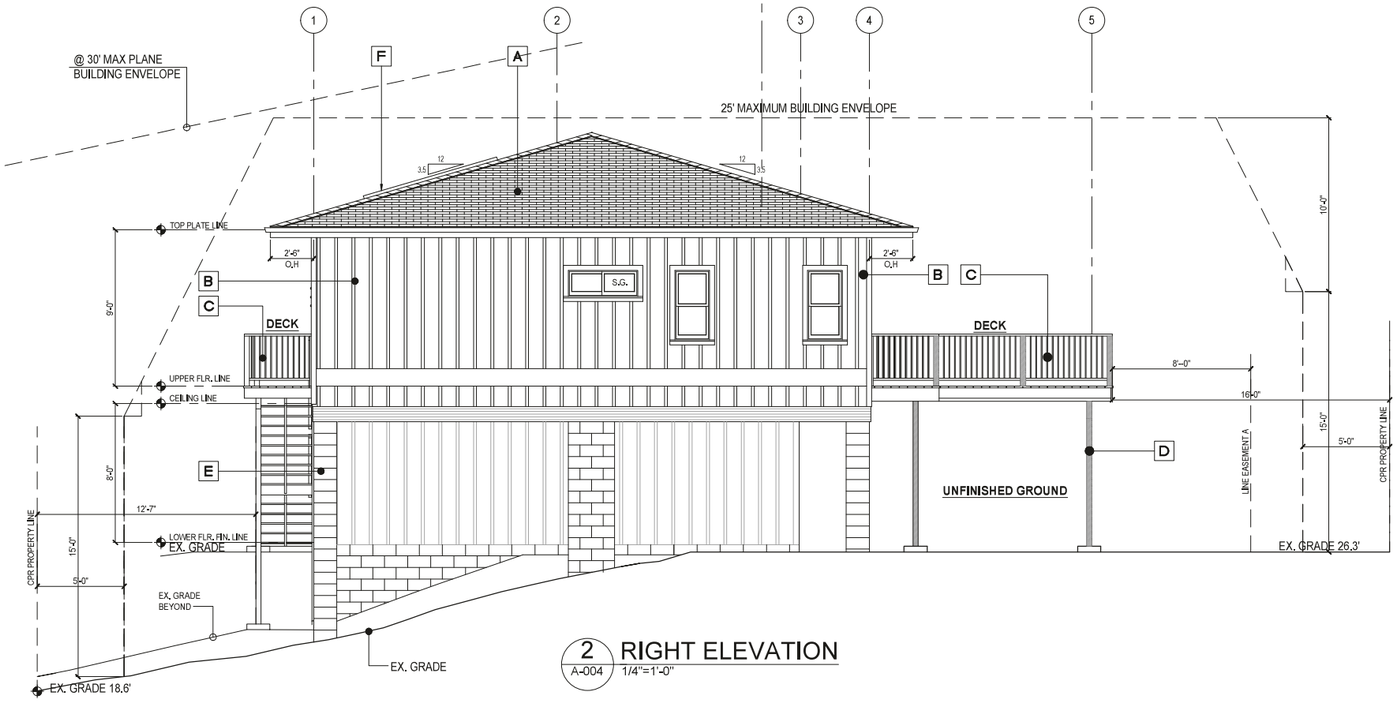
UNIT 2



1 A-004 **FRONT ELEVATION**
1/4"=1'-0"

KEY NOTES LEGEND:

- **A** ASPHALT SHINGLE WITH SELF SEALANT ADHESIVE ROOFING COMPOUND ON 2-15# FELT-UNDERLAYMENT OVER 5/8" THK TECHSHEILD RADIANT BARRIER SHEATHING.
- **B** 5/8" THK. LP SMART PANEL 8" OC BOARD & BATTEN) SIDING ON TYVEK WRAP MOISTURE BARRIER WITH 10d NAILS ON 6" O.C. AT EDGES AND 12" O.C @ FIELD.
- **C** 36" HIGH MIN. GUARDRAIL WITH 1X1 PICKETS WITH LESS THAN 4"Ø SPACING ON CENTER
- **D** 4X4 STRUCTURAL POST HI-BOR TREATED LUMBER)
- **E** CMU WALL / COLUMN FULLY GROUTED CELL)
- **F** 2 - 4'x8' FLUSH MOUNT SOLAR W/ 4" PANELS TO BE INSTALLED DUE SOUTH



2 A-004 **RIGHT ELEVATION**
1/4"=1'-0"

REAR A
LEFT D — INTERIOR ELEVATION KEY — B RIGHT
C FRONT

KEY ELEVATION PLAN

5' 4' 3' 2' 1' 0 5' 10'
GRAPHIC SCALE ¼" = 1'-0"

Bid Set Date
Date
Bldg. Permit Date
Production Date
Design Date

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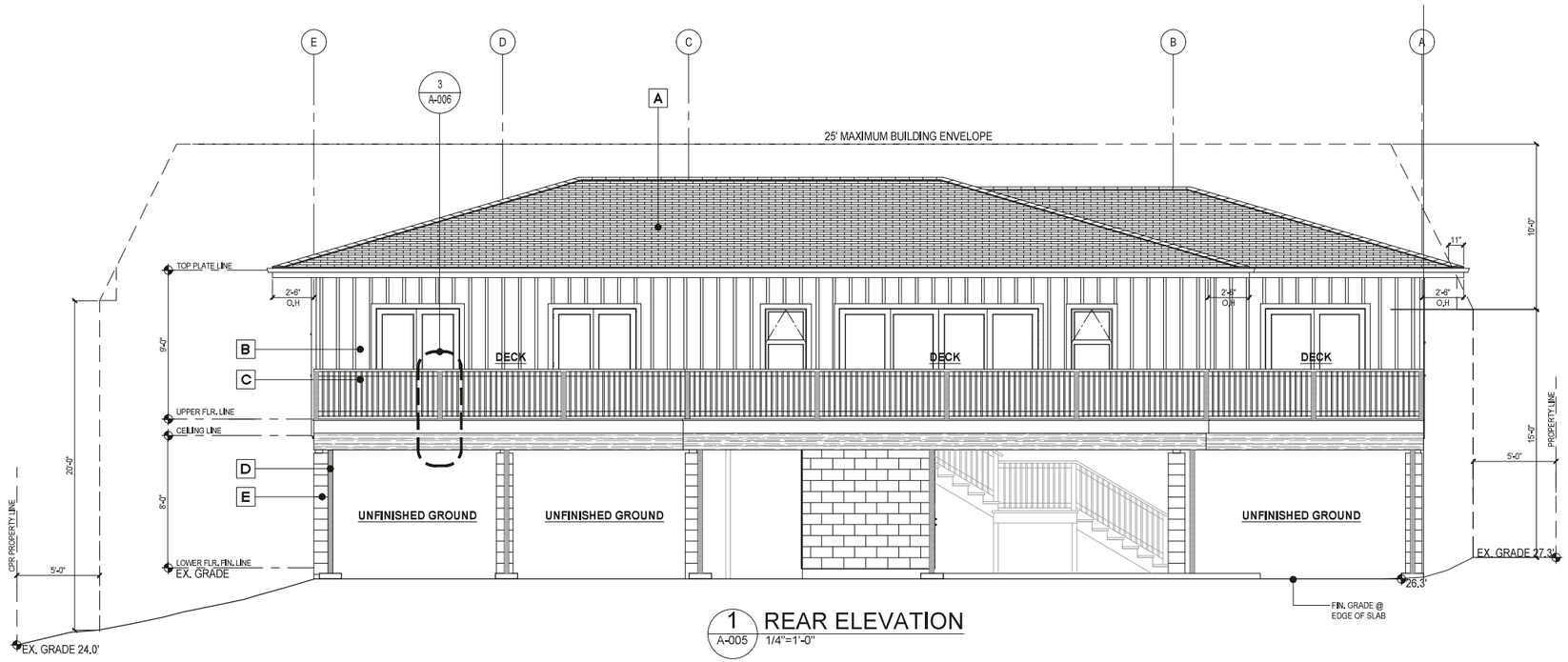
56-155 A KAMEHAMEHA HIGHWAY-LOT 2, KAHUKU HAWAII 96731
TMK: 5-6-001:033:0002

FRONT AND LEFT ELEVATIONS

Job No:
Drawn by: 3DAS
Date: 03202021
Drawing No:
A-004
7 of 17 Sheets

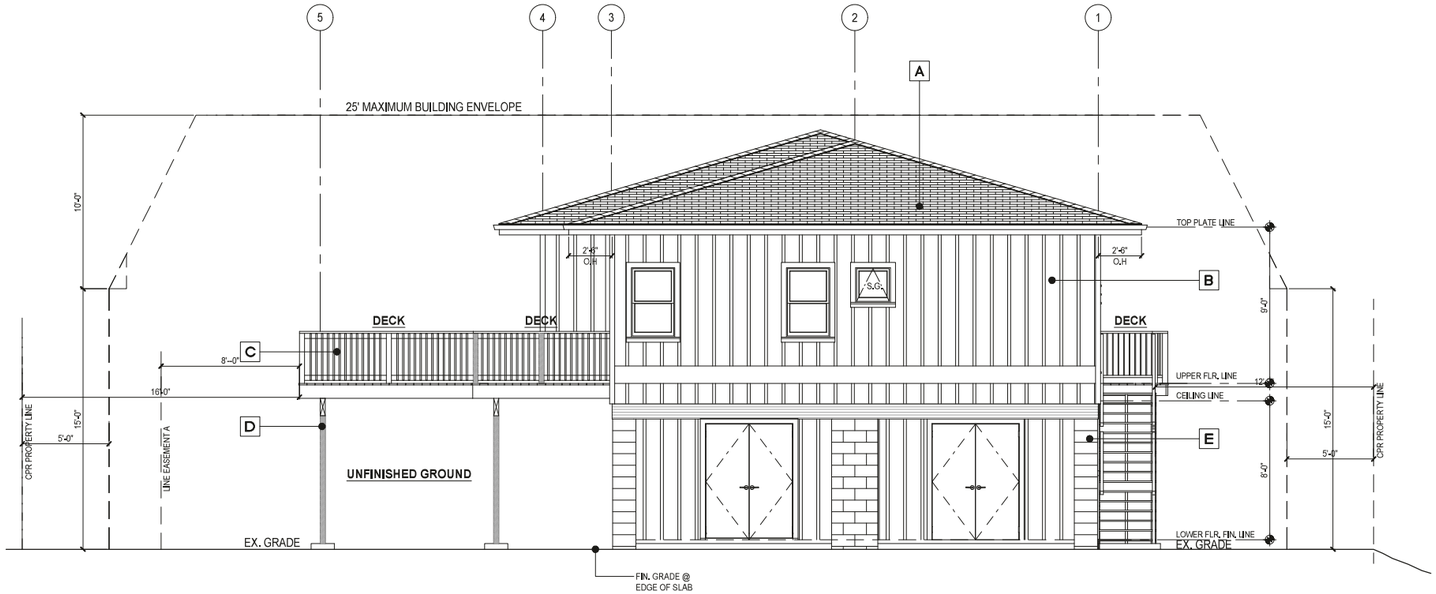
UNIT 2



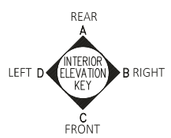
1 A-005 REAR ELEVATION
1/4"=1'-0"

KEY NOTES LEGEND:

- A — ASPHALT SHINGLE WITH SELF SEALANT ADHESIVE ROOFING COMPOUND ON 2-15# FELT-UNDERLAYMENT OVER 5/8" THK TECHSHEILD RADIANT BARRIER SHEATHING.
- B — 5/8" THK. LP SMART PANEL 8" OC BOARD & BATTEN) SIDING ON TYVEK WRAP MOISTURE BARRIER WITH 10d NAILS ON 6" O.C. AT EDGES AND 12" O.C @ FIELD.
- C — 36" HIGH MIN. GUARDRAIL WITH 1X1 PICKETS WITH LESS THAN 4"Ø SPACING ON CENTER
- D — 4X4 STRUCTURAL POST HI-BOR TREATED)
- E — CMU WALL / COLUMN FULLY GROUTED CELL)
- F — 2 - 4'x8' FLUSH MOUNT SOLAR W/ 4" PANELS TO BE INSTALLED DUE SOUTH



2 A-004 LEFT ELEVATION
1/4"=1'-0"



KEY ELEVATION PLAN

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GRAPHIC SCALE 1/4" = 1'-0"

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HAWAII, U.S.A.

EXP DATE 4/30/2026

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SUPERVISION AS DEFINED IN TITLE XVI, CHAPTER 115, SECTION 16-115-2 OF THE RULES & REGULATIONS OF THE BOARD OF PROFESSIONAL ENGINEERS, ARCHITECTS AND SURVEYORS OF THE STATE OF HAWAII

Revisions:
1
2

PROPOSED TWO STORY DWELLING
56-155 A KAMEHAMEHA HIGHWAY-LOT 2, KAHUKU HAWAII 96731
TMK: 5-6-001:033:0002

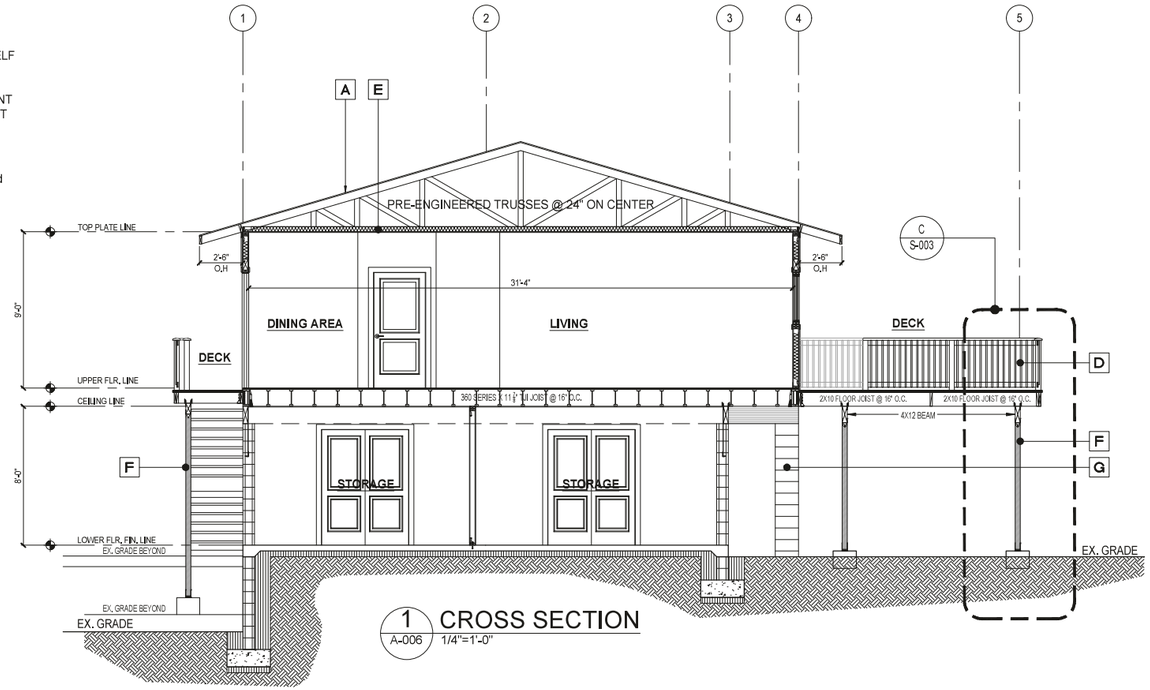
REAR AND RIGHT ELEVATIONS

Job No:
Drawn by: 3DAS
Date: 03202021
Drawing No:
A-005
8 of 17 Sheets

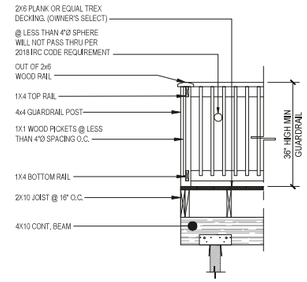
UNIT 2

KEY NOTES LEGEND:

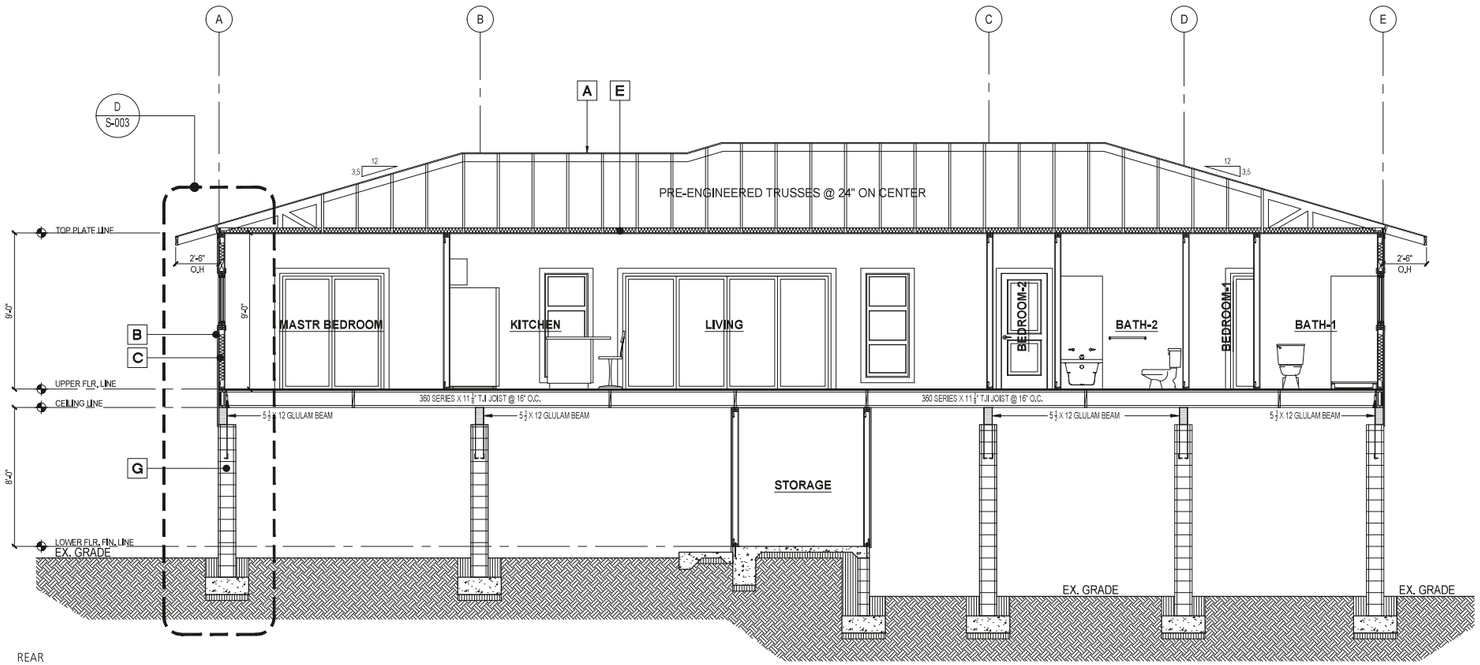
- A — ROLLED ASPHALT SHINGLE WITH SELF SEALANT ADHESIVE ROOFING COMPOUND (TO MATCH EXISTING FINISH) OVER GLASS UNDERLAYMENT OVER 5/8" THK TECHSHEILD RADIANT BARRIER SHEATHING.
- B — 5/8" THK. EXTERIOR SIDING (TO MATCH EXISTING FINISH) ON TYVEK WRAP MOISTURE BARRIER WITH 10d NAILS ON 6" O.C. AT EDGES AND 12" O.C @ FIELD.
- C — R-13 BATT INSULATION
- D — 36" HIGH MIN. GUARDRAIL WITH 1X1 PICKETS WITH LESS THAN 4"Ø SPACING ON CENTER
- E — R-30 BATT INSULATION
- F — 4X4 STRUCTURAL POST (HI-BOR TREATED)
- G — CMU COLUMN (FULLY GROUTED CELL)



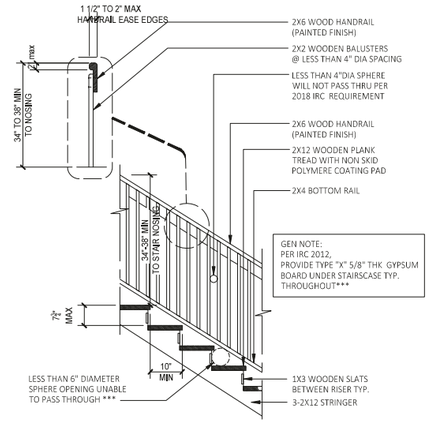
1 A-006 CROSS SECTION
1/4"=1'-0"



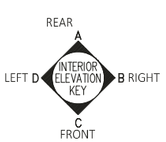
3 A-006 GUARDRAIL DETAIL
1/2"=1'-0"



2 A-006 LONGITUDINAL SECTION
1/4"=1'-0"



4 A-006 TYP. EXTERIOR STAIR DETAIL
1/2"=1'-0"



KEY ELEVATION PLAN

5' 4' 3' 2' 1' 0 5' 10'
GRAPHIC SCALE
1/4" = 1'-0"

5' 4' 3' 2' 1' 0 5'
GRAPHIC SCALE
1" = 1'-0"

	Bid Set	Bldg. Permit	Production	Design
Date				

Drafting & Design
PO BOX 22578
HONOLULU, HI 96823
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MICHELE L DAMICO
LICENSED PROFESSIONAL ARCHITECT
No. 8785
HAWAII, U.S.A.

EXP DATE 4/30/2026

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Revisions:
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PROPOSED TWO STORY DWELLING
56-155 A KAMEHAMEHA HIGHWAY-LOT 2, KAHUKU HAWAII 96731
TMK: (1)-5-6-001:033:0002

CROSS AND LONGITUDINAL SECTION, GUARDRAIL AND EXTERIOR STAIR DETAIL

Job No:
Drawn by: 3DAS
Date: 03202021

Drawing No:
A-006

9 of 17 Sheets

UNIT 2

KEY NOTES LEGEND:

F1 **(CMU COLUMN FOOTING**:
30X36X12 DEEP FOOTING WITH 4-#4 EACH WAY AND 2-#4 VERT. REINF. BAR

F2 **(CMU WALL FOOTING**:
30" WIDE CONT. FOOTING, FULLY GROUNTED WITH 4-#4 CONT. BAR W/ #4 TRANS TIE BAR @ 24" O.C. AND 6-#4 VERT. BAR EQUALLY DIVIDED

F3 **POST & PIER FOOTING):**
16X16X12 DEEP CONCRETE FOOTING W/ 2-#4 REBAR EACH WAY

F4 **(PERIMETER WALL FOOTING**:
TYP. 16X27 DEEP CONT. FOOTING WITH 4-#4 CONT. AND #3 TRANS TIES @ 24" ON CENTER

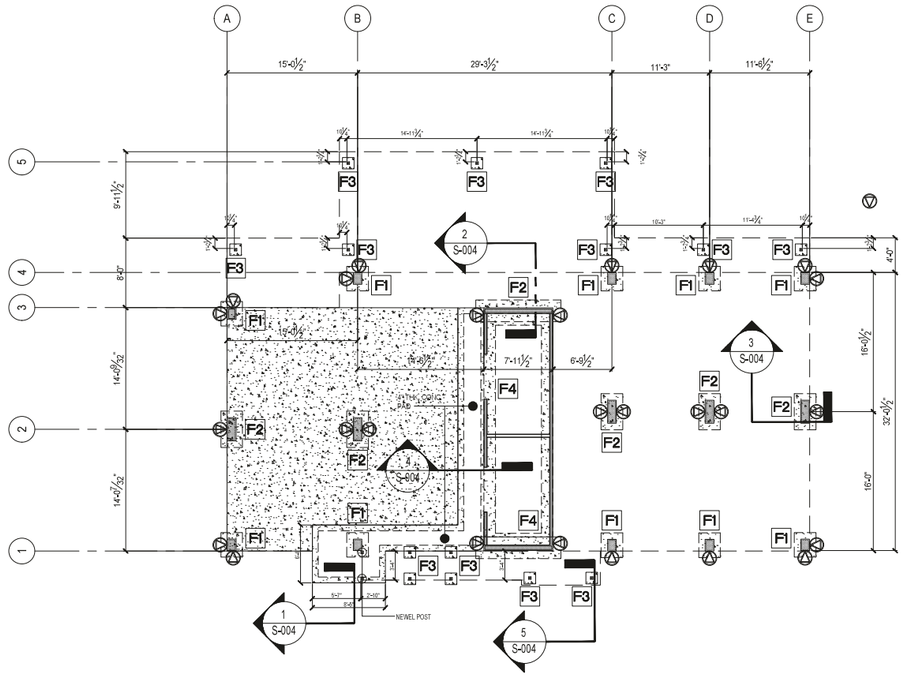
SPECS. LEGEND:

(CONCRETE SLAB ON GRADE):
2500 PSI 4" THK SLAB WITH 6X6-W2.9XW2.9 WWR AT MID-DEPTH OVER 6MIL. MIN) VAPOR BARRIER OVER 95% COMPACTED 4" BASE COURSE

GEN. NOTE:
PROVIDE TERMITES PROTECTION PER 2018 IRC, SECTION R318, AS AMENDED

* IF SOLID ROCK OCCURS DURING FOUNDATION EXCAVATION, THE CONCRETE FOOTINGS, BASE COURSE AND ENGINEERED FILL MAY REST ON SOLID ROCK AS LONG AS THE CONCRETE FOOTING ARE BURIED AT A MINIMUM OF 12" DEEP

SIMPSON HOLDOWN HDU2 SDS2.5 & PA35
(SEE FOUNDATION PLAN FOR PLACEMENT)



A S-002 FOUNDATION PLAN
1/8"=1'-0"

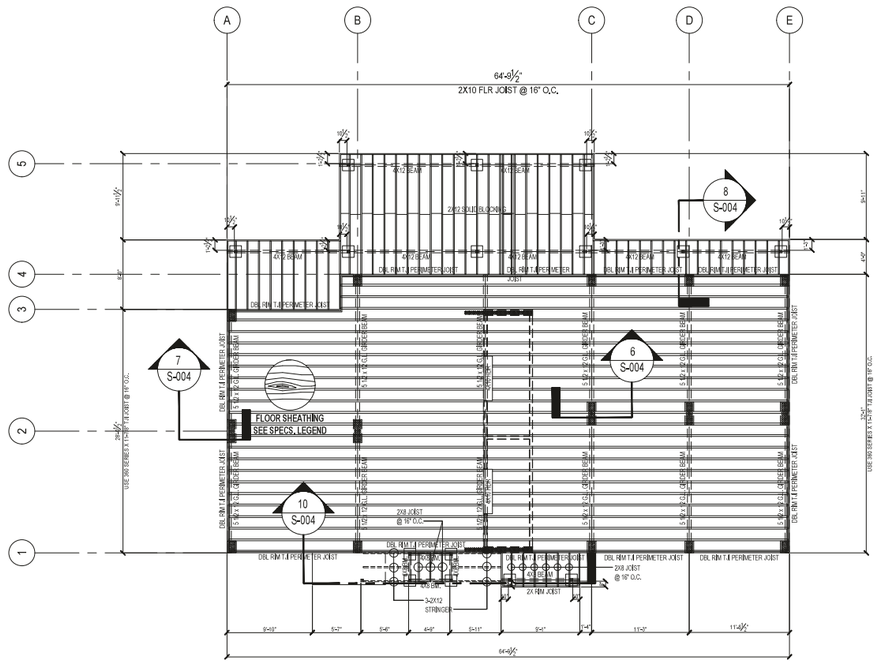
SPECS. LEGEND:

FLOOR SHEATHING:
3/4" THICK OSB T&G FLOORING SHEATHING W/ 10d NAILS SPACED 6" O.C. AT SUPPORTED EDGES AND 12" O.C. AT INTERIOR SUPPORTS OVER FLOOR JOIST TYP.

ROOF SHEATHING:
5/8" THK TECHSHIELD RADIANT BARRIER SHEATHING INSTALL WITH FOIL FACING ATTIC SPACE WITH 8d NAILS, 6" O.C. AT EDGES AND 12" O.C. AT FIELD OVER PRE- ENGINEERED RAFTER TRUSS @ 24" O.C.

STRUCTURAL NOTE:
ALL PERIMETER WALL TOP PLATE SHALL BE MADE OF 2-2X4 UNLESS HEADER SPECIFIED ***
--- ALL INTERIOR HEADERS ARE TO BE 4X8, UNLESS SPECIFIED.
--- ALL EXTERIOR HEADERS ARE TO BE 4X10, UNLESS SPECIFIED.

S 5/8" THK. PLYWOOD W/ 10d AT 6" O.C. AT EDGES ON ONE SIDE OF WALL (SEE FRAMING PLAN FOR PLACEMENT DETAIL)



B S-002 UPPER FLOOR FRAMING PLAN
1/8"=1'-0"

TRUE NORTH

FOUNDATION NOTES

1. VERIFY DIMENSIONS, FIELD CONDITIONS, ETC. NOTE DISCREPANCIES TO OWNER PRIOR TO STARTING WORK.
2. DIMENSIONS ARE TO FACE OF ROUGH FRAMING OR FACE OF CONCRETE / CMU.
3. FOOTINGS SHALL REST ON UNDISTURBED SOIL.
4. REINFORCING STEEL TO BE ASTM A615 GRADE 40 OR GRADE 60. WELDED WIRE MESH TO BE A-185 OR EQUAL.
6. GROUND TO BE CHEMICALLY TREATED FOR TERMITES BY A QUALIFIED BONDED CONTRACTOR IN ACCORDANCE WITH 2006 INTERNATIONAL BUILDING CODE (IBC) SECTION 2304.11 AND 2006 INTERNATIONAL RESIDENTIAL CODE (IRC) R320 (NEW WORK ONLY) AS AMENDED.
7. CONTINUOUS LOAD PATH - SEE ALL STRAPPING, TIES, ANCHORS, HOLDOWNS, ETC. ON THE FOUNDATION PLANS AND DETAILS.

STRUCTURAL NOTES

1. ROOF SHEATHING SHALL BE 5/8" STRUCT. 1 PLY W/ 8d NAILS @ 6" O.C.
2. VERIFY DIMENSIONS, FIELD CONDITIONS, ETC. NOTE DICREPANCIES TO OWNER PRIOR TO STARTING WORK.
3. DIMENSIONS ARE TO FACE OF ROUGH FRAMING OR FACE OF CONCRETE / CMU.
4. PROVIDE ADEQUATE BRACING AND SHORING FOR STRUCTURAL MEMBERS DURING ALL PHASES OF CONSTRUCTION.
5. THE STRUCTURAL LUMBER SHALL BE DOUGLAS FIR-LARCH, NO. 2 OR BETTER & TREATED IN ACCORDANCE WITH 2003 IRC, SECTION 2301.
6. NEW FRAMING MEMBERS, RAFTERS, JOISTS & BEAMS SHALL BE FASTENED WITH "SIMPSON" METAL CONNECTORS OR APPROVED EQUAL TO PROVIDE A CONTINUOUS LOAD PATH FROM ROOF.
7. WOOD SHALL BE HELD A MINIMUM OF 8" ABOVE THE FINISHED GRADE.

STUD WALL OPENING FRAMING SCHEDULE
(UNLESS NOTED OTHERWISE)

SPAN " L " (MAX.)	BEAM SIZE (MIN.)	
	ROOF ONLY	ROOF & FLOOR
4'-0"	4 x 6	4 x 8
6'-0"	4 x 8	4 x 10
8'-0"	4 x 10	4 x 12
10'-0"	4 x 12	SEE PLAN
>10'-0"	SEE PLAN	SEE PLAN

10' 8' 6' 4' 2' 0 5' 10' 20'
GRAPHIC SCALE ⅛" = 1'-0"

Drafting & Design
PO BOX 22578
HONOLULU, HI 96823
P: (808) 221-2868

MICHELE L. DAMICO
LICENSED PROFESSIONAL ARCHITECT
No. 8785
HAWAII, U.S.A.

EXP DATE 4/30/2026

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Revisions:
1
2

PROPOSED TWO STORY DWELLING
56-155 A KAMEHAMEHA HIGHWAY-LOT 2, KAHUKU HAWAII 96731
TMK: 5-6-001:033:0002

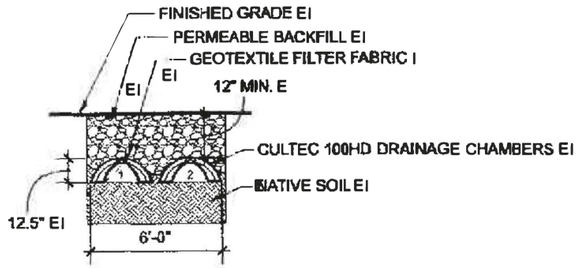
FOUNDATION AND UPPER FLOOR FRAMING PLAN

Job No:
Drawn by: 3DAS
Date: 03202021
Drawing No:
S-002

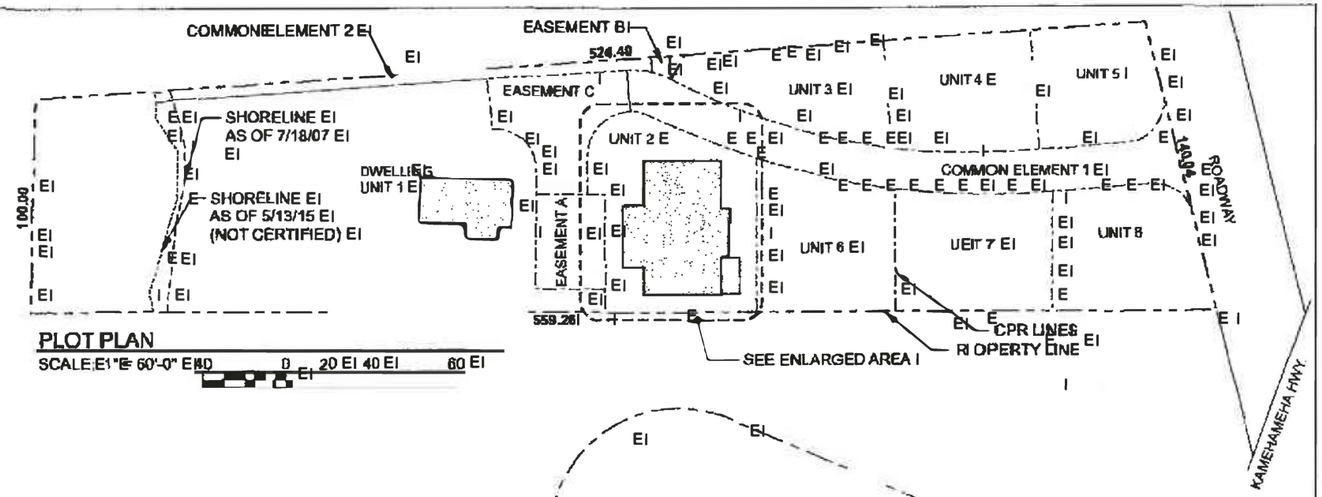
15 of 17 Sheets

Bid Set Date
Date
Bldg. Permit Date
Production Date
Design Date

UNIT 2



ABSORPTION BED DETAIL
INFILTRATION DISPOSAL SYSTEM EI NOT TE SCALE EI



PLOT PLAN
SCALE:E1"E 60'-0" E40 0 20 EI 40 EI 60 EI

NOTE: EI

THE CONSTRUCTION OF THE SEEPAGE PIT MEETS ALL I STANDARDS SET BY EI E HAWAII ADMINISTRATIVE RULES I TITLE II, CHAPTER 40, SEC. 43 EI

IWS COMPONENTS SCHEDULE: EI

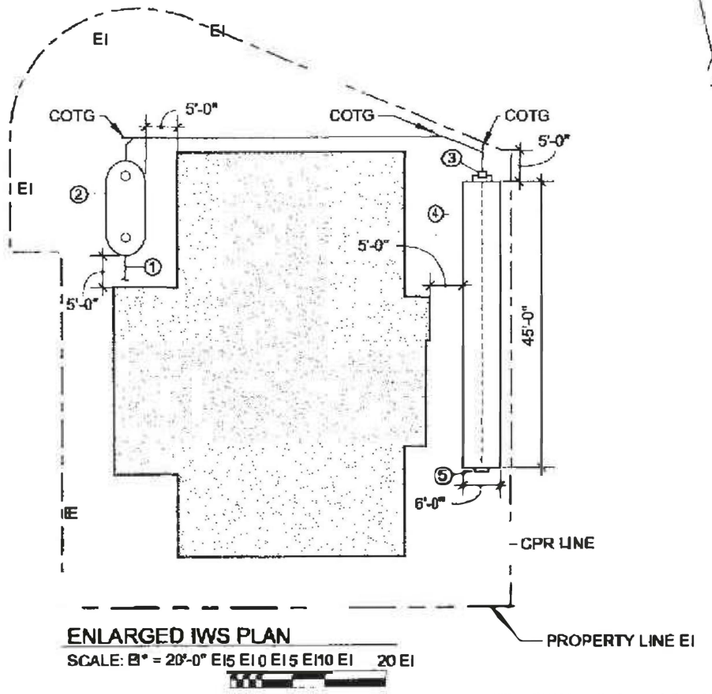
1 - CONNECT TO NEW DWELLING SEWER, PROVIDE COTG AT ALL I BEI DS. MAINTAIN ¼" PER FOOT MINIMUM SLOPE FROM I DWELLING TO SEPTIC EANK. EI

2 - INFILTRATOR IM-1060, 2-COMPARTMENT CONFIGURATION I SEPTI TANK WITH (2)21" BIA. RISERS WITH SCREW CAPS UP TO EI FINISHED GRADE. SEE MANUFACTURE'S MAINTENANCE AND I INSTALLATION INSTRUCTIONS. EI

3 -BUF-TITE 3 HOLE DISTRIBUTION BOX WITH 6" DIA. PVC RISER EI WITE SCREW TYPE CAP UP EO FINISH GRADE. EI

4 -8' X 45' = 270 SQ. FT. ABSORPTION WITI CULTEC 100HD I DRAINAGE CHAMBER BED. SEE TEP. CROSS SECTION AND I MANUFACTURER'S INSTALLATION INSTRUCTIONS EI

5 - CONNECT ALL ENDS OF DRAINAGE CHAMBER WITH 4" DIA. I SOLID PVC PIPE AT BOTTOM KNOCKOUT OF CEAMBER END EI CAP. EI



ENLARGED IWS PLAN
SCALE: B" = 20'-0" E5 EI 0 EI 5 E10 EI 20 EI

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3-31-25 EI
DATE

HARVEY K. HIDA LICENSED PROFESSIONAL ENGINEER No. 4363-C HAWAII, U.S.A.
LICENSE EXP. APR. 30, 2026

INDIVIDUAL WASTEWATER SYSTEM EI	SHEET
DONOSO RESIDENCE I 56-155A KAMEHAMEHA HWY. UNIT 2 EI KAHUKU, HEWAII EI TMK: 5-6-001:033 EI	**SP-1**
SCALE: AS NOTED EI	DATE: E5-8-25 EI

PROJECT TITLE:

PROPOSED SINGLE FAMILY DWELLING

IRC NOTES:

WINDOWS IN BUILDING LOCATED IN WIND BORNE DEBRIS REGIONS SHALL HAVE GLAZED OPENINGS PROTECTED FROM WIND BORNE DEBRIS. GLAZED OPENING PROTECTION FOR WIND BORNE DEBRIS SHALL MEET THAT REQUIREMENT OF THE LARGE MISSILE TEST OF ASTME 1996 AND OF ATME 1886 REFERENCED THEREIN.
EXCEPTION:

1. WOOD STRUCTURAL PANELS WITH A MINIMUM THICKNESS OF 7/16 - INCH (11.1MM) AND A MAX. SPAN OF 8 FEET (2438MM) SHALL BE PERMITTED FOR OPENING PROTECTION IN 1 & 2 STOREY BUILDINGS. PANELS SHALL BE PRECUT TO COVER THE GLAZED OPENINGS WITH ATTACHMENT HARDWARE PROVIDED. ATTACHMENTS SHALL BE DESIGNED TO RESIST THE COMPONENTS AND CLADDING LOADS DETERMINED IN ACCORDANCE WITH EITHER TABLE R301.2(2) OR SECTION 1609.6.5 OF THE IBC. ATTACHMENT IN ACCORDANCE WITH TABLE R301.2.1.2 IS PERMITTED FOR BUILDINGS WITH A MEAN ROOF HEIGHT OF 33 FEET OR LESS WHERE THE EFFECTIVE WIND SPEEDS DO NOT EXCEED 130MPH.

2. OCCUPANCY R-3 AND R-4 RESIDENTIAL ASSISTED LIVING FACILITIES (INCLUDING THEIR COMPONENTS AND CLADDING) DESIGNED AS A PARTIALLY ENCLOSED STRUCTURE IN ACCORDANCE W/ THE IBC SHALL ALSO INCLUDE A RESIDENTIAL SAFE ROOM IN ACCORDANCE WITH ARTICLE 13, HAWAII RESIDENTIAL SAFE ROOM.

BMP NOTES:

1. PROVIDE CONSTRUCTION ENTRANCE, CB SEDIMENT FILTERS, AND SILT FENCE PRIOR TO COMMENCING WITH GRADING WORK.
2. PROVIDE VEGETATIVE COVER OF EXPOSED AREAS AT FINISHED GRADES OR AREAS THAT ARE LEFT UNDISTURBED FOR 30 DAYS.
3. FREQUENT WETTING OF THE GRADED AREAS BY WATER TRUCK OR HOSE.
4. NO WORK WILL BE PERFORMED ON DAYS WITH EXCESSIVE WIND (20 MPH).
5. ALL POINTS OF EGRESS AND INGRESS TO A SITE SHALL BE PROTECTED WITH A STABILIZE CONSTRUCTION ENTRANCE TO PREVENT TRANSPORT OF MUD, DIRT, ROCKS, ETC. ONTO THE PAVED ROADWAY. REMOVE STABILIZED CONSTRUCTION ENTRANCE TO INSTALLING A.C. PAVEMENT.
6. SILT FENCE OR OTHER TEMPORARY MEASURES SHALL BE PROVIDED DOWN SLOPE TO PROTECT ADJOINING PROPERTIES.
7. CONSTRUCTION TO INSTALL TEMPORARY SEDIMENT FILTER AT NEXT CATCH BASIN DOWN STREAM FROM THE CONSTRUCTION SITE. AS WELL AS AT CATCH BASIN FRONTING SITE.
8. ALL DISTURBED AREAS SHALL BE PERMANENTLY STABILIZED PRIOR TO REMOVING EROSION AND SEDIMENT MEASURES.

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MEASURES IT WILL TAKE FOR THE CONTROL OF FUGITIVE DUST FROM THE WORK SITE.
   THE MEASURES MAY INCLUDE, BUT NOT LIMITED TO, THE INSTALLATION OF DUST SCREENS, WATERING OF THE SITE AND FILL MATERIAL BEING PLACED, AND DELAYING WORK IN THE WEEK THAT PREVAILING WIND DIRECTION SHOULD SHIFT.

1. THE CONTRACTOR SHALL CONSTRUCT STABILIZED CONSTRUCTION ACCESS TO REMOVE MUD, DIRT, WHICH MAY BE TRACKED ONTO OR OFF THE CONSTRUCTION ACCESS ROUTE.
2. THE CONTRACTOR SHALL ENSURE THAT MUD SHALL BE CLEANED FROM VEHICLE TIRE BEFORE THE VEHICLE CAN EXIT ONTO PAVED ROADS.

PUBLIC HEALTH, SAFETY, AND CONVENIENCE NOTES:

1. THE CONTRACTOR SHALL OBSERVE AND COMPLY WITH ALL FEDERAL, STATE, AND LOCAL LAWS REQUIRED FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY AND ENVIRONMENTAL QUALITY.

2. THE CONTRACTOR, AT HIS OWN EXPENSE SHALL KEEP THE PROJECT AND ITS SURROUNDING AREAS FREE FROM DUST NUISANCE. THE WORK SHALL BE IN CONFORMANCE WITH THE AIR POLLUTION CONTROL STANDARDS AND REGULATIONS OF THE STATE DEPARTMENT OF HEALTH.

3. NO CONTRACTOR SHALL PERFORM ANY CONSTRUCTION ACTIVITY SO AS TO CAUSE FALLING ROCK, SOIL OR DEBRIS IN ANY FORM TO FALL, SLIDE OR FLOW ONTO ADJOINING PROPERTIES, STREETS OR NATURAL WATERCOURSES. SHOULD SUCH VIOLATIONS OCCUR, THE CONTRACTOR SHALL IMMEDIATELY MAKE ALL REMEDIAL ACTIONS NECESSARY.

4. THE CONTRACTOR SHALL PROVIDE, INSTALL AND MAINTAIN ALL NECESSARY SIGNS, LIGHTS, FLARES, BARRICADES, MARKERS, CONES AND OTHER PROTECTIVE FACILITIES AND SHALL TAKE ALL NECESSARY PRECAUTIONS FOR THE PROTECTION, CONVENIENCE AND SAFETY OF THE PUBLIC. THE CONTRACTOR SHALL APPLY FOR A CONSTRUCTION PERMIT WITH A NOISE POLLUTION CONTROL PLAN.

NOTE:
ALL CONSTRUCTION TO COMPLY WITH REQUIREMENTS R403.5.5 (SOLAR WATER HEATER), R403.6.2 (CEILING FAN), R404.2 (SOLAR CONDUIT AND PANEL READINESS), R404.3 (ELECTRIC VEHICLE READINESS)

BUILDING DEPARTMENT
CITY & COUNTY OF HONOLULU

BUILDING CODE REQUIREMENTS FOR SPECIAL INSPECTIONS

PER CHAPTER 17 OF THE INTERNATIONAL BUILDING CODE 2012 requires that the owner employ one or more special inspectors performing the work. The special inspector shall provide inspection during construction of the following types of work:

☒ 16. Sheathed Shear Walls and Diaphragms
☒ 17. Complete Load Path and Uplift Tiles
☒ 18. Termite Protection

(detailed clarification of above items are listed on the reverse side of this page.)

Circle the number corresponding to the types of work for this project requiring special inspection. Fill the circled numbers in the below together with the identity of all special inspectors who will be performing the inspection.

GENERAL NOTES:

1. ALL WORK SHALL BE IN FULL COMPLIANCE WITH ALL APPLICABLE CODES, REGULATIONS OR REQUIREMENTS OF THE CITY OR COUNTY HAVING JURISDICTION FOR THE PLACE OF THE BUILDING.
2. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS AT THE JOB SITE PRIOR TO LAYING OUT THE WORK AND SHALL NOTIFY THE DESIGNER OF ANY DISCREPANCIES PRIOR TO START OF ANY WORK AND SHALL BE RESPONSIBLE FOR ANY ERRORS RESULTING FROM HIS FAILURE TO DO SO.
3. DO NOT SCALE DRAWINGS. NOTED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE. THE CONTRACTOR SHALL ALIGN NEW WALLS WITH EXISTING WHERE INDICATED ON THE DRAWINGS, AND SHALL NOTIFY THE DESIGNER OF ANY DISCREPANCIES PRIOR TO START OF ANY WORK.
4. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY SHORING, BRACING, ETC., REQUIRED TO INSURE STABILITY OF EACH AND EVERY PART DURING THE CONSTRUCTION PROCEDURE. ANY DAMAGE RESULTING FROM HIS FAILURE TO DO SHALL BE REPAIRED OR REPLACED AS REQUIRED AT THE CONTRACTOR'S EXPENSE.
5. ALL FRAMING MEMBERS SHALL BE SO ARRANGED AND SPACED SO AS TO PERMIT INSTALLATION OF ELECTRICAL WORK, PIPES, DUCTS ETC. WITH A MINIMUM AMOUNT OF CUTTING.
6. THE CONTRACTOR SHALL COORDINATE AND PHASE ALL WORK PERFORMED BY HIMSELF AND ALL SUBCONTRACTORS IN ORDER TO MINIMIZE THE DISRUPTION OF THE TENANTS FUNCTION DURING THE CONSTRUCTION PHASE OF THE WORK.
7. CONTRACTOR SHALL PATCH, FILL OR REPAIR ALL HOLES IN WALLS AND FLOORS AS A RESULT OF NEW CONSTRUCTION AND FINISH TO MATCH EXISTING UNLESS NOTED OTHERWISE.
8. ANY DAMAGE TO THE EXISTING BUILDING RESULTING FROM THE CONSTRUCTION PROCESS SHALL BE REPAIRED AND RESTORED TO MATCH THE ORIGINAL CONDITION BY THE CONTRACTOR AT NO COST TO THE OWNER.

CITY AND COUNTY OF HONOLULU
REVISED ORDINANCE CHAPTER 32
HONOLULU COUNTY CODE 1990 AS AMENDED

To the best of my knowledge, this project's design substantially conforms to the Building Energy Conservation Code for:

X Building Component Systems
____ Electrical Component Systems
____ Mechanical Component Systems

Signature: [signature] Date: 04-30-24
Name: BARRY NG
Title: ARCHITECT
License No. A7063

LOCATION MAP

PROJECT LOCATION

BOARD OF WATER SUPPLY NOTES:

ALL EXISTING REGULAR-FLOW FIXTURES SHALL BE RETROFITTED TO LOW-FLOW FIXTURES. NO IRRIGATION OR FIRE SPRINKLER CONNECTED TO METER.

PROJECT INFORMATION:

TMK:	9-5-017:009
ZONING:	R-5
LOT AREA	3,495 SQ. FT.
MAX ALLOWABLE (50%)	1,748 SQ. FT.
MAX BLDG HT PER LUO:	25'-0" MAX.
SETBACKS:	10'-0" FRONT YARD
	5'-0" SIDE & REAR YARD
FLOOD ZONE:	X
CONSTRUCTION TYPE:	VB
OCCUPANCY:	R-3

CODES AND REGULATIONS REFERENCE:

2012 IRC W/ AMENDMENTS
HAWAII REVISED STATUES
2021 LUO W/ REVISED ORDINANCES

LAND USE & ZONING NOTES & CALCULATIONS:

LOT SIZE	3,495 FT²
ALLO. LOT CVGE 50%	1,748 FT²
BLD'G CVGE	488 FT²
TOTAL LOT CVGE	488 FT²

BLDG. CALCS/FAR CALCS:

LIVING AREA	430 FT²
COVERED PORCH	58 FT²
TOTAL LIV. AREA	430 FT²
TOTAL BLDG. AREA	**488 FT²**

PARKING REQUIRED
1 UNIT PER 1,000 FT²
(LIVING AREA)
430 FT² =1 PARKING REQUIRED
= 1 PARKING PROVIDED

UNIT 3

SHEET INDEX:

001	TITLE PAGE PROJECT DATA
A001	FRONT ELEVATION, REAR ELEVATION, SECTION THRU-A & OVERALL PLOT PLAN
A002	PLOT PLAN ESCP
A003	PROPOSED FLOOR PLAN & SCHEDULE OF DOORS & WINDOWS
A004	INTERIOR ELEVATIONS, SECTION THRU-B RIGHT-SIDE AND LEFT-SIDE ELEVATIONS
S001	FOUNDATION PLAN, FRAMING PLAN & ROOF FRAMING PLAN
S002	STRUCTURAL DETAILS
E001	ELECTRICAL NOTES, LEGENDS & LAYOUT

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION. CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.
BARRY R. NG LICENSED PROFESSIONAL ARCHITECT No. 7063 HAWAII, U.S.A.
LICENSE EXPIRES April 30, 2026

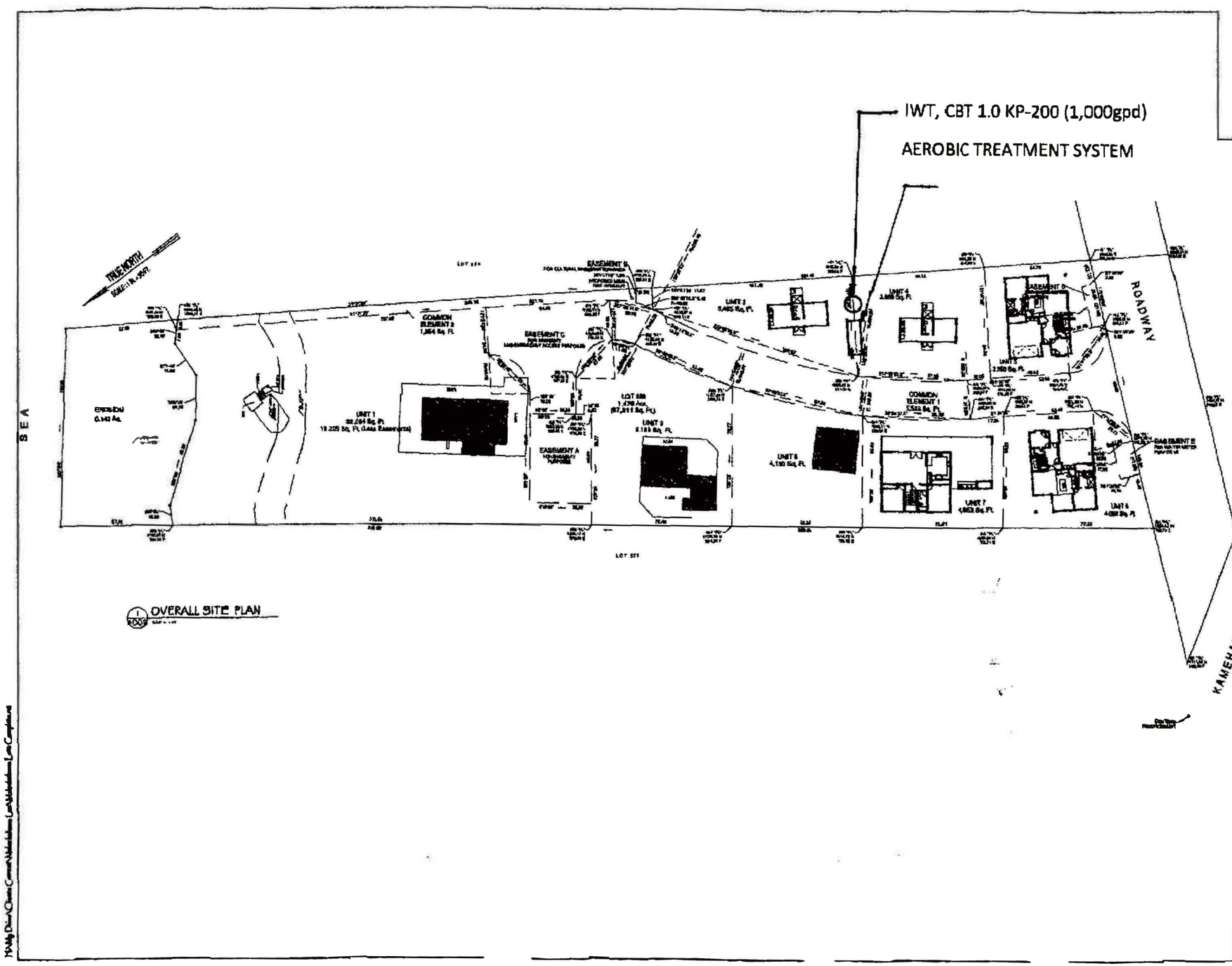
SHEET CONTENT:
TITLE SHEET
PROJECT DATA

PROPOSED SINGLE FAMILY DWELLING
MALAEKAHANA LLC
AT: 56-155 A KAMEHAMEHA HWY
T.M.K.: 5-6-001:033:0003

date	remarks

sheet
001
1 of 8 sheets

UNIT 3



1 OVERALL SITE PLAN
1" = 40'-0"

Contemporary Island Designs Hawaii
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Malaekahana Bay
Site Plan Complete
Condominium Project

SITE PLAN

DRAWN BY: HJ

DRAWING NO.
A002

SHEET: 2 OF 6

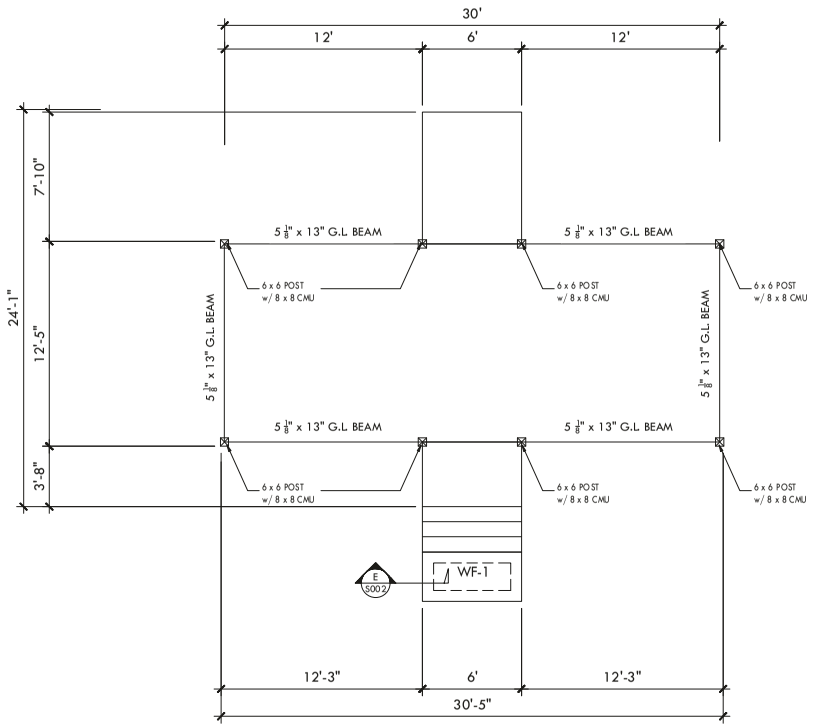
UNIT 3

STRUCTURAL NOTES:

1. CONCRETE
   - A. ALL CONCRETE SHALL DEVELOP A MINIMUM CYLINDER ULTIMATE COMPRESSIVE STRENGTH OF 2,500 PSI AT 28 DAYS.
   - B. ALL REINFORCING STEEL, EMBEDDED METAL CONNECTORS, ANCHOR BOLTS, AND INSERTS EMBEDDED IN CONCRETE SHALL BE ACCURATELY PLACED AND SECURED PRIOR.
   - C. ALL EMBEDDED METAL CONNECTORS, ANCHOR BOLTS, INSERTS, ETC., EMBEDDED IN CONCRETE SHALL BE HOT-DIP GALVANIZED UNLESS NOTED OTHERWISE.
2. REINFORCING
   - A. ALL REINFORCING STEEL SHALL CONFORM TO ASTM A-615. #4 AND LARGER (GRADE 60) Fy = 40,000 PSI
   - B. GALVANIZED WELDED WIRE FABRIC SHALL BE MADE OF COLD DRAWN WIRE CONFORMING TO ASTM A-185.
3. CONCRETE MASONRY UNITS (CMU)
   - A. CMU SHALL BE TYPE II, GRADE N, CONFORMING TO ASTM C-90.
   - B. CONCRETE MASONRY UNIT f'c = 1,350 PSI
   - C. MORTAR (ASTM C-270 TYPE M) f'c = 2,000 PSI
   - D. GROUT 28 DAY COMPR., STRENGTH f'c = 3,000 PSI
   - E. ALL CELLS CONTAINING REINFORCING, BOLTS, OR INSERTS, SHALL BE FULLY GROUTED.
4. STRUCTURAL TIMBER FRAMING:
   - A. STRUCTURAL SAWN LUMBER:
     1. ALL LUMBER SHALL BE DOUGLASFIR-LARCH SPECIES MEETING THE FOLLOWING MINIMUM GRADES AND STRESSES AS ESTABLISHED BY THE WESTERN WOOD PRODUCTS ASSOCIATION:

BEAM	NO. 1
JOISTS & RAFTERS	NO. 2
STUDS & PLATES	CONSTRUCTION

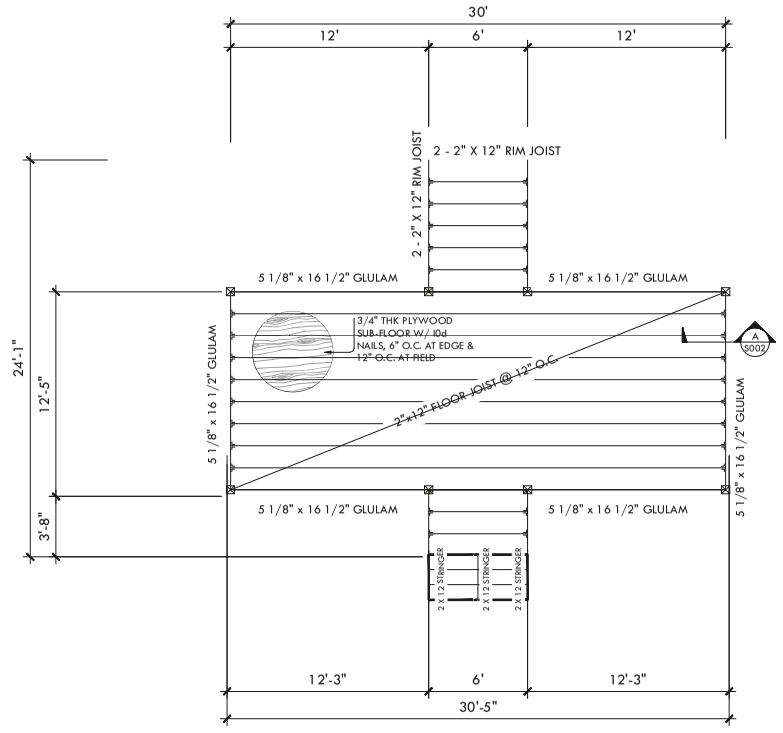
     2. INSTALL #15 FELT BETWEEN ALL TIMBER PLATES AND STUDS BEARING ON MASONRY AND CONCRETE.
     3. PROVIDE STANDARD WASHERS FOR ALL BOLTS AND NUTS BEARING ON WOOD.
   - B. PLYWOOD:
     1. ALL PLYWOOD SHEATHING SHALL BE STRUCTURAL 1 GRADE, CONFORMING TO U.S. PRODUCT STANDARD PS1 AND SHALL BE PRESSURE TREATED.
     1. ROOF TRUSSES SHALL BE PREFABRICATED AND INSTALLED.
     2. PREFABRICATED WOOD TRUSSES SHALL CONFORM TO THE "DESIGN SPECIFICATIONS FOR LIGHT METAL PLATE CONNECTED WOOD TRUSSES" AS ADOPTED BY THE TRUSS PLATE "xxx".
     3. ALL TRUSSES MEMBERS SHALL BE PRESERVATIVE TREATED DOUGLAS FIR MEETING THE MINIMUM STRESSES AS SPECIFIED FOR STRUCTURAL LUMBER ABOVE.
     4. ROOF TRUSSES SHALL BE DESIGNED FOR THE THE FOLLOWING MINIMUM LOADS: COUPLED W/A CONCENTRATED LOAD OF 250 LBS
     5. PROVIDE CONTINUOUS 2 X 4 SILL PLATE AT BOTTOM AND DOUBLE 2 X 4 PLATE AT TOP OF STUD WALLS W/ 2 X 4 BLOCKING AT WALL MID-HEIGHT.
     6. FOR STUD WALLS BRACED AT TOP BY WOOD TRUSSES, PROVIDE 2 X 4 BRIDGING @ 24" O.C. BETWEEN TRUSS BOTTOM CHORDS.
     7. INSTALL WALL BRACING IN "X" PAIRS AT ALL CORNERS AND END WALLS. USE MIN. 1 ¼ WIDE, 16 GAUGE GALV STEEL STRAP NAILED TO SILL, STUDS AND TOP.
     8. PROVIDE HURRICANE STRAPS BETWEEN PLATES & STUDS @ TOP & BOTTOM. USE MIN 18 GAUGE WITH PULL OUT = 300#.



A S001 FOUNDATION PLAN

0 4' 8' 12' 16'

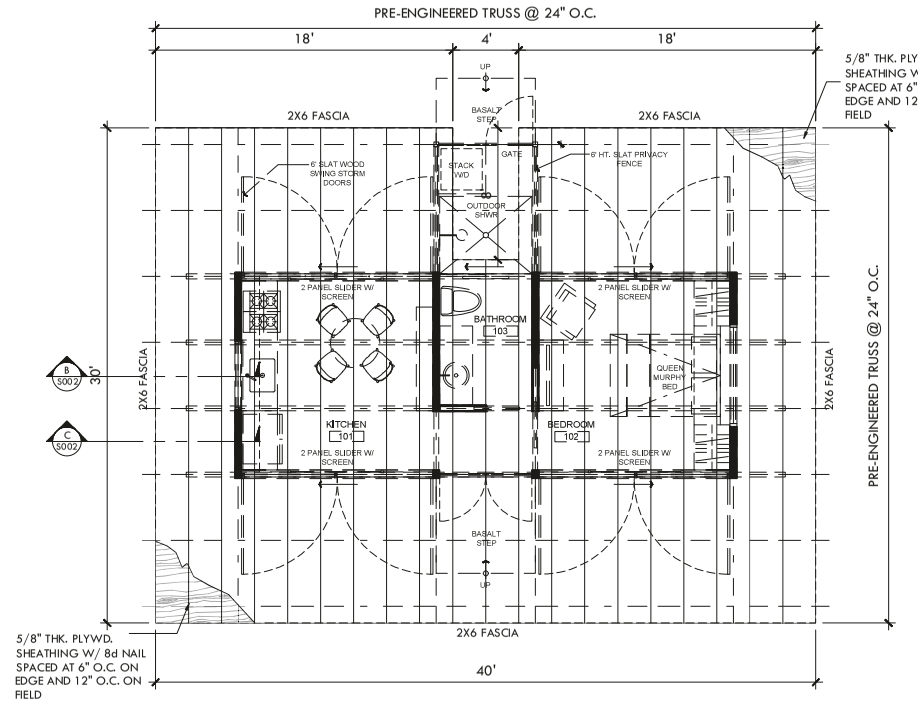
SCALE: 3/16" = 1'-0"



B S001 FLOOR FRAMING PLAN

0 4' 8' 12' 16'

SCALE: 3/16" = 1'-0"



C S001 ROOF FRAMING PLAN

0 4' 8' 12' 16'

SCALE: 3/16" = 1'-0"

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION. CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.

BARRY R. NG LICENSED PROFESSIONAL ARCHITECT No. 7060 HAWAII

LICENSE EXPIRES April 30, 2024

SHEET CONTENT:
FOUNDATION PLAN
FLOOR FRAMING PLAN
ROOF FRAMING PLAN

PROPOSED SINGLE FAMILY DWELLING

MALAEKAHANA LLC

A1: 56-155 A KAMEHAMEHA HWY

T.M.K.: 5-6-001:033:0003

date	remarks

sheet

S001

6 of 8 sheets

ELECTRIC VEHICLE READINESS R404.3
LEVEL 2 ELECTRIC VEHICLE CHARGER
208/240 VAC, SINGLE PHASE, 16A
MINIMUM CONTINUOUS

NOTE:
- SILT FENCE
- CONCRETE WASHOUT
- STOCK PILE
- BIOSOCK

EROSION SEDIMENT CONTROL NOTES FOR MINOR DEVELOPMENT PROJECTS:

(i) USE BEST MANAGEMENT PRACTICES (BMPS) TO PREVENT AND REDUCE THE DISCHARGE OF POLLUTANTS FROM THE PROJECT SITE ONTO OFF-SITE STREETS, STORM DRAINS, STREAMS AND THE OCEAN. POTENTIAL POLLUTANTS INCLUDE BUT ARE NOT LIMITED TO SOIL, OIL PRODUCTS, PAINT, SOLVENTS, CONSTRUCTION DEMOLITION WASTE, TRASH, PORTABLE TOILETS, AC MATERIALS, CONCRETE, AND ANY OTHER LIQUID, PAVING OR WASHOUT MATERIAL THAT COULD BE DETRIMENTAL IF RELEASED TO THE ENVIRONMENT.

(ii) ANY EXPOSED SOIL FROM THIS ACTIVITY MUST BE PERMANENTLY OR TEMPORARILY STABILIZED IMMEDIATELY USING VEGETATION, GRAVEL, PAVERS, ROLLED EROSION CONTROL PRODUCTS, OR AN EQUIVALENT METHOD UNLESS ACTIVE WORK IS SCHEDULED WITHIN 14 DAYS.

(iii) ALL CONSTRUCTION WASTE AND WASHOUT WATER MUST BE PROPERLY CONTAINED AND DISPOSED OF.

(iv) SEDIMENT TRACKED OFF SITE MUST BE SWEPT OR VACUUMED DAILY.

(v) DUST FROM THE PROJECT SITE SHALL NOT BE TRANSPORTED OR DISCHARGED TO OFF-SITE AREA. THE WORK MUST BE IN CONFORMANCE WITH AIR POLLUTION CONTROL STANDARDS CONTAINED IN THE HAWAII ADMINISTRATIVE RULES: TITLE 11 CHAPTER 60.1, "AIR POLLUTION CONTROL."

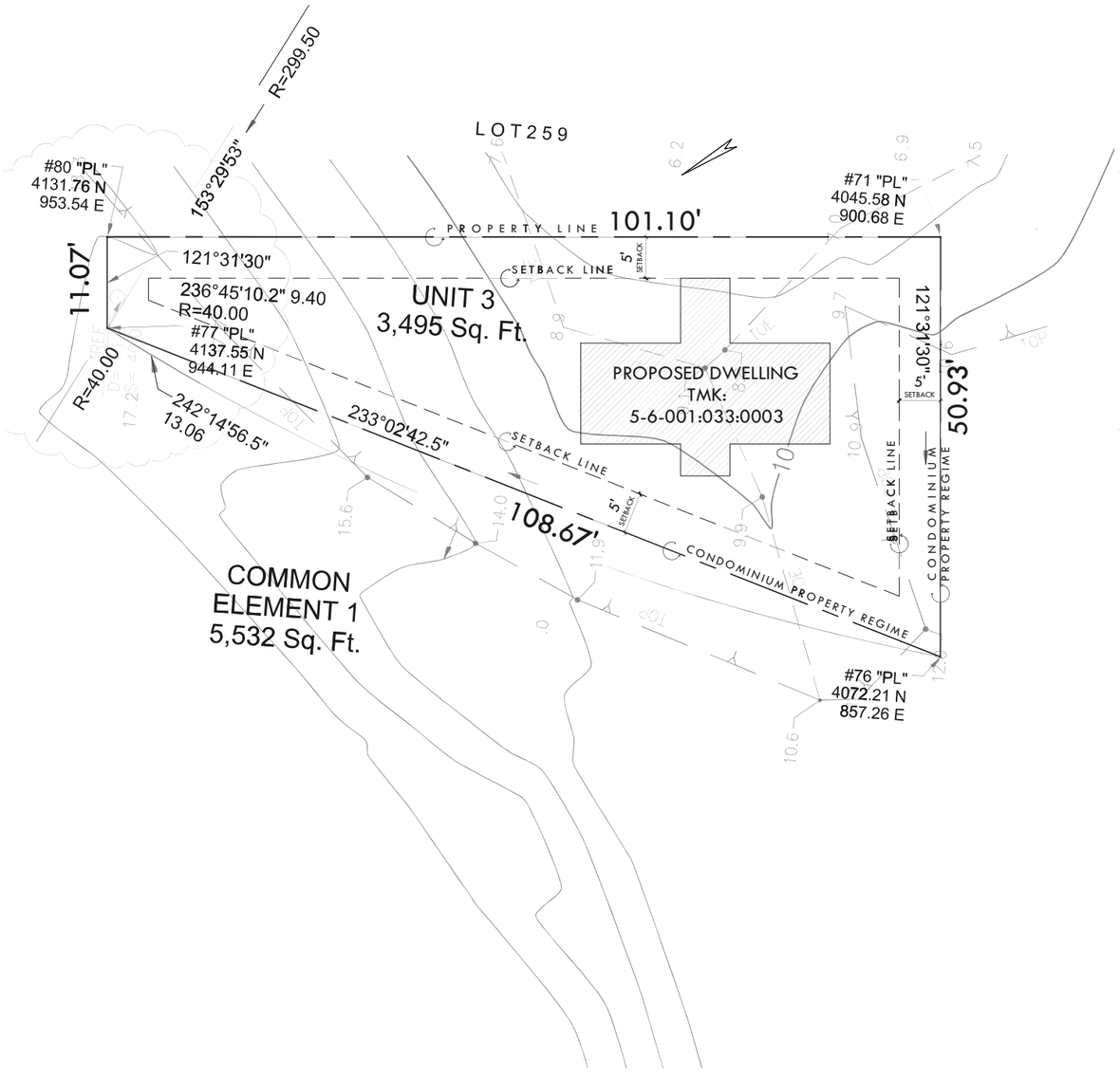
APPENDEIX G-1

RESIDENTIAL STORM WATER MANAGEMENT NOTES FOR SINGLE-FAMILY AND TWO-FAMILY DWELLING PROJECTS:

(i) USE SITE DESIGN STRATEGIES TO REDUCE THE IMPERVIOUS SURFACE AREAS TO THE MAXIMUM EXTENT PRACTICAL. THE TOTAL IMPERVIOUS SURFACE AREA FOR THE LOT MAY NOT EXCEED 75% PER LOU SECTION 21-3.70.1(G)

(ii) TOTAL IMPERVIOUS AREA = 37.27 %

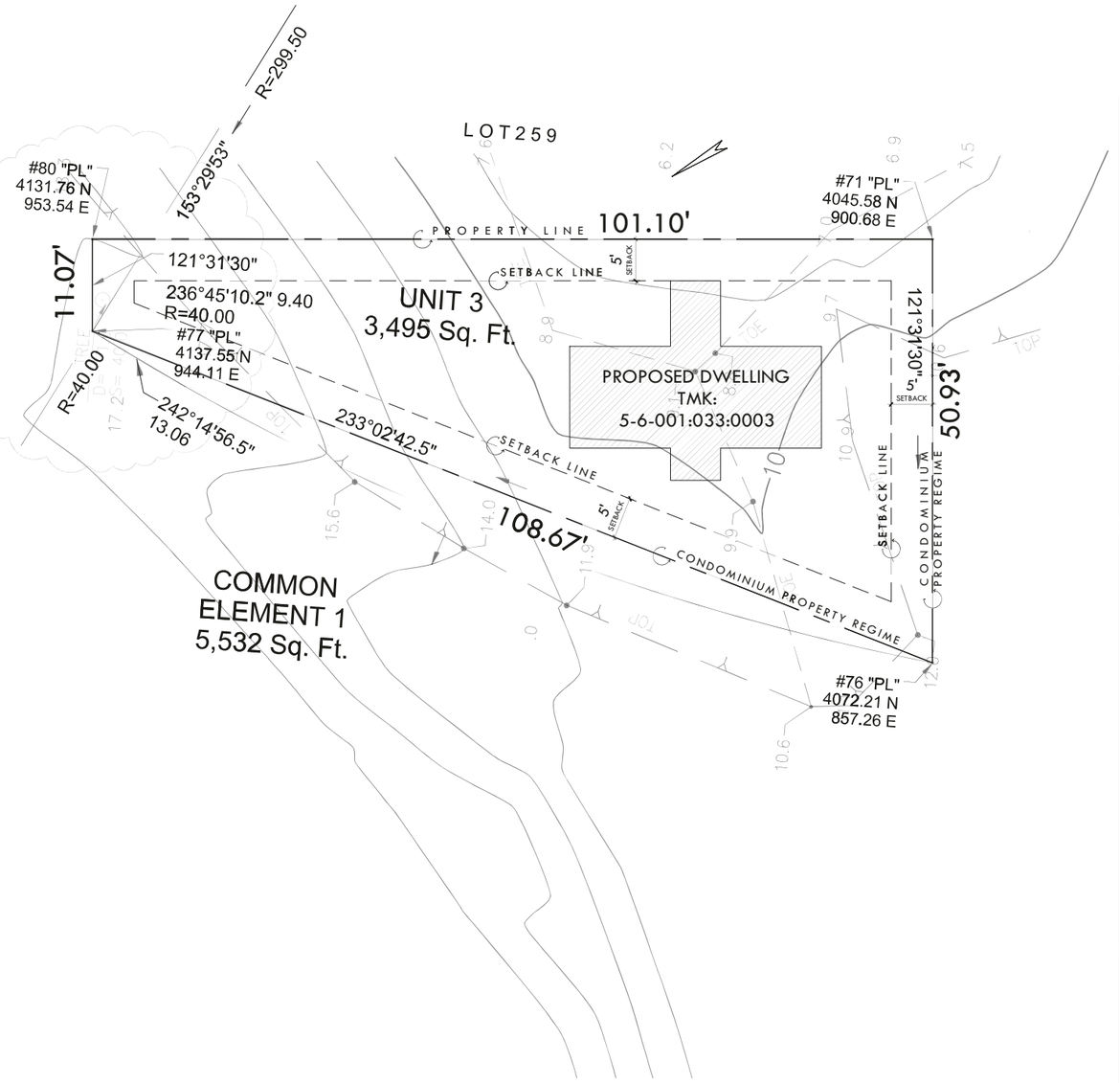
UNIT 3



A A002 PLOT PLAN

0 4' 8' 12' 16'

SCALE: 3/16" = 1'-0"



B A002 EROSION SEDIMENT CONTROL PLAN

0 4' 8' 12' 16'

SCALE: 3/16" = 1'-0"

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION. CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.

LICENSE EXPIRES April 30, 2024

SHEET CONTENT:
ESCP

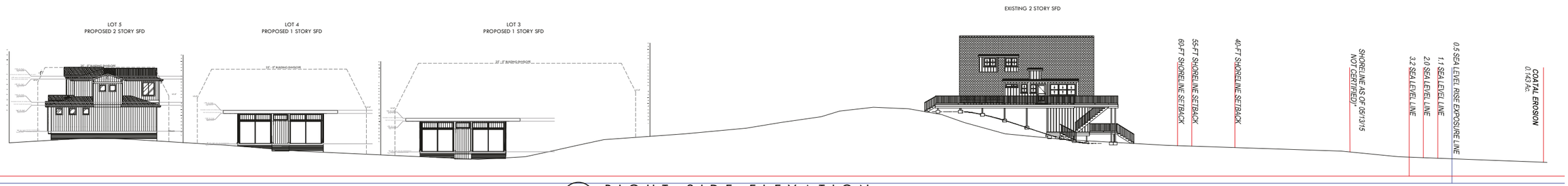
PROPOSED SINGLE FAMILY DWELLING

MALAEKAHANA LLC
A1: 56-155 A KAMEHAMEHA HWY
T.M.K.: 5-6-001:033:0003

date	remarks
△	
△	
△	
△	

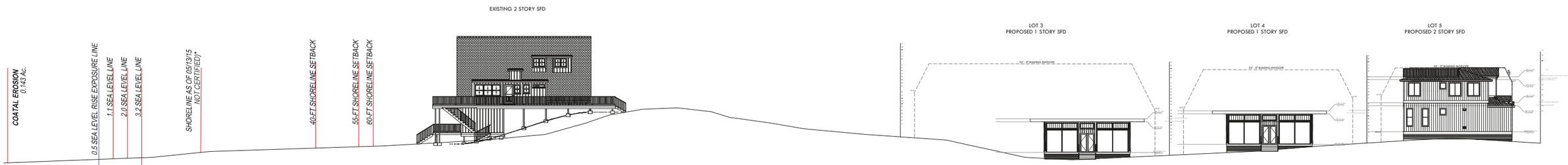
sheet
A002
3 of 8 sheets

UNIT 3



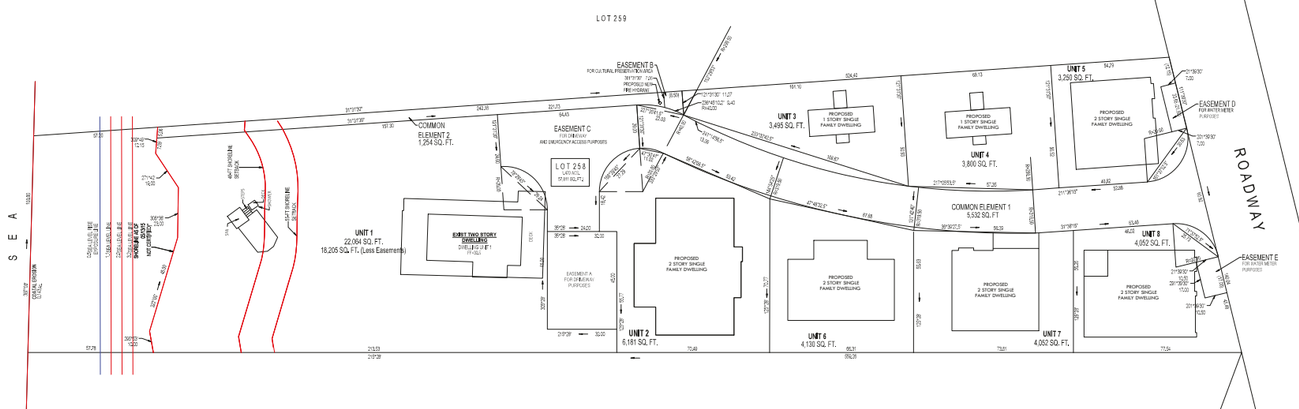
A A001 RIGHT-SIDE ELEVATION

0 16' 32' 48'
SCALE: 1/16" = 1'-0"



B A001 LEFT-SIDE ELEVATION

0 16' 32' 48'
SCALE: 1/16" = 1'-0"



D A001 OVERALL PLOT PLAN

0 16' 32' 48'
SCALE: 1/32" = 1'-0"

ENVIRONMENTAL NOTES:

THE APPLICANT IS RESPONSIBLE FOR THE FOLLOWING RELATED TO ARCHAEOLOGICAL HISTORICAL AND CULTURAL RESOURCES
IF, DURING CONSTRUCTION, ANY PREVIOUSLY UNIDENTIFIED ARCHAEOLOGICAL SITES OR REMAINS (SUCH AS ARTIFACTS, SHELL, BONE, OR CHARCOAL DEPOSITS,
HUMAN BURIALS, ROCK OR CORAL ALIGNMENTS, PAVINGS, OR WALLS) ARE ENCOUNTERED THE APPLICANT SHALL STOP WORK, PROTECT THE FIND FR OM FURTHER DISTURBANCE
AN CONTACT THE STATE HISTORIC PRESERVATION DIVISION (SHPD) IMMEDIATELY.
WORK IN THE IMMEDIATE AREA MUST BE STOPPED UNTIL SHPD IS ABLE TO ASSESS THE IMPACT AND MAKE FURTHER RECOMMENDATIONS FOR MITIGATIVE ACTIVITY.

THESE REQUIREMENTS MUST BE CLEARLY STATED ON ALL CONSTRUCTION AND BUILDING PERMIT PLANS.
2. THE APPLICANT IS RESPOSIBLE FOR THE FOLLOWING RELATED TO COASTAL ECOSYSTEMS.
A. WOODY PLANTS GREATER THAN 1.5 FT IN HEIGHT MAY NOT BE DISTURBED, REMOVED OR TRIMMED DURING THE HAWAIIAN HOARY BAT BIRTHING AND PUP REARING SEASON (JUNE 1 THROUGH SEPTEMBER 15).
B. ALL NEW AND REPLACEMENT OUTDOOR LIGHT FIXTURES MUST NOT EXCEED A COLOR TEMPERATURE OF 3,000 EGREES KELVIN.
C. ARTIFICIAL LIGHT FROM EXTERIOR LIGHTING FIXTURES INCLUDING BUT NOT NECESSARILY LIMITED TO FLOORLIGHTS, UPLIGHTS, OR SPOTLIGHTS USED FOR DECORATIVE
OR AESTHETIC PURPOSES, IS PROHIBITED IF THE LIGHT DIRECTLY ILLUMINATES OR IS DIRECTED ACROSS PROPERTY BOUNDARIES TOWARD THE SHORELINE AND OCEAN
WATERS, EXCEPT AS MAY OTHERWISE BE PERMITTED PURSUANT TO HAWAII REVISED STATUES (HRS) SECTION 205A-71(B).
D. EXTERIOR LIGHTING FIXTURES MUST BE FULLY SHIELDED USING FULL CUTOFF FIXTURES WITH THE LIGHT DIRECTED DOWNWARD SO THAT THE LIGHT BULB IS ONLY VISIBLE FROM BELOW THE LIGHT FIXTURE.
E. ALL PROJECT SITE WORK AND CONSTRUCTION ACTIVITIES ARE LIMITED TO DAYLIGHT HOURS.
F. BARB LESS FENCING MUST BE USED FOR ALL FENCE CONSTRUCTION TO AVID ENTANGLEMENT OF HAWAIIAN HOARY BATS
G. ALL PROJECTS-RELATED ACTIVITIES MUST CEASE IF A HAWAIIAN MONK SEAL OF GREEN SEA TURTLES IS WITHIN 150 FT. OF THE WORK AREA , OR AS RECOMMENDED BY STATE OR
FEDERAL REGULATIONS PROJECT ACTIVITIES MAY ONLY RECOMMENCE AFTER THE ANIMAL VOLUNTARILY LEAVES THE AREA. IF A MONK SEAL PUP IS PRESENT,
A 300-FT BUFFER MUST BE OBSERVED ANY PROJECT-RELATED DEBRIS THAT MAY POSE AN ENTANGLEMENT THREAT TO MONK SEALS AND TURTLES MUST BE REMOVED FROM THE WORK
AREA AT THE END OF EACH DAY AND AT THE CONCLUSION OF PROJECT-RELATED ACTIVITIES.
3. THE APPLICANT IS RESPONSIBLE FOR THE FOLLOWING RELATED TO PRESERVATION OF UNDERLYING BEACH SANDS AND COASTAL DUNES.
A. NEW LANDSCAPING MUST NOT ARTIFICIALLY FIX THE SHORELINE OR BE MAINTAINED IN SUCH A WAY THAT IT EFFECTIVELY HARDENS THE SHORELINE
B. LANDSCAPING BETWEEN THE MAKAI DWELLING AND THE SHORELINE MUST BE LIMITED TO VEGETATION THAT IS NATURALLY HARDY OR ENDEMIC IN THE DUNE OR SHOELINE AREA, AND
C. IRRIGATION SYSTEM MUST BE DESIGNED SO THAT WATER IS NOT ALLOWED TO TRAVERSE MAKAI OF THE SHORELINE INTO THESTATE LAND USE CONSERVATION DISTRICT, OR OTHERWISE
FACILITATE THE GROWTH OF VEGETATION MAKAI OF THE SHORELINE AS DEFINED IN HRS CHAPTER 205A.
4. THE APPLICANT IS RESPONSIBLE FOR THE FOLLOWING RELATED TO PRESERVATION OF COASTAL WATERS, SOIL AND DUNES.
A. IMPORTATION OF SOIL MUST BE MINIMIZED TO THE EXTENT POSSIBLE. IF THE IMPORTATION OF SOIL MATERIAL IS NECESSARY, A MATERIALS ANALYSIS MUST BE SUBMITTED TO THE DEPARTMENT OF
LAND AND NATURAL RESOURCES DIVISION OF FORESTRY AND WILDLIFE. FOR REVIEW AND APPROVAL PRIOR TO IMPORTATION THE ANALYSIS
MUST SHOW THAT THE MATERIALS HAVE SIMILAR CHARACTERISTICS AND ARE OF SIMILAR QUALITY AS THE EXISTING SOIL MATERIALS ON SITE AND WILL NOT ADVERSELY IMPACT THE SMA RESOURCES.

LANDOWNER ACKNOWLEDGEMENTS
1. THERE IS A POTENTIAL FOR THE LAND TO SHIFT FROM THE STATE LAND USE URBAN DISTRICT TO THE STATE LAN USE CONSERVATION DISTRICT IN RESPONSE TO ANTICIPATED COASTAL EROSION.
2. THE SITE IS SUSCEPTIBLE TO ADVERSE IMPACTS RELATED TO SEA LEVEL SIRE (SLR), EROSION, FLOODING, WAVE ACTION, AND OTHER COASTAL HAZARDS.
3. THE APPLICANT NOR ANY FUTURE SUCCESSOR OWNER OR INTERESTED PARTY MAY CLAIM HARDSHIP DUE TO EROSION SLR, OR ANY OTHER COASTAL HAZARD, IN ORDER TO OBTAIN APPROVAL FOR A SHORELINE SETBACK
VAIANCE (SSV) FOR A NEW SHORELINE PROTECTION STRUCTURE.
4. IN CHOOSING TO IMPLEMENT CONSTRUCTION ACTIVITIES AT TMK 5-5-002:095 THE LANDOWNER (CURRENT AND FUTURE) HEREBY ACKNOWLEDGES THAT LAND MAKAI
(SEAWARD) OF THE REGULATORY SHORELINE IS STATE PUBLIC LAND, FALLS WITHIN THE STATE LAND USE CONSERVATION DISTRICT, AND MUST REMAIN AVAILABLE FOR PUBLIC USE AND RECREATIONAL ACTIVITIES. THE LAND
OWNDER (CURRENT AND FUTURE) FURTHER ACKNOWLEDGES THAT SHOULD ANY PORTION OF A STRUCTURE ENCROACH
LANDOWNER WILL HOLD HARMLESS AND NOTIFY THE CITY OF ANY RESPONSIBILITY THAT MAY RESULT FROM ADVERSE IMPACTS ASSOCIATED WITH SLR.
5. THE LANDOWNER (CURRENT AND FUTURE_ IS HEREIN NOTIFIED THAT THE PROPERTY IS SUSCEPTIBLE TO COASTAL HAZARDS AS A RESULT OF SLR. WHICH MAY RESULT IN HARM OR LOSS OF LIFE AND PROPERTY.

sheet A001
2 of 9 sheets

date | remarks

PROPOSED SINGLE FAMILY DWELLING

MALAEKAHANA LLC
AT: 56-155 A KAMEHAMEHA HWY
T.M.K.: 5-6-001:033:0003

SHEET CONTENT:
PLOT PLAN
RIGHT-SIDE AND
LEFT-SIDE ELEVATIONS
SECTION THRU-B

BARRY R. HO
LICENSED PROFESSIONAL ARCHITECT
No. 7063
HAWAII, U.S.A.

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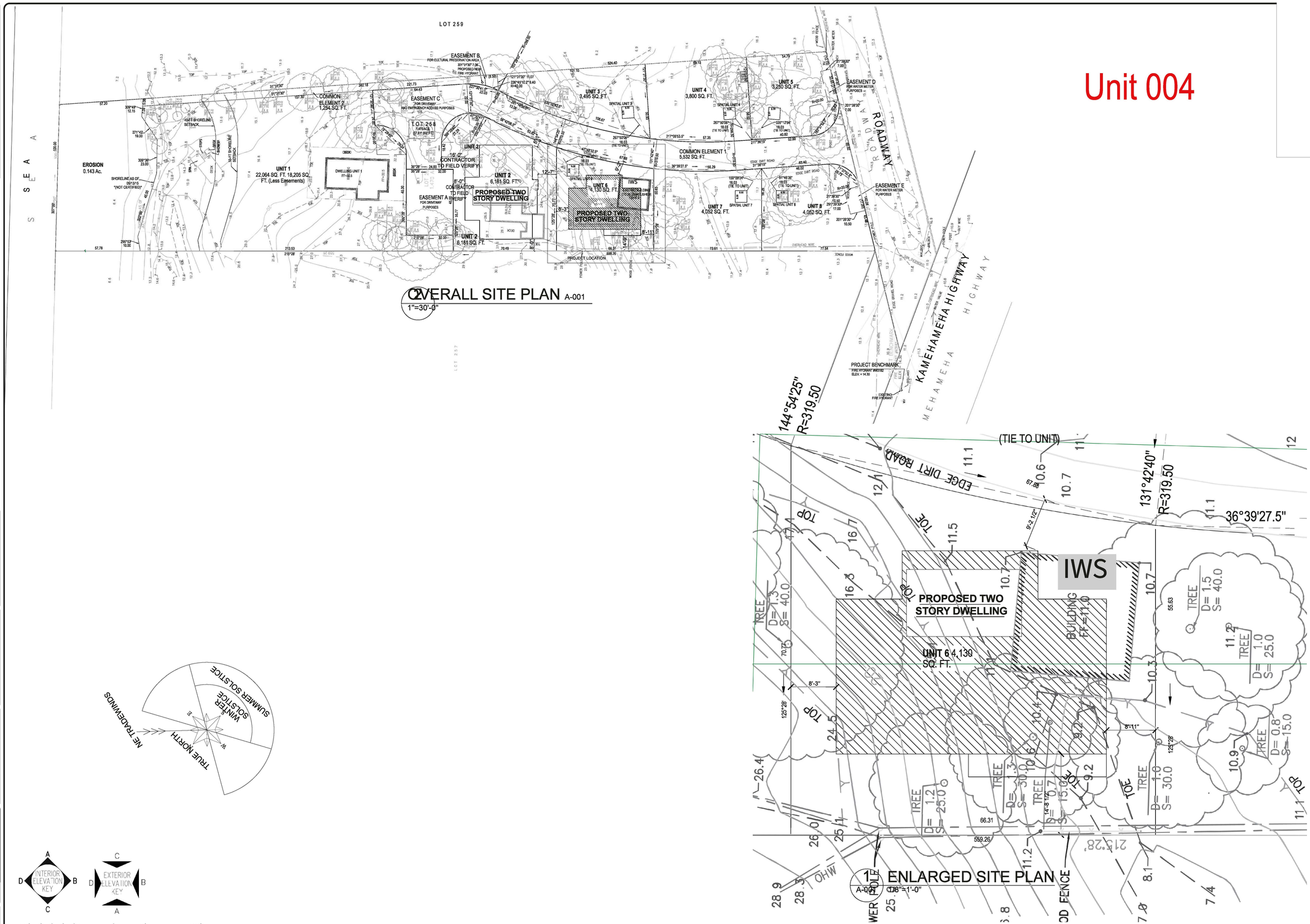
LICENSE EXPIRES April 30, 2024

Unit 004



1 OVERALL SITE PLAN A-001
1"=30'-0"

2 ENLARGED SITE PLAN A-001
1/8"=1'-0"

GRAPHIC SCALE 1/8" = 1'-0"

GRAPHIC SCALE 1" = 30'-0"

	Design	Production	Bldg. Permit	Bid Set
Date				

Drafting & Design
PO BOX 22578
HONOLULU, HI 96823
P: (808) 221-2868 F: 808) 356-0287

MICHELE L. DAMICO
LICENSED PROFESSIONAL ARCHITECT
No. 8785
HAWAII, U.S.A.

EXP DATE 4/30/2024

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State of Hawaii.

Revisions:
6/7/2022
1
2

PROPOSED TWO STORY DWELLING 66-155 A
KAMEHAMEHA HIGHWAY, KAHUKU HAWAII 96731 TMK: 5-6-001:033:004

OVERALL SITE PLAN

Job No:
Drawn by: 3D-S
Date: 03202021

Drawing No:
A-001

of 17 Sheets

Unit 04

LEGEND:

INTERIOR WALL - 2X4 WOOD FRAMING @ 16" ON CENTER W/ 1/2" THK. GYPSUM BOARD ON EACH SIDE

EXTERIOR WALL - 2X4 WOOD FRAMING @ 16" ON CENTER W/ 5/8" THK. LP SIDING TO MATCH EXTERIOR FINISH ON TYVEK WRAP MOISTURE BARRIER OVER 1/2" THK. GYP. BOARD WITH 10d NAILS ON 6" O.C AT EDGES AND 12" O.C @ FIELD

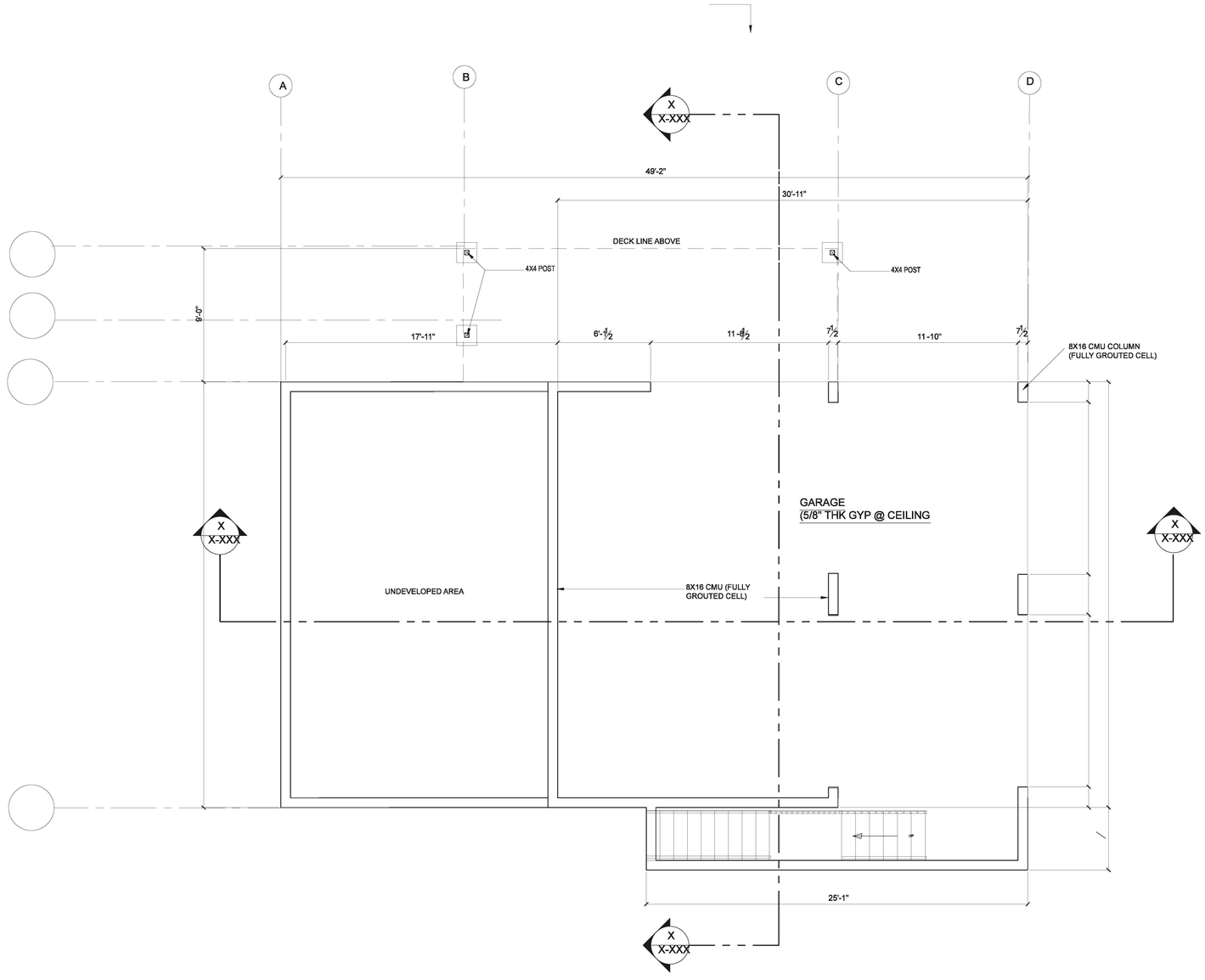
NOTE:

A. ALL PLUMBING WALLS TO BE 2X6 @ 16" B. ALL WET AREAS TO HAVE MOLD & MOISTURE RESISTANT GYPSUM BOARD

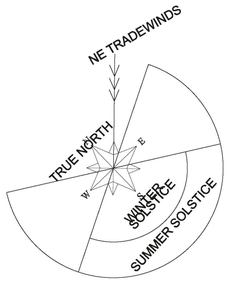
1 HR FIRE RATED OCCUPANCY SEPERATION - 2X4 FRAMING W/ 5/8 " THK TYPE X GYP BD EACH SIDE

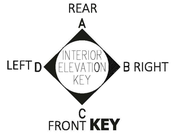
2X6 WD FRAMING @ 16" OC W/ 1/2" THK GYP BD EA SIDE

2X6 WD FRAMING @ 16" OC W/ 1/2" THK GYP BD EA SIDE & SOUND INSULATION



1 A-003 LOWER FLOOR PLAN
1/4"=1'-0"





ELEVATION PLAN

5' 4' 3' 2' 1' 0 5' 10'
GRAPHIC SCALE
1/4" = 1'-0"

Bid Set Date | Bldg. Permit Date | Production Date | Design Date

Drafting & Design
PO BOX 22578
HONOLULU, HI 96823
P: (808) 221-2868 F: 808) 356-0287

MICHELE L. DAMICO
LICENSED PROFESSIONAL ARCHITECT
No. 8785
HAWAII, U.S.A.

EXP DATE 4/30/2024

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Supervision as defined in Title XVI, Chapter 118, Section 16-115-2 of the Rules & Regulations of the Board of Professional Engineers, Architects, and Surveyors of the State of Hawaii.

Revisions:
6/7/2022
1
2

PROPOSED TWO STORY DWELLING
56-155 A KAMEHAMEHA HIGHWAY, KAHUKU HAWAII 96731
TMK: 5-6-001:033:0004

LOWER FLOOR PLAN

Job No:
Drawn by: 3D-S
Date: 03202021
Drawing No:
5 A002
____ of 17 Sheets

Unit 04

LEGEND:

INTERIOR WALL - 2X4 WOOD FRAMING @ 16" ON CENTER W/ 1/2" THK. GYPSUM BOARD ON EACH SIDE

EXTERIOR WALL - 2X4 WOOD FRAMING @ 16" ON CENTER W/ 5/8" THK. LP SIDING TO MATCH EXTERIOR FINISH ON TYVEK WRAP MOISTURE BARRIER OVER 1/2" THK. GYP. BOARD WITH 10d NAILS ON 6" O.C AT EDGES AND 12" O.C @ FIELD

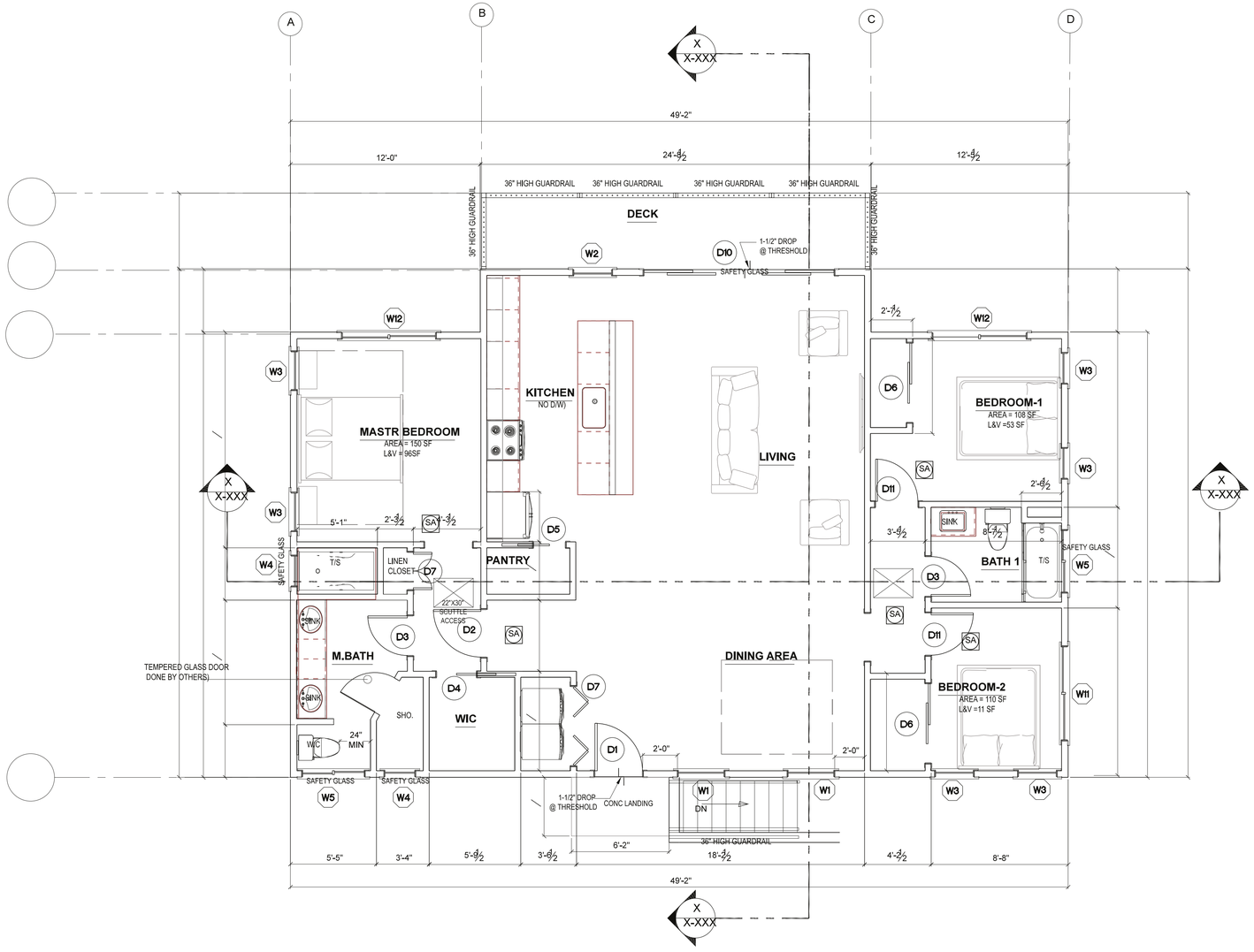
NOTE:

A. ALL PLUMBING WALLS TO BE 2X6 @ 16" B. ALL WET AREAS TO HAVE MOLD & MOISTURE RESISTANT GYPSUM BOARD

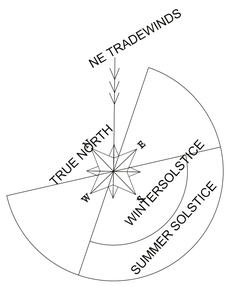
1 HR FIRE RATED OCCUPANCY SEPERATION - 2X4 FRAMING W/ 5/8 " THK TYPE X GYP BD EACH SIDE

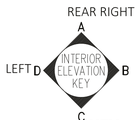
2X6 WD FRAMING @ 16" OC W/ 1/2" THK GYP BD EA SIDE

2X6 WD FRAMING @ 16" OC W/ 1/2" THK GYP BD EA SIDE & SOUND INSULATION



1 A-003 UPPER FLOOR PLAN
1/4"=1'-0"





ELEVATION PLAN

5' 4' 3' 2' 1' 0 5' 10'
GRAPHIC SCALE 1/4" = 1'-0"

Drafting & Design
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P: (808) 221-2868 F: 808) 356-0287

MICHELE L. DAMICO
LICENSED PROFESSIONAL ARCHITECT
No. 8785
HAWAII, U.S.A.

EXP DATE 4/30/2024

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Revisions:
6/7/2022
1
2

PROPOSED TWO STORY DWELLING 56-155 A
KAMEHAMEHA HIGHWAY, KAHUKU HAWAII 96731TMK: 5-5-001:033:0004

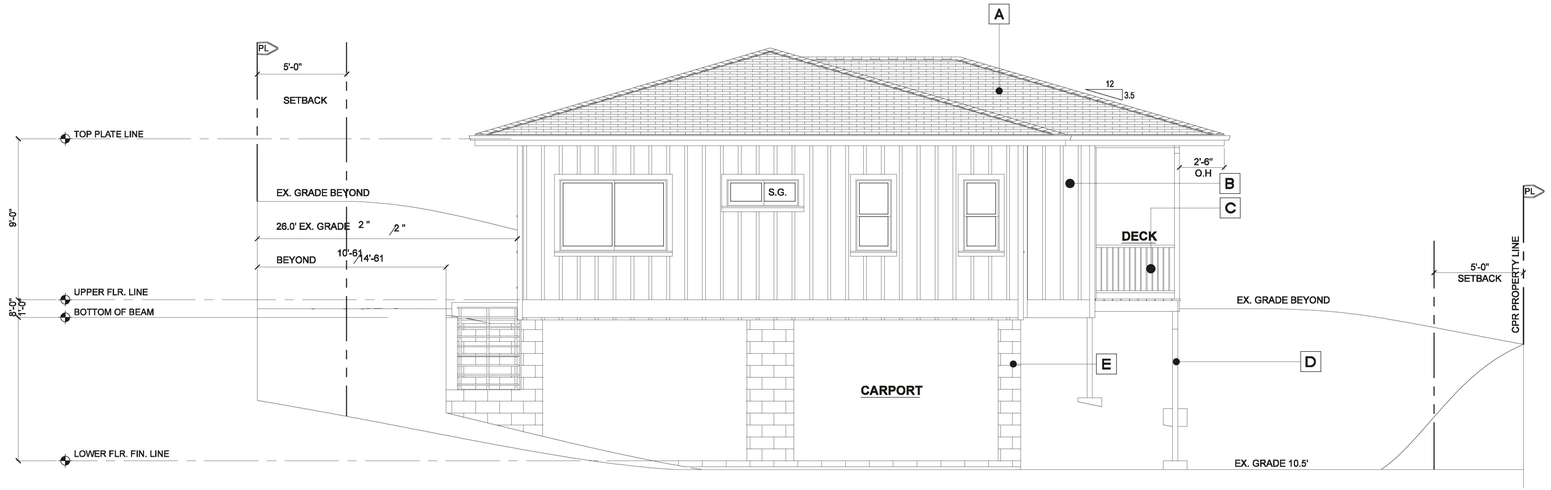
UPPER FLOOR PLAN

Job No:
Drawn by: 3DAS
Date: 03202021
Drawing No:
A-003

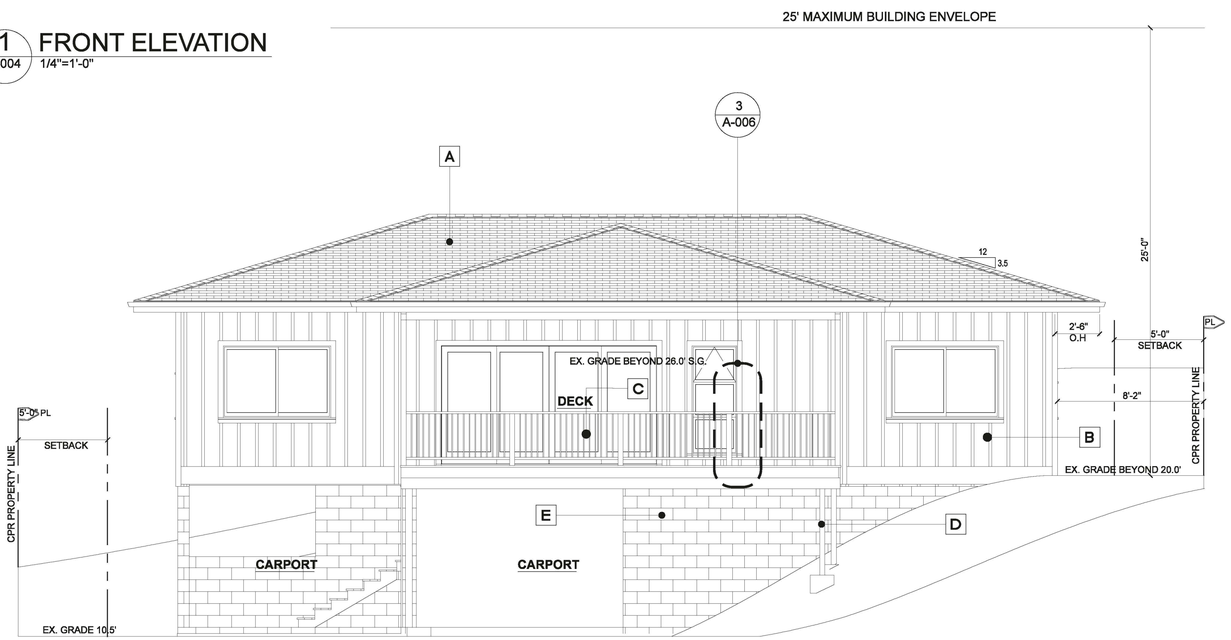
6 of 17 Sheets

Bid Set Date
Date
Bldg. Permit Date
Production Date
Design Date

Unit 04



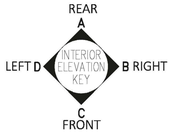
1 A-004 **FRONT ELEVATION**
1/4"=1'-0"



2 A-004 **RIGHT ELEVATION**
1/4"=1'-0"

KEY NOTES LEGEND:

- A — ASPHALT SHINGLE WITH SELF SEALANT ADHESIVE ROOFING COMPOUND ON 2-15# FELT-UNDERLAYMENT OVER 5/8" THK TECHSHEILD RADIANT BARRIER SHEATHING.
- B — 5/8" THK. LP SMART PANEL (8" OC BOARD & BATTEN) SIDING ON TYVEK WRAP MOISTURE BARRIER WITH 10d NAILS ON 6" O.C. AT EDGES AND 12" O.C @ FIELD.
- C — 36" HIGH MIN. GUARDRAIL WITH 1X1 PICKETS WITH LESS THAN 4"Ø SPACING ON CENTER
- D — 4X4 STRUCTURAL POST (HI-BOR TREATED LUMBER)
- E — CMU WALL / COLUMN (FULLY GROUTED CELL)
- F — 2 4'x8' FLUSH MOUNT SOLAR W/ 4" PANELS TO BE INSTALLED DUE SOUTH



KEY ELEVATION PLAN

5' 4' 3' 2' 1' 0 5' 10'
GRAPHIC SCALE 1/4" = 1'-0"

Bid Set Date
Date
Bldg. Permit Date
Production Date
Design Date

Drafting & Design
PO BOX 22578
HONOLULU, HI 96823
P: (808) 221-2868 F: 808) 356-0287

MICHELE L. DAMICO
LICENSED PROFESSIONAL ARCHITECT
No. 8785
HAWAII, U.S.A.

EXP DATE 4/30/2024

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Revisions:
6/7/2022
1
2

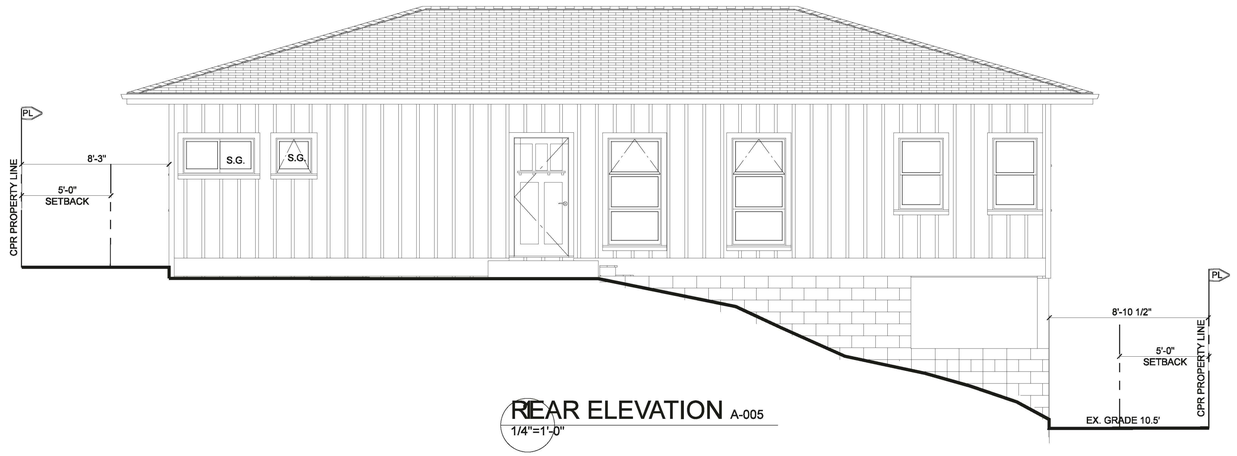
PROPOSED TWO STORY DWELLING
56-155 A KAMEHAMEHA HIGHWAY, KAHUKU HAWAII 96731
TMK: 5-6-001:033:0004

FRONT AND LEFT ELEVATIONS

Job No:
Drawn by: 3DAS
Date: 03202021
Drawing No:
A-004

Unit 04

25' MAXIMUM BUILDING ENVELOPE

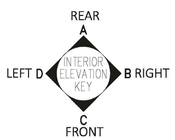


REAR ELEVATION A-005
1/4"=1'-0"

KEY NOTES LEGEND:

- A — ASPHALT SHINGLE WITH SELF SEALANT ADHESIVE ROOFING COMPOUND ON 2-15# FELTUNDERLAYMENT OVER 5/8" THK TECHSHEILD RADIANT BARRIER SHEATHING.
- B — 5/8" THK. LP SMART PANEL (8" OC BOARD & BATTEN) SIDING ON TYVEK WRAP MOISTURE BARRIER WITH 10d NAILS ON 6" O.C. AT EDGES AND 12" O.C @ FIELD.
- C — 36" HIGH MIN. GUARDRAIL WITH 1X1 PICKETS WITH LESS THAN 4"Ø SPACING ON CENTER
- D — 4X4 STRUCTURAL POST (HI-BOR TREATED)
- E — CMU WALL / COLUMN (FULLY GROUTED CELL)
- F — 2 4'x8' FLUSH MOUNT SOLAR W/ 4" PANELS TO BE INSTALLED DUE SOUTH

LEFT ELEVATION A-004
1/4"=1'-0"



KEY ELEVATION PLAN

GRAPHIC SCALE 5' 4' 3' 2' 1' 0 5' 10' — ¼" = 1'-0"

Bid Set Date | Bldg. Permit Date | Production Date | Design Date

Drafting & Design
PO BOX 22578
HONOLULU, HI 96823
P: (808) 221-2868 F: 808) 356-0287

MICHELE L. DAMICO — LICENSED PROFESSIONAL ARCHITECT — No. 8785 — HAWAII, U.S.A.

EXP DATE 4/30/2024

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Revisions:
6/7/2022
1
2

PROPOSED TWO STORY DWELLING 66-155 A
KAMEHAMEHA HIGHWAY, KAHUKU HAWAII 96731TMK: 5-6-001:033:0004

REAR AND RIGHT ELEVATIONS

Job No:
Drawn by: 3DAS
Date: 03202021
Drawing No:
A-005

PROJECT TITLE:

PROPOSED SINGLE FAMILY DWELLING

IRC NOTES:

WINDOWS IN BUILDING LOCATED IN WIND BORNE DEBRIS REGIONS SHALL HAVE GLAZED OPENINGS PROTECTED FROM WIND BORNE DEBRIS. GLAZED OPENING PROTECTION FOR WIND BORNE DEBRIS SHALL MEET THAT REQUIREMENT OF THE LARGE MISSILE TEST OF ASTME 1996 AND OF ATME 1886 REFERENCED THEREIN.
EXCEPTION:

1. WOOD STRUCTURAL PANELS WITH A MINIMUM THICKNESS OF 7/16 - INCH (11.1MM) AND A MAX. SPAN OF 8 FEET (2438MM) SHALL BE PERMITTED FOR OPENING PROTECTION IN 1 & 2 STOREY BUILDINGS. PANELS SHALL BE PRECUT TO COVER THE GLAZED OPENINGS WITH ATTACHMENT HARDWARE PROVIDED. ATTACHMENTS SHALL BE DESIGNED TO RESIST THE COMPONENTS AND CLADDING LOADS DETERMINED IN ACCORDANCE WITH EITHER TABLE R301.2(2) OR SECTION 1609.6.5 OF THE IBC. ATTACHMENT IN ACCORDANCE WITH TABLE R301.2.1.2 IS PERMITTED FOR BUILDINGS WITH A MEAN ROOF HEIGHT OF 33 FEET OR LESS WHERE THE EFFECTIVE WIND SPEEDS DO NOT EXCEED 130MPH.

2. OCCUPANCY R-3 AND R-4 RESIDENTIAL ASSISTED LIVING FACILITIES (INCLUDING THEIR COMPONENTS AND CLADDING) DESIGNED AS A PARTIALLY ENCLOSED STRUCTURE IN ACCORDANCE W/ THE IBC SHALL ALSO INCLUDE A RESIDENTIAL SAFE ROOM IN ACCORDANCE WITH ARTICLE 13, HAWAII RESIDENTIAL SAFE ROOM.

BMP NOTES:

1. PROVIDE CONSTRUCTION ENTRANCE, CB SEDIMENT FILTERS, AND SILT FENCE PRIOR TO COMMENCING WITH GRADING WORK.
2. PROVIDE VEGETATIVE COVER OF EXPOSED AREAS AT FINISHED GRADES OR AREAS THAT ARE LEFT UNDISTURBED FOR 30 DAYS.
3. FREQUENT WETTING OF THE GRADED AREAS BY WATER TRUCK OR HOSE.
4. NO WORK WILL BE PERFORMED ON DAYS WITH EXCESSIVE WIND (20 MPH).
5. ALL POINTS OF EGRESS AND INGRESS TO A SITE SHALL BE PROTECTED WITH A STABILIZE CONSTRUCTION ENTRANCE TO PREVENT TRANSPORT OF MUD, DIRT, ROCKS, ETC. ONTO THE PAVED ROADWAY. REMOVE STABILIZED CONSTRUCTION ENTRANCE TO INSTALLING A.C. PAVEMENT.
6. SILT FENCE OR OTHER TEMPORARY MEASURES SHALL BE PROVIDED DOWN SLOPE TO PROTECT ADJOINING PROPERTIES.
7. CONSTRUCTION TO INSTALL TEMPORARY SEDIMENT FILTER AT NEXT CATCH BASIN DOWN STREAM FROM THE CONSTRUCTION SITE. AS WELL AS AT CATCH BASIN FRONTING SITE.
8. ALL DISTURBED AREAS SHALL BE PERMANENTLY STABILIZED PRIOR TO REMOVING EROSION AND SEDIMENT MEASURES.

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MEASURES IT WILL TAKE FOR THE CONTROL OF FUGITIVE DUST FROM THE WORK SITE.
   THE MEASURES MAY INCLUDE, BUT NOT LIMITED TO, THE INSTALLATION OF DUST SCREENS, WATERING OF THE SITE AND FILL MATERIAL BEING PLACED, AND DELAYING WORK IN THE WEEK THAT PREVAILING WIND DIRECTION SHOULD SHIFT.

1. THE CONTRACTOR SHALL CONSTRUCT STABILIZED CONSTRUCTION ACCESS TO REMOVE MUD, DIRT, WHICH MAY BE TRACKED ONTO OR OFF THE CONSTRUCTION ACCESS ROUTE.
2. THE CONTRACTOR SHALL ENSURE THAT MUD SHALL BE CLEANED FROM VEHICLE TIRE BEFORE THE VEHICLE CAN EXIT ONTO PAVED ROADS.

PUBLIC HEALTH, SAFETY, AND CONVENIENCE NOTES:

1. THE CONTRACTOR SHALL OBSERVE AND COMPLY WITH ALL FEDERAL, STATE, AND LOCAL LAWS REQUIRED FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY AND ENVIRONMENTAL QUALITY.

2. THE CONTRACTOR, AT HIS OWN EXPENSE SHALL KEEP THE PROJECT AND ITS SURROUNDING AREAS FREE FROM DUST NUISANCE. THE WORK SHALL BE IN CONFORMANCE WITH THE AIR POLLUTION CONTROL STANDARDS AND REGULATIONS OF THE STATE DEPARTMENT OF HEALTH.

3. NO CONTRACTOR SHALL PERFORM ANY CONSTRUCTION ACTIVITY SO AS TO CAUSE FALLING ROCK, SOIL OR DEBRIS IN ANY FORM TO FALL, SLIDE OR FLOW ONTO ADJOINING PROPERTIES, STREETS OR NATURAL WATERCOURSES. SHOULD SUCH VIOLATIONS OCCUR, THE CONTRACTOR SHALL IMMEDIATELY MAKE ALL REMEDIAL ACTIONS NECESSARY.

4. THE CONTRACTOR SHALL PROVIDE, INSTALL AND MAINTAIN ALL NECESSARY SIGNS, LIGHTS, FLARES, BARRICADES, MARKERS, CONES AND OTHER PROTECTIVE FACILITIES AND SHALL TAKE ALL NECESSARY PRECAUTIONS FOR THE PROTECTION, CONVENIENCE AND SAFETY OF THE PUBLIC. THE CONTRACTOR SHALL APPLY FOR A CONSTRUCTION PERMIT WITH A NOISE POLLUTION CONTROL PLAN.

NOTE:
ALL CONSTRUCTION TO COMPLY WITH REQUIREMENTS R403.5.5 (SOLAR WATER HEATER), R403.6.2 (CEILING FAN), R404.2 (SOLAR CONDUIT AND PANEL READINESS), R404.3 (ELECTRIC VEHICLE READINESS)

BUILDING DEPARTMENT
CITY & COUNTY OF HONOLULU

BUILDING CODE REQUIREMENTS FOR SPECIAL INSPECTIONS

PER CHAPTER 17 OF THE INTERNATIONAL BUILDING CODE 2012 requires that the owner employ one or more special inspectors performing the work. The special inspector shall provide inspection during construction of the following types of work:

☒ 16. Sheathed Shear Walls and Diaphragms
☒ 17. Complete Load Path and Uplift Tiles
☒ 18. Termite Protection

(detailed clarification of above items are listed on the reverse side of this page.)

Circle the number corresponding to the types of work for this project requiring special inspection. Fill the circled numbers in the below together with the identity of all special inspectors who will be performing the inspection.

GENERAL NOTES:

1. ALL WORK SHALL BE IN FULL COMPLIANCE WITH ALL APPLICABLE CODES, REGULATIONS OR REQUIREMENTS OF THE CITY OR COUNTY HAVING JURISDICTION FOR THE PLACE OF THE BUILDING.
2. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS AT THE JOB SITE PRIOR TO LAYING OUT THE WORK AND SHALL NOTIFY THE DESIGNER OF ANY DISCREPANCIES PRIOR TO START OF ANY WORK AND SHALL BE RESPONSIBLE FOR ANY ERRORS RESULTING FROM HIS FAILURE TO DO SO.
3. DO NOT SCALE DRAWINGS. NOTED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE. THE CONTRACTOR SHALL ALIGN NEW WALLS WITH EXISTING WHERE INDICATED ON THE DRAWINGS, AND SHALL NOTIFY THE DESIGNER OF ANY DISCREPANCIES PRIOR TO START OF ANY WORK.
4. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY SHORING, BRACING, ETC., REQUIRED TO INSURE STABILITY OF EACH AND EVERY PART DURING THE CONSTRUCTION PROCEDURE. ANY DAMAGE RESULTING FROM HIS FAILURE TO DO SHALL BE REPAIRED OR REPLACED AS REQUIRED AT THE CONTRACTOR'S EXPENSE.
5. ALL FRAMING MEMBERS SHALL BE SO ARRANGED AND SPACED SO AS TO PERMIT INSTALLATION OF ELECTRICAL WORK, PIPES, DUCTS ETC. WITH A MINIMUM AMOUNT OF CUTTING.
6. THE CONTRACTOR SHALL COORDINATE AND PHASE ALL WORK PERFORMED BY HIMSELF AND ALL SUBCONTRACTORS IN ORDER TO MINIMIZE THE DISRUPTION OF THE TENANTS FUNCTION DURING THE CONSTRUCTION PHASE OF THE WORK.
7. CONTRACTOR SHALL PATCH, FILL OR REPAIR ALL HOLES IN WALLS AND FLOORS AS A RESULT OF NEW CONSTRUCTION AND FINISH TO MATCH EXISTING UNLESS NOTED OTHERWISE.
8. ANY DAMAGE TO THE EXISTING BUILDING RESULTING FROM THE CONSTRUCTION PROCESS SHALL BE REPAIRED AND RESTORED TO MATCH THE ORIGINAL CONDITION BY THE CONTRACTOR AT NO COST TO THE OWNER.

CITY AND COUNTY OF HONOLULU
REVISED ORDINANCE CHAPTER 32
HONOLULU COUNTY CODE 1990 AS AMENDED

To the best of my knowledge, this project's design substantially conforms to the Building Energy Conservation Code for:

__X__ Building Component Systems
_____ Electrical Component Systems
_____ Mechanical Component Systems

Signature: _____ Date: 04-30-24
Name: BARRY NG
Title: ARCHITECT
License No. A7063

LOCATION MAP

BOARD OF WATER SUPPLY NOTES:

ALL EXISTING REGULAR-FLOW FIXTURES SHALL BE RETROFITTED TO LOW-FLOW FIXTURES. NO IRRIGATION OR FIRE SPRINKLER CONNECTED TO METER.

PROJECT INFORMATION:

TMK:	5-6-001:033:0010
ZONING:	R-5
LOT AREA	3,250 SQ. FT.
MAX ALLOWABLE (50%)	1,625 SQ. FT.
MAX BLDG HT PER LUO:	25'-0" MAX.
SETBACKS:	10'-0" FRONT YARD
	5'-0" SIDE & REAR YARD
FLOOD ZONE:	X
CONSTRUCTION TYPE:	VB
OCCUPANCY:	R-3

CODES AND REGULATIONS REFERENCE:

2012 IRC W/ AMENDMENTS
HAWAII REVISED STATUES
2021 LUO W/ REVISED ORDINANCES

LAND USE & ZONING NOTES & CALCULATIONS:

LOT SIZE	3,250 FT²
ALLO. LOT CVGE 50%	1,625 FT²
NEW BLD'G CVGE	1,507 FT²
TOTAL LOT CVGE	1,507 FT²

BLDG. CALCS/FAR CALCS:

GRND. FLR. LIVING AREA	1,013 FT²
SECOND. FLR. LIVING AREA	1,052 FT²
GARAGE	493 FT²
ROOF DECK	605 FT²
TOTAL LIV. AREA	2,065 FT²
TOTAL BLDG. AREA	**3,163 FT²**

PARKING REQUIRED
1 UNIT PER 1,000 FT²
(LIVING AREA)
2,065 FT² = 2 PARKING REQUIRED
= 2 PARKING PROVIDED

UNIT 5

SHEET INDEX:

001	TITLE PAGE PROJECT DATA
A001	OVERALL PLOT PLAN, RIGHT-SIDE ELEVATION, LEFT-SIDE ELEVATION & SECTION THRU-B
A002	PLOT PLAN ESCP
A003	PROPOSED FLOOR PLAN
A004	EXTERIOR ELEVATIONS & SECTION THRU-A
A005	INTERIOR ELEVATIONS & SCHEDULE OF DOORS & WINDOWS
S001	FOUNDATION PLAN & FLOOR FRAMING PLAN
S002	ROOF DECK FRAMING PLAN & STRUCTURAL DETAILS
E001	ELECTRICAL NOTES & LAYOUT

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION. CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.
BARRY R. NG LICENSED PROFESSIONAL ARCHITECT No. 7063 HAWAII
LICENSE EXPIRES April 30, 2024

SHEET CONTENT:
TITLE PAGE
PROJECT DATA

PROPOSED SINGLE FAMILY DWELLING
MALAEKAHANA LLC
A1: 56-155 A KAMEHAMEHA HWY
T.M.K.: 5-6-001:033:0010

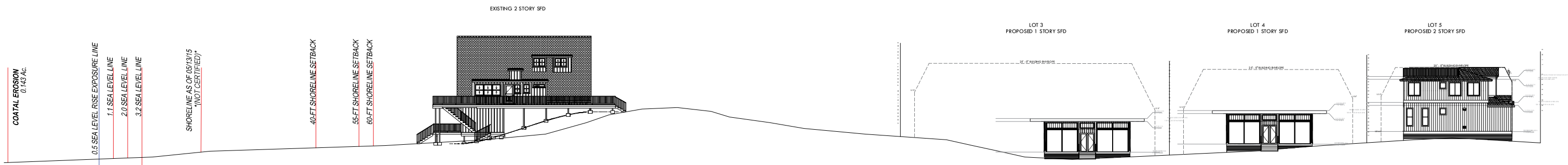
date	remarks
△	
△	
△	
△	

sheet
001
1 of 11 sheets

Unit 5

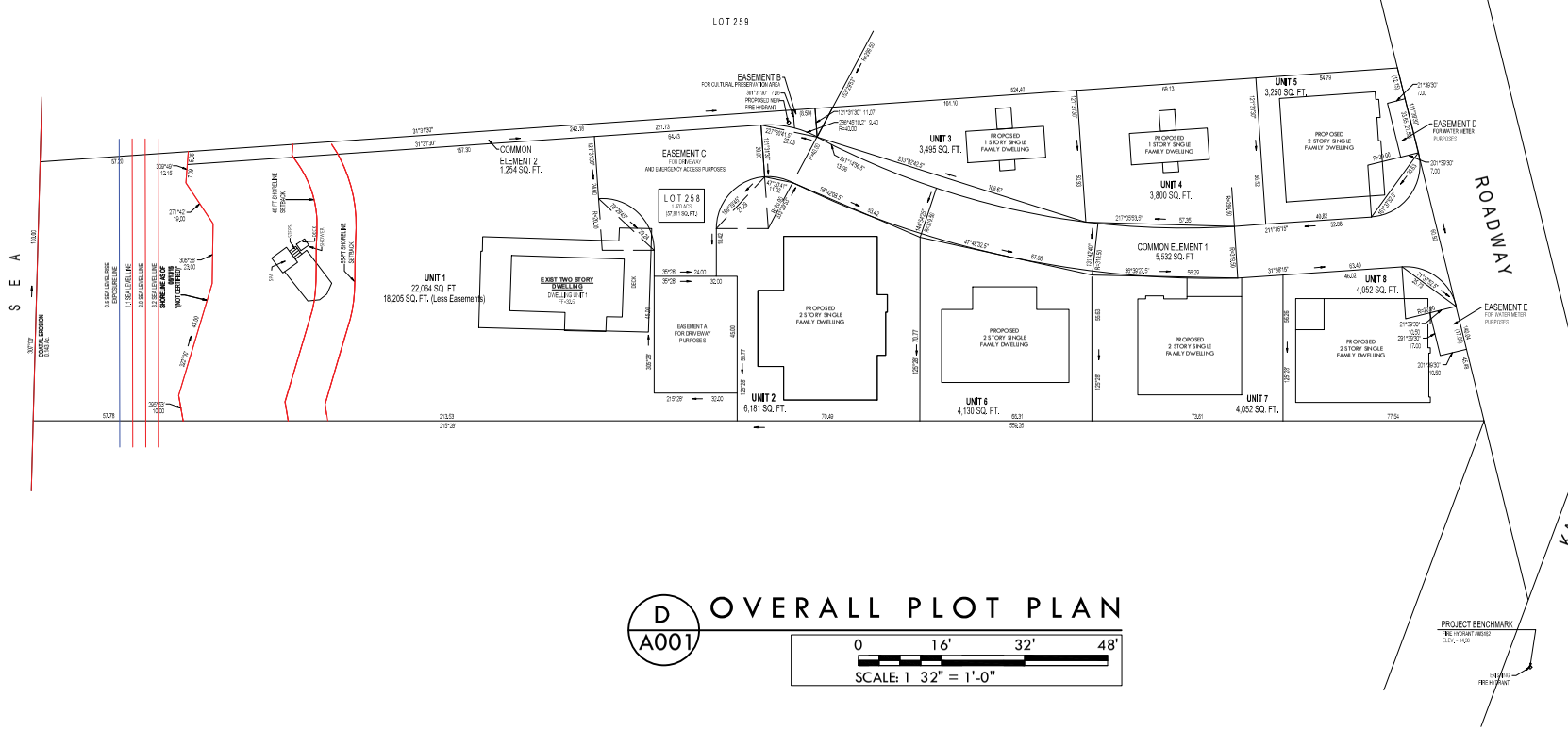
A A001 **RIGHT-SIDE ELEVATION**

0 16' 32' 48'
SCALE: 1/16" = 1'-0"



B A001 **LEFT-SIDE ELEVATION**

0 16' 32' 48'
SCALE: 1/16" = 1'-0"



D A001 **OVERALL PLOT PLAN**

0 16' 32' 48'
SCALE: 1 32" = 1'-0"

ENVIRONMENTAL NOTES:

THE APPLICANT IS RESPONSIBLE FOR THE FOLLOWING RELATED TO ARCHAEOLOGICAL HISTORICAL AND CULTURAL RESOURCES
IF, DURING CONSTRUCTION, ANY PREVIOUSLY UNIDENTIFIED ARCHAEOLOGICAL SITES OR REMAINS (SUCH AS ARTIFACTS, SHELL, BONE, OR CHARCOAL DEPOSITS,
HUMAN BURIALS, ROCK OR CORAL ALIGNMENTS, PAVINGS, OR WALLS) ARE ENCOUNTERED THE APPLICANT SHALL STOP WORK, PROTECT THE FIND FROM FURTHER DISTURBANCE
AN CONTACT THE STATE HISTORIC PRESERVATION DIVISION (SHPD) IMMEDIATELY.
WORK IN THE IMMEDIATE AREA MUST BE STOPPED UNTIL SHPD IS ABLE TO ASSESS THE IMPACT AND MAKE FURTHER RECOMMENDATIONS FOR MITIGATIVE ACTIVITY.
THESE REQUIREMENTS MUST BE CLEARLY STATED ON ALL CONSTRUCTION AND BUILDING PERMIT PLANS.
2. THE APPLICANT IS RESPOSIBLE FOR THE FOLLOWING RELATED TO COASTAL ECOSYSTEMS.
A. WOODY PLANTS GREATER THAN 1.5 FT IN HEIGHT MAY NOT BE DISTURBED, REMOVED OR TRIMMED DURING THE HAWAIIAN HOARY BAT BIRTHING AND PUP REARING SEASON (JUNE 1 THROUGH SEPTEMBER 15).
B. ALL NEW AND REPLACEMENT OUTDOOR LIGHT FIXTURES MUST NOT EXCEED A COLOR TEMPERATURE OF 3,000 EGREES KELVIN.
C. ARTIFICIAL LIGHT FROM EXTERIOR LIGHTING FIXTURES INCLUDING BUT NOT NECESSARILY LIMITED TO FLOORLIGHTS, UPLIGHTS, OR SPOTLIGHTS USED FOR DECORATIVE
OR AESTHETIC PURPOSES, IS PROHIBITED IF THE LIGHT DIRECTLY ILLUMINATES OR IS DIRECTED ACROSS PROPERTY BOUNDARIES TOWARD THE SHORELINE AND OCEAN
WATERS, EXCEPT AS MAY OTHERWISE BE PERMITTED PURSUANT TO HAWAII REVISED STATUES (HRS) SECTION 205A-71(B).
D. EXTERIOR LIGHTING FIXTURES MUST BE FULLY SHIELDED USING FULL CUTOFF FIXTURES WITH THE LIGHT DIRECTED DOWNWARD SO THAT THE LIGHT BULB IS ONLY VISIBLE FROM BELOW THE LIGHT FIXTURE.
E. ALL PROJECT SITE WORK AND CONSTRUCTION ACTIVITIES ARE LIMITED TO DAYLIGHT HOURS,
F. BARB LESS FENCING MUST BE USED FOR ALL FENCE CONSTRUCTION TO AVID ENTANGLEMENT OF HAWAIIAN HOARY BATS
G. ALL PROJECTS-RELATED ACTIVITIES MUST CEASE IF A HAWAIIAN MONK SEAL OF GREEN SEA TURTLES IS WITHIN 150 FT. OF THE WORK AREA , OR AS RECOMMENDED BY STATE OR
FEDERAL REGULATIONS PROJECT ACTIVITIES MAY ONLY RECOMMENCE AFTER THE ANIMAL VOLUNTARILY LEAVES THE AREA. IF A MONK SEAL PUP IS PRESENT,
A 300-FT BUFFER MUST BE OBSERVED ANY PROJECT-RELATED DEBRIS THAT MAY POSE AN ENTANGLEMENT THREAT TO MONK SEALS AND TURTLES MUST BE REMOVED FROM THE WORK
AREA AT THE END OF EACH DAY AND AT THE CONCLUSION OF PROJECT-RELATED ACTIVITIES.
3. THE APPLICANT IS RESPONSIBLE FOR THE FOLLOWING RELATED TO PRESERVATION OF UNDERLYING BEACH SANDS AND COASTAL DUNES.
A. NEW LANDSCAPING MUST NOT ARTIFICIALLY FIX THE SHORELINE OR BE MAINTAINED IN SUCH A WAY THAT IT EFFECTIVELY HARDENS THE SHORELINE
B. LANDSCAPING BETWEEN THE MAKAI DWELLING AND THE SHORELINE MUST BE LIMITED TO VEGETATION THAT IS NATURALLY HARDY OR ENDEMIC IN THE DUNE OR SHOELINE AREA, AND
C. IRRIGATION SYSTEM MUST BE DESIGNED SO THAT WATER IS NOT ALLOWED TO TRAVERSE MAKAI OF THE SHORELINE INTO THESTATE LAND USE CONSERVATION DISTRICT, OR OTHERWISE
FACILITATE THE GROWTH OF VEGETATION MAKAI OF THE SHORELINE AS DEFINED IN HRS CHAPTER 205A.
4. THE APPLICANT IS RESPONSIBLE FOR THE FOLLOWING RELATED TO PRESERVATION OF COASTAL WATERS, SOIL AND DUNES.
A. IMPORTATION OF SOIL MUST BE MINIMIZED TO THE EXTENT POSSIBLE. IF THE IMPORTATION OF SOIL MATERIAL IS NECESSARY, A MATERIALS ANALYSIS MUST BE SUBMITTED TO THE DEPARTMENT OF
LAND AND NATURAL RESOURCES DIVISION OF FORESTRY AND WILDLIFE. FOR REVIEW AND APPROVAL PRIOR TO IMPORTATION THE ANALYSIS
MUST SHOW THAT THE MATERIALS HAVE SIMILAR CHARACTERISTICS AND ARE OF SIMILAR QUALITY AS THE EXISTING SOIL MATERIALS ON SITE AND WILL NOT ADVERSELY IMPACT THE SMA RESOURCES.

LANDOWNER ACKNOWLEDGEMENTS
1. THERE IS A POTENTIAL FOR THE LAND TO SHIFT FROM THE STATE LAND USE URBAN DISTRICT TO THE STATE LAN USE CONSERVATION DISTRICT IN RESPONSE TO ANTICIPATED COASTAL EROSION.
2. THE SITE IS SUSCEPTIBLE TO ADVERSE IMPACTS RELATED TO SEA LEVEL SIRE (SLR), EROSION, FLOODING, WAVE ACTION, AND OTHER COASTAL HAZARDS.
3. THE APPLICANT NOR ANY FUTURE SUCCESSOR OWNER OR INTERESTED PARTY MAY CLAIM HARDSHIP DUE TO EROSION SLR, OR ANY OTHER COASTAL HAZARD, IN ORDER TO OBTAIN APPROVAL FOR A SHORELINE SETBACK
VAIANCE (SSV) FOR A NEW SHORELINE PROTECTION STRUCTURE.
4. IN CHOOSING TO IMPLEMENT CONSTRUCTION ACTIVITIES AT THM 5-5-00:2095 THE LANDOWNER (CURRENT AND FUTURE) HEREBY ACKNOWLEDGES THAT LAND MAKAI
(SEAWARD) OF THE REGULATORY SHORELINE IS STATE PUBLIC LAND, FALLS WITHIN THE STATE LAND USE CONSERVATION DISTRICT, AND MUST REMAIN AVAILABLE FOR PUBLIC USE AND RECREATIONAL ACTIVITIES. THE LAND
OWNDER (CURRENT AND FUTURE) FURTHER ACKNOWLEDGES THAT SHOULD ANY PORTION OF A STRUCTURE ENCROACH
LANDOWNER WILL HOLD HARMLESS AND NOTIFY THE CITY OF ANY RESPONSIBILITY THAT MAY RESULT FROM ADVERSE IMPACTS ASSOCIATED WITH SLR.
5. THE LANDOWNER (CURRENT AND FUTURE_ IS HEREIN NOTIFIED THAT THE PROPERTY IS SUSCEPTIBLE TO COASTAL HAZARDS AS A RESULT OF SLR. WHICH MAY RESULT IN HARM OR LOSS OF LIFE AND PROPERTY.

sheet A001
2 of 9 sheets

date / remarks

PROPOSED SINGLE FAMILY DWELLING

MALAEKAHANA LLC
AT: 56-155 A KAMEHAMEHA HWY
T.M.K.: 5-6-001:033:0010

SHEET CONTENT:
PLOT PLAN
RIGHT-SIDE AND
LEFT-SIDE ELEVATIONS
SECTION THRU-B

BARRY R. HO
LICENSED PROFESSIONAL ARCHITECT
No. 7063
HAWAII, U.S.A.

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION. CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.

LICENSE EXPIRES April 30, 2024

UNIT 5

ELECTRIC VEHICLE READINESS R404.3
LEVEL 2 ELECTRIC VEHICLE CHARGER
208/240 VAC, SINGLE PHASE, 16A
MINIMUM CONTINUOUS

NOTE:
- SILT FENCE
- CONCRETE WASHOUT
- STOCK PILE
- BIOSOCK

EROSION SEDIMENT CONTROL NOTES FOR MINOR DEVELOPMENT PROJECTS:

(i) USE BEST MANAGEMENT PRACTICES (BMPS) TO PREVENT AND REDUCE THE DISCHARGE OF POLLUTANTS FROM THE PROJECT SITE ONTO OFF-SITE STREETS, STORM DRAINS, STREAMS AND THE OCEAN. POTENTIAL POLLUTANTS INCLUDE BUT ARE NOT LIMITED TO SOIL, OIL PRODUCTS, PAINT, SOLVENTS, CONSTRUCTION DEMOLITION WASTE, TRASH, PORTABLE TOILETS, AC MATERIALS, CONCRETE, AND ANY OTHER LIQUID, PAVING OR WASHOUT MATERIAL THAT COULD BE DETRIMENTAL IF RELEASED TO THE ENVIRONMENT.

(ii) ANY EXPOSED SOIL FROM THIS ACTIVITY MUST BE PERMANENTLY OR TEMPORARILY STABILIZED IMMEDIATELY USING VEGETATION, GRAVEL, PAVERS, ROLLED EROSION CONTROL PRODUCTS, OR AN EQUIVALENT METHOD UNLESS ACTIVE WORK IS SCHEDULED WITHIN 14 DAYS.

(iii) ALL CONSTRUCTION WASTE AND WASHOUT WATER MUST BE PROPERLY CONTAINED AND DISPOSED OF.

(iv) SEDIMENT TRACKED OFF SITE MUST BE SWEPT OR VACUUMED DAILY.

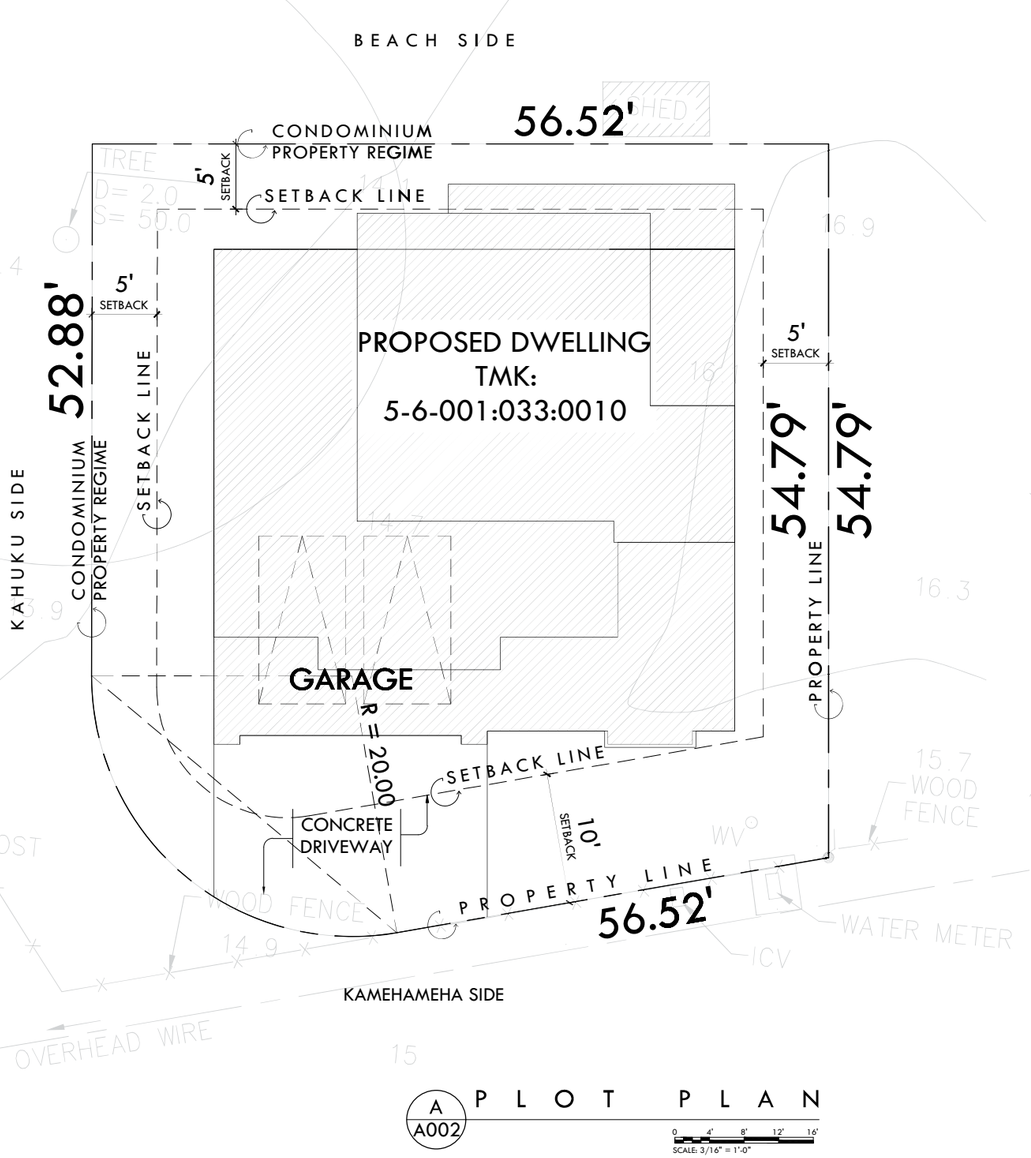
(v) DUST FROM THE PROJECT SITE SHALL NOT BE TRANSPORTED OR DISCHARGED TO OFF-SITE AREA. THE WORK MUST BE IN CONFORMANCE WITH AIR POLLUTION CONTROL STANDARDS CONTAINED IN THE HAWAII ADMINISTRATIVE RULES: TITLE 11 CHAPTER 60.1, "AIR POLLUTION CONTROL."

APPENDEIX G-1

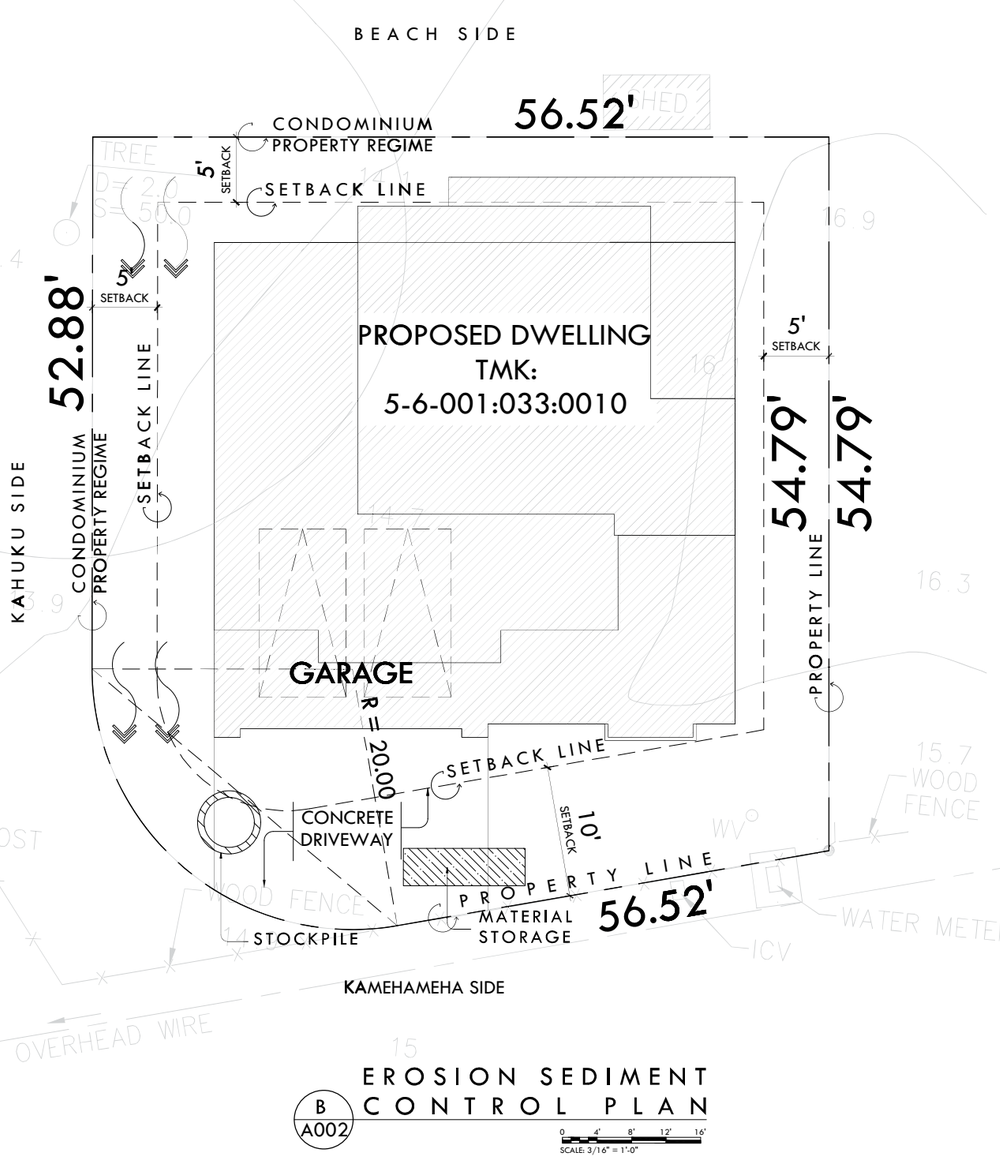
RESIDENTIAL STORM WATER MANAGEMENT NOTES FOR SINGLE-FAMILY AND TWO-FAMILY DWELLING PROJECTS:

(i) USE SITE DESIGN STRATEGIES TO REDUCE THE IMPERVIOUS SURFACE AREAS TO THE MAXIMUM EXTENT PRACTICAL. THE TOTAL IMPERVIOUS SURFACE AREA FOR THE LOT MAY NOT EXCEED 75% PER LOU SECTION 21-3.70.1(G)

(ii) TOTAL IMPERVIOUS AREA = 55 %



A002 PLOT PLAN
SCALE: 3/16" = 1'-0"



B A002 EROSION SEDIMENT CONTROL PLAN
SCALE: 3/16" = 1'-0"

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION. CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.
DANIEL R. NG
LICENSED PROFESSIONAL ARCHITECT No. 7063
LICENSE EXPIRES April 30, 2024

SHEET CONTENT:
PLOT PLAN
ESCP

PROPOSED SINGLE FAMILY DWELLING
MALAEKAHANA LLC
AT: 56-155 A KAMEHAMEHA HWY
T.M.K.: 5-6-001:033:0010

date	remarks

sheet
A002
3 of 9 sheets

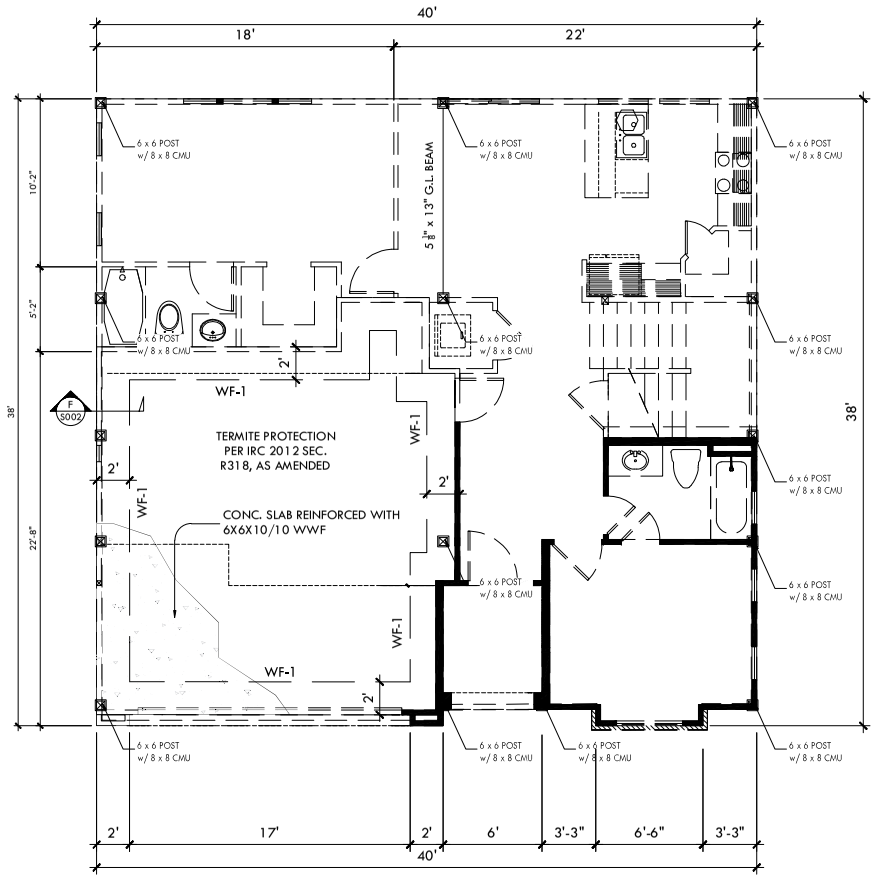
UNIT 5

STRUCTURAL NOTES:

1. CONCRETE
   - A. ALL CONCRETE SHALL DEVELOP A MINIMUM CYLINDER ULTIMATE COMPRESSIVE STRENGTH OF 2,500 PSI AT 28 DAYS.
   - B. ALL REINFORCING STEEL, EMBEDDED METAL CONNECTORS, ANCHOR BOLTS, AND INSERTS EMBEDDED IN CONCRETE SHALL BE ACCURATELY PLACED AND SECURED PRIOR.
   - C. ALL EMBEDDED METAL CONNECTORS, ANCHOR BOLTS, INSERTS, ETC., EMBEDDED IN CONCRETE SHALL BE HOT-DIP GALVANIZED UNLESS NOTED OTHERWISE.
2. REINFORCING
   - A. ALL REINFORCING STEEL SHALL CONFORM TO ASTM A-615. #4 AND LARGER (GRADE 60) Fy = 40,000 PSI
   - B. GALVANIZED WELDED WIRE FABRIC SHALL BE MADE OF COLD DRAWN WIRE CONFORMING TO ASTM A-185.
3. CONCRETE MASONRY UNITS (CMU)
   - A. CMU SHALL BE TYPE II, GRADE N, CONFORMING TO ASTM C-90.
   - B. CONCRETE MASONRY UNIT f'c = 1,350 PSI
   - C. MORTAR (ASTM C-270 TYPE M) f'c = 2,000 PSI
   - D. GROUT 28 DAY COMPR., STRENGTH f'c = 3,000 PSI
   - E. ALL CELLS CONTAINING REINFORCING, BOLTS, OR INSERTS, SHALL BE FULLY GROUTED.
4. STRUCTURAL TIMBER FRAMING:
   - A. STRUCTURAL SAWN LUMBER:
     1. ALL LUMBER SHALL BE DOUGLASFIR-LARCH SPECIES MEETING THE FOLLOWING MINIMUM GRADES AND STRESSES AS ESTABLISHED BY THE WESTERN WOOD PRODUCTS ASSOCIATION:

BEAM	NO. 1
JOISTS & RAFTERS	NO. 2
STUDS & PLATES	CONSTRUCTION

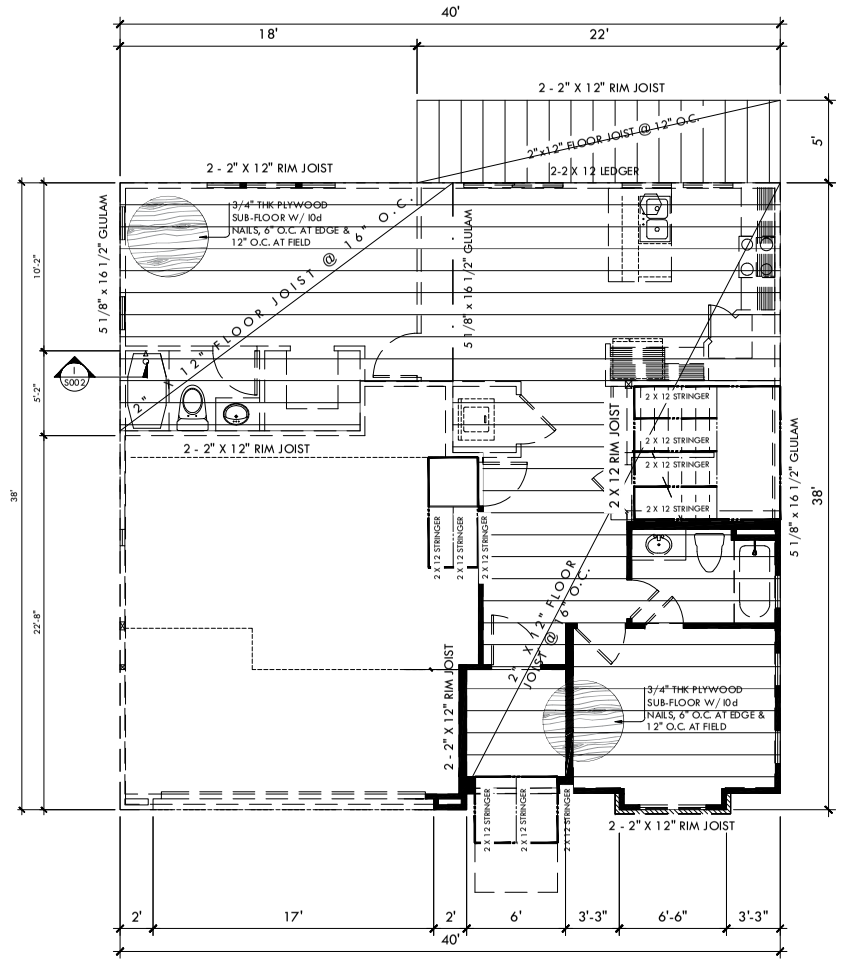
   2. INSTALL #15 FELT BETWEEN ALL TIMBER PLATES AND STUDS BEARING ON MASONRY AND CONCRETE.
   3. PROVIDE STANDARD WASHERS FOR ALL BOLTS AND NUTS BEARING ON WOOD.
   - B. PLYWOOD:
     1. ALL PLYWOOD SHEATHING SHALL BE STRUCTURAL 1 GRADE, CONFORMING TO U.S. PRODUCT STANDARD PS1 AND SHALL BE PRESSURE TREATED.
     1. ROOF TRUSSES SHALL BE PREFABRICATED AND INSTALLED.
     2. PREFABRICATED WOOD TRUSSES SHALL CONFORM TO THE "DESIGN SPECIFICATIONS FOR LIGHT METAL PLATE CONNECTED WOOD TRUSSES" AS ADOPTED BY THE TRUSS PLATE "xxx".
     3. ALL TRUSSES MEMBERS SHALL BE PRESERVATIVE TREATED DOUGLAS FIR MEETING THE MINIMUM STRESSES AS SPECIFIED FOR STRUCTURAL LUMBER ABOVE.
     4. ROOF TRUSSES SHALL BE DESIGNED FOR THE THE FOLLOWING MINIMUM LOADS: COUPLED W/A CONCENTRATED LOAD OF 250 LBS
     5. PROVIDE CONTINUOUS 2 X 4 SILL PLATE AT BOTTOM AND DOUBLE 2 X 4 PLATE AT TOP OF STUD WALLS W/ 2 X 4 BLOCKING AT WALL MID-HEIGHT.
     6. FOR STUD WALLS BRACED AT TOP BY WOOD TRUSSES, PROVIDE 2 X 4 BRIDGING @ 24" O.C. BETWEEN TRUSS BOTTOM CHORDS.
     7. INSTALL WALL BRACING IN "X" PAIRS AT ALL CORNERS AND END WALLS. USE MIN. 1¼ WIDE, 16 GAUGE GALV STEEL STRAP NAILED TO SILL, STUDS AND TOP.
     8. PROVIDE HURRICANE STRAPS BETWEEN PLATES & STUDS @ TOP & BOTTOM. USE MIN 18 GAUGE WITH PULL OUT = 300#.



A S001 FOUNDATION PLAN

0 4' 8' 12' 16'

SCALE: 3/16" = 1'-0"



B S001 GROUND FLOOR FRAMING PLAN

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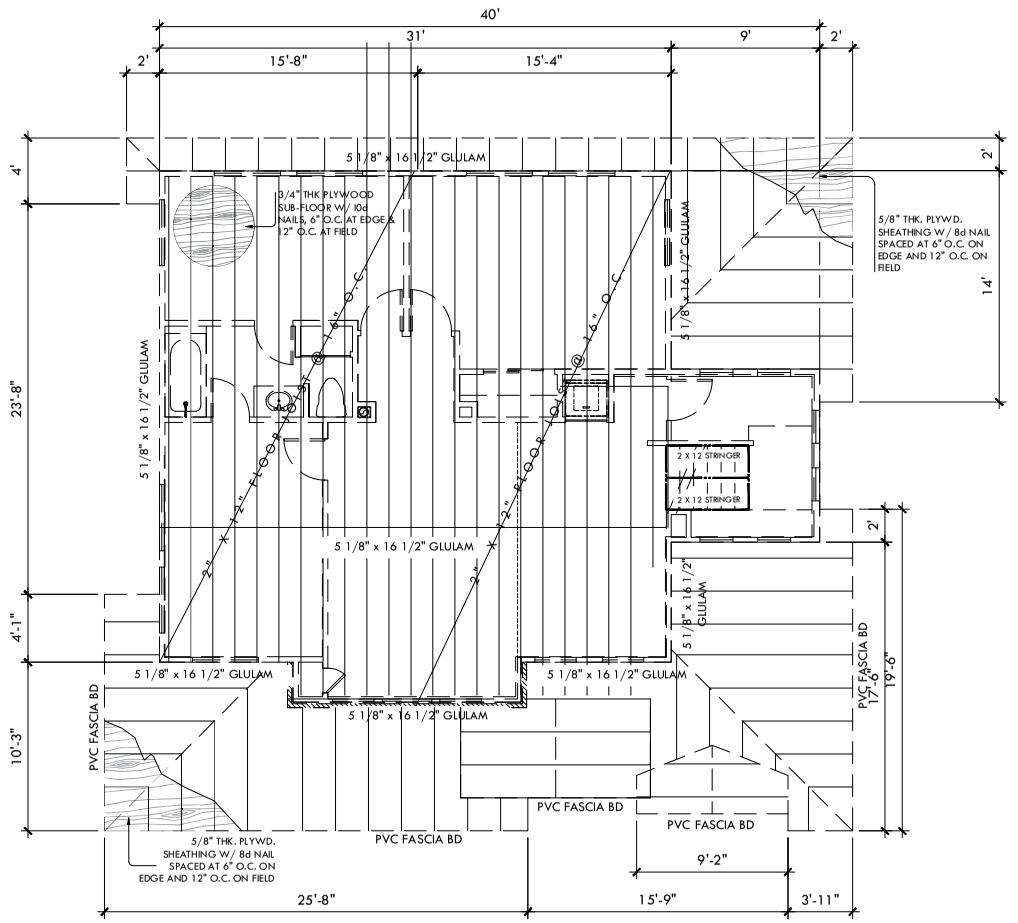
SCALE: 3/16" = 1'-0"



C S001 SECOND FLOOR FRAMING PLAN

0 4' 8' 12' 16'

SCALE: 3/16" = 1'-0"

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION. CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.

LICENSE EXPIRES April 30, 2024

RANDY R. NG LICENSED PROFESSIONAL ARCHITECT No. 7063 HAWAII, U.S.A.

SHEET CONTENT:
FOUNDATION PLAN
GROUND AND SECOND FLOOR FRAMING PLAN

PROPOSED SINGLE FAMILY DWELLING

MALAEKAHANA LLC

A.T.: 56-155 A KAMEHAMEHA HWY

T.M.K.: 5-6-001:033:0010

date	remarks

sheet S001

7 of 9 sheets

UNIT 5

INSULATION NOTE

R- 15 @ 2x6 EXTERIOR WALLS
R- 21 @ 2x6 EXTERIOR WALLS
R- 38 @ CATHEDRAL OR VAULTED CEILINGS
R-30 @ ATTICS

IRC 2012, M1901.1 CLEARANCES

FREESTANDING OR BUILT-IN RANGES SHALL HAVE A VERTICAL CLEARANCE ABOVE THE COOKING TOP OF NOT LESS THAN 30 INCHES TO UNPROTECTED COMBUSTIBLE MATERIAL. RED (30") CLEARANCES ARE PERMITTED IN ACCORDANCE WITH THE LISTING AND LABELING OF THE RANGE HOOD OR APPLIANCE

2012 IRC SECTION R314/ SMOKE ALARM NOTE

THE ALARM DEVICES SHALL BE INTERCONNECTED IN A MANNER THAT THE ACTUATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE INDIVIDUAL UNIT. THE ALARM SHALL BE CLEARLY AUDIBLE IN ALL BEDROOMS OVER BACKGROUND NOISE OF ALL INTERVENING DOORS CLOSED.
EXCEPTIONS:
SMOKE ALARMS IN EXISTING AREAS NOT REQUIRED TO BE INTERCONNECTED OR HARDWIRED WHERE THE ALTERATIONS OR REPAIRS DO NOT RESULT IN INTERIOR WALL OR CEILING REMOVAL

EGRESS REQUIREMENT

EGRESS WINDOWS 24" MIN. HT., 44" MAX. SILL HEIGHT
W5.7 SQ.FT. MIN. OPENING @ NEOROOM INTERIOR

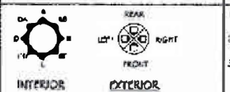
WALL LEGEND

EXISTING SINGLE WALL
EXISTING WALL TO BE DEMOLISHED
EXISTING WALL TO REMAIN
NEW 2x4 STUD WALL
NEW 2x6 STUD WALL
NEW CMU WALL WITH SOLID GROUT

FIRE RATED DRYWALL

5/8" TYPE 'X' GYP. BOARD TO BE USED BETWEEN OCCUPANCIES, BETWEEN FIRST & SECOND FLOOR & UNDER STAIRS. TYP.

ELEVATION KEYS



GLAZING NOTE

ALL GLAZING IN DOORS & HAZARDOUS AREAS TO BE TEMPERED SAFETY GLASS

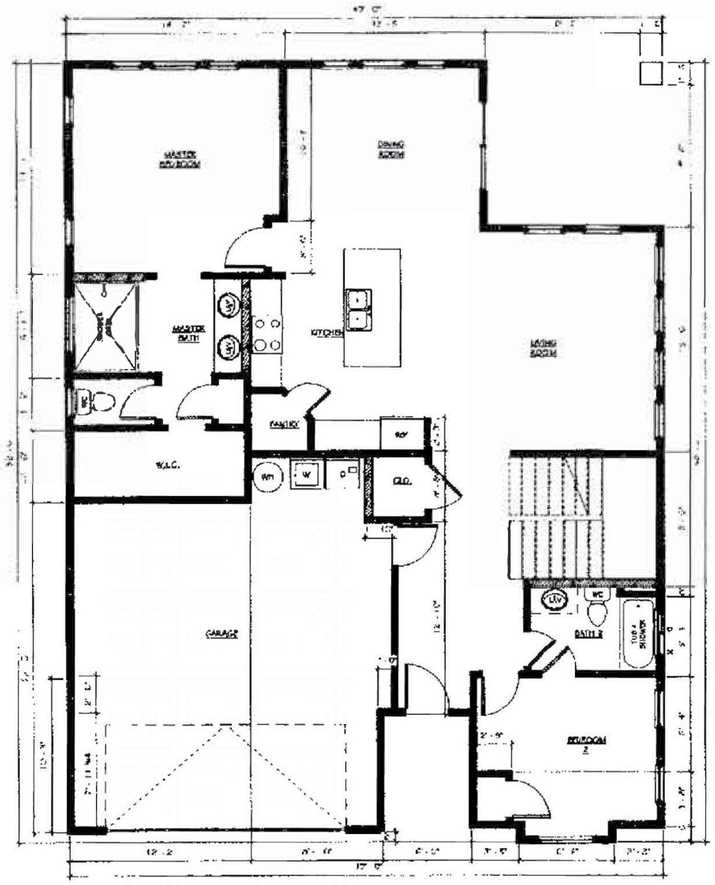
INTERIOR ELEVATION NOTES

1. CONTRACTOR TO VERIFY ALL RO SIZES, CABINETS AND APPLIANCES WITH SHOP DRAWINGS, SPECS AND OWNER PRIOR TO 2nd FLOORING @ WALLS FOR TOWEL BARS, GRAB BARS, ETC. VERIFY LOCATIONS WITH OWNER.
2. CEM. BOARD REINFORCED GYP. BD. @ BATH WALLS BEHIND SHOWER/TUB AREAS - USE HARDI CEMENT BACKER, TYP.
3.

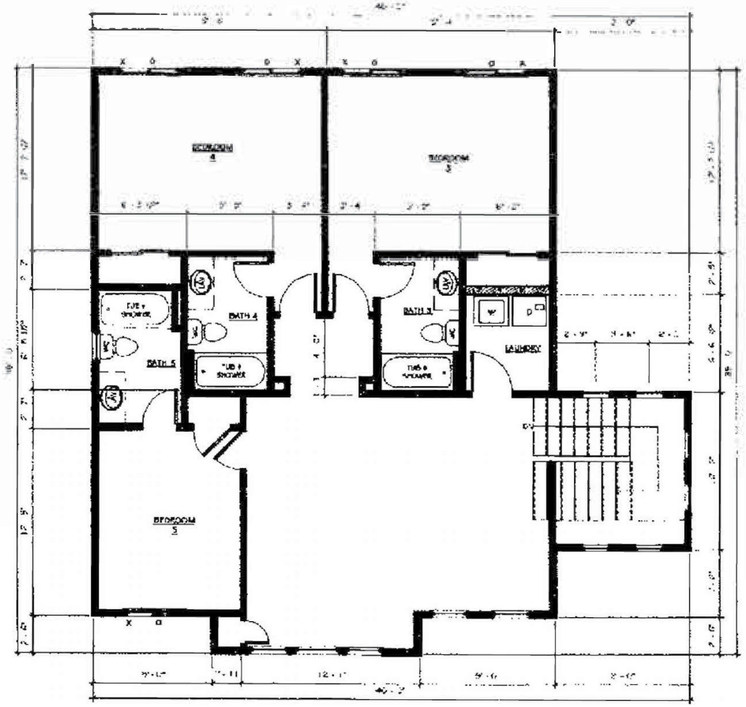
GRAPHIC SCALE

1/4" = 1'-0"

SCHEDULES



1 NEW FIRST FLOOR PLAN
A003



2 NEW SECOND FLOOR PLAN
A003

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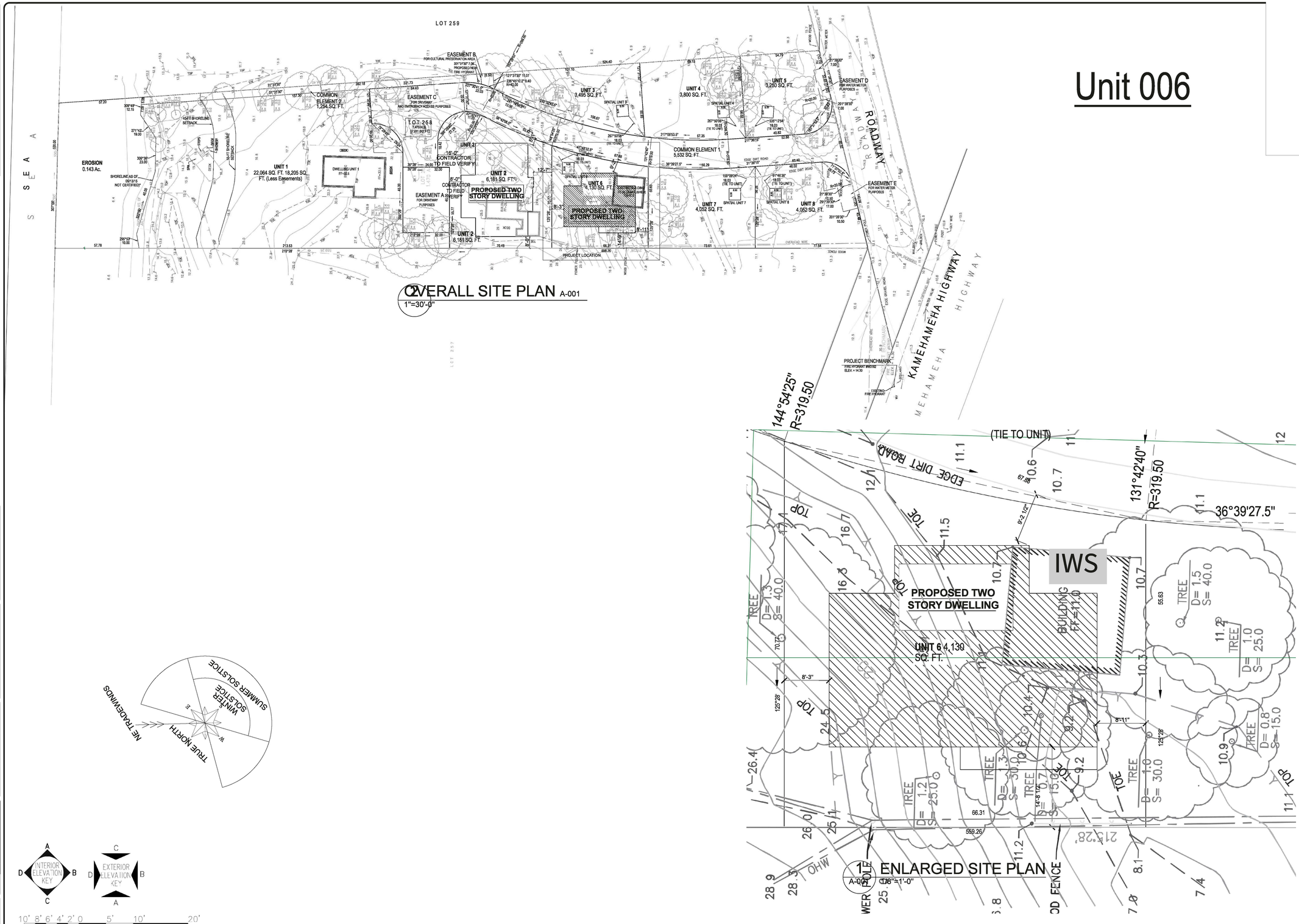
Phone: [illegible]

Malaekahana Bay
Lot 5
TMK
Condominium Project

NEW FIRST FLOOR PLAN

DRAWN BY: HGL
DATE: [illegible]
DRAWING NO.
A003
SHEET 3 OF 6

Unit 006



2 OVERALL SITE PLAN A-001

1"=30'-0"

1 ENLARGED SITE PLAN A-001

1/8"=1'-0"

INTERIOR ELEVATION KEY

EXTERIOR ELEVATION KEY

10' 8' 6' 4' 2' 0 5' 10' 20'
GRAPHIC SCALE 1/8" = 1'-0"

0' 15' 30' 60' 90' 120'
GRAPHIC SCALE 1" = 30'-0"

	Design	Production	Bldg. Permit	Bid Set
Date				

Drafting & Design
PO BOX 22578
HONOLULU, HI 96823
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MICHELE L. DAMICO
LICENSED PROFESSIONAL ARCHITECT
No. 8785
HAWAII, U.S.A.

EXP DATE 4/30/2024

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State of Hawaii.

Revisions:
6/7/2022
1
2

PROPOSED TWO STORY DWELLING 66-156 A
KAMEHAMEHA HIGHWAY, KAHUKU HAWAII 96731 TMK: 5-6-001:033:006

OVERALL SITE PLAN

Job No:
Drawn by: 3D-S
Date: 03202021

Drawing No:
A-001

of 17 Sheets

UNIT 6

LEGEND:

INTERIOR WALL - 2X4 WOOD FRAMING @ 16" ON CENTER W/ 1/2" THK. GYPSUM BOARD ON EACH SIDE

EXTERIOR WALL - 2X4 WOOD FRAMING @ 16" ON CENTER W/ 5/8" THK. LP SIDING TO MATCH EXTERIOR FINISH ON TYVEK WRAP MOISTURE BARRIER OVER 1/2" THK. GYP. BOARD WITH 10d NAILS ON 6" O.C AT EDGES AND 12" O.C @ FIELD

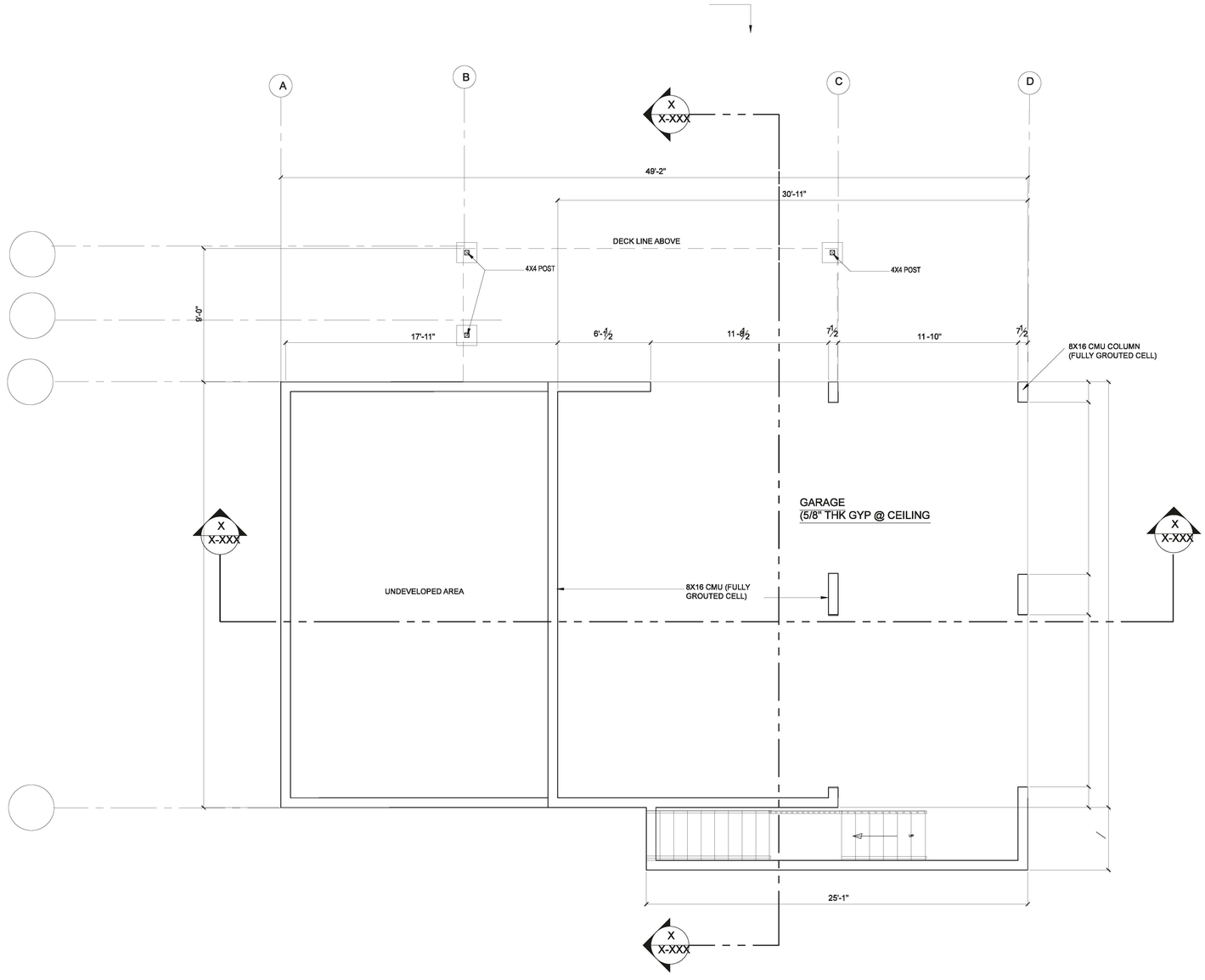
NOTE:

A. ALL PLUMBING WALLS TO BE 2X6 @ 16" B. ALL WET AREAS TO HAVE MOLD & MOISTURE RESISTANT GYPSUM BOARD

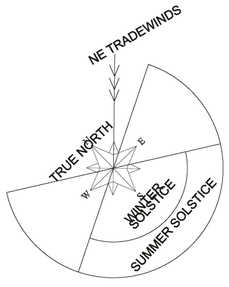
1 HR FIRE RATED OCCUPANCY SEPERATION - 2X4 FRAMING W/ 5/8 " THK TYPE X GYP BD EACH SIDE

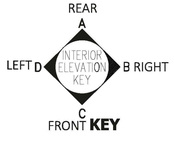
2X6 WD FRAMING @ 16" OC W/ 1/2" THK GYP BD EA SIDE

2X6 WD FRAMING @ 16" OC W/ 1/2" THK GYP BD EA SIDE & SOUND INSULATION



1 A-003 LOWER FLOOR PLAN
1/4"=1'-0"





ELEVATION PLAN

5' 4' 3' 2' 1' 0 5' 10'
GRAPHIC SCALE
1/4" = 1'-0"

Bid Set Date | Date | Bldg. Permit Date | Production Date | Design Date

Drafting & Design
PO BOX 22578
HONOLULU, HI 96823
P: (808) 221-2868 F: 808) 356-0287

MICHELE L. DAMICO
LICENSED PROFESSIONAL ARCHITECT
No. 8785
HAWAII, U.S.A.

EXP DATE 4/30/2024

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Supervision as defined in Title XVI, Chapter 16, Section 16-115-2 of the Rules & Regulations of the Board of Professional Engineers, Architects, and Surveyors of the State of Hawaii.

Revisions:
6/7/2022
1
2

PROPOSED TWO STORY DWELLING
56-155 A KAMEHAMEHA HIGHWAY, KAHUKU HAWAII 96731
TMK: 5-6-001:033:0002

LOWER FLOOR PLAN

Job No:
Drawn by: 3D-S
Date: 03202021
Drawing No:
5 A002
of 17 Sheets

UNIT 6

LEGEND:

INTERIOR WALL - 2X4 WOOD FRAMING @ 16" ON CENTER W/ 1/2" THK. GYPSUM BOARD ON EACH SIDE

EXTERIOR WALL - 2X4 WOOD FRAMING @ 16" ON CENTER W/ 5/8" THK. LP SIDING TO MATCH EXTERIOR FINISH ON TYVEK WRAP MOISTURE BARRIER OVER 1/2" THK. GYP. BOARD WITH 10d NAILS ON 6" O.C AT EDGES AND 12" O.C @ FIELD

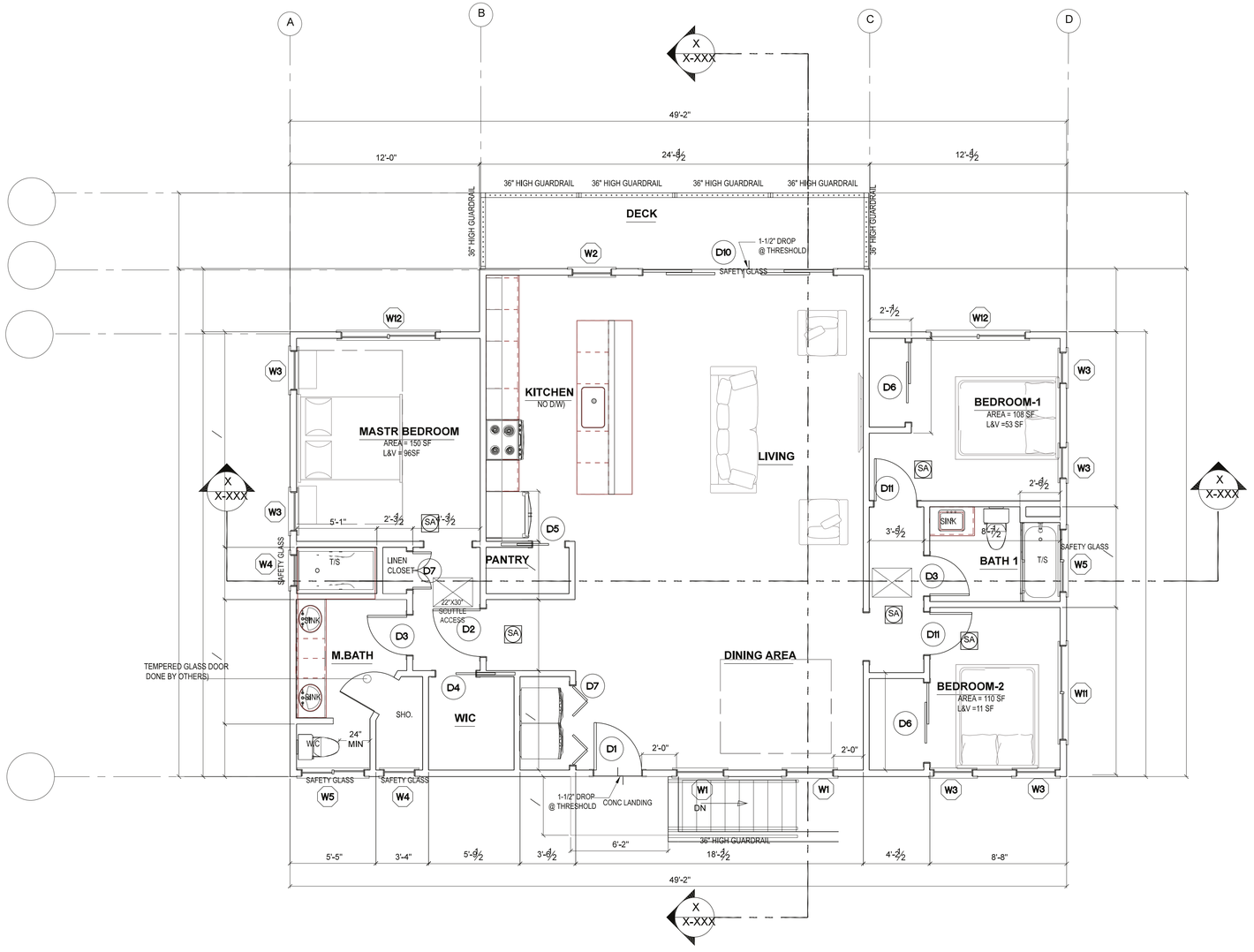
NOTE:

A. ALL PLUMBING WALLS TO BE 2X6 @ 16" B. ALL WET AREAS TO HAVE MOLD & MOISTURE RESISTANT GYPSUM BOARD

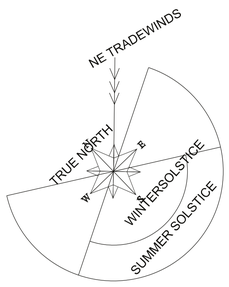
1 HR FIRE RATED OCCUPANCY SEPERATION - 2X4 FRAMING W/ 5/8 " THK TYPE X GYP BD EACH SIDE

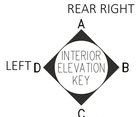
2X6 WD FRAMING @ 16" OC W/ 1/2" THK GYP BD EA SIDE

2X6 WD FRAMING @ 16" OC W/ 1/2" THK GYP BD EA SIDE & SOUND INSULATION



1 A-003 UPPER FLOOR PLAN
1/4"=1'-0"





ELEVATION PLAN

GRAPHIC SCALE 5' 4' 3' 2' 1' 0 5' 10'
1/4" = 1'-0"

Bid Set Date
Bldg. Permit Date
Production Date
Design Date

Drafting & Design
PO BOX 22578
HONOLULU, HI 96823
P: (808) 221-2868 F: 808) 356-0287

MICHELE L. DAMICO
LICENSED PROFESSIONAL ARCHITECT
No. 8785
HAWAII, U.S.A.

EXP DATE 4/30/2024

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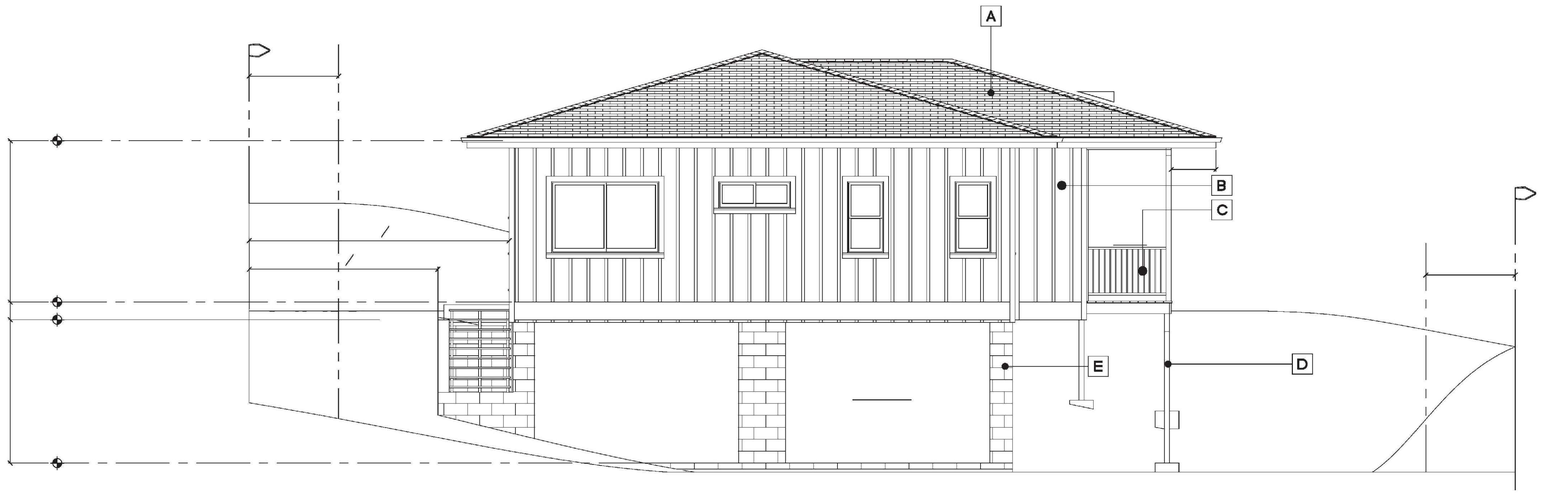
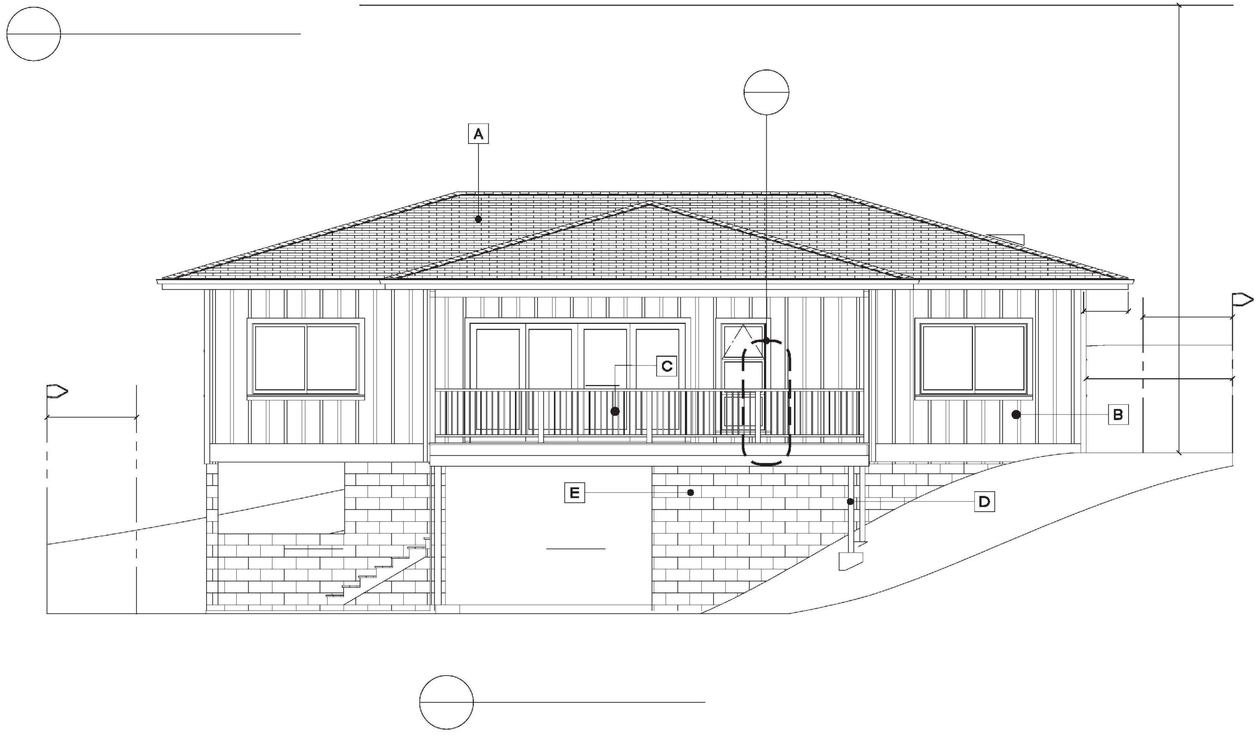
Revisions:
6/7/2022
1
2

PROPOSED TWO STORY DWELLING 56-155 A
KAMEHAMEHA HIGHWAY, KAHUKU HAWAII 96731TMK: 5-6-001:033:0002

UPPER FLOOR PLAN

Job No:
Drawn by: 3DAS
Date: 03202021
Drawing No:
A-003





A

B

C

D

E

F

INTERIOR ELEVATION KEY
A
B
C
D

Bid Set Date
Date
Bldg. Permit Date
Production Date
Design Date

Drafting & Design

MICHELE L. DAMICO
LICENSED PROFESSIONAL ARCHITECT
No. 8785
HAWAII, U.S.A.

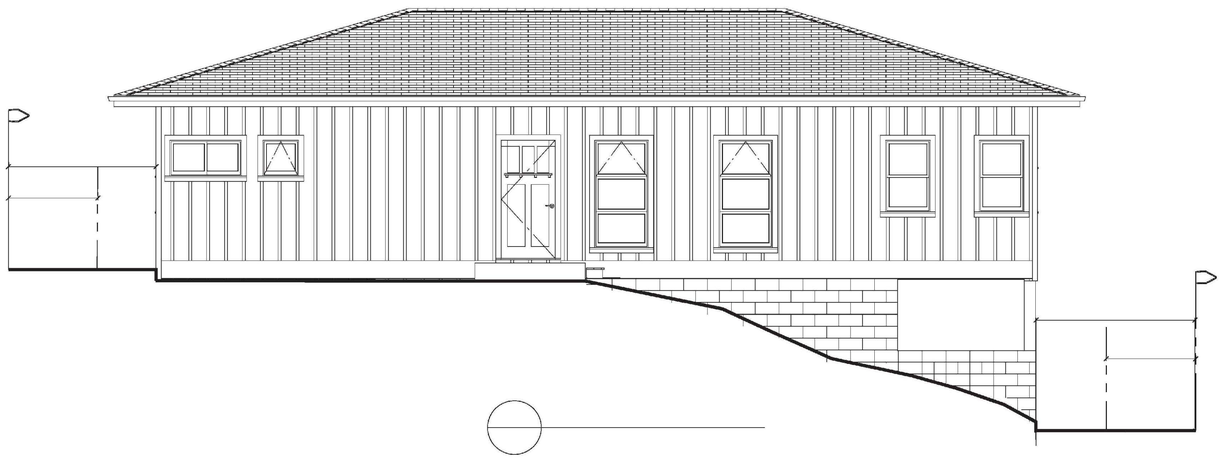
EXP DATE 4/30/2024

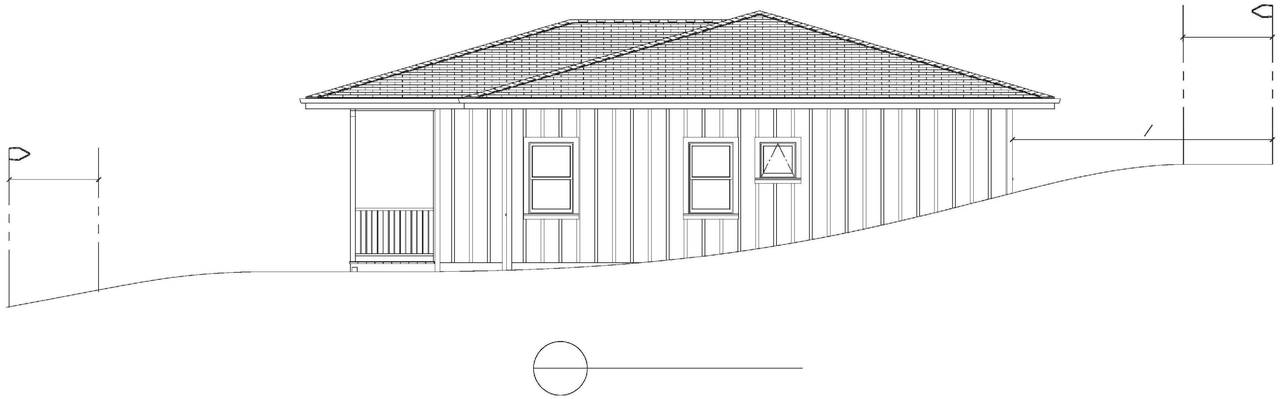
Revisions:
6/7/2022
1
2

Job No:
Drawn by: 3DAS
Date: 03202021
Drawing No:

_____ of _____ Sheets

5' 4' 3' 2' 1' 0 5' 10'
GRAPHIC SCALE
¼" = 1'-0"





A

A

B

C

D

E

F

Bid Set Date

Bldg. Permit Date

Production Date

Design Date

A
D INTERIOR ELEVATION KEY B
C

5' 4' 3' 2' 1' 0 5' 10'
GRAPHIC SCALE ¼" = 1'-0"

Drafting & Design

MICHELE L. DAMICO
LICENSED PROFESSIONAL ARCHITECT
No. 8785
HAWAII, U.S.A.

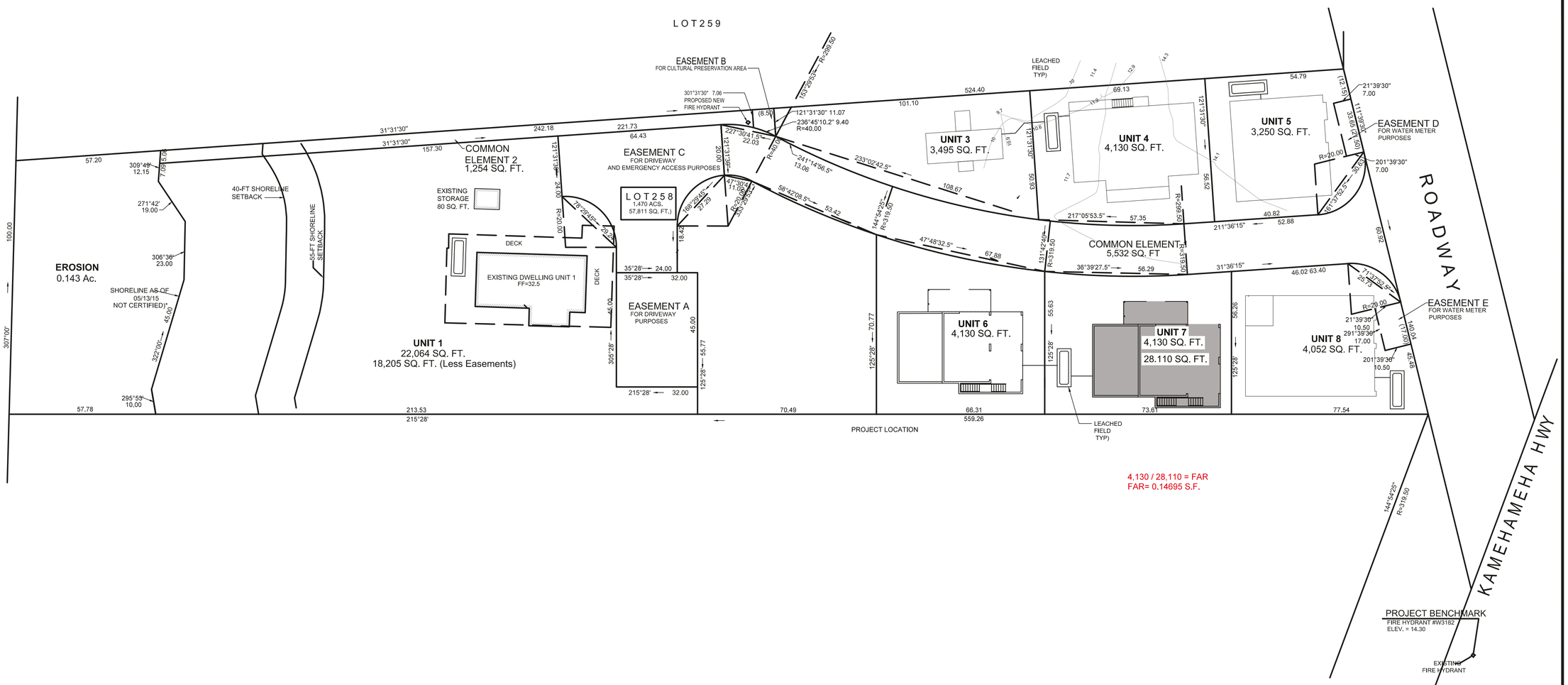
EXP DATE 4/30/2024

Revisions:
6/7/2022
1
2

Job No:
Drawn by: 3DAS
Date: 03202021
Drawing No:

____of____ Sheets

UNIT 7



4,130 / 28,110 = FAR
FAR= 0.14695 S.F.

1 / A001 OVERALL SITE PLAN
SCALE: 1" = 20'

NORTH

GRAPHIC SCALES
0 4' 10' 20' 40' 60'
SCALE: 1"=20'

HAWAII
ENGINEERING
GROUP, Inc.
Honolulu, Hawaii

THIS WORK W-S PREP-RED BY ME OR UNDER MY SUPERVISION -ND CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERV-TION

PROJECT
PROPOSED DWELLING FOR
LINDA DONOSO RESIDENCE, UNIT 7

56-155A KAMEHAMEHA HWY.
KAHUKU, HAWAII 96731

T.M.K. : **5-6-001:033**

OVERALL SITE PLAN

ISSUANCE/REVISIONS

Date	01/14/26
Scale	AS NOTED
Drawn By	HEG
Design By	RI
Checked By	RI
Job	25-090

Sheet A001
Of 5 Sheets

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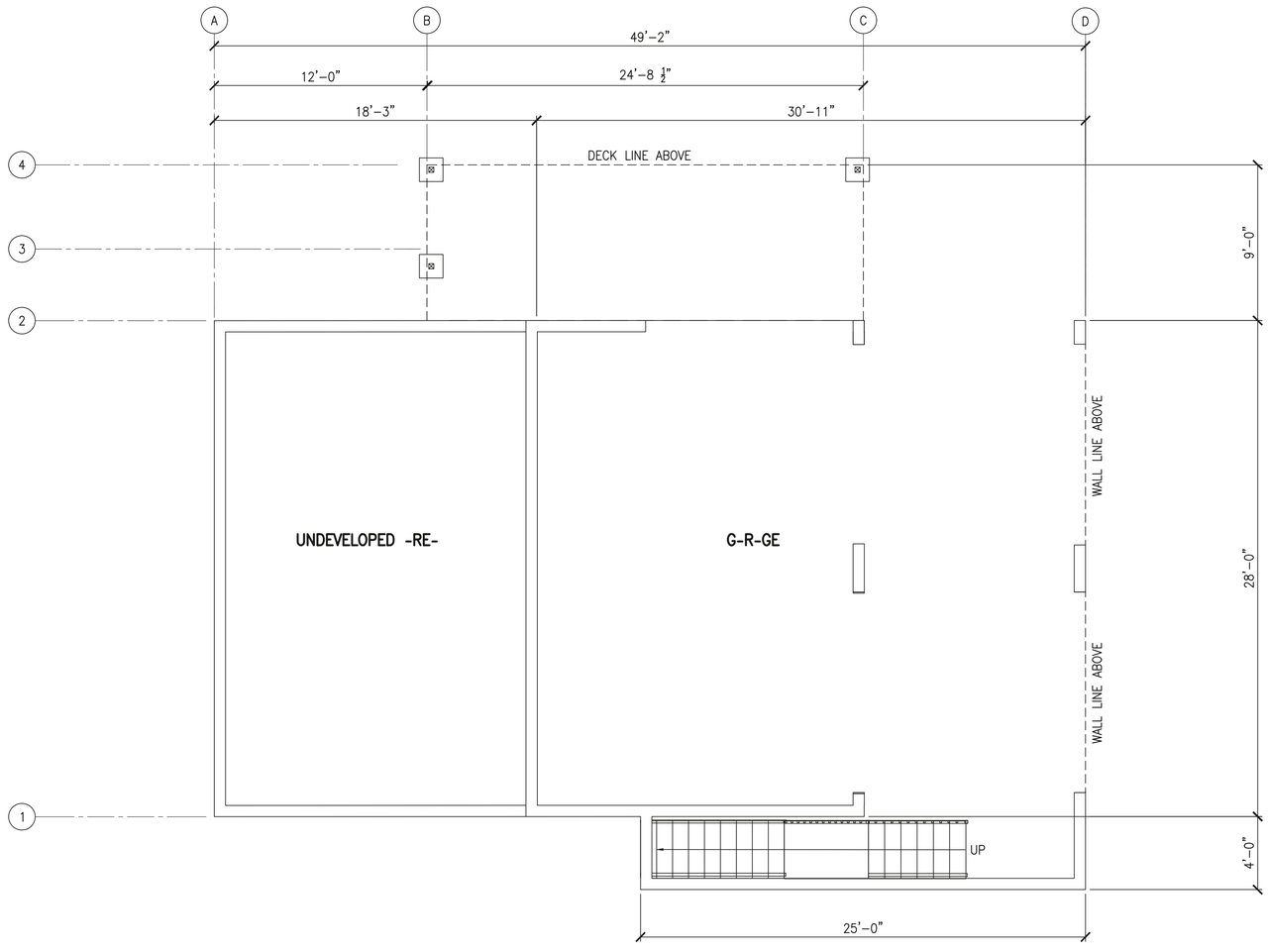

1 A101 FIRST FLOOR PLAN
SCALE: 1/4" = 1'–0"

NORTH

GRAPHIC SCALES
0 6" 1' 2' 4' 8' 12'
1/4"=1'–0"

HAWAII ENGINEERING GROUP, Inc.
Honolulu, Hawaii

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PROJECT
PROPOSED DWELLING FOR
LINDA DONOSO RESIDENCE, UNIT 7

56-155A KAMEHAMEHA HWY.
KAHUKU, HAWAII 96731

T.M.K. : **5–6–001:033**

FIRST FLOOR PLAN

ISSUANCE/REVISIONS

Date	01/14/26
Scale	AS NOTED
Drawn By	HEG
Design By	RI
Checked By	RI
Job	25–090

Sheet A101 Of 5 Sheets

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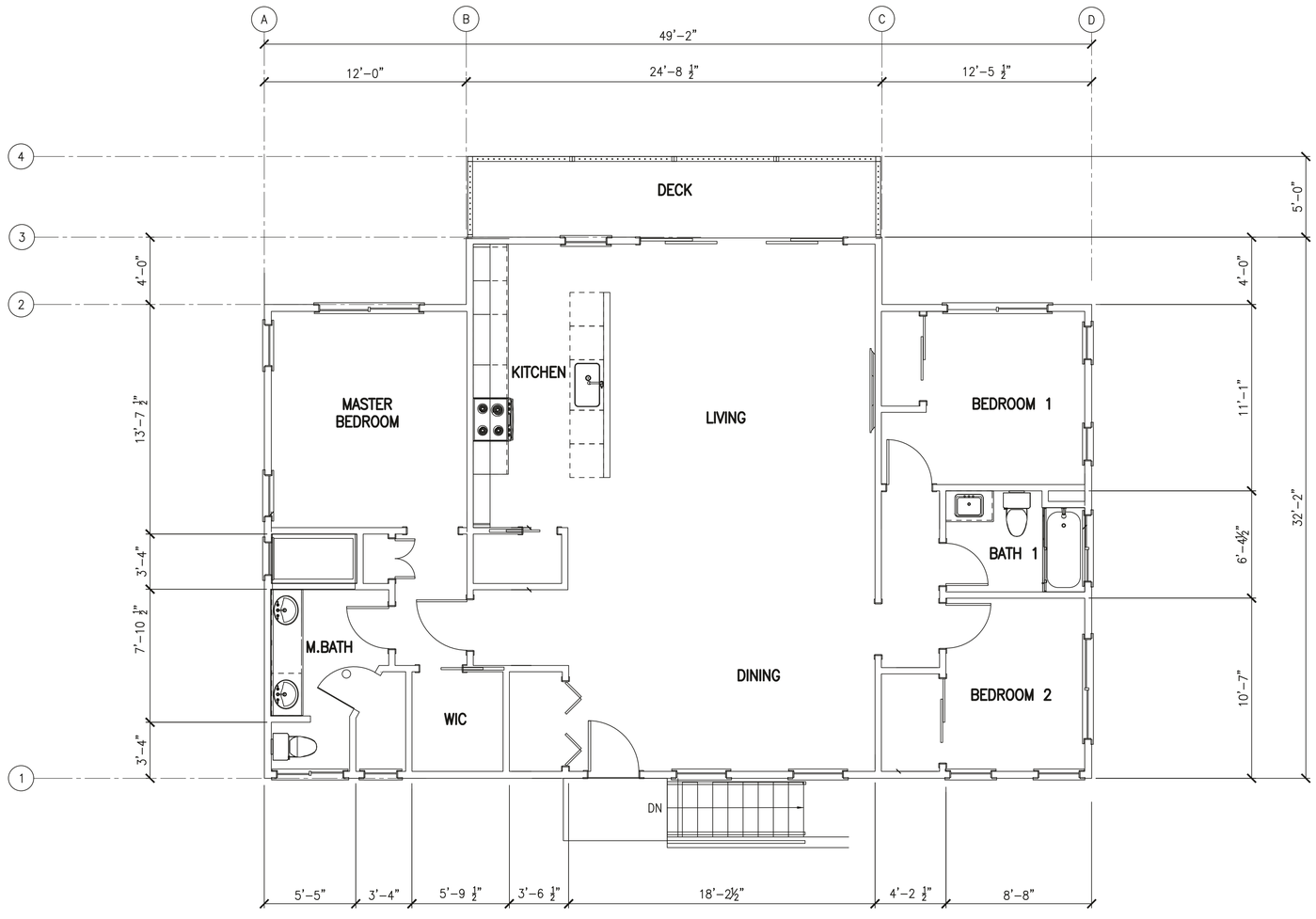
UNIT 7



1 / A102 SECOND FLOOR PLAN
SCALE: 1/4" = 1'–0"

NORTH

GRAPHIC SCALES
0 6" 1' 2' 4' 8' 12'
1/4"=1'–0"

HAWAII ENGINEERING GROUP, Inc.
Honolulu, Hawaii

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PROJECT
PROPOSED DWELLING FOR
LINDA DONOSO RESIDENCE, UNIT 7
56–155A KAMEHAMEHA HWY.
KAHUKU, HAWAII 96731

T.M.K. : **5–6–001:033**

SECOND FLOOR PLAN

ISSUANCE/REVISIONS

Date	01/14/26
Scale	AS NOTED
Drawn By	HEG
Design By	RI
Checked By	RI
Job	25–090

Sheet A102 Of 5 Sheets

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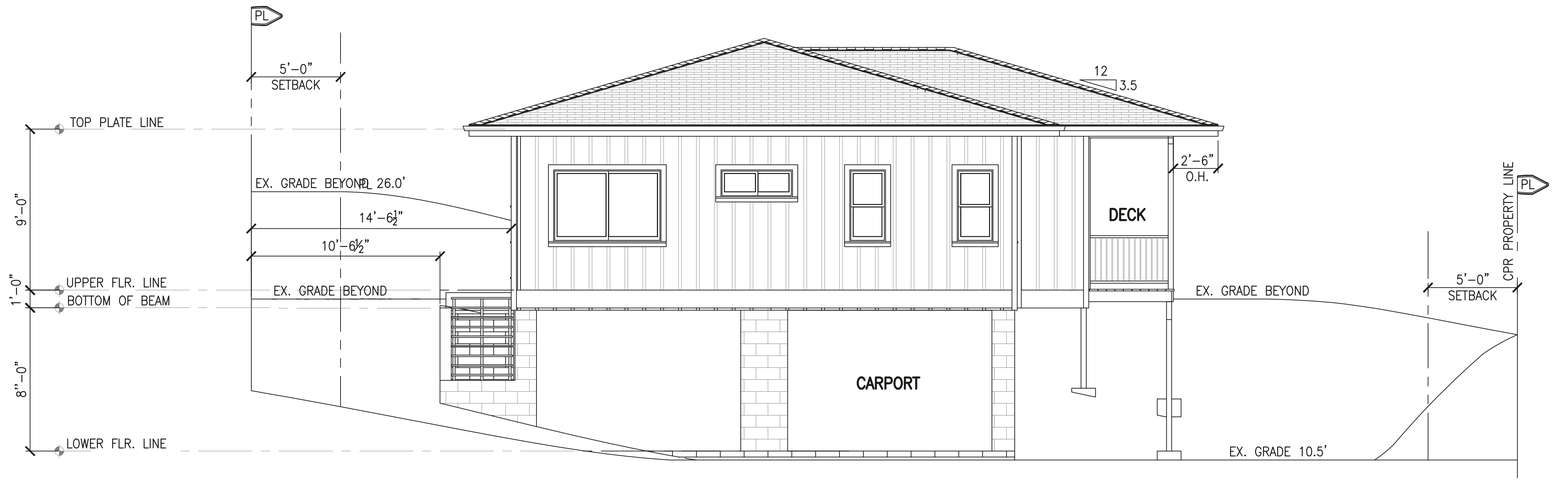
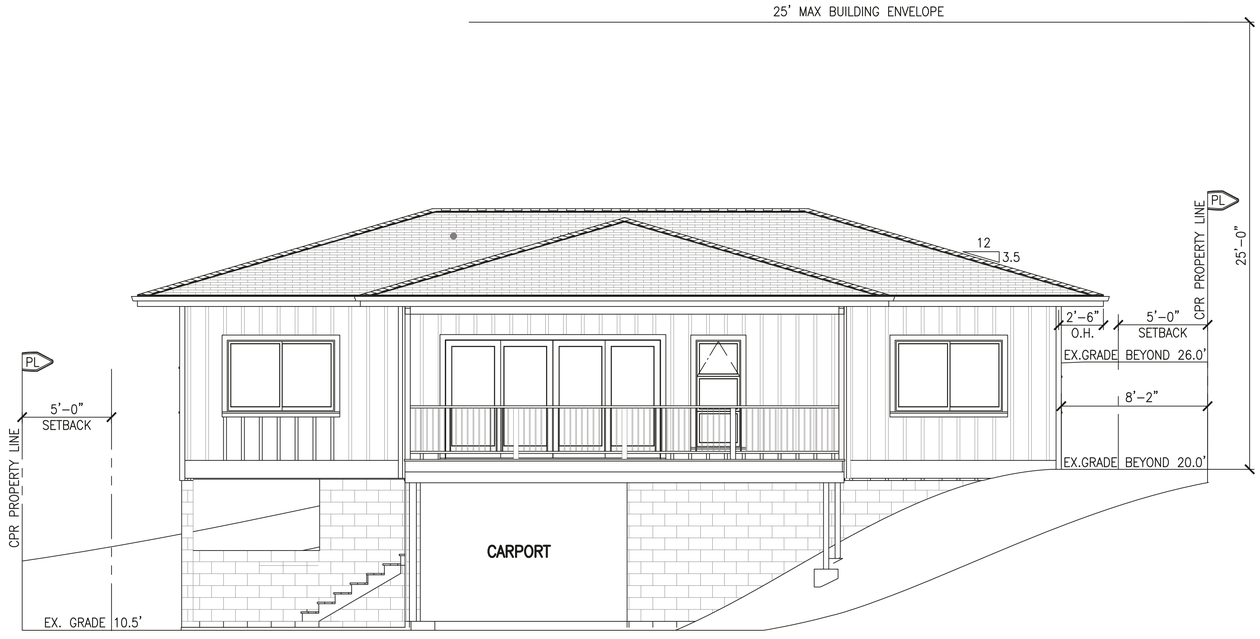


1 A201 FRONT ELEVATION
SCALE: 1/4" = 1'-0"



2 A201 RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

GRAPHIC SCALES
0 6"1' 2' 4' 8' 12'
1/4"=1'-0"

UNIT 7

HAWAII ENGINEERING GROUP, Inc.
Honolulu, Hawaii

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PROJECT
PROPOSED DWELLING FOR
LINDA DONOSO RESIDENCE, UNIT 7

56-155A KAMEHAMEHA HWY.
KAHUKU, HAWAII 96731

T.M.K. : **5-6-001:033**

FRONT AND RIGHT ELEVATIONS

ISSUANCE/REVISIONS

Date	01/14/26
Scale	AS NOTED
Drawn By	HEG
Design By	RI
Checked By	RI
Job	25-090

Sheet A201
Of 5 Sheets

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Insert unit 8

PROJECT TITLE:

PROPOSED SINGLE FAMILY DWELLING

IRC NOTES:

WINDOWS IN BUILDING LOCATED IN WIND BORNE DEBRIS REGIONS SHALL HAVE GLAZED OPENINGS PROTECTED FROM WIND BORNE DEBRIS. GLAZED OPENING PROTECTION FOR WIND BORNE DEBRIS SHALL MEET THAT REQUIREMENT OF THE LARGE MISSILE TEST OF ASTME 1996 AND OF ATME 1886 REFERENCED THEREIN.
EXCEPTION:

1. WOOD STRUCTURAL PANELS WITH A MINIMUM THICKNESS OF 7/16 - INCH (11.1MM) AND A MAX. SPAN OF 8 FEET (2438MM) SHALL BE PERMITTED FOR OPENING PROTECTION IN 1 & 2 STOREY BUILDINGS. PANELS SHALL BE PRECUT TO COVER THE GLAZED OPENINGS WITH ATTACHMENT HARDWARE PROVIDED. ATTACHMENTS SHALL BE DESIGNED TO RESIST THE COMPONENTS AND CLADDING LOADS DETERMINED IN ACCORDANCE WITH EITHER TABLE R301.2(2) OR SECTION 1609.6.5 OF THE IBC. ATTACHMENT IN ACCORDANCE WITH TABLE R301.2.1.2 IS PERMITTED FOR BUILDINGS WITH A MEAN ROOF HEIGHT OF 33 FEET OR LESS WHERE THE EFFECTIVE WIND SPEEDS DO NOT EXCEED 130MPH.

2. OCCUPANCY R-3 AND R-4 RESIDENTIAL ASSISTED LIVING FACILITIES (INCLUDING THEIR COMPONENTS AND CLADDING) DESIGNED AS A PARTIALLY ENCLOSED STRUCTURE IN ACCORDANCE W/ THE IBC SHALL ALSO INCLUDE A RESIDENTIAL SAFE ROOM IN ACCORDANCE WITH ARTICLE 13, HAWAII RESIDENTIAL SAFE ROOM.

BMP NOTES:

1. PROVIDE CONSTRUCTION ENTRANCE, CB SEDIMENT FILTERS, AND SILT FENCE PRIOR TO COMMENCING WITH GRADING WORK.
2. PROVIDE VEGETATIVE COVER OF EXPOSED AREAS AT FINISHED GRADES OR AREAS THAT ARE LEFT UNDISTURBED FOR 30 DAYS.
3. FREQUENT WETTING OF THE GRADED AREAS BY WATER TRUCK OR HOSE.
4. NO WORK WILL BE PERFORMED ON DAYS WITH EXCESSIVE WIND (20 MPH).
5. ALL POINTS OF EGRESS AND INGRESS TO A SITE SHALL BE PROTECTED WITH A STABILIZE CONSTRUCTION ENTRANCE TO PREVENT TRANSPORT OF MUD, DIRT, ROCKS, ETC. ONTO THE PAVED ROADWAY. REMOVE STABILIZED CONSTRUCTION ENTRANCE TO INSTALLING A.C. PAVEMENT.
6. SILT FENCE OR OTHER TEMPORARY MEASURES SHALL BE PROVIDED DOWN SLOPE TO PROTECT ADJOINING PROPERTIES.
7. CONSTRUCTION TO INSTALL TEMPORARY SEDIMENT FILTER AT NEXT CATCH BASIN DOWN STREAM FROM THE CONSTRUCTION SITE. AS WELL AS AT CATCH BASIN FRONTING SITE.
8. ALL DISTURBED AREAS SHALL BE PERMANENTLY STABILIZED PRIOR TO REMOVING EROSION AND SEDIMENT MEASURES.

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MEASURES IT WILL TAKE FOR THE CONTROL OF FUGITIVE DUST FROM THE WORK SITE.
   THE MEASURES MAY INCLUDE, BUT NOT LIMITED TO, THE INSTALLATION OF DUST SCREENS, WATERING OF THE SITE AND FILL MATERIAL BEING PLACED, AND DELAYING WORK IN THE WEEK THAT PREVAILING WIND DIRECTION SHOULD SHIFT.

1. THE CONTRACTOR SHALL CONSTRUCT STABILIZED CONSTRUCTION ACCESS TO REMOVE MUD, DIRT, WHICH MAY BE TRACKED ONTO OR OFF THE CONSTRUCTION ACCESS ROUTE.
2. THE CONTRACTOR SHALL ENSURE THAT MUD SHALL BE CLEANED FROM VEHICLE TIRE BEFORE THE VEHICLE CAN EXIT ONTO PAVED ROADS.

PUBLIC HEALTH, SAFETY, AND CONVENIENCE NOTES:

1. THE CONTRACTOR SHALL OBSERVE AND COMPLY WITH ALL FEDERAL, STATE, AND LOCAL LAWS REQUIRED FOR THE PROTECTION OF THE PUBLIC HEALTH AND SAFETY AND ENVIRONMENTAL QUALITY.

2. THE CONTRACTOR, AT HIS OWN EXPENSE SHALL KEEP THE PROJECT AND ITS SURROUNDING AREAS FREE FROM DUST NUISANCE. THE WORK SHALL BE IN CONFORMANCE WITH THE AIR POLLUTION CONTROL STANDARDS AND REGULATIONS OF THE STATE DEPARTMENT OF HEALTH.

3. NO CONTRACTOR SHALL PERFORM ANY CONSTRUCTION ACTIVITY SO AS TO CAUSE FALLING ROCK, SOIL OR DEBRIS IN ANY FORM TO FALL, SLIDE OR FLOW ONTO ADJOINING PROPERTIES, STREETS OR NATURAL WATERCOURSES. SHOULD SUCH VIOLATIONS OCCUR, THE CONTRACTOR SHALL IMMEDIATELY MAKE ALL REMEDIAL ACTIONS NECESSARY.

4. THE CONTRACTOR SHALL PROVIDE, INSTALL AND MAINTAIN ALL NECESSARY SIGNS, LIGHTS, FLARES, BARRICADES, MARKERS, CONES AND OTHER PROTECTIVE FACILITIES AND SHALL TAKE ALL NECESSARY PRECAUTIONS FOR THE PROTECTION, CONVENIENCE AND SAFETY OF THE PUBLIC. THE CONTRACTOR SHALL APPLY FOR A CONSTRUCTION PERMIT WITH A NOISE POLLUTION CONTROL PLAN.

NOTE:
ALL CONSTRUCTION TO COMPLY WITH REQUIREMENTS R403.5.5 (SOLAR WATER HEATER), R403.6.2 (CEILING FAN), R404.2 (SOLAR CONDUIT AND PANEL READINESS), R404.3 (ELECTRIC VEHICLE READINESS)

BUILDING DEPARTMENT
CITY & COUNTY OF HONOLULU

BUILDING CODE REQUIREMENTS FOR SPECIAL INSPECTIONS

PER CHAPTER 17 OF THE INTERNATIONAL BUILDING CODE 2012 requires that the owner employ one or more special inspectors performing the work. The special inspector shall provide inspection during construction of the following types of work:

☒ 16. Sheathed Shear Walls and Diaphragms
☒ 17. Complete Load Path and Uplift Tiles
☒ 18. Termite Protection

(detailed clarification of above items are listed on the reverse side of this page.)

Circle the number corresponding to the types of work for this project requiring special inspection. Fill the circled numbers in the below together with the identity of all special inspectors who will be performing the inspection.

GENERAL NOTES:

1. ALL WORK SHALL BE IN FULL COMPLIANCE WITH ALL APPLICABLE CODES, REGULATIONS OR REQUIREMENTS OF THE CITY OR COUNTY HAVING JURISDICTION FOR THE PLACE OF THE BUILDING.
2. THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS AT THE JOB SITE PRIOR TO LAYING OUT THE WORK AND SHALL NOTIFY THE DESIGNER OF ANY DISCREPANCIES PRIOR TO START OF ANY WORK AND SHALL BE RESPONSIBLE FOR ANY ERRORS RESULTING FROM HIS FAILURE TO DO SO.
3. DO NOT SCALE DRAWINGS. NOTED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALE. THE CONTRACTOR SHALL ALIGN NEW WALLS WITH EXISTING WHERE INDICATED ON THE DRAWINGS, AND SHALL NOTIFY THE DESIGNER OF ANY DISCREPANCIES PRIOR TO START OF ANY WORK.
4. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY SHORING, BRACING, ETC., REQUIRED TO INSURE STABILITY OF EACH AND EVERY PART DURING THE CONSTRUCTION PROCEDURE. ANY DAMAGE RESULTING FROM HIS FAILURE TO DO SHALL BE REPAIRED OR REPLACED AS REQUIRED AT THE CONTRACTOR'S EXPENSE.
5. ALL FRAMING MEMBERS SHALL BE SO ARRANGED AND SPACED SO AS TO PERMIT INSTALLATION OF ELECTRICAL WORK, PIPES, DUCTS ETC. WITH A MINIMUM AMOUNT OF CUTTING.
6. THE CONTRACTOR SHALL COORDINATE AND PHASE ALL WORK PERFORMED BY HIMSELF AND ALL SUBCONTRACTORS IN ORDER TO MINIMIZE THE DISRUPTION OF THE TENANTS FUNCTION DURING THE CONSTRUCTION PHASE OF THE WORK.
7. CONTRACTOR SHALL PATCH, FILL OR REPAIR ALL HOLES IN WALLS AND FLOORS AS A RESULT OF NEW CONSTRUCTION AND FINISH TO MATCH EXISTING UNLESS NOTED OTHERWISE.
8. ANY DAMAGE TO THE EXISTING BUILDING RESULTING FROM THE CONSTRUCTION PROCESS SHALL BE REPAIRED AND RESTORED TO MATCH THE ORIGINAL CONDITION BY THE CONTRACTOR AT NO COST TO THE OWNER.

CITY AND COUNTY OF HONOLULU
REVISED ORDINANCE CHAPTER 32
HONOLULU COUNTY CODE 1990 AS AMENDED

To the best of my knowledge, this project's design substantially conforms to the Building Energy Conservation Code for:

X Building Component Systems
____ Electrical Component Systems
____ Mechanical Component Systems

Signature: [signature] Date: 04-30-24
Name: BARRY NG
Title: ARCHITECT
License No. A7063

LOCATION MAP

PROJECT LOCATION

BOARD OF WATER SUPPLY NOTES:

ALL EXISTING REGULAR-FLOW FIXTURES SHALL BE RETROFITTED TO LOW-FLOW FIXTURES. NO IRRIGATION OR FIRE SPRINKLER CONNECTED TO METER.

PROJECT INFORMATION:

TMK:	5-6-001:033:0013
ZONING:	R-5
LOT AREA	4,052 SQ. FT.
MAX ALLOWABLE (50%)	2,026 SQ. FT.
MAX BLDG HT PER LUO:	25'-0" MAX.
SETBACKS:	10'-0" FRONT YARD
	5'-0" SIDE & REAR YARD
FLOOD ZONE:	X
CONSTRUCTION TYPE:	VB
OCCUPANCY:	R-3

CODES AND REGULATIONS REFERENCE:

2012 IRC W/ AMENDMENTS
HAWAII REVISED STATUES
2021 LUO W/ REVISED ORDINANCES

LAND USE & ZONING NOTES & CALCULATIONS:

LOT SIZE	4,052 FT²
ALLO. LOT CVGE 50%	2,026 FT²
NEW BLD'G CVGE	2,045 FT²
TOTAL LOT CVGE	2,045 FT²

BLDG. CALCS/FAR CALCS:

GRND. FLR. LIVING AREA	1,370 FT²
SECOND. FLR. LIVING AREA	1,261 FT²
COVERED PORCH	48 FT²
COVERED PATIO	132 FT²
GARAGE	495 FT²
ROOF DECK	613 FT²
TOTAL LIV. AREA	2,811 FT²
TOTAL BLDG. AREA	**3,919 FT²**

PARKING REQUIRED
1 UNIT PER 1,000 FT²
(LIVING AREA)
2,811 FT² = 2 PARKING REQUIRED
= 2 PARKING PROVIDED

Unit 8

SHEET INDEX:

001	TITLE PAGE PROJECT DATA
A001	OVERALL PLOT PLAN, RIGHT-SIDE ELEVATION, LEFT-SIDE ELEVATION & SECTION THRU-B
A002	PLOT PLAN ESCP
A003	PROPOSED FLOOR PLAN
A004	EXTERIOR ELEVATIONS & SECTION THRU-A
A005	INTERIOR ELEVATIONS & SCHEDULE OF DOORS & WINDOWS
S001	FOUNDATION PLAN & FLOOR FRAMING PLAN
S002	ROOF DECK FRAMING PLAN & STRUCTURAL DETAILS
E001	ELECTRICAL NOTES & LAYOUT

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BARRY R. NG LICENSED PROFESSIONAL ARCHITECT No. 7063 HAWAII, U.S.A.
LICENSE EXPIRES / April 30, 2026

SHEET CONTENT:
TITLE PAGE
PROJECT DATA

PROPOSED SINGLE FAMILY DWELLING
MALAEKAHANA LLC
AT: 56-155 A KAMEHAMEHA HWY
T.M.K.: 5-6-001:033:0013

date	remarks

sheet
001
1 of 9 sheets

Unit 8

NOTE:
- SILT FENCE
- CONCRETE WASHOUT
- STOCK PILE
- BIOSOCK

ELECTRIC VEHICLE READINESS R404.3
LEVEL 2 ELECTRIC VEHICLE CHARGER
208/240 VAC, SINGLE PHASE, 16A
MINIMUM CONTINUOUS

EROSION SEDIMENT CONTROL NOTES FOR MINOR DEVELOPMENT PROJECTS:

(i) USE BEST MANAGEMENT PRACTICES (BMPS) TO PREVENT AND REDUCE THE DISCHARGE OF POLLUTANTS FROM THE PROJECT SITE ONTO OFF-SITE STREETS, STORM DRAINS, STREAMS AND THE OCEAN. POTENTIAL POLLUTANTS INCLUDE BUT ARE NOT LIMITED TO SOIL, OIL PRODUCTS, PAINT, SOLVENTS, CONSTRUCTION DEMOLITION WASTE, TRASH, PORTABLE TOILETS, AC MATERIALS, CONCRETE, AND ANY OTHER LIQUID, PAVING OR WASHOUT MATERIAL THAT COULD BE DETRIMENTAL IF RELEASED TO THE ENVIRONMENT.

(ii) ANY EXPOSED SOIL FROM THIS ACTIVITY MUST BE PERMANENTLY OR TEMPORARILY STABILIZED IMMEDIATELY USING VEGETATION, GRAVEL, PAVERS, ROLLED EROSION CONTROL PRODUCTS, OR AN EQUIVALENT METHOD UNLESS ACTIVE WORK IS SCHEDULED WITHIN 14 DAYS.

(iii) ALL CONSTRUCTION WASTE AND WASHOUT WATER MUST BE PROPERLY CONTAINED AND DISPOSED OF.

(iv) SEDIMENT TRACKED OFF SITE MUST BE SWEPT OR VACUUMED DAILY.

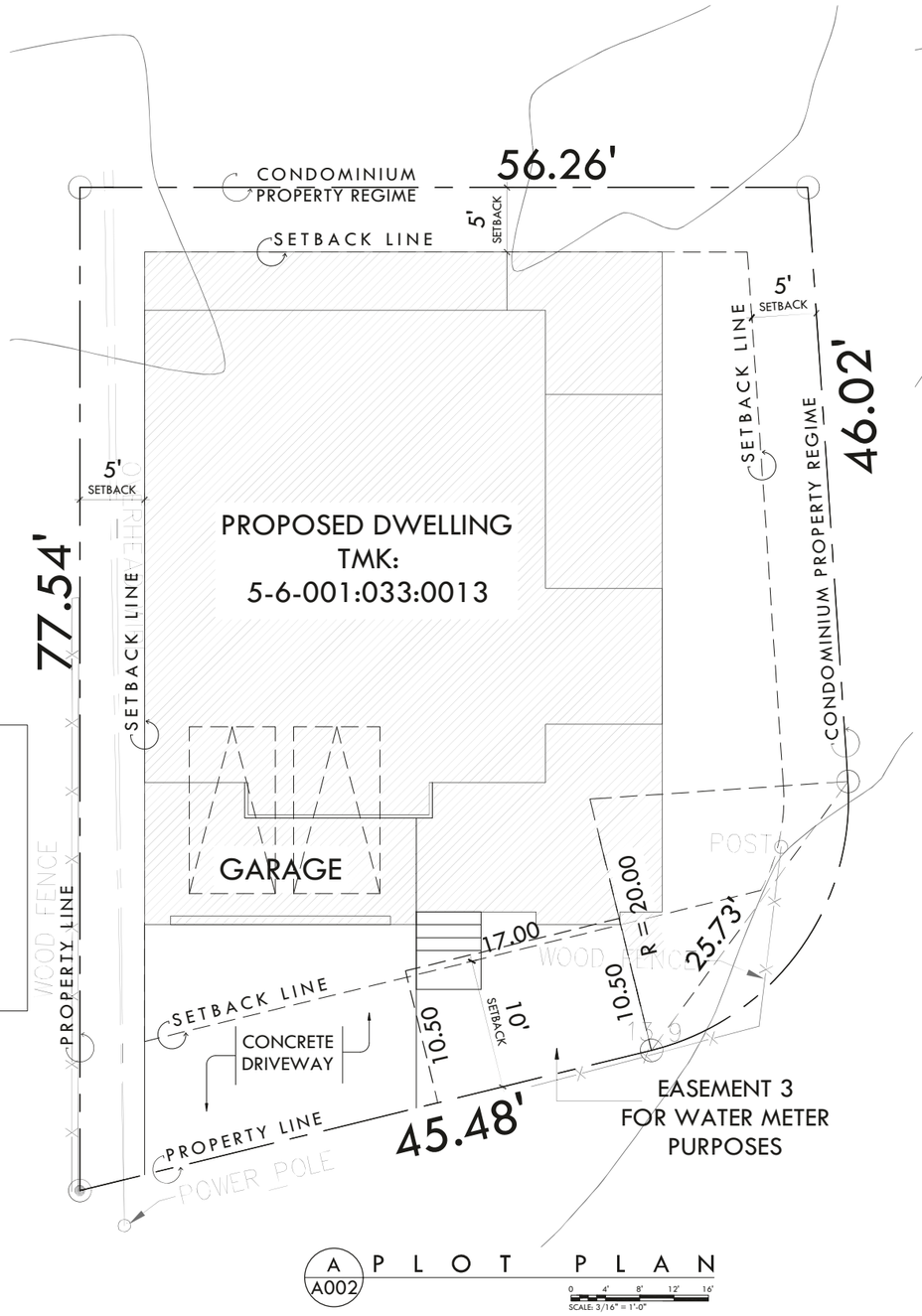
(v) DUST FROM THE PROJECT SITE SHALL NOT BE TRANSPORTED OR DISCHARGED TO OFF-SITE AREA. THE WORK MUST BE IN CONFORMANCE WITH AIR POLLUTION CONTROL STANDARDS CONTAINED IN THE HAWAII ADMINISTRATIVE RULES. TITLE 11 CHAPTER 60.1, "AIR POLLUTION CONTROL."

APPENDEIX G-1

RESIDENTIAL STORM WATER MANAGEMENT NOTES FOR SINGLE-FAMILY AND TWO-FAMILY DWELLING PROJECTS:

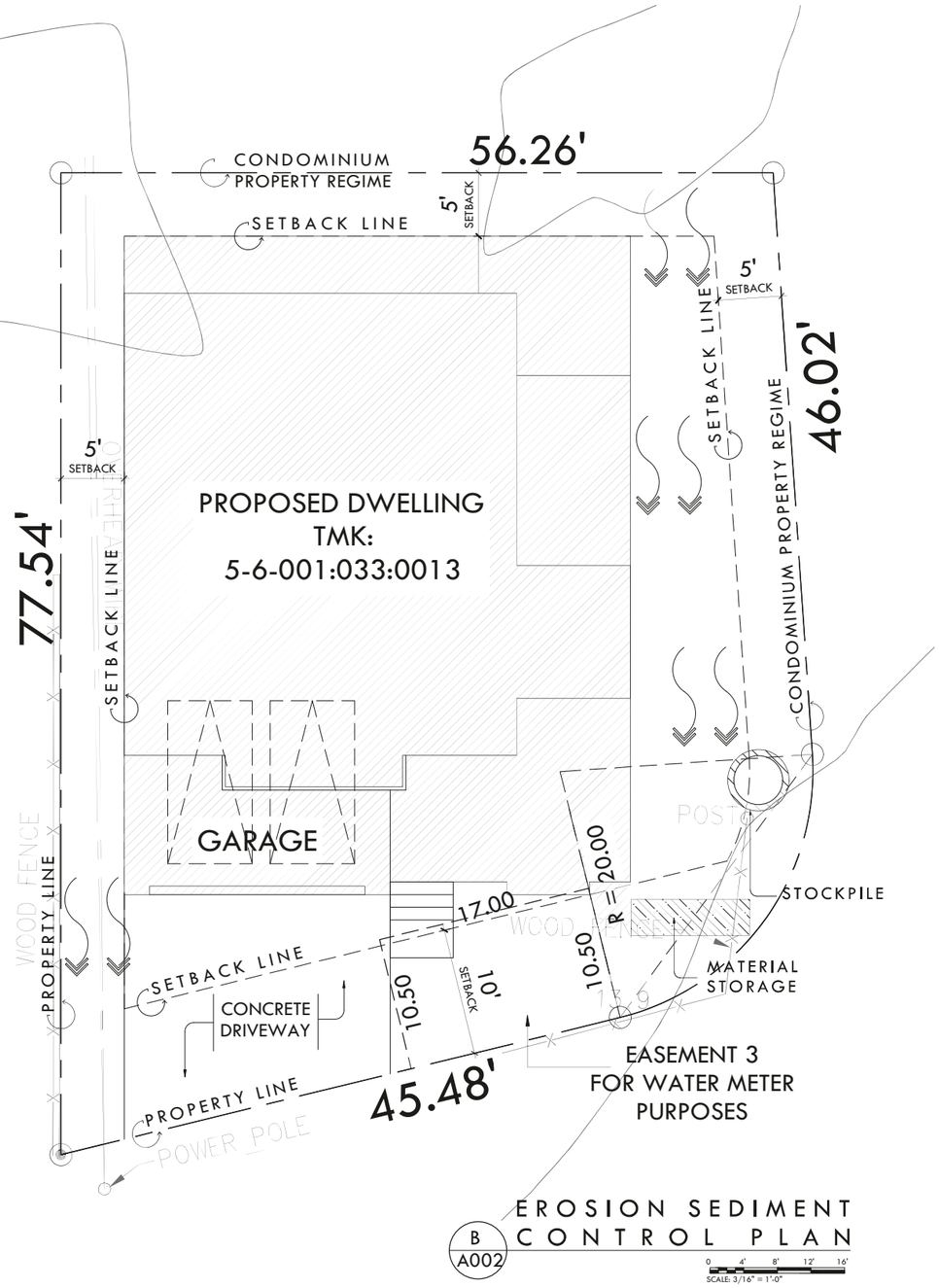
(i) USE SITE DESIGN STRATEGIES TO REDUCE THE IMPERVIOUS SURFACE AREAS TO THE MAXIMUM EXTENT PRACTICAL. THE TOTAL IMPERVIOUS SURFACE AREA FOR THE LOT MAY NOT EXCEED 75% PER LOU SECTION 21-3.70.1(G)

(ii) TOTAL IMPERVIOUS AREA = 55 %



A A002 PLOT PLAN

SCALE: 3/16" = 1'-0"



B A002 EROSION SEDIMENT CONTROL PLAN

SCALE: 3/16" = 1'-0"

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BARRY R. NG
LICENSED PROFESSIONAL ARCHITECT
No. 7063
HAWAII, U.S.A.

License Expires: April 30, 2026

SHEET CONTENT:
PLOT PLAN
ESCP

PROPOSED SINGLE FAMILY DWELLING
MALAEKAHANA LLC
AT: 56-155 A KAMEHAMEHA HWY
T.M.K.: 5-6-001:033:0013

date	remarks

sheet
A002
3 of 9 sheets

Unit 8

EROSION SEDIMENT CONTROL NOTES FOR MINOR DEVELOPMENT PROJECTS:

(i) USE BEST MANAGEMENT PRACTICES (BMPS) TO PREVENT AND REDUCE THE DISCHARGE OF POLLUTANTS FROM THE PROJECT SITE ONTO OFF-SITE STREETS, STORM DRAINS, STREAMS AND THE OCEAN. POTENTIAL POLLUTANTS INCLUDE BUT ARE NOT LIMITED TO SOIL, OIL PRODUCTS, PAINT, SOLVENTS, CONSTRUCTION DEMOLITION WASTE, TRASH, PORTABLE TOILETS, AC MATERIALS, CONCRETE, AND ANY OTHER LIQUID, PAVING OR WASHOUT MATERIAL THAT COULD BE DETRIMENTAL IF RELEASED TO THE ENVIRONMENT.

(ii) ANY EXPOSED SOIL FROM THIS ACTIVITY MUST BE PERMANENTLY OR TEMPORARILY STABILIZED IMMEDIATELY USING VEGETATION, GRAVEL, PAVERS, ROLLED EROSION CONTROL PRODUCTS, OR AN EQUIVALENT METHOD UNLESS ACTIVE WORK IS SCHEDULED WITHIN 14 DAYS.

(iii) ALL CONSTRUCTION WASTE AND WASHOUT WATER MUST BE PROPERLY CONTAINED AND DISPOSED OF.

(iv) SEDIMENT TRACKED OFF SITE MUST BE SWEPT OR VACUUMED DAILY.

(v) DUST FROM THE PROJECT SITE SHALL NOT BE TRANSPORTED OR DISCHARGED TO OFF-SITE AREA. THE WORK MUST BE IN CONFORMANCE WITH AIR POLLUTION CONTROL STANDARDS CONTAINED IN THE HAWAII ADMINISTRATIVE RULES: TITLE 11 CHAPTER 60.1, "AIR POLLUTION CONTROL."

APPENDEIX G-1

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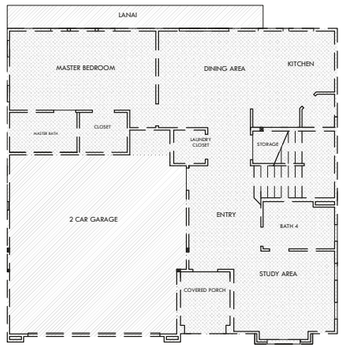
(i) USE SITE DESIGN STRATEGIES TO REDUCE THE IMPERVIOUS SURFACE AREAS TO THE MAXIMUM EXTENT PRACTICAL. THE TOTAL IMPERVIOUS SURFACE AREA FOR THE LOT MAY NOT EXCEED 75% PER LOU SECTION 21-3.70.1(G)

(ii) TOTAL IMPERVIOUS AREA = 31 %

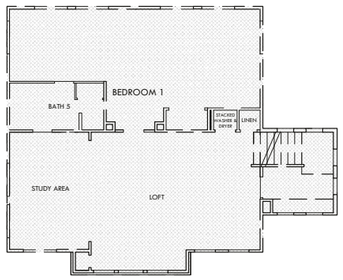
ZONING DISTRICT: R-7.5	LOT AREA: 8,041 FT²
MAX ALLOWABLE: 2,500 FT²	
FAR CALC: 3,326 / 8,041 FT² = 0.413	
MAX FLR AREA ALLOWED: 8,041 x .7= 5,628 FT²	
FLOOR AREA	
GRD FLR LIV. AREA	1,030 FT²
2ND FLR LIV. AREA	1,058 FT²
TOTAL	**2,088 FT²**
BUILDING AREA	
GRD FLR BLD'G AREA	1,030 FT²
2ND FLR BLD'G AREA	1,058 FT²
LANAI	86 FT²
ROOF DECK	388 FT²
GARAGE	468 FT²
TOTAL	**3,030 FT²**
1 UNIT PER 1,000 SQUARE FEET(LIVING AREA) 2,088 FT² = 2 PARKING PROVIDED	2 PARKING PROVIDED

LEGEND:
- FLR AREA
- BLD'G AREA

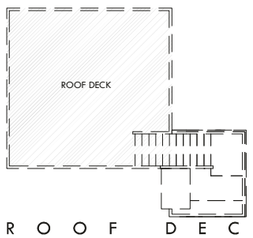
NOTE:
- SILT FENCE
- CONCRETE WASHOUT
- STOCK PILE
- BIOSOCK



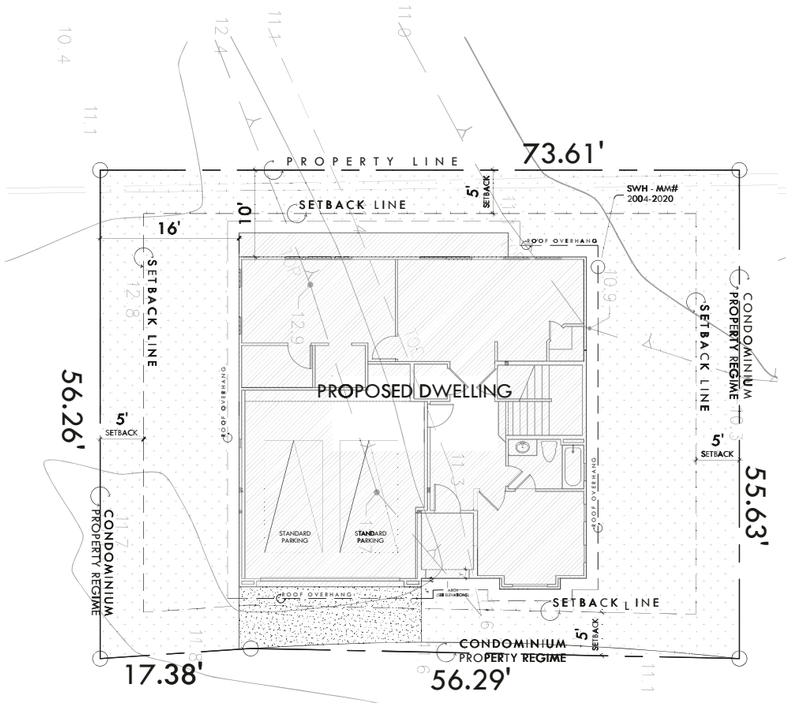
GROUND FLOOR



SECOND FLOOR



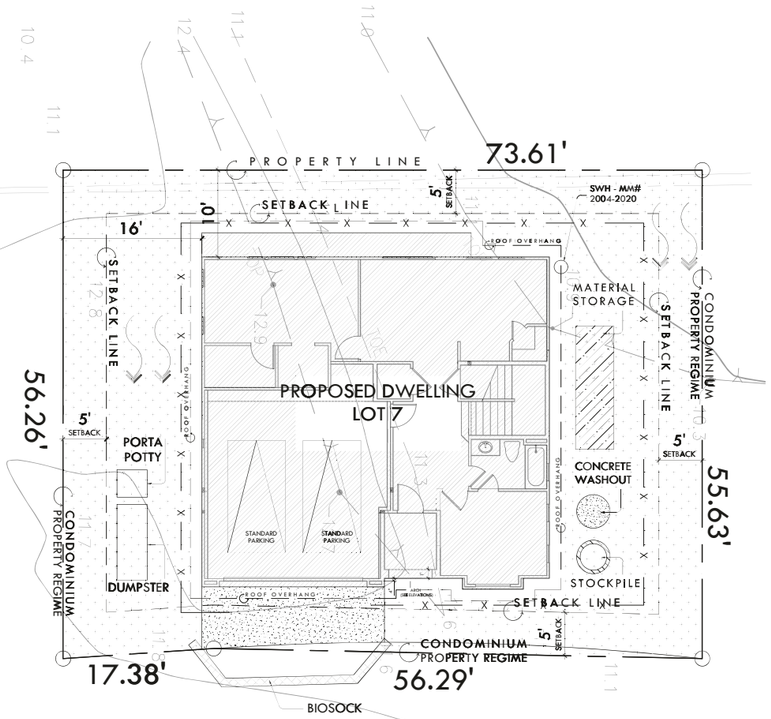
ROOF DECK



A A002 PLOT PLAN

0 8' 16' 24'

SCALE: 1/8" = 1'-0"



B A002 EROSION SEDIMENT CONTROL PLAN

0 8' 16' 24'

SCALE: 1/8" = 1'-0"

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BARRY R. NG
LICENSED PROFESSIONAL ARCHITECT
No. 7083
STATE OF HAWAII

LICENSE EXPIRES April 30, 2026

SHEET CONTENT:
PLOT PLAN
ESCP

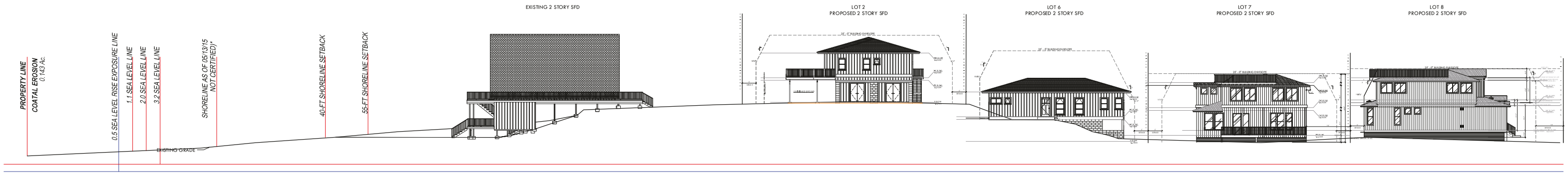
PROPOSED SINGLE FAMILY DWELLING UNIT

MALAEKAHANA LLC
AT: 56-155 A KAMEHAMEHA HWY, KAHUKU, HI 96731
T.M.K.: 5-6-001:03300012

date	remarks

sheet
A002
3 of 9 sheets

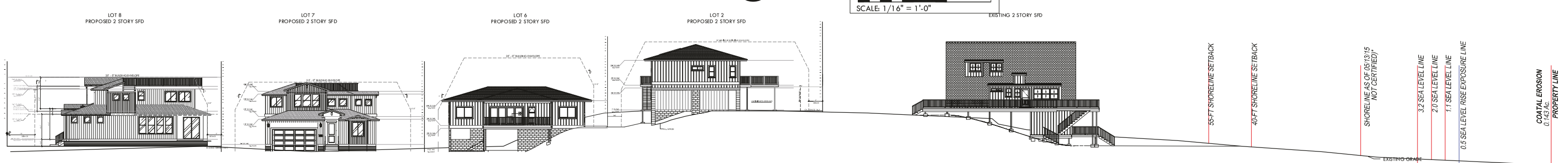
Unit 8



A A001 LEFT-SIDE ELEVATION

0 16' 32' 48'

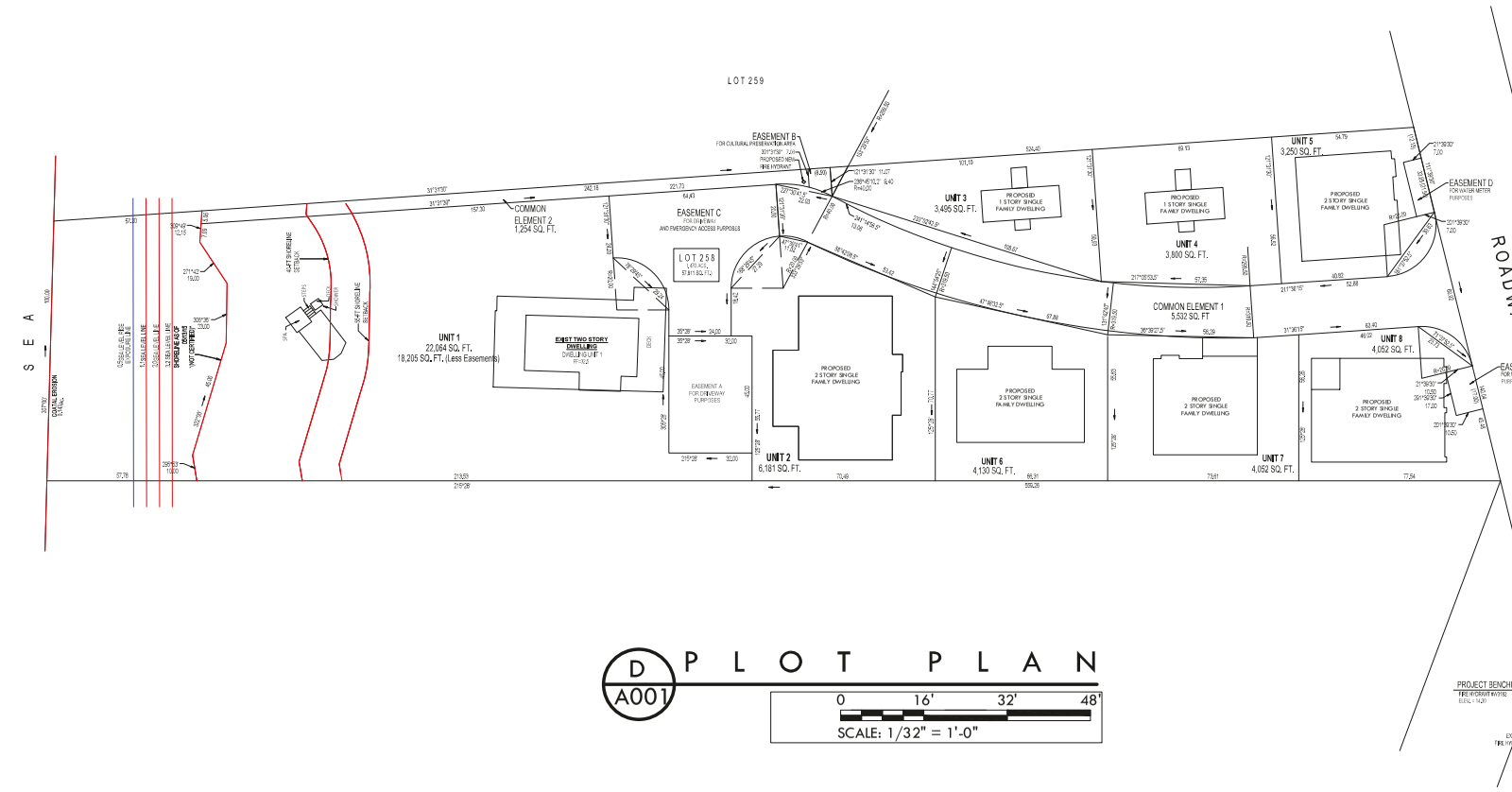
SCALE: 1/16" = 1'-0"



B A001 RIGHT-SIDE ELEVATION

0 16' 32' 48'

SCALE: 1/16" = 1'-0"



D A001 PLOT PLAN

0 16' 32' 48'

SCALE: 1/32" = 1'-0"

ENVIRONMENTAL NOTES:

THE APPLICANT IS RESPONSIBLE FOR THE FOLLOWING RELATED TO ARCHAEOLOGICAL HISTORICAL AND CULTURAL RESOURCES
IF, DURING CONSTRUCTION, ANY PREVIOUSLY UNIDENTIFIED ARCHAEOLOGICAL SITES OR REMAINS (SUCH AS ARTIFACTS, SHELL, BONE, OR CHARCOAL DEPOSITS,
HUMAN BURIALS, ROCK OR CORAL ALIGNMENTS, PAVINGS, OR WALLS) ARE ENCOUNTERED THE APPLICANT SHALL STOP WORK, PROTECT THE FIND FROM FURTHER DISTURBANCE
AN CONTACT THE STATE HISTORIC PRESERVATION DIVISION (SHPD) IMMEDIATELY.
WORK IN THE IMMEDIATE AREA MUST BE STOPPED UNTIL SHPD IS ABLE TO ASSESS THE IMPACT AND MAKE FURTHER RECOMMENDATIONS FOR MITIGATIVE ACTIVITY.

THESE REQUIREMENTS MUST BE CLEARLY STATED ON ALL CONSTRUCTION AND BUILDING PERMIT PLANS.
2. THE APPLICANT IS RESPOSIBLE FOR THE FOLLOWING RELATED TO COASTAL ECOSYSTEMS.
A. WOODY PLANTS GREATER THAN 15-FT IN HEIGHT MAY NOT BE DISTURBED, REMOVED OR TRIMMED DURING THE HAWAIIAN HOARY BAT BIRTHING AND PUP REARING SEASON (JUNE 1 THROUGH SEPTEMBER 15).
B. ALL NEW AND REPLACEMENT OUTDOOR LIGHT FIXTURES MUST NOT EXCEED A COLOR TEMPERATURE OF 3,000 EGREES KELVIN.
C. ARTIFICIAL LIGHT FROM EXTERIOR LIGHTING FIXTURES INCLUDING BUT NOT NECESSARILY LIMITED TO FLOODLIGHTS, UPLIGHTS, OR SPOTLIGHTS USED FOR DECORATIVE
OR AESTHETIC PURPOSES, IS PROHIBITED IF THE LIGHT DIRECTLY ILLUMINATES OR IS DIRECTED ACROSS PROPERTY BOUNDARIES TOWARD THE SHORELINE AND OCEAN
WATERS, EXCEPT AS MAY OTHERWISE BE PERMITTED PURSUANT TO HAWAII REVISED STATUES (HRS) SECTION 205A-71(B).
D. EXTERIOR LIGHTING FIXTURES MUST BE FULLY SHIELDED USING FULL CUTOFF FIXTURES WITH THE LIGHT DIRECTED DOWNWARD SO THAT THE LIGHT BULB IS ONLY VISIBLE FROM BELOW THE LIGHT FIXTURE.
E. ALL PROJECT SITE WORK AND CONSTRUCTION ACTIVITIES ARE LIMITED TO DAYLIGHT HOURS,
F. BARB LESS FENCING MUST BE USED FOR ALL FENCE CONSTRUCTION TO AVID ENTANGLEMENT OF HAWAIIAN HOARY BATS
G. ALL PROJECTE-RELATED ACTIVITIES MUST CEASE IF A HAWAIIAN MONK SEAL OR GREEN SEA TURTLES IS WITHIN 150 FT. OF THE WORK AREA , OR AS RECOMMENDED BY STATE OR
FEDERAL REGULATIONS PROJECT ACTIVITIES MAY ONLY RECOMMENCE AFTER THE ANIMAL VOLUNTARILY LEAVES THE AREA. IF A MONK SEAL PUP IS PRESENT,
A 300-FT BUFFER MUST BE OBSERVED ANY PROJECT-RELATED DEBRIS THAT MAY POSE AN ENTANGLEMENT THREAT TO MONK SEALS AND TURTLES MUST BE REMOVED FROM THE WORK
AREA AT THE END OF EACH DAY AND AT THE CONCLUSION OF PROJECT-RELATED ACTIVITIES.
3. THE APPLICANT IS RESPONSIBLE FOR THE FOLLOWING RELATED TO PRESERVATION OF UNDERLYING BEACH SANDS AND COASTAL DUNES.
A. NEW LANDSCAPING MUST NOT ARTIFICIALLY FIX THE SHORELINE OR BE MAINTAINED IN SUCH A WAY THAT IT EFFECTIVELY HARDENS THE SHORELINE
B. LANDSCAPING BETWEEN THE MAKAI DWELLING AND THE SHORELINE MUST BE LIMITED TO VEGETATION THAT IS NATURALLY HARDY OR ENDEMIC IN THE DUNE OR SHOELINE AREA, AND
C. IRRIGATION SYSTEM MUST BE DESIGNED SO THAT WATER IS NOT ALLOWED TO TRAVERSE MAKAI OF THE SHORELINE INTO THESTATE LAND USE CONSERVATION DISTRICT, OR OTHERWISE
FACILITATE THE GROWTH OF VEGETATION MAKAI OF THE SHORELINE AS DEFINED IN HRS CHAPTER 205A.
4. THE APPLICANT IS RESPONSIBLE FOR THE FOLLOWING RELATED TO PRESERVATION OF COASTAL WATERS, SOIL AND DUNES.
A. IMPORTATION OF SOIL MUST BE MINIMIZED TO THE EXTENT POSSIBLE. IF THE IMPORTATOIN OF SOIL MATERIAL IS NECESSARY, A MATERIALS ANALYSIS MUST BE SUBMITTED TO THE DEPARTMENT OF
LAND AND NATURAL RESOURCES DIVISION OF FORESTRY AND WILDLIFE. FOR REVIEW AND APPROVAL PRIOR TO IMPORTATION THE ANALYSIS
MUST SHOW THAT THE MATERIALS HAVE SIMILAR CHARACTERISTICS AND ARE OF SIMILAR QUALITY AS THE EXISTING SOIL MATERIALS ON SITE AND WILL NOT ADVERSELY IMPACT THE SMA RESOURCES.

LANDOWNER ACKNOWLEDGEMENTS
1. THERE IS A POTENTIAL FOR THE LAND TO SHIFT FROM THE STATE LAND USE URBAN DISTRICT TO THE STATE LAN USE CONSERVATION DISTRICT IN RESPONSE TO ANTICIPATED COASTAL EROSION.
2. THE SITE IS SUSCEPTIBLE TO ADVERSE IMPACTS RELATED TO SEA LEVEL SIRE (SLR), EROSION, FLOODING, WAVE ACTION, AND OTHER COASTAL HAZARDS.
3. THE APPLICANT NOR ANY FUTURE SUCCESSOR OWNER OR INTERESTED PARTY MAY CLAIM HARDSHIP DUE TO EROSION SLR, OR ANY OTHER COASTAL HAZARD, IN ORDER TO OBTAIN APPROVAL FOR A SHORELINE SETBACK
VAIANCE (SSV) FOR A NEW SHOREILNE PROTECTION STRUCTURE.
4. IN CHOOSING TO IMPLEMENT CONSTRUCTION ACTIVITIES AT THM 5-5-002:095 THE LANDOWNER (CURRENT AND FUTURE) HEREBY ACKNOWLEDGES THAT LAND MAKAI
(SEAWARD) OF THE REGULATORY SHORELINE IS STATE PUBLIC LAND, FALLS WITHIN THE STATE LAND USE CONSERVATION DISTRICT, AND MUST REMAIN AVAILABLE FOR PUBLIC USE AND RECREATIONAL ACTIVITIES. THE LAND
OWNDER (CURRENT AND FUTURE) FURTHER ACKNOWLEDGES THAT SHOULD ANY PORTION OF A STRUCTURE ENCROACH
LANDOWNER WILL HOLD HARMLESS AND NOTIFY THE CITY OF ANY RESPONSIBILITY THAT MAY RESULT FROM ADVERSE IMPACTS ASSOCIATED WITH SLR.
5. THE LANDOWNER (CURRENT AND FUTURE_ IS HEREIN NOTIFIED THAT THE PROPERTY IS SUSCEPTIBLE TO COASTAL HAZARDS AS A RESULT OF SLR. WHICH MAY RESULT IN HARM OR LOSS OF LIFE AND PROPERTY.

sheet A001 2 of 9 sheets

PROPOSED SINGLE FAMILY DWELLING

MALAEKAHANA LLC
AT: 56-155 A KAMEHAMEHA HWY
T.M.K.: 5-6-001:033:0013

SHEET CONTENT:
PLOT PLAN
RIGHT-SIDE AND
LEFT-SIDE ELEVATIONS
SECTION THRU-B

BARRY R. NG LICENSED PROFESSIONAL ARCHITECT No. 7063 HAWAII, U.S.A.

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION. CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.
LICENSE EXPIRES April 30, 2025

2.2 PROPOSED AND EXISTING DEVELOPMENT TABLE

		Proposed and Existing			Maximum Development Potential				
Unit	Unit Size (SF)	Proposed Dwelling	Proposed Floor Area FAR (SF)	Proposed Building Area (SF)	Floor Area FAR (SF)	Building Area (SF)	Estimated Construction	Bedroom /bath	Parking
1	22064	No Change	2008	2292	15444.8	11032	N/A		2
2	6181	Single -Family Dwelling	3877	2826	4326.7	3090.5	11/1/2026	3/3	2
3	3495	Single -Family Dwelling	430	488	2446.5	1747.5	11/1/2026	1/1	1
4	3800	Single -Family Dwelling	2604	1455	2660	1900	11/1/2026	3/2	1
5	3250	Single -Family Dwelling	2065	1507	2275	1625	4/1/2027	5/5	2
6	4130	Single -Family Dwelling	2604	1455	2891	2065	11/1/2027	3/2	2
7	4052	Single -Family Dwelling	2604	1455	2836.4	2026	3/31/2027	3/2	2
8	4052	Single -Family Dwelling	2811	2045	2836.4	2026	4/1/2027	2/3	2
	5532	Common Element 1	0	0	3872.4	2766			
	1254	Common Element 2	0	0	877.8	627			
	6223	Beach	0	0	4356.1	3111.5			
	64033		19003	13523	44823.1	32016.5			
			29.7%	21.1%	70.0%	50.0%			

Table 2-1. Simplified Summary of Proposed and Existing Conditions.

Note:
The property contains eight CPR units on a single 1.47-acre parcel. The Proposed Action includes the construction of seven new single-unit dwellings on CPR Units 2 through 8, while existing single-unit dwelling on CPR Unit 1 will include a detached store shed as shown in *Figure I-2.* The proposed dwellings range in size from 430 square feet to 3,877 square feet and include one-to five-bedroom configurations, as shown in Table 2-1. Construction is anticipated to occur in phases between 2026 and 2028, subject to required permit approvals. The combined FAR for the entire parcel meets the LUO requirement at 28.54% and building area of 21.12% as shown in Table 2-1.

2.3 UTILITIES AND WASTEWATER SYSTEMS

IWS are proposed on the property, consisting of one existing system serving the existing dwelling on CPR Unit 1 and six new systems serving the proposed single-unit dwellings on CPR Units 2 through 7 with units 3 and 4 sharing an IWS system also units 7 and 8. Each System will include a septic tank and leach field designed in accordance with Hawaii Department of Health standards. Final design, location, and approval of each IWS will be determined through the Hawaii State Department of Health permitting process to ensure compliance with applicable health regulations.

2.4 CONSTRUCTION TIMING AND ESTIMATED COSTS

The total estimated cost of the proposed improvements is anticipated to be $15-20 million, funded through private sources. Construction is expected to occur in phases:

- CPR Units 2, 3, 4: Fourth quarter 2026
- CPR Unit 7: First quarter 2027
- CPR Units 5, 8: Fourth quarter 2027
- CPR Unit 6: Mid-2028

Following permit approvals, construction is anticipated to be completed within approximately 60 months. Activities include site preparation, utility connections, wastewater system installation, building construction driveway improvements, landscaping, and final site stabilization.

2.5 ALTERNATIVES CONSIDERED

Reasonable alternatives to the Proposed Action were considered but dismissed. Alternative site layouts and unit configurations were evaluated; however, options that would increase environmental impacts, place units near the shoreline setback, or exceed the maximum permitted dwellings on the single parcel of record were not pursued. The maximum number of dwellings allowed under R-5 zoning on a single parcel is eight, consistent with the current CPR configuration. Adding more units, beyond 8 units, will require an additional Cluster Development Permit in addition to the SMA Major Permit.

2.6 NO-ACTION ALTERNATIVE

Under the No Action Alternative, no new construction would occur. The existing dwelling on CPR Unit 1 would remain, and the vacant CPR units would remain undeveloped. Property owners would not realize the permitted residential use of the CPR units, and shared access and infrastructure would remain in their current condition.

3.0 PERMITS, PLANS, POLICIES AND CONTROLS

The Proposed Action will be subject to appliable federal, state, and City and County of Honolulu regulations governing land use, construction, environmental protection, and wastewater management. These regulations ensure that development within the Special Management Area (SMA) is consistent with the objectives and policies established in the Revised Ordinances of Honolulu (ROH), including ROH Chapter 25 (Special Management Area).

The primary discretionary approval required for the project is a Major Special Management Area (SMA) Permit. In accordance with ROH Chapter 25, the approving authority for a Major SMA Permit is the Honolulu City Council, following review and recommendation by the Department of Planning and Permitting (DPP).

In addition to the SMA Major Permit, the Proposed Action will require several other permits and approvals to ensure compliance with appliable building, wastewater, shoreline, and construction regulations. The maximum capacity of a dwelling of a 5 bedroom is 1,250 gallons per day. In accordance with Hawaii Administrative Rules, Title 11, Chapter 62, planning for individual wastewater systems (IWSs) would be based on applicable lot area, bedroom count, system sizing, and Department of Health permitting requirements. The regulations generally provide for a minimum of **10,000 square feet of land area per individual wastewater system**, and each system is limited to serving a maximum of **five bedrooms**. For the proposed 8-unit project, the preliminary wastewater planning assumes that **Units 3 and 4** would be served by one shared IWS and **Units 7 and 8** would be served by a second shared IWS, with each shared system limited to a maximum combined total of **five bedrooms**. Final system placement, configuration, and allowable service connections would be subject to detailed design and approval by the Hawaii Department of Health.

Table 3-1 identifies the principal permit and approvals anticipated for the Proposed Action.

Anticipated Permits and Approvals	***Approving Agency***
Special Management Area Permit, Major	Honolulu City Council
Building Permit	Department of Planning and Permitting (DPP)
IWS Approvals	Hawai'i Department of Health (DOH), Wastewater Branch
Certified Shoreline Survey	Department of Land and Natural Resources (DLNR)

Shoreline Setback Variance (if required)	Department of Planning and Permitting
Noise Permit	Hawaii Department of Health (DOH), Indoor and Radiological Health Branch
Water Use Permit	Board of Water Supply (BWS)

Table 3-1 Permits Required

The Proposed Action will be designed and implemented in compliance with applicable permitting requirements and development regulations. These permitting processes provide additional review to ensure the project is consistent with shoreline protection policies, wastewater management standards, construction regulations, and other applicable environmental safeguards.

The project site is not located within a designated wildlife preserve or recreational sanctuary. Nearby offshore seabird sanctuary islets are managed as protected wildlife areas and are closed to public access. The proposed residential development will not involve activities within these protected areas and will not interfere with their management. Project implementation will follow applicable wildlife protection guidelines should protected species be present in the vicinity of the project area.

3.1 ENVIRONMENTAL PERMITS, POLICIES, PLANS AND CONTROLS

3.1.1 ENVIRONMENTAL REVIEW POLICY

The Proposed Action does not directly trigger any of the applicability criteria under §343-5, HRS. Specifically, the project does not involve: (1) the use of State or county lands or funds; (2) development within the State Conservation District; (3) development within a shoreline area; (4) use of a historic site; (5) development within the Waikīkī Special District; (6) amendments to the county general plan; (7) reclassification of conservation district lands; (8) helicopter facilities; or (9) a wastewater treatment unit serving fifty or more single-family dwellings or equivalent. The proposed Individual Wastewater System (IWS), which will serve fewer than 50 single-family dwellings, is explicitly exempt from environmental review under §343-5(a)(9).

Notwithstanding the absence of direct triggers, the Proposed Action is located within the Special Management Area (SMA) and requires an SMA Use Permit. Pursuant to ROH §25-3.3(c)(1), any development within the SMA requiring such a permit is subject to environmental review in accordance with HRS Chapter 343. Therefore, the project is required to undergo an Environmental Assessment (EA) under the Hawaii Environmental Policy Act (HEPA).

The environmental review requirements applicable to this action are established under HRS Chapter 343 and implemented through HAR Chapter 11-200.1. The purpose of HEPA is to ensure that environmental considerations are integrated into governmental decision-making and that potential environmental impacts are evaluated prior to project approval. The process is administered by the Environmental Review Program (ERP) under the Office of Planning and Sustainable Development, which oversees compliance and facilitates public participation in the review process.

3.1.2 CONSISTENCY WITH PLANS AND REGULATIONS

The City and County of Honolulu planning system is structured around three tiers, which guide development and ensure orderly growth:

1. **General Plan**: Establishes broad, island wide goals, objectives, and policies to guide long-term growth and development.

2. **Development Plans**: Translate General Plan policies into more detailed guidance for population distribution, use and infrastructure guidance for specific geographic regions of Oʻahu. Development Plans provide policy direction regarding population distribution, land use patterns, public facilities, transportation systems, and environmental resources within specific geographic regions.

3. **Sustainable Community Plans, zoning ordinances**, **and other implementing regulations:** Provide site specific standards and controls regulating land use, density, building form, and development intensity at the parcel level.-These tools implement the objectives and policies of the General Plan and Development Plans by regulating land use, density, building form, and development intensity at the parcel level.

The Proposed Action has been reviewed for consistency with applicable City and County of Honolulu plans, policies, and regulations, including the General Plan, the Land Use Ordinance (ROH Chapter 21), and the Special Management Area regulations (ROH Chapter 25). The following discussion summarizes how the project is consistent with each framework.

(a) General Plan

The City and County of Honolulu General Plan establish long-range objectives and policies for land use, environmental protection, infrastructure, and community development. The Proposed Action is consistent with the General Plan in the following ways:

- Objective: Provide for orderly residential growth in designated areas.

Consistency: The proposed project is within the urban growth boundary of the General Plan. The project develops seven new single-unit dwellings on CPR Units 2 through 8, within an established residential district, R-5, and retains the existing dwelling on CPR Unit 1. The project utilizes existing site access and infrastructure, supporting orderly residential development.

- Objective: Protect coastal and environmental resources.

Consistency: All improvements are located outside the shoreline setback area, with no retaining walls or fencing proposed within the shoreline setback, minimizing impacts to coastal resources.

(b) Land Use Ordinance (ROH Chapter 21)

The site is zoned R-5 Residential District, which permits single-unit dwellings. The Proposed Action is consistent with the LUO as follows, see Table 3-2:

- Permitted Use: Single-unit dwellings are allowed use in the R-5 District.

Consistency: Seven new single-unit dwellings are proposed in compliance with this permitted use designation and far below the buildable footprint at 21.11% and FAR at 28.54%

- Development Standards: The project will comply with applicable setbacks, height, and lot coverage requirements, consistent with LUO regulations.

Table 3 2 Project Compliance with Development Standards

Project Compliance Standards		Compliance Standards	Proposed Project Compliance
Parcel 033		R-5	R - 5
Minimum Lot Area (SF)	One-family dwelling detached	5000 SF	64,033 SF
Minimum Lot Width/ Depth (FT)		65 Ft	Width: 140.04 FT Depth: 559.26 FT
Setback Yards (FT):	Front	10 FT	10 FT
	Side and rear	5 FT	Side: 5 FT
		5 FT	Rear: 5 FT

Maximum Building Area		50%	≈ 21%
Maximum Height (FT)[1]		25 FT	**25 FT**
Maximum Floor Area Ratio (FAR)		0.70	.22 FAR
Maximum Floor Area (SF) Per §21-3.70-1(c)(3)(H)		44,823 SF	19,003 SF

(c) Special Management Area (ROH Chapter 25)

The site is located within the Special Management Area (SMA) and is therefore subject to SMA review. The Proposed Action is consistent with SMA objectives and policies:

- Locates all new construction outside of the shoreline setback area
- Minimize impacts to coastal resources. Maintains existing site access and circulation
- Avoids environmentally sensitive areas
- Minimize visual impact.

The project will be reviewed through the SMA Major Permit process to ensure full compliance with applicable SMA requirements.

3.1.3 SPECIAL MANAGEMENT AREA

The project site is located within the Special Management Area (SMA), which is administered by the City and County of Honolulu Department of Planning and Permitting (DPP) under HRS 205A and ROH Chapter 25. The SMA regulations are intended to manage development along shorelines to protect coastal resources, preserve public access to beaches and recreational areas, and ensure environmentally responsible development.

The project will comply with SMA requirements through the SMA Major Permit process. The most recent certified shoreline survey indicates that the shoreline follows the edge of vegetation, and all proposed development is located outside of shoreline setback area. Unit owners and their consultant (Hawaii Engineering Group) are in the process of preparing an SMA major permit application for the Proposed Action described in Section 2. The permit application will be submitted following acceptance of the Final EA and issuance of a FONSI.

3.1.4 STORMWATER MANAGEMENT

Storm Water runoff from ground level impervious surfaces, such as any driveway areas and walkways,

will be directed to adjacent landscaped areas. Storm water from building roofs will be collected via gutters and conveyed to dry wells and/or infiltration beds or dispersed into landscaping areas. Accordingly, stormwater will be managed on-site.

The proposed construction can be completed with standard construction equipment, including drill rig for pilings; no novel equipment or techniques are required to complete the project.

Limited excavations will be necessary for building foundation elements and utility trenches (e.g., water, sewer, and irrigation). All excavated material will be reused on-site as trench backfill to established level ground for the individual CPR driveways, parking areas, and walkways, or as backfill around site improvements. Structural fill may be required to ensure the stability of foundation posts and piers if the Jaucas sands are determined to be unsuitable for structural use. Complete Foundation Details will be seen in the Building Plans in Exhibit Q before SMA submission to DPP.

The project will comply with the CCH DPP prevailing Rules Relating to Water Quality. Appropriate BMPs will be used during construction to prevent the discharge of land-based sediment and pollutants (LBSP) from the site and into receiving waters. Specific mitigation measures to prevent pollution and protect water quality are discussed in Section 4.2.2. The pollutants of concern addressed by these Rules include, but are not limited to, sediment, nutrients, trash, pathogens, pesticides, oil, grease, hazardous waste, toxic waste, metals, and organic compounds (CCH, 2018b). Temporary construction BMPs measures will include multiple methods as discussed to prevent erosion and minimize sediments and pollutant transport off-site, including cleaning of vehicles tires before leaving the site, and having proper sediment control devices including silt fences and socks and/or dust screens.

The construction contractor will perform the following activities before, during and after construction per Rules §20-3-48. A link to the New Rules Water Flyer below will assist construction contractors with establishing a water quality program for the construction projects. Water Quality Flyer.

OVERVIEW OF POST-CONSTRUCTION BMP REQUIREMENTS:	
BEFORE CONSTRUCTION	• Submit a Storm Water Quality Report or a Storm Water Quality Checklist prepared by a Certified Water Pollution Plan Preparer (CWPPP) who has a current certificate • Submit a Post-Construction BMP (PCBMP) Plan • Submit an Operations & Maintenance (O&M) Plan
DURING CONSTRUCTION	• Retain a CWPPP to perform at least two (2) site observations of the installation of Post-Construction BMPs
AFTER CONSTRUCTION (For Permit Closure)	• Submit a Certificate of Completion Form • Record approved PCBMP Plan & accepted O&M Plan with the State of Hawaii Land Court or Bureau of Conveyances as appropriate

The physical, temporary, BMP's will be removed and properly disposed of once construction activities are complete and the landscaping has become established. Construction on the site presents challenges due

to sandy soils, slope conditions, rapid percolation rates, salinity, cultural considerations, and the need for adequate foundation strength to prevent structural movement. As such, foundations will be designed with careful consideration of structural integrity, saline resistant concrete materials will be used to minimize potential damage. If structural soils are imported to stabilize concrete foundations beyond the reuse of onsite materials, the total quantities will be reported to DPP, along with certification that the materials constitute clean fill. Such certifications shall be provided by a certified laboratory verifying that the materials are free of contaminants and pathogens. This certification requirement also applies to any off-site loams, sands, clays, or other materials brought to the site for septic system installation, landscaping, driveways, or support structures such as ground-mounted solar panels.

3.1.5 WASTEWATER SYSTEM

The site will be served by IWS sewage systems for which Unit #1 will use its existing IWS and Units #2-8 have new IWS permit applications submitted and noted on the plans in ***Exhibit Q*****.** No significant impacts are anticipated on the proposed IWS wastewater system because of the septic construction design, location, and operation for the Proposed Project.
Wastewater system requirements and regulations are administered and regulated by the HDOH Wastewater Branch. The requirements and regulations can be found in HAR Chapter 11-62 (DOH, 2016a). The purpose of these regulations is to ensure that the use and disposal of wastewater and wastewater sludge do not contaminate or pollute valuable water resources, do not give rise to public nuisance, and do not become a hazard or potential hazard to public health, safety, and welfare. The proposed IWS design plans and specifications must be reviewed and approved by the DOH Wastewater Branch prior to construction and must conform to applicable provisions of HAR Chapter 11-62.

3.1.6 WATER SYSTEM

Water for domestic use and fire protection is provided to the project site and surrounding area through a water meter tying into the BWS water system which draws only from groundwater sources.

“The mission of the SDWB is to safeguard public health by protecting Hawaii’s drinking water sources (surface water and groundwater) from contamination and assure that owners and operators of public water systems provide safe drinking water to the community. This mission is accomplished through the administration of the Safe Drinking Water Program, UIC Program, Groundwater Protection Program, and the Drinking Water State Revolving Fund.”

The UIC program serves to protect the quality of Hawaii’s underground sources of drinking water from chemical, physical, radioactive, and biological contamination that could originate from injection well activity. Underground injection wells are wells used for injecting water or other fluids into a

groundwater aquifer. HAR Chapter 11-23 (DOH, 1992) provides conditions governing the location, construction, and operation of injection wells so that injected fluids do not migrate and pollute underground sources of drinking water.

The TMK is located below (*makai*) of the UIC line, indicating that the underlying aquifer is not considered a drinking water source. Approval from the SDWB's UIC program was obtained for installation and operation of the nine existing injection wells associated with the Proposed Action (UIC permit No. UO-1342).

As identified by early consultation with the CCH Board of Water Supply (BWS) (Exhibit J), the existing water system is adequate to accommodate the proposed development. This information was based upon current data, and therefore, the BWS reserves the right to change any position or information stated 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 the BWS water system facilities charges for resource development, transmission, and daily storage.

Water conservation measures are required for all proposed developments and include utilization of nonpotable water for irrigation using gray water, 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. There is an existing fire hydrant (W3183) fronting the property on access road off Kamehameha Hwy.

No short- or long-term significant impacts are anticipated to result from the development and operation of the Proposed Project. On-site water system tie-ins will be required to accommodate the Proposed Project. Connections and improvements will be confirmed when construction drawings for the Proposed Project are developed and submitted to DPP Building Department for review and approval. Each SFD is expected to use 9,000 gallons per month = 63,000 gpm for the CPR subdivision.

3.1.7 AIR QUALITY STANDARDS

Air quality standards are administered and regulated by the HDOH Clean Air Branch. The requirements and rules can be found in HAR Chapters 11-59 (DOH, 2001) and 11-60.1 (DOH, 2014a). The purpose of these standards is to protect public health and welfare and to prevent significant deterioration of air quality. The Hawaii DOH has established State ambient air quality standards (SAAQS) to protect human health. SAAQS has been adopted for the following pollutants: carbon monoxide (CO), nitrogen dioxide (NO_2), ozone (O3), particulate matter less than 10 microns (PM_{10}), lead (Pb), hydrogen sulfide (H_2S), and sulfur

dioxide (SO_2). Performance standards exist for volatile organic compounds (VOC) and total suspended particulates (TSP) are established under HAR and are regulated through permitting requirements.

The Proposed Action on the project locus is not anticipated to be significant source of air pollution. Air quality impacts associated with the project would be limited to short-term, temporary emissions related to construction activities, including wind-blown dust and equipment exhaust during site preparation and building construction. Construction of the residential homes will comply with all applicable DOH air quality standards, and best management practices (BMPs) will be implemented as necessary to minimize dust and other temporary air pollutants emissions.

3.1.8 COASTAL ZONE MANAGEMENT

The Hawaii Coastal Zone Management (CZM) Program established under Chapter 205A, Hawaii Revised Statues, is intended to protect, preserve, and enhance coastal resources while allowing for reasonable and appropriate development. The CZM Program seeks to balance economic development with the conservation of coastal ecosystems, scenic resources, public access, recreational opportunities, and cultural and historic assets. Core CZM objectives include minimizing adverse impacts to coastal resources, reducing hazards related to coastal erosion and flooding, protecting marine and shoreline ecosystems, and ensuring that development is compatible with the character and carrying capacity of the coastal zone.

The proposed project is located within the SMA and is therefore subject to the requirements of Hawaii's CZM law. As such, the project must be reviewed for consistency with the CZM objective through the SMA permitting process. The proposed action has been designed to conform to the applicable CZM program objectives and is not anticipated to result in significant adverse impacts to coastal resources.

Recreational Resources

The Proposed Action will not generate additional demands on existing public parks or beaches. It will not restrict access to or adversely affect the existing coastal recreational resources or their uses by the public. Thus, the Proposed Action is not in conflict with the State's objective of providing coastal recreational opportunities that are accessible to the public. The potential impacts to recreational resources are addressed in **Section 5.5**.

Historic, Archaeological and Cultural Resources

The Proposed Action is not located in an area where there is a significant potential for the presence of man-made or natural historic resources. As described in Section 5.3, although such resources have been

identified in the adjacent parcel and of the Proposed Action, these locations were makai of Kamehameha Hwy in sandy soils near the beach. During mapping efforts, areas of Jaucas soils were identified, i.e., "small areas of very deep, well-drained soils in drainageways, which were preferred for burials. Nevertheless, the SHPD will provide guidance and suggest mitigation recommendations, as needed, during construction activities within the Proposed Actions Area of Potential Effect (APE). This may include recommendations for an archeological Inventory Surveys (AIS) prior to groundbreaking or having an archeologist performing on-site monitoring during ground disturbing activities (i.e., trenching and excavation, etc.). Therefore, any potential adverse effects the Proposed Acton may have on this resource will be mitigated to no adverse effects, hence the Proposed Action is not anticipated to conflict with the State's objective of protecting, preserving, and restoring historic and prehistoric resources that are significant in Hawaiian and American history and culture. The potential impacts to historical and cultural resources are addressed in **Section 5.3**.

Scenic and Open Space Resources

The Proposed Action is located on a shoreline lot where there are no open views to the ocean from Kamehameha Hwy with trees obstructing its view. Therefore, the Proposed Action will not interrupt the intermittent visual continuity and rural character of the area. The Proposed Acton is not in conflict with the State's objective of protecting, preserving, restoring, or improving the quality of coastal scenic and open space resources. The potential impacts to visual and aesthetic appeal and mitigation measures are addressed in **Section 5.4**.

Coastal and Wetland Ecosystems

The majority of the Proposed Action (Units 2-8) are not located in an area where there are sensitive ecosystems that could be impacted by new or existing dwelling construction activities, which include the wetland areas or coastal areas to the east due to topography and distance. Chapter 25-2.1 Special Management Area applies to all development that would affect wetlands within the special management area, The unit 2 lot is closest to the shoreline at approximately 200 feet.

All development activities will be properly permitted and include the implementation of construction BMPs, reducing the potential effects to natural resources or water quality to less than significant, acceptable levels. Thus, the Proposed Action is not in conflict with the State's objective of protecting valuable coastal ecosystems from disruption and minimizing adverse impacts to coastal ecosystems. The potential impacts to coastal and wetland ecosystems are addressed in **Section 4.3**.

Economic Uses

The Proposed Action is not located in an area where there are significant economic uses that could be threatened. Thus, the Proposed Action is not in conflict with the State's objective of providing public or private facilities and improvements important to the State's economy in suitable locations. Land use and economic issues are addressed in **Sections 5.1 and 5.2**.

Coastal Hazards

The Proposed Action is in an area where there are coastal hazards nearby, and therefore could be potentially threatened by tsunamis or by potential hazards related to climate change, such as sea level rise (SLR). The Proposed Acton may become increasing affected by storm surges/waves, flooding, erosion, subsidence, and/or pollution from coastal sources in the future because of SLR. Design alternatives to address these hazards have been incorporated into the plans as required by CCH DPP and building permits, including raised structures, retaining walls, and properly permitted IWS, among others.

The Proposed Acton is not in conflict with the State's objective of reducing the hazards to life and property posed by tsunami, storm waves, stream flooding, erosion, subsidence, and pollution. The potential impacts posed by coastal hazards, including sea level rise, are addressed in **Section 4.6.**

Managing Development

The Proposed Action is in an area where there is little ongoing development, and is not defined as a significant coastal development, and is not in conflict with the State's objective of improving the development review process, communication, and public participation in the management of coastal resources and hazards.

Public Participation

State and CCH permit and approvals required by the Proposed Acton include provisions for public participation and ensuring protection of coastal resources. The public was provided with the opportunity to participate in the review of the Pre-Consulting Package regarding the Proposed Action and was provided an opportunity to review and comment on the Draft EA. Thus, the Proposed Acton is not in conflict with the State's objective of stimulating public awareness, education, and participation in coastal management. A list of the recipients who were provided with a copy of the Pre-Consulting Package and planned for DEA distribution is provided in **Exhibit J** includes comments received by public agencies and community groups, and the respective responses from pre-consulting and community outreach efforts.

Beach Protection

The Proposed Action is *makai* of Kamehameha Hwy and will not adversely impact beaches for public use and recreation. Thus, the Proposed Acton is not in conflict with the State's objective of protecting beaches for public use and recreation. The potential impacts to coastal waters and recreational resources are addressed in **Section 5.5.**

Marine Resources

The Proposed Action is *makai* of Kamehameha Hwy and it is not anticipated to affect marine resources, thus, is not in conflict with the State's objective of promoting the protection, use, and development of marine and coastal resources to ensure their sustainability. The potential impacts to these resources are addressed in Section 4.3.

3.1.9 STATE ENVIRONMENTAL POLICY (HRS Chapter 344)

The State Environmental Policy was developed to establish a policy that will encourage productive and enjoyable harmony between people and their environment, promote efforts to prevent or eliminate damage to the environment and the biosphere, stimulate the health and welfare of humanity, and enrich the understanding of the ecological systems and natural resources important to the people of Hawaii (HRS 344; DOH, 1974b). One of the mandates of the policy is to conserve natural resources so that natural resources, such as land, water, mineral, visual, and air, are protected by controlling pollution, by preserving or augmenting natural resources, and by safeguarding the State's natural environmental characteristics.

The Proposed Action does not conflict with the State Environmental Policy. The environmental resources identified in the area and the potential impacts to these resources are addressed in **Section 4**.

3.2 SOCIAL AND ECONOMIC POLICIES, PLANS, CONTROLS

3.2.1 HAWAII STATE PLAN

The Hawaii Sate Planning Act (HRS 226-1), implemented in 1978, was established to improve the planning process in the State, increase the effectiveness of government and private actions, enhance coordination among agencies and levels of government, provide for the wise use of Hawaii's resources, and guide the future development of the State. The proposed project is consistent with the objectives and policies of the Hawaii State Planning Act, particularly those related to the physical environment, including land based, shoreline, and marine resources; scenic and natural beauty; historic resources; and the quality of land, air, and water. The project has been designed to avoid or minimize impacts on all natural resources and would not

result in any long-term adverse effects. In this way, the project supports the Act's goals of sustainable development, environmental stewardship, and the protection of Hawai'i's unique natural and cultural resources.

Land-Based, Shoreline, and Marine Resources

The Proposed Action is not in conflict with the State's two objectives.

- Prudent use of Hawaii's land-based, shoreline, and marine resources.
- Effective protection of Hawaii's unique and fragile environmental resources.

The Proposed Action will have no long-term negative impact on land-based, shoreline, or marine resources. No unique and fragile environmental resources have been identified in the area. The potential impacts to these resources are addressed in **Section 4**.

Land, Air, and Water Quality

The Proposed Action is not in conflict with the State's two objectives.

- Maintenance and pursuit of improved quality in Hawaii's land, air, and water resources.
- Greater public awareness and appreciation of Hawaii's environmental resources.

The Proposed Action will have no negative impact on land, air, or water resources. The potential impacts to these resources are addressed in Section 4.

Facility Systems - Solid and Liquid Wastes

The Proposed Action is not in conflict with the State's two objectives.

- Maintenance of basic public health and sanitation standards relating to treatment and disposal of solid and liquid waste.
- Provision of adequate sewerage facilities for physical and economic activities that alleviate problems in housing, employment, mobility, and other areas.

The Proposed Action will utilize an on-site IWS to treat wastewater and disposal of solid and liquid wastes. The IWS will be processed by the DOH and meets the requirements of HAR Chapter 11-62.

3.2.2 HAWAII STATE LAND USE CONTROLS AND CITY AND COUNTY OF HONOLULU ZONING REGULATIONS

Land in the State of Hawaii is divided into the following four classifications: (1) urban, (2) agriculture, (3) rural, and (4) conservation. The project location is designated as an urban district. The urban district includes lands characterized by "city-like" concentrations of people, structures, and services. This district also includes vacant areas for future development. Generally, lot sizes and uses permitted in the district area are established by the respective county through ordinances or rules. The CCH zoning designation for the project location is R-5 District residential community. According to the CCH LUO (Chapter 21, ROH), the intent, policies, and guidelines related to residential communities are to maintain sufficient inventory of land within the community growth boundary to accommodate existing and future housing needs of residents within the Koʻolau Loa area. It allows for limited expansion of residential areas in Kahuku and Lāʻie to meet existing pent-up demand and anticipated future housing needs related to the expansion of employment opportunities in the region. The existing inventory of residential land for the communities of Kahuku and Lāʻie will be maintained, and future residential needs in these communities will be met through infill residential development on appropriately zoned vacant lots within existing neighborhoods. No new housing areas are designated in these areas. The importance of respecting and preserving the natural setting of the Koʻolau Loa region is stressed by requiring development in residential areas to be sensitive to physical constraints and to have minimal impact on the area's rural character. Finally, rural design considerations for zoning and subdivisions approvals are supported, as is affordable housing that meets the need for the region's pent-up demand and overcrowding. The Proposed Action is consistent with the prescribed land use classification and zoning regulations for the area.

3.2.3 OAHU GENERAL PLAN

The Oʻahu General Plan (OGP) is a comprehensive statement of objectives and policies that outline the long- range aspirations of Oʻahu's residents and the strategies to achieve them. It is the first tier of and lays the foundation for a comprehensive planning process that addresses physical, social, cultural, economic, and environmental concerns affecting the City and County of Honolulu. The OGP was adopted in 1977 (CCH, 1977) and has since been amended on numerous occasions (e.g., CCH, 2002). In December 2017, a proposed revised OGP was released (CCH, 2017). In April 2018, a resolution to adopt the 2017 edition of the OGP was submitted to the City Council and the resolution is pending review (CCH, 2018c). The OGP seeks to protect and enhance Oʻahu's natural beauty and environmental attributes by

mitigating the degradation of these assets (CCH, 2002). The Proposed Action is consistent with the goals of the OGP, the Natural Environment subject area (specifically, Objective A, protecting and preserving the natural environment). Similarly, the Proposed Acton is consistent with the goals of the Culture and Recreation subject area (specifically, Objective D, Policy 12, provide for safe and secure use of public parks, beaches, and recreation facilities). The Proposed Acton is not anticipated to impact natural resources of the nearby shoreline and ocean and the scenic vistas enjoyed in this area of Oʻahu's north shore communities.

3.2.4 KOʻOLAULOA SUSTAINABLE COMMUNITIES PLAN

The Koʻolauloa Sustainable Communities Plan (KSCP) provides policies and guidelines for future development along the upper North Shoe and upper Windward side. The KSCP covers an area that extends from Waialeʻe to the north end of Kāneʻohe Bay, with the shoreline defining the northern and eastern edges and the slopes of the Koʻolau Mountain Ranges defining the western edge. The KSCP vision for the long-range future of the Koʻolauloa region, which is to preserve the region's rural character and its natural, cultural, scenic, and agricultural resources. In determining whether a proposed development is consistent with KSCP, the responsible agency shall primarily take into consideration the extent to which the development is consistent with the vision, policies, and guidelines set forth in the KSCP; "vision" means the future outlook for the Koʻolauloa region extending out to the year 2035 and beyond; which seeks to preserve the region's overall rural character and its natural, cultural and scenic resources. The future of the Koʻolauloa region is to remain country, characterized by small towns and villages with distinctive identities that exist in harmony with the natural settings, defined by mountain ridges and scenic open spaces.

In context, the vision of the Koʻolau Loa SCP is to maintain and enhance the man-made and natural elements that make Koʻolau Loa's character so unique and special, in contrast to the urbanized areas of Oʻahu. Consistent with the General Plan policies to preserve the region's open space and country atmosphere of the rural areas, the Koʻolau Loa SCP allows for limited growth to accommodate existing and future housing and employment needs, maintaining a population that is consistent with the General Plan.

Based on the Koʻolau Loa SCP, land use policies for existing and new residential communities that are applicable to the Proposed Action include the following (§3.5.1; CCH, 2020):

• Respect and help preserve the natural setting of the Ko'olau Loa region by requiring development in residential areas to be sensitive to physical constraints and have minimal impact on the area's rural character.

• Maintain sufficient inventory of land within the Community Growth Boundary to accommodate existing and future housing needs of residents within the Koʻolau Loa area by supporting limited expansion of residential areas in Kahuku and Lāʻie to meet existing pent-up demand and provide land for affordable work force housing.

• Increase housing affordability to Ko'olau Loa residents.

• Maintain the existing inventory of residential land for the communities of Kaʻaʻawa, Hauʻula and Punaluʻu. Future residential needs in these communities will be met through infill residential development on appropriately zoned vacant lots within existing neighborhoods. No new housing areas are designated in these areas.

• Adopt zoning, subdivision and related project design regulations which foster a rural character in new residential developments and improvements to existing residential areas.

• Encourage and support the development of affordable housing in the region to address existing pent-up demand for housing and overcrowded housing conditions.

The guidelines of the Ko'olau Loa SCP (Section 3.5.2, CCH 2020) place an emphasis on the single-family homes, classified as "rural residential" and the importance of exhibiting the physical characteristics of a rural context, including:

• Small building footprints, less lot coverage, narrow roadway widths, 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, not exceeding two stories with minimal amount of paved driveway surfaces, and a landscaping design that reduces impervious surfaces, such as grassed swales rather than curbs and gutters; and

• Building, landscaping, and fencing design elements that impart an informal, open feeling.

The Proposed Action, is considered a "rural residential" development, intended to consist of single-family homes in a "country" setting from 3,500 SF to just under an acre, with new rural residential development occurring through infill development on exiting residential-zoned parcels. The intent of this

rural residential classification is to designate and distinguish it from urban residential development. The Proposed Action would be consistent with the Koʻolau Loa SCP's general policies and guidelines for land use, rural development standards, scale and character, and, since development is on level terrain, the site densities can approach the higher range of rural residential use, however with the shared driveway concept, architectural details providing visual interest and individual identity accentuate the rural setting, which will have beneficial impacts on the area's rural character with an aesthetically pleasing dwelling design.

KAHUKU COUNTRY TOWN

- Maintain a plantation town character that reflets the building forms and exterior appearance of the traditional commercial and mixed-use buildings in Hawaii's plantation communities. The mill theme should continue to be a dominant element for the town.

- Allow limited expansion to create sufficient critical and diversified mass for the center's continued viability to meet local and visitor shopping needs.

- Allow for compatible mixtures of commercial, industrial, and residential uses within the Country Town. Emphasize commercial uses along the Kamehameha Highway frontage.

- Emphasize commercial and related uses conducive to pedestrian activity at the street level along main street frontage. Encourage adequate landscaping, and where possible and appropriate, bikeway and public transportation provisions to improve public thoroughfares through these locations.

LĀʻIE RURAL REGIONAL COMMERCIAL CENTER

- Introduce a rural architectural character which incorporates appropriate themes and building forms reflective of the diverse heritage of residents.
- Provide for a modes expansion of the district to meet future residents and visitor needs associate with Lāʻie's anticipated long-term housing and employment growth, and the expansion of visitor attractions. Given its size, and potential mix of uses, Lāʻie's center has potential as focal point for the region's shopping and services, and expansion is appropriate to better serve adjoining communities as well as local residents.

- Limit uses primarily to commercial retail, business service establishments, professional offices and public uses such as a satellite city hall, library, post office, or other similar facilities, which provide services to Lāʻie and surrounding communities.

OPEN SPACE AND NATURAL ENVIRONMENT

Open space preservation is a key element of the vision for the Koʻolauloa's future. The protection and preservation of scenic resources, agricultural areas, natural areas, and recreational spaces are essential to maintaining the rural character of Koʻolauloa for both residents and visitors.
The open space system consists of areas that serve important ecological, recreational, and scenic functions. These include undeveloped mauka and shoreline areas, parks and recreational resources, natural gulches and drainageways, utility corridors, and agricultural areas. The system also includes open space "gaps' that provide visual definition and physical separation between the existing rural communities, thereby supporting Koʻolauloa's rural development pattern and community identity.

- Define and maintain clear boundaries and separations between existing rural communities.

- Provide adequate shoreline setbacks and consider shoreline changes resulting from erosion hazards and rising sea levels, based on adopted projections of shoreline erosion rates and sea level rise.

- Allow outdoor lighting at the minimum level necessary for public safety, security, and community aesthetics consistent with the goals of energy conservation and environmental protection.

The Malaekahana site is located between the Kahuku Country Town and Lāʻie Rural Regional Commercial Center. As such, it is appropriately classified as urban low density fringe housing that supports the adjacent commercial centers. The proposed project will be located outside of the shoreline setback area and will not result in adverse impacts to shoreline habitats or coastal resources.

The project maintains the intended urban-fringe residential character and preserves a rural transition area between the commercial centers of Lāʻie and Kahuku. The proposed units are designed to be compatible with surrounding land uses while reinforcing the existing rural development pattern.

The units' foundations are designed to meet and exceed all FEMA and National Flood Insurance programs and requirements. The design ensures that the dwellings can withstand flood-related impact and remain structurally intact under worst-case disaster scenarios.

During construction, erosion and spill control BMPs, would be implemented to avoid and minimize potential indirect impacts to streams, bays, or other aquatic resources. All disturbed soils would be replaced and stabilized, and landscaping would be installed around the proposed units to provide

long-term soil stabilization and erosion control.

To minimize impacts on wildlife and nighttime visual quality, outdoor lighting would be fully shielded so that lighting would be fully shielded so that light sources are only visible from below. Outdoor lights would be turned off when human activity is not occurring, or motion sensors would be installed. All permanent outdoor lighting would utilize seabird friendly fixtures designed to protect both seabirds and Hawai'i's dark, starry skies.

For aesthetic and environmental purposes, the proposed landscaping would consist of native Hawaiian plants or non-invasive species to the maximum extent practicable. If native plants do not meet landscaping objectives, plant species with a minimal risk of becoming invasive would be used as substitutes.

3.3 BUILDING AND GRADING PERMITS

Prior to the construction of residential dwellings at TMK (1) 5-6-001:033, all necessary permits will be obtained from the appropriate State of Hawaii and City and County of Honolulu agencies. Building permits are required pursuant to ROH Section 18-3.1, and all work, whether a permit is required, shall comply with all applicable building codes and regulations. A grading permit is required when excavation or fill of earth materials (including rock, coral, gravel, soil, or recycled asphalt pavement) meets any of the following criteria: (a) greater than 3
feet in height, (b) greater than 50 cubic yards in volume (excavation or fill, not net), or (c) involves re-direction of existing surface run-off patterns with respect to adjacent properties.

Effective January 19, 2021, the 2012 National Fire Protection Association (NFPA) 1 Fire Code was adopted as the Fire Code of CCH. Pursuant to this code, permits or licenses must be obtained from the Honolulu Fire Department (HFD) Fire Prevention Bureau or other designated agency prior to engaging in certain activities, operations, or practices, with applicable permit fees as specified in Section 1.12.8, as amended.

4.0 PHYSICAL ENVIRONMENT AND POTENTIAL IMPACTS

This section describes the existing physical environmental conditions within the project site and evaluates the potential impacts associated with the Proposed Action. Resources addressed include geology and soil, water resources, biological resources, air quality, noise, infrastructure, and climate.

The analysis focuses on identifying existing site conditions and assessing the extent to which construction and operation of the Proposed Action may affect these resources within the Area of Potential Effect (APE). Where applicable, mitigation measures are identified to avoid or minimize potential impacts.

Cumulative impacts are considered in the context of past, present, and reasonably foreseeable future actions in the surrounding area. Based on the scale and nature of the Proposed Action, no significant cumulative impacts are anticipated.

4.1 GEOLOGY AND SOILS

Single residential family home construction that follows CCH and State approvals and permits typically has less than significant negative impacts on the natural, built, or social environment in which they are constructed and on the surrounding area. One of the principal objectives of an EA is to assess whether such impacts could be significant. The areas of potential concern that have been identified regarding the R-5 Residential District (R-5 District) and construction in the SMA in Flood Zone X are as follows: (1) climate change (flooding and sea-level rise); (2) receiving water/wetland impacts; (3) biological impacts; and (4) construction-related air quality and noise effects.

4.1.1 Definition of Resource

Geology describes the surface and subsurface materials of which a land area is composed, including soils and rocks. The characteristics of soils and underlying rocks include stability, slope, compatibility, shear strength, and productivity. Discussions of this resource area typically identify existing geological conditions and determine how action alternatives would likely affect geological and soil resources.

Existing Conditions

The project site consists of relatively level coastal terrain that has been previously disturbed in part by past site improvements, including the construction of an existing shared driveway. Soil in the area is typical of coastal environments and is suitable for residential development. No significant geologic hazards, such as steep slopes or unstable landforms, are present. The soil type of the subject parcel is 14.2% Beaches (BS) and 82.6% Jaucas sand, 0 to 15% slopes, *see Exhibit K.*

Earthwork and Site Preparation

Development of the Proposed Action will involve limited grading and earthwork associated with the construction of seven (7) new Single-Unit Dwellings (SUDs) and related site improvements. No changes are proposed for the existing dwelling on Unit 1.

Estimated earthwork quantities for the Proposed Action are as follows:

- **Total Cut**: approximately 411 cubic yards
- **Total Fill**: approximately 221 cubic yards
- **Total Earthwork Volume**: approximately 632 cubic yards

Earthwork activities will include:

- Minor grading for building pad preparation
- Driveway connections and parking areas (utilizing the existing shared driveway)
- Walkways and utility installation
- Limited landscaping improvements

Engineered structural fill with plasticity index less than 15 that is free of organics and debris will be used as fill. No retaining walls are proposed as part of the project.

The low volume of earthwork reflects the use of post-and-pier construction and the level topography of the site, minimizing the extent of ground disturbance.

Potential Impacts

Short-term impacts on soil may occur during construction due to excavation, grading, and soil disturbance. These activities could result in temporary increases in erosion and sediment transport.

However, impacts will be localized and temporary, as grading is limited in scale and confirmed to the immediate footprint of the proposed improvements. The project does not involve significant alteration of natural landforms or large-scale excavation.

The reduced earthwork quantities further limit the potential for adverse impacts to soil stability and drainage patterns.

Mitigation Measures
Best management practices (BMPs) will be implemented during construction to minimize erosion and sedimentation. These measures may include:

- Installation of silt fencing and erosion control barriers
- Stabilization of exposed soils
- Phases grading to limit disturbed areas.
- Coordination with applicable grading and drainage regulations

With implementation of these measures, impacts on geology and soils are not anticipated to be significant.

4.1.2 AFFECTED ENVIRONMENT

The project area is located along the Lāʻie/Kahuku Coastal Plain of Windward Oʻahu, Hawaiʻi and is underlain by coastal sandy soils as classified by the USDA.

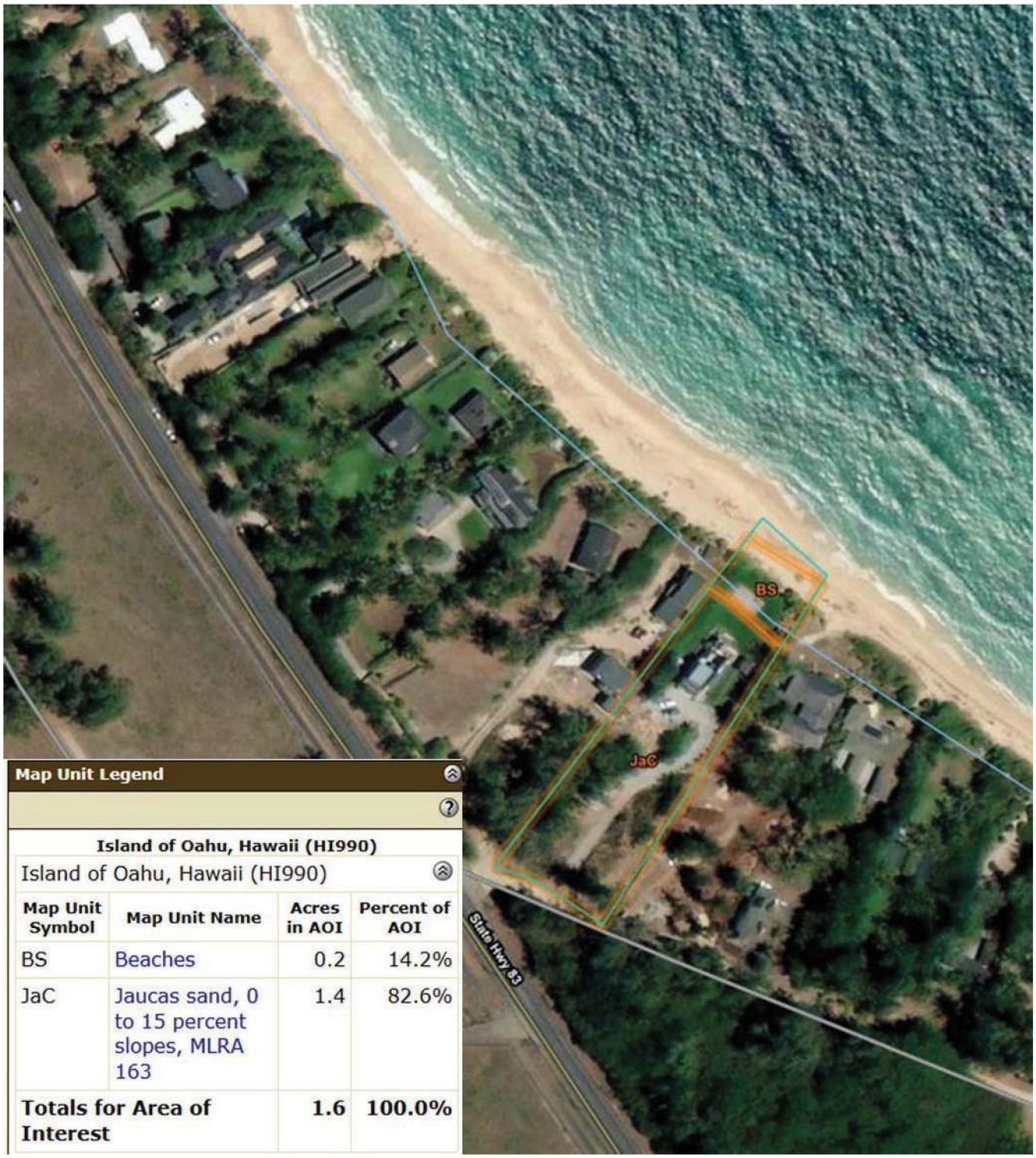
Based on USDA soil mapping, approximately 82.6 percent of the site consists of Jaucas Sand (JaC), 0 to 15 percent slopes, which is characterized as a well-drained, highly permeable sandy soil typical of coastal environments. These soils exhibit high infiltration rates and low cohesion.

Approximately 14.2 percent of the site, located primarily along the makai (shoreline) portion of the property, consists of Beach Sands (BS). This area lies within the Shoreline Setback and is not proposed for development and will remain undisturbed.

Jaucas Sands underlying the developed portions of the site support the existing dwelling on CPR Unit 1 and will underlie the proposed improvements, including new Single-Unit Dwellings (SUDs), driveways, parking areas, and individual wastewater systems (IWS). These soils are suitable for residential development when appropriate design and construction practices are implemented.

No unique or significant geologic features or regionally important soil resources have been identified on the property.

Figure 4.1 illustrates the distribution and extent of soil types across the project site.



Map Unit Legend

Island of Oahu, Hawaii (HI990)

Island of Oahu, Hawaii (HI990)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BS	Beaches	0.2	14.2%
JaC	Jaucas sand, 0 to 15 percent slopes, MLRA 163	1.4	82.6%
Totals for Area of Interest		**1.6**	**100.0%**

Figure 4.1 – USDA Soil Map (Jaucas Sands / Beach Sands)

4.1.3 ENVIRONMENTAL CONSEQUENCES

Implementation of the Proposed Action will result in minor, localized soil disturbance associated with construction activities, including excavation for post-and-pier foundations, installation of individual wastewater systems (IWS), and placement of utilities and minor site improvements.

The use of post-and-pier foundation systems reduces the extent of grading and ground disturbance compared to conventional slab-on-grade construction. As described in Section 4.1, total earthwork associated with the Proposed Action is limited to approximately 632 cubic yards, reflecting the low level of site alteration required.

Construction activities may result in short-term impacts such as soil disturbance, erosion potential, and dust generation. However, these impacts will be temporary and confined to the immediate areas of construction.

Installation of IWS components, including tanks and leach fields, will require localized excavation. Given the high permeability of Jaucas Sands, these systems will be designed to function effectively within existing soil conditions. Where necessary, imported materials may be used to support system performance and structural stability.

No development is proposed within the shoreline setback area, which consists primarily of beach sands. As a result, no impacts to shoreline soils or coastal geological features are anticipated.

Best management practices (BMPs) will be implemented during construction to control erosion, sedimentation, and dust. These measures will ensure that disturbed soils are stabilized and that runoff does not adversely affect adjacent properties or coastal resources.

The Proposed Action would implement standard construction BMPs described in **Table 4-0** and follow the CCH Stormwater Construction Best Management Practice Manual as applicable during construction, in addition to the provisions of the grading permit that will need to be obtained. Adherence to these regulatory guidelines, which would include protecting exposed soils from runoff using silt fences, silt screens, filter bags or socks, silt and dust fences, tarping soil stockpiles, and other appropriate BMPs, would mitigate potential significant impacts of soil erosion and fugitive dust during grading or excavation. The Proposed Action will not alter the overall soil composition or stability of the site. With implementation of appropriate construction practices, impacts to geology and soils are not anticipated to be significant.

Table 4-0. Common Best Management Practices

BMPs	***Purpose***	***Description***
Silt Fencing	*Erosion Control*	*A silt fence consists of a length of filter fabric stretched between anchoring posts spaced at regular intervals along the site. Silt fences are used for construction sites with small drainage areas.*
Low Impact Development	*Erosion Control*	*LID is a management approach that promotes the use of natural systems for infiltration and storage as close to the source(s) as possible to reduce the runoff and pollutant loading off-site Some common LID practices applicable to KWE may include vegetated swales, buffers and strips; permeable pavers; green roofs; rain gardens, bioretention, rain barrels or cisterns; tree/natural area preservation.*
Filter Socks	*Erosion Control*	*The filter sock is typically a mesh tube filled with composted material that is placed perpendicular to the direction of sheet flow to control erosion and retain sediment in and/or near the disturbed areas. Filter Socks in conjunction with Silt Fencing offer an erosion control treatment train to keep stormwater from transporting materials from the property.*
Wind Breaks	*Dust Control*	*Wind breaks are barriers (either natural or constructed) that reduce wind velocity through a site and, therefore, reduce the possibility of suspended particles leaving the site*
Sprinkling/Irrigation	*Dust Control*	*Sprinkling the ground surface with water until it is moist controls dust on dirt roads and open spaces.*

4.2 WATER RESOURCES

Water resource supports human activities, ecosystems, and habitats. Evaluation of these resources is necessary to identify potential impacts of the Proposed Action on surface water, ground water, nearshore waters, and wetlands.

4.2.1 DEFINITON OF RESOURCE

Water resources are sources of water available for use by humans, flora, or fauna, including surface water, groundwater, nearshore waters, and wetlands. Surface water resources, including but are not limited to stormwater, lakes, streams, and rivers. Groundwater is classified as any source of water

beneath the ground surface and is the primary source of potable water used to support human consumption. Nearshore waters can be directly affected by human activity and are important for human recreation and subsistence. Wetlands are habitats that are subject to permanent or periodic inundation or prolonged soil saturation, and include marshes, swamps, and similar areas. Areas described and mapped as wetland communities may also contain small streams or shallow ponds, or lake edges.

4.2.2 AFFECTED ENVIRONMENT

In general, the TMK is bounded by residential homes, landscaped open-space and farmland to the west, Malaekahana State Recreation Area to the south and the Pacific Ocean to the east. The "UIC line" (boundary between exempted aquifers and underground sources of drinking water) is located approx. 115-feet *mauka* of the TMK's western-most boundary which runs along Kamehameha Hwy.

4.2.3 ENVIRONMENTAL CONSEQUENCES

The Proposed Action involves construction of new single-family dwellings (CPR Units #2-#8) outside the shoreline setback area. Grading will be limited to shallow excavation for foundations, garages, and associated infrastructure. Hawai'i has no seasonal grading limitations. Construction timing will be finalized following SMA permit and building permit approvals.

Erosion, Sediment, and Runoff Control

Best management practices (BMPs) will be implemented to prevent erosion, sediment transport, and runoff, including:

- Temporary diversion berms and sediment logs within the work area
- Sediment traps for groundwater encountered during evacuation
- Wind screens to control airborne dust
- Maintenance of undisturbed vegetation buffers near the shoreline
- Dust suppression via water application

BMPs will be inspected weekly and after runoff producing rainfall events, with maintenance and records kept by an assigned erosion control inspector.

Drainage and Groundwater Recharge

Most of the site will remain pervious, preserving natural infiltration. Where feasible, pervious materials such as concrete, grasscrete, or grass block pavers will be used. Roof runoff will be directed to dry wells and infiltration areas to promote recharge.

Nearshore and Groundwater Water Quality

BMPs will prevent construction-related runoff from reaching nearshore waters. New individual

wastewater systems (IWS) will comply with regulatory standards to avoid impacts on groundwater. Structures are elevated above flood and sea level rise elevations to minimize flood risk.

The Proposed Action will comply with applicable provisions of the ROH including flood proofing, waterproofing, and structural standards. Existing and proposed structures are elevated above flood and sea level rise elevations. No significant flooding related impacts are anticipated.

New individual wastewater systems (IWSs) are proposed for the new dwelling units. IWS plans and applications are included in Exhibit Q. With proper design, sitting, and regulatory compliance, no significant impacts to groundwater quality are anticipated.

With BMPs, adherence to regulatory requirements, and incorporation of erosion, drainage, and dust control measures, the Proposed Action is not anticipated to result in significant adverse impacts to water resources or nearshore habitats.

4.3 BIOLOGICAL RESOURCES

Biological resources include plant and animal species and the habitat that support them. Evaluation of biological resources is necessary to identify sensitive, protected, or regulated species and to assess potential impacts of the proposed action on ecological communities and biodiversity, *see Exhibit U.*

4.3.1 DEFINITON OF RESOURCE

Biological resources encompass species of vegetation, wildlife, fisheries, and associated habitats. Resources addressed in this section include botanical, avian, and mammalian species of special concern, particularly those listed under federal or state endangered species law. This section also considers species that are designed as sensitive, protected, or proposed for protection due to ecological, cultural, or regulatory significance.

4.3.2 AFFECTED ENVIRONMENT

A biological assessment was prepared for the project site by WHALE Environmental Services LLC in November 2023, *see Exhibit U*. The assessment included a review of existing biological data, prior field surveys, and an evaluation of botanical, avian, and wildlife resources, as well as agency guidance from the U.S. Fish and Wildlife Services (USFWS) and Hawai'i Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW). Field survey data incorporated into the assessment includes a site survey conducted on August 10, 2021, by LeGrande Biological Surveys Inc.

The environment affected by biological resources described below is based on the biological resources survey report conducted by WHALE Environmental Services LLC and research from

other consultants as well as consultation with USF&W and DOFAW.

Botanical Resources

The project site consists of a previously disturbed coastal residential parcel characterized by sandy soils and a mix of non-native and native vegetation. The mauka portions of the site are dominated by non-native grasses, ornamental landscaping, and herbaceous species. Scattered trees are present, including introduced species such as ironwood (Casuarina equisetifolia) coconut (Cocos nucifera), and other ornamental plantings, *see Exhibit U.*

The makai (seaward) portion of the property supports native coastal vegetation typical of shoreline environments, including heliotrope (Heliotropium foertherianum), ʻakiʻaki grass (Sporobolus virginus), and naupaka (Scaevola taccada). This area lies within the shoreline setback and is not proposed for development.

Avian Resources

Bird species observed onsite consist primarily of common, non-native resident species. The site does not provide suitable habitat for native forest birds due to its low elevation, coastal location, and disturbed vegetation. While some trees are present, they are limited in number and do not provide significant nesting habitat for listed avian species.

Native seabirds may seasonally overfly the project area, and migratory shorebirds may utilize the shoreline area makai of the site. No evidence of nesting seabirds, including species are known to overfly the area seasonally, as documented by the Hawaii Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW), However, no suitable nesting habitat for listed seabirds exists within the proposed work areas due to the lack of trees and appropriate dune or burrow habitat. No evidence of wedge tailed shearwater (ʻuaʻu kani; *Ardenna pacifica*) was observed during the field study. Burrows was observed during site review, which was conducted outside of the nesting season.

One or more species of indigenous migratory shorebirds may seasonally utilize the shoreline area makai of the site within setback.

Mammalian and Marine Resources

Marine species known to occur in the nearshore environment include the green sea turtle (honu, *Chelonia mydas*), which may use sandy beach areas for basking, and the Hawaiian monk seal (*Monachus schauinslandi*), which is occasionally observed along Oʻahu shorelines. Green sea turtle nesting primarily occurs in the Northwestern Hawaiian Islands. No terrestrial mammalian species were observed onsite. However, the presence of taller trees, particularly ironwood, may provide potential roosting habitat for the Hawaiian hoary bat (ʻŌpeʻapeʻa;

Lasiurus cinereus semotus).

Marine species such as the green sea turtle (Chelonia mydas) and Hawaiian monk seal (Monahus schauinslandi) may occasionally utilize the adjacent shoreline for basking or hauling out. No critical habitat for these species occurs within the project site.

4.3.3 ENVIRONMENTAL CONSEQUENCES

The project site has been previously disturbed by residential use, grading, landscaping, and recreational activity as stated in the Biological Assessment Report, *see Exhibit U.* The mauka portions of the site are dominated by non-native vegetation, including grass, ornamental plantings, and scattered trees such as palms and ironwood. The makai portion of the site contains native coastal vegetation, which will be avoided as no development is proposed within the shoreline setback area. The Proposed Action will not involve work within the shoreline or shoreline setback area and will avoid disturbance to native coastal vegetation communities.

The Proposed Action will result in minor, localized disturbance to previously developed and landscaped areas. Existing trees along the site perimeter, including palms and ironwood, are proposed to be retained. Any vegetation removal will be limited to extent and will occur within previously disturbed portions of the site.

Hawaiian Hoary Bat (ʻŌpeʻapeʻa)

The Hawaiian hoary bat roosts in both native and non-native woody vegetation across all islands and may leave non-violent young unattended in trees and shrubs while foraging. This species has been documented to preferentially use ironwood (*Casuarina equisetifolia*) and other tall woody vegetation for roosting. The presence of taller trees, including ironwood, provides potential roosting habitat for the Hawaiian hoary bat. To avoid impact on this species, the following will be implemented:

- Woody plants greater than 15 feet in height will not be disturbed, removed, or trimmed during the bat birthing and pup-rearing season (June 1 through September 15).
- No removal of ironwood trees is currently proposed.
- Barbed wire fencing will not be used. There is no barbed wire currently on-site, and none will be installed.

With implementation of these measures, impacts to the Hawaiian hoary bat are not anticipated.

Hawaiian Seabirds

The project site does not provide suitable nesting habitat for listed forest birds due to its low elevation and disturbed condition. While some trees are present, they are limited in number and primarily consist of non-native species. Native seabirds may overfly the area, and migratory shorebirds may seasonally utilize the shoreline area.

To minimize potential impacts:

- All outdoor lighting will utilize Dark Sky compatible bulbs that are fully shielded so the light source is only visible from below the fixture height.
- Outdoor lighting will be used only when necessary and will be equipped with automatic motion sensors and controls to limit illumination during periods of inactivity.
- No nighttime construction will occur during the seabird fledging period (September through December 15). Nighttime construction is also restricted under applicable noise regulations.
- Project personnel and contractors will be informed of the presence of endangered species in the vicinity of the site and trained on appropriate response measures.

Hawaiian Waterbirds

Although no suitable habitat for listed waterbirds exists onsite, precautionary measures will be implemented.

If an active nest or brood is identified:

1. The U.S. Fish and Wildlife Service (USFWS) will be contacted within 48 hours for guidance.
2. A 100-foot buffer will be established and maintained around active nests or broods until chicks or ducklings have fledged.
3. No disruptive activities or habitat alteration will occur within the buffer.
4. A biological monitor will be present during construction or earth moving activities until fledging is complete.

These measures also apply to marine species, such as the Hawaiian monk seals and green sea turtles, which may occasionally occur along the adjacent shoreline.

Wedge-tailed Shearwater (ʻUaʻu Kani)

Although no nesting habitat was identified within the project area, surveys will be conducted during the breeding season if ground disturbance is proposed near suitable habitat. If nesting is

identified, construction timing will be adjusted to avoid impacts.

Unlike other Hawaiian seabirds, wedge-tailed shearwaters nest in littoral vegetation along coastlines. Nesting adults, eggs, and chicks are particularly vulnerable to disturbance.

To avoid and minimize impacts on wedge-tailed shearwaters, the following measures will be implemented:

- Surveys will be conducted throughout the project area during the breeding season (March through November) to identify nesting activity.
- If nesting is identified within a proposed work area and ground disturbance would occur, construction will be timed to avoid the breeding season.

Marine Resources

No work is proposed within the shoreline or marine environment. If protected marine species are observed along the adjacent shoreline, all activities will comply with agency guidance and required buffer distances.

Green sea turtles (*Chelonia mydas*) may utilize the sandy beach adjacent to the site for basking. Hawaiian monk seals (*Monachus schauinslandi*) are known to occur in the area on occasion. Nesting green sea turtles primarily occur in the Northwestern Islands.

No construction activities are proposed within shoreline areas. If green sea turtles or monk seal turtles are observed hauled out on the beach adjacent to the site or entering the work area, the property owner will contact USFWS and/or DOFAW and comply with all recommended protocols.

Additional Best Management Practices

Standard construction best management practices (BMPs) will be implemented, including:

- Turbidity and siltation will be contained within the project area using silt containment devises, and work will be curtailed during flooding or adverse tidal or weather conditions.
- BMPs will be maintained throughout the construction period until disturbed areas are stabilized.
- Construction debris and sediment control devices will be removed and disposed of at approved facilities.
- Project materials and equipment will not introduce non-native species, pests, or debris into adjacent terrestrial or aquatic habitats.
- Construction materials will not be stockpiled in or near aquatic habitats and will be

protected from erosion.

- Fueling and maintenance of equipment will occur away from aquatic environments. A spill contingency plan will be maintained on-site, and absorbent materials will be available for immediate response.
- Exposed soils will be stabilized as soon as practicable using geotextiles, native or non-invasive vegetation, or other approved methods.
- Movement of soil and plant materials between worksites will be minimized to reduce the risk of spreading invasive species or pathogens, including rapid ʻŌhiʻa a death and invasive insets.
- Equipment and personnel will be cleaned of soil and debris prior to site entry.
- No feeding of feral cats will occur on the property to reduce predation pressure on native birds.

Conclusion

With implementation of the above avoidance, minimization measures, the Proposed Action is not anticipated to result in significant adverse impacts to biological resources. Impacts will be limited to previously disturbed areas, and no significant effects to native habitats or protected species are expected.

4.4 AIR QUALITY

Air quality refers to the concentration of pollutants in the ambient outdoor atmosphere that may affect public health and welfare. Pollutants may originate from stationary sources (e.g., industrial facilities), mobile sources (e.g., vehicles), natural sources (e.g., windblown dust), and fugitive sources associated with construction activities. For the Proposed Action, air quality considerations are primarily related to short term construction emissions and minor long-term emissions from residential use.

4.4.1 DEFINITION OF RESOURCE

Air quality refers to the concentration of pollutants in the ambient outdoor atmosphere to which the public is exposed to, which may affect public health and welfare. These pollutants originate from a variety of direct and indirect sources, including stationary sources such as factories and power plants, mobile sources such as automobiles, buses, and aircraft, natural sources such as windblown dust and volcanic emissions; and fugitive sources associated with construction activities and site preparation.

The DOH Clean Air Branch has established the State Ambient Air Quality Standards (SAAQS) to regulate pollutants. The Clean Air Branch regularly monitors ambient air quality at stations

throughout the State and publishes data annually. On Oʻahu, there are four monitoring stations. The station closest to the Property that measures multiple parameters is in Kapolei, within the Kapolei Business Park. This station monitors sulfur dioxide, carbon monoxide, dioxide, lead, ozone, and particulate matter.

4.4.2 AFFECTED ENVIRONMENT

The project site is not located near any major stationary sources of air pollution. Existing air quality conditions are typical of a rural coastal residential setting and are influenced primarily by natural conditions and limited vehicle traffic along Kamehameha Highway.

Air quality at the site is primarily affected by:

- Wind-blown dust from sandy soil
- Temporary emissions from construction equipment and vehicles
- Minor emissions from residential vehicle use

No significant or persistent sources of air pollution currently exist on-site.

Air Pollutant	Hawaii Standard	Federal Primary Standard	Federal Secondary Standard
Carbon Monoxide			
1-hour average	9 ppm	35 ppm	None
8-hour average	4.4 ppm	9 ppm	None
Lead			
3-month average	1.5 µg/m^3 (calendar quarter)	0.15 µg/m^3 (running 3-month)	Same as primary
Nitrogen Dioxide			
1-hour average	None	100 ppb	None
Annual average	0.04 ppm	53 ppb	Same as primary
Particulate Matter (PM_{10})			
24-hour block average	150 µg/m^3	150 µg/m^3	Same as primary
Annual average	50 µg/m^3	None	None
Particulate Matter ($PM_{2.5}$)			
24-hour block average	None	35 µg/m^3	Same as primary
Annual average	None	12 µg/m^3	15 µg/m^3
Ozone			
8-hour rolling average	0.08 ppm	0.075 ppm	Same as primary
Sulfur Dioxide			
1-hour average	None	75 ppb	None
3-hour block average	0.5 ppm	-	0.5 ppm
24-hour block average	0.14 ppm	None	-
Annual average	0.03 ppm	None	-
Hydrogen Sulfide			
1-hour average	25 ppb	None	None

ppb = parts per billion by volume
ppm = parts per million by volume
µg/m^3 = micrograms per cubic meter of air

Table 4-1: Air Quality Standards for Criteria Pollutants (DOH 2013)

4.4.3 ENVIRONMENTAL CONSEQUENCES

The DOH has established State Ambient Air Quality Standards (SAAQS) to protect public health. These standards apply to carbon monoxide (CO), nitrogen dioxide, (NO_2) ozone (O_3), particulate matter (PM_{10}), lead (Pb), hydrogen sulfide (H_2S), and PM_{10} due to operation of construction vehicles, equipment, grading of access roads, and wind-blown dust. Fugitive dust from the sandy soil and construction materials (e.g., sawdust) is the primary concern.

Pollutant	Unit	Averaging Period	NAAQS	SAAQS
CO	ppm	1-hour	35[b]	9
		8-hour	9[b]	4.4
Pb	µg/m³	Quarterly	1.5[h]	1.5
NO_2	ppb	1-hour	100	None
	ppm	Annual	0.053[c]	0.04
H_2S	ppm	1-hour	None	0.025
PM_{10}	µg/m³	24-hour	150[d]	150
		Annual	None[e]	50
$PM_{2.5}$	µg/m³	24-hour block avg.	35	None
		Annual	15[f]	None
O_3	ppm	8-hour rolling avg.	0.075[g]	0.08
SO_2	ppm	3-hour	0.5[a]	0.5
		24-hour	0.14[b]	0.14
		Annual	0.03[c]	0.03

Table 4-2: Ambient Air Quality Standards

Notes:

a. Federal Secondary Standard
b. Not to be exceeded more than once per year
c. Average of all 1-hour values in the year may not exceed the level of the standard
d. May not be exceeded more than one day per year
e. EPA revoked the annual PM_{10} standard effective December 17, 2005, due to lack of evidence linking health problems to long-term exposure. The State still has an annual standard
f. The 3-year average of 24-hour values must not exceed the level of standard
g. The 3-year average of the fourth highest daily maximum value must not exceed the level of standard
h. Average of all 24-hour values in any calendar quarter may not exceed the level of the standard

Source: DOH (2010)

Construction Phase Impacts

No site-specific air quality monitoring has been conducted. However, construction activities are expected to generate short-term, localized emissions, including:

- Exhaust emissions (CO, NO_2) from construction equipment and vehicles.
- Fugitive dust (PM_{10}) from grading, excavation, and wind exposure of sandy soils
- Minor particulate emissions from construction materials

Fugitive dust is anticipated to be the primary air quality concerns due to the highly erodible nature of on-site soils. These impacts will be temporary and limited to the construction period (approximately 4 to 6 months).

Mitigation Measures

The following best management practices (BMPs) will be implemented to minimize air quality impacts:

- Use of electric powered tools where feasible to reduce CO emissions
- Installation of wind screens along the perimeter of construction areas to contain dust
- Application of water as needed to expose surfaces to suppress dust
- Compliance with HAR §11-60.1-32 (fugitive dust control) and §11-60.1-33 (construction emissions)
- Contractors required to implement and maintain dust control measures throughout construction

Operational Phase Impacts

Long-term air quality impacts will be minimal and limited to emissions. No significant increase in air pollutant concentrations is anticipated during operation of the Proposed Action.

Conclusion

With implementation of standard construction BMPs and compliance with applicable DOH and HAR requirements, the Proposed Action is not expected to result in significant adverse impacts to air quality.

4.5 NOISE

Noise is generally defined as unwanted or disturbing sound that may affect human health or interfere with daily activities such as communication, work, rest, recreation, or sleep. In Hawai'i Administrative Rules (HAR), Title 11, Chapter 46 (Community Noise Control), which establishes maximum permissible sound levels based on land use classifications.

4.5.1 DEFINITION OF RESOURCE

Noise is defined by the U.S. Environmental Protection Agency (EPA) as “unwanted or disturbing sound,” and under HAR as any sound that may produce adverse physiological or psychological effects or interfere with individual or group activities, including but not limited to communication, work, rest, recreation, or sleep.

The DOH is responsible for administering noise control regulations. Maximum permissible sound levels are established under HAR §11-46-4 and apply at or beyond the property line of the noise source. These limits vary by zoning district, with the highest allowable levels assigned to industrial zones. The standards apply to stationary noise sources and equipment related to agricultural, construction, and industrial activities.

To determine if noise generated during the Proposed Action would adversely affect noise quality in the area, potential noise impacts were evaluated in accordance with HAR §11-46 established noise limits for Class A: Area’s equivalent to lands zoned residential, conservation, preservation, public space, open space, or similar type. The maximum permissible sound level for areas zoned as residential is 55 A-weighted decibels [dBA] during the daytime (7 am to 10 pm) and 45 dBA during the nighttime (10 pm to 7 am) (DOH, 1996). The maximum permissible sound level can be exceeded for short periods but not for more than ten percent of the time within any twenty-minute period. The maximum permissible sound level for impulsive noise is 10 dBA above the maximum permissible sound level. Backup alarm devices on vehicles are exempt from the maximum permissible sound levels, where such devices are required by the Occupational Safety and Health Administration (DOH, 1996).

4.5.2 AFFECTED ENVIRONMENT

The project site is located within a rural coastal residential area where existing ambient noise levels are influenced by:

- Vehicular traffic along Kamehameha Highway
- Typical residential activities in the surrounding neighborhood
- Natural background noise, including ocean wave action and nearby beach park use

The site is classified as Noise Impact Class A, which corresponds to residential areas and is subject to the most restrictive noise standards.

Noise sources associated with the Proposed Action will primarily involve construction equipment, as defined under HAR §11-46-4(a), including excavators, loaders, trucks, compactors, and power tools used for site preparation and building construction.

Zoning District	Noise Limit (in dBA)	
	Daytime (7:00 am to 10:00 pm)	Nighttime (10:00 pm to 7:00 am)
Class A: Areas equivalent to lands zoned residential, conservation, preservation, public space, open space, or similar type.	55	45
Class B: All Areas equivalent to lands zoned for multifamily dwellings, apartment, business, commercial, hotel, resort, or similar type.	60	50
Class C: All Areas equivalent to lands zoned agriculture, country, industrial, or similar type.	70	70

Table 4-3: Hawaii Administrative Rules §11-46 Noise Limits

4.5.3 ENVIRONMENTAL CONSEQUENCES

Construction activities will generate temporary and intermittent noise from typical equipment and site development operations; Primary noise sources include:

Impact devices (e.g., jackhammers or similar tools), which produce high-amplitude, impulsive noise; and

1. Large engine-driven equipment and vehicles (e.g., excavators, backhoes, dump trucks), which generate noise during idling, movement, and operational use.

Construction for each dwelling unit is expected to occur over an approximate period of 2 to 4 months, with overlapping activity possible across the units.

All construction activities will comply with HAR Chapter 46 requirements. If noise levels are anticipated to exceed allowable limits, a noise permit will be obtained from the DOH. Standard noise control practices will include:

- Proper maintenance of equipment, including mufflers and noise attenuation devices
- Limiting construction to permitted hours
- Minimizing unnecessary idling of equipment

Construction-related noise impacts will be short-term and localized.

Operational Phase Impacts

Long-term noise associated with the Proposed Action will be limited to typical residential activities and vehicle use. These noise levels are consistent with existing conditions in the surrounding area and are not expected to result in measurable increases above ambient conditions.

Conclusion

With compliance with DOH regulations and implementation of standard construction best management practices, the Proposed Action is not expected to result in significant adverse noise impacts during either the construction or operational phases.

4.6 CLIMATE

Climate Change and Greenhouse Gas Considerations

Construction activities will result in short-term greenhouse gas emissions from equipment use and vehicle operation. To reduce emissions, the Applicant will utilize electric-powered tools and electrically driven maintenance equipment where feasible.

The project design and site layout allow for adaptability to future climate-related regulatory requirements and changing environmental conditions.

4.6.1 DEFINITION OF RESOURCE

Climate refers to meteorological conditions, including temperature, precipitation, and wind that characteristically prevail in a particular region. Climate change and sea level rise (SLR) is also addressed in this Section.

4.6.2 AFFECTED ENVIRONMENT

Oʻahu lies just south of the Tropic of Cancer within the belt of the northeast trade winds, giving it a generally mild and consistent climate. The average annual temperate is approximately 76 degrees Fahrenheit (ºF), although temperatures occasionally exceed 88 ºF. Annual rainfall less than 20 inches near Honolulu, while Kapolei, located on the west (leeward) Oʻahu, receives approximately 5 inches annually, while Waiʻanae Mountain Range can receive up to 400 inches. Trade winds prevail approximately 75 percent of the time, typically blowing from the northeast at 5 to 15 miles per hour. Periodic departures from these conditions, known as Kona storms, usually occur during the winter months and are characterized by several days of variable winds from the south and west.

The Proposed Action in Kahuku and Lā'ie., is on the Windward side of Oʻahu, where prevailing northeasterly trade winds bring warm to moderate temperatures and moderate to heavy rainfall. Average high temperature range is from 74.1 degrees Fahrenheit [ºF] in February to September 81.3 ºF in September, with the average low temperature range from 69.1ºF in February to 76.1ºF in September. Annual precipitation in Laie is approximately 60 inches, with most rainfall occurring during the wet season from November through April (Giambelluca et al., 2014). The adjusted mean pan evaporation rate is approximately 60 inches annually (DLNR, 1985). Under 3.2-foot sea level rise (SLR) scenario, the projected inundation extends approximately 50 feet inland from the shoreline along a portion of Unit 1, with no anticipated impacts to the remaining units.

Sea levels are rising at increasing rates due to global warming including the thermal expansion of oceans and the melting of glaciers and ice sheets. Projections of stronger and more frequent El Niño events in the region further increase vulnerability to coastal flooding and erosion in Hawaiʻi. Intergovernmental Panel on Climate Change (IPCC's) "business as usual" scenario, which assumes continued growth in greenhouse gas emissions, projects up to 3.2 feet of global SLR by year 2100 (IPCC 2014). However, more recent studies suggest that this magnitude of SLR could occur as early as 2060 under more recently published highest-end scenarios (Sweet et al. 2017). As such, questions remain around the exact timing of that rise due to uncertainties around future behavior of Earth's cryosphere and global GHG emission trajectories. For this reason, it is vital that the magnitude and rate of SLR is tracked as new projections emerge, plan for 3.2 feet of SLR now, and be ready to adjust that projection upward. It is also important to recognize that global SLR will not stop at the year 2100 but will continue for centuries. (HCCMAC, 2017).

The potential impacts of climate change on Hawaiʻi's infrastructure and natural environment are a growing concern. In response, the Oʻahu General Plan update (CCH, December 2017) introduced policies emphasizing the need to prepare for long-term climate impacts. The General Plan includes objectives addressing climate change and sea level rise, calling on public and private entities to plan for increased coastal flooding, rising groundwater levels, more frequent and severe storms, shifts in rainfall patterns, and higher urban temperatures. Similarly, the Climate Change Adaptation Policy Guidelines of the Hawaiʻi State Planning Act, HRS §226-109, support planning and preparing for future disruptions and dislocations due to climate change.

4.6.3 Environmental Consequences

Two principal concerns have been identified that pose a potential hazard to the Proposed Action and larger TMK. First, a significant SLR due to climate change also affects groundwater depth, which may impact coastal structures, infrastructure (e.g., buried powerlines, cesspools, individual wastewater systems, etc.), and properties. Second, changing weather patterns in the Pacific Ocean could result in localized severity and intensity storm events, creating larger storm surges, elevated levels of

precipitation in shorter timeframes leading to increased localized flooding. Although not directly related to climate change, tsunami hazards and impacts are included below.

The Proposed Action will result in an increase in impervious surface area associated with the construction of residential dwellings, driveways, parking areas, and associated site infrastructure. At full build-out of the Conceptual Site Master Plan (CSMP), the total impervious surface area is estimated to increase from approximately 2,292 SF to 13,523 SF, representing an increase of approximately 490%, and under the 75% limit. This increase has the potential to increase runoff volume and reduce natural infiltration if not properly managed.

To address these impacts, the project incorporates long-term drainage and stormwater management measures at both the individual CPR unit level and the overall site level. Given the presence of highly permeable JaC (Jaucas) soils, the drainage approach emphasizes on-site infiltration combined with controlled conveyance. Proposed long-term drainage measures include:

- Use of graded surfaces and vegetated swales to direct surface runoff away from structures and prevent concentration of flow
- Installation of subsurface infiltration systems (e.g., infiltration trenches or drywells) to promote percolation of stormwater into the subsurface
- Provision of overflow pathways and drainage conveyance systems to safely route excess runoff during major storm events
- Maintenance of positive drainage away from building pads and adjacent properties to avoid ponding and off-site discharge

These measures are intended to ensure that post-development runoff is managed on-site to the extent practicable and does not result in adverse drainage impacts to adjacent properties or the shoreline.

The forthcoming Erosion and Sediment Control Plan (ESCP) will be prepared in accordance with City and County of Honolulu and Department of Health requirements and will incorporate Best Management Practices (BMPs) to minimize erosion and sediment transport during construction. ESCP measures are anticipated to include:

- Stabilized construction entrances and perimeter controls (e.g., silt fencing, wattles)
- Temporary sediment basins or traps for disturbed areas
- Dust control and surface stabilization measures during grading
- Phased clearing and grading to limit exposed soil areas
- Prompt revegetation or stabilization of disturbed surfaces

In addition to erosion control, the project incorporates measures to minimize the potential for introduction of domestic contaminants (e.g., pesticides, herbicides) into the shoreline and nearshore waters. While the site's porous JaC soils facilitate rapid infiltration, they also present a pathway for potential contaminant transport. Accordingly, the following measures will be implemented:

- Use of low-impact landscaping practices, including reduced reliance on chemical fertilizers, pesticides, and herbicides
- Implementation of integrated pest management (IPM) practices to minimize chemical application
- Incorporation of vegetated buffer areas and soil filtration to promote natural attenuation of runoff prior to infiltration
- Education of occupants and management entities regarding appropriate chemical use and disposal
- Design of stormwater features to provide filtration and detention prior to infiltration, reducing pollutant loading to groundwater and nearshore waters.

With these measures, the Proposed Action is not anticipated to result in significant adverse impacts related to runoff, erosion, or water quality degradation of the shoreline or nearshore environment.

Sea Level Rise

Planning for SLR is challenging due to changing and indefinite variables. In December 2013, the U.S. Army Corp of Engineers (USACE) issued Engineering Regulation 1100-2-8162 titled "*Incorporating Sea level Changes in Civil Works Programs*", which provided the "guidance for incorporating the direct and indirect physical effects of projected future sea level change across the project life cycle in managing, planning, engineering, designing, constructing, operating, and maintaining USACE projects and systems of projects". The guidance provided by the regulation can also be used in assessing the relative sea level change (RSLC), which may be experienced at the Property through storm surges or mean high water.

Potential SLR in the vicinity of the Proposed Action has been predicted using the on-line RSLC Calculator provided by USACE. The graph on the following page shows NOAA's estimated RSLC from year 2000 to 2100 at the Mokuoloe mean sea level gauge station. Mokuoloe, or Coconut Island, is a 28-acre island in Kaneohe Bay, located approximately 12 miles southeast from the Proposed Action. The graph shows the relative sea level change that can be expected under differing prediction scenarios as determined by U.S. Department of Commerce National Ocean Service Center for Operational Oceanographic Products and Service (NOAA et. al., 2017).

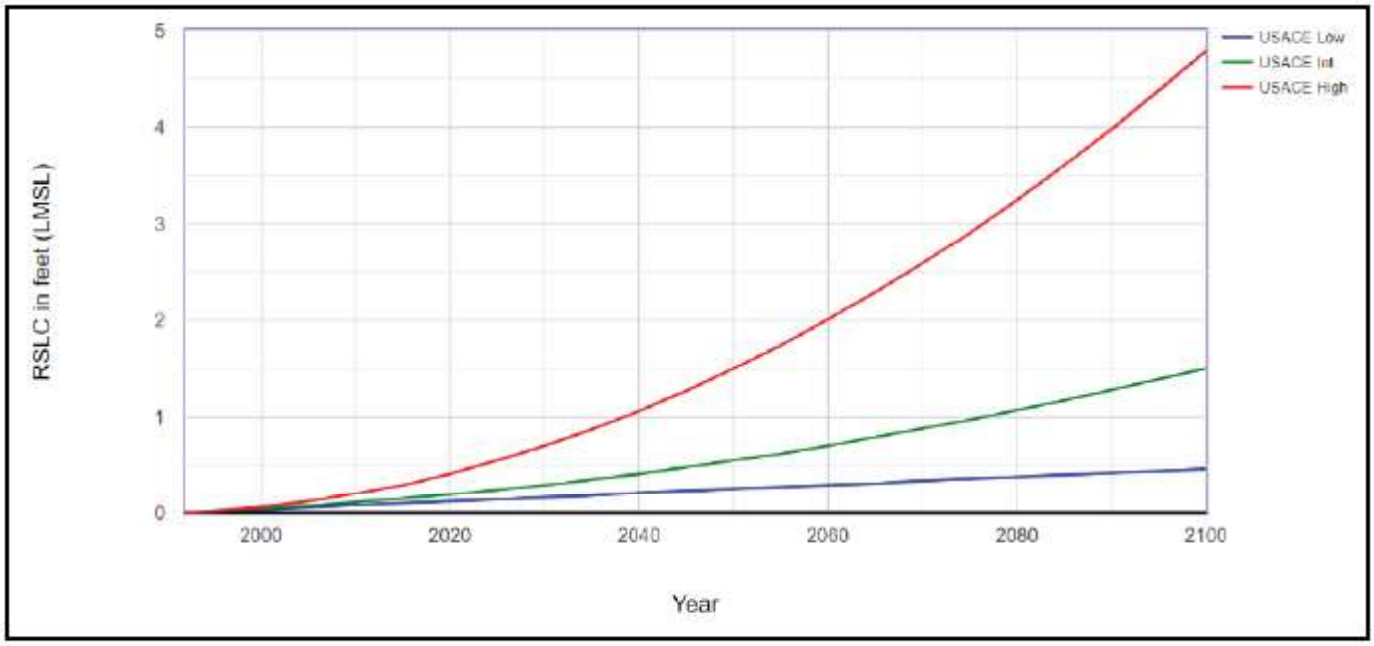


Figure 4.6-2 Estimated Relative Sea Level Change Projections at Gauge 1612480, Mokuoloe, HI

The Proposed Action is located outside of the mapped SLR exposure areas for development. While portions of the shoreline fall within these areas, no structures or improvements are proposed within them.

All development is located mauka of the certified shoreline setback, and no shoreline hardening measures are proposed. Existing coastal vegetation will be preserved to an extent practicable.

Given the low erosion rates, conservative siting, and absence of shoreline disturbance, the Proposed Action is not anticipated to result in significant impacts to shoreline processes, beach access, or coastal resources. See Exhibit L, NOAA Sea Level Rise Viewer at 6.0 feet, the proposed dwelling is not impacted based on NOAA's modeling.

Sea Level Rise and Coastal Erosion

The Proposed Action is located outside of the 0.5-foot and 3.2-foot SLR-XA exposure area for development. While portions of the shoreline lie within the mapped exposure areas, no structures or improvements are proposed within these areas, and all development is located mauka of the shoreline setback, as established by the certified shoreline survey. All proposed developments are located mauka of the shoreline setback and outside of mapped flood hazard areas, thereby minimizing exposure to coastal hazards.

Structural foundations are designed with footings placed below projected scour depths landward of future erosion lines. This conservative approach, combined with compliance with

applicable shoreline setback requirements, minimizes potential long-term exposure to coastal hazards.

The Proposed Action is not anticipated to result in significant impacts to coastal processes, including shoreline erosion or sediment transport. Existing shoreline vegetation will be preserved to the extent practicable, and no shoreline hardening measures, such as seawalls or retaining walls, are proposed.

Based on available sea level rise projections, the project site is not anticipated to be significantly impacted by up to 3.2 feet of sea level rise during the expected life of the project, although long-term shoreline changes and coastal processes may occur over time.

Given the project's siting and design, no significant impacts to beach conditions, shoreline access, or marine resources are anticipated.

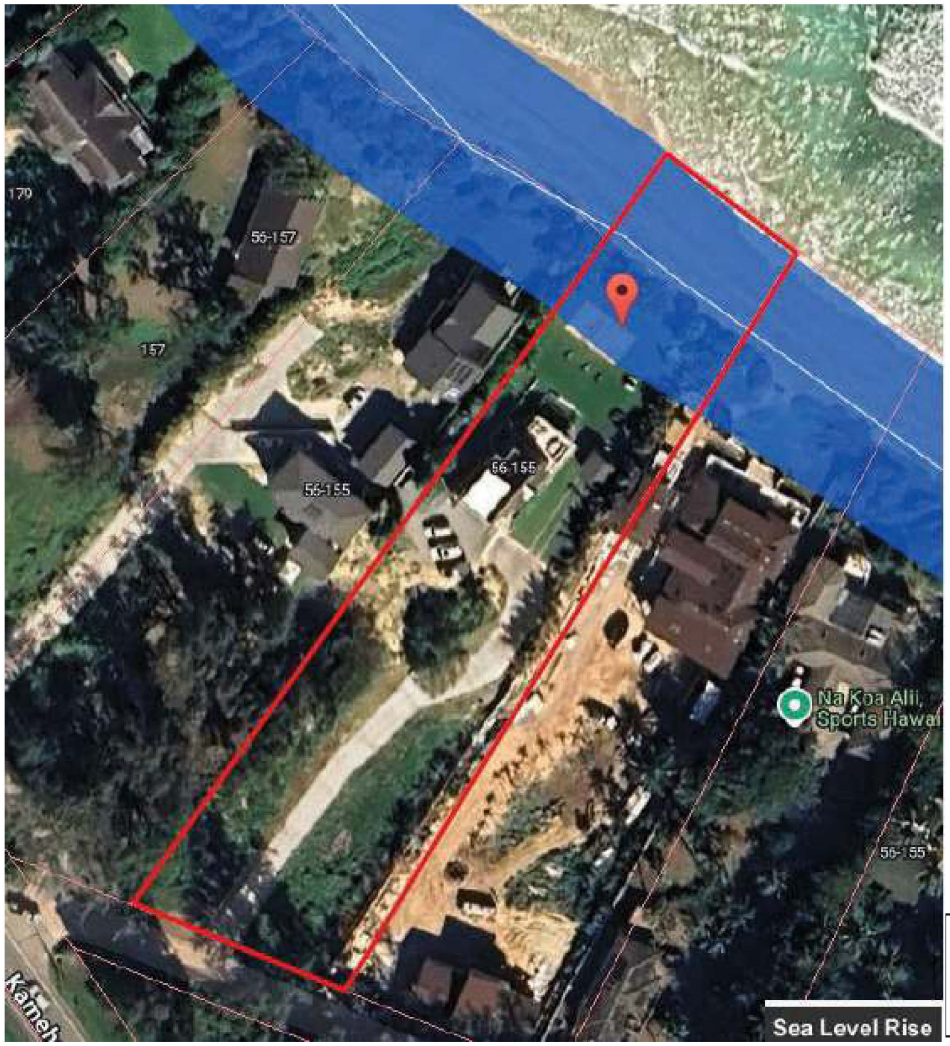


Figure 4.6.1 Sea Level Rise at 3.2 feet

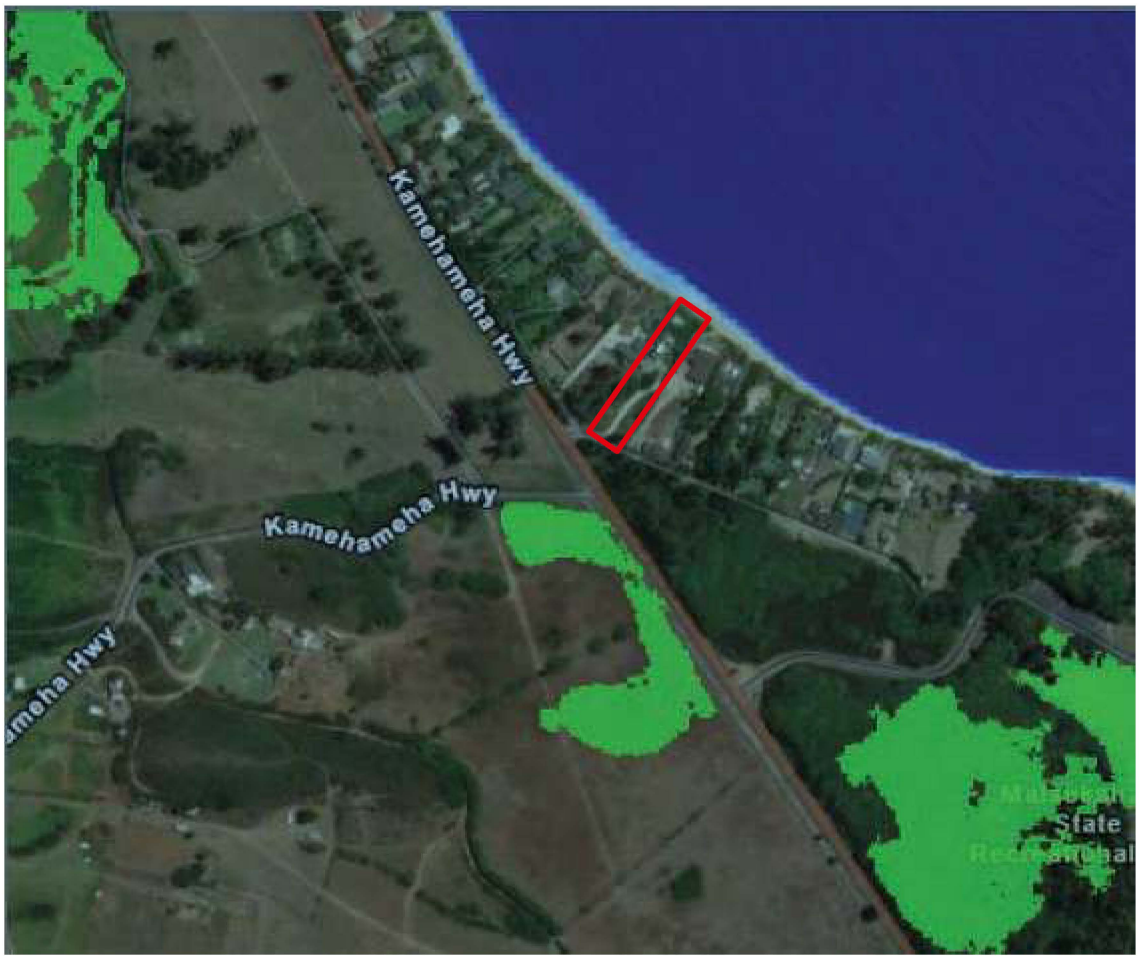


Figure 4.6.2 Sea Level Rise at 6.0 feet

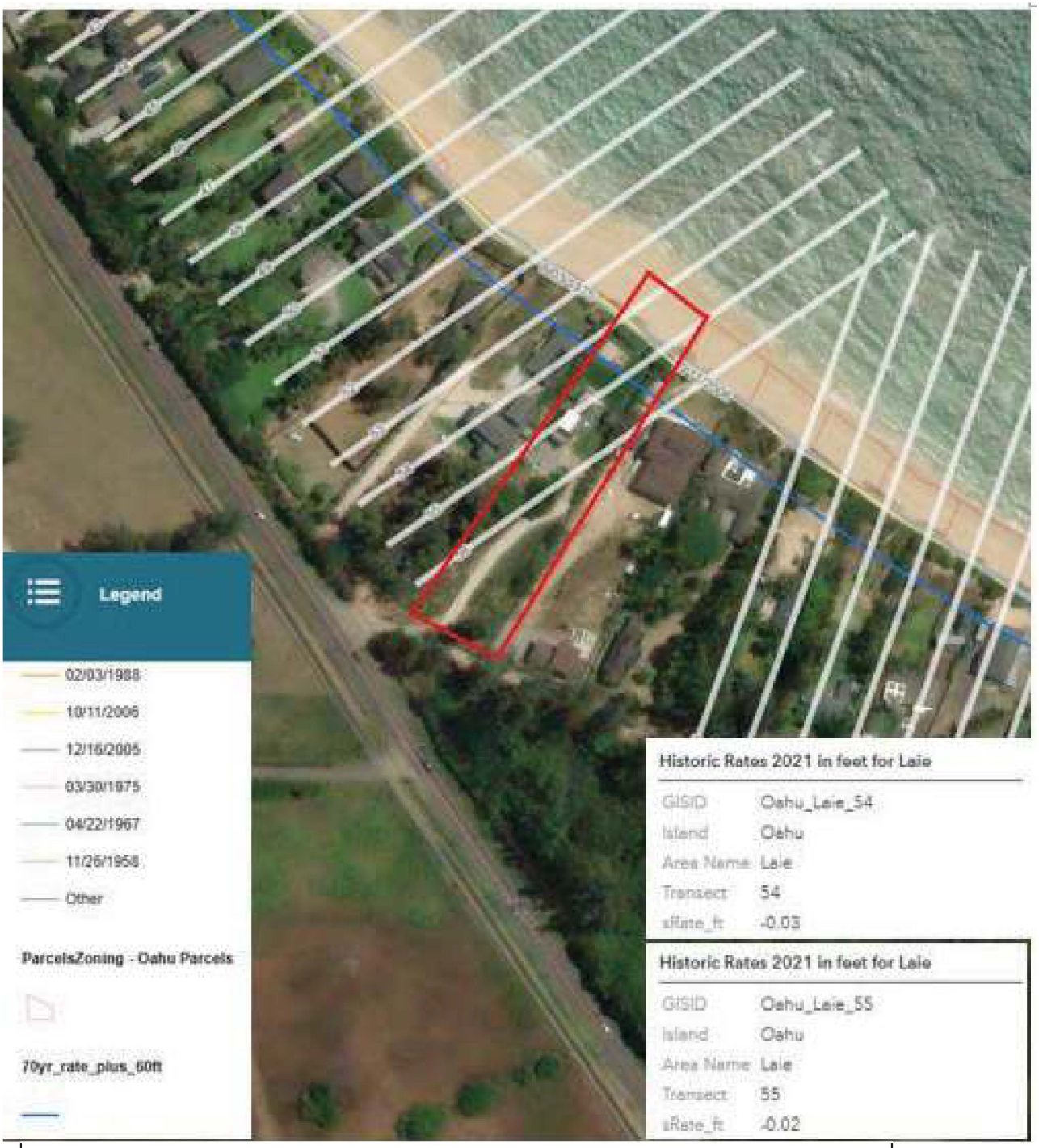


Figure 4.6.3 Shoreline Change Rate – .-03 or 2.1 feet in addition to the 60 feet setback.

Flood and Tsunami Hazards

According to the Federal Emergency Management (FEMA) Flood Insurance Rate Map (FIRM), the project site is located within Flood Zone X, which represents areas outside of the Special Flood Hazard Area. No Base Flood Elevation is established for this zone; therefore, the Proposed Action is not subject to the flood hazard area requirements of the Revised Ordinances of Honolulu.

The Proposed Action is not anticipated to result in significant impacts related to flooding. The project consists of residential development and will not substantially alter existing drainage patterns, topography, or coastal processes. Any minor grading, excavation, and drainage improvements will be conducted in accordance with applicable permitting requirements to ensure no adverse impacts to surrounding areas.

Based on available sea level rise and coastal hazard data, the project site is not anticipated to be significantly impacted by up to 3.2 feet of sea level rise during the expected life of the project, although long-term coastal processes such as erosion and shoreline change may occur over time. The site's elevation is above projected inundation levels.

According to tsunami evacuation zone mapping for Oʻahu, the project site is located within a tsunami evacuation zone, but not within the extreme tsunami inundation zone. The Proposed Action is not anticipated to increase tsunami-related risks. In the event of a tsunami warning, occupants will follow evacuation procedures and guidance provided by the City and County of Honolulu Department of Emergency Management.

Overall, no significant short-term or long-term impacts related to flood or tsunami hazards are anticipated because of the Proposed Action.

Hurricane and Wind Hazards

Construction materials and equipment will be properly secured to prevent windborne debris. Long-term project improvements will be designed in compliance with International Building Code (IBC) and ASCE wind load standards.

National Weather Service hurricane surge mapping indicates limited surge exposure at the site for Categories 1-4 hurricanes. No significant hurricane-related impacts are anticipated.

Earthquake and Seismic Hazards

The Project Site lies within Seismic Zone 2A, indicating moderate shaking potential. Structures will be designed and constructed in accordance with modern building codes that incorporate seismic considerations. Compliance with prevailing codes and geotechnical recommendations will reduce vulnerability to seismic hazards.

Wildfire Hazards

Although Hawai'i is susceptible to wildfire, the project site is cleared, with grass and sand understory and minimal brush. Proposed irrigation and proximity to the ocean further reduce wildfire risk. The Proposed Action is not anticipated to increase wildfire hazards.

Volcanic Hazards

Volcanic hazards on O'ahu are minimal due to the extinct status of local volcanos. The primary volcanic hazard affecting O'ahu is VOG originating from active volcanos on Hawai'i Island. The Proposed Action would not exacerbate volcanic hazards, and no project specific mitigation for VOG is available or required.

With implementation of applicable BMPs, shoreline setback compliance, conservative siting, and resilient structural design, the Proposed Action would not result in significant adverse impacts related to climate change, coastal erosion, flooding, sea level rise, or other natural hazards. The project is designed to remain adaptable as climate science, policies, and regulations evolve.

5.0 SOCIAL ENVIRONMENT

5.1 LAND USE

5.1.1 DEFINITION OF RESOURCE

Lane use refers to the designation, regulation, and actual use of land within a given area, including zoning classifications, State Land Use Districts, development standards, and adopted land use plans and policies. In an EA, land use evaluates whether a proposed action is compatible with existing and planned land uses, complies with applicable zoning and land use regulations, and is consistent with adopted State and county land use plans.

5.1.2 AFFECTED ENVIRONMENT

The Project Site is located within the Urban State Land Use District and is zoned R-5 (Residential) by the City and County of Honolulu. Surrounding properties are primarily developed with single-family residential uses, consistent with the zoning designation.

The Proposed Action involves development and use of properties as single-unit dwellings (SFUs), which is an allowed use within the R-5 zoning district. Population density and residential use intensity are governed by applicable zoning standards and development regulations.

The Proposed Action is consistent with the land use policies and objectives of the Oʻahu General Plan and the Koʻolauloa Sustainable Community Plan, which identify the area for residential use and encourage development that is compatible with existing neighborhoods while remaining outside of the shoreline setback.

5.1.3 ENVIRONMENTAL CONSEQUENCES

The Proposed Action would not result in a change to existing land use designations or zoning classifications. The project is consistent with the site's Urban State Land Use District designation and R-5 residential zoning and conforms to applicable provisions of the Land Use Ordinance.

The development is compatible in scale and use with surrounding residential neighborhoods and does not exceed population limits associated with the zoning designation. No land use conflicts are anticipated during construction or operation of the Proposed Project. The Proposed Action represents allowed residential use and complies with applicable land use plans and regulations; no significant adverse land use impacts are anticipated.

5.2 SOCIOECONOMIC RESOURCES

5.2.1 DEFINITION OF RESOURCE

Socioeconomic resources and characteristics refer to the social and economic qualities of human environment. These include demographic characteristics, employment and income-generating activities, ways in which people live and interact, access to public services and utilities, and participation in recreational and cultural activities. In the context of the Proposed Action, socioeconomic considerations population, public services (police, fire, medical, educational), infrastructure (water, wastewater, electricity, drainage), solid waste management, and community outreach.

5.2.2 AFFECTED ENVIRONMENT

Population and Demographics

- Nearest town is Lāʻie approximately 1.5 miles south of the project site.
- The Malaekahana/ Lāʻie population was 5,963 in 2020 (U.S. Census), up from 4,583 in 2000.

Public Services

- Police service: Honolulu Police Department, District 4 (Kahuku to Kāneʻohe).
- Fire services: Honolulu Fire Department, Kahuku Station, ~1.6 miles north.
- Emergency medical services: Kahuku Hospital (~2.0 miles) and EMS from the fire station.
- Schools: Lāʻie Elementary (K-7), Kahuku Intermediate/High School (7-12), Bringham Young University (higher education).

Utilities and Infrastructure

- Water: Provided through BWS groundwater system. Each SFD estimated to use ~ 9,000 gallons/month.
- Wastewater: Units served via individual IWS systems. New applications submitted for Units #2 through #8 ten years ago and will be required to resubmit. Units 3 and 4 will share an IWS system in addition to Units 7 and 8 sharing another keeping the total IWS system count at six for this parcel.
- Drainage: Managed through surface percolation and dry wells; no discharge to the ocean. BMPs employed during construction to minimize erosion and runoff.
- Electricity: Supplied by Hawaiian Electric Company (HECO).

- Communications: Provided by Hawaiian Telcom and Spectrum.

Solid Waste

- Municipal connection: ENV; disposal via H-Power plant and Waimānalo Gulch Landfill.
- Construction and demolition: PVT Waiʻanae landfill.
- Green Waste: Transported to Lāʻie Waste Station.

Public Outreach and Coastal Management

- The SMA permit will be submitted upon issuance of a FONSI includes agency consultations, public notices, and presentations to neighborhood board and abutters.
- Outreach ensured public participation and compliance with coastal management goals.

5.2.3 ENVIRONMENTAL CONSEQUENCES

Short-term Impacts (Construction Phase)

- Positive economic effects from construction: Creation of jobs, purchase of materials locally, and indirect benefits to retail businesses.
- Minimal impacts on public services: Existing police, fire, and medical facilities can accommodate temporary increase in population.
- Solid waste management and utilities: Existing systems can accommodate construction needs with no significant impact.

Long-term Impacts (Operational Phase)

- The project maintains residential land use consistently with zoning and surrounding community patterns.
- Population increase is minor; no significant impacts on schools, public services, or infrastructure are anticipated.
- Utilities: On-site water, wastewater, drainage, electricity, and communications systems are sufficient for SFD use.
- Solid waste: Routine household waste and green waste will be managed by existing facilities with no significant impacts.
- Coastal management and outreach: Continued adherence to SMA requirements ensures ongoing public participation and environmental stewardship.

Mitigation Measures

- Construction BMPs (sediment basins, silt fences, erosion control, stabilized vehicle

access) to prevent runoff and protect nearshore waters.

- Compliance with County fire code, flood/drainage regulations, and utility connection requirements.
- Continued outreach and communication with agencies and community stakeholders throughout permitting and construction.

The Proposed Action is not expected to result in significant adverse impacts to socioeconomic resources. Short-term benefits to the local economy and long-term compatibility with existing residential land use, infrastructure, and public services will be achieved with adherence to standard mitigation measures and regulatory compliance.

5.3 CULTURAL RESOURCE

5.3.1 DEFINITION OF RESOURCE

Title 54 of the United States Code establishes the authority, mission, and responsibilities of the National Park Services (NPS). The fundamental purpose of Title 54 is to ensure the conservation of natural, cultural, scenic, and historic resources within units of the National Park System, while providing public enjoyment in a manner that leaves these resources unimpaired for future generations. Significant cultural resources are defined by the National Historic Preservation Act (NHPA), a historic resource is defined as, *"any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in the National Register"* Cultural resources are defined as *"cultural beliefs, practices, and resources of native Hawaiians and other ethnic groups."* In this analysis, it is believed that only fishing is a carry-over activity from past times, and this project does not interfere with that traditional use.

5.3.2 AFFECTED ENVIRONMENT

Following initial settlement, communities in Koʻolauloa were traditionally clustered along the shoreline, where sheltered bays provided access to deep-sea fisheries. Nearshore fisheries and coastal fishponds, enriched by nutrients carried in freshwater runoff, supported abundant marine resources, and facilitated long-term stewardship and substance practices. These coastal areas also supported early agricultural production and residential clusters.

Over several centuries, population growth in these areas led to increased density, promoting expansion into inland elevations for agriculture and limited habitation. Taro (kalo) was the dominant crop in the region, with sweet potato cultivated as a supplementary crop

(hand and Handy 1972:282-283). Additional crops included wauke, noni, gourds, sugarcane, ʻawa, breadfruit, banana, coconut, and ti (Stride et al. 2003). Subsistence practices relied on a broad range of resources gathered from the mountains to the sea, reflecting a holistic land use system.

A review of the Hawaii Cultural Resource Information System (HICRIS) indicates that archaeological resources have been identified on the subject property. Two cultural easements have been established to preserve these resources. Documented features include fire pits and other indicators of intermittent site use, suggesting that the area was historically used for fishing related activities, with temporary fishing stations likely present. Some records associated with the site are sealed to protect sensitive cultural information. In addition, a spatial search of the surrounding area identified several previously recorded archaeological and cultural sites in the vicinity of the property, as summarized below.

- Kawainui Stream – Laiwai Bridge, Resource Number 2019RE08909 is located 0.6 miles to the south of the property and situated on Kamehameha Highway. The bridge is listed as a resource with no significance.
- DRR Na Pua Makani, Project Number 2021PR00335 is located 0.7 miles to the north of the property and is situated mauka of Kamehameha Highway. It is listed as a Project Review.

Fieldwork for this property was conducted on February 4, 2021, by Robert B. Rechtman, Ph.D. and Daina Avila, B.A. Excavator assistance was provided by C. Fujimoto Contracting LLC. There were no archaeological resources observed on the surface of the project area; and likewise, there were no archaeological resources observed during that subsurface testing. Although that study produced negative findings with respect to the identification of historic resources, the SHPD believes that insufficient information is available at this time to determine that the projects in this area will not adversely affect subsurface cultural layers or burials. The soils within the project area and vicinity consist of Jaucas sands, which are known to contain significant subsurface cultural layers and human remains/burials.

Additionally, previous investigations identified human burials, an imu pit, and at least two fire pits at 56-155 Kamehameha Highway (adjacent to subject parcel) Based on these findings, the State Historic Preservation Division (SHPD) recommended that a program of on-site archaeological inventory survey be conducted prior to any ground disturbing activities associated with the proposed project. Such monitoring is anticipated to be a condition pre-construction approval.

The recommended monitoring shall be conducted pursuant to an Archaeological Monitoring Plan (AMP) prepared in accordance with HAR §13-279. During the environmental review process, the applicant shall retain a qualified archaeologist from the SHPD approved list to prepare the AIS in advance of the SMA permit filing, *see Exhibit J.*

In addition, the prior consultant reviewed environmental assessments conducted in the vicinity of the site to determine whether previous surveys identified archaeological resources in the surrounding area. These assessments included an Archaeological Assessment and Chapter 343 Review prepared for the Malaekahana State Recreation Area, Kahuku Section Park Improvements project.

5.3.3 ENVIRONMENTAL CONSEQUENCES

As a result of the surface examination of the site and the nearby archaeological surveys, our analysis is that at a minimum, the following mitigation measures are entertained.

Mitigation

The Applicant, in consultation with the State Historic Preservation Division (SHPD), shall implement the mitigation measures determined by SHPD upon submission of the Shoreline Management Area (SMA) permit application. If archaeological or cultural artifacts are discovered during construction activities, all work in the immediate area shall cease, and either a Halt Work or Stop Work Order shall be implemented, as directed by SHPD.

If required by SHPD, an **Archaeological Monitoring Plan (AMP)** shall be implemented during all ground-disturbing activities at the commencement of construction to ensure that archaeological and cultural resources are properly identified, evaluated, and treated. Alternatively, an **Archaeological Inventory Survey (AIS)** shall be conducted if deemed necessary by SHPD. Any mitigation measures selected by SHPD shall be fully implemented by the Applicant in accordance with applicable Hawaiʻi Administrative Rules and SHPD requirements. At minimum, SHPD requests the following:

Prior to submitting to the SHPD's HICRIS, SHPD requests applicants to ensure that the following documents are included in the SMA stage:

• HRS 6E Submittal Forms and Agency Requests - In submittals by the archaeologist after SMA Application submittal and SHPD's direction as to what level of analysis is required, included will be all subsurface disturbances with their measurements in the 6E-42 form. This detailed information must be included even if submitting construction plans. Homeowners' contact information both in HICRIS under project contacts and on the form

must be provided. The question regarding the project area should only include the specific area(s) where construction will be taking place, not the entire parcel.

• Additionally, please include all construction activities (demolition, modification of existing structures, excavation, grubbing, grading, filling), utility requirements (water, electricity, gas, etc.), and temporary fencing on construction plans.

• Photos of the project area(s).

• A TMK map of the subject parcel showing where the project will be constructed.

• An agency cover letter. (DPP sends this upon SMA Application acceptance).

• A full CIA for the AMP or AIS building on the historical and cultural research conducted by this firm. The archaeological monitoring plan or AIS if required must meet the standards of Hawaii Administrative Rules (HAR) Chapter 13-279. The applicants have been provided a list of qualified archaeological consultants – that list can be seen in Section 7 as provided to the applicants.

• That the Applicant must protect discovered resources from further disturbance and as minimum, regardless of SHPD's recommended mitigation, a Halt – Stop Work order will be put in place for the commencement of construction if during this initial and on-going excavations, cultural indicators are encountered.

• That if iwi kupuna are found, a burial treatment plan must meet the standards of HRS 13-300-33.

5.4 VISUAL RESOURCES

5.4.1 DEFINITION OF RESOURCE

Visual resources refer to the aesthetic and scenic qualities of natural and built environment, including coastal views, open space, scenic vistas, view planes, and the overall visual character of an area. In this EA, visual resources include beaches, dunes, coastal open space, and mauka-makai (mountain-to-ocean) views, as well as development patterns that preserve scenic quality and public enjoyment. State and County planning documents, including the State of Hawai'i Office of Planning and sustainable Development and the City and County of Honolulu Land Use Ordinance and SMA provisions, identify scenic corridors and view protection objectives.

The DPP 1987 Coast View Study designated this portion of Kamehameha Highway as a "Coastal Roadway with Intermittent Coastal View". Additionally, Makahoa Point (3/4 mile north) and Kalanai Point (less than a half mile south) contained significant stationary views along the coastline. The subject property is shielded by dense vegetation along Kamehameha Highway, and thus does not block any viewing plane from the state highway, *see Figure 4.5.4* below.

5.4.1 AFFECTED ENVIRONMENT

The project site is in a primarily residential coastal area along Kamehameha Highway, with scenic views of the coastline and surrounding mauka-makai landscapes. Existing visual conditions include single-unit dwellings, landscaping, and natural coastal features. County and state planning documents identify scenic vistas and view planes in the area, but the site is not located within a designated scenic corridor or highly sensitive visual zone. While county and state planning documents identify scenic vistas and view planes in the broader area, the project site is not located within a designated scenic corridor or highly sensitive visual zone.

5.4.2 ENVIRONMENTAL CONSEQUENCES

The Proposed Action involves low-rise, single-family dwellings that are consistent in scale, height, and character with surrounding development and therefore, is not anticipated to affect scenic vistas or view planes identified in county or state plans or studies. The proposed SFDs, together with associated landscaping will be visually consistent with the surrounding residential setting in terms of height, character, and scale.

Lateral Coastal Views – Coastal views along the shoreline will not be significantly impacted because:

- No development is proposed seaward of the certified shoreline setback
- Existing dune and coastal vegetation will be preserved
- The project will not form a visual barrier along the shoreline

Mauka -Makai Views – Mountain-to-ocean views will remain unchanged because:

- Buildings are low-profile and located mauka of the shoreline
- The site layout respects existing view corridors
- Development is consistent with the existing visual pattern of the area

Views from Public Roadways – The project preserves views from public roadways because:

- Structures along Kamehameha Highway are setback and integrated with landscaping
- Existing vegetation along Kamehameha Highway provides partial visual screening of the coastline and the project site
- The proposed development will be compatible with this existing vegetated corridor and

will not introduce a new visual barrier to coastal views.

Kamehameha Highway follows the coastline for Kamainas and tourists alike. See figure XX below as there are trees that line up along the Highway and screens to coastline and the proposed project. No degradation of visual character of the surrounding community and will not result in significant adverse impacts to scenic or visual resources. *See Figure 4.5.4* below.

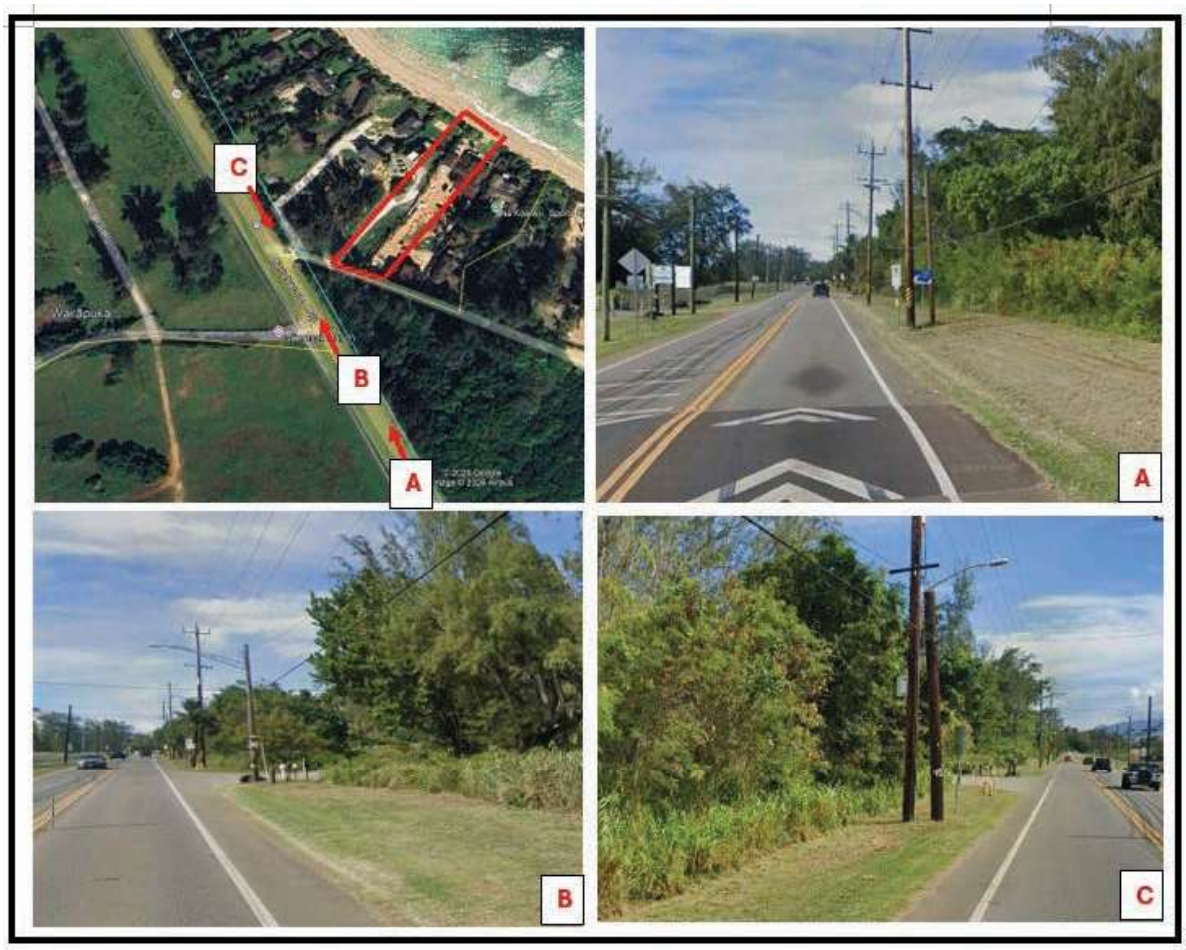


Figure 4.5.4 – Scenic view from Highway

5.5 RECREATIONAL ACTIVITIES AND AREAS

5.5.1 DEFINITION OF RESOURCE

Recreational resources include public and private lands and facilities that support leisure activities, such as beaches, coastal dunes, trails, bike paths, open spaces, and nearby recreational facilities. These resources contribute to community well-being, quality of life, and economic activity. For the EA, recreational resources focus on public access, coastal activities, and nearby recreational facilities.

5.5.2 AFFECTED ENVIRONMENT

The project site is located adjacent to a public coastal environment that supports recreational activities common to the Malaekahana and Lāʻie Bay. Nearby recreational assets include:

- **Malaekahana State Recreation Area** - Approximately .40 miles south of the subject property with public beach access
- **Malaekahana Beach Campground** - Approximately ½ mile north of the subject property with public beach access
- **Beach Access** – Directly adjacent to the project site, private beach access.
- **Gunstock Ranch** – Located across Kamehameha Highway from the project site, it is approximately 0.5 miles from the site entrance, 1–2-minute drive, offering equestrian and outdoor activities
- **Multi-use bike and pedestrian path** – Along the west side of Kamehameha Highway, providing walking, jogging, cycling, and scenic enjoyment

Figure 5. Shoreline Access Point

The offshore wildlife sanctuaries in the Lāʻie Bay are closed to public access but contribute to scenic and ecological values. On-stie recreational use is limited due to previous residential development, grading, and altered soils, existing recreational use primarily occurs off-site.

5.5.3 ENVIRONMENTAL CONSEQUENCES

The Proposed Action would not interfere with public access to recreational resources, including beaches, coastal dunes, and nearby recreational areas. Existing off-site beach access points located northwest of the project site and within the Malekahana State Recreation Area to the southeast would remain unchanged and unobstructed. The project would not adversely affect recreational opportunities such as beachcombing, fishing, boating, hiking, or other coastal related activities, as no development is proposed within the shoreline area or shoreline setback. The adjacent beach is publicly accessible and managed by the Office of Conservation and Coastal Lands, and the project would not restrict or alter public use of this area.

Nearby offshore wildlife and seabird sanctuaries in Lāʻie bay are closed to public access and would not be impacted by the Proposed Action. Consultation with DOFAW confirmed that no public or commercial activities are permitted within these sanctuaries without authorization, and the project would maintain appropriate distancing and comply with DOFAW and USFWS guidelines should protect species traverse onto the project site. Minimal alteration of on-site topography is proposed and BMPs including erosion and sediment control, dust control, and groundwater recharge measures would be implemented to ensure that beaches, dunes, and nearshore waters are not adversely affected.

The Proposed Action would not interfere with nearby recreational amenities, including Gunstock Ranch located across Kamehameha Highway, as the project would not affect access, parking, or ongoing recreational activities at that facility. Additionally, the regional bike and pedestrian path along the west side of Kamehameha Highway, which is heavily used for walking, jogging, and cycling, would remain fully accessible and unaffected by both construction and operation of the project. Compliance with ROH Section 22.7 park dedication requirements has been satisfied through payment of the required park dedication fee for the CPR subdivision. Overall, the Proposed Project would not result in significant adverse impacts to recreational resources and would be consistent with SMA objectives to preserve access, recreational opportunities, and coastal open space, due to the insignificant population influx.

Therefore, no significant long-term or cumulative adverse effects to recreational resources are

expected from the Proposed Action above the No Action Alternative baseline conditions described in Section 5.5.2.

6.0 INFRASTRUCTURE

This section evaluates infrastructure resources associated with the Proposed Action, including transportation and circulation systems, site access, public transit availability, bicycle and pedestrian facilities, parking resources, and utility systems such as electrical and communications services. Infrastructure resources include the systems and facilities that support development and daily human activities, including transportation networks, such as roadways, driveways, public transit, bicycle facilities, pedestrian access, as well as utility systems necessary for residential use.

These resources are essential to supporting residential development and ensuring safe, efficient movement of people and goods, as well as the reliable provision of services necessary for daily activities. The analysis considers existing conditions within and surrounding the project site and assesses whether construction or operation of the Proposed Project would result in adverse impacts to infrastructure capacity, safety, or functionality.

6.1 DEFINITION OF RESOURCE

For the purposes of this EA, infrastructure is an essential built environment, which includes utilities and roadways in the town of Kahuku and Laie.

6.2 AFFECTED ENVIRONMENT

The project site is located at 55-155A Kamehameha Highway and is served by the regional roadway network via Kamehameha Highway, a major arterial roadway in the area. Vehicular access to the site will be provided through a side road and private common driveway, which reduces direct interaction with highway traffic and supports safe ingress and egress. The surrounding area does not contain sidewalks, curb ramps, or street lighting along the eastern side of Kamehameha Highway or along the common driveway.

Public transit service in the vicinity of the project site is provided by “The Bus,” operated by the Oʻahu Transit Service for the City and County of Honolulu. Four bus stops are located within approximately one-quarter mile of the project site and are available for use by future residents. Bicycle infrastructure in the area includes a well-used multi-use bike path located across Kamehameha Highway from the project site, extending between Kahuku and Lāʻie. While this bike paths are popular, there are no designated crosswalks or curb ramps connecting the

project site directly to the bike path, and on-street parking along Kamehameha Highway is restricted, although informal parking is occasionally observed.

All project-related parking will be provided on-site within the project boundaries, as shown in the approved plans. Level parking areas are proposed for residential use associated with single-unit dwellings, and no parking is proposed within the shoreline setback area.

Electrical power to the site is provided by Hawaiian Electric Company (HECO), while telephone service is provided by Hawaiian Telcom and cable and internet services are provided by Spectrum via overhead service lines along Kamehameha Highway. The project is governed by the existing 2021 Electrical Utility Plan applicable to the site. Potable water is provided by the Honolulu Board of Water Supply (BWS) water line on Kamehameha Highway. Daily water usage consists of domestic uses for the residents and landscape irrigation. Fire suppression water supply is also provided at the TMK a fire hydrant located on the west end across from the private driveway.

The City and County of Honolulu do not provide wastewater service to the subject property. Because there is no municipal wastewater system, the Project must include descriptions and plans for an individual wastewater system (IWS) for the seven new dwellings. The IWS will occupy spaces in each CPR unit and will require areas for leach fields, with units 3 and 4 sharing one IWS, *see Figure I-2.*

6.3 ENVIRONMENTAL CONSEQUENCES

The Proposed Project is expected to result in a slight increase in vehicle trips to and from the site, primarily associated with future residential occupancy and short-term construction activities. Long-term traffic impacts are not anticipated, as the residential use and anticipated vehicle trips would be comparable to prior uses of the site. Most potential transportation-related impacts would occur during the construction phase and would be temporary in nature, associated with construction vehicles, workers, and material deliveries.

To mitigate short-term construction-related impacts, a construction traffic management plan will be implemented by the contractor. This plan will identify appropriate on-site parking areas for construction vehicles and workers; limit construction related travel to daytime hours and minimize disruption to traffic flow along Kamehameha Highway. Construction activities will avoid peak commuter and school traffic hours, and emergency service providers will be notified in advance of any temporary access restrictions or detours.

Additional traffic control and safety measures will be employed as needed during construction,

including the use of signage, cones, barriers, lighting, and temporary surface treatments to ensure safe vehicle and pedestrian passage near the site entrance. Appropriate barriers will be used to prevent unauthorized public access to activate construction areas, without fencing within the shoreline setback.

With respect to utilities, the Proposed Project is not anticipated to result in short or long-term adverse impacts to electrical, communication systems, water and Individual Waste Water systems. Utility demand from the proposed residences is expected to be like that of the existing dwelling previously located on the site.

Therefore, no significant infrastructure capacity issues are anticipated, and no adverse impacts to infrastructure resources are expected because of the Proposed Action.

7.0 DETERMINATION

The Hawai'i Administrative Rules Chapter 11-200(12) defines significance. If a proposed action is expected to have significant impact, a full Environmental Impact Statement would be necessary. If the proposed action does not result in "significant" impacts, the proponent is required to prepare an Environmental Assessment and obtain a Finding of No Significant Impacts (FONSI).

7.1 DEFINITION OF SIGNIFICANCE

HAR 11-200 (12): In determining whether an action may have significant effect on the environment, the agency shall consider every phase of a proposed action, the expected consequences, both primary and secondary, and the cumulative as well as the short-term and long-term effects of the action. In most instances, an action shall be determined to have a significant effect on the environment if it meets one of the significant criteria.

Potential impacts of the proposed improvements have been evaluated in accordance with the significant criteria of §11-200.1 – 13 of the Administrative Rules. Discussion of the project's conformance to the criteria is presented as follows:

7.2 ANTICIPATED FONSI FOR THIS PROJECT, BASED ON THE FOLLOWING ANALYSIS:

(1) Irrevocably commit a natural, cultural, or historic resources.

No irrevocable commitment to loss or destruction of any natural or cultural resource would result. The project is not expected to irrevocably commit to the loss or destruction of any natural or cultural resources. The project area has been previously disturbed, and the proposed units have been designated to avoid sensitive and protected resource areas. BMPs would be implemented during construction to further avoid or minimize potential construction impacts to natural or cultural resources**. In the event of unexpected discovery of historic or archaeological resources, the SHPD will be immediately notified for appropriate response and action.**

(2) Curtail the range of beneficial uses of the environment.

The Proposed Action would not curtail the range of beneficial uses of the environment. The project is not expected to curtail the range of beneficial uses of the environment. The project maintains shoreline protection, coastal access to marine resources and recreational use of the environment.

(3) Conflict with the State's environmental policies or long-term environmental goals established by the law.

The State's environmental policies enumerated in Chapter 344; HRS promotes conservation of natural resources, and an enhanced quality of life for all citizens. The Proposed Project does not conflict with the State's long-term environmental policies, goals, or guidelines as expressed in Chapter 344, HRS, and will not significantly impact natural resources because the Project Site is already disturbed and has been subject to human utilization since the project area was developed for current residential uses. The project would be in conformance with the State's long-term environmental policies and goals expressed under HRS 344.

(4) Have a substantial adverse effect on the economic welfare, social welfare, or cultural practices of the community and State.

In the short term, construction expenditure will provide positive benefits to the local economy. This would include creation of some construction and construction support jobs, and the purchase of materials from local suppliers, as well as indirect benefits to local retail businesses resulting from construction activities, but not at a level that would generate any significant population expansion. The Proposed Action would not substantially affect the economic, cultural practices or social welfare of the community or State. The project is not anticipated to cause substantial, adverse effects to the economic or social welfare of the community or State. The project would increase tax revenue for the City and will create temporary jobs during construction.

(5) Have a substantial adverse effect on public health.

The Proposed Action would not affect public health. The project is not anticipated to affect public health. No identifiable adverse short or long-term impacts on public health are anticipated to result from the construction and operation of the Proposed Project. Typical short-term construction-related impacts (e.g., noise and air quality) are anticipated; however, they will be temporary in nature and will comply with Federal, State, and County regulations.

(6) Involve adverse secondary impacts, such as population changes or effects on public facilities.

No substantial secondary impacts, such as population changes or effects on public facilities, are expected. The project is not expected to result in substantial

secondary impacts on population or public facilities. Substantial impacts on public facilities are not anticipated to result from the construction and operation of the Proposed Project. Moreover, the Proposed Project is not anticipated to induce severe population growth in the area or region as it is limited to the allowed zoning use. Existing water and utility infrastructure have served the area for many years and are expected to have sufficient capacity to serve project demands. Agencies with jurisdiction over their respective infrastructure systems will be consulted as the Proposed Project proceeds to assure that it can be accommodated.

(7) Involve a substantial degradation of environmental quality

No substantial degradation of environmental quality is expected due to the Proposed Action. The project is not anticipated to cause substantial degradation of environmental quality. The Proposed Project is not anticipated to substantially degrade environmental quality. The long-term impacts to air and water quality, noise levels, and natural resources will be minimal. Typical short-term construction-related impacts (e.g., noise and air quality) are anticipated but will be temporary and will comply with State and County regulations.

(8) Be individually limited but cumulatively has substantial adverse effect upon the environment or involves a commitment for larger actions.

No cumulative effect on the environment or commitment to larger actions would be involved. The project is not anticipated to have adverse cumulative environmental effects and is not linked to any large action. The Proposed Project will not have any substantial negative secondary impacts on the environment. Implementation of the Proposed Project will not commit the applicant to any other larger actions and will not generate any additional actions that could have a cumulative effect on the environment.

(9) Have a substantial adverse effect on a rare, threatened, or endangered species, or their habitat.

No rare, threatened and/or endangered flora or fauna species are known to inhabit the project area. However, it was acknowledged by the State Department of Land and Natural Resources – Division of Forestry and Wildlife (DLNR-DOFAW) that the State listed Hawaiian Hoary Bat or ʻŌpeʻapeʻa (Lasiurs cinereus semotus) could potentially occur in the vicinity of the project area and may roost in nearby trees, the State threatened White Tern (Gygis alba) or Manu

o Kū is known to nest in the vicinity of the Proposed Project. State listed waterbirds such as the Hawaiian Duck (Anas wyvilliana), Hawaiian Stilt (Himantopus mexicanus knudseni), Hawaiian Coot (Fulica alai), and Hawaiian Common Gallinule (Gallinula chloropus sandvicenisis) could potentially occur in the vicinity of the Proposed Project. No adverse impacts resulting from the project are anticipated. However, measures to prevent adverse effects to protected species include the following:

a) Any required site clearing should be timed to avoid disturbance to bats during their birthing and pub rearing season (June 1 through September 15). During this period woody plants greater than 15 feet (4.6 meters) tall should not be disturbed, removed, or trimmed. Barbed wire should be avoided for any construction because bat mortalities have been documented because of becoming ensnared by this type of fencing during flight.
b) During construction activities, all nighttime lighting will be shielded and angled downward to reduce glare and disruption of bird flight. Nighttime work that requires outdoor lighting should be avoided during the seabird fledging season from September 15 through December 15. This is the period when young seabirds take their maiden voyage to the open sea. Following construction, permanent light sources will be shielded and angled downward to eliminate glare that could disturb or disorient birds in flight.
c) If tree trimming or removal is planned, DLNR-DOFAW strongly recommends a qualified biologist survey for the presence of endangered species prior to any action that could disturb the trees.
d) If any of the State-listed water birds are present during construction activities, then all activities within 100 feet (30 meters) should cease, and the bird should not be approached. Work may continue after the bird leaves the area of its own accord.
e) No rare, threatened, or endangered species or their habitats would be adversely affected. Although no special status species are known to occur within the project area, potential habitat for Hawaiian hoary bat, Hawaiian monk seal, and sea turtles, Hawaiian sea birds, and potentially MBTA migratory species occurs nearby the project area. To prevent impacts on these species during construction, regular on-site staff would be trained to identify special-status fauna and the potential to occur on-

site and would know the appropriate measures to be taken if they are present. Long-term impacts are not anticipated. Therefore, it is not anticipated that the project would adversely impact any rare, threatened, or endangered species or their habitats.

(10) ***Have a substantial adverse effect on air or water quality or ambient noise level.***

The Proposed Action would not detrimentally affect air or water quality, or ambient noise levels. The project is not anticipated to adversely affect ai or water quality or ambient noise levels. Construction of the project would temporarily increase air emissions and noise levels within the immediate project area but would be minimized through BMPs. Erosion and spill control BMPs would be implemented during construction to avoid and minimize potential indirect impacts to streams or water resources. Compliance with all state and local regulations would be followed to ensure that the impacts are less than significant.

No significant long-term impacts to air quality, water quality, or noise levels within the Project Site are anticipated because of the construction and operation of the Proposed Project. Land disturbing activities include demolition, foundation work, and potential utility upgrades. Construction of the SFDs will be performed in accordance with Federal, State and County regulations, thereby minimizing potential impacts to air and water quality. In the short term, noise from construction activities will be unavoidable. The increase in noise level will vary according to the phase of construction. Noise may also increase because of operating power equipment during the construction period. Construction noise impacts will be mitigated by compliance with provisions of the State DOH Administrative Rules, Title 11, Chapter 46, "*Community Noise Control*" regulations. These rules require a noise permit if the noise levels from construction activities are expected to exceed the allowable levels stated in the DOH Administrative Rules. It shall be the contractor's responsibility to minimize noise by properly maintaining noise mufflers and other noise-attenuating equipment, and to maintain noise levels within regulatory limits. In the long term, no significant noise impacts are anticipated once the construction of the Proposed Project has been completed. Since the Project is not expected to significantly increase roadway capacity or travel demand, ambient noise levels in the vicinity attributable to

the Proposed Project should not change significantly.

(11) Have substantial adverse effect on or be likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, sea level rise exposure area, beach, erosion prone area, geologically hazardous land, estuary, fresh water, or coast waters.

The Proposed Action would not detrimentally affect environmentally sensitive areas such as floodplains, tsunami zones, beaches, erosion prone areas, geologically hazardous lands, estuaries, freshwaters, or coastal water. The project has been designated to avoid impacts to and mitigate the development within environmentally sensitive areas including coastal hazard area, coastal shorelines and setbacks, waters features, and riparian buffers, and the units would be above the flood elevations. BMPs would be implemented to minimize potential erosion due to construction activities.

In the short and long term, no significant impacts on flood hazards on the Proposed Project are anticipated as the proposed improvements are not to increase flood risks or cause any adverse flood related impacts on the project area. The Proposed Project will be designated and constructed to applicable flood zone requirements and mitigations.

(12) ***Have a substantial adverse effect on scenic vistas and view planes, during day or night, identified in county or state plans or studies*;**

The Proposed Action would not affect scenic vistas and view planes identified county or state plans or studies. The project would not adversely impact scenic vistas and view planes. The proposed SFDs and associated landscaping and structures would be visually consistent with the surrounding residential landscape setting. Moreover, the Proposed Project is

not expected to adversely affect scenic and visual resources in the project area. The Proposed Project will not degrade lateral coast views or mauka-makai views from areas in the vicinity of the site. The vertical components of the Proposed Project will be consistent with the visual character of the surrounding uses in terms of height and character as well as surrounding community.

(13) ***Require substantial energy consumption or emit substantial greenhouse gases.***

There would be no requirement for substantial energy consumption. The project would not require substantial energy consumption. The proposed development would increase energy consumption within the overall community by small amount but is expected to be offset by use of potential PV panels. The Proposed Project will not require substantial energy consumption nor will produce substantial GHG emissions. Additionally, it is anticipated that the Proposed Project will implement energy efficient fixtures as feasible to reduce overall energy consumption.

7.3. Anticipated Determination

Based on a review of the significance criteria in HRS Chapter 343, and HAR Section 11-200.1-13, it is anticipated that the project would not result in significant adverse effects on the natural or human environment. A FONSI is expected.

8.0 Early Consultation Table

As mentioned in Section 1.5, early consultation began on August 8, 2020, with various agencies and public sectors. Copies of the responses from the agencies are in Appendix J. The table below summarizes the agencies who responded to the correspondence.

Distribution & Respondents	Early Consultation	Early Consultation Comments Received	Receiving	Draft EA Comments Received
Regulatory Agency - DPP	X	X	X	X
Federal Agencies United States Department of the Interior Fish and Wildlife Service * Pacific Islands Fish and Wildlife Office 300 Ala Moana Blvd., Room 3-122, Box 50088 Honolulu, Hawaii 96813	X	X	X	X
State of Hawaii Agencies State of Hawaii Department of Accounting and General Services Kalanimoku Building 1151 Punchbowl Street Honolulu, HI 96813			X	X
State of Hawaii Department of Land and Natural Resources Historic Preservation Division (via HICRES at SMA stage) Kakuhihewa Building 601 Kamokila Blvd., Room 555 Kapolei, HI 96707	X	X		
HEER 1250 Punchbowl Street Honolulu, HI 96813	X	X	X	X

Distribution & Respondents	Early Consultation	Early Consultation Comments Received	Receiving	Draft EA Comments Received
Hawaii Dept of Health 1250 Punchbowl Street Honolulu, HI 96813				
City & County of Honolulu Departments				
1000 Uluohia St. Ste 215 Kapolei, HI 96707				
Department of Community Services 925 Dillingham Blvd. Honolulu, HI 96817			X	X
C&C of Honolulu, Police Dept. 801 S. Beretania Street Honolulu HI 96813			X	X
County of Oahu – Fire Department Administrator – Dept of Fire and Public Safety 636 South Street Honolulu. HI 96813	X	X	X	X
Department of Environmental Services 1000 Uluohia Street, Suite 308 Kapolei, HI 96707			X	X
Dept. of Parks and Recreation 1000 Uluohia Street, Suite 309 Kapolei, HI 96707	X	X	X	X
Other UH Climate Resilence Collabortive University of Hawaii Manoa HI Dr. Chip Fletcher			X	X
Adjacent and Nearby Properties				
Abutters			X	X
Koolauloa Neighborhood Board			X	X

9.0 REFERENCES

Main Graphics

Flood Hazard Assessment Tool:	Flood Hazard Assessment Tool (hawaii.gov)
Sea Level Rise Viewer:	State of Hawaii Sea Level Rise Viewer | PacIOOS (Hawaii.edu)
SMA Mapping:	Office of Planning and Sustainable Development | Hawaii Statewide GIS Program
SHPD:	HICRIS (hawai.gov)
OCCLL:	Office of Conservation and Coastal Lands (hawaii.gov)
Hurricane Surge:	NHC Storm Surge Risk Maps (arcgis.com)
Zoning, Critical Habitat, Past Building Permits and Other Maps:	DPP Home (honolulu.gov)
Hawaii Shoreline Study :	Hawaii Shoreline Study web map – Climate Resilience collaborative (Hawaii.edu)
Tsunami Mapping:	NOAA: Tsunami Zone Evacuation Map

City and county of Honolulu, 2020. Koʻolau Loa Sustainable Communities Plan: https://www.honolulu.gov/rep/site/dpp/pd/pd_docs/Koolau_Loa_SCP_2020.pdf

City and County of Honolulu, 2021 General Plan: https://www.honolulu.gov/rep/site/dpp/pd/pd_docs/RES21-023_CD1_-_11-18-21_ZP.pdf

City and County of Honolulu. Maps of Oahu, Tsunami Evacuation Zones: https://cchnl.maps.arcgis.com/apps/webappviewer/index.html?id=39a9e07068a14d01a85b437adcf60beb

City and County of Honolulu, Board of Water Supply, 2018. Proposed Residential Customer Water Rates:
https://www.boardofwatersupply.com/bws/media/files/hbws-proposedresidential-customer-water-rates=2018-04-19.pdf
City and County of Honolulu, Department of Environmental Services, 2022. Waste Collection:
https://opala.hnl.info/refuse_collection/#?lat=lat-1.662600986502405&long=-156.93338696376114

Mink, J.F., and S.L. Lau, 1990, aquifer Identification and Classification for Oahu Groundwater Protection Strategy for Hawaii. Water Resources Research Center, University of Hawai'i at Manoa Technical Report No. 179. National Oceanic and Atmospheric Administration

Tsunami Aware Website: https://tsunami.coast.noaa.gov/#/

Rechtman, Robert B. Ph.D. 2021 Archaeological Assessment for Portion of TMK: (1)5-6-001:033

State of Hawaii Department of Health, 2020. State of Hawaii Annual Summary 2017 Air Quality Data Report:
https://health.hawaii.gov/cab/files/2020/05/aqbook_2017.pdf

State of Hawaii State Historic Preservation District Hawaii Cultural Resource Information System:
hppts://shpd.hawaii.gov/hicris/

United States Census Bureau:
https:www.census.gov/searchresultsHtlm?searchType=web&cssp=SERP&q-Kahuku%20CDP,%20Hawaii

United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey:
https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

United States Department of Homeland Security, Federal Emergency Management Agency Flood Map Service:
https://mc.fema.gov/portal/search?#searchresultsanchor

United States Environmental Protection Agency, Pacific Southwest, Region 9, Ground Water:
https://archive.epa.gov/region9/water/archive/web/html/ssa.html

United States Fish and Wildlife Service (USFWS), National Wetlands Inventory:
https://www.fws.gov/wetlands/Data/Mapper.html

United States Fish and Wildlife Service, Pacific Island Fish and Wildlife Office, 2022 Avoidance and Minimization Measures:
https://www.fws.gov/Pacificislands/promo.cfm?id=1771175840
United States Geological Survey (USGS):
https://apps.nationalmap.gov/downloader/#/
USGS, Topographic Map;
https://ngmdb.usgs.gov/htbin/tv_browse.pl?id=id77eb9aff1d131c7438251603b46eb33

University of Hawaiʻi (UH). Hawaii Groundwater and Geothermal Resource Center:
https://www.higp.hawaii.edu/hggrc/wells/wells.php

University of Hawaiʻi, Maps, Aerial Photographs, and GIS (MAGIS):
https://uhmagis.maps.arcgis.com/apps/webappviewer/index.html?id-f6672e31727d49468a37b7bb3ab77d77

EXHIBIT A

Intentionally

Omitted

(information can be

found in Section 1.3)

EXHIBIT B

Fees Paid

OFFICIAL RECEIPT

DEPARTMENT OF PLANNING AND PERMITTING

CITY AND COUNTY OF HONOLULU

138155

Date: Sept 16, 2022

Received From: Environmental Risk Analysis LLC

Two hundred and no/100 DOLLARS

For: 2022/ED-17 app renewal fee

Tax Map Key: 5-6-001:033

$200.00

ASO-V #6033

DEPARTMENT OF PLANNING AND PERMITTING

EXHIBIT C

SITE LOCATION

HAWAII ENGINEERING GROUP, INC.	Exhibit C- Site Location	1 of 1
	Donoso – Malaekahana LLC	Kahuku, Hawaii
	Draft Environmental Assessment	25-090

EXHIBIT D

TAX MAP KEY

CORRECTED
FEB 1 1940
NOV 27 1942
APR 15 1943
APR 28 1945
JAN 17 1951
APR 23 1968
APR 21 1969
SEP 23 1968
SEP 2 1969
APR 21 1969
MAY 8
JUN 19 1975
DEC 4 1975
JUL 12 1976
JUL 14 1976
DEC 2 01977
FEB 20 1980
JUN 17 1982
SEP 23 1982
AUG 14 1984
OCT 6 2017

Dwg. No: 3136
Source: Tax Maps Bureau (LD Ct App 1095)
By: BK & HN Oct. 1992

Exec. Ord. 532
KAHIWAMOKU ISLAND
(Bird Reservation)
3.3 acs±
1

Exec. Ord. 532
PULEMOKU I.S.
(Bird Reservation)
10 ac±
3

True North
1" = 300'

12.5 ac±
MOKUAUIA IS.
2

"MALAEKAHANA STATE PARK - PHASE II"
Exec. Ord. 3928

"MALAEKAHANA STATE PARK - PHASE II"
EXEC. ORD. 3928
PLAT 02

SHORELINE BOUNDARY AS OF NOV 13, 1957

SHORELINE BOUNDARY AS OF NOV. 5, 1957

SHORELINE BOUNDARY AS OF NOV. 13, 1957

SHORELINE BOUNDARY AS OF NOV. 10, 1937

"MALAEKAHANA BEACH ESTATES"

"50-15BH KAMEHAMEHA HIGHWAY"

"50-15BL & 50-15BM KAMEHAMEHA HIGHWAY"

Boundary follows High water Mark (Vegetation Line) as of December 3, 1974

(27.407 Ac.)

73.711 Ac.

"MALAEKALANA STATE PARK - PHASE I"
EXEC. ORD 3988

(17.440 Ac.)

(22.872 Ac.)

KAMEHAMEHA HIGHWAY

Laiewai Stream

To Waiahole

To Kaaawa

SUBJECT TO CHANGE

MAP 180
Por. MALAEKAHANA KOOLAULOA, OAHU (LD. CT. APP. 1095, MAP 177)

PARCELS PROPPED: 7-14, 16-23, 34-43, 50, 67

TAXATION MAPS BUREAU
TERRITORY OF HAWAII
TAX MAP

FIRST DIVISION		
ZONE	SEC.	PLAT
5	6	01

CONTAINING PARCELS

SCALE: 1 in. = 300 ft.

EXHIBIT E

CPR DOCUMENTS

Certification of Licensed Professional Surveyor

MALAEKAHANA BAY

The undersigned, a licensed professional land surveyor, does hereby certify that, to the best of his knowledge, the attached site map filed or to be filed as part of the Condominium Map for the "MALAEKAHANA BAY" condominium project (the "Project") consisting of one (1) sheet, accurately reflects the location and dimensions of the units, limited common elements and common elements of the Project. The Project consists of two (2) existing units and six (6) spatial units, the location, dimensions, and coordinates of which are depicted on the attached map.

JOHN R. K. AKINA
Licensed Professional Land Surveyor
Hawaii Registration No. 16252

STATE OF HAWAII)
) SS.
CITY and COUNTY OF HONOLULU)

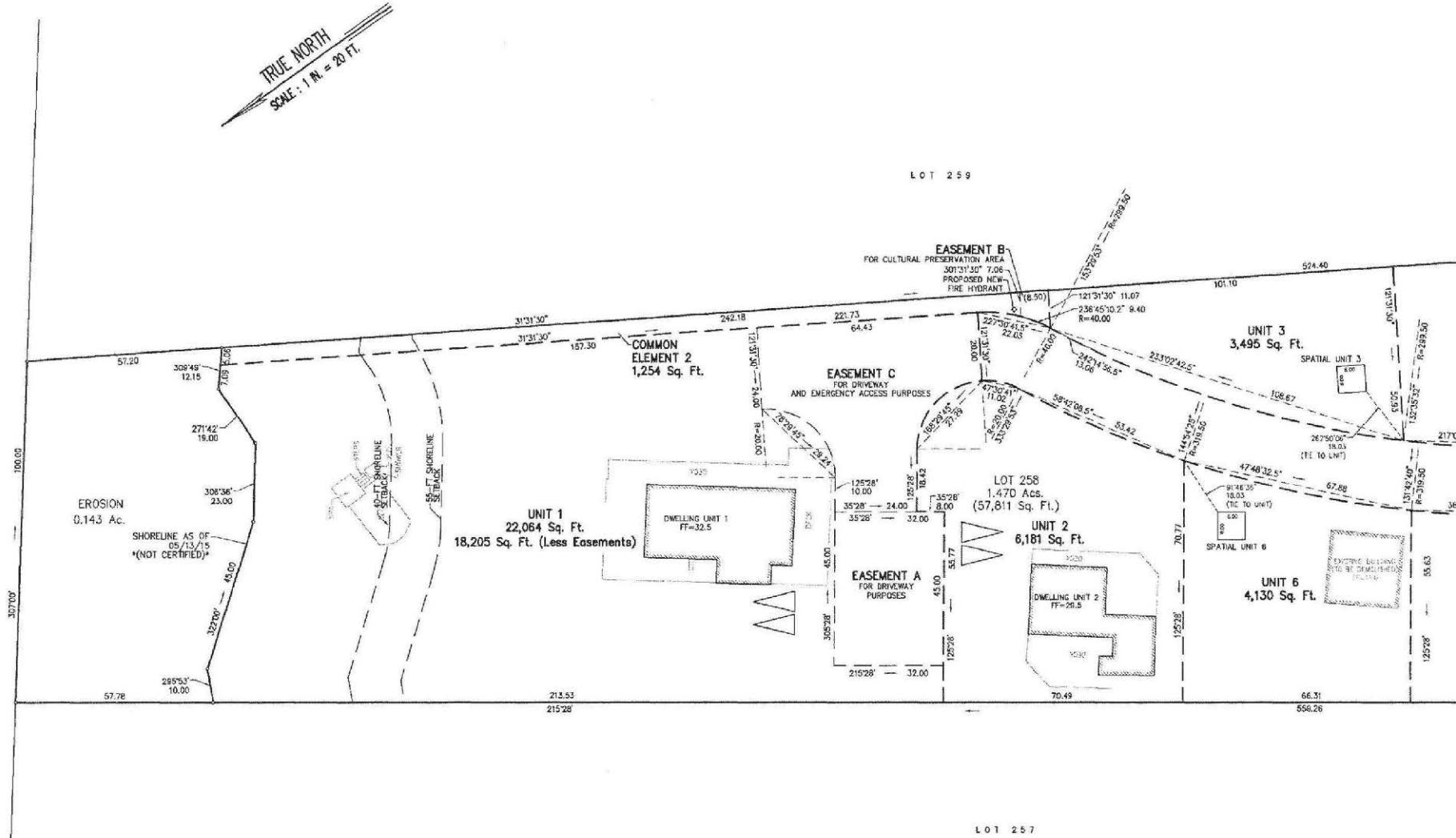
On this 9TH day of MAY, 2017, before me personally appeared JOHN R K AKINA, to me personally known, who being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

PAUL ARAKAWA
NOTARY PUBLIC
No. 09-96
STATE OF HAWAII

Print Name: PAUL ARAKAWA
Notary Public, State of Hawaii
First Circuit

My commission expires: APR 05 2021

Document Date: MAY 09 2017
Number of Pages: 2
Document Description:
CERTIFICATE OF LICENSED PROFESSIONAL SURVEYOR


TRUE NORTH
SCALE: 1 IN. = 20 FT.
LOT 259
EASEMENT B
FOR CULTURAL PRESERVATION AREA
PROPOSED NEW FIRE HYDRANT
COMMON ELEMENT 2
1,254 Sq. Ft.
EASEMENT C
FOR DRIVEWAY AND EMERGENCY ACCESS PURPOSES
UNIT 3
3,495 Sq. Ft.
SPATIAL UNIT 3
EROSION
0.143 Ac.
SHORELINE AS OF 05/13/15 *(NOT CERTIFIED)*
40-FT SHORELINE SETBACK
55-FT SHORELINE SETBACK
UNIT 1
22,064 Sq. Ft.
18,205 Sq. Ft. (Less Easements)
DWELLING UNIT 1
FF=32.5
LOT 258
1.470 Acs.
(57,811 Sq. Ft.)
UNIT 2
6,181 Sq. Ft.
DWELLING UNIT 2
FF=28.5
EASEMENT A
FOR DRIVEWAY PURPOSES
SPATIAL UNIT 6
UNIT 6
4,130 Sq. Ft.
EXISTING BUILDING TO BE DEMOLISHED
SEA
LOT 257

IMPORTANT - - Read This Developer Prepared Report Before Buying

This Report Is Not a Commission Approval or Disapproval of This Condominium Project

DEVELOPER'S PUBLIC REPORT
FOR A CONDOMINIUM

CONDOMINIUM PROJECT NAME	MALAEKAHANA BAY
Project Address	56-155 A Kamehameha Highway, Kahuku, Hawaii 96731
Registration Number	7815 (Partial Conversion)
Effective Date of Report	June 28, 2016
Developer(s)	Malaekahana LLC

Preparation of this Report

The Developer prepared this report to disclose relevant information, including "material facts", that are reasonably known to the Developer about the condominium project covered by this report. This report has been prepared pursuant to the Condominium Property Act, Chapter 514B, Hawaii Revised Statutes, as amended from time to time. The law defines "material facts" to mean "any fact, defect, or condition, past or present that to a reasonable person, would be expected to measurably affect the value of the project, unit, or property being offered or proposed to be offered for sale."

This report has not been prepared or issued by the Real Estate Commission or any other governmental agency. The issuance by the Commission of an effective date for this Developer's Public Report (1) does not mean that the Commission approves or disapproves of the project; (2) does not mean that the Commission thinks that either all material facts or all pertinent changes, or both, about the project have been fully or adequately disclosed; and (3) is not the Commission's judgment of the value or merits of the project.

This report may be used by the Developer for promotional purposes only if it is used in its entirety. No person shall advertise or represent that the Commission has approved or recommended the project, this report or any of the documents submitted with Developer's application for registration of this project.

This report will be amended if, after the effective date of this report, any changes, either material or pertinent changes, or both, occur regarding the information contained in or omitted from this report. In that case, the Developer is required to submit immediately to the Commission an amendment to this report or an amended Developer's Public Report, clearly reflecting the changes, including any omitted material facts, together with such supporting information as may be required by the Commission. In addition, the Developer may choose at any time to change or update the information in this report. Annually, at least thirty days prior to the anniversary date of the Effective Date of this report, the Developer shall file an annual report to update the material contained in this report. If there are no changes, the Developer is required to state that there are no changes. The Developer's obligation to amend this report or to file annual reports ends when the initial sales of all units in the project have been completed.

Purchasers are encouraged to read this report carefully and to seek professional advice before signing a sales contract for the purchase of a unit in the project.

Signing a sales contract may legally bind a purchaser to purchase a unit in the project, though a purchaser may have rights to cancel or rescind a sales contract under particular circumstances that may arise.

This material can be made available for individuals with special needs. Please call the Senior Condominium Specialist at 586-2643 to submit your request.

Special Attention - - Significant Matters

[Use this page for special or significant matters which should be brought to the purchaser's attention. At minimum "Subject Headings" and page numbers where the subject is explained more may be used.]

The developer's inclusion of a disclosure or an explanation of any or all of the following applicable significant matters in this part of the developer's public report shall not be construed to constitute the Commission's:

- **Approval or disapproval of the project;**
- **Representation that the developer has fully or adequately disclosed either all material facts or all pertinent changes, or both, concerning the project;**
- **Representation that the developer's disclosures of other material facts elsewhere in this report is less important; or**
- **Judgment of the value or merits of the project.**

The commission reserves the right to request that the developer include these special and significant matters elsewhere in the developer's public report.

The Developer has disclosed the following:

1. This is a CONDOMINIUM PROJECT, not a subdivision. It does not involve the sale of individual subdivided lots. The land area beneath and immediately appurtenant to each unit is designated as a LIMITED COMMON ELEMENT and not a legally subdivided lot. The dotted lines on the Condominium Map bounding the designated number of square feet in each limited common element land area are for illustrative purposes only and should not be construed to be the property lines of legally subdivided lots.

2. Facilities and improvements normally associated with County approved subdivisions, such as fire protection devices, County street lighting, electricity, upgraded water facilities, improved access for owner and emergency traffic, drainage facilities, etc., may not necessarily be provided for, and services such as County street maintenance and trash collection will not be available for interior roads and driveways. Trash is picked up on Kamehameha Highway and owners will be responsible for taking their own bagged trash to Kamehameha Highway for pick up on scheduled trash days. Mail delivery is also made to Kamehameha Highway and mailboxes are installed for Unit 1 and Unit 2 and will be installed by the Developer prior to closing for Units 3-8.

3. No warranties are given to the purchaser as to the construction, materials or workmanship of the Project or the Units. The Project is being sold in "as is, where is" condition, with all faults.

4. A prospective purchaser of a unit in the Project who wishes to improve or modify his or her residence or change its use, should be aware that he or she will be required to comply with the building codes, land use laws (LUO), other county laws and ordinances, and the Project Declaration. The LUO, for example, contains restrictions relating to the permissible use of the land, the number of dwelling units permitted, and the amount of total development permitted on the entire Project land area. The Project is subject to a Special Management Area Minor Permit (File No. 2016/SMA-24) (the "SMA") (see Exhibit "K"), which allows 6 new single-family dwellings, with conditions, including but not limited to the requirement that plans for any building permit must be approved by the State of Hawaii Historic Preservation Division. Before buying a unit in the Project, a prospective purchaser, together with an architect or professional builder is urged to carefully review the Project Declaration, the SMA and any amendments thereto, any further special use permits that may be granted for the Project, the LUO and all other applicable County ordinances which may affect the Purchaser's use of the unit and to review their intended plans with the appropriate County officials. The Developer disclaims all warranties with respect to Purchaser's being able to use the unit for any intended purposes.

5. PARKING. Unit 1 and Unit 2 currently have 2 parking spaces each. Units 3 through 8 are spatial units, and until such time as the spatial unit is replaced, parking for Units 3 through 8 is permitted anywhere within the limited common element area appurtenant to that Unit.

6. PETS. The Bylaws provide that dogs, cats, and other usual and customary animals may be kept in reasonable number per rules and regulations established by the Board. Article V of the House Rules restricts the number of pets to a total of two (2) pets per unit. Pets include dogs, cats or other usual and customary domestic or household pets or animals.

7. BUILDING AND BUILDING PERMIT RESTRICTIONS. No owner is allowed to construct any addition or alteration which would cause the Unit to exceed 50% of the buildable area of the appurtenant limited common element land area without the consent of the other owners. In addition, and until December 31, 2017, any owner is restricted from applying for a building permit, doing any work which would require a building permit, or doing anything which could affect the existing Special Management Area Minor Permit (2016/SMA-24), without Developer's prior written consent. Prospective purchasers are advised to carefully review Section Q of the Declaration.

8. ACCESS FROM KAMEHAMEHA HIGHWAY. As shown on the Condominium Map, access to the project from Kamehameha Highway is over a private driveway (Roadway Lot 270) used by various owners including the project, which owns an undivided 1/11th interest. The private driveway is part of the Land described in the Declaration as a common element of the Association.

9. EASEMENTS. Section C of the Declaration defines the easements for the Project that affect all the units. In addition to these easements, the following easements are specifically designated on the Condominium Map: i) an easement over a portion of the limited common element area for Unit 1 is reserved as "Easement A for Driveway Purposes" in favor of Unit 2; ii) a non-exclusive easement over a portion of the Common Element 2 walkway area is designated in favour of all the units as "Easement B for Cultural Preservation Area" to be use as a relocation site if required by an archaeological survey; iii) a non-exclusive easement over a portion of the limited common element area for Unit 1 is reserved as "Easement C for Driveway and Emergency Access Purposes" in favor of the Association to be used by emergency vehicles as needed; iv) a non-exclusive easement over a portion of the limited common element area for Unit 5 is reserved as "Easement D for Water Meter Purposes" for the installation of water meters for the units; and v) a non-exclusive easement over a portion of the limited common element area for Unit 8 is reserved as "Easement E for Water Meter Purposes" for the installation of water meters for the units. Potential buyers are advised to carefully review Section C of the Declaration and the Condominium Map regarding the description and location of these easements.

10. SPATIAL UNITS. Six (6) of the units (Units 3 through 8) are "spatial units" as shown on the Condominium Map. A "spatial unit" is defined in HRS Section 514B-3 as a spatial portion of the condominium designated for separate ownership of occupancy. Potential buyers may have the opportunity to design and replace the spatial units pursuant to the project documents and all applicable laws and should carefully review the Declaration and the exhibits. The coordinates of the spatial units, shown on the Condominium Map, do not necessarily reflect what can or cannot be built within the limited common element area. Potential buyers are advised to consult with their own individual architect, attorney, and/or expert to determine what can be done with a spatial unit.

11. ARCHAEOLOGICAL INVENTORY SURVEY ("AIS"). Developer has not conducted a AIS study for the property as an AIS is currently not required for Shoreline Management Area ("SMA") minor permits. Potential buyers are advised that if a SMA major permit is applied for, an AIS may be required as a condition of building and archaeological monitoring may also be requested. Developer has been informed by the State of Hawaii Historic Preservation Division ("SHHPD"), that if required, the AIS would apply only to the area covered by the scope of the proposed permit and not the entire Project. Buyers are advised to contact a professional archeologist and/or SHHPD to answer any questions that they may have and to determine the requirements for an AIS. "Easement B for Cultural Preservation Area" as shown on the Condominium Map has been set aside for use by the Association and the owners in the event bones or "iwi" are discovered on the property and require relocation. Prospective buyers are made aware that Section Q of the Declaration, provides that the unit owner is responsible for all costs related to the replacement, rebuilding, etc., of his or her unit. These costs would include the preparation of an AIS and/or involvement of the SHHPD which could be expensive and take longer to complete.

12. OCEANFRONT PROPERTY, FLOOD HAZARD ZONE AND TSUNAMI INUNDATION AREA. The property upon which the Project is situated is located within the boundaries of a special flood hazard area as officially designated on the Flood Insurance Administration maps promulgated by the appropriate Federal agencies for the purposes of determining eligibility for emergency flood insurance programs. As such, the purchaser of a Unit in the Project

shall be responsible for determining flood insurance requirements for the Unit. The property may also be located within an anticipated tsunami inundation area designated by the Department of Defense - Civil Defense Tsunami Inundation maps. The shoreline boundary and the shoreline setback line may be subject to change due to wave action along the shoreline and is subject to redetermination according to State law.

13. UTILITIES. Unit 1 and Unit 2 have individual electrical meters and water meters installed. Unit 1 is serviced by a separate septic tank system and Unit 2 is serviced by a separate cesspool. Developer may install the separate electrical and water meters/submeters for Units 3-8 prior to closing. If Developer does not, the owner of each Unit will be responsible for installing utility services for the Unit. Section Q of the Declaration allows the Developer to install separate wastewater systems to be shared by any of the Units and to allocate and restrict the number of bedrooms each Unit may have.

14. DISCREPANCY IN LAND AREA SQUARE FOOTAGE. The legal description for the subject property includes a land area of 1.470 acres underlying the Project. As noted on the Condominium Map, a 0.143 acre of property has been eroded along the property's shoreline boundary as of May 13, 2015 (uncertified). Due to the location of the property boundary along the shoreline, the actual square footage of the land may increase or decrease. Developer has not applied for or contracted for a shoreline survey for the property. Prospective buyers are advised to review the Oceanfront Property Addendum made part of the Purchase Contract for further disclosures regarding oceanfront property.

15. POWER OF ATTORNEY GIVEN TO DEVELOPER. Disclosure is hereby made that while the Developer retains an ownership interest in the Project, Developer may amend the project documents to effect any changes or amendments required by law, any title insurance company, any institutional mortgagee, or as may be required by any governmental or quasi-governmental agency without the consent or joinder of any other owner or lienholder. Each owner appoints the Developer as his or her attorney-in-fact with full power of substitution to execute any documents or instruments necessary to grant such power. Buyers are advised to carefully review Section M of the Declaration and to discuss the effect of the power of attorney given to the Developer with buyer's own legal advisors.

16. DEVELOPER'S ADDITIONAL DISCLOSURE: Abraham Lee, the Member of the Developer (Malaekahana LLC), holds an active real estate broker's license in the State of Hawaii and is the Broker-in-Charge and manager of I Properties, LLC, d.b.a. iProperties Hawaii, the real estate company handling the project sales.

17. This public report does not constitute approval of the Project by the Real Estate Commission, or any other government agency, nor does is ensure that all applicable County codes, ordinances and subdivision requirements have been complied with.

THE PROSPECTIVE PURCHASER IS CAUTIONED TO CAREFULLY REVIEW THE CONDOMINIUM DOCUMENTS REFERENCED IN THIS PUBLIC REPORT FOR FURTHER INFORMATION WITH REGARD TO THE FOREGOING. EACH BUYER IS ALSO ADVISED TO CONTACT THE APPROPRIATE GOVERNMENT AGENCIES TO DETERMINE WHETHER THERE ARE SPECIFIC REQUIREMENTS FOR THIS PROPERTY. BUYERS ARE ALSO ADVISED TO CONSULT WITH THEIR OWN ATTORNEY AND OTHER APPROPRIATE PROFESSIONALS REGARDING THE PROJECT.

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EXHIBIT K Special Management Area Minor Permit (2016/SMA-24)

General Information On Condominiums

A condominium is a special form of ownership of real property. To create a condominium in Hawaii after July 1, 2006, the Condominium Property Act, Chapter 514B, Hawaii Revised Statutes, must be followed. In addition, certain requirements and approvals of the county in which the project is located must be satisfied and obtained.

Some condominium projects are leasehold. This means that the land and/or the building(s) and other improvements are leased to the purchaser. The lease for the land usually requires that at the end of the lease term, the lessees (unit owners) deliver their interest in the land to the lessor (fee property owner).

If you are a typical condominium unit owner, you will have two kinds of ownership: (1) ownership in your individual unit; and (2) a percentage interest in the common elements.

You will be entitled to exclusive ownership and possession of your unit. Subject to the documents governing them, condominium units may be individually bought, sold, rented, mortgaged or encumbered, and may be disposed of by will, gift or operation of law.

Your unit will, however, be part of the group of units that comprise the condominium project. Study the project's Declaration of Condominium Property Regime, Bylaws of the Association of Unit Owners, Condominium Map and House Rules, if any, which are being concurrently delivered to you with this report. These documents contain important information on the use and occupancy of the units and the common elements of the project, as well as the rules and regulations of conduct for unit owners, tenants and guests.

Operation of the Condominium Project

The Association of Unit Owners is the entity through which unit owners may take action with regard to the administration, management and operation of the condominium project. Each unit owner is automatically a member of the Association.

The Board of Directors is the governing body of the Association. Unless you serve as a board member or an officer, or are on a committee appointed by the board, your participation in the administration and operation of the condominium project will in most cases be limited to your right to vote as a unit owner. The Board and officers can take certain actions without the vote of the unit owners. For example, the Board may hire and fire employees, increase or decrease maintenance fees, adopt budgets for revenues, expenses and reserves and regulate the use, maintenance, repair and replacement of common elements. Some of these actions may significantly impact the unit owners.

Until there is a sufficient number of purchasers of units to elect a majority of the Board, it is likely at first that the Developer will effectively control the affairs of the Association. It is frequently necessary for the Developer to do so during the early stages of development and the Developer may reserve certain special rights to do so in the Declaration and Bylaws. Prospective purchasers should understand that it is important to all unit owners that the transition of control from the Developer to the unit owners be accomplished in an orderly manner and in a spirit of cooperation.

1.ee THE CONDOMINIUM PROJECTee

1.1 The Underlying Land

Fee Simple or Leasehold Project e	☒Fee Simple e ☐Leasehold (attach Leasehold Exhibit)ee
Developer is the Fee Owner e	☒Yes e ☐Noee
Fee Owner's Name if Developer is e not the Fee Owner e	
Address of Project e	56-155 A Kamehameha Hwy., Kahuku, Hawaii 96731ee
Address e f Project is e xpected to change e because e	
Tax Map Key (TMK) e	(1)5-6-001-033ee
Tax eMap eKey eis e xpected e to echange because e	Individual CPR numbers will be issued for each unit. e
Land Area e	1.470 acres (approx.) e
Developer's right ee acquire the Property if e Developer is not the Fee Owner (describe) e	

1.2 Buildings and Other Improvements

Number of Buildings e	Two (2) existing buildings and Six (6) spatial units e
Floors Per Building e	Unit 1 -2 stories + basement; Unit 2 -1 story e
Number of New Building(s) e	None e
Number of Converted Building(s) e	Two (2) e
Principle Construction Materials e (concrete, wood, hollow tile, steel, e glass, etc.) e	Wood, shingle, glass. e

1.3 Unit Types and Sizes of Units e

Unit e Type e	Quantity e	BR/Bath	Net Living e Area e	Net Other e Areas e	Other Areas e (anal, arage, tc)	Total Area e
Unit 1 e	1	/3 e	1,804 sf e	1,421 sf e	lanai e	3,429 sf e
				204 sf e	basement e	
Unit 2 e	1	1/1 e	654 sf e	648 sf e	lanai decks e	1,302 sf e
Unit 3 e	1	0 e	0 e	64 sf e	spatial unit e	64 sf e
Unit 4 e	1	0 e	0 e	64 sf e	spatial unit e	64 sf e
Unit 5 e	1	0 e	0 e	64 sf e	spatial unit e	64 sf e
Unit 6 e	1	0 e	0 e	64 sf e	spatial unit e	64 sf e
Unit 7 e	1	0 e	0 e	64 sf e	spatial unit e	64 sf e
Unit 8 e	1	0 e	0 e	64 sf e	spatial unit e	64 sf e
See Exhibit e _____ .						

8 e	**Total Number of Units** e

Note: Net Living Area is the floor area of the unit measured from the interior surface of the perimeter walls of the unit. Other documents and maps may give floor area figures that differ from those above because a different method of determining floor area may have been ueed. e

1.4 Parking Stalls

Total Parking Stall in the Project:	4 (see page 1a - Parking)
Number of Guest Stalls in the Project:	0
Number of Parking Stalls Assigned to Each Unit:	Unit 1 & Unit 2 - 2 stalls each.
Attach Exhibit _____ specifying the Parking Stall number(s) assigned to each unit and the type of parking stall(s) (regular, compact or tandem and indicate whether covered or open).	
If the Developer has reserved any rights to assign or re-assign parking stalls, describe such rights.	

1.5 Boundaries of the Units

Boundaries of the unit: Exhibit A

1.6 Permitted Alterations to the Units

Permitted alterations to the unit (if the unit is defined as a non-physical or spatial portion of the project, also describe what can be built within such portion of the project): Exhibit B

1.7 Common Interest

Common Interest: Each unit will have a percentage interest in the common elements appurtenant to each unit. This interest is called the "common interest". It is used to determine each unit's share of the maintenance fees and other common profits and expenses of the condominium project. It may also be used for other purposes, including voting on matters requiring action by unit owners. The common interest for each unit in this project, as described in Declaration, is:
Described in Exhibit _____.
As follows: Unit 1 and Unit 2 - 13.25% interest Units 3 through 8 - 12.25% interest

1.8 Recreational and Other Common Facilities (Check if applicable):

☐	Swimming pool
☐	Laundry Area
☐	Storage Area
☐	Tennis Court
☐	Recreation Area
☐	Trash Chute/Enclosure(s)
☐	Exercise Room
☐	Security Gate
☐	Playground
☐	Other (describe):

1.9 Common Elements

Common Elements: Common elements are those parts of the condominium project other than the individual units and any other real estate for the benefit of unit owners. Although the common elements are owned jointly by all unit owners, those portions of the common elements that are designated as limited common elements (see Section 1.10 below) may be used only by those units to which they are assigned. In addition to the common facilities described in Section 1.8 above, the common elements for this project, as described in the Declaration, are set forth below.
Described in Exhibit C .
Described as follows:

Common Element	Number
Elevators	0
Stairways	0
Trash Chutes	0

1.10 Limited Common Elements

Limited Common Elements: A limited common element is a portion of the common elements that is reserved for the exclusive use of one or more but fewer than all units in the project.
Described in Exhibit C .
Described as follows:

1.11 Special Use Restrictions

The Declaration and Bylaws may contain restrictions on the use and occupancy of the units. Restrictions for this project include, but are not limited to, those described below.	
☒	Pets: See page 1a
☐	Number of Occupants:
☒	Other: Residential purposes. Minimum occupancy periods for rental of 30 days.
☐	There are no special use restrictions.

1.12 Encumbrances Against Title

An encumbrance is a claim against or a liability on the property or a document affecting the title or use of the property. Encumbrances may have an adverse effect on the property or your purchase and ownership of a unit in the project. Encumbrances shown may include blanket liens which will be released prior to conveyance of a unit (see Section 5.3 on Blanket Liens).
Exhibit D describes the encumbrances against title contained in the title report decribed below.
Date of the title report: March 7, 2016
Company that issued the title report: Old Republic Title & Escrow of Hawaii Ltd.

1.13 Uses Permitted by Zoning and Zoning Compliance Matters

Uses Permitted by Zoning				
	Type of Use	No. of Units	Use Permitted by Zoning	Zoning
☒	Residential	2	☒ Yes ☐ No	R-5
☐	Commercial		☐ Yes ☐ No	
☐	Mix Residential/Commercial		☐ Yes ☐ No	
☐	Hotel		☐ Yes ☐ No	
☐	Timeshare		☐ Yes ☐ No	
☐	Ohana		☐ Yes ☐ No	
☐	Industrial		☐ Yes ☐ No	
☐	Agricultural		☐ Yes ☐ No	
☐	Recreational		☐ Yes ☐ No	
☒	Other (Specify): Spatial Units	6	☒ Yes ☐ No	R-5
Is/Are this/these use(s) specifically permitted by the project's Declaration or Bylaws?			☒ Yes ☐ No	
Variances to zoning code have been granted.			☒ Yes ☐ No	
Describe any variances that have been granted to zoning code			Special Management Area Minor Permit 2016/ SMA-24 (See Exhibit K)	

1.14 Other Zoning Compliance Matters

Conforming/Non-Conforming Uses, Structures and Lots

In general, a non-conforming use, structure or lot is a use, structure or lot that was lawful at one time but that does not now conform to present zoning requirements. Under present zoning requirements, limitations may apply to extending, enlarging or continuing the non-conformity and to altering and repairing non-conforming structures. In some cases, a non-conforming structure that is destroyed or damaged cannot be reconstructed.

If a variance has been granted or if uses, structures or lots are either non-conforming or illegal, the purchaser should consult with county zoning authorities as to possible limitations that may apply in situations such as those described above.

A purchaser may not be able to obtain financing or insurance if the condominium project has a non-conforming or illegal use, structure or lot.

	Conforming	Non-Conforming	Illegal
Uses	☒	☐	☐
Structures	☐	☒	☐
Lot	☒	☐	☐

If a non-conforming use, structure or lot exists in this project, this is what will happen under existing laws or codes if the structure is damaged or destroyed:

Special Management Area Minor Permit 2016/SMA-24, allows the development of 6 new dwellings pursuant to the terms and conditions contained therein. Prospective buyers are advised to carefully review 2016/SMA-24 attached as Exhibit K and the terms, conditions and restrictions contained therein and in the Declaration.

1.15 Conversions

Developer's statements regarding units that may be occupied for residential use and that have been in existence for five years or more.	☒ **Applicable** ☐ **Not Applicable**

Developer's statement, based upon a report prepared by a Hawaii-licensed architect or engineer, describing the present condition of all structural components and mechanical and electrical installations material to the use and enjoyment of the units:
The report prepared by William Wong, Licensed Professional Architect, a copy of which is attached as Exhibit E, describes the condition of the structural components and mechanical and electrical installations of Unit 1 and Unit 2. See Page 19 for further disclosures.

Developer's statement of the expected useful life of each item reported above:
No representation is made as to the expected useful life of the structural components and/or the mechanical and electrical installations.

List of any outstanding notices of uncured violations of any building code or other county regulations:
Per Special Management Area Permit (2016/SMA-24) attached as Exhibit K, the jacuzzi & deck are built within the shoreline setback area. Developer will remove/relocate these structures prior to closing.

Estimated cost of curing any violations described above:
N/A

Verified Statement from a County Official

Regarding any converted structures in the project, attached as Exhibit F is a verified statement signed by an appropriate county official which states that either:

(A) The structures are in compliance with all zoning and building ordinances and codes applicable to the project at the time it was built, and specifying, if applicable:
- (i) Any variances or other permits that have been granted to achieve compliance;
- (ii) Whether the project contains any legal non-conforming uses or structures as a result of the adoption or amendment of any ordinances or codes; and
- (iii) Any violations of current zoning or building ordinances or codes and the conditions required to bring the structure into compliance;

or

(B) Based on the available information, the county official cannot make a determination with respect to the foregoing matters in (A) above.

Other disclosures and information:

1.16 Project In Agricultural District

Is the project in an agricultural district as designated by the land use laws of the State of Hawaii? If answer is "Yes", provide information below.	☐ **Yes** ☒ **No**
Are the structures and uses anticipated by the Developer's promotional plan for the project in compliance with all applicable state and county land use laws? ☐ Yes ☐ No If the answer is "No", provide explanation.	
Are the structures and uses anticipated by the Developer's promotional plan for the project in compliance with all applicable county real property tax laws? ☐ Yes ☐ No If the answer is "No", provide explanation and state whether there are any penalties for noncompliance.	
Other disclosures and information:	

1.17 Project with Assisted Living Facility

Does the project contain any assisted living facility units subject to Section 321-11(10), HRS? If answer is "Yes", complete information below.	☐ **Yes** ☒ **No**
Licensing requirements and the impact of the requirements on the costs, operations, management and governance of the project.	
The nature and the scope of services to be provided.	
Additional costs, directly attributable to the services, to be included in the association's common expenses.	
The duration of the provision of the services.	
Other possible impacts on the project resulting from the provision of the services.	
Other disclosures and information.	

2. PERSONS CONNECTED WITH THE PROJECT

2.1 Developer(s)	Name: MALAEKAHANA LLC Business Address: 1585 Kapiolani Blvd., #1533 Honolulu, HI 96814 Business Phone Number : 216-4999 E-mail Address:
Names of officers and directors of developers that are corporations; general partners of a partnership; partners of a limited liability partnership (LLP); or a manager and members of a limited liability company (LLC) (attach separate sheet if necessary).	Abraham Lee, Member
2.2 Real Estate Broker	Name: I Properties LLC, dba iProperties Hawaii Business Address: 1585 Kapiolani Blvd., #1533 Honolulu, HI 96814 Business Phone Number: 791-1020 E-mail Address:
2.3 Escrow Depository	Name: Old Republic Title & Escrow of Hawaii Ltd. Business Address: 4211 Waialae Ave, #8040 Honolulu, HI 96816 Business Phone Number:
2.4 General Contractor	Name: N/A Business Address: Business Phone Number:
2.5 Condominium Managing Agent	Name: None. Self-managed by the Association. Business Address: Business Phone Number:
2.6 Attorney for Developer	Name: Jennifer A. Aquino AAL ALC Business Address: P. O. Box 161297 Honolulu, HI 96816 Business Phone Number: 526-9400

3. CREATION OF THE CONDOMINIUM AND CONDOMINIUM DOCUMENTS

A condominium is created by recording in the Bureau of Conveyances (Regular System) or filing in the Office of the Assistant Registrar of the Land Court, or both, a Declaration of Condominium Property Regime, a Condominium Map and the Bylaws of the Association of Unit Owners. The Condominium Property Act (Chapter 514B, HRS), the Declaration, Bylaws and House Rules control the rights and obligations of the unit owners with respect to the project and the common elements, to each other, and to their respective units.

3.1 Declaration of Condominium Property Regime

The Declaration of Condominium Property Regime contains a description of the land, buildings, units, common interests, common elements, limited common elements, and other information relating to the condominium project.		
Land Court or Bureau of Conveyances	Date of Document	Document Number
Land Court	March 15, 2016	T-9629321

Amendments to Declaration of Condominium Property Regime		
Land Court or Bureau of Conveyances	Date of Document	Document Number
Land Court	May 16, 2016	T9632366

3.2 Bylaws of the Association of Unit Owners

The Bylaws of the Association of Unit Owners govern the operation of the condominium project. They provide for the manner in which the Board of Directors of the Association of Unit Owners is elected, the powers and duties of the Board, the manner in which meetings will be conducted, whether pets are prohibited or allowed and other matters that affect how the condominium project will be governed.		
Land Court or Bureau of Conveyances	Date of Document	Document Number
Land Court	March 16, 2016	T-9629322

Amendments to Bylaws of the Association of Unit Owners		
Land Court or Bureau of Conveyances	Date of Document	Document Number

3.3 Condominium Map

The Condominium Map contains a site plan and floor plans, elevations and layout of the condominium project. It also shows the floor plan, unit number and dimensions of each unit.	
Land Court Map Number	2319
Bureau of Conveyances Map Number	
Dates of Recordation of Amendments to the Condominium Map:	

3.4 House Rules

The Board of Directors may adopt rules and regulations (commonly called "House Rules") to govern the use and operation of the common elements and limited common elements. House Rules may cover matters such as parking regulations, hours of operation for common facilities such as recreation areas, use of lanais and requirements for keeping pets. These rules must be followed by owners, tenants, and guests. They do not need to be recorded or filed to be effective. The initial House Rules are usually adopted by the Developer. Changes to House Rules do not need to be recorded to be effective.

The House Rules for this project:		
Are Proposed	☐	
Have Been Adopted and Date of Adoption	☒	March 15, 2016
Developer does not plan to adopt House Rules	☐	

3.5 Changes to the Condominium Documents

Changes to Condominium Documents: Changes to the Declaration, Bylaws and Condominium Map are effective only if they are duly adopted and recorded. Where permitted, the minimum percentages of the common interest that must vote for or give written consent to changes to the Declaration, Bylaws and Condominium Map are set forth below. The percentages for any individual condominium project may be more than the minimum set by law if the Declaration or Bylaws for the project so provide.

Document	Minimum Set by Law	This Condominium
Declaration	67%	67%
Bylaws	67%	67%

3.6 Rights Reserved by the Developer to Make Changes to the Condominium Project or Condominium Documents

☐	No rights have been reserved to the Developer to change the Declaration, Bylaws, Condominium Map or House Rules (if any).
☒	Developer has reserved the right to change the Declaration, Bylaws, Condominium Map and House Rules (if any) and to add to or merge the project or to develop the project in one or more phases, and such rights are summarized as follows: See Exhibit G

4. CONDOMINIUM MANAGEMENT

4.1 Management of the Common Elements

Management of the Common Elements: The Association of Unit Owners is responsible for the management of the common elements and the overall operation of the condominium project. The Association may be permitted, and in some cases may be required, to employ or retain a condominium managing agent to assist the Association in managing the condominium project.

The initial Condominium Managing Agent for this project is (check one):	
☐	Not affiliated with the Developer
☒	None (self-managed by the Association)
☐	The Developer or an affiliate of the Developer
☐	Other (explain)

4.2 Estimate of the Initial Maintenance Fees

Estimate of the Initial Maintenance Fees: The Association will make assessments against your unit to provide funds for the operation and maintenance of the condominium project. If you are delinquent in paying the assessments, a lien may be placed on your unit and the unit may be sold through a foreclosure proceeding. Initial maintenance fees are difficult to estimate and tend to increase as the condominium ages. Maintenance fees may vary depending on the services provided.
Exhibit H contains a breakdown of the estimated annual maintenance fees and the monthly estimated maintenance fee for each unit, certified to have been based on generally accepted accounting principles, with the Developer's statement as to when a unit owner shall become obligated to start paying the unit owner's share of the common expenses.

4.3 Utility Charges to be Included in the Maintenance Fee

If checked, the following utilities are included in the maintenance fee:	
☐	Electricity for the common elements
☐	Gas for the common elements
☐	Water
☐	Sewer
☐	TV Cable
☒	Other (specify) Insurance

4.4 Utilities to be Separately Billed to Unit Owner

If checked, the following utilities will be billed to each unit owner and are not included in the maintenance fee:	
☒	Electricity for the Unit only
☐	Gas for the Unit only
☒	Water
☒	Sewer
☒	TV Cable
☒	Other (specify) Internet and telephone

5. SALES DOCUMENTS

5.1 Sales Documents Filed with the Real Estate Commission

☒	Specimen Sales Contract Exhibit I contains a summary of the pertinent provisions of the sales contract. Including but not limited to any rights reserved by the Developer.
☒	Escrow Agreement dated: March 15, 2016 Name of Escrow Company: Old Republic Title & Escrow of Hawaii Exhibit J contains a summary of the pertinent provisions of the escrow agreement.
☐	Other:

5.2 Sales to Owner-Occupants

If this project contains three or more residential units, the Developer shall designate at least fifty percent (50%) of the units for sale to Owner-Occupants.

☒	The sales of units in this project are subject to the Owner-Occupant requirements of Chapter 514B.
☐	Developer has designated the units for sale to Owner-Occupants in this report. See Exhibit ____ .
☒	Developer has or will designate the units for sale to Owner-Occupants by publication.

5.3 Blanket Liens

Blanket Liens: A blanket lien is an encumbrance (such as a mortgage) on the entire condominium project or more than one unit that secures some type of monetary debt (such as a loan) or other obligation. Blanket liens (except for improvement district or utility assessments) must be released as to a unit before the developer conveys the unit to a purchaser. The purchaser's interest will be affected if the developer defaults and the lien is foreclosed prior to conveying the unit to the purchaser.

☐	There are no blanket liens affecting title to the individual units.
☒	There are blanket liens that may affect title to the individual units.

Type of Lien	Effect on Purchaser's Interest and Deposit if Developer Defaults or Lien is Foreclosed Prior to Conveyance
Mortgage (See Exhibit D)	Purchaser's interest may be terminated and Purchaser may be
	entitled to a refund, less any escrow cancellation fees.

5.4 Construction Warranties

Construction Warranties: Warranties for individual units and the common elements, including the beginning and ending dates for each warranty (or the method of calculating them), are as set forth below:

Building and Other Improvements:

None. The Units will be sold in "as is" condition.

Appliances:

None. The Units will be sold in "as is" condition. Appliances, if any are present in the unit, will be sold "as is, where is".

5.5 Status of Construction, Date of Completion or Estimated Date of Completion

Status of Construction: Unit 1 was constructed in 1983 & Unit 2 in 1946. Units 3-8 are currently spatial units subject to 2/SMA-24. The existing structure on Unit 6 as shown on the condo map will be demolished by the Developer.
Completion Deadline: If a sales contract for a unit is signed before the construction of the unit has been completed, or, in the case of a conversion, completion of any repairs, does not occur by the completion deadline set forth below, one of the remedies available to a purchaser is a cancellation of the purchaser's sales contract. The sales contract may include a right of the Developer to extend the completion deadline for force majeure as defined in the sales contract. The sales contract may also provide additional remedies for the purchaser.
Completion Deadline for any unit not yet constructed, as set forth in the sales contract: n/a. Unit 1 and Unit 2 are completed. Units 3 through 8 are spatial units.
Completion Deadline for any repairs required for a unit being converted, as set forth in the sales contract: n/a. No repairs are being made to the units.

5.6 Developer's Use of Purchaser Deposits to Pay for Project Construction Costs Before Closing or Conveyance

☒	Spatial Units. The Developer hereby declares by checking the box to the left that it is offering spatial units for sale and will not be using purchasers' deposits to pay for any costs to pay for project construction or to complete the project. Should the developer be using purchasers' deposits to pay for any project construction costs or to complete the project including lease payments, real property taxes, architectural, engineering, legal fees, financing costs; or costs to cure violations of county zoning and building ordinances and codes or other incidental project expenses, the Developer has to met certain requirements, described below in 5.6.1 or 5.6.2..

The Developer is required to deposit all moneys paid by purchasers in trust under a written escrow agreement with a Hawaii licensed escrow depository. Escrow shall not disburse purchaser deposits to the Developer or on behalf of the Developer prior to closing, except if a sales contract is canceled or if Developer has met certain requirements, which are described below.

5.6.1 Purchaser Deposits Will Not Be Disbursed Before Closing or Conveyance

☐	The Developer hereby declares by checking the box to the left that it shall use its own funds to complete the construction of the condominium project by the date indicated in Section 5.5 of this report, and the Developer, pursuant to its own analysis and calculations, certifies that it has sufficient funds to complete the construction of the condominium project. *If this box is checked, Section 5.6.2, which follows below, will not be applicable to the project.*

5.6.2 Purchaser Deposits Will Be Disbursed Before Closing

Hawaii law provides that, if certain statutory requirements are met, purchaser deposits in escrow under a binding sales contract may be used before closing to pay for certain project costs. For this project, the Developer indicates that purchaser deposits may be used for the following purposes (check applicable box):	
☐	For new construction: to pay for project construction costs described in the Developer's budget and approved by the Developer's lender or an otherwise qualified, financially disinterested person; or
☐	For conversions: to pay for repairs necessary to cure violations of county zoning and building ordinances and codes, for architectural, engineering, finance and legal fees, and for other incidental expenses.

In connection with the use of purchaser deposits (check Box A or Box B):

Box A ☐	The Developer has submitted all information and documents required by law and the Commission prior to the disbursement of purchaser deposits before closing. This means that the Developer may use such deposits before closing. If the Developer decides not to use purchaser deposits before closing, the Developer does not need to amend this report. If Box A is checked, you should read and carefully consider the following notice, which is required by law: **Important Notice Regarding Your Deposits: Deposits that you make under your sales contract for the purchase of the unit may be disbursed before closing of your purchase to pay for project costs, construction costs, project architectural, engineering, finance, and legal fees, and other incidental expenses of the project. While the developer has submitted satisfactory evidence that the project should be completed, it is possible that the project may not be completed. If your deposits are disbursed to pay project costs and the project is not completed, there is a risk that your deposits will not be refunded to you. You should carefully consider this risk in deciding whether to proceed with your purchase.**
Box B ☐	The Developer has **not** submitted all information and documents required by law and the Commission, and, until all such information and documents are submitted, thus, the Developer cannot use purchaser deposits. If the Developer later submits all information and documents required by law and the Commission for the use of purchaser deposits, then the Developer must provide an amendment to this report or an amended developer's public report to each purchaser who has signed a sales contract. At such time, the **Important Notice Regarding Your Deposits** set forth immediately above will apply to all purchasers and will be restated in the amendment to this report or an amended developer's public report. When an effective date for such an amendment or an amended developer's public report is issued, **you will not have the right to rescind or cancel the sales contract by reason of such submission and amendment.** (This, however, does not affect your right to rescind for material changes or any other right you may have to rescind or cancel the sales contract, as described in Section 5.8 below.) If the Developer decides not to use purchaser deposits before closing, the Developer does not need to amend this report. You should understand that, although the **Important Notice Regarding Your Deposits** set forth above does not currently apply to you, it might apply to you in the future, and, therefore, you should read and carefully consider it now to ensure that you understand the risk involved in deciding whether to proceed with your purchase.

Material House Bond. If the Developer has submitted to the Commission a completion or performance bond issued by a material house instead of a surety as part of the information provided prior to the use of purchaser deposits prior to closing or conveyance of a unit, the Developer shall disclose the same below and disclose the impact of any restrictions on the Developer's use of purchaser deposits.

5.7 Rights Under the Sales Contract

Before signing the sales contract, prospective purchasers should carefully review all documents relating to the project. These include but are not limited to the documents listed below. Items 2, 3 and 4 are made a part of this public report, as well as Item 5, if any, and are being delivered to you with this report.	
1.	**Developer's Public Report**
2.	**Declaration of Condominium Property Regime (and any amendments)**
3.	**Bylaws of the Association of Unit Owners (and any amendments)**
4.	**Condominium Map (and any amendments)**
5.	House Rules, if any
6.	Escrow Agreement
7.	Hawaii's Condominium Property Act (Chapter 514B, HRS, as amended) and Hawaii Administrative Rules (Chapter 16-107, adopted by the Real Estate Commission, as amended), provided that rules and regulations under Chapter 514B have not yet been adopted.
8.	Other: Special Management Area Minor Permit 2016/SMA-5. See Exhibit K.

Copies of the condominium and sales documents and amendments made by the Developer are available for review through the Developer or through the Developer's sales agent, if any. The Condominium Property Regime law (Chapter 514B, HRS) and the Administrative Rules (Chapter 107, HAR), are available online. Please refer to the following sites:
Website to access official copy of laws: www.capitol.hawaii.gov
Website to access rules: www.hawaii.gov/dcca/har

5.8 Purchaser's Right to Cancel or Rescind a Sales Contract

A purchaser's right to cancel a sales contract or to rescind a sales contract may arise under varying circumstances. In the sections below, some circumstances that will give rise to a purchaser's right to cancel or rescind are described, together with what a purchaser must do if the purchaser wishes to exercise any of the rights.

5.8.1 When a Sales Contract becomes Binding and Purchaser's 30-Day Right to Cancel a Sales Contract

A sales contract signed by a purchaser and the developer will not become binding on a purchaser or the Developer until the following events have taken place:

(1) The purchaser has signed the sales contract.

(2) The Developer has delivered to the purchaser a true copy of the developer's public report with an effective date issued by the Commission, together with all amendments to the report as of the date of delivery, and the project's recorded Declaration and Bylaws, House Rules (if any), the Condominium Map and any amendments to them to date (all of which are a part of the developer's public report). If it is impracticable to include a letter-sized Condominium Map, the Developer must provide written notice of an opportunity to examine the Condominium Map.

(3) The Developer has delivered to the purchaser a notice of the purchaser's 30-day cancellation right on a form prescribed by the Commission.

(4) The purchaser does at least one of the following:

(a) Waives the purchaser's right to cancel the sales contract within 30 days from receipt of the notice of the purchaser's 30-day cancellation right; or

(b) Allows the 30-day cancellation period to expire without exercising the right to cancel; or

(c) Closes the purchase of the unit before the 30-day cancellation period expires.

The purchaser or the Developer may cancel the sales contract at any time during the 30-day cancellation period, and the sales contract will be canceled and the purchaser's deposits returned to the purchaser, less any escrow cancellation fee and other costs associated with the purchase, up to a maximum of $250.

5.8.2 Right to Cancel a Sales Contract if Completion Deadline Is Missed

In addition to the purchaser's 30-day cancellation right described in Section 5.8.1 above, when a sales contract is signed before completion of construction of a project, the purchaser will have the right to cancel if the unit is not completed by certain deadlines. In conversion projects, there must be a deadline for completion of any required repairs. Every sales contract shall contain an agreement of the Developer that the completion of construction shall occur on or before the completion deadline, and that completion deadline is set forth in this report in Section 5.5. The sales contract shall provide that the purchaser may cancel the sales contract at any time after the specified completion deadline, if completion of construction does not occur on or before the completion deadline, as the same may have been extended. Upon a cancellation, the purchaser's deposits shall be refunded, less any escrow cancellation fee and other costs associated with the purchase, up to a maximum of $250.00.

5.8.3 Purchaser's Right to Rescind a Binding Sales Contract After a Material Change

If a "material change" in a project occurs after a purchaser has signed a sales contract that has become binding, the purchaser will have a 30-day right to rescind after notification and description of the material change. A material change is defined in the Condominium Property Act to be any change that "directly, substantially and adversely affects the use or value of (1) a purchaser's unit or appurtenant limited common elements; or (2) those amenities of the project available for the purchaser's use."

The purchaser will be informed of the material change by the developer on a form prescribed by the Commission containing a description of the material change.

After notice of the material change, the purchaser may waive the right to rescind by:

(1) Checking the waiver box on the rescission form; or

(2) Letting the 30-day rescission period expire, without taking any action to rescind; or

(3) Closing the purchase of the unit before the 30-day rescission period expires.

The rescission form must be signed by all purchasers of the affected unit and delivered to the developer no later than midnight of the 30th calendar day after the purchasers received the rescission form from the developer. Purchasers who validly exercise the right of rescission shall be entitled to a prompt and full refund of any moneys paid.

A rescission right shall not apply in the event of any additions, deletions, modifications and reservations including, without limitation, the merger or addition or phasing of a project, made pursuant to the terms of the project's Declaration.

These provisions shall not preclude a purchaser from exercising any rescission rights pursuant to a contract for the sale of a unit or any applicable common law remedies.

6. MISCELLANEOUS INFORMATION NOT COVERED ELSEWHERE IN THIS REPORT

HAZARDOUS MATERIALS. The developer neither prepared nor commissioned a Phase 1 Environmental Site Assessment and makes no representations or warranties whatsoever. The developer has made no independent investigation as to asbestos or other hazardous substances in the units or in, under or around the Project, including but not limited to, radioactive materials, organic compounds known as polychlorinated biphenyls, chemicals known to cause cancer or reproductive toxicity, pollutants, contaminants, hazardous wastes, toxic substances, and any and all other substances or materials defined as or included in the definition of "hazardous substances", "hazardous wastes", "hazardous materials" or "toxic substances" under, or for the purposes of, hazardous materials laws. Buyer acknowledges that in light of the age of the Project, there may be asbestos and other hazardous substances in the units, or in, under or around the Project. Because of the possible presence of such substances, Buyer should have the unit inspected to determine the extent (if any) of such contamination and any necessary remedial action. The developer will not correct any defects in the units or in the Project or anything installed or contained therein and Buyer expressly releases the developer from any liability to Buyer if any hazardous materials are discovered.

LEAD BASED PAINT. Pursuant to federal law, 42 U.S.C 4852(d), the Residential Lead-Based Paint Reduction Act, "Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase."

REAL PROPERTY TAXES. The preliminary title report dated March 7, 2016 indicates that the real property taxes for the subject property are delinquent. Since the issuance of the title report the taxes have been paid and payment will be confirmed with escrow prior to closing on the sale of any Unit in the project.

The Developer declares subject to the penalties set forth in Section 514B-69, HRS, that this project conforms to the existing underlying county zoning for the project, zoning and building ordinances and codes and all applicable permitting requirements adopted by the county in which the project is located, all in accordance with Sections 514B-5 and 32(a)(13), HRS.

For any conversion, if any variances have been granted, they are specified in Section 1.14 of this report, and, if purchaser deposits are to be used by the Developer to cure any violations of zoning, permitting requirements or rules of the county in which the project is located, the violation is specified in Section 1.15 of this report, along with the requirements to cure any violation, and Section 5.5 specifies the date by which the cure will be completed.

The Developer hereby certifies that all the information contained in this report and the exhibits attached to this report and all documents to be furnished by the Developer to purchasers concerning the project have been reviewed by the Developer and are, to the best of the Developer's knowledge, information and belief, true, correct and complete. The Developer hereby agrees promptly to amend this report to report and include either or all material facts, material or pertinent changes to any information contained in or omitted from this report and to file annually a report to update the material contained in this report at least 30 days prior to the anniversary date of the effective date of this report.

MALAEKAHANA LLC

Printed Name of Developer

By: _____ JUN 21 2016

Duly Authorized Signatory* Date

Abraham Lee, Its Member

Printed Name & Title of Person Signing Above

Distribution:

Department of Finance, City and County of Honolulu

Planning Department, City and County of Honolulu

***Must be signed for a corporation by an officer; for a partnership or limited liability partnership (LLP) by the general partner; for a limited liability company (LLC) by the manager or an authorized member; and for an individual by the individual.**

BOUNDARIES OF UNITS

The Project consists of Eight (8) separate and distinct freehold estates, deemed to include the entire structure and all improvements located therein, are bounded by and including the decorated or finished surfaces of the exterior of the perimeter walls, including all exterior doors and windows, by the exterior surfaces of the respective roofs thereof, and inclusive of the floor and ceiling of each of the buildings in the Project, together with any entries, porches, steps, stairs, walkways, lanais, decks, laundry areas, carports, or other improvements physically attached to each structure. Unit 1 and Unit 2 are existing structures. Units 3 through 8 are currently spatial units, the location and coordinates of the horizontal boundaries of each spatial unit are shown on the Condominium Map

PERMITTED ALTERATIONS TO UNITS

Section L of the Declaration provides that no work shall be done to the Units, the limited common elements appurtenant thereto, or any other part of the Project, by any owner of a Unit or any other person, which could jeopardize the soundness or safety of the Project, reduce the value thereof, or impair any easement, as reasonably determined by the Board. Except as otherwise provided by law, and subject to the requirements set forth in Section Q of the Declaration, all other additions to or alterations of any Unit or its appurtenant limited common elements by the owner of such Unit shall be permitted without restriction, provided that the alteration or addition shall not affect the common elements, the other Unit(s), or the limited common elements appurtenant to any other Unit(s), and the owner or other person making such additions or alterations shall comply strictly with all applicable laws, ordinances, rules and regulations of any governmental entity, including but not limited to the Special Management Area Permit 2016/SMA-24 (Minor) (the "SMA (Minor) Permit"), a copy of which is attached to the Declaration as Exhibit "B" and by reference made a part hereof, and also to this Report as Exhibit K, and shall also obtain all necessary permits, if required, at such owner or person's sole expense.

Section Q of the Declaration provides that a Unit owner shall have the right, with the consent of any mortgagee affecting said Unit, to remove, redesign, improve, renovate, make additions to, enlarge, replace with a new Unit, or restore his or her Unit on the limited common elements appurtenant to such Unit at such Unit owner's sole option at any time and from time to time, without the consent of the Association, the other owners of Units, any lien holder thereof, or anyone with an interest in the Project, and pursuant to plans and conditions more particularly described in Section Q of the Declaration. If any owner removes, redesigns, improves, renovates, adds to or replaces his or her Unit, different in any respect from the description of said Unit in the Declaration or as shown on the Condominium Map, then, upon completion of construction, the owner shall amend the Declaration to set forth the changes to said Unit, and the Condominium Map to include a complete set of floor plans and elevations, as may be necessary or as may be required by the Condominium Property Act to incorporate the changes made to the new, redesigned or renovated Unit. The amendment shall be signed only by the Unit owner(s) effectuating such changes, shall be recorded in the Bureau of Conveyances and a copy of the recorded amendment, together with a copy of the plans recorded therewith, shall be provided to the Association promptly upon request thereof. Prospective purchasers are cautioned to carefully review Section Q of the Declaration and to discuss the conditions and requirements for altering a unit with purchaser's professional consultants.

NOTE: This summary is a brief description of some of the restrictions and requirements of permitted alterations to the units. Buyer is advised to carefully review the Declaration, and in particular Section Q, and become familiar with the terms and conditions contained therein.

EXHIBIT B

COMMON ELEMENTS

Section A.2 of the Declaration defines the common elements of the Project as:

(a) The Land in fee simple.

(b) That certain driveway consisting of approximately 5,532 square feet, as shown on the Condominium Map as a Common Element 1, and providing vehicular and pedestrian access to and from the Project and the private roadway leading to Kamehameha Highway, as shown on the Condominium Map.

(c) That certain area consisting of approximately 1,254 square feet, as shown on the Condominium Map as Common Element 2, and providing pedestrian access to and from the Common Element 1 driveway to the Sea located behind the Project, as shown on the Condominium Map.

(d) All pipes, wires, conduits, and other utility and service lines which are utilized for or serve all of the Units.

(e) Any and all other apparatus and installations of common use, and all other parts of the Project necessary or convenient to its existence, maintenance, and safety, or normally in common use.

LIMITED COMMON ELEMENTS

Section A.3 of the Declaration provides that certain parts of the common elements are hereby set aside and reserved for the exclusive use of the Units and shall constitute limited common elements appurtenant thereto. Each Unit shall have an exclusive easement for the use of the limited common elements appurtenant thereto, except as otherwise provided herein. The cost of maintenance, repair, upkeep, and replacement of each limited common element shall be assessed to the owner of the Unit to which such limited common element is appurtenant. The limited common elements shall be appurtenant to each of the Units as follows:

(a) That certain 22,064 square feet, more or less, of the real property of the Project which includes the real property upon which Unit 1 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, but subject to those certain Easements A and C described in Section C of the Declaration, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 1 shall be located within this limited common element area.

(b) That certain 6,181 square feet, more or less, of real property of the Project which includes the real property upon which Unit 2 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 2 shall be located within this limited common element area.

(c) That certain 3,495 square feet, more or less, of real property of the Project which includes the real property upon which Unit 3 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences,

sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 3 shall be located within this limited common element area.

(d) That certain 3,800 square feet, more or less, of real property of the Project which includes the real property upon which Unit 4 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 4 shall be located within this limited common element area.

(e) That certain 3,250 square feet, more or less, of real property of the Project which includes the real property upon which Unit 5 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, but subject to that certain Easement D described in Section C of the Declaration, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 5 shall be located within this limited common element area.

(f) That certain 4,130 square feet, more or less, of real property of the Project which includes the real property upon which Unit 6 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 6 shall be located within this limited common element area.

(g) That certain 4,052 square feet, more or less, of real property of the Project which includes the real property upon which Unit 7 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 7 shall be located within this limited common element area.

(h) That certain 4,052 square feet, more or less, of real property of the Project which includes the real property upon which Unit 8 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, but subject to that certain Easement E described in Section C of the Declaration, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 8 shall be located within this limited common element area.

(i) All pipes, wires, conduits, and other utility and service lines not contained within a Unit but used by and servicing one or more of the Units, but not all of the Units, shall be a limited common element appurtenant to and for the exclusive use of the Unit or Units using and serviced exclusively by such pipes, wires, conduits, and other utility and service lines.

ENCUMBRANCES AGAINST TITLE

1. Real Property Taxes, your attention is directed to the Director of Finance, City and County of Honolulu

2. AS TO PARCEL FIRST:
A. Any adverse claim based upon the location of the seaward boundary and/or the shoreline setback line of the herein described property, as may be established under the laws of the State of Hawaii.

3. AS TO PARCEL SECOND:
A. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following
Instrument : EXCHANGE DEED
Granted To : STATE OF HAWAII
For : Perpetual aerial easement across Lot 62
Dated : October 24, 1933
Recorded : November 25, 1933 in the Bureau of Conveyances, State of Hawaii, in Book 1219, Page 411

B. EASEMENT "16" (20 feet wide)
For : right of way purposes
As shown on Map 4
As set forth by Land Court Order No. 3094 filed April 21, 1938

C. Right of way in favor of Lots entitled thereto over said Lots 62 and 270 to a public highway, as set forth by Land Court Order No. 3715, filed October 19, 1939.

D. Rights of others who own undivided interest in the land herein described.

4. MORTGAGE
Mortgagor : MALAEKAHANA LLC, a Hawaii limited liability company
Mortgagee : REED DENNIS COPSEY and ANNE DENNIS COPSEY, husband and Wife
Dated : December 7, 2015
Recorded : December 7, 2015 in the Office of the Assistant Registrar of the Land Court, State of Hawaii, as Document No. T-9471088

5. Declaration of Condominium Property Regime of Malaekahana Bay dated March 15, 2016, and recorded in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. T-9629321. The plans thereof filed in said Land Court Map No. 2319.

Said Declaration was amended and restated in its entirety by Amended and Restated Declaration of Condominium Property Regime of Malaekahana Bay dated May 16, 2016, recorded as Land Court Document No. T-9632366.

6. By-Laws of the Association of Unit Owners of Malaekahana Bay, recorded in the Land Court as aforesaid as Document No. T-9629322.

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

KIRK CALDWELL
MAYOR

GEORGE I. ATTA, FAICP
DIRECTOR

ARTHUR D. CHALLACOMBE
DEPUTY DIRECTOR

2015/ELOG-902(LT)

November 27, 2015

Mr. Abe Lee
1585 Kapiolani Boulevard, 1533
Honolulu, Hawaii 96814

Dear Mr. Lee:

SUBJECT: Condominium Conversion Project
56-155A Kamehameha Highway
Tax Map Key: 5-6-001: 033

This is in response your letter dated May 5, 2015, requesting verification that the structures on the above-referenced property met all applicable code requirements at the time of construction.

Investigation revealed the one-story single-family detached dwelling with two unpaved off-street parking spaces and the two-story single-family detached dwelling with two all-weather-surface off-street parking spaces met all applicable code requirements when it was relocated (Building Permit No. 53069) in 1946 and constructed in 1983, respectively, on this 64,033-square-foot R-5 Residential District zoned lot.

Investigation also revealed the following:

1. The two unpaved off-street parking spaces are considered nonconforming.

2. On October 9, 2015, a Special Management Area Minor Permit (File No. 2015/SMA-44) was approved with conditions to construct two new single-family dwellings and private access road improvements on a lot with two existing dwellings.

As a result of the adoption or amendment of any ordinance or code, the Department of Planning and Permitting cannot determine all other nonconforming uses or structures.

EXHIBIT F

No variances or other permits were granted to allow deviations from any applicable codes.

Conversion to a condominium property regime (CPR) is not recognized by the City and County as an approved subdivision. CPR delineates ownership; it does not create separate lots of record for subdivision and zoning purposes.

If you have any questions regarding this matter, please contact Angel Barcelo of our Commercial and Multi-Family Code Enforcement Branch at 768-8152.

Very truly yours,

George I. Atta, FAICP
Director

DEVELOPER'S RESERVED RIGHTS TO CHANGE PROJECT DOCUMENTS

Pursuant to Section M of the Declaration, the Developer has reserved the following rights to change the Project documents:

Notwithstanding the sale and conveyance of any Unit in the Project, while the Developer retains any interest in the Project, the Developer may, without the consent or joinder of any Unit owner, lienholder thereof, or other person or entity, amend the Declaration, the By-Laws, and/or the Condominium Map to effect any changes or amendments required by law, any title insurance company, or any institutional mortgagee, or as may be required by any governmental or quasi-governmental agency. Each and every party acquiring an interest in the Project, shall, by virtue of such acquisition, consent to such amendments by the Developer, and, if requested, agrees to execute and deliver such documents and instruments and do all such things necessary and/or convenient to effect the same, and hereby appoints the Developer and its assigns as his or her attorney-in-fact, with full power of substitution to execute, deliver and record such documents and instruments and to do such things on his or her behalf, which grant of such power, being coupled with an interest, is irrevocable for the term of such reserved rights and shall not be affected by any disability of the party or parties.

At anytime prior to the first recording in the Bureau of Conveyances, State of Hawaii, of a conveyance or transfer of a Unit in the Project to any person other than the Developer, the Developer may amend the Declaration, and any of the Exhibits hereto, the By-Laws, and/or the Condominium Map in any manner, without the consent of any purchaser or any other party. No amendment to the Declaration and/or the By-Laws which adversely impacts or negates, or attempts to negate any of the rights reserved by the Developer in the Declaration and/or in the By-Laws shall be valid without the expressed written consent of the Developer, Developer's permitted successors and assigns, and contained in said amendment.

The Developer has also reserved rights to modify the units and the Project pursuant to Sections L, Q and R of the Declaration, and the Developer has reserved the right to amend the Project documents to note any changes the Developer may make to the Project.

EXHIBIT H

ESTIMATE OF INITIAL MAINTENANCE FEES

Estimate of Initial Maintenance Fees:

Unit	Monthly Fee x 12 months = Yearly Total
1	45 X 12 = 540
2	45 X 12 = 540
3	45 X 12 = 540
4	45 X 12 = 540
5	45 X 12 = 540
6	45 X 12 = 540
7	45 X 12 = 540
8	45 X 12 = 540
	360 X 12 = 4320

The Real Estate Commission has not reviewed the estimates of maintenance fee assessments and disbursements for their accuracy or sufficiency.

Estimate of Maintenance Fee Disbursements:

Monthly Fee x 12 months = Yearly Total

Utilities and Services

Air Conditioning
Electricity
[NA common elements only
[NA common elements and apartments

Elevator
Gas
[NA common elements only
[NA common elements and apartments
Refuse Collection
Telephone
Water

Maintenance, Repairs and Supplies

Building NA
Grounds NA

Management

Management Fee NA
Payroll and Payroll Taxes NA
Office Expenses NA

Insurance ASSOCIATION LIABILITY 85 X12 = 1020

Reserves(*) REPAVE DRIVEWAY 275 X12 = 3300

Taxes and Government Assessments

Audit Fees

Other

TOTAL $ ~~0.00~~ 4,320

I, ABRAHAM LEE, as DEVELOPER, for the MALAEKA HANA RAE condominium project, hereby certifies that the above estimates of initial maintenance fee assessments and maintenance fee disbursements were prepared in accordance with generally accepted accounting principles.

Signature

3/18/16
Date

EXHIBIT I

SUMMARY OF SPECIMEN SALES CONTRACT

Prospective purchasers are advised to carefully review the specimen Condominium Purchase Agreement (the "Agreement") prior to signing. The Agreement contains, among other things, the following provisions:

1. Inspection. Buyer shall inspect the Unit within seven (7) calendar days of acceptance of the Agreement by Seller. Buyer shall have seven (7) calendar days from the inspection to cancel the Agreement by providing Seller and Escrow with written notice to that effect. If Buyer does not provide Seller and Escrow with written notice of cancellation, Buyer shall be deemed to have accepted the Unit and will proceed with closing.

2. Risk of Loss. Risk of loss to the Unit shall be borne by Seller until the Date of Closing; thereafter, such risk of loss shall be borne by Buyer.

3. Time is of the Essence; Default. Section 10 of the Agreement provides that time is of the essence of the obligations of Buyer under this Agreement. Buyer shall be in default under this Agreement if Buyer fails to make a payment when due or if Buyer fails to perform any other required obligation and such failure continues for fifteen calendar (15) days after Seller gives written notice to Buyer of such failure. Any such notice shall be sent by certified or registered mail and shall be deemed given upon deposit in the United States mail, even if Buyer does not sign a return receipt for the mail. In the event of any such default, Seller may, at Seller's option, terminate this Agreement by written notice to Buyer. In the event of such termination, the parties understand and agree that in view of Seller's financial commitments with respect to the Project; the connection between the sale, cancellation or default with respect to one unit and the sale, cancellation or default with respect to other units in the Project; and the nature of the real estate market in Hawaii, that Seller's injury will be uncertain as to the nature and amount, and may be difficult to ascertain. As a reasonable estimate of Seller's damages resulting from such termination, the parties agree that all sums previously paid by Buyer under this Agreement shall belong to Seller as liquidated damages. If Seller does not terminate this Agreement on account of such default, then all costs, including reasonable attorneys' fees, incurred by reason of the default by Buyer shall be borne by Buyer, and Seller may pursue any and all other remedies on account of such default (other than termination of this Agreement) permitted by law or equity, including but not limited to specific performance. If Seller shall default in selling the Unit to Buyer, the parties agree that Buyer's sole remedy, if Buyer is not in default hereunder, shall be to rescind this Agreement and receive a refund of all sums paid by Buyer.

4. Estimated Monthly Maintenance Charges; Collection of "Start-up" Fee. Buyer has examined and approved the estimate of monthly maintenance charges and assessments for the Unit as shown in the Public Report. Buyer is aware that such amounts are only estimates, and BUYER AGREES THAT SUCH ESTIMATES ARE NOT INTENDED TO BE AND DO NOT CONSTITUTE ANY REPRESENTATION OR WARRANTY BY SELLER, INCLUDING BUT NOT LIMITED TO ANY REPRESENTATION OR WARRANTY AS TO THE ACCURACY OF SUCH ESTIMATES. In addition to the Purchase Price, Buyer shall pay an additional sum at closing as Buyer's pro rata share of the Association of Unit Owners' common expense reserve fund. This non-refundable, non-transferable "start-up" fee will become the property of the Association of Unit Owners, and shall be in an amount which will be determined by Seller prior to closing. That amount will in no event be less than TWO (2) months estimated common expense assessments for the Unit, and not less that TWO (2) months estimated reserves, if any. Note, "start-up" fees are collected in addition to the monthly maintenance charges that Buyer will become obligated to pay after closing.

5. Conversion Of Existing Building; Nonconformities; No Warranties. Buyer is aware, agrees and affirms that the Project consists of the conversion of two (2) existing dwellings and six (6) spatial units into condominium units pursuant to the Condominium Property Act, Chapter 514B, Hawaii Revised Statutes, as amended. Pursuant to the letter dated November 27, 2015, issued by the Department of Planning and Permitting, City and County of Honolulu, State of Hawaii ("DPP"), the two-story single-family detached dwelling (Unit 1) and the one-story single-family detached dwelling (Unit 2) met all applicable code requirements at the time of construction in 1983 and 1946, respectively. On April 21, 2016, an Special Management Area Minor Permit, No. 2016/SMA-24, a copy of which is attached to the Declaration as Exhibit "B" (and as Exhibit K to this report), was approved with conditions by DPP to allow the construction of six (6) new single-family detached dwellings, subject to the conditions set forth therein. Copies of these variances/special permits are included with the Developer's Public Report. Seller is not aware of any other variances or other special permits granted to allow deviations from the applicable building and zoning codes. It is expressly understood and agreed by and between Seller and Buyer that SELLER MAKES NO WARRANTIES, EXPRESS OR IMPLIED, ORAL OR WRITTEN, WITH RESPECT TO THE BUILDINGS/DWELLINGS, THE UNIT, OR CONSUMER PRODUCTS OR ANYTHING ELSE INSTALLED IN THE UNIT OR IN THE PROJECT, INCLUDING BUT NOT LIMITED TO: A) ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE; B) THE WORKMANLIKE CONSTRUCTION, STRUCTURAL SOUNDNESS, CONDITION OR STATE OF REPAIR, OPERATING ORDER, SAFETY, LIVABILITY OF ANY IMPROVEMENT IN OR WITHIN THE UNITS AND/OR THE PROJECT; C) THE EXISTENCE, PRESENCE OR ABSENSE OF ANY ARCHAEOLOGICAL SITES, ARTIFACTS AND/OR REMAINS THAT MAY BE LOCATED ON, AT, UNDER, UPON OR ADJACENT TO THE LAND UPON WHICH THE PROJECT IS LOCATED; AND D) WHETHER THE PROJECT, THE UNITS, OR ANY OF THE IMPROVEMENTS MEET THE REQUIREMENTS OF ANY BUILDING, ZONING, LAND USE, SET BACK, HEALTH OR OTHER LAW, ORDINANCE, OR RULE OR REGULATION WHICH MAY BE APPLICABLE TO THE PROJECT BY ANY GOVERNMENTAL AUTHORITY.

Buyer agrees the Unit is being purchased in its "AS IS, WHERE IS" condition, with all faults, and without any warranties or representations, expressed or implied, oral or written. This means that all land, improvements (including but not limited to the roof, walls, foundations, structural components, soils, plumbing, electrical and mechanical systems, etc.) and real property and personal property (if any) are being purchased in their **"AS IS, WHERE IS" CONDITION, WITH ALL FAULTS, AND WITHOUT WARRANTY OR REPRESENTATIONS, EXPRESSED OR IMPLIED, notwithstanding the existence of any defects known or unknown, latent, or otherwise**: Buyer acknowledges that Buyer will be given an opportunity to inspect the Unit and, by closing on the sale of the Unit, Buyer accepts the Unit in it's "AS IS" condition with all faults as provided for herein. Buyer acknowledges that there may be material facts about the Unit and/or the Project or any of the improvements located within the Project, and the real property and personal property, if any, of which Seller is not aware, which qualified experts may be able to discover, or there may be hidden defects which time may reveal. Buyer understands that Buyer shall give up, waive and relinquish any and all rights to asset any claim, demand, proceeding or lawsuit of any kind against Seller, Seller's employees, representatives, members, officers, or consultants, or Seller's Broker or Agents with respect to the condition of the Unit or the Project, except for claims which are based upon Seller's or Seller's Broker or Agent's concealment of material facts and defects which those parties are required by law to disclose. This provision shall survive closing or the termination of this Agreement.

6. Developer's Public Report; Buyer's Right to Cancel or Rescind This Agreement. The Developer's Public Report for the Project has been issued an effective date by the Real Estate Commission. Buyer shall receive a copy of that document along with a Receipt For Developer's Public Report (the "Receipt") and a Notice Of Right To Cancel Sales Contract (the "Notice"). Buyer has the right to cancel the Sales Contract under the following conditions:

At any time within thirty (30) days following the date the Developer's Public Report is delivered to Buyer. If Buyer so cancels this Agreement, within the thirty (30) day period, Buyer will be entitled to receive a refund of any deposits, less any escrow cancellation fees and other costs up to $250.00. If Buyer waives Buyer's right to cancel by checking the waiver box on the Notice, and executes and returns the Receipt and Notice within thirty (30) days after delivery to Buyer, this Agreement shall become a binding obligation on both parties immediately upon the return thereof. If Buyer does not return the Receipt and Notice within said thirty (30) day period, or if the Unit is conveyed to Buyer prior to expiration of that thirty (30) day period, then Buyer shall be deemed to have receipted for the Developer's Public Report and to have waived Buyer's right to cancel, thereby causing this Agreement to become a binding obligation on both parties; and

i) Buyer shall have a thirty (30) day right to rescind this Agreement if there is a material change to the Project which directly, substantially and adversely affects the use or value of Buyer's Unit, the limited common elements appurtenant to the Unit, or the amenities in the Project available for Buyer's use. Seller shall deliver to Buyer a description of the material change and Buyer may waive Buyer's rescission right by either (a) checking the waiver box on the option to rescind, signing it and returning it to Seller; (b) letting the thirty (30) day rescission period expire without taking any action to rescind this Agreement; or (c) closing on the purchase of the Unit before the thirty (30) day rescission period expires. In order to be valid, the rescission form provided for herein must be signed by all Buyers and postmarked to Seller no later than midnight on the thirtieth (30th) calendar day after the date Buyer received the rescission form from Seller. If Buyer's rescission is valid, Buyer shall be entitled to a prompt and full refund of any deposits made by Buyer.

7. Assignment of this Agreement. Notwithstanding anything to the contrary contained in the Sales Contract, Buyer may not assign its rights or obligations under this Agreement or any portion thereof without the prior written consent of Seller, which consent may be withheld and/or conditioned at Seller's sole discretion. Any assignment without Seller's prior written consent shall be null and void.

8. Mediation and Arbitration. Section 18 of the Agreement provides that if any dispute or claim in law or equity arises out of this Agreement, or is in any way connected with this transaction, the sale, financing, marketing, or any matter or activity relating to the Project or the Property, between Buyer and Seller, and Buyer and Seller are unable to resolve the dispute themselves, the parties agree in good faith to attempt to settle such dispute or claim by mediation under the Commercial Mediation rules of Dispute Prevention and Resolution, Inc., or such other mediation service as mutually agreed to by Buyer and Seller. If such mediation is not successful in resolving such dispute or claim, then such dispute or claim shall be decided by a neutral binding arbitration before a single arbitrator in accordance with the Commercial Arbitration rules of the Dispute Prevention and Resolution, Inc., or such other arbitration service as mutually agreed to by Buyer and Seller. Judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The arbitrator may award reasonable attorney's fees and costs to the prevailing party. Seller, at Seller's sole option, may include any of Seller's agents, employees, representatives, members, officers, consultants, the Project Broker, or any other third party as a party to any mediation or arbitration proceeding. This provision shall survive closing or termination of this Agreement.

NOTE: This summary is a brief description of some of the terms contained in the sales contract. Buyer is advised to carefully review the entire sales contract and become familiar with the terms and conditions contained therein.

EXHIBIT J

SUMMARY OF ESCROW AGREEMENT

An escrow agreement (hereinafter called the "Escrow Agreement") detailing the manner in which purchasers= funds are to be handled, has been executed and a copy thereof has been filed with the Commission. The Escrow Agent is OLD REPUBLIC TITLE & ESCROW OF HAWAII, LTD. (hereinafter referred to as "Escrow"). The escrow agreement, among other things, contains the following provisions:

1. Sales Contracts Deposited in Escrow. As and when Seller shall enter into a sales contract for the sale of a unit, Seller shall deliver an executed copy of such sales contract and any amendments thereto to Escrow. Each sales contract shall contain the correct names and addresses of the purchasers, shall identify the unit number to be conveyed, shall require that all payments to be made thereunder shall be made to Escrow, and shall be accompanied by the initial deposit required thereunder.

2. Conditions to Be Met Prior to Disbursement of Funds in Escrow. No disbursements of funds held in escrow shall be made unless and until the following conditions have been fulfilled:

(a) Effective Public Report and Amendments. Seller shall have delivered to the purchaser a true copy of the Public Report including all amendments, with effective date(s) issued by the Real Estate Commission. Seller shall provide to Escrow a true copy of each Public Report and amendment issued for the Project, and each pending amendment with the date that the pending amendment was filed with the Real Estate Commission.

(b) Waiver of Cancellation Rights. (i) Notice of Cancellation. Seller shall have delivered to the purchaser notice of the purchaser's thirty-day right of cancellation on a form prescribed by the Real Estate Commission. (ii) Waiver of Cancellation Rights. The purchaser shall have waived the right to cancel or shall be deemed to have waived the right to cancel in accordance with HRS §514B-86(c). (iii) Receipts Related to Cancellation Rights. Seller shall have provided to Escrow evidence that the purchaser has received a true copy of the Public Report and all amendments thereto and the notice of the thirty-day right of cancellation, which evidence may be a receipt for the Public Report signed by the purchaser, a receipt of the notice of the thirty-day right of cancellation signed by the purchaser, return receipts for copies of the Public Report or notice sent by certified or registered mail or such other evidence satisfactory to Escrow.

(c) Waiver of Rescission Rights. (i) No Material Change. Seller shall affirm to Escrow that there has been no material change in the Project after the sales contract became binding. ("Material change" as used herein shall have the meaning contained in HRS §514B-3.) Otherwise, the rescission provisions set forth below shall apply. (ii) Rescission Waived. In the event of a material change in the Project after the sales contract becomes binding, Seller shall affirm that Seller has delivered to the purchaser a description of the material change on a form prescribed by the Real Estate Commission. (iii) Notice of Right of Rescission Because of Material Change. Seller shall have delivered to the purchaser notice of the purchaser's thirty-day rescission right on a form prescribed by the Real Estate Commission. (iv) Waiver of Rescission Rights. The purchaser shall have waived the right to rescind or shall be deemed to have waived the right to rescind in accordance with HRS §514B-87(b). (The purchaser may waive the purchaser's rescission right by (A) checking the waiver box on the rescission notice, signing it and delivering it to the Seller; (B) letting the thirty-day rescission period expire without taking any action to rescind; or (C) closing the purchase of the unit before the rescission period expires.) (v) Receipts Related to Rescission Rights. Seller shall have provided to Escrow evidence that the purchaser has received the thirty-day notice of right of rescission, which evidence may be a receipt for the notice of the thirty-day right of rescission signed by the purchaser, return receipts for copies of the notice mailed certified or registered mail or such other evidence satisfactory to Escrow. (vi) Disbursement of Funds for Payment of Project Costs (Prior to Closing or Prior to Completion of Project). If purchaser deposits are to be released prior to Closing or if units are conveyed or leased prior to completion of construction, Seller shall certify to Escrow in writing and to Escrow's satisfaction that Seller has complied with all of the requirements of HRS §514B-92 or §514B-93, as applicable. Subject to the provisions of the preceding sentence, disbursements of purchaser deposits held in escrow shall be made not more than once each month on one check by Escrow, without charge, if requested in writing by Seller, to Seller, to

Seller's general contractor or to Seller's lender for the following: (vii) Construction Costs. To pay for construction costs of the buildings and other improvements and fixtures (or in the case of a conversion, for repairs necessary to cure violations of county zoning and building ordinances and codes) in such amounts and at such times and in proportion to the valuation of the work completed by the contractor in accordance with the terms of the construction contract, as certified by a licensed architect or engineer and as approved by Seller's lender or a qualified, financially disinterested person who shall be designated in writing by Seller and Seller's lender, if any, and who shall certify to Escrow in writing that such person is financially disinterested (and Escrow shall have the right to rely on said certification). (viii) Fees and Other Expenses. To persons for architectural, engineering, finance and legal fees and other incidental expenses of the Project (but not selling expenses or brokerage fees relating to sales of any unit) to the extent approved by Seller's lender or said financially disinterested person. (ix)The balance of monies remaining in escrow shall be disbursed in accordance with the directions of Seller and Seller's lender or said financially disinterested person only upon completion of the buildings of the Project (or in the case of a conversion, upon completion of the necessary repairs) and when Escrow has received satisfactory evidence that all mechanics' and materialmen's liens have been cleared or sufficient funds have been set aside to cover claims if liens have been filed; otherwise forty-six (46) days after the filing of the affidavit of publication of notice of completion in the office of the clerk of the circuit court where the Project is located, a copy of which shall have been delivered to Escrow; provided, further that if any notice of mechanics' or materialmen's liens shall have been filed, the funds shall be disbursed only when such liens have been cleared or sufficient funds have been set aside to cover such claims.

(d) Receipt of Opinion by Escrow. Seller or Seller's attorney shall have done the following: (i) Legal Opinion. Deliver a written legal opinion to Escrow stating that all purchasers' sales contract have become effective and that: (A) the requirements of HRS §§514B-82 to 514B-93, have been satisfied; (B) all conditions contained in this Agreement that must be met prior to the disbursement of purchasers' funds have been satisfied; (C) all sales contracts delivered to Escrow are binding upon the purchasers; and (D) if the Project is a conversion project, that requirements of HRS §521-38, have been satisfied. (ii) FFHAA Certificate. Deliver a certificate from Seller's architect stating that the Project is in compliance with the Federal Fair Housing Amendments Act of 1988, if applicable. (iii) Notification. Agree to inform Escrow immediately in writing of the development of any event or occurrence which renders the opinion delivered by Seller or Seller's attorney pursuant to Section 5(d)(i) above or any of the warranties and representations in Section 12 below untrue.

(e) Seller's Waiver. Seller shall have given Escrow a written waiver of any option reserved in any sales contract to cancel such sales contract.

3. Return of Purchaser's Funds and Documents. (a) Cancellation or Rescission of a Sales Contract. Unless otherwise provided in this Agreement, a purchaser shall be entitled to a return of such purchaser's funds and Escrow shall pay such funds to such purchaser, together with any interest which may have accrued to the credit of such purchaser, if any one of the following has occurred: (i) Seller and purchaser shall have requested Escrow in writing to return to purchaser the funds of purchaser held hereunder by Escrow; or (ii) Seller shall have notified Escrow of Seller's exercise of the option to cancel or rescind the sales contract pursuant to any right of cancellation or rescission provided therein or otherwise available to Seller; or (iii) The purchaser shall have notified Escrow of purchaser's exercise of purchaser's right to cancel the sales contract pursuant to HRS §514B-86 (thirty-day right to cancel), or, if applicable, HRS §514B-89 (failure to complete construction before specified completion deadline); or (iv) The purchaser shall have notified Escrow of purchaser's exercise of purchaser's right to rescind the sales contract pursuant to HRS §514B-87, by a valid rescission signed by all purchasers of the affected unit and postmarked no later than midnight of the thirtieth calendar day after the date that the purchasers received the notice of rescission from Seller, in which case the purchasers shall be entitled to a prompt and full refund of any moneys paid. In any of the foregoing events, Escrow shall, upon the occurrence of the event described in sections 6(a)(i) or 6(a)(ii) above or upon receipt of a written request for a refund from the purchaser upon the occurrence of an event described in sections 6(a)(iii) or 6(a)(iv) above, unless the purchaser has waived or has been deemed to have waived the right to a refund, pay said funds to the purchaser (less a cancellation fee commensurate with the work done by Escrow prior to such cancellation, up to a maximum of $250.00); provided, however, that no refund shall be made to a purchaser at the purchaser's request prior to receipt by Seller of written notice from Escrow of Escrow's intent to make such refund and the purchaser shall not be required to pay a

cancellation fee to Escrow for any rescission pursuant to HRS §514B-87. Seller understands and acknowledges that in the event of a rescission by the purchaser under HRS §514B-87: (A) if interest was accruing to the credit of Seller, interest will be reported to the IRS as being earned by Seller; (B) if Seller required the purchaser to secure a financing commitment, the purchaser shall be entitled to reimbursement from Seller (and not from Escrow) of any fees incurred by the purchaser in securing that financing commitment required by Seller; and (C) Seller shall pay to Escrow a fee commensurate with the work done by Escrow prior to such cancellation, up to a maximum of $250.00.

(b) Refund Upon Failure to Obtain Financing by Owner-Occupant. If a prospective Owner-Occupant has not obtained adequate financing, or a commitment for adequate financing, by a date specified in the sales contract, the sales contract may be canceled by either Seller or the purchaser. Upon a written request from either Seller or purchaser, Escrow shall return purchaser's funds, without interest, and less an escrow cancellation fee commensurate with the work done by Escrow prior to such rescission, up to a maximum of $250.00.

4. Partial Closings. It is understood that partial closings, i.e., closings for some but not all of the units, may be desired by Seller. If Seller desires to close any or all sales at different times, Escrow agrees to cooperate with Seller and shall vary its performance of the directions contained herein in such manner as will facilitate its performance of such partial closings.

NOTE: This Exhibit contains a brief description of some of the terms and conditions contained in the Escrow Agreement. Buyer is cautioned to carefully review and become familiar with the complete escrow agreement as it contains other provisions than those mentioned above and establishes charges and fees which the buyer may be responsible for. If there are any conflicts between the terms contained in this summary and the escrow agreement, the escrow agreement will control.

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

KIRK CALDWELL
MAYOR

GEORGE I. ATTA, FAICP
DIRECTOR

ARTHUR D. CHALLACOMBE
DEPUTY DIRECTOR

2016/SMA-24(AB)

MINOR PERMIT:	SPECIAL MANAGEMENT AREA (SMA)
File Number:	2016/SMA-24
Project: (Valuation):	Six New Single-Family Dwellings and Private Access Road Improvements on a Lot with Two Existing Dwellings ($474,191)
Owner/Applicant:	Malaekahana, LLC (Abe Lee)
Agent:	Palekana Permits (Darren Lee)
Location:	56-155 A Kamehameha Highway - Malaekahana
Tax Map Key:	5-6-1: 33 and 66
Zoning:	R-5 Residential District
Date Received:	February 2, 2016

We have reviewed your request to construct six new single-family detached dwellings, install two new 1,000 gallon-per-day (gpd) wastewater systems, and improve roadway access on the subject lot, and find that it lies within the Special Management Area (SMA) as established in Chapter 25, Revised Ordinances of Honolulu (ROH). We find that the proposed development has a stated valuation of less than $500,000 and will have no significant effect on the SMA. Therefore, an SMA (Minor) Permit is hereby ***APPROVED***, subject to the conditions listed below:

1. The development on the site shall be in general conformance with the documents as shown on plans and drawings attached hereto (labeled as Exhibit A) which are now the approved plans for the Project on file with the Department of Planning and Permitting (DPP). There shall be no modification to the approved plans for the Project without prior review of and approval by the Director of the DPP. Major modifications shall require a new SMA (Minor) Permit.

2. If the actual valuation of the proposed work ultimately exceeds $500,000, then the Project shall be returned to DPP for further review under Chapter 25, ROH.

3. This application has only been reviewed and approved pursuant to the provisions of ROH Chapter 25, and its approval shall not constitute compliance with the requirements of other governmental agencies. These are subject to separate review and approval. The Applicant shall be responsible for insuring that the final plans for the Project approved under this permit comply with all applicable provisions and requirements of other government agencies, including compliance with the provisions of the Land Use Ordinance (ROH Chapter 21) and the Housing Code (ROH Chapter 27).

EXHIBIT K

4. The dwellings shall not be utilized as Transient Vacation Units (TVUs). The minimum length of occupancy shall be 30 days.

5. Prior to the issuance of any building permit relating to Parcel 66, the plans shall be reviewed by the State Historic Preservation Division.

6. This approval shall supersede SMA permit No. 2016/SMA-5, which is hereby rescinded.

7. The Director of the DPP may modify the conditions of this approval by imposing additional conditions, modifying existing conditions, or deleting conditions deemed satisfied upon a finding that circumstances related to the approved Project have significantly changed so as to warrant a modification to the conditions of approval. In the event of the noncompliance with any of the conditions set forth herein, the Director of the DPP may terminate all uses approved under this permit or halt their operation until all conditions are met or may declare this permit null and void or seek civil enforcement.

The Applicant proposes to construct six new 312-square-foot single-family detached dwellings on the subject lot, which has two existing single-family detached dwellings on the makai portion of the lot. Additional improvements include access roadway widening, internal driveway and parking improvements, and two new 1,000-gpd wastewater treatment systems. The private roadway (Parcel 66), which currently has a pavement width of about 14 feet, will be widened to 20 feet for the first 50 feet from Kamehameha Highway and for the area fronting the subject property.

The size and limited amenities of the new dwelling units are conducive to transient or short-term use. TVUs are not a permitted use in the R-5 Residential District; therefore, to assure that the use of the dwellings is consistent with the intent and purpose of the underlying zoning district, and that the development does not create any adverse impacts on the surrounding properties, a condition prohibiting the use of the dwellings as a TVU(s) is imposed. Based on the conditions of approval listed above, the proposed development will have no significant adverse effect on the environment.

An SMA (minor) permit (File No. 2016/SMA-5) for six new single-family dwellings (for a total of eight dwellings) was approved on February 22, 2016. This approval shall supersede SMA permit No. 2016/SMA-5..

The shoreline lot is subject to Chapter 23 of the ROH relating to shoreline setbacks. All proposed activities and development are mauka of the 55-foot waiver line. The Project complies with Chapter 23 of the ROH; however, there is an unauthorized (no building permits) Jacuzzi and deck structure that appears to be within the shoreline setback area. The Applicant shall remove these structures or face possible citations.

Any person who is specifically, personally and adversely affected by the Director's action (in this case) and wants to appeal any part or requirement of the action may submit a written request for contested case hearing to the Department of Planning and Permitting (DPP) within thirty (30) calendar days from the date of mailing, personal service, or publication of the action of the Director. Contested case hearings shall be conducted pursuant to Chapter 12 of the DPP Part 2 Rules Relating to Shoreline Setbacks and the Special Management Area. Essentially, these Rules require that a petitioner show that the Director based his action on an erroneous finding of a material fact, and/or that the Director otherwise acted in an arbitrary or capricious manner, or there are extenuating circumstances. The filing fee for a contested case hearing is $400 (payable to the City and County of Honolulu).

A copy of this approval should accompany your application(s) for construction permits. Should you have any questions or need additional information concerning this SMA Minor Permit, please contact Alex Beatty of our Land Use Approval Branch at 768-8032, or by email at abeatty@honolulu.gov.

Enclosures: Exhibit A
Receipt Nos. 107458 and 107459

cc: Office of Planning (Shichao Li)

THIS COPY, WHEN SIGNED BELOW, IS NOTIFICATION OF THE ACTION TAKEN.

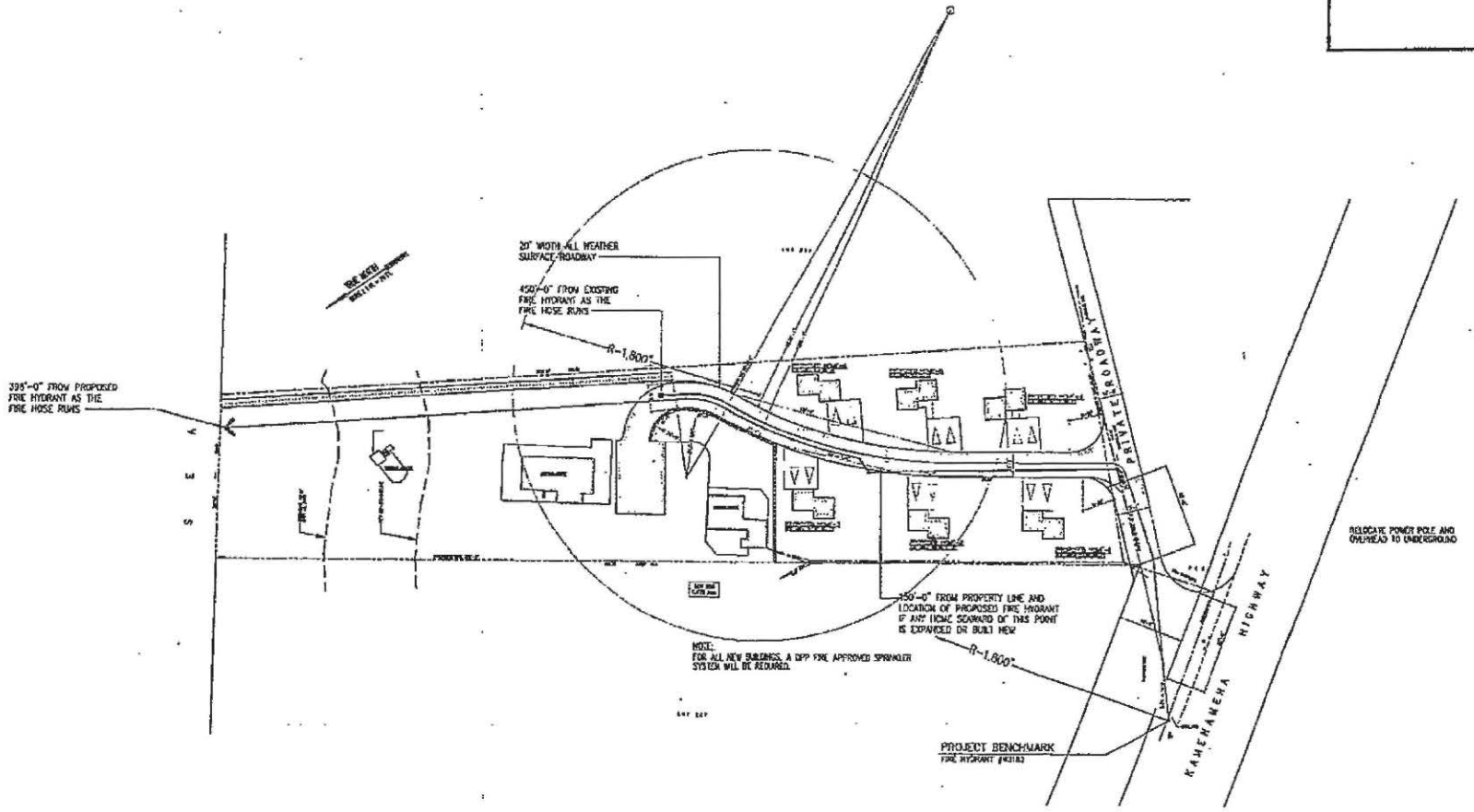
SIGNATURE	for	Director	April 21, 2016
		TITLE	DATE

This approval does not constitute approval of any other required permits, such as building or sign permits

SITE MAP: 56-155A KAMEHAMEHA HIGHWAY

T.M.K.: 5-6-001:033

Exhibit A



A SITE PLAN
SCALE: 1/32"=1'-0"

SITE MAP: 56-155A KAMEHAMEHA HIGHWAY
56-155A KAMEHAMEHA HIGHWAY
KAHUKU, HAWAII 96731
T.M.K.: 5-6-001:033

SITE PLAN

Date:	MARCH 2015
Scale:	AS NOTED
Drawn:	RAM
Check by:	RAM
Sheet No	A-1
of	Sheets

Scan

7815

STATE OF HAWAII
OFFICE OF ASSISTANT REGISTRAR
RECORDED
May 16, 2016 3:29 PM
Doc No(s) T – 9632366
on Cert(s) 1108166
Issuance of Cert(s)

/s/ NICKI ANN THOMPSON
ASSISTANT REGISTRAR

1 1/1 SMC
B – 32808145

LAND COURT SYSTEM REGULAR SYSTEM

RETURN BY: MAIL [X] PICKUP [ ]

TO: MALAEKAHANA LLC
1585 Kapiolani Blvd., #1533
Honolulu, Hawaii 96814

This Document contains 27 pages

AMENDED AND RESTATED DECLARATION OF CONDOMINIUM PROPERTY REGIME OF MALAEKAHANA BAY

THIS AMENDED AND RESTATED DECLARATION is made as of May 16, 2016, by MALAEKAHANA LLC, a Hawaii limited liability company, whose address is 1585 Kapiolani Boulevard, Suite 1533, Honolulu, Hawaii 96814.

WITNESSETH:

WHEREAS, by Declaration of Condominium Property Regime of Malaekahana Bay dated March 15, 2016 (the "Original Declaration"), and recorded in the Office of the Assistant Registrar of the Land Court of the State of Hawaii (the "Land Court"), as Document No. T-9629321, MALAEKAHANA LLC, a Hawaii limited liability company, as the "Developer" did submit the real property and the improvements described therein, in fee simple, and as shown on the plans filed therewith as Condominium Map No. 2319, (hereinafter referred to as the "Condominium Map"), to the Condominium Property Act, Chapter 514B, Hawaii Revised Statutes, as amended (hereinafter called the "Condominium Property Act");

WHEREAS, Section M of the Original Declaration provides that at anytime prior to the first recording or transfer of a Unit the Developer may amend this Declaration, any of the Exhibits thereto, the By-Laws, and/or the Condominium Map in any manner;

WHEREAS, the Developer is the owner of one hundred percent (100%) of the common interest in the Project; and

WHEREAS, the Developer desires to amend and restate the Original Declaration in its entirety pursuant to Section M of the Declaration.

NOW, THEREFORE, the Original Declaration for the condominium project known as "MALAEKAHANA BAY" (hereinafter called the "Project"), is hereby amended and restated in its entirety with this Declaration, and the Developer hereby confirms the submission of said real property and said improvements, in fee, to the Condominium Property Regime established by the Condominium Property Act, and in furtherance thereof makes the following declarations as to divisions, limitations, restrictions, covenants, and conditions, and hereby declares and agrees that said real property and improvements shall be held, conveyed, mortgaged, encumbered, leased, rented, used, occupied, and improved subject to the provisions of this Declaration, which declarations shall constitute covenants running with the real property and shall be binding upon and for the benefit of the Developer, Developer's successors and assigns, and all subsequent owners and lessees of all or any part of the Project and each of their respective successors, heirs, executors, administrators, and assigns, as well as all other persons who use the Project or any portion thereof, in any manner whatsoever:

A. DESCRIPTION OF THE PROJECT. The Project consists of eight (8) separate units. The units are designated on the Condominium Map as unit "1" through and including unit "8", and are sometimes referred to herein collectively as "Units" or singularly as "Unit".

1. Description of the Units. Eight (8) separate and distinct freehold estates, deemed to include the entire structure and all improvements located therein, are bounded by and including the decorated or finished surfaces of the exterior of the perimeter walls, including all exterior doors and windows, by the exterior surfaces of the respective roofs thereof, and inclusive of the floor and ceiling of each of the buildings in the Project, together with any entries, porches, steps, stairs, walkways, lanais, decks, laundry areas, carports, or other improvements physically attached to each structure.

(a) Unit 1 contains two-stories with a basement in which there are two (2) Bedrooms, one (1) Bathroom, a Living Room, a Kitchen and a Lanai on the ground or first level. The second level consists of one (1) Bedroom, two (2) Bathrooms and a Living Room. The basement contains a laundry room and a storage room. Unit 1 contains a net living area of approximately 1,804 square feet. The Lanai contains approximately 1,421 square feet and the basement contains 204 square feet, all as shown on the Condominium Map.

(b) Unit 2 contains one-story in which there is (1) Bedroom, one (1) Bathroom, a Dining/Living Room, a Kitchen, and two (2) Lanai Decks. Unit 2 contains a net living area of approximately 654 square feet and the Lanai Decks contains approximately 648 square feet, as shown on the Condominium Map.

(c) Unit 3 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical

boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 3 contains a net spatial area of 64 square feet.

(d) Unit 4 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 4 contains a net spatial area of 64 square feet.

(e) Unit 5 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 5 contains a net spatial area of 64 square feet.

(f) Unit 6 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 6 contains a net spatial area of 64 square feet.

(g) Unit 7 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 7 contains a net spatial area of 64 square feet.

(h) Unit 8 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 7 contains a net spatial area of 64 square feet.

Each Unit shall also include all pipes, wires, conduits, and other utility and service lines contained wholly within such Unit and which are utilized exclusively by and serve only such Unit.

The Developer or any owner of a Unit has the reserved right to renovate or remove either Unit or a portion thereof, and to rebuild, renovate and/or add to said Unit as provided for in Section Q, hereinbelow.

2. Description of the Common Elements. The common elements shall consist of all portions of the Project except the Units above described, and shall specifically include, but not be limited to:

(a) The Land in fee simple.

(b) That certain driveway consisting of approximately 5,532 square feet, as shown on the Condominium Map as a Common Element 1, and providing vehicular and pedestrian access to and from the Project and the private roadway leading to Kamehameha Highway, as shown on the Condominium Map.

(c) That certain area consisting of approximately 1,254 square feet, as shown on the Condominium Map as Common Element 2, and providing pedestrian access to and from the Common Element 1 driveway to the Sea located behind the Project, as shown on the Condominium Map.

(d) All pipes, wires, conduits, and other utility and service lines which are utilized for or serve all of the Units.

(e) Any and all other apparatus and installations of common use, and all other parts of the Project necessary or convenient to its existence, maintenance, and safety, or normally in common use.

3. Description of the Limited Common Elements. Certain parts of the common elements are hereby set aside and reserved for the exclusive use of the Units and shall constitute limited common elements appurtenant thereto. Each Unit shall have an exclusive easement for the use of the limited common elements appurtenant thereto, except as otherwise provided herein. The cost of maintenance, repair, upkeep, and replacement of each limited common element shall be assessed to the owner of the Unit to which such limited common element is appurtenant. The limited common elements shall be appurtenant to each of the Units as follows:

(a) That certain 22,064 square feet, more or less, of the real property of the Project which includes the real property upon which Unit 1 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, but subject to those certain Easements A and C described in Section C, hereinbelow, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 1 shall be located within this limited common element area.

(b) That certain 6,181 square feet, more or less, of real property of the Project which includes the real property upon which Unit 2 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 2 shall be located within this limited common element area.

(c) That certain 3,495 square feet, more or less, of real property of the Project which includes the real property upon which Unit 3 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 3 shall be located within this limited common element area.

(d) That certain 3,800 square feet, more or less, of real property of the Project which includes the real property upon which Unit 4 is situated, as shown on said

Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 4 shall be located within this limited common element area.

(e) That certain 3,250 square feet, more or less, of real property of the Project which includes the real property upon which Unit 5 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, but subject to that certain Easement D described in Section C, hereinbelow, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 5 shall be located within this limited common element area.

(f) That certain 4,130 square feet, more or less, of real property of the Project which includes the real property upon which Unit 6 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 6 shall be located within this limited common element area.

(g) That certain 4,052 square feet, more or less, of real property of the Project which includes the real property upon which Unit 7 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 7 shall be located within this limited common element area.

(h) That certain 4,052 square feet, more or less, of real property of the Project which includes the real property upon which Unit 8 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, but subject to that certain Easement E described in Section C, hereinbelow, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 8 shall be located within this limited common element area.

(i) All pipes, wires, conduits, and other utility and service lines not contained within a Unit but used by and servicing one or more of the Units, but not all of the Units, shall be a limited common element appurtenant to and for the exclusive use of the Unit or Units using and serviced exclusively by such pipes, wires, conduits, and other utility and service lines.

B. COMMON INTEREST. Unit 1 and Unit 2 shall each have appurtenant thereto an undivided thirteen and one-quarter (13.25) percentage interest and Units 3 through 8 shall each have appurtenant thereto an undivided twelve and one-quarter (12.25) percentage interest in all common elements of the Project, and the same proportionate share in all common profits and expenses of the Project, for all purposes, including voting (the "common interest").

C. EASEMENTS. In addition to any easements herein designated in the common elements, each Unit shall have appurtenant thereto non-exclusive easements in all of the common elements: (a) for utility services for and support of such Unit, and (b) for use according to their respective purposes, subject always to the exclusive use of the limited common elements as herein provided. Each Unit shall have an easement in common with the other Unit owners to use all pipes, ducts, wires, cables, conduits, public utility or service lines (collectively "utility service") and other common elements located in, on, above, or under any Unit or limited common elements appurtenant thereto, or which presently run through, upon, along, above or beneath one Unit or its limited common elements to the other Unit(s). Each Unit shall be subject to an easement in favor of the holders of the other Units for access to any common elements or limited common elements located in such Unit.

If any part of the common elements encroaches upon any Unit or limited common element, a valid easement shall exist for such encroachment and for the maintenance thereof, so long as such encroachment continues. In the event that any Unit is partially or totally destroyed and then rebuilt, necessary minor encroachments upon any part of the common elements due to such rebuilding shall be permitted, and valid easements for such encroachments and for the maintenance thereof shall exist.

In addition to the foregoing easements, the following easements are designated herein and shown on the Condominium Map:

i) Easement A for Driveway Purposes. An easement on, over and across a portion of the limited common element area appurtenant to Unit 1 and designated on said Condominium Map as "Easement A for Driveway Purposes", consisting of approximately 1,440 square feet, shall be reserved in favor of Unit 2 for active vehicular and pedestrian access to and from Unit 2 and the Common Element 1 driveway. Neither Unit 1 nor Unit 2 shall use this area for vehicular parking or the storing of any items without the prior consent of the other Unit owner. When required, the maintenance and upkeep of this area, including any cost associated therewith, shall be shared equally between the owner(s) of Unit 1 and Unit 2.

ii) Easement B Cultural Preservation Area. An easement on, over, under and across a portion of Common Element 2 and designated on said Condominium Map as "Easement B for Cultural Preservation Area", consisting of approximately 75 square feet, shall be reserved in favor of the Association and all the Unit owners for cultural preservation and/or archeological relocation as needed. The maintenance of this area shall be the responsibility of the Association as part of Common Element 2.

iii) Easement C for Driveway and Emergency Access Purposes. An easement on, over and across a portion of the limited common element area appurtenant to Unit 1 and designated on said Condominium Map as "Easement C for Driveway and Emergency Access Purposes", consisting of approximately 2,419 square feet, shall be reserved in favor of: a) Unit 2 for active vehicular and pedestrian access to and from Easement A for Driveway Purposes, Unit 2 and the Common Element 1 driveway, and b) in favor of the Association for vehicular use and

access by Emergency Vehicles as needed. The maintenance, repair and upkeep of this area shall be the responsibility of the Association as a common expense for the benefit of all owners.

iv) Easement D for Water Meter Purposes. An easement on, over and across a portion of the limited common element area appurtenant to Unit 5 and designated on said Condominium Map as "Easement D for Water Meter Purposes", consisting of approximately 151 square feet, shall be reserved for use by the Association and the individual Unit owners for the installation and maintenance of Water Meters for individual units. If any water meters are installed in this area servicing any Units other than only Unit 5, then the maintenance an upkeep of this Easement area shall be the responsibility of the Association as a common expense of the Project.

v) Easement E for Water Meter Purposes. An easement on, over and across a portion of the limited common element area appurtenant to Unit 8 and designated on said Condominium Map as "Easement E for Water Meter Purposes", consisting of approximately 179 square feet, shall be reserved for use by the Association and the individual Unit owners for the installation and maintenance of Water Meters for individual units. If any water meters are installed in this area servicing any Units other than only Unit 8, then the maintenance an upkeep of this Easement area shall be the responsibility of the Association as a common expense of the Project.

The Developer reserves the right at any time prior to the closing of the last sale of a Unit in the Project owned by the Developer: (1) to grant easements over, across, and under the common elements, including, without limitation, easements for utilities, sanitary and storm sewers, cable television, walkways, roadways and rights-of-way, and (2) to add to, relocate or realign any existing easements and rights-of-way over, across, and under the common elements, including, without limitation, any existing utilities, sanitary and sewer lines, propane gas lines, and cable television lines, and connect same, over, across, and under the common elements, provided that such easements and such relocations and connections of lines shall not materially impair or interfere with the use of any Unit.

D. ALTERATION AND TRANSFER OF INTEREST. The common interest and easements appurtenant to each Unit shall have a permanent character and shall remain undivided, and may not be altered or partitioned without the consent of all of the owners of Units affected and the affected owners' mortgagee(s), if any, as expressed in an amendment to this Declaration recorded in the Land Court and, except as otherwise set forth in this Declaration, shall not be separated from such Unit and shall be deemed to be conveyed or encumbered with such Unit even though not expressly mentioned or described in the instrument evidencing such conveyance or encumbrance. The common elements shall remain undivided and no right shall exist to partition or divide any part thereof, except as provided by the Condominium Property Act.

E. USE. Each Unit shall be occupied and used for residential purposes only, and no Unit shall be used as a rooming house, for transient or short-term use, or in connection with the carrying on of any trade or business whatsoever unless permitted by law. The owner(s) of each Unit shall have the absolute right to lease such Unit for residential purposes, with minimum occupancy periods of thirty (30) days, subject to all of the provisions of this Declaration, the By-

Laws of the Association of Unit Owners of Malaekahana Bay recorded in the Land Court recorded concurrently with the Original Declaration as Document No. T-9629322 (hereinafter called the "By-Laws"), and the House Rules.

F. ADMINISTRATION OF THE PROJECT. Administration of the Project shall be vested in the ASSOCIATION OF UNIT OWNERS OF MALAEKAHANA BAY (hereinafter called the "Association"), consisting of the owners of all Units in the Project. Operation of the Project and maintenance, repair, replacement, and restoration of the common elements and any additions and alterations thereto shall be in accordance with the provisions of the Condominium Property Act, this Declaration, and the By-Laws. Specifically, but without limitation, the Association shall:

1. Comply with all applicable laws, ordinances, rules, and regulations now in effect or hereafter made by any governmental authority.

2. Maintain and repair the common elements as may be required by law.

3. Well and substantially repair, maintain, amend, and keep all common elements with all necessary reparations and amendments whatsoever in a neat, clean, sanitary, and attractive manner and in good order and condition, maintain and keep all trees, shrubs, and grass thereon, if any, in good cultivation, and replant the same if necessary, and repair and make good all defects in the common elements, except as otherwise provided herein.

4. Before commencing the construction of any improvement in or to the common elements, where the cost thereof exceeds Twenty-Five Thousand and No/100 Dollars ($25,000.00), obtain a bond or certificate thereof naming as Obligees the owners of all of the Units as their interests may appear, in a penal sum not less than the full amount of the cost of such construction and with a corporate surety authorized to do business in Hawaii, guaranteeing completion of such construction free and clear of all mechanics' and materialmen's liens or claims which might be imposed against the common funds of the Association pursuant to the Condominium Property Act.

5. Have the irrevocable right, to be exercised by its Board of Directors (hereinafter called the "Board") or Managing Agent, if any, or by their authorized employees, agents, or representatives, to enter any Unit and/or limited common element from time to time to make such repairs therein or to take such other action as reasonably appears necessary for the proper operation of the Project or to prevent damage to any common element or other Unit or Units or limited common elements. Except in the case of an emergency, at least forty-eight (48) hours prior notice of such entry shall be provided to the occupant of the Unit (or appurtenant limited common element) to be entered, or to the owner thereof, in the event that the occupant cannot be contacted at that time.

6. Not make nor suffer any strip or waste or unlawful, improper, or offensive use of the Project.

7. Perform all acts and functions which are to be performed by the Association pursuant to the Condominium Property Act, this Declaration and/or the By-Laws.

Notwithstanding anything to the contrary contained in this Declaration or the By-Laws, each owner of a Unit to which a limited common element is appurtenant shall have the right and obligation to promptly perform, on behalf of the Association, all such duties and responsibilities of the Association as to such limited common element appurtenant to such Unit (except as provided in Section C, above), at such owner's sole cost and expense. Upon so doing, such owner shall thereby be discharged from liability to the Association for any assessment which would otherwise be imposed by the Association for its performance of such work.

G. COMMON PROFITS AND EXPENSES. All common profits shall be distributed among the Unit owners, including the Developer, if an owner of a Unit in the Project, in proportion to their respective common interests, as defined in Section B, hereinabove. All charges, costs, and expenses whatsoever incurred by the Association for or in connection with the administration of the Association and the operation of the common elements, including without limitation, any maintenance, repair, replacement, and restoration of the common elements, and any additions and alterations thereto, any labor, services, materials, supplies, and equipment therefor, any liability whatsoever for loss or damage arising out of or in connection with the common elements, or any accident, fire, or nuisance thereon, and any premiums for hazard and liability insurance herein required with respect to the Project, shall constitute common expenses of the Association which shall be divided between the Units in proportion to their respective common interests, except as otherwise provided herein. No owner may exempt himself or herself from liability for contribution toward the common expenses by waiver of the use or enjoyment of any of the common elements or abandonment of his or her Unit.

The owner of each Unit shall be responsible for the cost of maintaining his or her entire Unit, and all improvements located within the limited common elements appurtenant thereto, including any fences, walls, driveways, walkways, landscaping and yard areas not specifically defined hereinabove as a common element or provided otherwise in Section C. Subject to the provisions of Section F, above, all costs and expenses incurred by the Association which are attributable to any limited common element, whether for its maintenance, repair, or replacement, for any addition or improvement thereto, or for any other purpose whatsoever, shall be assessed by the Association to the Unit owner to which such limited common element is appurtenant, which said assessment shall constitute a lien upon such owner's Unit which may be foreclosed in the same manner as a lien for unpaid common expenses as provided for in the Condominium Property Act.

If utility services for the Units, including but not limited to electricity and water, are separately metered, the cost thereof shall be payable by the individual Unit owner and such charges shall not be considered a common expense of the Association. If utility services, including but not limited to electricity and water, are individually submetered, such charges shall be considered a common expense of the Association and, to the extent not billed directly to the Unit owner(s) by the utility provider, shall be assessed, based on usage, by the Association to the owner(s) of the Unit or Units to which said submetered utility service pertains. Utility services shared by the Units shall be prorated amongst the Units sharing such services in proportion to

their respective common interest as set forth in Section B, hereinabove. The cost for maintenance and repair of any wastewater system(s) servicing more than one Unit, shall be shared by the Units directly serviced by such system; provided, however, that if the maintenance and repair is caused by the negligence or misuse by the owners or occupants of any one Unit, then the owner of the Unit causing such maintenance or repair shall be solely responsible for the cost thereof.

The Board shall from time to time assess each Unit for its share of the common expenses and for the entire cost to the Association of any expenses attributable to the limited common elements appurtenant to such Unit. The unpaid amount of such assessments shall constitute a lien against the Unit of such owner which may be foreclosed by the Board as provided by the Condominium Property Act and the By-Laws.

If any Unit owner disproportionally uses any of the common utility services shared between the Unit(s), then any other Unit owner(s) may request that the cost sharing for the common utility service be revised so that it be proportionately allocated between the Unit owner(s) be based on usage. The failure of the Unit owners to agree on a proportionate allocation for the cost sharing shall be resolved pursuant to Section O, hereinbelow.

H. COMPLIANCE WITH DECLARATION, BY-LAWS AND THE CONDOMINIUM PROPERTY ACT. Each owner of a Unit, his or her tenants, families, servants, invitees and guests, and any other persons who may in any manner use the Project, shall be bound by and comply strictly with the provisions of this Declaration, the By-Laws, the Condominium Property Act, the House Rules, and all agreements, decisions, and determinations of the Board and the Association as lawfully made or amended from time to time. Failure to comply with any of the same shall be grounds for an action to recover sums due, damages, and/or injunctive relief, maintainable by the Board or the Managing Agent, if any, on behalf of the Association, or in a proper case, by any aggrieved owner or occupant of a Unit.

All costs and expenses, including reasonable attorneys' fees, incurred by or on behalf of the Association for: (i) collecting any delinquent assessments against any owner's Unit, (ii) foreclosing any lien thereon, (iii) enforcing any provision of this Declaration, the By-Laws, the House Rules, and/or the Condominium Property Act, or (iv) enforcing the rules and regulations of the Real Estate Commission, Department of Commerce and Consumer Affairs, of the State of Hawaii, against any Unit owner, occupant, tenant, owner's employee or agent, or any other person who may in any manner use the Project, shall be promptly paid on demand to the Association by such person or persons; provided that if the claims upon which the Association or the Board takes any action are not substantiated, all costs and expenses, including reasonable attorneys' fees, incurred by any such person or persons as a result of the Association or Board's action, shall be promptly paid on demand to such person or persons by the Association.

The acceptance of a deed or other instrument of conveyance, mortgage, agreement of sale, lease or assignment of lease, or rental agreement, or the entering into occupancy of any Unit in the Project for any period of time shall constitute an agreement that the provisions of this Declaration, the By-Laws, the House Rules, adopted pursuant thereto, and the Condominium Property Act, as each may be amended from time to time, are accepted, ratified and will be strictly complied with by the Unit's owner and such owner's employees, tenants, family, servants,

invitees and guests, and all of such provisions shall be deemed and taken to be covenants running with the land and shall bind any person having at any time any interest or estate in any such Unit as though such provisions were recited and stipulated at length in each and every deed or other conveyance, mortgage, agreement of sale, lease or assignment of lease or rental agreement.

I. INSURANCE. a. The Board shall at all times purchase and maintain property insurance covering all common element improvements of the Project, and providing coverage for special form causes of loss, in an amount not less than the full insurable replacement cost of the insured property, less any deductibles, but including coverage for the increased costs of construction due to building code requirements, at the time the insurance is purchased and at each renewal date thereafter, in the event of such loss or damage, and to the full extent required by law. If the property is located in a special flood hazard area as delineated on flood maps issued by the Federal Emergency Management Agency, flood insurance shall also be maintained as required by law. The flood insurance policy shall comply with the requirements of the National Flood Insurance Program and the Federal Insurance Administration. All insurance shall be in such amounts as shall be determined by the Board and in full compliance with applicable laws. All insurance premiums incurred herein shall be a common expense of the Association.

Any loss covered by the property insurance policy shall be adjusted by and with the Board on behalf of the Association. In every case of such loss or damage all insurance proceeds shall be payable to the Association, or to an insurance trustee designated by the Association for that purpose. The Association, or the insurance trustee if so designated, shall hold any insurance proceeds in trust for the Unit owners and secured parties as their interests may appear. The proceeds shall be used as soon as is reasonably practical for rebuilding, repairing, or otherwise reinstating the affected property in a good and substantial manner according to the original plans as may be approved by the Board, it being understood that such approval shall not be unreasonably withheld or delayed. Except to the extent of its other duties as set forth herein, the Association shall not be liable for any deficiency in such insurance proceeds. Unless not reasonably obtainable, each such policy of insurance shall:

1. Provide that the liability of the insurer thereunder shall not be affected by, and that the insurer shall not claim any right of set-off, counterclaim, apportionment, proration, or contribution by reason of any other insurance obtained by or for any owner of a Unit;

2. Contain no provision relieving the insurer from liability for loss occurring while the hazard to the Units is increased, whether or not within the knowledge or control of the Board or any owner of a Unit, or because of any breach of warranty or condition or any other act or neglect by the Board, any owner of a Unit, or any other persons occupying a Unit;

3. Provide that such policy may not be cancelled (whether or not requested by the Board) except by the insurer giving at least thirty (30) days' prior written notice thereof to the Board and to every other party having a legal interest in a Unit who shall have made written request to the insurer for such notice;

4. Contain a waiver by the insurer of any right of subrogation to any right of the Board or any of the owners of Units against the Board, against any of the other owners of Units, or against any other persons occupying a Unit; and

5. Contain a standard mortgagee clause which shall:

(a) Provide that any reference to a mortgagee in such policy shall mean and include all holders of mortgages on the Units, in their respective order and preference, whether or not named therein;

(b) Provide that such insurance as to the interest of any mortgagee shall not be invalidated by any act or neglect of the Board, the owners of the Units, or any persons occupying a Unit; and

(c) Waive any provision invalidating such mortgagee clause by reason of the failure of any mortgagee to notify the insurer of any vacancy or hazardous use, any requirement that the mortgagee pay any premium thereon, and any contribution clause.

b. Commercial General Liability Insurance. The Board shall, as a common expense of the Association, also effect and maintain commercial general liability insurance at all times against claims and liabilities arising in connection with the ownership, existence, use or management of the Project with an insurance company authorized to do business in Hawaii with combined single limits for bodily injury and property damage per occurrence and aggregate limits as the Board may establish from time to time, taking into consideration the requirements set forth in the Condominium Property Act and generally accepted business practices in the State of Hawaii, with policies and limits for similar projects in the area, as reasonably adequate to protect the Board, the Association, the Unit owners, and the Managing Agent, if any, and without prejudice to the right of any owner of any Unit to maintain additional liability insurance for his or her own Unit.

c. Directors' and Officers' Liability Insurance. The Association may purchase and maintain directors' and officer' liability insurance with minimum coverage in an amount determined by the Board. Any premiums for directors' and officers' liability insurance shall be a common expense of the Association.

d. Individual Insurance by Unit Owners. Alternatively, and unless prohibited by law, if the Board determines that it is in the best interest of the Association, the Board may require the Unit owners to maintain equivalent insurance as required is Section I.a, above, in their individual names and at their individual expense, provided that the aggregate insurance coverage so maintained is at all times at least equal to that which would otherwise have been required to be maintained by the Board pursuant to the requirements of Section I.a, above, and that each such policy names the Association as an additional insured thereunder. Evidence of such insurance shall annually be delivered to the Association or at any other time upon the written request of the Board or Managing Agent, if any, on behalf of the Association. In the event insurance is provided as allowed herein, the cost thereof shall be the responsibility of the individual Unit owners and shall not be a common expense of the Association. This Section shall not apply to any portion of the project consisting of improvements deemed to be common elements as defined in Section A.2 of this Declaration. Any such improvements deemed to be common elements shall be insured by the Association as a common expense as provided in Section I.a., hereinabove.

In addition to the foregoing, the Board, with the vote or written consent of a majority of the Unit owners, may require the owners to obtain reasonable types and levels of insurance. The liability of a Unit owner shall include but not be limited to the deductible of the owner whose Unit was damaged, any damage not covered by any insurance required herein, including decorating, painting, wall and floor coverings, trim, appliances, equipment, and other furnishings. If a Unit owner does not purchase or produce evidence of such insurance requested by the Board, the Board may, in good faith, purchase the insurance coverage and charge the reasonable premium cost back to the Unit owner. In no event is the Association or the Board liable to any person either with regard to the failure of a Unit owner to purchase insurance or a decision by the Board not to purchase the insurance for the Unit owner, or with regard to the timing of its purchase of the insurance of the amounts or types of coverages obtained.

e. Claim for Damage. In the case of a claim for damage to a Unit in the Project or the common elements, the Board may:

1. Pay the deductible as a common expense of the Association;

2. Assess the deductible amount against the Unit owners who caused the damage or from whose Unit or Units the damage or cause of loss originated; or

3. Require the Unit owners of the Units affected to pay the deductible amount.

f. Other Insurance. The Board, as a common expense, may require the Association to carry any other insurance, including worker's compensation, employment practices, environmental hazards, and equipment breakdown, as the Board deems appropriate to protect the Association, the Unit owners, or the officers, directors, or agents of the Association.

J. CONDEMNATION. If the Project or any part thereof shall be taken or condemned by any authority having the power of eminent domain, or shall be sold to such authority under threat of condemnation, all compensation and damages for or on account of the real property and improvements so taken or condemned shall be payable to the Board as trustee for the owners of the Units so affected and their mortgagees according to the loss or damage to their respective Units and appurtenant improvements and common interests, and shall be used promptly by the Association, to the extent necessary, for restoring or replacing such real property and improvements according to plans therefor first approved by the Board and the affected owner(s), unless such restoration or replacement is impractical in the circumstances. No such approval shall be unreasonably withheld.

K. UNINSURED CASUALTY. If any common element is substantially damaged or destroyed by any casualty not herein required to be insured against, the affected common element shall be rebuilt, repaired, and/or restored unless all of the Unit owners vote or consent in writing to refrain from so doing. Any such rebuilding, repair, and/or restoration of the common elements shall be completed diligently by the Association at its common expense, and the owners of the Units shall be solely responsible for any such restoration, rebuilding, and/or repair of their

respective Units and appurtenant limited common elements so damaged or destroyed, according to the original plans and elevations thereof or such other plans first approved by the Board, which approval shall not be unreasonably withheld. Unless the restoration, rebuilding, and/or repair of such damaged or destroyed Units and/or appurtenant limited common elements is undertaken within a reasonable time after such casualty, the owner thereof shall at his or her own expense remove all remains of said Unit and appurtenant limited common elements and restore the land which constituted a limited common element appurtenant to such Unit to good, orderly condition, and even grade.

L. ALTERATION OF PROJECT. No work shall be done to the Units, the limited common elements appurtenant thereto, or any other part of the Project, by any owner of a Unit or any other person, which could jeopardize the soundness or safety of the Project, reduce the value thereof, or impair any easement, as reasonably determined by the Board.

Developer reserves the right, but not the obligation, to install individual wastewater systems to be shared between any two (2) or more Units. Hawaii Administrative Rules Section 11-62.31.1 currently restricts the number of bedrooms served by a single wastewater system to a total of five (5). Developer reserves the right to amend this Declaration to restrict the number of bedrooms allocated between any two (2) or more Units serviced by an individual wastewater system if so required to comply with any governmental regulation in effect at that time.

Except as otherwise provided by law, and subject to the requirements set forth in Section Q, hereinbelow, all other additions to or alterations of any Unit or its appurtenant limited common elements by the owner of such Unit shall be permitted without restriction, provided that the alteration or addition shall not affect the common elements, the other Unit(s), or the limited common elements appurtenant to any other Unit(s), and the owner or other person making such additions or alterations shall comply strictly with all applicable laws, ordinances, rules and regulations of any governmental entity, including but not limited to the approved Special Management Area Permit 2016/SMA-24 (Minor) (the "SMA (Minor) Permit"), a copy of which is attached to this Declaration as Exhibit "B" and by reference made a part hereof, any amendments thereto, and any other special use permits obtained by Developer for the project (minor or major), and shall also obtain all necessary permits, if required, at such owner or person's sole expense.

In addition to the foregoing limitations, and subject to the requirements set forth in any use permit affecting the property, no owner shall also be allowed, without the express written consent of the other owners, to construct any addition or alteration which would cause his or her Unit to exceed fifty percent (50%) of the limited common element land area appurtenant to said Unit, as provided in Section A.3, above, and within any building setback areas, shoreline setback areas, or restrictions imposed for each Unit by the approved SMA (Minor) Permit or any special management area permit major permit if required.

M. AMENDMENT OF DECLARATION. Except as otherwise provided herein or in said Condominium Property Act, this Declaration may be amended by the affirmative vote or written consent of the owners of at least sixty-seven per cent (67%) of the common interests, and shall be effective only upon the recording in the Land Court of an instrument setting forth the amendment and vote, duly executed by the proper officers of the Association, pursuant to the By-Laws.

Notwithstanding the foregoing, and notwithstanding the sale and conveyance of any Unit in the Project, while the Developer retains any ownership interest in the Project, the Developer, without the consent or joinder of any Unit owner, lienholder thereof, or other person or entity, may amend this Declaration, the By-Laws, and/or the Condominium Map to effect any changes or amendments required by law, any title insurance company, or any institutional mortgagee, or as may be required by any governmental or quasi-governmental agency. Each and every party acquiring an interest in the Project, shall, by virtue of such acquisition, consent to such amendments by the Developer, and agrees to execute and deliver such documents and instruments and do all such things necessary and/or convenient to effect the same, and hereby appoints the Developer and its assigns as his or her attorney-in-fact, with full power of substitution to execute, deliver and record such documents and instruments and to do such things on his or her behalf, which grant of such power, being coupled with an interest, is irrevocable for the term of such reserved rights and shall not be affected by any disability of the party or parties.

At anytime prior to the first recording in the of a conveyance or transfer of a Unit in the Project to any person other than the Developer, the Developer may amend this Declaration, and any of the Exhibits hereto, the By-Laws, and/or the Condominium Map in any manner, without the consent of any purchaser or any other party. No amendment to this Declaration and/or the By-Laws which adversely impacts or negates, or attempts to negate any of the rights reserved by the Developer shall be valid without the expressed written consent of the Developer, or Developer's respective successors and assigns, and contained in said amendment.

Unless otherwise provided herein, in the Condominium Act, or as reserved by the Developer, any amendment that materially and adversely affects eligible first mortgagees as described in Section V.1, hereinbelow, or any amendment which would terminate the legal status of the Project after substantial destruction or condemnation requires, in addition to any other approval requirements set forth herein, the approval of eligible holders of first mortgages of Units to which at least fifty-one percent (51%) of the votes of Units subject to mortgages held by such eligible holders are allocated. If an eligible holder of a first mortgage fails to submit a written response to any written proposal for an amendment within sixty (60) days after said mortgagee receives proper notice of the proposal by certified or registered mail, with a return receipt requested, then said eligible holder of a first mortgage shall be deemed to have approved of said proposed amendment. As used herein and in Section V, hereinbelow, "eligible holders of first mortgages" applies to any first mortgagee who has submitted a written request to the Association for timely written notice as provided in Section V, hereinbelow.

N. CONSENT OR APPROVAL. Whenever the consent or approval of the owner of a Unit is required by law, this Declaration, or the By-Laws with respect to any act of the Association, another Unit owner, or the Developer, such consent or approval shall not be arbitrarily, capriciously, or unreasonably withheld or delayed.

O. DISPUTE RESOLUTION.

1. Mediation. At the request of any party to a dispute involving or concerning one or more Unit owners and the Association, its Board, Managing Agent, if any, or any one or

more other Unit owners relating to the interpretation, application or enforcement of this Declaration, the By-Laws, the House Rules, if any, or the Condominium Property Act, the parties to the dispute shall be required to participate in mediation as provided for in Section 514B-161, Hawaii Revised Statutes, as amended. Nothing in this Section shall be interpreted as requiring mediation of any dispute which is exempt from mediation pursuant to Section 514B-161, Hawaii Revised Statutes, as amended.

2. Arbitration. At the request of any party, any dispute concerning or involving one or more Unit owners and the Association, its Board, the Managing Agent, if any, or one or more other Unit owners relating to the interpretation, application or enforcement of the Declaration, the By-Laws, the House Rules, if any, or the Condominium Property Act, shall be submitted to arbitration as provided by Section 514B-162, Hawaii Revised Statutes, as amended. Nothing in this Section shall be interpreted as requiring the arbitration of any dispute which is exempt from arbitration or determined to be unsuitable for arbitration pursuant to Section 514B-162, Hawaii Revised Statutes, as amended.

P. ORDINANCES, VARIANCES, ETC. The Project consists of the conversion of two (2) existing dwellings and six (6) spatial units into condominium units pursuant to the Condominium Property Act, Chapter 514B, Hawaii Revised Statutes, as amended. Pursuant to the letter dated November 27, 2015, issued by the Department of Planning and Permitting, City and County of Honolulu, State of Hawaii ("DPP"), the two-story single-family detached dwelling (Unit 1) and the one-story single-family detached dwelling (Unit 2) met all applicable code requirements at the time of construction in 1983 and 1946, respectively. On April 21, 2016, an Special Management Area Minor Permit, No. 2016/SMA-24, a copy of which is attached as Exhibit "B" and by reference is made a part hereof, was approved with conditions by DPP to allow the construction of six (6) new single-family detached dwellings, subject to the conditions set forth therein.

Subject to the penalties of Section 514B-69(b), Hawaii Revised Statutes, to the best of the Developer's knowledge, the Project is in compliance with all zoning and building ordinances and codes and all other permitting requirements adopted by the City and County of Honolulu. The Developer cannot determine, after due inquiry, whether the Project contains any legal nonconforming uses or structures as a result of the adoption or amendment of any ordinances or codes. Except as disclosed herein, no other variances or special permits appear to have been granted for the property.

Q. OWNERS' RESERVED RIGHT TO CHANGE THE UNITS. Notwithstanding anything to the contrary contained herein, the owner of a Unit, including the Developer herein if an owner of a Unit, shall have the right, with the consent, if required, of any mortgagee affecting said Unit, to remove, redesign, improve, renovate, make additions to, enlarge, replace with a new Unit, or restore his or her existing Unit on the limited common elements appurtenant to such Unit at such Unit owner's sole option at any time and from time to time, without the consent of the Association, the other owners of Units, any lien holder thereof, or anyone with an interest in the Project, and pursuant to plans and conditions set forth herein.

1. Rights With Respect to Construction. Subject to the provisions hereinabove, each owner, his or her contractors and subcontractors, and their respective employees and agents, shall have the right, and an easement therefore in favor of the owner and his or her successors and assigns, from time to time, to enter upon and use the common elements of the Project or any Easements as provided in Section C, hereinabove, and to do all things reasonably necessary, desirable, or useful for designing, developing, constructing, or completing the removal, redesign, improvement, renovation, or rebuilding of his or her Unit, subject to the following terms and conditions:

(a) Any redesign, improvement, renovation, addition or replacement shall be made within the limited common element area appurtenant to such Unit and in compliance with any setback or easement areas, if any, and also in compliance with all governmental regulations applicable to the Project, including but not limited to all applicable zoning and building codes and ordinances, and the conditions and/or requirements set forth in the SMA (Minor) Permit, a copy of which is attached as Exhibit "B" and by reference is made a part hereof, any amendments thereto obtained by the Developer, and any other permits or building requirements that may be imposed by any governmental authority; provided, however, that such plans and specifications shall not provide for the alteration or demolition of any portion of any other Unit(s) in the Project, the limited common elements appurtenant to such other Unit(s), or any of the common elements, unless such alteration or demolition is required in order to comply with any special use permits, including the Special Management Area Minor Permit, No. 2016/SMA-24, any amendments thereto, or as may be required to comply with the any requirements that may be imposed by any governmental agency.

(b) All such removal, redesign, improvement, renovation, addition or replacement shall be at the sole cost and expense of the Unit owner and shall be completed expeditiously and in a manner that will not unreasonably interfere with the use or enjoyment of the Project by the other Unit owners and occupants thereof.

(c) The owner removing, redesigning, improving, renovating, adding to or replacing his or her Unit shall maintain at his or her own expense builder's all-risk insurance in an amount not less than the estimated cost of construction and naming the Association as an additional insured.

(d) The owner removing, redesigning, improving, renovating, adding to or replacing his or her Unit shall have the right to install separate installations and meters or submeters for services, such as water, electricity, sewer, and any other utility or service to the Unit affected thereby, unless such separate installation(s) is not readily achievable or permitted by the appropriate utility service provider or governmental regulations, and shall have the right to utilize, relocate and realign existing and/or to develop additional, central and appurtenant installations for such services, and when applicable, to use, add, delete, relocate, realign, reserve, and grant easements and rights-of-way over, under and upon the common elements or easement areas as necessary or desirable in connection therewith, or to use any existing easements, provided that services used by the other Unit(s) shall not be unreasonably and materially impaired.

(e) Except for any common elements, if any, defined above, all fences and improvements shall be constructed solely within the limited common element area appurtenant to the owner's Unit and shall comply with rules and regulations as established by the Board and set forth in the House Rules, if any.

(f) The Unit owner, his or her contractors and subcontractors, and their respective employees and agents, shall not cause any interruption other than a temporary interruption in the service of utilities to the Project or the other Unit(s) and shall use reasonable efforts, consistent with maintaining the progress of design, development, construction and completion of the rebuilding or redesigning of the Unit, so as to minimize interference with the use and enjoyment of the Project by the other Unit owners and occupants thereof.

(g) If the written consent or joinder of the other owners of the other Unit(s) are required by the owner removing, redesigning, improving, renovating, adding to or replacing his or her Unit, to obtain any permits or effectuate any of the proposed improvements or if required by any governmental agency or title company, then, such written consent or joinder shall not be unreasonably withheld and such owner shall promptly execute any documents so presented.

(h) No owner shall also be allowed, without the express written consent of the other Unit owners, to construct any addition or alteration which would cause his or her Unit to exceed the buildable area of fifty percent (50%) of the area of said Unit's limited common element land area as defined in Section A.3, above, and subject to all setback requirements or other restrictions set forth by any governmental authority or any special use permit, approved or as may be required.

(i) Until December 31, 2017, no owner, except for the Developer herein, as a Unit owner, shall apply for a building permit or cause any work to be done on his or her Unit which would require obtaining a building permit or do anything which would or could affect the existing SMA Minor Permit, and any amendments thereto, or any further special use permit (major or minor) which may be obtained by the Developer, without in every such case the prior written consent of the Developer. This right shall automatically terminate on December 31, 2017, unless sooner released by Developer.

(j) For any Units owned by the Developer, the Developer reserves the right, but not the obligation to install a single wastewater system to service two Units and to allocate between said Units the total number bedrooms appurtenant to each Unit as may be required by any applicable law, rule or regulation.

2. Amendment to the Declaration and Condominium Map. If any owner removes, redesigns, improves, renovates, adds to or replaces his or her Unit, different in any respect from the description of said Unit in this Declaration or as shown on the Condominium Map, then, upon completion thereof, the owner shall amend this Declaration to set forth the changes to said Unit, and the Condominium Map to include a complete set of floor plans and elevations, as may be necessary or as may be required by the Condominium Property Act to incorporate the changes made to the new, redesigned or renovated Unit. The amendment shall be signed only by the Unit owner(s) effectuating such changes, shall be recorded in the Land Court and a copy of the recorded amendment, together with a copy of the plans recorded therewith, shall be provided to the Association promptly upon request thereof.

Each and every individual acquiring an interest in the Project, including the holder(s) of any lien(s) thereof, by such acquisition, consents to the removal, redesign, improvement, renovation, addition or replacement, and to the recording of any and all documents or instruments necessary to effectuate the same, including any amendment to the Declaration and/or the Condominium Map; and agrees to execute, deliver and record such documents and

instruments and to do any and all such other things as may be necessary to effect the same; and appoints the owner of the Unit so removed, redesigned, improved, renovated, added to or replaced, as his or her attorney-in-fact, with full power of substitution, to execute, deliver and record such documents and instruments and to do such things on his or her behalf, which grant of such power, being coupled with an interest, is irrevocable and shall not be affected by the disability of such party or parties; and shall be binding upon every party's successors in interest and assigns.

The rights set forth in this Section for the benefit of a Unit owner, including the Developer if an owner of a Unit in the Project, may not be amended without the expressed written consent of such owner or the Developer, if an owner of a Unit in the Project.

R. OWNER'S RESERVED RIGHT TO CONSOLIDATE UNITS AND LIMITED COMMON ELEMENT AREAS. Notwithstanding anything to the contrary contained herein, the owner of two or more Units, including the Developer herein, shall have the right, with the consent of any mortgagee(s), if any, affecting said Unit(s), to consolidate said Units and the appurtenant limited common element areas appurtenant thereto as described in Section A.3, above, into one Unit, without the consent of the Association, the other owners of Units, any lien holder thereof, or anyone with an interest in the Project. The consolidated Unit shall have appurtenant thereto the combined percentage of common interest allocated in Section B, hereinabove, to the two or more Units being consolidated

The owner consolidating the Units and limited common element areas shall amend this Declaration and the Condominium Map to include the description of the consolidated Unit and appurtenant limited common element area, as may be necessary or as may be required by the Condominium Property Act to incorporate the consolidated Unit and limited common element area. The amendment shall be signed only by the Unit owner effectuating such changes, shall be recorded in the Land Court and a copy of the recorded amendment, together with a copy of the Condominium Map recorded therewith, shall be provided to the Association promptly upon request thereof.

S. EXEMPTIONS FOR DISABLED OCCUPANTS. Notwithstanding anything to the contrary contained in this Declaration, the By-Laws, or the House Rules, disabled occupants shall: (1) be permitted to make reasonable modifications to their Units and/or the common elements or limited common elements appurtenant to their Units, at their expense, if such modifications are necessary to enable them to use and enjoy their Units, their limited common elements and/or the common elements, as the case may be, and (2) be allowed reasonable exemptions from this Declaration, the By-Laws, and the House Rules, when necessary to enable them to use and enjoy their Units, their limited common elements, and/or the common elements, provided that any disabled occupant desiring to make such modifications or desiring such an exemption shall so request, in writing to the Board. That request shall set forth, with specificity and in detail, the nature of the request and the reason that the requesting party needs to make such modification or to be granted such an exemption. The Board shall not unreasonably withhold or delay its consent to such request, and any such request shall be deemed to be granted if not denied, in writing, within forty-five (45) days of the Board's receipt thereof.

T. MAINTENANCE RESERVE FUND. The Board shall establish and maintain a Maintenance Reserve Fund by assessment of the Unit owners in monthly installments of such reasonable amount as the Board shall annually estimate as adequate to cover the expense of providing for common utilities, insurance, maintenance, and repair of the common elements, as well as all other costs of administering the Project and the Association, including but not limited to the cost of capital improvements and alterations to the Project, which amounts shall be conclusively deemed to constitute a common expense of the Association. Such assessments may include reserves for contingencies and may from time to time be increased or reduced at the discretion of the Board. Additionally, the Board shall be empowered to levy special assessments against the owners of the Units if necessary to accumulate or maintain a sufficient sum in said fund. The proportionate interest of each owner of a Unit in said fund cannot be withdrawn or separately assigned but shall be deemed to be transferred with each Unit, even though not expressly mentioned or described in the conveyance thereof. If the Condominium Property Regime hereby created is terminated or waived, all amounts remaining in said fund after the full payment of all common expenses of the Association shall be distributed to the owners of the Units at that time, in their respective shares.

U. ASSIGNMENT OF DEVELOPER'S RESERVED RIGHTS. The rights reserved unto the Developer herein shall be fully assignable in whole or in part. The owner of a Unit in the Project and any party acquiring an interest in a Unit in the Project, including without limitation any mortgagee or lien holder, by such acquisition consents to any such assignment by the Developer. Where the Developer herein named or as rightfully assigned consists of more than one individual, the conveyance of any interest of one of the Developers individually or by less that all of the Developers without such assignment of the reserved rights shall not affect the ability or rights of any of the remaining Developer or Developers from acting on or exercising the rights reserved thereunto.

V. MORTGAGEE PROTECTION. Any eligible holder of a first mortgage on a Unit in the Project, whose interest appears in the record of ownership or who has provided written notice to the Association of such interest with the eligible holder's name, address and the Unit number of the mortgaged Unit, shall be entitled to the following notice:

1. Prior written notice of any proposed amendment to this Declaration or the By-Laws which would change: a) the percentage of common interest of the mortgaged Unit, b) the boundaries of the mortgaged Unit, and c) the common elements or limited common elements appurtenant to said mortgaged Unit, including any purposes thereof;

2. Timely written notice of any actual or threatened condemnation or eminent domain proceeding affecting the Project or any portion thereof or the mortgaged Unit;

3. Timely written notice of any 60-day delinquency in the payment of any assessments or other charges owed by the owner of the Unit to which the eligible first mortgagee holds an interest;

4. Timely written notice of any lapse, cancellation, or material modification of any insurance policy maintained by the Association; and

5. Timely written notice of any proposed action that requires the consent of a specified percentage of mortgagees.

W. INVALIDITY. The invalidity of any provision of this Declaration shall not be deemed to impair or affect in any manner the validity, enforceability or effect of the remainder of the Declaration, and in such event, all of the other provisions of this Declaration shall continue to be in full force and effect as if such provisions had never been included herein.

IN WITNESS WHEREOF, the Developer has executed these presents this 16 day of May, 2016.

MALAEKAHANA LLC,
a Hawaii limited liability company

By: Abraham W H Lee
ABRAHAM W. H. LEE
Its: Member

"Developer"

STATE OF HAWAII)
) ss.
CITY AND COUNTY OF HONOLULU)

On May 16, 2016, before me personally appeared ABRAHAM W. H. LEE, the Member of MALAEKAHANA LLC, a Hawaii limited liability company, to me personally known or on the basis of satisfactory evidence proven to be, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

Document Description: *AMENDED AND RESTATED DECLARATION OF CONDOMINIUM PROPERTY REGIME OF MALAEKAHANA BAY*

Dated: undated @ notarization

Number of Pages: 27

ASHLEY K.S. SCHARSCH
NOTARY PUBLIC
No. 15-62
STATE OF HAWAII

Notary's Signature
Print Name: _____
Notary Public, State of Hawaii
First Judicial Circuit

ASHLEY K.S. SCHARSCH
Notary Public, First Judicial Circuit
State of Hawaii
My Commission Expires: February 8, 2019

My Commission Expires: _____

EXHIBIT "A"

FIRST: All of that certain parcel of land situate at Kahuku, District of Koolauloa, City and County of Honolulu, State of Hawaii, described as follows:

Lot 258, area 1.470 acres, more or less, as shown on Map 22, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii with Land Court Application No. 1095 of the Trustees under the Will and of the Estate of James Campbell, deceased.

SECOND: An undivided 1/11 interest in and to a right-of-way across Roadway Lot 270, area 1.134 acres, as shown on Map 22, and Lot 62, area 0.008 acre, as shown on Map 9.

Being all the property described in the following:

DEED

Recorded	:	December 7, 2015 in the Office of the Assistant Registrar of the Land Court, State of Hawaii, as Document No. T-9471087
Grantor	:	REED DENNIS COPSEY and ANNE DENNIS COPSEY, husband and wife
Grantee	:	MALAEKAHANA LLC, a Hawaii limited liability company

Being the property described in and covered by Transfer Certificate of Title No. 1,108,166.

SUBJECT, HOWEVER, to the following:

1. AS TO PARCEL FIRST:
   A. Any adverse claim based upon the location of the seaward boundary and/or the shoreline setback line of the herein described property, as may be established under the laws of the State of Hawaii.

2. AS TO PARCEL SECOND:
   A. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Instrument	:	EXCHANGE DEED
Granted To	:	STATE OF HAWAII
Dated	:	October 24, 1933
Recorded	:	November 25, 1933 in the Bureau of Conveyances, State of Hawaii, in Book 1219, Page 411

   B. EASEMENT "16" (20 feet wide)
   For : right of way purposes
   As shown on Map 4
   As set forth by Land Court Order No. 3094 filed April 21, 1938

   C. Right of way in favor of Lots entitled thereto over said Lots 62 and 270 to a public highway, as set forth by Land Court Order No. 3715, filed October 19, 1939.

   D. Rights of others who own undivided interest in the land herein described.

End of EXHIBIT "A"

TMK: (1) 5-6-001-033

EXHIBIT "B"

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

KIRK CALDWELL
MAYOR

GEORGE I. ATTA, FAICP
DIRECTOR

ARTHUR D. CHALLACOMBE
DEPUTY DIRECTOR

2016/SMA-24(AB)

MINOR PERMIT:	**SPECIAL MANAGEMENT AREA (SMA)**
File Number:	2016/SMA-24
Project: (Valuation):	Six New Single-Family Dwellings and Private Access Road Improvements on a Lot with Two Existing Dwellings ($474,191)
Owner/Applicant:	Malaekahana, LLC (Abe Lee)
Agent:	Palekana Permits (Darren Lee)
Location:	56-155 A Kamehameha Highway - Malaekahana
Tax Map Key:	5-6-1: 33 and 66
Zoning:	R-5 Residential District
Date Received:	February 2, 2016

We have reviewed your request to construct six new single-family detached dwellings, install two new 1,000 gallon-per-day (gpd) wastewater systems, and improve roadway access on the subject lot, and find that it lies within the Special Management Area (SMA) as established in Chapter 25, Revised Ordinances of Honolulu (ROH). We find that the proposed development has a stated valuation of less than $500,000 and will have no significant effect on the SMA. Therefore, an SMA (Minor) Permit is hereby ***APPROVED***, subject to the conditions listed below:

1. The development on the site shall be in general conformance with the documents as shown on plans and drawings attached hereto (labeled as Exhibit A) which are now the approved plans for the Project on file with the Department of Planning and Permitting (DPP). There shall be no modification to the approved plans for the Project without prior review of and approval by the Director of the DPP. Major modifications shall require a new SMA (Minor) Permit.

2. If the actual valuation of the proposed work ultimately exceeds $500,000, then the Project shall be returned to DPP for further review under Chapter 25, ROH.

3. This application has only been reviewed and approved pursuant to the provisions of ROH Chapter 25, and its approval shall not constitute compliance with the requirements of other governmental agencies. These are subject to separate review and approval. The Applicant shall be responsible for insuring that the final plans for the Project approved under this permit comply with all applicable provisions and requirements of other government agencies, including compliance with the provisions of the Land Use Ordinance (ROH Chapter 21) and the Housing Code (ROH Chapter 27).

4. The dwellings shall not be utilized as Transient Vacation Units (TVUs). The minimum length of occupancy shall be 30 days.

5. Prior to the issuance of any building permit relating to Parcel 66, the plans shall be reviewed by the State Historic Preservation Division.

6. This approval shall supersede SMA permit No. 2016/SMA-5, which is hereby rescinded.

7. The Director of the DPP may modify the conditions of this approval by imposing additional conditions, modifying existing conditions, or deleting conditions deemed satisfied upon a finding that circumstances related to the approved Project have significantly changed so as to warrant a modification to the conditions of approval. In the event of the noncompliance with any of the conditions set forth herein, the Director of the DPP may terminate all uses approved under this permit or halt their operation until all conditions are met or may declare this permit null and void or seek civil enforcement.

The Applicant proposes to construct six new 312-square-foot single-family detached dwellings on the subject lot, which has two existing single-family detached dwellings on the makai portion of the lot. Additional improvements include access roadway widening, internal driveway and parking improvements, and two new 1,000-gpd wastewater treatment systems. The private roadway (Parcel 66), which currently has a pavement width of about 14 feet, will be widened to 20 feet for the first 50 feet from Kamehameha Highway and for the area fronting the subject property.

The size and limited amenities of the new dwelling units are conducive to transient or short-term use. TVUs are not a permitted use in the R-5 Residential District; therefore, to assure that the use of the dwellings is consistent with the intent and purpose of the underlying zoning district, and that the development does not create any adverse impacts on the surrounding properties, a condition prohibiting the use of the dwellings as a TVU(s) is imposed. Based on the conditions of approval listed above, the proposed development will have no significant adverse effect on the environment.

An SMA (minor) permit (File No. 2016/SMA-5) for six new single-family dwellings (for a total of eight dwellings) was approved on February 22, 2016. This approval shall supersede SMA permit No. 2016/SMA-5.

The shoreline lot is subject to Chapter 23 of the ROH relating to shoreline setbacks. All proposed activities and development are mauka of the 55-foot waiver line. The Project complies with Chapter 23 of the ROH; however, there is an unauthorized (no building permits) Jacuzzi and deck structure that appears to be within the shoreline setback area. The Applicant shall remove these structures or face possible citations.

Any person who is specifically, personally and adversely affected by the Director's action (in this case) and wants to appeal any part or requirement of the action may submit a written request for contested case hearing to the Department of Planning and Permitting (DPP) within thirty (30) calendar days from the date of mailing, personal service, or publication of the action of the Director. Contested case hearings shall be conducted pursuant to Chapter 12 of the DPP Part 2 Rules Relating to Shoreline Setbacks and the Special Management Area. Essentially, these Rules require that a petitioner show that the Director based his action on an erroneous finding of a material fact, and/or that the Director otherwise acted in an arbitrary or capricious manner, or there are extenuating circumstances. The filing fee for a contested case hearing is $400 (payable to the City and County of Honolulu).

A copy of this approval should accompany your application(s) for construction permits. Should you have any questions or need additional information concerning this SMA Minor Permit, please contact Alex Beatty of our Land Use Approval Branch at 768-8032, or by email at abeatty@honolulu.gov.

Enclosures: Exhibit A
Receipt Nos. 107458 and 107459

cc: Office of Planning (Shichao Li)

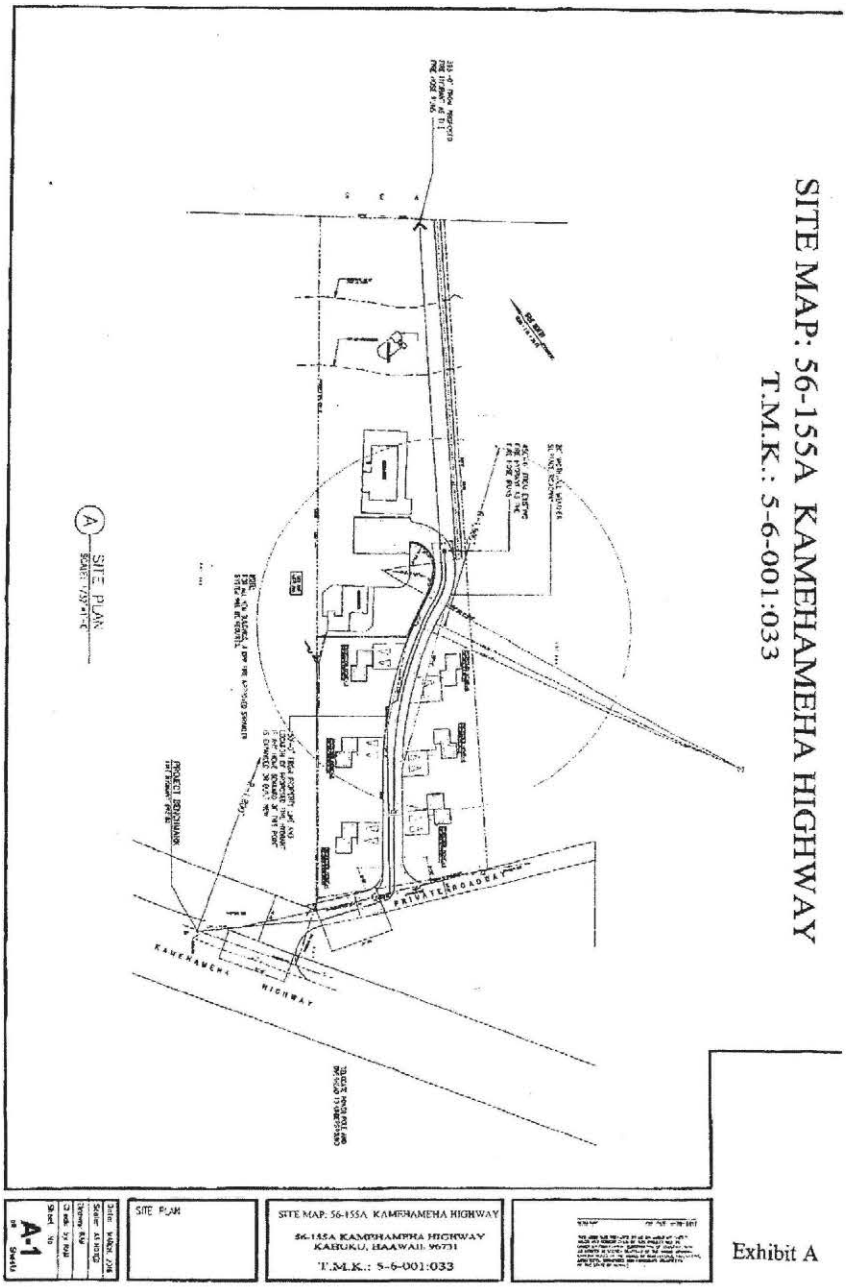
THIS COPY, WHEN SIGNED BELOW, IS NOTIFICATION OF THE ACTION TAKEN.

	for	Director	April 21, 2016
SIGNATURE		TITLE	DATE

This approval does not constitute approval of any other required permits, such as building or sign permits

SITE MAP: 56-155A KAMEHAMEHA HIGHWAY

T.M.K.: 5-6-001:033



A-1	SITE PLAN	SITE MAP: 56-155A KAMEHAMEHA HIGHWAY 56-155A KAMEHAMEHA HIGHWAY KAHUKU, HAAWAII 96731 T.M.K.: 5-6-001:033	

Exhibit A

OFFICE OF THE
ASSISTANT REGISTRAR, LAND COURT
STATE OF HAWAII
(Bureau of Conveyances)

The original of this document was recorded as follows:

DOCUMENT NO. Doc T – 9762421
CT 1108166
DATE/TIME September 23, 2016 3:29 PM

LAND COURT SYSTEM REGULAR SYSTEM

RETURN BY: MAIL [X] PICKUP [ ]

TO: MALAEKAHANA LLC
1585 Kapiolani Blvd., #1533
Honolulu, Hawaii 96814

This Document contains 10 pages

FIRST AMENDMENT
TO THE AMENDED AND RESTATED DECLARATION
OF CONDOMINIUM PROPERTY REGIME OF MALAEKAHANA BAY

THIS FIRST AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF CONDOMINIUM PROPERTY REGIME OF MALAEKAHANA BAY is made as of September 23, 2016, by MALAEKAHANA LLC, a Hawaii limited liability company, whose address is 1585 Kapiolani Boulevard, Suite 1533, Honolulu, Hawaii 96814.

W I T N E S S E T H:

WHEREAS, by *Declaration of Condominium Property Regime of Malaekahana Bay* dated March 15, 2016 (the "Original Declaration"), and recorded in the Office of the Assistant Registrar of the Land Court of the State of Hawaii (the "Land Court"), as Document No. T-9629321, and duly noted on Transfer Certificate of Title No. 1,108,166, MALAEKAHANA LLC, a Hawaii limited liability company, as the "Developer" did submit the real property and the improvements described therein, in fee simple, and as shown on the plans filed therewith as Condominium Map No. 2319, (hereinafter referred to as the "Condominium Map"), to the Condominium Property Act, Chapter 514B, Hawaii Revised Statutes, as amended (hereinafter called the "Condominium Property Act");

WHEREAS, said Original Declaration was amended and restated in its entirety by *Amended and Restated Declaration of Condominium Property Regime of Malaekahana Bay* dated May 16, 2016, and recorded in the Land Court as Document No. T-9632366 (hereinafter referred to as the "Declaration"); and

WHEREAS, Section M of the Declaration provides that at anytime prior to the first recording or transfer of a Unit the Developer may amend this Declaration, any of the Exhibits thereto, the By-Laws, and/or the Condominium Map in any manner;

WHEREAS, the Developer is the owner of one hundred percent (100%) of the common interest in the Project; and

WHEREAS, the Developer desires to amend the Declaration in the manner set forth herein pursuant to Section M of the Declaration.

NOW, THEREFORE, pursuant to Section M of the Declaration, the Developer hereby amends the Declaration as follows:

AMENDMENT NUMBER ONE:

The first paragraph of Section A of the Declaration is hereby deleted in its entirety and the following paragraph is substituted in place thereof:

> A. DESCRIPTION OF THE PROJECT. The Project consists of three (3) separate units. The units are designated on the Condominium Map as unit "1" through and including unit "3", and are sometimes referred to herein collectively as "Units" or singularly as "Unit".

AMENDMENT NUMBER TWO:

Section A.1 of the Declaration is hereby deleted in its entirety and the following Section A.1 is substituted in place thereof:

> 1. Description of the Units. Three (3) separate and distinct freehold estates, deemed to include the entire structure and all improvements located therein, are bounded by and including the decorated or finished surfaces of the exterior of the perimeter walls, including all exterior doors and windows, by the exterior surfaces of the respective roofs thereof, and inclusive of the floor and ceiling of each of the buildings in the Project, together with any entries, porches, steps, stairs, walkways, lanais, decks, laundry areas, carports, or other improvements physically attached to each structure.
>
> (a) Unit 1 contains two-stories with a basement in which there are two (2) Bedrooms, one (1) Bathroom, a Living Room, a Kitchen and a Lanai on the ground or first level. The second level consists of one (1)

Bedroom, two (2) Bathrooms and a Living Room. The basement contains a laundry room and a storage room. Unit 1 contains a net living area of approximately 1,804 square feet. The Lanai contains approximately 1,421 square feet and the basement contains 204 square feet, all as shown on the Condominium Map.

(b) Unit 2 contains one-story in which there is (1) Bedroom, one (1) Bathroom, a Dining/Living Room, a Kitchen, and two (2) Lanai Decks. Unit 2 contains a net living area of approximately 654 square feet and the Lanai Decks contains approximately 648 square feet, as shown on the Condominium Map.

(c) Unit 3 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 3 contains a net spatial area of 64 square feet.

Each Unit shall also include all pipes, wires, conduits, and other utility and service lines contained wholly within such Unit and which are utilized exclusively by and serve only such Unit.

The Developer or any owner of a Unit has the reserved right to renovate or remove either Unit or a portion thereof, and to rebuild, renovate and/or add to said Unit as provided for in Section Q, hereinbelow. The Developer or any owner of a Unit has the reserved right to combine and separate any of the Units as provided for in Section R, hereinbelow.

AMENDMENT NUMBER THREE:

Section A.3 of the Declaration is hereby deleted in its entirety and the following Section A.3 is substituted in place thereof:

3. Description of the Limited Common Elements. Certain parts of the common elements are hereby set aside and reserved for the exclusive use of the Units and shall constitute limited common elements appurtenant thereto. Each Unit shall have an exclusive easement for the use of the limited common elements appurtenant thereto, except as otherwise provided herein. The cost of maintenance, repair, upkeep, and replacement of each limited common element shall be assessed to the owner of the Unit to which such limited common element is appurtenant. The limited common elements shall be appurtenant to each of the Units as follows:

(a) That certain 22,064 square feet, more or less, of the real property of the Project which includes the real property upon which Unit 1 is

situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, but subject to those certain Easements A and C described in Section C, hereinbelow, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 1 shall be located within this limited common element area.

(b) That certain 6,181 square feet, more or less, of real property of the Project which includes the real property upon which Unit 2 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 2 shall be located within this limited common element area.

(c) That certain 10,545 square feet, more or less, of real property of the Project which includes the real property upon which Unit 3 is situated, as shown on said Condominium Map as "Unit 3-LCE 1", inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, , but subject to any easements as may be defined and reserved in Section C, hereinbelow, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 3 shall be located within this limited common element area.

(d) That certain 12,234 square feet, more or less, of real property of the Project as shown on said Condominium Map as "Unit 3 – LCE 2", inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, but subject to any easements as may be defined and reserved in Section C, hereinbelow, shall constitute a limited common element appurtenant to and for the exclusive use of Unit 3.

(e) All pipes, wires, conduits, and other utility and service lines not contained within a Unit but used by and servicing one or more of the Units, but not all of the Units, shall be a limited common element appurtenant to and for the exclusive use of the Unit or Units using and serviced exclusively by such pipes, wires, conduits, and other utility and service lines.

AMENDMENT NUMBER FOUR:

Section B of the Declaration is hereby deleted in its entirety and the following Section B is substituted in place thereof:

COMMON INTEREST. Unit 1 and Unit 2 shall each have appurtenant thereto an undivided thirteen and one-quarter (13.25) percentage interest and Unit 3 shall each have appurtenant thereto an undivided twelve and one-quarter (73.50) percentage interest in all common elements of the Project, and the same proportionate share in all common profits and expenses of the Project, for all purposes, including voting (the "common interest").

AMENDMENT NUMBER FIVE:

Sections C,iv and C.v of the Declaration are hereby deleted in their entirety and the following is substituted in place thereof:

iv) Easement D for Water Meter Purposes. An easement on, over and across a portion of the limited common element area appurtenant to Unit 3 and designated on said Condominium Map as "Easement D for Water Meter Purposes", consisting of approximately 151 square feet, shall be reserved for use by the Association and the individual Unit owners for the installation and maintenance of Water Meters for individual units. If any water meters are installed in this area servicing any Units other than only Unit 3, then the maintenance and upkeep of this Easement area shall be the responsibility of the Association as a common expense of the Project.

v) Easement E for Water Meter Purposes. An easement on, over and across a portion of the limited common element area appurtenant to Unit 3 and designated on said Condominium Map as "Easement E for Water Meter Purposes", consisting of approximately 179 square feet, shall be reserved for use by the Association and the individual Unit owners for the installation and maintenance of Water Meters for individual units. If any water meters are installed in this area servicing any Units other than only Unit 3, then the maintenance and upkeep of this Easement area shall be the responsibility of the Association as a common expense of the Project.

AMENDMENT NUMBER SIX:

Section P of the Declaration is hereby deleted in their entirety and the following is substituted in place thereof:

ORDINANCES, VARIANCES, ETC. The Project consists of the conversion of two (2) existing dwellings and one (1) spatial unit into condominium units pursuant to the Condominium Property Act, Chapter 514B, Hawaii Revised Statutes, as amended. Pursuant to the letter dated November 27, 2015, issued by the Department of Planning and Permitting, City and County of Honolulu, State of Hawaii ("DPP"), the two-story single-family detached

dwelling (Unit 1) and the one-story single-family detached dwelling (Unit 2) met all applicable code requirements at the time of construction in 1983 and 1946, respectively. On April 21, 2016, an Special Management Area Minor Permit, No. 2016/SMA-24, a copy of which is attached as Exhibit "B" and by reference is made a part hereof, was approved with conditions by DPP to allow the construction of six (6) new single-family detached dwellings (Unit 3), subject to the conditions set forth therein.

AMENDMENT NUMBER SEVEN:

Section R of the Declaration, is hereby amended by deleting Section R in its entirety and substituting in place thereof as follows:

R. OWNER'S RESERVED RIGHT TO COMBINE AND SEPARATE UNITS AND/OR LIMITED COMMON ELEMENT AREAS. Notwithstanding anything to the contrary contained herein, the owner of any two or more adjacent Units, including the Developer herein, shall have the right, with the consent of any mortgagee(s), if any and if so required, affecting said Unit(s), to combine said adjacent Units and the limited common element areas appurtenant thereto as described in Section A.3, above, into one or more Unit(s), without the consent of the Association, the other owners of Units, any lien holder thereof, or anyone with an interest in the Project. The consolidated Unit or Units shall have appurtenant thereto the combined percentage of common interest allocated to the existing Units in Section B, hereinabove, to the two or more Units being consolidated. The creation of any combined Units shall be made in compliance with all applicable governmental rules and regulations and applicable building and zoning codes, and the cost thereof, including the preparation of any maps, documents and filing fees, shall be paid for by the owner combining said Units.

In addition to the following, the owner of any Unit, including the Developer herein, shall have the right, with the consent of any mortgagee(s), if any and if so required, affecting said Unit(s), to divide said Unit and/or any limited common element areas appurtenant thereto as described in Section A.3, above, into two or more separate Unit(s), without the consent of the Association, the other owners of Units, any lien holder thereof, or anyone with an interest in the Project. The owner of the separated Units shall allocate the total percentage of common interest attributable to the initial Unit between the separated Units. Any such creation of two or more separated Units shall be made in compliance with all applicable governmental rules and regulations and applicable building and zoning codes, and the cost thereof, including the preparation of any maps, documents and filing fees, shall be paid for by the owner combining said Units.

The owner combining and/or separating the Units and/or limited common element areas as allowed herein shall amend this Declaration and the

Condominium Map to include the description of the combined or separated Unit or Units and the appurtenant limited common element areas, as may be necessary or as may be required by the Condominium Property Act to incorporate the new descriptions of the Unit or Units, and the appurtenant limited common element area(s). The amendment shall be signed only by the owners of the Unit(s) effectuating such changes, shall be recorded in the Land Court and a copy of the recorded amendment, together with a copy of the Condominium Map recorded therewith, shall be provided to the Association promptly upon request thereof.

AMENDMENT NUMBER EIGHT:

The Condominium Map is hereby amended by deleting the First page, consisting of the plot map for the Project, and substituting in place thereof the plot map dated September 22, 2016, prepared by John R. Akina, Licensed Professional Land Surveyor, consisting of one (1) page, filed concurrently herewith.

In all other respects, the Declaration, as amended herein, is hereby ratified and affirmed and shall be binding on and inure to the benefit of the parties hereby and their successors and assigns.

(The remainder of this page has intentionally been left blank. Signature page(s) to follow.)

IN WITNESS WHEREOF, the Developer has executed these presents as of the date and year first above written.

MALAEKAHANA LLC,
a Hawaii limited liability company

By: Abraham W H Lee
ABRAHAM W. H. LEE
Its: Member

"Developer"

STATE OF HAWAII)
) ss.
CITY AND COUNTY OF HONOLULU)

On September 23, 2016, before me personally appeared ABRAHAM W. H. LEE, the Member of MALAEKAHANA LLC, a Hawaii limited liability company, to me personally known or on the basis of satisfactory evidence proven to be, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable, in the capacity shown, having been duly authorized to execute such instrument in such capacity.

Document Description: *FIRST AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF CONDOMINIUM PROPERTY REGIME OF MALAEKAHANA BAY*

Dated: September 23, 2016

Number of Pages: 10

Rachel K. Lee
Notary's Signature
Print Name: Rachel K. Lee
Notary Public, State of Hawaii
First Judicial Circuit

My Commission Expires: 07/10/2020

RACHEL K. LEE NOTARY PUBLIC No. 16-248 STATE OF HAWAII

OFFICE OF THE
ASSISTANT REGISTRAR, LAND COURT
STATE OF HAWAII
Bureau of Conveyances

The original of this document was recorded as follows:

DOCUMENT NO. _____

DATE _____ Doc T – 9991297
CT 1108166, 1124031
May 10, 2017 3:29 PM

TCT _____

AFTER RECORDATION, RETURN BY MAIL ( ) PICK-UP (X)

CLAY CHAPMAN IWAMURA PULICE
& NERVELL
700 BISHOP STREET, SUITE 2100
HONOLULU, HAWAII 96813
ATTN: ANDERS G. O. NERVELL, ESQ.

THIS DOCUMENT CONTAINS 11 PAGES

TITLE OF DOCUMENT:

SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM PROPERTY REGIME OF MALAEKAHANA BAY
AND
AMENDMENT TO CONDOMINIUM MAP OF CONDOMINIUM PROPERTY REGIME OF MALAEKAHANA BAY (CONDOMINIUM MAP NO. 2319)

PARTIES TO DOCUMENT:

DEVELOPER: MALAEKAHANA LLC, a Hawaii limited liability company
1585 Kapiolani Boulevard, Suite 1533, Honolulu, Hawaii 96813

PROPERTY DESCRIPTION:

DOCUMENT NO.:
N/A
LAND COURT DOCUMENT NO.: N/A
T-9629321, T-9632366 & T-9762421
TRANSFER CERTIFICATE OF
TITLE NO(S).: 1,108,166 & 1,124,031

Tax Map Key: (1) 5-6-001-033

SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM PROPERTY REGIME OF MALAEKAHANA BAY
AND
AMENDMENT TO CONDOMINIUM MAP OF CONDOMINIUM PROPERTY REGIME OF MALAEKAHANA BAY (CONDOMINIUM MAP NO. 2319)

THIS SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM PROPERTY REGIME OF MALAEKAHANA BAY AND AMENDMENT TO CONDOMINIUM MAP OF CONDOMINIUM PROPERTY REGIME OF MALAEKAHANA BAY (CONDOMINIUM MAP 2319) (the "Amendment) is made this 5th day of May, 2017, by MALAEKAHANA LLC, a Hawaii limited liability company, whose address is 1585 Kapiolani Boulevard, Suite 1533, Honolulu, Hawaii 96813 (hereinafter called the "Developer").

W I T N E S S E T H :

WHEREAS, by that certain Declaration of Condominium Property Regime dated March 15, 2016, recorded in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. T-9629321, as amended and restated by that certain instrument dated May 16, 2016, recorded in said Office as Document No. T-9632366, and as further amended by that certain instrument dated September 23, 2016, recorded in said Office as Document No. T-9762421, and duly noted on Transfer Certificate of Title Nos. 1,108,166 and 1,124,031 (hereinafter collectively called the "Declaration"), the property more particularly described therein was submitted to the provisions of the Condominium Property Act, Chapter 514B, Hawaii Revised Statutes;

WHEREAS, the MALAEKAHANA BAY condominium project (hereinafter referred to as the "Project") established pursuant to said Declaration is more particularly shown and described on Condominium Map No. 2319 filed in said Office, as amended (hereinafter referred to as the "Condominium Map");

WHEREAS, Section M of the Declaration provides that the Declaration may be amended by the vote or written consent of the owners of at least sixty-seven percent (67%) of the common interest;

WHEREAS, the Developer is the owner of eighty-six and three-quarter percent (86.75%) of the common interest in the Project; and

WHEREAS, the Developer desires to amend the Declaration in the manner set forth herein pursuant to Section M of the Declaration.

NOW, THEREFORE, the Developer hereby amends the Declaration and the Condominium Map as hereinafter provided.

1. Section A of the Declaration is hereby deleted in its entirety and the following is substituted in place thereof:

A. DESCRIPTION OF THE PROJECT. The Project consists of eight (8) separate units. The units are designated on the Condominium Map as unit "1" through and including unit "8", and are sometimes referred to herein collectively as "Units" or singularly as a "Unit".

1. Description of the Units. Eight (8) separate and distinct freehold estates, deemed to include the entire structure and all improvements located therein, are bounded by and including the decorated or finished surfaces of the exterior of the perimeter walls, including all exterior doors and windows, by the exterior surfaces of the respective roofs thereof, and inclusive of the floor and ceiling of each of the buildings in the Project, together with any entries, porches, steps, stairs, walkways, lanais, decks, laundry areas, carports, or other improvements physically attached to each structure.

(a) Unit 1 contains two stories, and a basement, in which there are two (2) Bedrooms, one (1) Bathroom, a Living Room, a Kitchen and a Lanai on the ground or first level. The second level consists of one (1) Bedroom, two (2) Bathrooms and a Living Room. The basement contains a laundry room and a storage room. Unit 1 contains a net living area of approximately 1,804 square feet. The Lanai contains approximately 1,421 square feet and the basement contains 204 square feet, all as shown on the Condominium Map.

(b) Unit 2 contains one story in which there is one (1) Bedroom, one (1) Bathroom, a Dining/Living Room, a Kitchen, and two (2) Lanai Decks. Unit 2 contains a net living area of approximately 654 square feet and the Lanai Decks contain approximately 648 square feet, as shown on the Condominium Map.

(c) Unit 3 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 3 contains a net spatial area of 64 square feet.

(d) Unit 4 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 4 contains a net spatial area of 64 square feet.

(e) Unit 5 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 5 contains a net spatial area of 64 square feet.

(f) Unit 6 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 6 contains a net spatial area of 64 square feet.

(g) Unit 7 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 7 contains a net spatial area of 64 square feet.

(h) Unit 8 is currently a spatial unit, the location and coordinates of the horizontal boundaries of said unit are as shown on the Condominium Map. The vertical boundaries of the unit extend 8 feet above the finished grade of the horizontal boundaries shown on said Condominium Map. Unit 8 contains a net spatial area of 64 square feet.

Each Unit shall also include all pipes, wires, conduits, and other utility and service lines contained wholly within such Unit and which are utilized exclusively by and serve only such Unit.

The Developer or any owner of a Unit has the reserved right to renovate or remove either Unit or a portion thereof, and to rebuild, renovate and/or add to said Unit as provided for in Section Q, hereinbelow.

2. Description of the Common Elements. The common elements shall consist of all portions of the Project except the Units above described, and shall specifically include, but not be limited to:

(a) The Land in fee simple.

(b) That certain driveway consisting of approximately 5,532 square feet, as shown on the Condominium Map as Common Element 1, and providing vehicular and pedestrian access to and from the Project and the private roadway leading to Kamehameha Highway, as shown on the Condominium Map.

(c) That certain area consisting of approximately 1,254 square feet, as shown on the Condominium Map as Common Element 2, and providing pedestrian access to and from the Common Element 1 driveway to the Sea located behind the Project, as shown on the Condominium Map.

(d) All pipes, wires, conduits, and other utility and service lines which are utilized for or serve all of the Units.

(e) Any and all other apparatus and installations of common use, and all other parts of the Project necessary or convenient to its existence, maintenance, and safety, or normally in common use.

3. Description of the Limited Common Elements. Certain parts of the common elements are hereby set aside and reserved for the exclusive use of the Units and shall constitute limited common elements appurtenant thereto. Each Unit shall have an exclusive easement for the use of the limited common elements appurtenant thereto, except as otherwise provided herein. The cost of maintenance, repair, upkeep, and replacement of each limited common element shall be assessed to the owner of the Unit to which such limited common element is appurtenant. The limited common elements shall be appurtenant to each of the Units as follows:

(a) That certain 22,064 square feet, more or less, of real property of the Project which includes the real property upon which Unit 1 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, but subject to those certain Easements A and C described in Section C, hereinbelow, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 1 shall be located within this limited common element area.

(b) That certain 6,181 square feet, more or less, of real property of the Project which includes the real property upon which Unit 2 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 2 shall be located within this limited common element area.

(c) That certain 3,495 square feet, more or less, of real property of the Project which includes the real property upon which

Unit 3 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 3 shall be located within this limited common element area.

(d) That certain 3,800 square feet, more or less, of real property of the Project which includes the real property upon which Unit 4 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 4 shall be located within this limited common element area.

(e) That certain 3,250 square feet, more or less, of real property of the Project which includes the real property upon which Unit 5 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, but subject to that certain Easement D described in Section C, hereinbelow, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 5 shall be located within this limited common element area.

(f) That certain 4,130 square feet, more or less, of real property of the Project which includes the real property upon which Unit 6 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 6 shall be located within this limited common element area.

(g) That certain 4,052 square feet, more or less, of real property of the Project which includes the real property upon which Unit 7 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 7 shall be located within this limited common element area.

(h) That certain 4,052 square feet, more or less, of real property of the Project which includes the real property upon which

Unit 8 is situated, as shown on said Condominium Map, inclusive of the airspace located above such area, and also inclusive of all walls, fences, sidewalks, paved areas, yard or landscaped areas, and driveways located within said area, but subject to that certain Easement E described in Section C, hereinbelow, shall constitute a limited common element appurtenant to and for the exclusive use of said Unit. Vehicular parking for Unit 8 shall be located within this limited common element area.

(i) All pipes, wires, conduits, and other utility and service lines not contained within a Unit but used by and servicing one or more of the Units, but not all of the Units, shall be a limited common element appurtenant to and for the exclusive use of the Unit or Units using and serviced exclusively by such pipes, wires, conduits, and other utility and service lines.

2. Section B of the Declaration is hereby deleted in its entirety and the following is substituted in place thereof:

B. COMMON INTEREST. Unit 1 and Unit 2 shall each have appurtenant thereto an undivided thirteen and one-quarter (13.25) percentage interest and Units 3 through 8 shall each have appurtenant thereto an undivided twelve and one-quarter (12.25) percentage interest in all common elements of the Project, and the same proportionate share in all common profits and expenses of the Project, for all purposes, including voting (the "common interest").

3. Section C.iv is hereby deleted in its entirety and the following is substituted in place thereof:

iv) Easement D for Water Meter Purposes. An easement on, over and across a portion of the limited common element area appurtenant to Unit 5 and designated on said Condominium Map as "Easement D for Water Meter Purposes", consisting of approximately 151 square feet, shall be reserved for use by the Association and the individual Unit owners for the installation and maintenance of Water Meters for individual Units. If any water meters are installed in this area servicing any Units other than only Unit 5, then the maintenance and upkeep of this Easement area shall be the responsibility of the Association as a common expense of the Project.

4. Section C.v is hereby deleted in its entirety and the following is substituted in place thereof:

v) Easement E for Water Meter Purposes. An easement on, over and across a portion of the limited common element area appurtenant to Unit 8 and designated on said Condominium Map as

"Easement E for Water Meter Purposes", consisting of approximately 179 square feet, shall be reserved for use by the Association and the individual Unit owners for the installation and maintenance of Water Meters for individual units. If any water meters are installed in this area servicing any Units other than only Unit 8, then the maintenance and upkeep of this Easement area shall be the responsibility of the Association as a common expense of the Project.

5. Section P is hereby deleted in its entirety and the following is substituted in place thereof:

P. ORDINANCES, VARIANCES, ETC. The Project consists of the conversion of two (2) existing dwellings and six (6) spatial units into condominium units pursuant to the Condominium Property Act, Chapter 514B, Hawaii Revised Statutes, as amended. Pursuant to the letter dated November 27, 2015, issued by the Department of Planning and Permitting, City and County of Honolulu, State of Hawaii ("DPP"), the two-story single-family detached dwelling (Unit 1) and the one-story single-family detached dwelling (Unit 2) met all applicable code requirements at the time of construction in 1983 and 1946, respectively. On April 21, 2016, a Special Management Area Minor Permit, No. 2016/SMA-24, a copy of which is attached as Exhibit "B" and by reference is made a part hereof, was approved with conditions by DPP to allow the construction of six (6) new single-family detached dwellings, subject to the conditions set forth therein.

Subject to the penalties of Section 514B-69(b), Hawaii Revised Statutes, to the best of the Developer's knowledge, the Project is in compliance with all zoning and building ordinances and codes and all other permitting requirements adopted by the City and County of Honolulu. The Developer cannot determine, after due inquiry, whether the Project contains any legal nonconforming uses or structures as a result of the adoption or amendment of any ordinances or codes. Except as disclosed herein, no other variances or special permits appear to have been granted for the property.

6. The Condominium Map is hereby amended by deleting the first page, consisting of the site map for the Project, and substituting in place thereof the site map dated April 18, 2017, prepared by John R. K. Akina, Licensed Professional Land Surveyor, consisting of one (1) page, filed concurrently herewith.

In all other respects, the Declaration and Condominium Map, as herein and heretofore amended, are hereby ratified and confirmed and shall be binding upon and inure to the benefit of the parties thereto and their respective successors and assigns.

(The remainder of this page has intentionally been left blank)

IN WITNESS WHEREOF, Developer has executed these presents the day and year first above written.

MALAEKAHANA BAY LLC, a
Hawaii limited liability company

By: _____
ABRAHAM W. H. LEE,
Its Member

"Developer"

STATE OF HAWAII)
) SS.
CITY and COUNTY OF HONOLULU)

On this 5th day of May, 2017, before me personally appeared ABRAHAM W. H. LEE, to me personally known, who being by me duly sworn or affirmed, did say that such person executed the foregoing instrument as the free act and deed of such person, and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

Corinne C. Bauske

Print Name: CORINNE C. BAUSKE
Notary Public, State of Hawaii
First Circuit

CORINNE C. BAUSKE NOTARY 87-271 PUBLIC STATE OF HAWAII

My commission expires: 5-18-2019

Document Date: May 5 2017
Number of Pages: 11
Document Description:
SECOND AMENDMENT TO AMENDED AND RESTATED DECLARATION OF CONDOMINIUM PROPERTY REGIME OF MALAEKAHANA BAY AND AMENDMENT TO CONDOMIONIUM MAP OF CONDOMINIUM PROPERTY PROPERTY REGIME OF MALAEKAHANA BAY (CONDOMINIUM MAP 2319)

EXHIBIT F

STATE LAND USE DESIGNATION

State Land Use Districts

- Urban
- Agricultural
- Conservation

HAWAII ENGINEERING GROUP, INC.	Exhibit F – State Land Use Districts	1 of 1
	Donoso – Malaekahana LLC	Kahuku, Hawaii
	Draft Environmental Assessment	25-090

EXHIBIT G

ZONING MAP

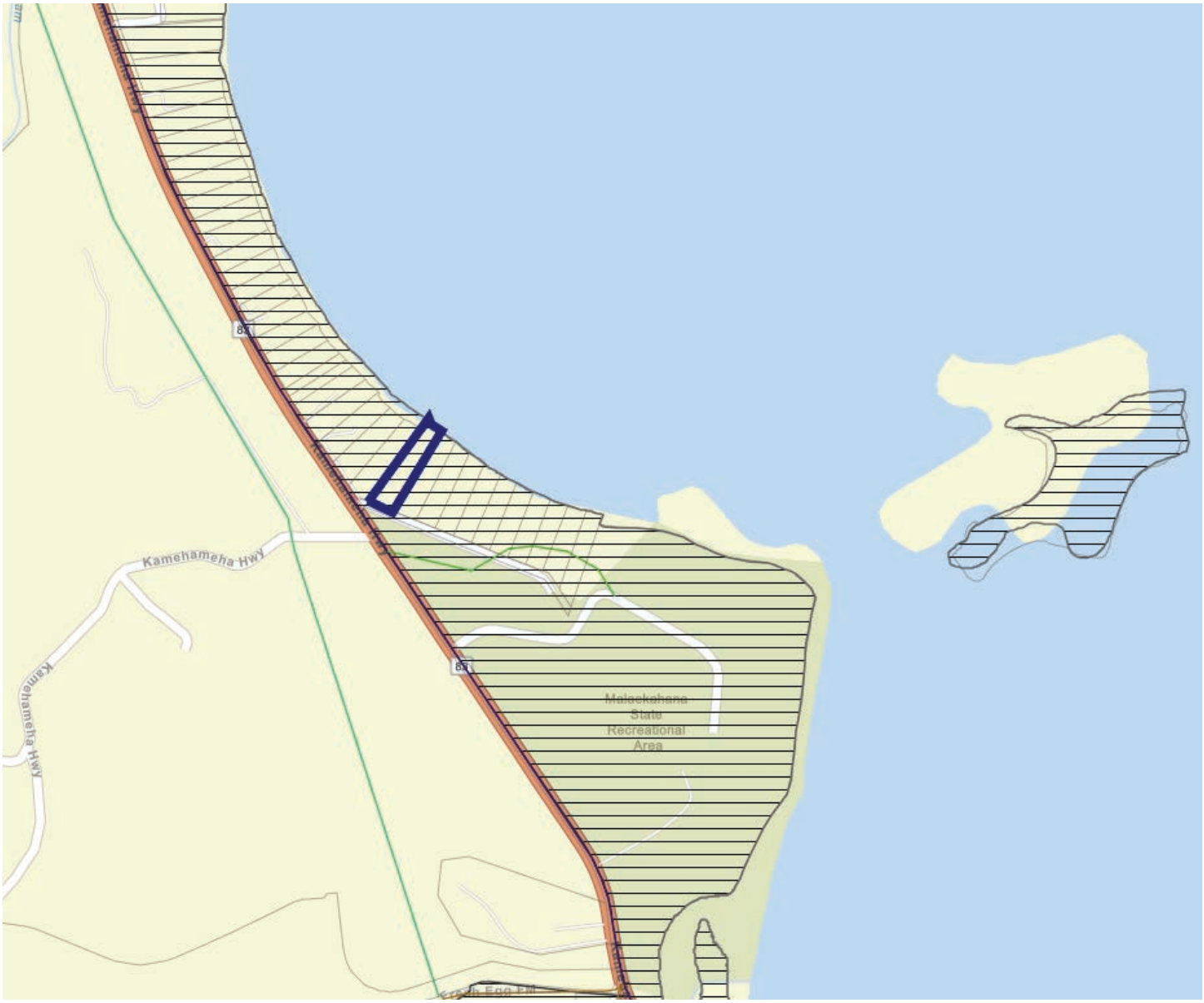
Zoning

- AG-1
- AG-2
- P-2
- R-5

HAWAII ENGINEERING GROUP, INC.	Exhibit G – Zoning Map	1 of 1
	Donoso – Malaekahana LLC	Kahuku, Hawaii
	Draft Environmental Assessment	25-090

EXHIBIT H

SMA MAP



Zoning Special Management Areas

Within SMA

Outside SMA

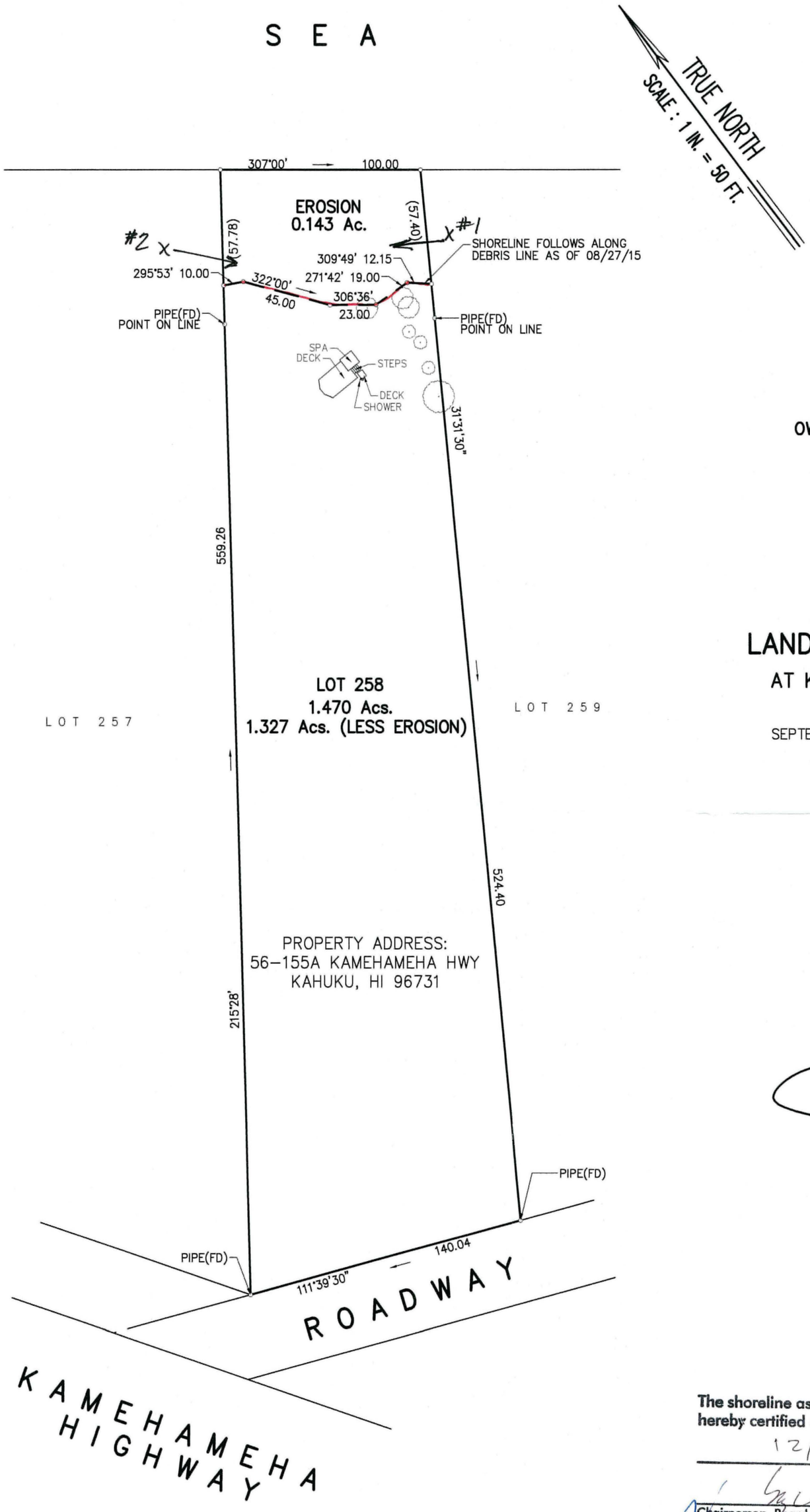
HAWAII ENGINEERING GROUP, INC.	Exhibit H – Special Management Area	1 of 1
	Donoso – Malaekahana LLC	Kahuku, Hawaii
	Draft Environmental Assessment	25-090

EXHIBIT I

SHORELINE MAP

SURVEY OFFICE COPY

EXHIBIT I



OWNER: REED COPSEY
8415 MIDNIGHT PASS ROAD
SARASOTA, FL 34242-2705

MAP SHOWING
SHORELINE SURVEY
AFFECTING LOT 258
LAND COURT APPLICATION 1095

AT KAHUKU, KOOLAULOA, OAHU, HAWAII

SCALE: 1 IN. = 50 FT.

SEPTEMBER 18, 2015 WALTER P. THOMPSON, INC.

JAMES R. THOMPSON
LICENSED PROFESSIONAL LAND SURVEYOR
No. 3627
HAWAII, U.S.A.

THIS WORK WAS PREPARED BY
ME OR UNDER MY SUPERVISION

James R. Thompson
Exp. 04/30/16

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

12/11/2015

Chairperson, Board of Land and Natural Resources

RM

15090c03-SHORELINE.dwg/1641.17/fdsw/20150918

TAX MAP KEY : 5 - 6 - 01 : 33

PICTURES 15"x 21" = 2.19 Sq.Ft.

#1

LOOKING NORTHWEST

8/27/15

10:00 A.M.

#2

LOOKING SOUTHEAST

8/27/15

10:00 A.M.

EXHIBIT J

PRE CONSULT LETTERS

Distribution & Respondents	Early Consultation	Early Consultation Comments Received	Receiving	Draft EA Comments
Regulatory Agency - DPP	X	X	X	X
Federal Agencies				
United States Department of the Interior Fish and Wildlife Service Pacific Islands Fish and Wildlife Office 300 Ala Moana Blvd., Room 3-122, Box 50088 Honolulu, Hawaii 96813	X	X	X	X
State of Hawaii Agencies				
State of Hawaii Department of Accounting and General Services Kalanimoku Building 1151 Punchbowl Street Honolulu, HI 96813			X	X
State of Hawaii Department of Land and Natural Resources Historic Preservation Division (via – HICRES at SMA stage) Kakuhihewa Building 601 Kamokila Blvd., Room 555 Kapolei, HI 96707	X	X		
HEER 1250 Punchbowl Street Honolulu, HI 96813	X	X	X	X
Hawaii Dept of Health 1250 Punchbowl Street Honolulu, HI 96813				
City & County of Honolulu Departments				
Department of Facility Management	X	X		

1000 Uluohia St. Ste 215 Kapolei, HI 96707				
Department of Community Services 925 Dillingham Blvd. Honolulu, HI 96817			X	X
C C of Honolulu, Police Dept. 801 S. Beretania Street Honolulu HI 96813			X	X
County of Oahu – Fire Department Administrator – Dept of Fire and Public Safety 636 South Street Honolulu. HI 96813	X	X	X	X
Department of Environmental Services 1000 Uluohia Street, Suite 308 Kapolei, HI 96707			X	X
Dept. of Parks and Recreation 1000 Uluohia Street, Suite 309 Kapolei, HI 96707	X	X	X	X
<u>Other</u> UH Climate Resilence Collabortive University of Hawaii Manoa HI Dr. Chip Fletcher			X	X
<u>Adjacent and Nearby Properties</u> Abutters			X	X
Koolauloa Neighborhood Board			X	X

CONSULTATION LETTERS AND RESPONSES

Early Consultation

FILE

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

August 11, 2022

2022/ELOG-1595(ST)
2016/SMA-24

Ms. Rachel Okoji, President
Environmental Risk Analysis LLC
905A Makahiki Way
Honolulu, Hawaii 96826

Dear Ms. Okoji:

SUBJECT: Early Consultation for an Environmental Assessment (EA)
Special Management Area (SMA) Use Permit
Seven Single-Family Dwellings
56-155 Kamehameha Highway - Kahuku
Tax Map Key 5-6-001: 033

This responds to your request, received on August 2, 2022, for comment regarding your forthcoming Draft EA. The proposal is to demolish an existing dwelling and construct seven new single-family dwellings on a 1.47-acre shoreline lot in the R-5 Residential District. It is our understanding that the Draft EA is being prepared for submission of an application for a Major SMA Use Permit. The proposal will supersede the previous minor SMA permit No. 2016/SMA-24 (2016 SMA Permit), which authorized the construction of six 312-square-foot single-family dwellings.

Please note that changes in the SMA law have taken effect since the 2016 SMA Permit, including the adoption of Act 16 (2020) and Ordinance 21-27. Please refer to our updated instructions for preparing an EA and SMA Major permit application on our web-site at:

http://www.honoluludpp.org/Portals/0/pdfs/zoning/DPP%20EA%20Instructions.pdf

http://www.honoluludpp.org/LinkClick.aspx?fileticket=kNj-FVUmrGQ%3d&tabid=93&portalid=0&mid=420

Should you have any questions, please contact Steve Tagawa, of our staff, at (808) 768-8024.

Very truly yours,

for Dean Uchida
Director

cc: Site Development Division

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

KIRK CALDWELL
MAYOR

MANUEL P. NEVES
FIRE CHIEF

LIONEL CAMARA JR
DEPUTY FIRE CHIEF

October 8, 2020

Mr. Adam Lee
4960 Mana Place
Honolulu, Hawaii 96816

Dear Mr. Lee:

Subject: Request for Fire Department Hydrant Equivalency
Five Proposed Single-Family Dwellings
56-155A Kamehameha Highway
Kahuku, Hawaii 96731
Tax Map Keys: 5-6-001: 033 and 066

In response to your letter dated September 13, 2020, regarding the abovementioned subject, the Honolulu Fire Department reviewed the submitted information and approves your request for fire department hydrant equivalency provided the following are complied with:

1. The proposed dwellings shall be equipped with full coverage automatic fire sprinkler systems in accordance with National Fire Protection Association (NFPA) 13D.

2. The proposed dwellings shall meet all fire department access road requirements of NFPA 1, 2012 Edition.

3. Fire extinguishers meeting the requirements of NFPA 10, 2010 Edition are installed.

4. Submit civil drawings to the City and County of Honolulu's Department of Planning and Permitting for review and approval.

Should you have questions, please contact Acting Battalion Chief Timothy Caires of our Fire Prevention Bureau at 723-7094 tcaires@honolulu.gov.

Sincerely,

JASON SAMALA
Assistant Chief

JS/TC:bh

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

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD., STE 555
KAPOLEI, HI 96707

December 31, 2020

IN REPLY REFER TO:
Project No.: 2020PR34918
Log No.: 2020.02811
Doc. No.: 2012LS02
Archaeology
History & Culture

Ms. Kathy Sokugawa, Acting Director
Department of Planning and Permitting
City and County of Honolulu
One Main Plaza Building
650 South King Street
Honolulu, Hawaii 96813

Dear Ms. Sokugawa:

SUBJECT: **Chapter 6E-42 Historic Preservation Review –**
Building Permit Applications – A2016-11-0326, A2016-12-0580, A2016-12-0581, A2016-12-0582, A2016-12-0583
Grading Permit Application – GP2020-01-0020
56-155-A Kamehameha Hwy., Kahuku – New 2-story SFD
Owner Name: Malaekahana Hui West LLC
Malaekahana Ahupua'a, Ko'olaupoko District, Island of O'ahu
TMK: (1) 5-6-001:033 and 066

This letter provides the State Historic Preservation Division's (SHPD's) review of these subject permit applications for the proposed construction of five new 2-story dwellings at 56-155-A Kamehameha Highway.

- A2016-11-0326 – TMK: (1) 5-6-001:033 (1.47 acres) - New 2-story SFD, new 6' high retaining wall at the middle of the property; and TMK: (1) 5-6-066 (1.142-acres)
- A2016-12-0580 – TMK: (1) 5-6-001:033 (1.47-acres) 56-155-A Kam Hwy., Unit D1, new 2-story SFD
- A2016-12-0581 – TMK: (1) 5-6-001:033 (1.47-acres) 56-155-A Kam Hwy., Unit F1, new 2-story SFD
- A2016-12-0582 – TMK: (1) 5-6-001:033 (1.47-acres) 56-155-A Kam Hwy., Unit G1, new 2 story SFD
- A2016-12-0583 – TMK: (1) 5-6-001:033 (1.47-acres) 56-155-A Kam Hwy., Unit H1, new 2 story SFD

The SHPD received this permit application on November 24, 2020 which included building permit applications, a TMK map, construction plans, and an HRS 6E Submittal Form. On December 4, 2020, the applicant submitted a grading permit application and photos of the project area. The project area comprises of a 0.57-acre portion of a 1.47-acre parcel. Subsurface disturbance will include excavation to a maximum of 3 ft. below grade including utilities.

Our records show that the parcel has not been surveyed for archaeological historic properties. The soils in the project area and vicinity consist of Jaucas sands, which are known to contain significant subsurface cultural layers and human remains/burials. Previous archaeological findings include human burials, an imu and at least two firepits located at 56-155 Kamehameha Highway. This address is associated with a small cluster residential development. A burial was recovered from an eroding beach face dune (Yent and Ota 1983). In 2018 and 2019, at least two inadvertent discoveries of in situ burials occurred during excavation and grading activities at Unit 1 and Unit 2.

At this time, SHPD has insufficient information for making a determination that no historic properties will be affected by the proposed project which involves a significant amount of subsurface excavation. Therefore, **SHPD requests an archaeological inventory survey** with a subsurface testing component be conducted within the proposed project area. The AIS shall be conducted by a qualified archaeologist in order to adequately identify and

document any archaeological historic properties that may be present, to assess their significance, to determine the potential impacts of this project on any identified archaeological historic properties, and to identify and ensure appropriate mitigation is implemented, if needed. A list of permitted archaeological firms is provided on the SHPD website at: http://dlnr.hawaii.gov/shpd/about/branches/archaeology/.

SHPD requests the project proponent and archaeological firm consult with our office regarding an appropriate testing strategy prior to initiation of the AIS.

When the AIS is completed, please submit the draft report to SHPD to **HICRIS Project 2020PR34918** using the Project Supplement option in HICRIS.

SHPD shall notify the County when the required archaeological reports and/or plans have been reviewed and accepted and the permit issuance process may continue.

Please contact Regina Hilo, Oahu Island Burial Sites Specialist, at Regina.Hilo@hawaii.gov, for concerns regarding human burials, and Susan A. Lebo, Archaeology Branch Chief, at Susan.A.Lebo@hawaii.gov or at (808) 321-9000, for matters regarding archaeological resources or this letter.

Aloha,
Alan Downer

Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

cc: Wallace Carvalho, wcarvalho@honolulu.gov
Kanani Padeken, kpadeken@honolulu.gov
Perry Tamayo, ptamayo@honolulu.gov
Adam Lee, adam@nojuice.com

DAVID Y. IGE
GOVERNOR OF
HAWAII

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD , STE 555
KAPOLEI, HI 96707

March 31, 2022

IN REPLY REFER TO:
Project No. 2020PR34918
Doc. No. 2103DM06
Archaeology

Mr. Dean Uchida, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813
c/o Perry Tamayo
ptamayo@honolulu.gov

Dear Mr Uchida:

SUBJECT: **HRS Chapter 6E-42 Historic Preservation Review –**
Building Permit Applications – A2016-11-0326, A2016-12-0580, A2016-12-0581, A2016-12-0582, A2016-12-0583
Grading Permit Application – GP2020-01-0020
Archaeological Assessment for a Portion of TMK: (1) 5-6-001:033
Mālaekahana Ahupua'a, Ko'olauloa District, Island of O'ahu
TMK: (1) 5-6-001:033 por.

This letter provides the State Historic Preservation Division's (SHPD's) review of the subject archaeological assessment (AA) report titled *Archaeological Assessment for a Portion of TMK: (1) 5-6-001:033, Mālaekahana Ahupua'a, Ko'olauloaDistrict, Island of O'ahu TMK: (1) 5-6-001:033* (Rechtman, March 2021), Building Permit Applications A2016-11-0326, A2016-12-0580, A2016-12-0581,A2016-12-0582, A2016-12-0583, and Grading Permit Application (GP2020-01-0020). SHPD previously reviewed the subject permit applications, requested an archaeological inventory survey (AIS) be conducted for the project (December 31, 2020; Project No. 2020PR34918, Log No. 2020.02811, Doc. No. 2012LS02). SHPD received the draft AA report on March 22, 2021, and a final revised report on March 30, 2021. Due to negative findings the AIS results are presented in an AA report as specified in HAR§ 13-284-5(b)(5)(A).

Malaekahana, LLC (landowner) proposes the development of five small housing units on lots; four measuring 312 square feet and one measuring 576 square feet. The project area comprises a 0.57-acre portion of the 1.47-acre property under multiple Condominium Property Regime (CPR) ownership. The development will include ground disturbances for foundation footings for post and pier structures, underground water connections, leach field excavations, and septic tank installations.

ASM Affiliates (ASM) conducted an AIS consisting of a 100% pedestrian survey with transects spaced 3 meters apart across the entire project area, and six backhoe test trenches in locations where project related ground disturbance were proposed. The surface survey and subsurface testing yielded negative results for historic properties within the project area. Profiles were recorded for each of the six backhoe test trenches which measured roughly 5 to 6 meters long and 1.5 to 2 meters deep. Although the AIS yielded negative results, Rechtman (March 2021) recommends archaeological monitoring be conducted for the project due to the potential for cultural deposits and burials to be present and impacted.

Based on the presence of Jaucas sands within the project area, which are known to contain significant subsurface cultural layers and human remains/burials, SHPD has insufficient information to determine the project will not

adversely affect historic properties and/or burials. Additionally, previous archaeological findings show human burials, an imu and at least two firepits were identified at 56-155 Kamehameha Highway. **SHPD requests** that an archaeological monitoring plan (AMP) meeting the requirements of HAR §13-279-4 be submitted to SHPD for review and acceptance prior to project initiation.

The AA report satisfies the requirements of HAR §13-276-5. **It is accepted.** Please send one hard copy of the document, clearly marked FINAL, along with a copy of this review letter and a text-searchable PDF version of the report to the Kapolei SHPD office, attention SHPD Library. Please also send a text-searchable PDF copy of this letter to HICRIS Project No. 2021PR34918 using the Supplemental Attachment option, and a text-searchable PDF copy of the report to lehua.k.soares@hawaii.gov.

SHPD shall notify the County when an archaeological monitoring plan (AMP) meeting the requirements of HAR §13-279-4 has been reviewed and accepted so the permit issuance process may proceed.

Please contact Deidra Moore, O'ahu Archaeologist III, at deidra.moore@hawaii.gov for any questions regarding this letter.

Aloha,

Alan Downer

Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

cc: Adam Lee, adam@nojuice.com

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:
2022-0027960-S7-001

April 6, 2022

Ms. Rachel Okoji
President
Environmental Risk Analysis, LLC
905A Makahiki Way
Honolulu, Hawaii 96826

Subject: Technical Assistance for the Demolition and Construction of a New Residence at 56-155 Kamehameha Highway, Kahuku, O'ahu

Dear Ms. Okoji:

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,

Island Team Manager
Pacific Islands Fish and Wildlife Office

Enclosures (2)

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/ʻōpeʻapeʻa	E	☒
Reptiles			
Chelonia mydas	green sea turtle/honu - Central North Pacific distinct population segment (DPS)	T	☒
Eretmochelys imbricata	hawksbill sea turtle/ honu ʻea or ʻea	E	☒
Birds			
Anas wyvilliana	Hawaiian duck/koloa	E	☐
Branta sandvicensis	Hawaiian goose/nēnē	T	☐
Fulica alai	Hawaiian coot/ʻalae keʻokeʻo	E	☐
Gallinula galeata sandvicensis	Hawaiian gallinule/ʻalae ʻula	E	☐
Himantopus mexicanus knudseni	Hawaiian stilt/aeʻo	E	☐
Oceanodroma castro	band-rumped storm-petrel Hawaiʻi DPS/ʻakēʻakē	E	☒
Pterodroma sandwichensis	Hawaiian petrel/ʻuaʻu	E	☒
Puffinus auricularis newelli	Newell's shearwater/ʻaʻo	T	☒
Ardenna pacificus	wedge-tailed shearwater/ʻuaʻu kani	MBTA	☒
Buteo solitarius	Hawaiian hawk/ʻio	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	ko'oloa'ula	E	O, L, M, H	☐
Achyranthes splendens var. *rotundata*	'ewa hinahina	E	O	☐
Bonamia menziesii	no common name	E	K, O, L, M, H	☐
Canavalia pubescens	'āwikiwiki	E	Ni, K, L, M	☐
Colubrina oppositifolia	kauila	E	O, M, H	☐
Cyperus trachysanthos	pu'uka'a	E	K, O	☐
Gouania hillebrandii	no common name	E	Mo, M	☐
Hibiscus brackenridgei	ma'o 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	'ihi'ihi	E	Ni, O, Mo	☐
Mezoneuron kavaiense	uhiuhi	E	O, H	☐
Nothocestrum breviflorum	'aiea	E	H	☐
Panicum fauriei var. *carteri*	Carter's panicgrass	E	Molokini Islet (O), Mo	☐
Panicum niihauense	lau'ehu	E	K	☐
Peucedanum sandwicense	makou	E	K, O, Mo, M	☐
Pleomele (Chrysodracon) hawaiiensis	halapepe	E	H	☐
Portulaca sclerocarpa	'ihi	E	L, H	☐
Portulaca villosa	'ihi	E	Le, Ka, Ni, O, Mo, M, L, H, Nihoa	☐
Pritchardia affinis (maideniana)	loulu	E	H	☐
Pseudognaphalium sandwicensium var. *molokaiense*	'ena'ena	E	Mo, M	☐
Scaevola coriacea	dwarf naupaka	E	Mo, M	☐
Schenkia (Centaurium) sebaeoides	'āwiwi	E	K, O, Mo, L, M	☐
Sesbania tomentosa	'ōhai	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=O'ahu, K=Kaua'i, M=Maui, H=island of Hawai'i, L=Lāna'i, Mo=Moloka'i, Ka=Kaho'olawe, Ni=Ni'ihau, Le=Lehua

Solid and Hazardous Waste Branch Standard Comments

- For release response actions, responsible parties and their consultants and contractors should follow the applicable guidance in the Department of Health Hazard Evaluation Emergency (HEER) Office Technical Guidance Manual, HEER Environmental Action Level (EAL) guidance, and other guidance documents on the DOH HEER Office website [http://eha-web.doh.hawaii.gov /eha-cma/Org/HEER/], including those pertaining to Multi-Increment Sampling of soil, low flow groundwater sampling, soil vapor sampling, and Environmental Hazard Evaluations (EHE)/Environmental Hazard Management Plans (EHMP).

DEPARTMENT OF PARKS & RECREATION

CITY AND COUNTY OF HONOLULU

1000 Uluohia Street, Suite 309, Kapolei, Hawaii 96707
Phone: (808) 768-3003 • Fax: (808) 768-3053
Website: www.honolulu.gov

RICK BLANGIARDI
MAYOR

LAURA H. THIELEN
DIRECTOR

KEHAULANI PU'U
DEPUTY DIRECTOR

August 8, 2022

Ms. Rachel Okoji, M.S.
Environmental Risk Analysis LLC
905A Makahiki Way
Honolulu, Hawaii 96826
Attn: 56-155 Kamehameha Highway

Dear Ms. Okoji:

SUBJECT: Pre-Consultation for an Environmental Assessment
56-155 Kamehameha Highway - New Residences
TMK: 5-6-001:033 Kahuku, Hawaii

Thank you for the opportunity to review and comment at the pre-assessment consultation stage of the subject Draft Environmental Assessment.

The net increase of seven single family residences will require the developer to comply with the requirements of the Park Dedication Ordinance.

Should you have any questions, please contact Ms. Jennifer Barra, Planner V at 808-768-3017.

Sincerely,

for Laura H. Thielen
Director

LHT:jb
(885973)

CONSULTATION LETTERS AND RESPONSES

Draft Environmental Assessment

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

FILE

RICK BLANGIARDI
MAYOR

DAWN TAKEUCHI APUNA
ACTING DIRECTOR

September 19, 2022

2022/ED-17(ST)
CERTIFIED MAIL

Ms. Rachel Okoji
Environment Risk Analysis LLC
905A Makahiki Way
Honolulu, Hawaii 96826

Dear Ms. Okoji:

SUBJECT: Draft Environmental Assessment (DEA)
Chapter 25, Revised Ordinances of Honolulu (ROH)
Donoso and Malaekana LLC Single-Family Residences
56-155 Kamehameha Highway - Kahuku
Tax Map Key 5-6-001: 033

This responds to the DEA, received on August 24, 2022, for the above-referenced site. The Project is described as the demolition of an existing single-family dwelling and the construction of up to seven new single-family dwellings on the 1.47-acre (64,033 square feet) site in the Special Management Area (SMA). The site is a shoreline parcel in the R-5 Residential District. Our records indicate the address of this site is **56-155 A** Kamehameha Highway. Based on our review, this DEA cannot be accepted for processing because it does not provide sufficient Project details and its associate impacts which are necessary to process the subsequent application for an SMA Major Permit, as explained below:

1. Executive Summary: The summary must clearly explain the existing improvements on the site, its legal status (i.e., nonconforming, permitted, etc.), the multiple ownership of the site, and the previous proposal for multiple dwelling units which was granted two SMA Minor permits by the Department of Planning and Permitting (DPP), which are no longer being developed.

2. Section 1.1 Scope and Authority: This section should clarify that a DEA was not required for the previous proposal and explain how the current Project differs, and thereby requires an SMA Major Permit. Lastly, it incorrectly indicates that the Project location on a shoreline lot, triggers a Chapter 343, Hawaii Revised Statutes () document. However, because the Project does not involve the use of

the shoreline, requiring a shoreline setback variance, this DEA is a Chapter 25, ROH, document.

3. Section 2 Project Description: The Project description must be expanded to include a text description of the Project; attached plans alone do not explain the full build-out of this site. The phasing of the Project must be more clearly explained. Each dwelling should be described, including its floor area, type of construction and configuration, its location on the site, and all associated improvements which are necessary (i.e., driveways, drainage improvement, etc.). The site plans must be enlarged to be fully legible; at their current scale, the notations are too small to be easily read or successfully reproduced. An existing site plan or survey, is needed which reflects the current condition of the site.

4. Section 3 Alternatives Including the Proposed Action: This section should be expanded to also address an alternative where the other very limited 312-square-foot modular dwellings are replaced in favor of a more conventionally-sized dwelling(s). Please be advised that if this third alternative is not adequately incorporated into this EA, another separate EA may be required in order to process a possible modification of SMA Major Permit, should one be granted.

5. Section 4 Affected Environment:

   a. 4.1.1. Topography and Geology: This section should provide a more complete description of the terrain of the site. A topographic map of the site should be included in a revised DEA.

   b. 4.1.2 Soils: This section incorrectly states that this site is a Coral Outcrop. Our records indicate the area is primarily Jaucus Sand and Beach Sand near the shoreline.

   c. 4.1.4 Flora and Fauna: Given the presences of migratory birds and the endangered hoary bat, the existing trees on the property should be document and discussed.

   d. 4.1.9. Solid Waste: This section should explain if the Project will utilize municipal or private solid waste disposal services.

   Starting on page 4-13 the numbering of the subsection headings repeat back to section 4.1.1. instead of progressing to Section 4.1.11 for the Land Use Considerations and Zoning (i.e., there are two sections 4.1.1.). Please make the necessary revisions.

e. Circulation and Traffic: This subsection must be expanded to describe the existing access off Kamehameha Highway, the width of the right-of-way and its surface type. This section must disclose how many other parcels and how many existing dwellings utilize the roadway off of Kamehameha Highway. Because this roadway is essentially a driveway off the State Highway, the traffic conditions along this section of highway and driveway details should be provided (i.e., speed limit, sight distance, turning radius, two-way entry, turning radius, throat width and length, etc.).

f. 4.1.6. Recreational and Public Facilities: The approximate distances and direction to the various recreational areas listed, should be provided (i.e., feet or miles to the south, etc.).

g. 4.1.7 Visual and Aesthetic Resources: The DPP 1987 Coast View Study designated this portion of Kamehameha Highway as being a "Coastal Roadway with Intermittent Coastal Views." It also recognized that nearby Makahoa Point and Kalanai Point contained significant stationary views along the coastline.

h. 4.1.8 Infrastructure System and Utilities: This section should be expanded to describe the existing water service available (i.e., the size and location of existing water lines and what laterals) to the Project. Although municipal wastewater service is indicated as not available, the Laie Wastewater Facilities is only about 1.25 miles to the south. The DEA should discuss whether there are plans for extending sewer service to the Project location. The provision of electric is presumed to be via overhead lines located along Kamehameha Highway. However, the DEA should describe the existing utility service.

6. Section 5 Environmental Consequences and Proposed Mitigations Measures:

5.1 Physical Environment:

a. 5.1.2 Soils: The DEA must provide actual earthwork estimates (i.e., cubic yards of excavation and fill) that will be necessary to construct the proposed dwellings at full build-out. The earthwork estimates would vary depending on the type of dwelling construction proposed, which was specifically requested for Section 2 Project Description.

b. 5.1.4 Flora and Fauna: The detailed information gather by the biological consultant in their assessment attached in Appendix A, Exhibit 7, should be discussed in the body of the DEA.

c. 5.1.6 Water Resources: The DEA must provide estimated water demand (i.e., gallons per day) for the Project at full build-out. In the absence of an anticipated figure for water demand, an assessment of no impact to current services cannot be made.

d. 5.1.10 Hazardous Wastes: Please explain why there will be renovation wastes (lead, asbestos, etc.) to be managed. Explain if this discussion pertains to the demolition of the existing dwelling on Lot 6.

e. 5.2.4 Circulation and Traffic: The DEA must include the anticipated increase in traffic due to the Project with seven new dwellings and explain why roadway improvements to mitigate traffic impacts and safety conditions, are not required.

f. 5.2.9 Infrastructure Systems and Utilities: Water demand for the Project should be based on seven new dwellings. There must be empirical figures provided, from which the appropriate agency can comment. Although this section states that the Honolulu Fire Department (HFD) previously approved a hydrant equivalency for the previous Project, the current Project contain significant larger structures, which may change HFD evaluation. Regarding wastewater, estimates should also be provided for full build-out of the Project and preliminary design layouts for the individual wastewater system. There should be a discussion of whether State Department of Health regulations will allow individual systems for what will be a total of seven new dwellings on a single lot, or whether a single system will be required.

7. Section 6 Relationship to Plans, Policies, and Controls:

a. 6.1.2 City and County Zoning:

Land Use Ordinance: This section incorrectly indicates the site is in the R-10 Residential District, although in other sections of the DEA, the zoning is correctly indicated as R-5 Residential District. This section should be expanded to discuss how the Project is consistent with the zoning code, Chapter 21, ROH, including the R-5 Residential District development standards, including density, building area, required yards, building height limits, allowable total floor area ratio, required off-street parking, and the number of bathrooms, etc.

b. 6.1.3 Coastal Zone Management, Chapter 205A: This section must be expanded to disclose and discuss how the proposed Project complies with each Objectives and Policies of the SMA contained in Section 205A-2, Hawaii Revised Statutes, and the SMA review guidelines set forth in Section 25-3.2, ROH.

c. 6.1.5 Koolau Loa Sustainable Communities Plan (SCP): The headings is section are confusing because the text which follows relates to the Oahu General Plan. The DEA should be revised with the correct headings for the associated discussions. We should also point out that the Oahu General Plan (GP) underwent an eight-year review and update which is reflected in the November 2021 Oahu GP. The updated Oahu GP was adopted by the City Council and signed into law on January 14, 2022. See our website at:

https://www.honolulu.gov/rep/site/dpp/pd/pd_docs/General_Plan_RESO_21-23_CD1_For_DISTRIBUTION.pdf

Similarly, we point out that the headings for the sub-sections of the Koolau Loa Sustainable Communities Plan (SCP) are more prominently featured than the headings for DEA discussions (i.e., with bold and capitalized text), which are very confusing. We recommend the hierarchy of headings be revised.

8. Section 7 Significance Determination: The first page of Section 7 is missing from both copies of the DEA. This is the Significance criteria of State Environmental Impact Statement Rules, Section 11-200.1-13, Hawaii Administrative Rules.

9. A new Section 8 should be inserted which is the list of agency, organizations and individuals, which we distributed early-consultation requests. Likewise, there should be another section which list that agencies, organizations and individuals to which the DEA will be distributed when it is accepted for publication in *"The Environmental Notice"* of the State Environmental Review Program.

See our website for EA/Environmental Impact Statement instructions at:

http://www.honoluludpp.org/Portals/0/pdfs/zoning/DPP%20EA%20Instructions.pdf

Thank you for your attention to these items. You may resubmit a revised DEA upon incorporation of the additional information and required revisions discussed above. Please resubmit the application review fee and processing fees at that time.

We have enclosed a receipt for the DEA review fee, and are returning Check No. 5887. Should you have any questions, please contact Steve Tagawa, of our staff, at (808) 768-8024 or via email at stagawa@honolulu.gov.

Very truly yours,

for Dawn Takeuchi Apuna
Acting Director

Enclosures: Receipt No.138155
Check No. 5887

OFFICIAL RECEIPT

DEPARTMENT OF PLANNING AND PERMITTING

CITY AND COUNTY OF HONOLULU

138155

Date: Sept 16, 2022

Received From: Environmental Risk Analysis LLC

Two hundred and no/100 DOLLARS

For: 2022/ED-17 app renewal fee

Tax Map Key: 5-6-001:033

$200.00

ASO-V #6033

DEPARTMENT OF PLANNING AND PERMITTING

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ms. Rachel Okoji
Environment Risk Analysis LLC
905A Makahiki Way
Honolulu, Hawaii 96826

9590 9402 7417 2055 7999 70

2. Article Number (Transfer from service label)

7017 0190 0000 7120 1406

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Dorothy Matsui ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
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PS Form 3811, July 2020 PSN 7530-02-000-9053 2022/ED-17 (ST) Domestic Return Receipt

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

DAWN TAKEUCHI APUNA
DIRECTOR

JIRO A. SUMADA
DEPUTY DIRECTOR

March 24, 2023

2023/ED-3(ST)
2023/ELOG-303

Ms. Rachel Okoji
Environment Risk Analysis LLC
905A Makahiki Way
Honolulu, Hawaii 96826

Dear Ms. Okoji:

SUBJECT: Draft Environmental Assessment (DEA)
Chapter 25, Revised Ordinances of Honolulu (ROH)
Donoso and Malaekana LLC Single-Family Residences
56-155 Kamehameha Highway - Kahuku
Tax Map Key 5-6-001: 033

This responds to the revised DEA, resubmitted on February 10, 2023, for the redevelopment of the above-referenced shoreline parcel with multiple single-family dwellings in the Special Management Area (SMA). Based on our review, this DEA cannot be accepted for processing without necessary revisions to provide a clear Project description and its impact, and before it can be published for public review and comment to inform the forthcoming SMA Use Permit application, as explained below:

1. Executive Summary: The summary must be expanded to clearly explain the existing improvements and their legal status on the 1.47-acre site (i.e., nonconforming, permitted, etc.). The tenure of this large R-5 Residential District parcel and its multiple fee-owners should be clearly identified (i.e., condominium property regime or CPR). The previous SMA permit (No. 2016/SMA-24) approved by the Department of Planning and Permitting on April 16, 2016, to construct six new single-family dwellings, should be disclosed. The DEA incorrectly indicates only five new dwellings were proposed. This summary should clarify that the minor SMA permit remains valid.

2. Section 2.1 Project Description: The text description must be revised to clearly state the number of new single-family dwellings proposed for the preferred Project, referred to as "Alternative II," as seven. This statement must match the

number of dwellings indicated in the table. However, because the City only recognizes the site as a single zoning lot - tax map key (TMK) number 5-6-001: 033 - the table should be revised to identify only the CPR Lots and its separate fee-owners (i.e., eliminate the repetitive reference to the TMK). We also recommend that the table be expanded to include the floor area and bedroom count of each dwelling unit proposed. The attached CPR map must be of sufficient size to allow visual examination; we find that notations are too small to be legible. In addition, it is unclear what the "spatial units" shown on the map are, which are only about 64-square-feet in size; this should be explained. We also suggest that an existing site plan with current improvements and structures, similar to the survey map attached to the previous DEA in Appendix A, Exhibit 3, be included in this section.

3. Section 2.2 Construction Time Frame and Estimated Project Construction Costs: Although this section indicates the Project has two phases, the elements and intervals of each phase are not disclosed. We suggest this phasing be defined and Figure 4 be revised to clearly reflect the two phases.

   Plans - The plans for existing and new dwellings on each CPR lot should be complete. The following plans, revisions, or additions, must be provided:

Lot 1 -	There are no plans for the existing dwelling. As-built plans or drawings, including a plot plan, are needed.
Lot 2 -	The building envelopes shown on the elevation drawings are incorrectly shown. These drawings must be revised to accurately show the buildable height limit as defined in the Land Use Ordinance, Section 21-3.70-1(c)(1), ROH.
Lots 3 & 4 -	The site plan for each CPR lot is missing and should be included. Please be advised that proposed "cottages" shown are approximately 360 square-feet, which is larger than the 312-square-foot single-family dwellings approved by 2016/SMA-24.
Lot 5 -	The site plan is missing and should be provided.
Lot 6 -	Elevations for the proposed dwelling on this CPR lot should be included.
Lot 7 -	A site plan for this CPR lot should be provided.
Lot 8 -	A site plan for this CPR lot should be provided.

   Please be advised that the type of construction, foundations, total floor area and building area should be included. All site plans should be drawn to scale and include all associated improvements proposed, including driveways, pavement, and walkways, as well as necessary drainage improvements (e.g., French drains, seepage pits, wet wells, etc.).

4. Section 3.3 Alternative III: Additional Build: We reiterate our previous DEA comment that if this alternative is not fully described and evaluated, future proposals to build more conventional-sized dwellings on Lots 3 and 4, instead of the 312-square-foot modular dwellings approved by 2016/SMA-24, may require the preparation of a separate EA before it can be considered for decision-making.

5. Section 4 Affected Environment:

   a. 4.1.1. Topography and Geology: The scale of the map provided (Figure 20) in too large to be useful. The topographic map must be of sufficient scale (zoomed in) to reveal the actual contours of the 1.47-acre site.

   b. 4.1.3 Natural Hazards: The scale of the map provided (Figure 21) is too large to be useful. The Federal Emergency Management Agency flood map should of sufficient scale (zoomed in) to reveal the parcel boundaries relative to the Flood Zone.

   c. 4.1.4 Flora and Fauna: The Biological Assessment performed in 2021 for the Project, which was previously attached in Appendix A, Exhibit 7 of the previous DEA, should again be included with a revised DEA. Also, given the presence of migratory birds and the endangered hoary bat, the height of the existing trees on the property should be discussed.

   d. 4.2.2 Archaeological Consideration: The Archaeological Assessment prepared for this Project (ASM affiliates), which was attached in Appendix A, Exhibit 11 of the previous DEA, should again be included with the revised DEA.

6. Section 5 Environmental Consequences and Proposed Mitigation Measures:

   5.1 Physical Environment:

   a. 5.1.2 Soils: We reiterate that the DEA must provide earthwork estimates (i.e., cubic yards of excavation and fill) that will be necessary to construct the proposed dwellings at full build-out. We note that earthwork requirements will vary depending on the type of dwelling construction proposed (i.e., slab-on-grade, post-and-pier, etc.). In addition, the Farmland Protection information in the previous DEA, attached in Appendix A, Exhibit 9, should again be included in the DEA.

   b. 6.1.2 City and County Zoning

Land Use Ordinance: We reiterate that this section must be expanded to discuss how the Project is consistent with the zoning code, Chapter 21, ROH, including the R-5 Residential District development standards, including density, building area, required yards, building height limits, allowable total floor area ratio, required off-street parking, the number of bathrooms, etc.

You may resubmit a revised DEA upon incorporation of the additional information and required revisions discussed above. We have enclosed a receipt for the DEA review fee, and are returning Check No. 5232. Should you have any questions, please contact Steve Tagawa, of our staff, at (808) 768-8024 or via email at stagawa@honolulu.gov.

Very truly yours,

for Dawn Takeuchi Apuna
Director

Enclosures: Receipt No.140179
Check No. 5232

OFFICIAL RECEIPT

DEPARTMENT OF PLANNING AND PERMITTING

CITY AND COUNTY OF HONOLULU

140179

Date: _____, 20__

Received From: _____

_____ DOLLARS

For: _____

Tax Map Key: _____

$_____

_____

DEPARTMENT OF PLANNING AND PERMITTING

October 25, 2023

City and County of Honolulu
Department of Planning and Permitting
650 S King Street. 7th Floor
Honolulu, Hawaii 96813

Subject: **Environmental Assessment**
56-155 Kamehameha Highway– New Residences
TMK: 5-6-001:033, Kahuku, Hawaii

To whom it may concern:

Thank you for your review and comment. Park Dedication is included as a necessary approval within the EA document. In following Rule 12 of the Park Dedication Ordinance, a fee has been paid in lieu of dedicating or providing land. This is referenced as 2015-PARK47 and has been included into the Final Environmental Assessment.

Sincerely,

Rachel Okoji, M.S.
President

2023/ELOG-2042

Environmental Risk Analysis

2023 NOV -3 PM 2:58

CITY & COUNTY OF HONOLULU

October 25, 2023

City and County of Honolulu
Department of Planning and Permitting
650 S King Street, 7th Floor
Honolulu, Hawaii 96813

Subject: **Environmental Assessment**
56-155 Kamehameha Highway– New Residences
TMK: 5-6-001:033, Kahuku, Hawaii

To whom it may concern:

Thank you for your review and comment. Park Dedication is included as a necessary approval within the EA document. In following Rule 12 of the Park Dedication Ordinance, a fee has been paid in lieu of dedicating or providing land. This is referenced as 2015-PARK47 and has been included into the Final Environmental Assessment.

Sincerely,

Rachel Okoji, M.S.
President

Environmental Risk Analysis LLC
905A Makaluki Way, Honolulu, Hawaii 96826
www.enviroriskhawaii.com

DEPARTMENT OF ENVIRONMENTAL SERVICES
KA 'OIHANA LAWELAWE KAIĀPUNI
CITY AND COUNTY OF HONOLULU

1000 ULUOHIA STREET, SUITE 308 • KAPOLEI, HAWAI'I 96707
PHONE: (808) 768-3486 • FAX: (808) 768-3487 • WEB: www.honolulu.gov

RICK BLANGIARDI
MAYOR
MEIA

ROGER BABCOCK, JR., Ph.D., P.E.
DIRECTOR
PO'O

MICHAEL O'KEEFE
DEPUTY DIRECTOR
HOPE PO'O

2023/ELOG-1462

IN REPLY REFER TO
PRO 23-038

August 4, 2023

MEMORANDUM

TO: Dawn Takeuchi Apuna, Director
Department of Planning and Permitting

FROM: Roger Babcock, Jr., Ph.D., P.E.
Director

SUBJECT: Chapter 25, Revised Ordinances of Honolulu, Draft Environmental Assessment, 56-155 Kamehameha Highway Residences (TMK 5-6-001:033)

We have reviewed the subject documents referenced in your memo dated July 26, 2023, reference number 2023/ED-5(ST). We have no comments and no objections to the proposed project. The proposed project has no impacts to City wastewater facilities.

Should you have any questions, please call Lisa Kimura, Civil Engineer, at (808) 768-3455.

Dr. Charles "Chip" Fletcher ee
Director, Climate Resilience Collaborative ee
Interim Dean, School of Ocean and Earth Science and Technology at the ee
University of Hawai'i at Mānoa ee
fletcher@soest.hawaii.edu ee

September 8, 2023 ee

Aloha, Ms. Okoji, ee

I am writing in response to the Honolulu Department of Planning and Permitting's July 26 letter ee eliciting comments on ee Draft Environmental Assessment for 56-155 Kamehameha Highway prepared ee by your firm, Environmental Risk Analysis, LLC. ee

In short, the additional development proposed at 56-155 Kamehameha Highway: ee

- ee Is imprudent because any development on lowlying beachfront parcels places inhabitants at risk ee to the uncertainties of sea level rise and its impacts; ee
- ee Increases the likelihood that protection measures will ultimately be pursued as the shoreline ee naturally migrates inland; and ee
- ee Will eventually lead to increased debris and abandoned structures that will require removal as sea ee levels continue to rise exponentially. ee

Each year, Hawai'i's coastal communities grow increasingly vulnerable to the dangers of wave ee impacts, coastal erosion, high tide flooding, and storm surge, all of which are exacerbated by sea level ee rise. The National Oceanic and Atmospheric Administration projects that Hawai'i will experience 1.3 to ee 8.0 feet of sea level rise by 2100, with an **Intermediate projection of 3.9 feet** (relative to 2005 sea level).[1] Further, Hawai'i is projected to experience sea level rise that is 16% to 20% higher than ee ee global average.[2] The 6th Assessment Report of the Intergovernmental Panel on Climate Change states with high confidence that "***sea level is committed to rise for centuries to millennia due*** *to continuing deep-ocean warming and ice-sheet melt and will remain elevated for thousands of years.*"[3]

It is my recommendation that the applicant consider amending its proposed project to focus solely ee on moving the existing dwelling on ee parcel as inland as practicable and elevating it above current ee projections of sea level rise. I would also require the applicant to consider affirmative deed restrictions ee that prevent any future owner from seeking temporary or permanent shoreline protection structures.[4] ee

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[1] Sweet, W. V., et al. (2022) *Global and Regional Sea Level Rise Scenarios for the United States: Up- dated ean Projections and Extreme Water evel Probabilities Along U.S. Coastlines*. NOAA Technical Report NOS 01. National Oceanic and ee Atmospheric Administration, National Ocean Service, Silver Spring, MD, 111 ee ee https://oceanservice.noaa.gov/hazards/sealeveleise/noaa-nos-techrpt01-global-regional-SLR-scenarios-US.pdf\. ee

[2] *Id.*

[3] AR6 WGI SPM p.21 B.5.4. ee

[4] Artifical shoreline hardening (seawalls, revetments, etc.) exacerbate erosion and prevent natural coastal processes. Although ee Hawai'i Revised Statutes Chapter 205A currently forbids permanent private shoreline hardening under the ee County of Honolulu Shoreline Setback Ordinance, it is still possible that homeowners seek temporary protection structures from ee the State Department of Land and Natural Resources. Further, legislative proposals in recent years have sought to undo the ee

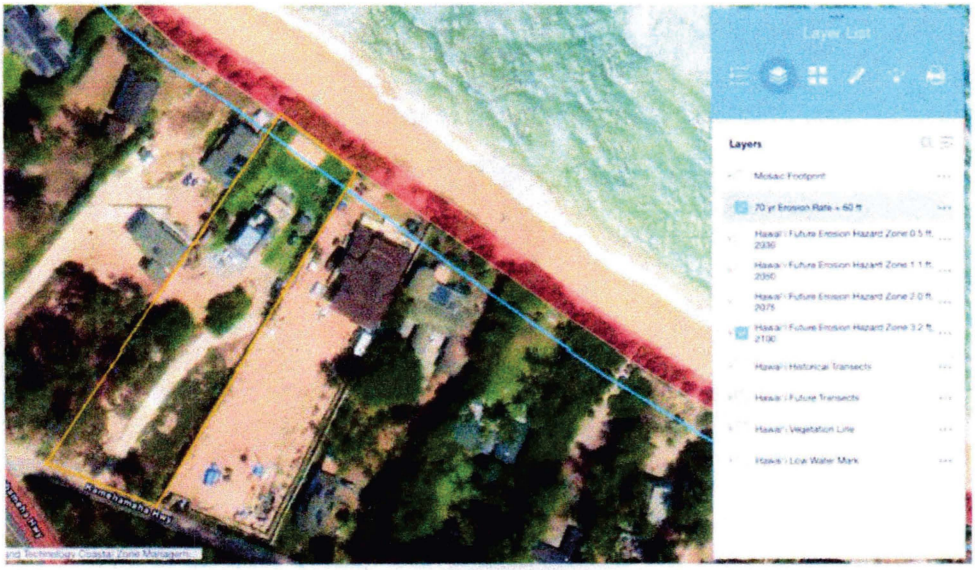

Figure 1. The blue line, running parallel to the shoreline, is the City and County of Honolulu's updated shoreline setback of sixty feet plus 70 times the annual coastal erosion rate. The red highlighted area is the erosion hazard zone, which is a spatial depiction of lands that are estimated to be vulnerable to erosion at 3.2 feet 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. Future coastal change is projected following Anderson et al. (2015), in which historical shoreline trends are combined with projected accelerations in sea level rise (IPCC RCP 8.5)."[5]

The Applicant notes in its Draft Environmental Assessment that the Shoreline Setback Ordinance "was designed to protect and preserve the natural shoreline, especially sandy beaches; to protect and preserve public pedestrian access laterally along the shoreline and to the sea; and to protect and preserve open space along the shoreline."[6] The Applicant states that its Shoreline Certification was performed in 2021, prior to the City and County of Honolulu's amendments to the ordinance which once effective will increase the shoreline setback distance from forty feet to sixty feet plus 70 times the annual coastal erosion rate.[7] In order to further the stated purposes of the Shoreline Setback Ordinance, the Applicant should adhere to the improved shoreline setback, shown in **Figure 1** above.

I sincerely appreciate your time and effort to consider my comments. Please feel free to contact me if you have any questions about the substance of my letter.

Respectfully,

C. Fletcher

Charles Fletcher

---

prohibitions on shoreline hardening. Beaches are a public trust resource, and property owners should consider it their duty to protect because for the public by foreclosing any future owner from pursuing shoreline hardening.

[5] Hawai'i Shoreline Study Webmap, University of Hawai'i Climate Resilience Collaborative, https://www.soest.hawaii.edu/crc/index.php/hawaii-shoreline-study-web-map/.

[6] Draft Environmental Assessment, 56-155 Kamehameha Highway at 6.1.4.

[7] City and County of Honolulu, Bill 41 (2022).

October 25, 2023

Dr. Charles "Chip" Fletcher
Director, Climate Resilience Collaborative
Interim Dean,
School of Ocean and Earth Science and Technology at the University of Hawai'i at Mānoa
fletcher@soest.hawaii.edu

Subject: **Environmental Assessment**
56-155 Kamehameha Highway– New Residences
TMK: 5-6-001:033, Kahuku, Hawaii

Dr. Fletcher:

Thank you for your comments. While there are uncertainties regarding sea level rise and its impacts, this project has included these impacts in the design. This project does not include plans for protection measures for shoreline hardening or reclaimation of land due to shoreline migration. Currently the project is situated outisde the future shoreline setback distance of sixty feet plus seventy times the annual coastal erosion rate (as depicted in the figure provided in the September 8, 2023 letter). The Proposed construction will not be near or within the new shoreline setback.

Sincerely,

Rachel Okoji, M.S.
President

DEPARTMENT OF PARKS AND RECREATION
KA ʻOIHANA MĀLAMA PĀKA A ME NĀ HANA HOʻONANEA
CITY AND COUNTY OF HONOLULU

1000 ULU'OHI A STREET, SUITE 309 • KAPOLEI, HAWAI'I 96707
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RICK BLANGIARDI
MAYOR
MEIA

LAURA H. THIELEN
DIRECTOR
PO'O

KĒHAULANI PU'U
DEPUTY DIRECTOR
HOPE PO'O

2023/ED-5

August 14, 2023

Ms. Rachel Okoji, Agent
Environmental Risk Analysis, LLC
905-A Makahiki Way
Honolulu, Hawaii 96826

SUBJECT: Chapter 25, Revised Ordinances of Honolulu (ROH)
Draft Environmental Assessment (EA)
56-155 Kamehameha Highway Residences

The Department of Parks and Recreation (DPR) has reviewed the Draft Environmental Assessment for the above subject project, which includes the development of seven new single-family dwellings.

The project, as proposed, is subject to the Park Dedication Ordinance. If you haven't already done so, please contact the Department of Planning and Permitting to discuss what the requirements for this project will be.

A discussion of how the project will comply with the Park Dedication Ordinance should be included in the Environmental Assessment.

Should you have any questions, please contact Ms. Jennifer Barra, Planner, at (808) 768-3017.

Sincerely,

Laura H. Thielen
Director

cc: Steve Tagawa, DPP - Land Use Approval Branch

LHT:jb
(906878)

October 25, 2023

City and County of Honolulu
Department of Planning and Permitting
650 S King Street. 7th Floor
Honolulu, Hawaii 96813

Subject: **Environmental Assessment**
56-155 Kamehameha Highway– New Residences
TMK: 5-6-001:033, Kahuku, Hawaii

To whom it may concern:

Thank you for your review and comment. Park Dedication is included as a necessary approval within the EA document. In following Rule 12 of the Park Dedication Ordinance, a fee has been paid in lieu of dedicating or providing land. This is referenced as 2015-PARK47 and has been included into the Final Environmental Assessment.

Sincerely,

Rachel Okoji, M.S.
President

POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU
801 SOUTH BERETANIA STREET · HONOLULU, HAWAI'I 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulupd.org

RICK BLANGIARDI
MAYOR
MEIA

ARTHUR J. LOGAN
CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE EO-LS

August 11, 2023

SENT VIA EMAIL

Ms. Rachel Okoji
rachelokoji@environriskhawaii.com

Dear Ms. Okoji:

This is in response to the correspondence from the Department of Planning and Permitting (DPP) dated July 26, 2023, requesting review and comment of the Draft Environmental Assessment for the proposed seven new single-family dwellings to be located at 56-155 Kamehameha Highway in Kahuku.

The Honolulu Police Department (HPD) recommends that all necessary signs, lights, barricades, and other safety equipment be installed and maintained by the contractor during the project. The impact of the ingress and egress of construction vehicles, equipment, and deliveries should be evaluated to ensure the traffic flow is not adversely affected. Lastly, the HPD does not anticipate the project to significantly impact police operations.

If there are any questions, please call Major Herbert Soria of District 4 (Kāne'ohe, Kailua, Kahuku) at (808) 723-8640.

Sincerely,

GLENN HAYASHI
Assistant Chief of Police
Support Services Bureau

cc: Steve Tagawa, DPP

October 25, 2023

Assitant Chief of Police Glenn Hayashi
Honolulu Police Department
801 South Street
Honolulu, Hawaii 96813

Subject: **Environmental Assessment**
56-155 Kamehameha Highway– New Residences
TMK: 5-6-001:033, Kahuku, Hawaii

Assistant Chief of Police Hayashi:

Thank you for your comments. The contractor will be made aware to install and maintain all necessary signage, lights, barricades, and other safety equipment. Construction traffic will be scheduled to not impact heavy traffic times and will be monitored during the duration of construction. We appreciate the review and response.

Sincerely,

Rachel Okoji, M.S.
President

October 25, 2023

Department of the Interior US Fish and Wildlife Service
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, HI 96850

Subject: **Environmental Assessment**
56-155 Kamehameha Highway– New Residences
TMK: 5-6-001:033, Kahuku, Hawaii

To whom it may concern:

Thank you very much for your comments. We appreciate the review and response.

Sincerely,

Rachel Okoji, M.S.
President

Environmental Risk Analysis LLC
905A Makahiki Way, Honolulu, Hawaii 96826
www.enviroriskhawaii.com

Gmail

Re: [EXTERNAL] RE: Draft EA for a residential construction project located at 56-155 Kamehameha Hwy

Dang, Charmian I <charmian_dang@fws.gov> Thu, Aug 3, 2023 at 1:48 PM
To: "Tagawa, Steve H." <stagawa@honolulu.gov>
Cc: "rachelokoji@enviroriskhawaii.com" <rachelokoji@enviroriskhawaii.com>

Hi Steve,

No comments from the USFWS since listed species have been addressed on pages 116-117 (5-6 & 5-7).

We thank you for your efforts to conserve listed species and native habitats. Please contact me should you have any questions pertaining to this response or require further guidance. When referring to this project, please include this reference number: 2023-0109976.

Aloha,
Chamian

~~~~~~

Charmian Dang
U. S. Fish and Wildlife Biologist
Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122
Honolulu, Hawaii 96850
808-792-9400

From: Tagawa, Steve H. <stagawa@honolulu.gov>
Sent: Thursday, August 3, 2023 1:26 PM
To: Dang, Charmian I <charmian_dang@fws.gov>
Subject: [EXTERNAL] RE: Draft EA for a residential construction project located at 56-155 Kamehameha Hwy

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Charmian,
~~~~~~

My apologies. I had prematurely put in the incoming link before I had gotten ERP confirmation.

Here it is:

https://files.hawaii.gov/dbedt/erp/Other_TEN_Publications/2023-08-08-OA-Chapter-25-DEA-56-155-Kamehameha-Highway-Residences-in-Kahuku.pdf

Mahalo,

Steve Tagawa, Staff Planner

Land Use Permits Division

From: Dang, Charmian I <charmian_dang@fws.gov>
Sent: Thursday, August 3, 2023 11:14 AM
To: Tagawa, Steve H. <stagawa@honolulu.gov>
Subject: Re: Draft EA for a residential construction project located at 56-155 Kamehameha Hwy

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Dear Mr. Tagawa,

Please send a PDF copy of the project description for the above mentioned project that your office requested the U.S. Fish and Wildlife Service to review if you would like comment to be sent by Sept 8.

~~~~~~

Charmian Dang

U. S. Fish and Wildlife Biologist

Pacific Islands Fish and Wildlife Office

300 Ala Moana Boulevard, Room 3-122

Honolulu, Hawaii 96850

808-792-9400

From: Dang, Charmian I
~~~~~~

Sent: Thursday, July 27, 2023 12:45 PM
To: stagawa@honolulu.gov <stagawa@honolulu.gov>
Subject: Draft EA for a residential construction project located at 56-155 Kamehameha Hwy

Dear Mr. Tagawa,

The USFWS office received your request for comments for the above mentioned project. Unfortunately, the link provided in the letter doesn't work. Could you please send a pdf of the proposed project or a working link.

Thank you,

Charmian Dang

~~~~~~

Charmian Dang

U. S. Fish and Wildlife Biologist

Pacific Islands Fish and Wildlife Office

300 Ala Moana Boulevard, Room 3-122

Honolulu, Hawaii 96850

808-792-9400
~~~~~~

Solid and Hazardous Waste Branch Standard Comments

November 26, 2018

The Solid and Hazardous Waste Branch administers programs in the areas of:

1) Management of hazardous waste;
2) Management of solid waste; and
3) Regulation of underground storage tanks.

Our general comments on projects are below. For further information about these programs, please contact the Solid and Hazardous Waste Branch at (808) 586-4226. All chapters of the Hawaii Revised Statutes (HRS) are at https://www.capitol.hawaii.gov/hrscurrent/.

Hazardous Waste Program

- The state regulations for hazardous waste and used oil are in chapters 11-260.1 to 11-279.1, Hawaii Administrative Rules (HAR) [http://health.hawaii.gov/shwb/hwrules/]. These rules apply to the identification, handling, transportation, storage and disposal of regulated hazardous waste and used oil. Generators, transporters and treatment, storage, and disposal facilities of hazardous waste and used oil must adhere to these requirements. Violations are subject to penalties under chapter 342J, HRS.

Solid Waste Section

- The Solid Waste Section (SWS) enforces laws and regulations contained in chapters 342H and 3421, HRS, and chapter 11-58.1, HAR, "Solid Waste Management Control". [http://health.hawaii.gov/shwb/solid-waste/].

- The purpose of the rules is to establish minimum standards governing the design, construction, installation, operation, and maintenance of solid waste disposal, recycling, reclamation and transfer systems.

- All facilities that accept solid wastes are required to obtain a solid waste management permit from the SWS. Examples of the types of facilities governed by these regulations include landfills, transfer stations and convenience centers, recycling facilities, composting facilities, and salvage facilities. Medical waste, infectious waste, and foreign waste treatment facilities are also included.

- Generators of solid waste are required to ensure that their wastes are properly delivered to permitted solid waste management facilities. Managers of construction and demolition projects should require their waste contractors to submit disposal receipts and invoices to ensure proper disposal of wastes.

Solid and Hazardous Waste Branch Standard Comments

- Chapter 342G, HRS, encourages the reduction of waste generation, reuse of discarded materials, and the recycling of solid waste. The project developer is highly encouraged to develop a demolition and construction solid waste management plan to ensure proper handling of wastes and divert recyclables from being landfilled. Ideally, the plan would seek to maximize waste diversion and minimize disposal.

  Furthermore, building plans should include designated areas to promote the collection of reusable and recyclable materials.

- Chapters 342H and 3421, HRS, and chapter 11-58.1, HAR, "Solid Waste Management Control" requires the proper management of solid wastes. Generators of solid waste are required to ensure that their wastes are properly delivered to permitted solid waste management facilities. Project managers should require their waste contractors to submit disposal (and recycling) receipts and invoices to ensure proper disposal (or recycling) of wastes.

Office of Solid Waste Management

- The Office of Solid Waste Management (OSWM) administers statewide integrated solid waste management planning activities, which apply to the counties, as well as various recycling programs, e.g. the Glass Advance Disposal Fee (ADF) and Deposit Beverage Container (DBC) Programs. Management of the DBC Program is conducted pursuant to chapter 342G, HRS, which contains compliance and enforcement provisions, and chapter 11-282, HAR, "Deposit Beverage Recycling" [http://health.hawaii.gov/hi5/rules-regulations-additional- links/]. OSWM is also responsible for limited enforcement and compliance of solid waste management facilities that operate primarily as certified DBC redemption centers pursuant to chapter 342H, HRS, and chapter 11-58.1, HAR, "Solid Waste Management Control" [http://health.hawaii.gov/shwb/solid-waste/]. Authority for the integrated solid waste management planning and ADF programs is contained in chapter 342G, HRS.

- Glass Advance Disposal Fee Program: Businesses that import glass containers into Hawaii are required to register with the Department of Health and pay a 1.5 cent per container fee. Fee revenue is distributed to the counties for the operation of glass recycling programs.

- Deposit Beverage Container Program: Business that manufacture or import deposit beverage containers into Hawaii are required to register with the Department of Health and pay the five-cent deposit and one cent container fee on each deposit container. Deposits and fees are deposited into a special fund and are used to reimburse DBC redemption center refunds paid to consumers; and to pay handling fees to redemption/recycling companies to process and recycle collected deposit beverage containers; and to pay program administrative costs.

- The Department of Health reimburses and pays an associated handling fee for the redemption of deposit beverage containers (DBC). These transactions are conducted only with certified redemption centers. Certification requires obtaining a solid waste management permit from the SWS (which addresses environmental issues) and a certification from the DBC program (which standardizes the redemption process).

For further information about these programs, please contact the Solid and Hazardous Waste Branch at (808) 586-4226.

Solid and Hazardous Waste Branch Standard Comments

- Chapter 342G, HRS, encourages the reduction of waste generation, reuse of discarded materials, and the recycling of solid waste. Businesses, property managers and developers, and government entities are highly encouraged to develop solid waste management plans to ensure proper handling of wastes and divert recyclables from being landfilled. The project developer is highly encouraged to develop a solid waste management plan to ensure proper handling of wastes and divert recyclables from being landfilled. Ideally, the plan would seek to maximize waste diversion and minimize disposal. Such plans should include designated areas to promote the collection of reusable and recyclable materials.

- Solid waste management plans seek to maximize waste diversion and minimize disposal. Such plans should include designated areas to promote the collection of reusable and recyclable materials.

Underground Storage Tank Program

- The state's underground storage tank (UST) regulations, found in chapter 11-280.1, HAR [http://health.hawaii.gov/shwb/underg round-storage-tanks/], include specific requirements that UST owners and operators must meet when installing, operating, and permanently closing their UST systems and addressing releases from USTs. Violations are subject to penalties under chapter 11-280.1, HAR, and chapter 342L, HRS.

- A permit is required prior to the installation and operation of a UST. Any new UST system that will be installed must have secondary containment with interstitial monitoring. Refer to subchapters 2, 3, 4, and 12 of chapter 11-280.1, HAR. The installation permit expires 1 year from the date of issuance. The operation permit expires 5 years from the date of issuance.

- §11-280.1-50, HAR, requires owners and operators of USTs or tank systems to notify DOH within twenty-four (24) hours and follow the procedures in§ 11-280.1-52, HAR, if any of the following occur, with specific exceptions found in the rules:
  1) The discovery by any person of evidence of regulated substances which may have been released at the UST site or in the surrounding area (such as the presence of free product or vapors in soils, basements, sewer and utility lines, or nearby surface water);
  2) Unusual UST system operating conditions observed or experienced (such as the erratic behavior of product dispensing equipment, the sudden loss of product from the UST, or an unexplained presence of water in the tank); or
  3) Monitoring results from a release detection method required under §§11-280.1-41 or 11-280 .1-42 indicate a release may have occurred.

For further information about these programs, please contact the Solid and Hazardous Waste Branch at (808) 586-4226.

HONOLULU FIRE DEPARTMENT
KA 'OIHANA KINAI AHI O HONOLULU
CITY AND COUNTY OF HONOLULU

636 SOUTH STREET • HONOLULU, HAWAII 96813
PHONE: (808) 723-7139 • FAX: (808) 723-7111 • WEB: www.honolulu.gov

RICK BLANGIARDI
MAYOR
MEIA

SHELDON K. HAO
FIRE CHIEF
LUNA NUI KINAI AHI

JASON SAMALA
DEPUTY FIRE CHIEF
HOPE LUNA NUI KINAI AHI

August 3, 2023

Ms. Rachel Okoji
Environmental Risk Analysis, LLC
905-A Makahiki Way
Honolulu, Hawaii 96826

Dear Ms. Okoji:

Subject: Draft Environmental Assessment
56-155 Kamehameha Highway Residences
56-155 Kamehameha Highway
Kahuku, Hawaii 96731
Tax Map Key: 5-6-001: 033

In response to a letter received on July 26, 2023, from Ms. Dawn Takeuchi Apuna of the City and County (City) of Honolulu's Department of Planning and Permitting (DPP) regarding the abovementioned subject, the Honolulu Fire Department (HFD) reviewed the submitted information and requires 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. Fire department access roads shall be in accordance with NFPA 1; 2018 Edition, Section 18.2.3.

3. An approved water supply capable of supplying 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 NFPA 1; 2018 Edition, Sections 18.3 and 18.4.

4. Submit civil drawings to the City's DPP. They will be routed to the HFD as needed by the DPP.

The abovementioned provisions are required by the HFD. This project may necessitate that additional requirements be met as determined by other agencies.

Should you have questions, please contact Battalion Chief Jean-Claude Bisch of our Fire Prevention Bureau at 808-723-7151 or jbisch@honolulu.gov.

Sincerely,

CRAIG UCHIMURA
Assistant Chief

CU/MD:bh

cc: Stephen Tagawa, DPP

October 25, 2023

Assistant Fire Chief Craig Uchimura
Honolulu Fire Department
636 South Street
Honolulu, Hawaii 96813

Subject: **Environmental Assessment**
56-155 Kamehameha Highway– New Residences
TMK: 5-6-001:033, Kahuku, Hawaii

Assistant Fire Chief Urhimura:

Thank you for your comments. The project will be in compliance with NFPA codes noted in the comment letter received and is also listed within the EA document. In addition, HFD provided additional HFPA sections with which the project must comply. They include provisions regarding: Access Roads: NFPA 1; 2018 Edition, Sections 18.2.3.2.2 and 18.2.3.2.2.1, as amended and Section 18.2.3.2.1 and Water Supply: NFPA 1; 2018 Edition, Sections 18.3 and 18.4.

HFD has previously approved a fire department hydrant equivalency provided the following conditions are met: 1) proposed dwellings shall be equipped with full coverage automatic fire sprinkler systems in accordance with National Fire Protection Association (NFPA) 13D, 2) shall meet fire department access road requirements (NFPA 1, 2012 ed), 3) fire extinguishers must meet NFPA 10, 2010 ed., and 4) civil drawings will be submitted for fire department approval to ensure that all fire codes are met prior to construction.

Sincerely,

Rachel Okoji, M.S.
President

Environmental Risk Analysis LLC
905A Makahiki Way, Honolulu, Hawaii 96826
www.enviroriskhawaii.com

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

SHELDON K. HAO
FIRE CHIEF

JASON SAMALA
DEPUTY FIRE CHIEF

August 11, 2022

Ms. Rachel Okoji, M.S.
President
Environmental Risk Analysis LLC
905A Makahiki Way
Honolulu, Hawaii 96826

Dear Ms. Okoji:

Subject: Environmental Assessment
Seven Single-Family Residences
56-155 Kamehameha Highway
Kahuku, Hawaii 96731
Tax Map Key: 5-6-001: 033

In response to your letter received on August 1, 2022, regarding the abovementioned 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 supplying 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 NFPA 1; 2018 Edition, Sections 18.3 and 18.4.

3. The fire department access roads shall be in accordance with 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 Acting Battalion Chief Kendall Ching of our Fire Prevention Bureau at 808-723-7154 or kching3@honolulu.gov.

Sincerely,

CRAIG UCHIMURA
Acting Assistant Chief

CU/RZ:bh

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

AEDWARD LOS BANOS
DEPUTY DIRECTOR

August 05, 2022

Ms. Rachel Okoji, M.S., President
Environmental Risk Analysis LLC
905A Makahiki Way
Honolulu, Hawai'i 96826

Dear Ms. Okoji:

SUBJECT: Environmental Assessment & Anticipated FONSI for SMP
56-155 Kamehameha Highway New Residences
TMK: (1) 5-6-001:033 Kahuku, O'ahu, Hawai'i

Thank you for your notice of an Environmental Assessment (EA) and anticipated Finding of No Significant Impact (FONSI) for the 56-155 Kamehameha Highway project, which requires an EA in support of a Special Management Area Use Permit (SMP).

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,

pp Anton C. Krucky
Director

DAVID Y. IGE
GOVERNOR

CURT T. OTAGURO
COMPTROLLER

AUDREY HIDANO
DEPUTY COMPTROLLER

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

(P)22 142

AUG - 5 2022

Ms. Rachel Okoji, M.S., President
Environmental Risk Assessment, LLC
905A Makahiki Way
Honolulu, Hawaii 96826

Dear Ms. Okoji:

Subject: Environmental Assessment for
56-155 Kamehameha Highway - New Residences
Kahuku, Oahu, Hawaii
TMK: (1) 5-6-001: 003

Thank you for the opportunity to comment on the subject project. We have no comments to offer at this time as the proposed project does not impact any of the Department of Accounting and General Services' projects or existing facilities.

If you have any questions, your staff may call Ms. Gayle Takasaki of the Planning Branch at (808) 586-0584.

Sincerely,

CHRISTINE L. KINIMAKA
Public Works Administrator

GT:mo

CONSULTATION LETTERS AND RESPONSES

Final Environmental Assessment

DEPARTMENT OF PLANNING AND PERMITTING
KA 'OIHANA HO'OLĀLĀ A ME NĀ PALAPALA 'AE
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAI'I 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041 • WEBSITE: honolulu.gov/dpp

RICK BLANGIARDI
MAYOR
MEIA

DAWN TAKEUCHI APUNA
DIRECTOR
PO'O

JIRO A. SUMADA
DEPUTY DIRECTOR
HOPE PO'O

January 17, 2024

2023/ED-5(ST)
2023/ELOG-2298

Mr. Mark Howland
Whale Environmental Services, Inc.
P. O. Box 455
Kahuku, Hawaii 96731

Dear Mr. Howland:

SUBJECT: Final Environmental Assessment
Chapter 25, Revised Ordinances of Honolulu
Donoso and Malaekana LLC Single-Family Residences
56-155 A Kamehameha Highway - Kahuku
Tax Map Key 5-6-001: 033

We have reviewed the Final Environmental Assessment (EA) (submitted on December 18, 2023) and your request that the Department of Planning and Permitting issue a Finding of No Significant Impact (FONSI) pursuant to the Environmental Impact Statement (EIS) Rules, Title 11, Chapter 200.1 Hawaii Administrative Rules (HAR). We find that your Final EA is entirely different in comparison to the Draft EA prepared by Environmental Risk Analysis LLC (ERA Draft EA); the organization and formatting is dissimilar, which makes it difficult to identify the revisions and determine whether comments received from consulted agencies were adequately addressed. Therefore, we cannot issue a FONSI determination, as explained below:

1. Title: Your Final EA does not indicate that it is the Final version of the ERA Draft EA, which was published in the August 8, 2023 edition of *The Environmental Notice* of the Environment Review Program of the Office of Planning and Sustainable Development.

2. Format: The format of your Final EA does not align with the format of the ERA Draft EA, which was reviewed and/or commented upon by various agencies and organizations. Most aspects (e.g. the headings, section number, exhibits, etc.) of your Final EA are different, and do not reflect revisions which can be referenced in the ERA Draft EA as additions or corrections which resulted from comments or concerns received. Although specified for EISs, HAR Section 11-200.1-27(b)(5)

specifies that "The text of the final EIS written in a format that allows the reader to easily distinguish changes made to the text of the draft EIS." The text of your Final EA does not allow the reader to easily distinguish changes that were made to the text of the ERA Draft EA.

3. Legibility of Exhibits: There are numerous exhibits and copies of records throughout your Final EA document which are not legible due to their small size and the poor quality. All exhibits in the Final EA must be of sufficient scale and clarity to be useful, including the need for reproduction.

4. Project Description: The description and the proposed development, its timing, and the sequence of the development must be clearly presented. There are tax office and assessment records attached to this section which make understanding the existing structures and proposed development difficult to discern. Only the essential information on the evaluation of development within the SMA, should be contained in the main body of a Final EA.

5. Appendices: There are multiple appendices with the same letter designations in your Final EA (i.e., two Appendix A, two Appendix B, two Appendix D, and two Appendix E). These appendices also do not match the Table of Contents. In addition, appendices C, D2, E1 and E2, contain information on a different property located several parcels further east.

In summary, for our thorough review and understanding of the potential environmental impacts of the proposed project, your Final EA should be significantly adapted to follow the format of the ERA Draft EA, and the revisions must be easily identifiable. Alternatively, your EA, when revised, could be republished as a new Draft EA in *The Environmental Notice,* followed by the 30-day comment period and a Final EA.

Should you have any questions, please contact Steve Tagawa, of our Land Use Approval Branch, at (808) 768-8024 or via email at stagawa@honolulu.gov.

Very truly yours,

for Dawn Takeuchi Apuna
Director

DEPARTMENT OF PLANNING AND PERMITTING
KA 'OIHANA HO'OLĀLĀ A ME NĀ PALAPALA 'AE
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAI'I 96813
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RICK BLANGIARDI
MAYOR
MEIA

DAWN TAKEUCHI APUNA
DIRECTOR
PO'O

JIRO A. SUMADA
DEPUTY DIRECTOR
HOPE PO'O

March 20, 2024

2023/ELOG-318(ST)
2024/ELOG-318

Mr. Mark Howland
Whale Environmental Services, Inc.
P. O. Box 455
Kahuku, Hawaii 96731

Dear Mr. Howland:

SUBJECT: Revised Final Environmental Assessment
Revised Ordinances of Honolulu Chapter 25
Donoso and Malaekana LLC Single-Family Residences (Project)
56-155 A Kamehameha Highway - Kahuku
Tax Map Key 5-6-001: 033

We have reviewed the revised Final Environmental Assessment (EA) (submitted on February 21, 2024) and your request that the Department of Planning and Permitting (DPP) issue a Finding of No Significant Impact (FONSI) pursuant to the Environmental Impact Statement Rules, Hawaii Administrative Rules Title 11 Chapter 200.1. Although significant differences remain when compared to the Draft EA prepared by Environmental Risk Analysis LLC (ERA) and published in "The Environmental Notice" on August 8, 2023 (attached), the explanations for the reorganization and formatting may be considered sufficient to address the potential confusion. However, we find that a FONSI cannot be issued. The Final EA must be revised as described below:

1. Preface, Chapters 1 and 2 - Labeling and Legibility of Exhibits: The various site plan figures (i.e., Figures 3 through 24), contain duplicate numbers, and are too small to be easily read or will be illegible if reproduced for reports [i.e., for DPP Reports or Special Management Area (SMA) Resolutions]. All exhibits must be of sufficient scale and clarity to be useful in reproduction.

2. Chapter 2.2 Project Description: The estimated earthwork figures have been significantly reduced from that stated in the Draft EA, by as much as a factor of 30 in the case of Condominium Property Regime (CPR) Units 2 and Unit 8 which previously were both estimated at 6,448 cubic yards of excavation, which now are only 55 and 74 cubic yards, respectively. This section must explain the

significant reduction in necessary earthwork. In addition, we note that the concrete driveway has already been constructed. Provided details on its construction from the previous dirt driveway in the Final EA.

3. Chapter 2.4 Development Schedule: Clarify if the anticipated 18-month development schedule applies to all CPR unit holders, and not just the schedule of the lead Applicant CPR unit holder (Donoso).

4. Chapters 3.2.1 Geology and Topography and 3.2.2 Soils: Explain the concerns and challenges of construction on Jaucas soils. As mentioned above, the same proposed improvements on all CPR Units will no longer require the significant amount of excavation and fill that were previously anticipated. Explain how total excavation estimates decreased 50 fold, from 21,014 cubic yards to 411 cubic yards, and total fill required dropped 38 fold, from 8,406 cubic yards to 221 cubic yards. Also, please clarify if structural fill is necessary to complete the Project.

5. Chapter 3.4 Natural Hazards: Figures 28 to 34 do not include either an aerial photographic base or the proposed site plan in which to compare and determine the extent of various hazards that are anticipated. For example, the anticipated Coastal Erosion Line cannot be compared or contrasted to existing or proposed development if the site is just a single uniform color. Provide an aerial photograph base or site plan on these figures in the Final EA.

6. Chapter 5:5 Alternatives Discussion: This section, which addresses compliance of the various alternatives, including the preferred alternative (Alternative 1), states that Project does not meet the goals of the Koolau Loa Sustainable Communities Plan (KSCP), and further states the Alternative 2, the proposed development of eight dwellings does not meet the goals of the KSCP. Please note that general conformance with the KSCP is one of the conditions for a favorable recommendation by DPP on the SMA Major application.

7. Chapter 7: Consultation: This chapter lists the agencies and organizations which were consulted in the production of the document and indicates which agencies provided written responses. The comment letters are in Appendix G, which you indicate will not be reproduced in the hardcopy version of the Final EA. This is not acceptable; the comment letters and your responses to the comments must be included in this Chapter or otherwise attached to the Final EA.

   The statement questioning the DPP publication (noted in bold text) must be removed or corrected; the first two Draft EAs submitted by ERA were found unsatisfactory for publication (DPP File No. 2022/ED-17 and 2023/ED-3).

A subsequent Draft EA was eventually published in the August 8, 2023 edition of the "Environmental Notice" (attached).

8. Chapter 10: Appendix Summary: This cover page or subsequent page(s), must summarize and list all of the various Appendices associated with producing the Final EA. While we acknowledge that not all Appendix items must be attached to the hardcopy of the Final EA, the early-consultation comment letters, the Draft EA comment letters received, and your associated responses contained in Appendix G must be attached to the hardcopy document.

9. Appendices C, D, and E: The aerial photo representations of the Project site in the Botanical & Faunal Report, Historical Database Research Report, and Erosion and Sedimentation Control Plans incorrectly identify a property six parcels further to the east (TMK 5-6-001: 029). These representations must be corrected and the reports revised as necessary.

Prior to the issuance of a FONSI, the Final EA must be revised as directed above. Should you have any questions, please contact Steve Tagawa, of our Land Use Approval Branch, at (808) 768-8024 or via email at stagawa@honolulu.gov.

Very truly yours,

for Dawn Takeuchi Apuna
Director

Enclosure: August 8, 2023 Edition of "The Environmental Notice"

KAUA'I EAs/EISs

Kekaha Municipal Landfill Phase II Vertical Expansion--Draft EA (AFNSI)

HRS §343-5(a) Trigger	(1) Propose the use of state or county lands or the use of state or county funds
District(s)	Waimea
TMK(s)	(4) 1-2-002:001 (portion) and :009
Permit(s)	Solid Waste Management Permit Modification; Covered Source Permit Modification (Title V Air Permit); HRS Chapter 6E Compliance (Historic Preservation Review); Federal Aviation Administration, Notice of Proposed Construction or Alteration
Proposing/ Determining Agency	County of Kaua'i, Department of Public Works Allison Fraley, (808) 241-4837, AFraley@kauai.gov 4444 Rice Street, Mo'ikeha Building, Suite 275, Līhu'e, HI 96766
Consultant	Tetra Tech, Inc.; 737 Bishop Street, Suite 2000, Honolulu, HI 96813 Kayla Yost, (808) 441-6600, kayla.yost@tetratech.com
Status	Statutory 30-day public review and comment period starts. **Comments are due by September 7, 2023.** Please click on title link above to read the document, then send comments to the proposing/determining agency and copy the consultant.

The County of Kaua'i, Department of Public Works, Solid Waste Division is proposing a vertical expansion of Phase II operations at the Kekaha Municipal Solid Waste Landfill (KLF) located in Kekaha, Kaua'i, Hawai'i (Proposed Action). The KLF encompasses approximately 98 acres of land owned by the State of Hawai`i. The Proposed Action would provide additional air space volume for the placement of refuse while the siting, design, and construction of a new landfill facility or other long-term landfill capacity solutions are completed. The Proposed Action would extend Phase II operations upward from the currently permitted maximum elevation of 120 feet (ft) above mean sea level (amsl) to a maximum elevation of 171.5 ft amsl. This proposed vertical expansion would be within the existing permitted footprint of the Phase II landfill and would be constructed above the existing Subtitle D base liner.

CHAPTER 25, REVISED ORDINANCES OF HONOLULU

Use of the Special Management Area (SMA) is not a trigger under HRS Chapter 343, but major developments in O'ahu's SMA must go through an environmental review process that mirrors the procedural requirements of HRS Chapter 343, pursuant to Revised Ordinances of Honolulu, Chapter 25. Developments being reviewed under Chapter 25 but not Chapter 343 appear here.

56-155 Kamehameha Highway Residences in Kahuku--Draft EA (AFNSI)

District(s)	Ko'olauloa
TMK(s)	(1) 5-6-001:033
Permit(s)	SMA Use Permit, and other development permits
Approving Agency	City and County of Honolulu, Department of Planning and Permitting Steve H. Tagawa, (808) 768-8024, stagawa@honolulu.gov 650 South King Street, 7th Floor, Honolulu, Hi 96813
Applicant	Linda M. Donoso and Malaekahana LLC; c/o: 905 A Makahiki Way, Honolulu, HI 96826 Linda M. Donoso , c/o: (808) 425-0968, rachelokoji@enviroriskhawaii.com
Consultant	Environmental Risk Analysis LLC; 905 A Makahiki Way, Honolulu, HI 96826 Rachel Okoji, (808) 425-0968, rachelokoji@enviroriskhawaii.com
Status	Statutory 30-day public review and comment period starts. **Comments are due by September 7, 2023.** Please click on title link above to read the document, then send comments to the approving agency and copy the consultant.

The Project involves building 5 new 2-story, and 2, 1-story modular single-family dwellings, driveway, and individual septic systems w/leach fields, on a 1.47-acre shoreline parcel in R-5 Residential District. An existing 2-story dwelling on the site is to remain; access is off Kamehameha Highway via private road. Another dwelling, built in the 1940s, has since been removed. Ownership of the site is divided into eight condominium property regime (CPR) units pursuant to HRS, Chapter 514B. The City does not recognize CPR units (which have not been subdivided pursuant to Chapter 22, Revised Ordinances of Honolulu (ROH)), therefore, the Project must be evaluated collectively, under a single SMA Major application. No construction in proposed in the shoreline setback. The Project triggers the preparation of an EA under Chapter 25, ROH. Upon acceptance of a Final EA and a FONSI determination, DPP can accept the SMA application. Decision making will be made by the City Council.

DEPARTMENT OF PLANNING AND PERMITTING
KA 'OIHANA HO'OLĀLĀ A ME NĀ PALAPALA 'AE
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAI'I 96813
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RICK BLANGIARDI
MAYOR
MEIA

DAWN TAKEUCHI APUNA
DIRECTOR
PO'O

May 29, 2024

2024/ELOG-803(ST)
2023/ED-5

Mr. Mark Howland
Whale Environmental Services, Inc.
P. O. Box 455
Kahuku, Hawaii 96731

Dear Mr. Howland:

SUBJECT: Second Revised Final Environmental Assessment (FEA)
Revised Ordinances of Honolulu (ROH) Chapter 25
Donoso and Malaekana LLC Single-Family Residences (Project)
56-155 A Kamehameha Highway - Kahuku
Tax Map Key (TMK) 5-6-001: 033

We have reviewed the FEA submitted on April 29, 2024, and your request that the Department of Planning and Permitting (DPP) issue a Finding of No Significant Impact (FONSI) pursuant to Hawaii Revised Statutes (HRS) Chapter 343, and the Environmental Impact Statement Rules, Hawaii Administrative Rules Title 11 Chapter 200.1. We regret to inform you that key items noted in our March 20, 2024 non-FONSI letter, remain unresolved. The Final EA must be revised as described below:

1. Preface, Chapters 1 and 2 - Labeling and Legibility of Exhibits: Figures 3, 6, 11 to 20, 22 to 24, are still too small to be easily read or will be illegible if reproduced for reports [i.e., for DPP Reports or Special Management Area (SMA) Resolutions]. All exhibits must be of sufficient scale and clarity to be useful in reproduction. The document has two exhibits labeled Figure 7. The first Figure 7, labeled the "Shoreline Erosion Rate," incorrectly highlights Transect 59, which is not applicable to the Site. The correct Transects 54 and 55 should be highlighted. Figure 11 is also a duplicate, and Figure 14 is missing.

2. Chapter 2.2 Project Description: The significant reduction in earthwork figures from those described in the Draft EA (by a factor of 30 for Condominium Property Regime [CPR] Lots 2 and 8) have not been explained. The significant change must be explained. The construction details of the existing concrete driveway that replaced the previous dirt driveway have not been provided as requested.

3. Chapters 3.2.1 Geology and Topography and 3.2.2 Soils: As mentioned above, the Draft EA indicates that although the improvements on all CPR Units are unchanged, the Project will no longer require the significant amount of excavation and fill that were previously anticipated. Explain how total excavation estimates decreased 50 fold, from 21,014 cubic yards to 411 cubic yards, and total fill required dropped 38 fold, from 8,406 cubic yards to 221 cubic yards. Also, please clarify if structural fill is necessary to complete the Project.

4. Chapter 3.4 Natural Hazards: Figures 32 and 34 to 36 still do not include an aerial photographic base or proposed site plan, which would allow a better comparison of the extent of various hazards that are anticipated. An aerial photograph base or site plan should be used in these figures. Figure 37 highlights the wrong parcel. Figure 38 is a duplicate of Figure 7, which also cites the wrong Transect 59, instead of 54 and 55. Figure 39, the Tsunami Map, does not clearly indicate the location of the Project site.

5. Chapter 5:5 Alternatives Discussion: This section must be revised to address how the proposed Project and alternatives are consistent with the county general plan, sustainable communities plan, and zoning, as is required pursuant to HRS Section 205A-26(2)(c), and ROH Section 25-3.1(k).

6. Chapter 7: Consultation: This chapter lists the agencies and organizations which were consulted in the production of the document and indicates which agencies provided written responses. The comment letters are in Appendix G, which you indicate will not be reproduced in the hardcopy version of the Final EA. This is not acceptable; the comment letters and your responses to the comments must be included in the Final EA.

   The FEA includes statements which question the DPP publication of the Draft EA (noted in bold text). As a reminder, we previously forwarded a copy of the August 8, 2023 edition of the "Environmental Notice," in which the Draft EA was published.

7. Chapter 10: Appendix Summary: This cover page or subsequent pages, must summarize and list all of the various Appendices associated with producing the Final EA. While we acknowledge that not all Appendix items must be attached to the hardcopy of the Final EA, the early-consultation comment letters, the Draft EA comment letters received, and your associated responses contained in Appendix G must be attached to the hardcopy document.

8. Appendix D: The aerial photo representations of the Project site in the Environmental Site Assessment still incorrectly identifies a property about six parcels further to the east (TMK 5-6-001: 029). These representations must be corrected and the reports revised as necessary.

Prior to the issuance of a FONSI, the Final EA must be revised as directed above. Should you have any questions, please contact Steve Tagawa, of our Land Use Approval Branch, at (808) 768-8024 or via email at stagawa@honolulu.gov.

Very truly yours,

For: Dawn Takeuchi Apuna
Director

DEPARTMENT OF PLANNING AND PERMITTING
KA 'OIHANA HO'OLĀLĀ A ME NĀ PALAPALA 'AE
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAI'I 96813
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RICK BLANGIARDI
MAYOR
MEIA

DAWN TAKEUCHI APUNA
DIRECTOR
PO'O

BRYAN GALLAGHER, P.E.
DEPUTY DIRECTOR
HOPE PO'O

REGINA MALEPEAI
2ND DEPUTY DIRECTOR
HOPE PO'O KUALUA

October 21, 2024

2024/ELOG-1841(ST)
2023/ED-5

Mr. Mark Howland
Whale Environmental Services, Inc.
P. O. Box 455
Kahuku, Hawaii 96731

Dear Mr. Howland:

SUBJECT: Third Revised Final Environmental Assessment (FEA)
Revised Ordinances of Honolulu (ROH) Chapter 25
Donoso and Malaekana LLC Single-Family Residences (Project)
56-155 A Kamehameha Highway - Kahuku
Tax Map Key (TMK) 5-6-001: 033

We have reviewed the FEA submitted on September 25, 2024, and your request that the Department of Planning and Permitting (DPP) issue a Finding of No Significant Impact (FONSI) pursuant to Hawaii Revised Statutes (HRS) Chapter 343, and the Environmental Impact Statement Rules, Hawaii Administrative Rules Title 11 Chapter 200.1. We again are not able to issue a FONSI because there remains key items requested previously by our May 29, 2024 letter which remain to be addressed. Please make sure that the following issues and revisions are resolved as described below:

1. Preface and Summary: The introduction of the proposed Project in Figure 3 must be legible. As mentioned previously, referring to appendices for essential elements of disclosure or discussion is not acceptable; the essential information must be presented in the body of the document. Appendices support or provide data or technical information not needed by the majority of readers.

2. Chapter 1: There is a repeated Figure 3 that is far too small to be useful. Likewise Figure 4, which is the Overall Site Plan is much too small to discern useful details. The text must be expanded to fully explain the entire proposed development. The introduction should not attempt to explain how the development complies with concerns which are evaluated pursuant to the SMA regulations before elements of proposed construction, and timing of it has be

discussed. As such, shoreline erosion rates of the Hawaii Shoreline Study, Figure 5, belong in Chapter 3 related to the environment, impacts and mitigation measures. Furthermore, while Figure 5 now cites the applicable Transect 54, the legend unnecessarily covers significant portions of the project area. It should also be enlarged to better reveal website details.

The attached Tax Map Plat map (Figure 6) is unnecessarily small insofar as parcel numbers are illegible. We also note that condominium property regime (CPR) owners listing in Section 1.1 are repeated in Section 1.3.

Project Cost – The $1.5 to 2.0 million estimate appears to relate only to the Donoso CPR units (2 and 6). Please be reminded that impacts must be analyzed based on the **zoning lot**. The relevant valuation figure for development should include the proposed construction on all seven CPR units.

3. Chapter 2.1 Purpose and Need: The discussion of demolition of a second dwelling (Unit 2), yet the renovation of another dwelling (Unit 6) does not appear to be accurate since there is only one dwelling (Unit 1) on this property. This section should be revised to accurately describe what currently exists and what new construction is actually proposed or required. Our records indicate a demolition permit (Building Permit No. 785820) was issued in April of 2016 for removal of a garage on Unit 6. We have no record of the demolition of the previous dwelling on CPR Unit 2. We also point out that the Table on page 11 lists CPR unit numbers which are greater than eight (i.e., 11, 12, and 13).

4. Chapter 2.2 Project Description: We point out the following:

   - There are conflicting statements that no grading will be necessary (page 12), yet there is an earthwork discussion later in this chapter (page 15); this must be resolved.
   - Our previous comment (letter dated May 29, 2024) regarding the original Draft EA (ESA) disclosure of a significant decrease in earthwork (from 21,014 cubic yards to 411 cubic yards) is not explained.
   - The earthwork which was previously conducted in association with SMA No. 2016/SMA-24, including in the construction of the existing concrete driveway must be disclosed and discussed.
   - The current earthwork figures have been further reduced to only 54 cubic yards with 118 cubic yards of fill. Please clarify if this current figure

include what is necessary to build the other dwellings on the zoning lot (beyond the Donoso's Units 2 and 6).

- The Table on page 16 does not list grading permits.
- The erosion rate predicted for Transect 54 is erroneously listed in two places, both under "Shoreline Survey" and "Shoreline Erosion Rate" indicates a -0.3' per year rate instead of a -0.03' per year, which is a 10-fold difference in severity.
- New walls and retaining walls should be included in the development plan and sufficiently described.

5. Chapter 2.3 Development Schedule: This Section must be expanded to discuss development of the entire property. As mentioned previously the project cost must be estimated for development of the zoning lot, not just the Donoso-owned units.

6. Chapter 3.13.5.2 Wastewater System: There is no municipal wastewater system therefore, the Project must include plans for an individual wastewater system (IWS) for seven new dwellings. The IWS will occupy distinct spaces in each CPR unit and will require areas for leach fields. The FEA must describe and include at least preliminary construction plans for such systems. We note that the previous 2018 State Department of Health approval for IWSs; for Units 6, 7, and 8 have since expired.

7. Chapter 3.4 Natural Hazards: Figure 18 Master SLR Impact Map is too small to be useful. Therefore, the larger version located in Appendix A, must be adapted to fit in this section. Figure 24 "USDA Beach and Marine Sand" does clearly indicate the parcel boundaries or indicated where the proposed structures are to be located. This Exhibit must be revised to be useful.

8. Chapter 7: Consultation: As previous stated, this Chapter only lists the agencies and organizations which were consulted in the production of the document and indicates which agencies provided written responses. The FEA document must include the comment letters and your responses. Please consolidate the comment letters and responses in Appendix G of the FEA.

9. Appendix A: The following plans included in this Appendix need to be clearly labeled:

- Old plans with the previous micro units on CPR Units 3, 4, 5, 7, and 8.
- The 2007 topographic survey which shows dwellings which no longer exist on the site.
- Plans for the existing dwelling on CPR unit 1, which is not being changed.

The various 11" x 17" dwelling plans are difficult to discern which CPR Unit they are proposed for since the associated Plot Plans do not indicate each proposed dwellings location. It also is very confusing that CPR numbers are not the same as CPR lot or Unit numbers, for example:

CPR 009 is Unit 4

CPR 010 is Unit 5

CPR 011 is Unit 6

CPR 012 is Unit 7

CPR 013 is Unit 8.

These dwelling plans must be improved and relabeled to be less confusing; perhaps the homeowners names could be utilized.

Prior to the issuance of a FONSI, the FEA must be revised as directed above. Should you have any questions, please contact Steve Tagawa, of our Land Use Approval Branch, at (808) 768-8024 or via email at stagawa@honolulu.gov.

Very truly yours,

for Dawn Takeuchi Apuna
Director

DEPARTMENT OF PLANNING AND PERMITTING
KA 'OIHANA HO'OLĀLĀ A ME NĀ PALAPALA 'AE
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAI'I 96813
PHONE: (808) 768-8000 • FAX: (808) 768-6041 • WEBSITE: honolulu.gov/dpp

RICK BLANGIARDI
MAYOR
MEIA

DAWN TAKEUCHI APUNA
DIRECTOR
PO'O

BRYAN GALLAGHER, P.E.
DEPUTY DIRECTOR
HOPE PO'O

REGINA MALEPEAI
2ND DEPUTY DIRECTOR
HOPE PO'O KUALUA

February 5, 2025

2025/ELOG-194(ST)
2025/ELOG-12
2023/ED-5

Mr. Mark Howland
WHALE Environmental Services, LLC
P.O. Box 455
Kahuku, Hawaii 96731

Dear Mr. Howland:

SUBJECT: Withdrawal of Final Environmental Assessment (FEA)
Donoso and Malaekahana Bay Condo Master No. 2023/ED-5
55-155 A Kamehameha Highway – Kahuku
Tax Map Key 5-6-001: 033

This acknowledges your request (received January 30, 2025) to withdraw your January 2, 2025 submittal of the Final Environmental Assessment (EA) for the above-referenced Project, in order to address outstanding items from the Department of Planning and Permitting's (DPP's) previous comment letter dated October 21, 2024 (2024 Letter).

Please make sure that issues described below are resolved in your revised submittal. Please also refer to the DPP's letter and attached redline markups, dated November 1, 2024, regarding the Draft EA for the Lin property, and incorporate those same revisions and comments throughout the revised Final EA and technical study appendices.

1. Preface and Lot History: Please include a brief introduction of what a Condominium Property Regime (CPR) is, pursuant to Hawaii Revised Statutes (HRS) Chapter 514B. This section must clarify that this form of shared land ownership is acknowledged for ownership purposes, but that it does not convey an increase in development potential for the shared zoning lot of record. Separate development potential may only be obtained through the subdivision of land (i.e., creation of separate lots of record) pursuant to Revised Ordinances of Honolulu (ROH) Chapter 22, the City's Subdivision Regulations. Therefore, the "Lot History" subheading is misleading since there has been no change to the

1.47-acre zoning lot of record. This must be revised accordingly. This section must be also revised to be clear that the preparation of this EA is required because the Project involves the construction of more than two single-family dwellings (i.e. a "larger development") on a single zoning lot pursuant to Section 25-5.3(a) of ROH Chapter 25, the Special Management Area (SMA) Ordinance. The EA requirement is not because the development exceeds $500,000.

The attached Figure 1 Master Condo Plot Plan (formerly Figure 3) remains illegible and not usable for reference or reproduction. Similarly, Figures 2 through 4 do not include the required graphic scale, orientation (i.e., North arrow) or match lines.

2. Project Summary: The repetitive information should be eliminated and revised to briefly and succinctly summarize what construction is currently proposed (i.e., a 3,800-square-foot, two-story dwelling with an attached two-car carport, and utility improvements, etc.). We emphasize that the disclosures in this Final EA, which describe the proposed improvements, explain the relevant SMA issues, and provide appropriate mitigation, are the basis on which the SMA Major Permit will evaluate whether the new construction is allowed. The passive discussion regarding other CPR unit owners awaiting SMA approvals for Units 3 and 4, 5, 7, and 8 is inaccurate and misleading.

   As noted above, the preparation of an EA is required based on the SMA Ordinance, specifically ROH Section 25-5.3(a). For the proposed Project, there is no HRS Chapter 343 statutory trigger to prepare an EA, and therefore all related discussion should be removed. It is acceptable to acknowledge that for EAs prepared pursuant to ROH Chapter 25, the EA content and the procedures of HRS Chapter 343 must be followed. References to the Shoreline Setback Ordinance must also correctly cite ROH Chapter 26 instead of ROH Chapter 23.

   The Summary Table's "Required Permits and Approvals" must be revised to correctly state that the DPP makes recommendations on the SMA Major Permit, but the City Council approves SMA Permits. The subsequent discussion of "Impacts" and Anticipated Determination of the Final EA is confusing without first identifying its approval pursuant to 13 significance criteria pursuant to Hawaii Administrative Rules (HAR) Section 11-200.1-13, the Environmental Impact Statement (EIS) rules.

3. Chapter 1, Figure 7: This figure, the Overall Site Plan, remains too small to discern useful details, and must be replaced.

4. Section 1.4, Purpose and Need: This section should be expanded to explain all of the development proposed to occur over the entirety of the zoning lot, not just a single dwelling on one of the CPR lots. As discussed above, the collective

development on the zoning lot equates to a "larger development," which is the reason preparation of the FEA is required. The description should include general details of each dwelling to be constructed, including size, type, and the timing of their planned construction. The CPR layout can be explained in this section. As previously stated in the 2024 Letter, this introduction section (page 7) should not be used to explain or address how the proposed development complies with SMA concerns to be evaluated before Project elements are fully discussed. Accordingly, the discussion of cumulative, botanical and fauna, flood zone, sea rise climate zone, cultural and hazardous material impacts should be deleted from this section and integrated as appropriate into the impact discussion in Chapter 3.

5. Section 2.1, Purpose and Need: This section appears to replicate Section 1.4 Purpose and Need in Chapter One and should be revised or eliminated for clarity. Also, please clarify status of the previous dwelling located on CPR Unit 2. We have no record of the demolition of the previous dwelling.

6. Section 2.2, Project Description: The CPR unit sizes are all less than 0.2 acres, and therefore should be expressed in square feet. There are repetitive charts on pages 10 and 11 of CPR units, proposed work, dwelling living space and proposed bedrooms which should be rectified.

7. Section 2.3, Development Schedule: There is another development scheduled duplicated in Section 2.9 Development Schedule. However, as previously requested, this schedule must be expanded to discuss development of the entire zoning lot (i.e., beyond action by the Donoso-owned units).

8. Section 2.7, Plans and Documents: There are plans which are illegible because they been reduced and or the resolution is poor. Please note that although images may be printed on folio paper (11 x 17 inch), the actual image is printed over an area no larger than could fit on standard page (8.5 x11 inch). Furthermore, we note that identical but legible plan sheets are included in Attachment 1. Those plan sheets should be replaced in this section.

9. Section 3.4, Natural Hazards: Figure 17, Master SLR Impact Map, is too small to be useful. Figures 18 through 24 are also quite small and difficult to use. Also, these figures do not indicate the Project (i.e., parcel) boundaries or where proposed structures are to be located. These figures must be revised accordingly.

10. Section 13.13, Public Services and Facilities: This section numbering is duplicated on page 161 as the discussion of "Overall Cumulative Impact to Existing Environment." This numbering duplication should be corrected.

11. Section 3.13.5.1 and 5.2, Water Systems and Wastewater System: The potable water needs for the individual Project as well as for all of the anticipated development on the zoning lot should be clarified. Because there is no municipal wastewater system, the Project must include descriptions and plans for an individual wastewater system (IWS) for seven new dwellings. The IWS will occupy distinct spaces in each CPR unit and will require areas for leach fields. The Final EA must describe and include at least preliminary construction plans for such systems. We note that the previous 2018 State Department of Health approval for IWS for other proposed development have expired.

12. Chapter 7, Consultation: As previous stated in our 2024 Letter, this Chapter only lists the agencies and organizations which were consulted in the production of the document and indicates which agencies provided written responses. This Chapter must include the actual comment letters and your responses, instead of where they are currently included in Attachment 2.

We strongly suggest that you create a table which indicates the agencies or organizations that were consulted for either process (i.e., early-consultation or draft EA), indicates whether written comments were received at each stage. See sample below:

Table 7-1 Agencies, Organizations and Individuals Receiving Copies of the EA

Respondents and Distribution	Early Consultation	Received Early Consultation Comments	Receiving Draft EA	Comments Received	Receiving Final EA/ FONSI
Federal Agencies					
U.S. Army Corps of Engineers	X		X		X
U.S. Fish and Wildlife Service	X		X	X	X
U.S. National Marine Fisheries Service	X		X		X
State of Hawai'i Agencies					
Department of Accounting and General Services			X	X No Comm	X
Department of Business, Economic Development & Tourism (DBEDT) – Office of Planning	X	X	X	X No Comm	X
Department of Health (DOH)	X		X		X
Department of Land and Natural Resources (DLNR)	X		X		X
DLNR, Division of Aquatic Resources			X		X
DLNR, State Historic Preservation Division	X		X		X
DLNR, Office of Conservation and Coastal Lands	X	X	X		X

13. Attachment 1: The information previously contained in Appendix A is now contained in a new Attachment 1 Folder, which is confusing. Although title pages have been added which indicate what is enclosed, we question whether each have been cited in the main Final EA and are necessary for inclusion. For example is the 2021 Electrical Plan still current with the proposed development? We also

question the need for the printouts of the DPP website; are they referred to in the body of the Final EA? Lastly, as noted earlier, the dwelling plans in this Attachment are much clearer than those presented in Section 2.7 of the Final EA document. We find that the single floor plan for CPR Unit 1 (Sheet A002) is not very revealing or helpful, since no new construction is proposed.

It is our understanding that a revised Final EA will be submitted following the incorporation of the above-referenced comments in order to complete the environmental review and disclosure process, and allow the DPP to issue a finding of no significant impact pursuant to HAR Section 11-200.1-13.

Should you have any questions, please contact Steve Tagawa, of our Land Use Approval Branch, at (808) 768-8024 or via email at stagawa@honolulu.gov.

Very truly yours,

for: Dawn Takeuchi Apuna
Director Designate

cc: Mark Howland (Agent), via email

Subject: RE: 2023/ED-5: Donoso/Malaekahana FEA
From: "Tagawa, Steve H." <stagawa@honolulu.gov>
Date: 11/16/2023, 4:37 PM
To: 'Mark Howland' <markahowland@hawaii.rr.com>
CC: "Shoji, Joyce M." <jshoji@honolulu.gov>, "Keller, Christina K" <c.keller@honolulu.gov>

Hello Mark,

Even though we are *NOT* officially accepting Environmental Risk Assessment's (ESA) Final EA submitted on 11/1 due to Linda's e-mail notification received the following day (11/2) that she had separated from ESA as of 10/27, I did bother go through the ESA FEA. NOTE: We will be acknowledging the Agent change and returning ESA's checks for $200 and $1,200 checks (which isn't necessary within the same ED file).

By DPP consultation letters:

You mean the Early Consultation. (see Attached DonosoPre-consult.response)
Then there was the first DEA, which we could not publish at ERP. (see Attached 1stDEAnonPublication.Donoso)
Then there was the second DEA, which we also did not publish. (see Attached 2ndDEAnonPublication.Donoso)

Missing comment letters:

City Dept. of Environmental Services – Memo of 8/4/23 with "no comment." (see Attachment CityENV.commentDonoso)
ESA Acknowledgement of Park Dedication. (see Attached DonosoParkDedication.acknowl)

Issues of concern I notice:

Dwelling changes: There are some subtle, but mentionable, changes to two of the dwellings (i.e., elimination of roof decks). This mid-point change, and any other should be given some discussion.

Section 5.1.2. – Soils: I finally see this FEA has the earthwork figures I requested, and they appear rather significant. Considering that SHPD wanted a AMP given that two in-situ burials were found on CPR lots 1 and 2 previously, that should have been started.
In addition, given DPP's attention on bringing fill on Jaucas Sands, this **section needs much more discussion/explanation** on type and source of fill. I notice that Unit 5 (Malaekahana) has way more earthwork proposed than Linda, so this may be more challenging to address (refer to Attached 2ndDEAnonPub letter).

Section 4.2.9 Infrastructure Systems and Utilities: The discussion of wastewater handling needs to be expanded. Given that hook-up to Laie WWTP is not available, and while State DOH governs for IWSs, there still needs to be reasonable discussion of leach field size, location and related considerations of function, including a proposed layout.

Those are the highpoints I see, without *officially* reviewing a document from a dropped Agent.

Steve T.

From: Mark Howland <markahowland@hawaii.rr.com>
Sent: Thursday, November 16, 2023 8:52 AM
To: Tagawa, Steve H. <stagawa@honolulu.gov>

Subject: DPP Consultation Letters

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Aloha Steve,

I am finishing up Ms. Donoso's upgraded FEA. One thing missing in Rachel's FEA was the DPP consultation letters - the DPP Pre-consult letter, and the DPP approval letter of the DEA with any requirements for new inclusions in the FEA. Though I have spotted deficiencies in the FEA, I want to make sure it is upgraded to your satisfaction and I am addressing everything you need. I am aiming to bringing it to you on Monday for file and sent to the *EN*. All I need is those two letters to be put in the consultation section and place din front of all the various agencies comments and responses which I have. Christi has taught me that she prefers the DPP consult letters in front of the consultation section, so if you could send them along, it would be great. Mahalo nui loa.

Mahalo,

Mark

Attachments:

DonosoPre-conult.response.pdf	52.4 KB
1stDEAnonPublication.Donoso.pdf	4.6 MB
2ndDEAnonPublication.Donoso.pdf	2.7 MB
CityENV.commentDonoso.pdf	422 KB
DonosoParkDedication.acknowl.pdf	337 KB

JOSH GREEN, M.D.
GOVERNOR OF HAWAI'I
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAI'I

KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKELE

STATE OF HAWAI'I
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
File:

07016CMHK.23

July 28, 2023

MEMORANDUM

SUBJECT: Clean Water Branch Standard Project Comments

TO: Agencies and Project Owners

FROM: DARRYL LUM, P.E., CHIEF
Clean Water Branch

This memo is provided for your information and sharing. You are encouraged to share this memo with your project partners, team members, and appropriate personnel.

The Department of Health (DOH), Clean Water Branch (CWB) will no longer be responding directly to requests for comments on the following documents (Pre-consultation, Early Consultation, Preparation Notice, Draft, Final, Addendums, and/or Supplements):

- Environmental Impact Statements (EIS)
- Environmental Assessments (EA)
- Stream Channel Alteration Permits (SCAP)
- Stream Diversion Works Permits (SDWP)
- Well Construction/Pump Installation Permits
- Conservation District Use Applications (CDUA)
- Special Management Area Permits (SMAP)
- Shoreline Setback Areas (SSA)

For agencies or project owners requiring DOH-CWB comments for one or more of these documents, please utilize the DOH-CWB Standard Comments below regarding your project's responsibilities to maintain water quality and any necessary permitting. DOH-CWB Standard Comments are also available on the DOH-CWB website located at: http://health.hawaii.gov/cwb/.

DOH-CWB Standard Comments

The following information is for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with the Hawaii Administrative Rules (HAR), Chapters 11-53, 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program.

1. Any project and its potential impacts to State waters must meet the following criteria:

   a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.

   b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.

   c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).

2. You may be required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for point source water pollutant discharges into State surface waters (HAR, Chapter 11-55). Point source means any discernible, confined, and discrete conveyance from which pollutants are or may be discharged.

   For NPDES general permit coverage, a Notice of Intent (NOI) form must be submitted at least 30 calendar days before the commencement of the discharge. An application for a NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the applicable form ("CWB Individual NPDES Form" or "CWB NOI Form") through the e-Permitting Portal and the hard copy certification statement with the respective filing fee ($1,000 for an individual NPDES permit or $500 for a Notice of General Permit Coverage). Please open the e-Permitting Portal website located at: https://eha-cloud.doh.hawaii.gov/epermit/. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the appropriate form. Follow the instructions to complete and submit the form.

   The DOH, Environmental Health Administration (EHA) e-Permitting Portal received Cross-Media Electronic Reporting Rule (CROMERR) certification by the Environmental Protection Agency (EPA) for electronic signature. Currently, Applicants and Permittees may now certify and submit EHA Electronic Signature Forms electronically through the EHA e-Permitting Portal without the need to physically send in an ink signature and CD/DVD/flash drive.

Beginning January 31, 2023, the DOH-CWB will only utilize electronic signature e-Permitting forms and discontinue the hard-copy signature forms. All hard-copy signature certification e-Permitting forms, including compliance forms, will be inactivated.

The electronic signature forms will require electronic signature approval to submit a form to the CWB. For details on how to obtain the electronic signature approval please visit CWB website located at: https://health.hawaii.gov/cwb/announcements/cwb-announces-new-requirement-for-electronic-signature-approval-for-all-submissions-beginning-january-31-2023/.

The NPDES NOI or application will be processed after the filing fees submitted and payable to the "State of Hawaii" in the form of a pre-printed check, cashier's check, money order, or as otherwise specified by the director is received by the CWB.

Some of the activities requiring NPDES permit coverage include, but, are not limited to:

a. Discharges of Storm Water.

   i. For Construction Activities Disturbing One (1) or More Acres of Total Land Area.

      By HAR Chapter 11-55, an NPDES permit is required before the start of the construction activities that result in the disturbance of one (1) or more acres of total land area, including clearing, grading, and excavation. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale.

   ii. For Industrial Activities for facilities with primary Standard Industrial Classification (SIC) Codes regulated in the Code of Federal Regulations (CFR) at 40 CFR 122.26(b)(14)(i) through (ix) and (xi). If a facility has more than one SIC code, the activity that generates the greatest revenue is the primary SIC code. If revenue information is unavailable, use the SIC code for the activity with the most employees. If employee information is also unavailable, use the SIC code for the activity with the greatest production.

   iii. From a small Municipal Separate Storm Sewer System (along with certain non-storm water discharges).

b. Discharges to State surface waters from construction activity hydrotesting or dewatering.

c. Discharges to State surface waters from cooling water applications.

d. Discharges to State surface waters from the application of pesticides (including insecticides, herbicides, fungicides, rodenticides, and various other substances to control pest) to State waters.

e. Well-Drilling Activities.

Any discharge to State surface waters of treated process wastewater effluent associated with well drilling activities is regulated by HAR Chapter 11-55. Discharges of treated process wastewater effluent (including well drilling slurries, lubricating fluids wastewater, and well purge wastewater) to State surface waters requires NPDES permit coverage.

NPDES permit coverage is not required for well pump testing. For well pump testing, the discharger shall take all measures necessary to prevent the discharge of pollutants from entering State waters. Such measures shall include, if necessary, containment of initial discharge until the discharge is essentially free of pollutants. If the discharge is entering a stream or river bed, best management practices (BMPs) shall be implemented to prevent the discharge from disturbing the clarity of the receiving water. If the discharge is entering a storm drain, the discharger must obtain written permission from the owner of the storm drain prior to discharge. Furthermore, BMPs shall be implemented to prevent the discharge from collecting sediments and other pollutants prior to entering the storm drain.

3. A Section 401 Water Quality Certification (WQC) may be required if your project/activity:

a. Requires a federal license or permit; and

b. May result in a discharge into waters of the United States (WOTUS).

"License or permit" means any permit, certificate, approval, registration, charter, membership, statutory exemption, or other form of permission granted by an agency of the federal government to conduct any activity which may result in any discharge.

The term "discharge" is defined in Clean Water Act, Subsections 502(16), 502(12), and 502(6).

Examples of "discharge" include, but are not limited to, allowing the following pollutants to enter WOTUS from the surface, or in-water: solid waste, rock/sand/dirt, heat, sewage, construction debris, any underwater work, chemicals, fugitive dust/spray paint, agricultural wastes, biological materials, industrial wastes, concrete/sealant/epoxy, and washing/cleaning effluent.

Determine if your project/activity requires a federal permit, license, certificate, approval, registration, or statutory exemption by contacting the appropriate federal agencies (e.g. Department of the Army (DA), U.S. Army Corps of Engineers (COE), Pacific Ocean Division Honolulu District Office (POH) Tel: (808) 835-4303; U.S. Environmental Protection Agency, Region 9 Tel: (415) 947-8021; Federal Energy Regulatory Commission Tel: (866) 208-3372; U.S. Coast Guard Office of Bridge Programs Tel: (202) 372-1511). If your project involves work in, over, or under waters of the United States, it is highly recommended that you contact the COE-POH regarding their DA permitting requirements.

To request an individual Section 401 WQC, you must complete and submit the Section 401 WQC application together with $1,000 filing fee made payable to the "State of Hawaii" in the form of a check or other method specified by the department. This application is available on the e-Permitting Portal website located at: https://eha-cloud.doh.hawaii.gov/epermit/.

The processing of a Section 401 WQC application will begin after the CWB has received filing fee. The processing of a Section 401 WQC application is also subject to the compliance with 40 CFR §121 requirements.

Beginning January 31, 2023, the DOH-CWB will only utilize electronic signature e-Permitting forms and discontinue the hard-copy signature forms. All hard-copy signature certification e-Permitting forms, including compliance forms, will be inactivated.

The electronic signature forms will require electronic signature approval to submit a form to the CWB. For details on how to obtain the electronic signature approval please visit CWB website located at: https://health.hawaii.gov/cwb/announcements/cwb-announces-new-requirement-for-electronic-signature-approval-for-all-submissions-beginning-january-31-2023/.

Please see HAR, Chapters 11-53 and 11-54 for the State's Water Quality Standards and for more information on the Section 401 WQC. HAR, Chapters 11-53 and 11-54 are available on the CWB website at: http://health.hawaii.gov/cwb/.

4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapters 11-53 and 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of $25,000 per day per violation and up to two (2) years in jail.

5. It is the State's position that all projects must reduce, reuse, and recycle to protect, restore, and sustain water quality and beneficial uses of State waters. Project planning should:

   a. Treat storm water as a resource to be protected by integrating it into project planning and permitting. Storm water has long been recognized as a source of irrigation that will not deplete potable water resources. What is often overlooked is that storm water recharges ground water supplies and feeds streams and estuaries; to ensure that these water cycles are not disrupted, storm water cannot be relegated as a waste product of impervious surfaces. Any project planning must recognize storm water as an asset that sustains and protects natural ecosystems and traditional beneficial uses of State waters, like community beautification, beach going, swimming, and fishing. The approaches necessary to do so, including low impact development methods or ecological bio-engineering of drainage ways must be identified in the planning stages to allow designers opportunity to include those approaches up front, prior to seeking zoning, construction, or building permits.

   b. Clearly articulate the State's position on water quality and the beneficial uses of State waters. The plan should include statements regarding the implementation of methods to conserve natural resources (e.g. minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality.

   c. Consider storm water Best Management Practice (BMP) approaches that minimize the use of potable water for irrigation through storm water storage and reuse, percolate storm water to recharge groundwater to revitalize natural hydrology, and treat storm water which is to be discharged.

d. Consider the use of green building practices, such as pervious pavement and landscaping with native vegetation, to improve water quality by reducing excessive runoff and the need for excessive fertilization, respectively.

e. Identify opportunities for retrofitting or bio-engineering existing storm water infrastructure to restore ecological function while maintaining, or even enhancing, hydraulic capacity. Consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.

Department of Land and Natural Resources
Division of Forestry and Wildlife: Wildlife Program

O'ahu Offshore Islet Seabird Sanctuaries

Moku'au'ia Islet Seabird Sanctuary

Description

Mokū'auia Islet Seabird Sanctuary, also know as Goat Island, is a medium sized offshore islet that is 12.5 acres. It is located in Lā'ie Bay, O'ahu, just offshore form Mālaekehana Beach Park. 'Ua'u Kani or Wedge-tailed shearwaters and 'opae'ula are often found on the islet.

Activities

Birdwatching, swimming.

Permits & Rules

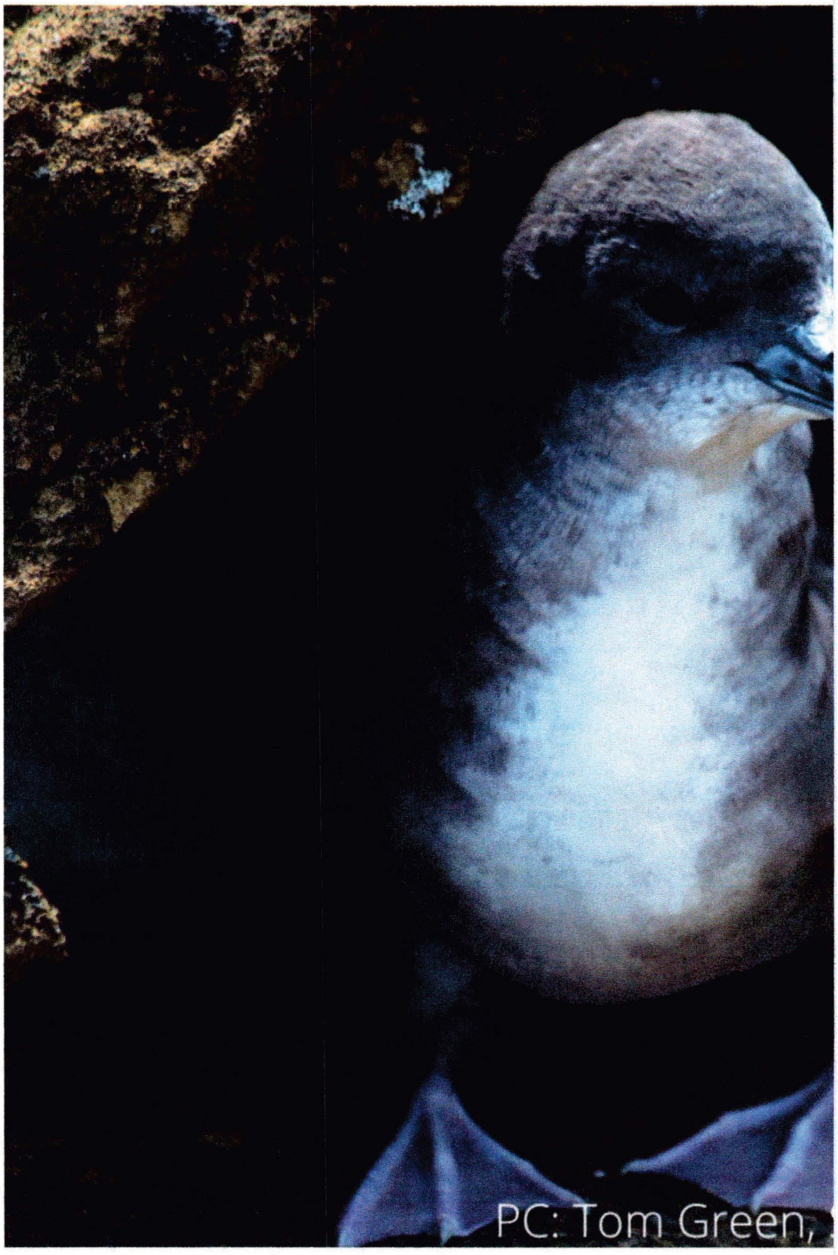
- This sanctuary is RESTRICTED, per administrative rules Chapter 126 (Wildlife Sanctuaries). Access is restricted to areas below the high water mark. The islet is closed from sunset to sunrise. No fires, dogs, camping, tents, tarps, or other structures are allowed at any time.
- Commercial activities may be possible with a permit. Contact the O'ahu DOFAW office to discuss.
- Other activities (like scientific research, conservation management, or subsistence, traditional, and customary practices by Native Hawaiians consistent with the long-term preservation of the wildlife sanctuary resources) may be possible with a permit. Individuals interested in permits should review the detailed information on our Permits & Guidelines page and contact their local DOFAW office.

Some Native Plants & Animals

These are examples of native species associated with this site. This is not intended to be a comprehensive species inventory.

Department of Land and Natural Resources

Division of Forestry and Wildlife: Wildlife Program



'Ua'u kani

(*Ardenna pacifica*)

Department of Land and Natural Resources

Division of Forestry and Wildlife: Wildlife Program

‘Ilima

(*Sida fallax*)

Naupaka kahakai

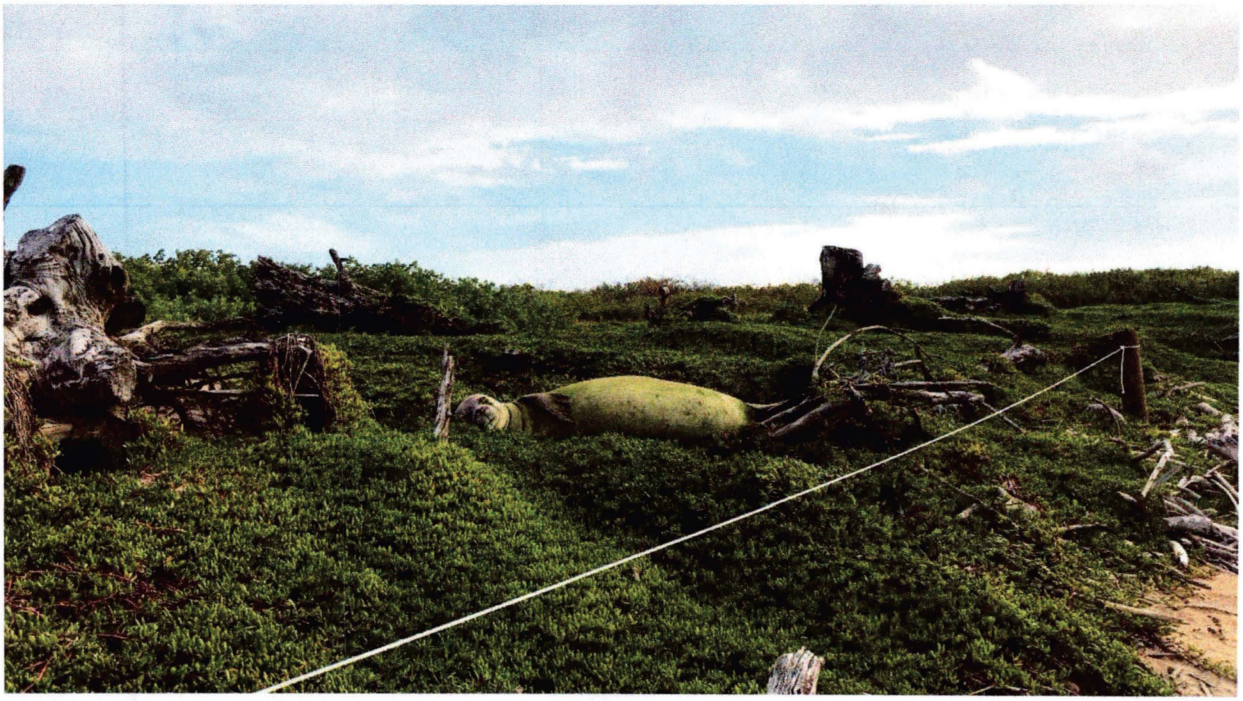
(*Scaevola taccada*)

Photos

Department of Land and Natural Resources

Division of Forestry and Wildlife: Wildlife Program

Aerial view of Moku‘au‘ia Islet.



Hawaiian Monk Seal resting in Moku‘au‘ia Islet.

Department of Land and Natural Resources

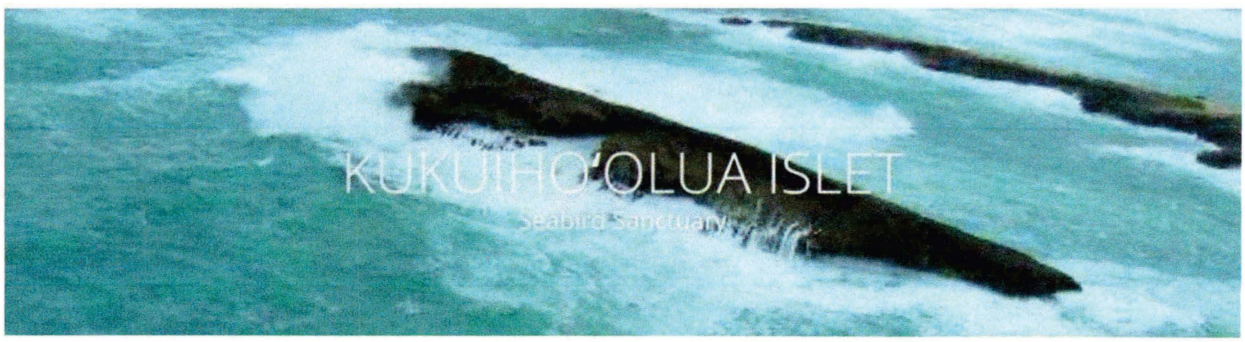
Division of Forestry and Wildlife: Wildlife Program

‘Ua‘u kani or Wedge-tailed shearwater chick in Moku‘au‘ia Islet.

1.

2.

3.



Department of Land and Natural Resources
Division of Forestry and Wildlife: Wildlife Program

Kukuiho'olua Islet Seabird Sanctuary

Description

Kukuiho'olua islet is located in Lā'ie Bay, just offshore from Lā'ie Point. The calcareous islet is about 2 acres in size and reaches a height of about 20 ft. There is a prominent arch in the center of the islet.

Common seabird species can be seen on this islet, though they regularly do not nest here. This islet is closed to the public.

Activities

None.

Permits & Rules

- This sanctuary is CLOSED, per administrative rules Chapter 126 (Wildlife Sanctuaries).
- Commercial activities are prohibited.
- Other activities (like scientific research, conservation management, or subsistence, traditional, and customary practices by Native Hawaiians consistent with the long-term preservation of the wildlife sanctuary resources) may be possible with a permit. Individuals interested in permits should review the detailed information on our Permits & Guidelines page and contact their local DOFAW office.

Some Native Plants & Animals

These are examples of native species associated with this site. This is not intended to be a comprehensive species inventory.

Department of Land and Natural Resources

Division of Forestry and Wildlife: Wildlife Program

Brown Booby

(*Sula leucogaster plotus*)

JOSH GREEN, M.D.
GOVERNOR OF HAWAI'I
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAI'I

KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKELE

STATE OF HAWAI'I
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
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HONOLULU, HI 96801-3378

In reply, please refer to:
File:

07016CMHK.23

July 28, 2023

MEMORANDUM

SUBJECT: Clean Water Branch Standard Project Comments

TO: Agencies and Project Owners

FROM: DARRYL LUM, P.E., CHIEF
Clean Water Branch

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- Conservation District Use Applications (CDUA)
- Special Management Area Permits (SMAP)
- Shoreline Setback Areas (SSA)

For agencies or project owners requiring DOH-CWB comments for one or more of these documents, please utilize the DOH-CWB Standard Comments below regarding your project's responsibilities to maintain water quality and any necessary permitting. DOH-CWB Standard Comments are also available on the DOH-CWB website located at: http://health.hawaii.gov/cwb/.

DOH-CWB Standard Comments

The following information is for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with the Hawaii Administrative Rules (HAR), Chapters 11-53, 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program.

1. Any project and its potential impacts to State waters must meet the following criteria:

   a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.

   b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.

   c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).

2. You may be required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for point source water pollutant discharges into State surface waters (HAR, Chapter 11-55). Point source means any discernible, confined, and discrete conveyance from which pollutants are or may be discharged.

   For NPDES general permit coverage, a Notice of Intent (NOI) form must be submitted at least 30 calendar days before the commencement of the discharge. An application for a NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, you must submit the applicable form ("CWB Individual NPDES Form" or "CWB NOI Form") through the e-Permitting Portal and the hard copy certification statement with the respective filing fee ($1,000 for an individual NPDES permit or $500 for a Notice of General Permit Coverage). Please open the e-Permitting Portal website located at: https://eha-cloud.doh.hawaii.gov/epermit/. You will be asked to do a one-time registration to obtain your login and password. After you register, click on the Application Finder tool and locate the appropriate form. Follow the instructions to complete and submit the form.

   The DOH, Environmental Health Administration (EHA) e-Permitting Portal received Cross-Media Electronic Reporting Rule (CROMERR) certification by the Environmental Protection Agency (EPA) for electronic signature. Currently, Applicants and Permittees may now certify and submit EHA Electronic Signature Forms electronically through the EHA e-Permitting Portal without the need to physically send in an ink signature and CD/DVD/flash drive.

Beginning January 31, 2023, the DOH-CWB will only utilize electronic signature e-Permitting forms and discontinue the hard-copy signature forms. All hard-copy signature certification e-Permitting forms, including compliance forms, will be inactivated.

The electronic signature forms will require electronic signature approval to submit a form to the CWB. For details on how to obtain the electronic signature approval please visit CWB website located at: https://health.hawaii.gov/cwb/announcements/cwb-announces-new-requirement-for-electronic-signature-approval-for-all-submissions-beginning-january-31-2023/.

The NPDES NOI or application will be processed after the filing fees submitted and payable to the "State of Hawaii" in the form of a pre-printed check, cashier's check, money order, or as otherwise specified by the director is received by the CWB.

Some of the activities requiring NPDES permit coverage include, but, are not limited to:

a. Discharges of Storm Water.

   i. For Construction Activities Disturbing One (1) or More Acres of Total Land Area.

      By HAR Chapter 11-55, an NPDES permit is required before the start of the construction activities that result in the disturbance of one (1) or more acres of total land area, including clearing, grading, and excavation. The total land area includes a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under a larger common plan of development or sale.

   ii. For Industrial Activities for facilities with primary Standard Industrial Classification (SIC) Codes regulated in the Code of Federal Regulations (CFR) at 40 CFR 122.26(b)(14)(i) through (ix) and (xi). If a facility has more than one SIC code, the activity that generates the greatest revenue is the primary SIC code. If revenue information is unavailable, use the SIC code for the activity with the most employees. If employee information is also unavailable, use the SIC code for the activity with the greatest production.

   iii. From a small Municipal Separate Storm Sewer System (along with certain non-storm water discharges).

b. Discharges to State surface waters from construction activity hydrotesting or dewatering.

c. Discharges to State surface waters from cooling water applications.

d. Discharges to State surface waters from the application of pesticides (including insecticides, herbicides, fungicides, rodenticides, and various other substances to control pest) to State waters.

e. Well-Drilling Activities.

Any discharge to State surface waters of treated process wastewater effluent associated with well drilling activities is regulated by HAR Chapter 11-55. Discharges of treated process wastewater effluent (including well drilling slurries, lubricating fluids wastewater, and well purge wastewater) to State surface waters requires NPDES permit coverage.

NPDES permit coverage is not required for well pump testing. For well pump testing, the discharger shall take all measures necessary to prevent the discharge of pollutants from entering State waters. Such measures shall include, if necessary, containment of initial discharge until the discharge is essentially free of pollutants. If the discharge is entering a stream or river bed, best management practices (BMPs) shall be implemented to prevent the discharge from disturbing the clarity of the receiving water. If the discharge is entering a storm drain, the discharger must obtain written permission from the owner of the storm drain prior to discharge. Furthermore, BMPs shall be implemented to prevent the discharge from collecting sediments and other pollutants prior to entering the storm drain.

3. A Section 401 Water Quality Certification (WQC) may be required if your project/activity:

a. Requires a federal license or permit; and

b. May result in a discharge into waters of the United States (WOTUS).

"License or permit" means any permit, certificate, approval, registration, charter, membership, statutory exemption, or other form of permission granted by an agency of the federal government to conduct any activity which may result in any discharge.

The term "discharge" is defined in Clean Water Act, Subsections 502(16), 502(12), and 502(6).

Examples of "discharge" include, but are not limited to, allowing the following pollutants to enter WOTUS from the surface, or in-water: solid waste, rock/sand/dirt, heat, sewage, construction debris, any underwater work, chemicals, fugitive dust/spray paint, agricultural wastes, biological materials, industrial wastes, concrete/sealant/epoxy, and washing/cleaning effluent.

Determine if your project/activity requires a federal permit, license, certificate, approval, registration, or statutory exemption by contacting the appropriate federal agencies (e.g. Department of the Army (DA), U.S. Army Corps of Engineers (COE), Pacific Ocean Division Honolulu District Office (POH) Tel: (808) 835-4303; U.S. Environmental Protection Agency, Region 9 Tel: (415) 947-8021; Federal Energy Regulatory Commission Tel: (866) 208-3372; U.S. Coast Guard Office of Bridge Programs Tel: (202) 372-1511). If your project involves work in, over, or under waters of the United States, it is highly recommended that you contact the COE-POH regarding their DA permitting requirements.

To request an individual Section 401 WQC, you must complete and submit the Section 401 WQC application together with $1,000 filing fee made payable to the "State of Hawaii" in the form of a check or other method specified by the department. This application is available on the e-Permitting Portal website located at: https://eha-cloud.doh.hawaii.gov/epermit/.

The processing of a Section 401 WQC application will begin after the CWB has received filing fee. The processing of a Section 401 WQC application is also subject to the compliance with 40 CFR §121 requirements.

Beginning January 31, 2023, the DOH-CWB will only utilize electronic signature e-Permitting forms and discontinue the hard-copy signature forms. All hard-copy signature certification e-Permitting forms, including compliance forms, will be inactivated.

The electronic signature forms will require electronic signature approval to submit a form to the CWB. For details on how to obtain the electronic signature approval please visit CWB website located at: https://health.hawaii.gov/cwb/announcements/cwb-announces-new-requirement-for-electronic-signature-approval-for-all-submissions-beginning-january-31-2023/.

Please see HAR, Chapters 11-53 and 11-54 for the State's Water Quality Standards and for more information on the Section 401 WQC. HAR, Chapters 11-53 and 11-54 are available on the CWB website at: http://health.hawaii.gov/cwb/.

4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapters 11-53 and 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of $25,000 per day per violation and up to two (2) years in jail.

5. It is the State's position that all projects must reduce, reuse, and recycle to protect, restore, and sustain water quality and beneficial uses of State waters. Project planning should:

   a. Treat storm water as a resource to be protected by integrating it into project planning and permitting. Storm water has long been recognized as a source of irrigation that will not deplete potable water resources. What is often overlooked is that storm water recharges ground water supplies and feeds streams and estuaries; to ensure that these water cycles are not disrupted, storm water cannot be relegated as a waste product of impervious surfaces. Any project planning must recognize storm water as an asset that sustains and protects natural ecosystems and traditional beneficial uses of State waters, like community beautification, beach going, swimming, and fishing. The approaches necessary to do so, including low impact development methods or ecological bio-engineering of drainage ways must be identified in the planning stages to allow designers opportunity to include those approaches up front, prior to seeking zoning, construction, or building permits.

   b. Clearly articulate the State's position on water quality and the beneficial uses of State waters. The plan should include statements regarding the implementation of methods to conserve natural resources (e.g. minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality.

   c. Consider storm water Best Management Practice (BMP) approaches that minimize the use of potable water for irrigation through storm water storage and reuse, percolate storm water to recharge groundwater to revitalize natural hydrology, and treat storm water which is to be discharged.

d. Consider the use of green building practices, such as pervious pavement and landscaping with native vegetation, to improve water quality by reducing excessive runoff and the need for excessive fertilization, respectively.

e. Identify opportunities for retrofitting or bio-engineering existing storm water infrastructure to restore ecological function while maintaining, or even enhancing, hydraulic capacity. Consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.

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EXHIBIT K

SOILS MAP

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	Donoso – Malaekahana LLC	Kahuku, Hawaii
	Draft Environmental Assessment	25-090

EXHIBIT L

SEA LEVEL RISE

HAWAII ENGINEERING GROUP, INC.	EXHIBIT L – 3.2 SEA LEVEL RISE	1 OF 1
	Donoso – Malaekahana LLC	Kahuku, Hawaii
	Draft Environmental Assessment	25-090

NOAA – Sea Level Rise Viewer at 6.0 feet

EXHIBIT M

SHORELINE CHANGE RATE

HAWAII ENGINEERING GROUP, INC.	EXHIBIT L – SHORELINE CHANGE RATE	1 OF 1
	Donoso – Malaekahana LLC	Kahuku, Hawaii
	Draft Environmental Assessment	25-090

EXHIBIT N

FEMA FLOOD MAP

National Flood Hazard Layer FIRMette

FEMA

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- 513 Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 12/23/2025 at 9:45 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

EXHIBIT O

WETLAND MAPPER

HAWAII ENGINEERING GROUP, INC.	EXHIBIT O – Wetland Mapper	1 OF 1
	Donoso – Malaekahana LLC	Kahuku, Hawaii
	Draft Environmental Assessment	25-090

EXHIBIT P

ARCHAEOLOGICAL REPORT

Archaeological Assessment for a Portion of TMK: (1) 5-6-001:033

Mālaekahana Ahupuaʻa
Koʻolauloa District
Island of Oʻahu

FINAL VERSION

Prepared By:
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ASM Project Number 36620.00

Archaeological Assessment for a Portion of TMK: (1) 5-6-001:033

Mālaekahana Ahupua‘a
Ko‘olauloa District
Island of O‘ahu

ASM affiliates

EXECUTIVE SUMMARY

At the request of Adam Lee of Malaekahana, LLC (Landowner), ASM Affiliates (ASM) conducted an Archaeological Inventory Survey (AIS) of a roughly 0.57-acre project area located on Tax Map Key (TMK): (1) 5-6-001:033, in Mālaekahana Ahupuaʻa, Koʻolauloa District, Island of Oʻahu. This study was conducted pursuant to a Department of Land and Natural Resources (DLNR-SHPD) Chapter 6E-42 review (Log No.: 202002811, Doc.: 2012LS02) of City and County of Honolulu grading and building permit applications. The current study was undertaken in compliance with Hawaiʻi Administrative Rules (HAR) §13–284 and was performed in accordance with the *Rules Governing Minimal Standards for Archaeological Inventory Surveys and Reports* as contained in HAR 13§13–276. Compliance with the above standards is sufficient for meeting the historic preservation review process requirements of the DLNR-SHPD. According to HAR 13§13-284-5(b)(5)(A) when no archaeological resources are discovered during an Archaeological Inventory Survey the production of an Archaeological Assessment report is appropriate. Fieldwork for the current study was conducted on February 4, 2021 by Robert B. Rechtman, Ph.D. and Daina Avila, B.A. Excavator assistance was provided by C. Fujimoto Contracting LLC. There were no archaeological resources observed on the surface of the project area; and likewise, there were no archaeological resources observed during the subsurface testing. Although the current study produced negative findings with respect to the identification of historic resources, the SHPD believes that insufficient information is available at this time to determine that the project will not adversely affect subsurface cultural layers or burials. The soils within the project area and vicinity consist of Jaucas sands, which are known to contain significant subsurface cultural layers and human remains/burials. Additionally, previous archaeological findings show human burials, an *imu* pit and at least two fire pits were identified at 56-155 Kamehameha Highway (adjacent parcel). The SHPD has requested that a program of on-site archaeological monitoring for identification purposes be conducted for any ground-disturbing activities for the proposed project. Such monitoring should be conducted pursuant to an Archaeological Monitoring Plan prepared in accordance with HAR §13-279.

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1. INTRODUCTION

At the request of Adam Lee of Malaekahana, LLC (Landowner), ASM Affiliates (ASM) conducted an Archaeological Inventory Survey (AIS) of a roughly 0.57-acre project area located on Tax Map Key (TMK): (1) 5-6-001:033, in Mālaekahana Ahupua‘a, Ko‘olauloa District, Island of O‘ahu (Figures 1, 2, and 3). The current project area is a portion of a larger 1.47-acre parcel under multiple Condominium Property Regime (CPR) ownership. Malaekahana Hui West, LLC is proposing the construction of five small (four measuring 312 square feet and one measuring 576 square feet) dwelling units on CPR lots within the overall tax map parcel. Development activities will include foundation footings for the post and pier structures, underground water connections, and septic tank and leach field excavations (Figure 4). This study was conducted pursuant to a Department of Land and Natural Resources (DLNR-SHPD) Chapter 6E-42 review (Log No.: 2020.02811, Doc.: 2012LS02) of City and County of Honolulu grading and building permit applications (HICRIS Project 2020PR34918).

The current study was undertaken in compliance with Hawai‘i Administrative Rules (HAR) §13–284 and was performed in accordance with the *Rules Governing Minimal Standards for Archaeological Inventory Surveys and Reports* as contained in HAR 13§13–276. Compliance with the above standards is sufficient for meeting the historic preservation review process requirements of the DLNR-SHPD. According to HAR 13§13-284-5(b)(5)(A) when no archaeological resources are discovered during an Archaeological Inventory Survey the production of an Archaeological Assessment report is appropriate. This report contains background information describing the location and environment of the project area, presentation of a brief culture-historical context for the project area, a summary of the previous archaeological work conducted in the vicinity of the subject property, an explanation of the survey methods and results of the current fieldwork, and recommendations based on these results.

PROJECT AREA DESCRIPTION

As described, the current project area (Figure 5) occupies a small portion of a larger Tax Map parcel that is itself relatively small. The *makai* portion of the overall parcel has been developed with a single-family residence on CPR Unit 1 (Figure 6), which is accessed along a concrete driveway (Figure 7) extending through the center of the parcel and dividing the current project area into two halves (see Figure 4). CPR Unit 2 toward the makai portion of the overall parcel formerly had a single-family residence (since demolished) and currently there are no plans to develop CPR Unit 6. The eastern half of the current project area will contain three dwellings (on CPR Units 3, 4, and 5) and western half two dwellings (on CPR Units 7 and 8) (see Figure 4). The placement of the driveway was preceded by grading that left a sizeable spoils pile (Figure 8) in the western half of the current project, where a 40-foot shipping container is also located (Figure 9). The eastern half of the current project area, like the western half is largely devoid of vegetation except for low-lying weeds and two ironwood trees (see Figure 5).

Climate information provided by Giambelluca et al. (2014) indicates a mean annual rainfall in the project area of about 48.3 inches (1226.9 millimeters), which is typically heaviest between October and March; and that the annual average daily air temperature ranges from 70.9° to 77.7°F, with January being the coldest and August being the warmest month. The underlying geology (Figure 10) of the project area has been identified as Younger dune deposits (Qdy) and Beach deposits (Qbd) (Sherrod et al. 2007). The surface soils (Figure 11) within the project area are entirely Jaucas sand (JaC).

Figure 1. Project area location.

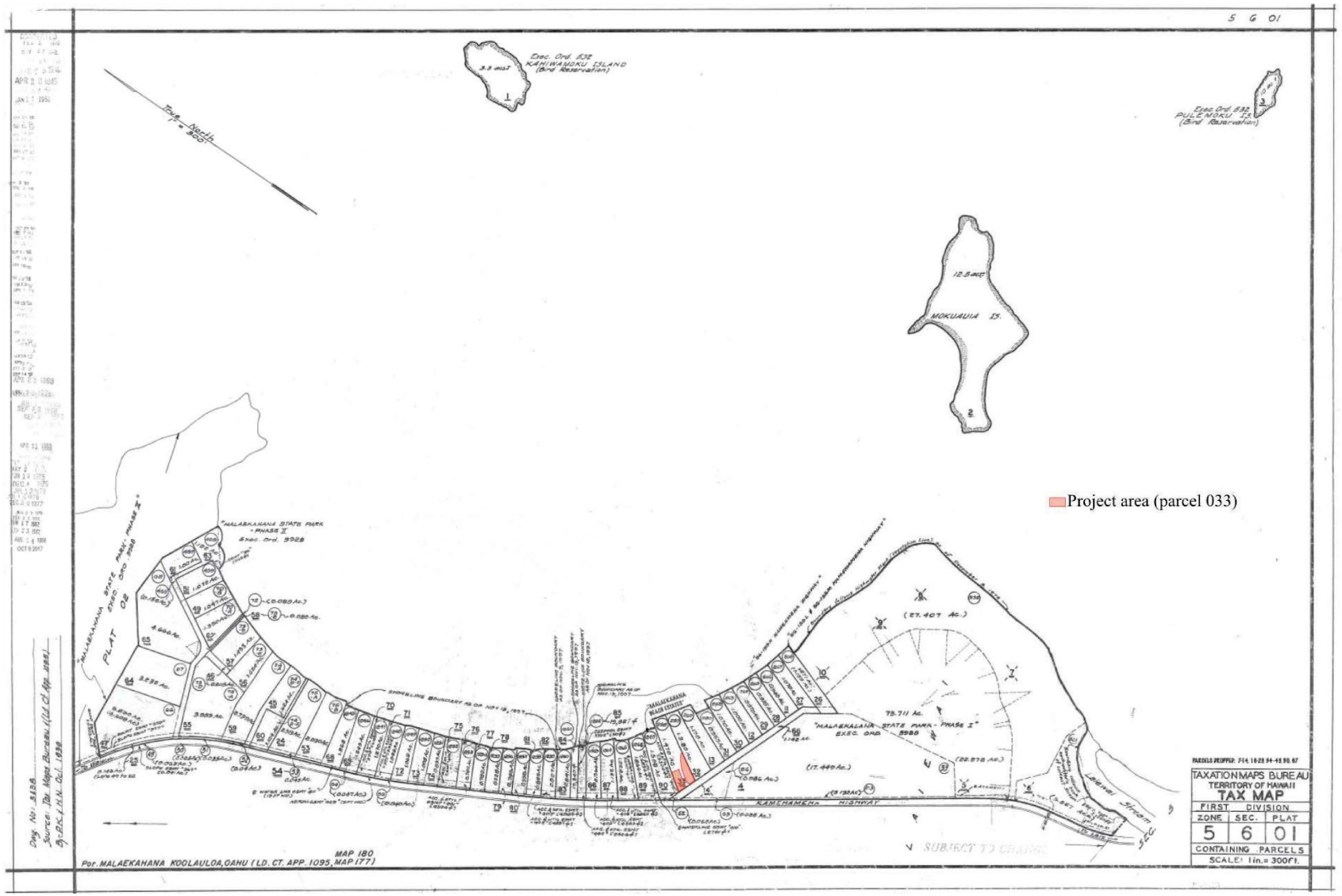

Figure 2. Tax Map Key (TMK): (1) 5-6-001 showing project area location (shaded red) within Parcel 033.

Figure 3. Aerial image showing project area.

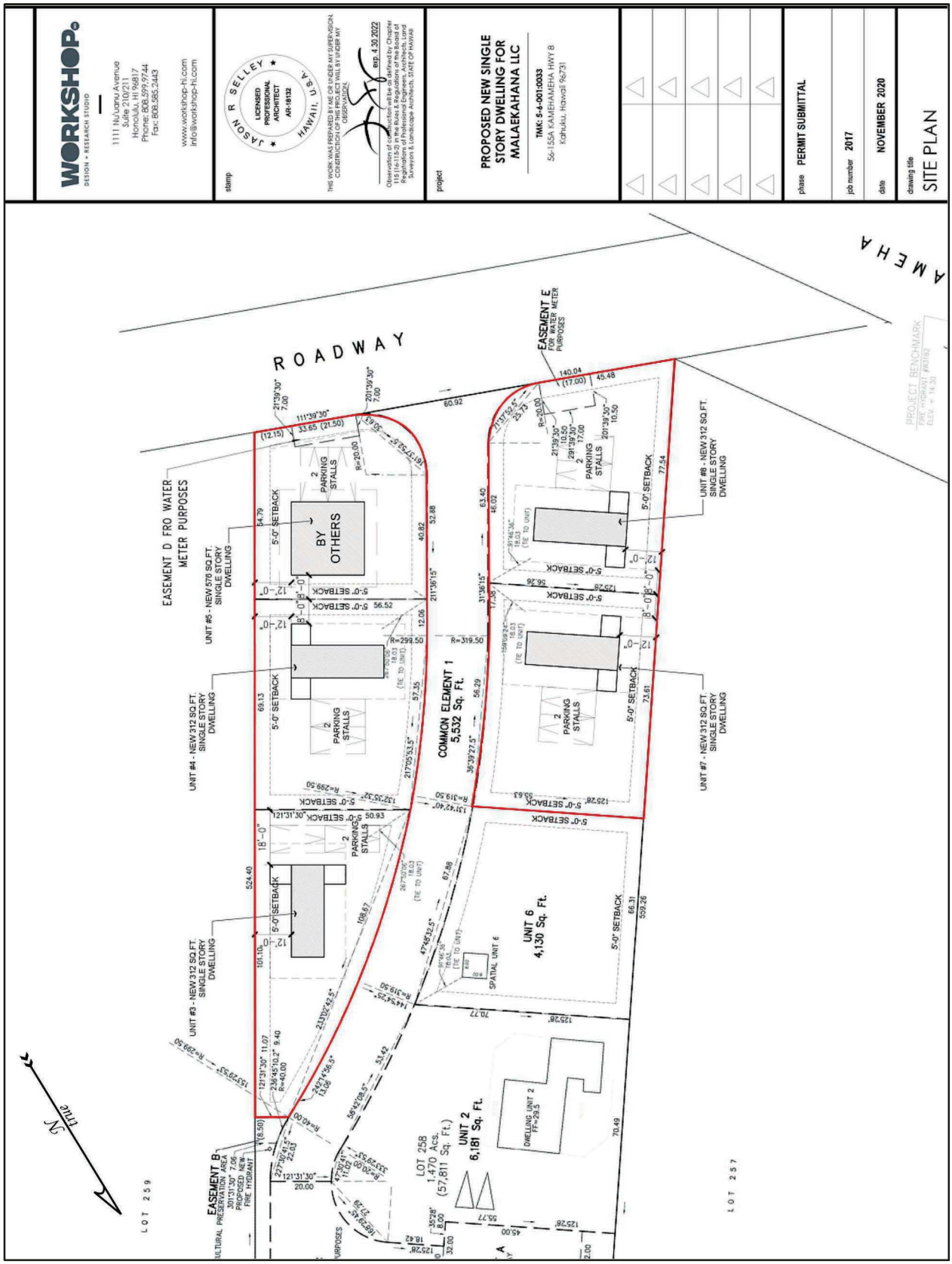

Figure 4. *Mauka* portion of Tax Map Parcel showing proposed development plan (project area outlined in red).

Figure 5. View to the southwest of the current project area.

Figure 6. Single-family dwelling at *makai* end of Tax Map parcel, view to the north.

Figure 7. Concrete driveway extending through the center of the Tax Map parcel, view to the southwest.

Figure 8. Spoils pile from driveway grading in the western half of the project area, view to the west.

Figure 9. Shipping container in the western half of the project area, view to the west.

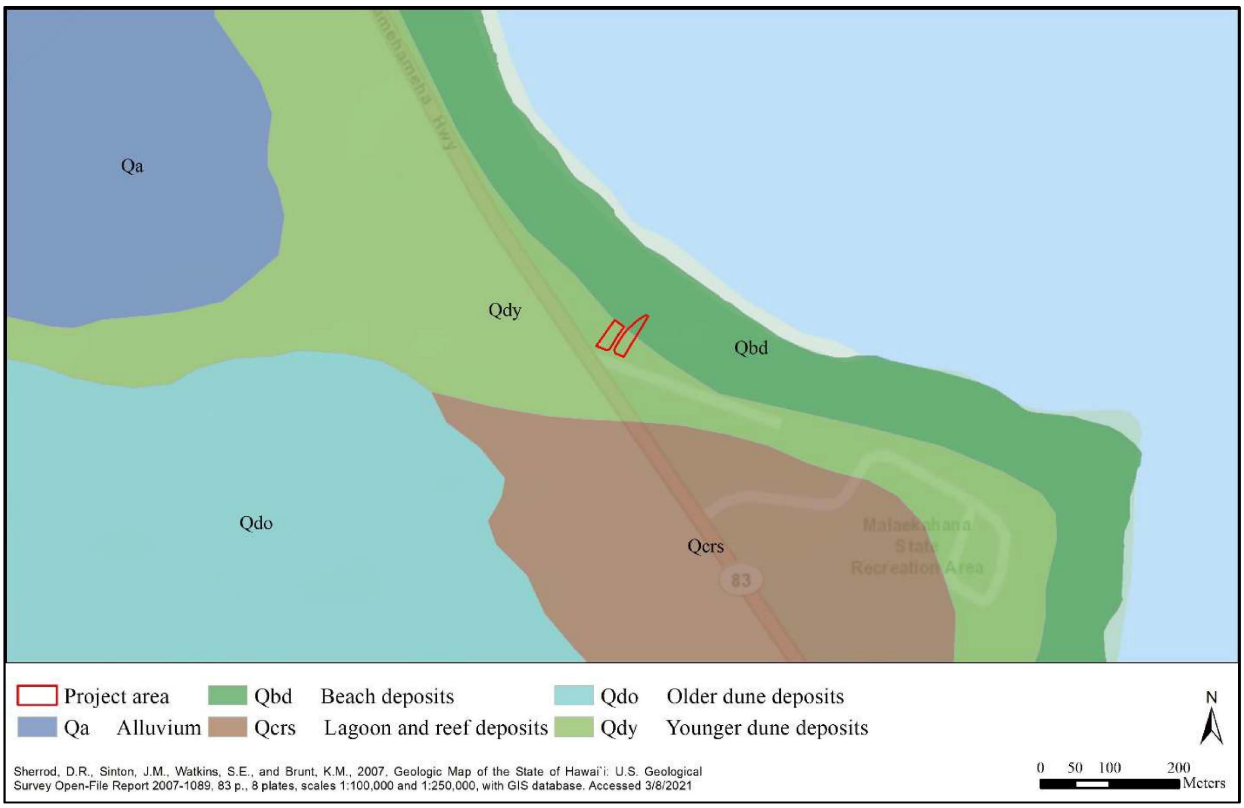

Figure 10. Geology of the project area.

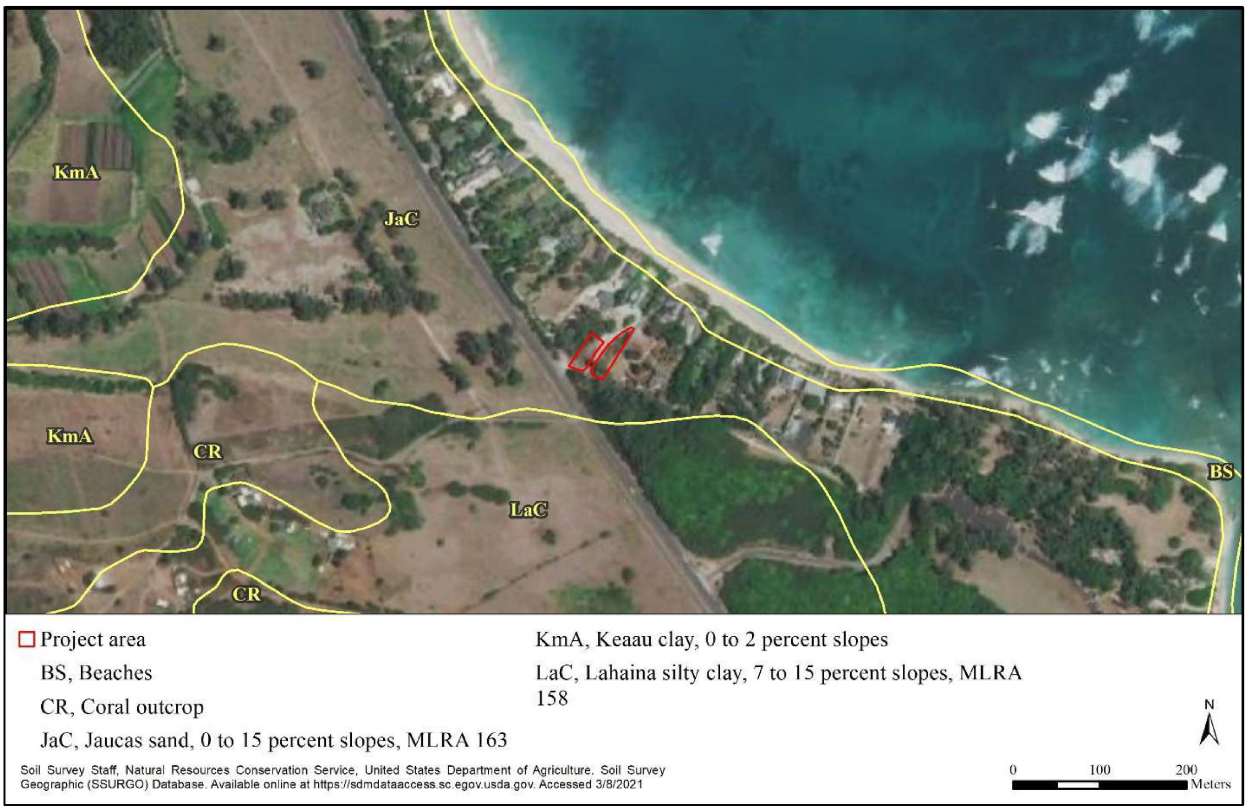

Figure 11. Soils within the project area.

2. BACKGROUND

To generate a set of expectations regarding the nature of archaeological resources that might be encountered within the current study area, and to establish an environment within which to assess the significance of any such resources, a brief culture-historical context for the Koʻolauloa region and Mālaekahana Ahupuaʻa is presented. This is followed by a discussion of prior archaeological studies conducted in the vicinity of the project area.

CULTURE-HISTORICAL CONTEXT

In an effort to provide a comprehensive and holistic understanding of the current study area and to generate a set of expectations for the subject parcels, archival and historical data relevant to Mālaekahana Ahupuaʻa, along with the general settlement patterns for the Koʻolauloa District are presented.

A Brief Overview of Hawaiian Settlement

While the exact timing of the initial settlement of the windward coast of Oʻahu remains unclear, with advances in palynology and radiocarbon dating techniques, Kirch (2011), Athens et al. (2014), and Wilmshurst et al. (2011) have argued that Polynesians arrived in the Hawaiian Islands sometime between A.D. 1000 and A.D. 1200. What is clearer based on radiocarbon data is that by A.D. 1200 large scale settlement was occurring, and steadily increasing until the time of Western contact (A.D. 1778) (Stride et al. 2003). Early settlement likely occurred from the Marquesas and Society Islands (Emory in Tatar 1982:16-18). In these early times, Hawaiʻi's inhabitants were primarily engaged in subsistence level agriculture and fishing (Handy and Handy 1972:287). This was a period of great exploitation and environmental modification, when early Hawaiian farmers developed new subsistence strategies by adapting their familiar patterns and traditional tools to their new environment (Kirch 1985; Pogue 1978). Their ancient and ingrained philosophy of life tied them to their environment and kept order. Order was further assured by the conical clan principle of genealogical seniority (Kirch 1984). According to Fornander (1969), the Hawaiians brought from their homeland certain universal Polynesian customs: the major gods *Kane, Ku*, and *Lono*; the *kapu* system of law and order; cities of refuge; the ʻ*aumakua* concept; various supernatural beliefs; and the concept of *mana.*

For generations following initial settlement, communities in Koʻolauloa were clustered along the shores which offered sheltered bays from which deep sea fisheries could be easily accessed. The near shore fisheries and coastal fishponds, which were enriched by nutrients carried in the fresh water, also offered opportunities for resource extraction and stewardship. It was in these coastal areas that clusters of houses were found, and where agricultural production first became established. Over a period of several centuries, these areas became populated and perhaps even crowded, and inland elevations began to be used for agriculture and some habitation. Taro would have been the dominant crop in this area with sweet potatoes planted only as a supplement for it (Handy and Handy 1972:282-283). Other crops would have included *wauke*, *noni*, gourds, sugarcane, *ʻawa,* breadfruit, bananas, coconuts, and ti (Stride et al. 2003). Other resources important to subsistence would have been gathered from the sea to the mountains.

The period between A.D. 1200–1650 was characterized by the greatest social stratification, major socioeconomic changes, and intensive land modification (Kirch 1985). Most of the ecologically favorable zones of the windward and coastal regions of all major islands were settled and the more marginal leeward areas were being developed. The concept of the *ahupuaʻa* was established during the A.D. 1400s (idid.), adding another component to a then well-stratified society. This land unit became the equivalent of a local community, with its own social, economic, and political significance. *Ahupuaʻa* were ruled by *aliʻi ʻai ahupuaʻa* or lesser chiefs; who, for the most part, had complete autonomy over this generally economically self-supporting piece of land, which was managed by a *konohiki*. *Ahupuaʻa* were usually wedge or pie-shaped, incorporating all of the eco-zones from the mountains to the sea and for several hundred yards beyond the shore, assuring a diverse subsistence resource base (Hommon 1986).

The *aliʻi* and the *makaʻāinana* (commoners) were not confined to the boundaries of the *ahupuaʻa*; when there was a perceived need, they also shared with their neighbor *ahupuaʻa ʻohana*. The *ahupuaʻa* was further divided into smaller sections such as the *ʻili*, *moʻoʻaina*, *paukuʻaina*, *kihapai*, *koele*, *hakuone*, and *kuakua* (Hommon 1986, Pogue 1978). The chiefs of these land units gave their allegiance to a territorial chief or *moʻi* (king). *Heiau* building flourished during this period as religion became more complex and embedded in a sociopolitical climate of territorial competition. Monumental architecture, such as *heiau*, "played a key role as visual markers of chiefly dominance" (Kirch 1990:206).

Entire *ahupuaʻa*, or portions of the land were generally under the jurisdiction of appointed *konohiki* or lesser chief-landlords, who answered to an *aliʻi-ʻai-ahupuaʻa* (chief who controlled the *ahupuaʻa* resources). The *aliʻi-ʻai-ahupuaʻa* in turn answered to an *aliʻi ʻai moku* (chief who claimed the abundance of the entire district). Thus, *ahupuaʻa* resources supported not only the *makaʻāinana* and *ʻohana* who lived on the land, but also contributed to the support of the royal community of regional and/or island kingdoms. This form of district subdividing was integral to Hawaiian life and was the product of strictly adhered to resources management planning. In this system, the land provided fruits and vegetables and some meat in the diet, and the ocean provided a wealth of protein resources. Also, in communities with long-term royal residents, divisions of labor (with specialists in various occupations on land and in procurement of marine resources) came to be strictly adhered to. It is in the general cultural setting outlined above, that we find the *ahupuaʻa* of Mālaekahana.

Legendary Accounts and Traditional Land Use

Mālaekahana is referred to by Handy et al. (1991:462) as one of "two small *ahupuaʻa* intervening between Laʻie and Kahuku," and indicate that Mālaekahana exhibits the same geomorphic and land use pattern as its larger neighbors albeit on a smaller scale; with "dune coasts, elevated coral, and broken level land seaward from the hills," and "a small stream." Although Handy (1940) related that there were some irrigated taro terraces fed by Kaukanalaau Stream, Handy et al. (1991:460) suggest that the areas to the northward from Kahana and Punaluʻu were "less suitable for wet-taro culture;" a supposition supported by a review of land use practices identified in the *Māhele* records (see discussion below).

Mālaekahana is mentioned only in passing by Emerson (1915) in *Pele and Hiiaka: a Myth from Hawaii*, but the *ahupuaʻa* features more prominently in two legends (Mano-niho-kahi and Manuwahi) recounted by Rice (1923). With respect to the former:

> Near the water hole in Malae-kahana, between Laie and Kahuku, lived a man called Mano-niho-kahi, who was possessed of the power to turn himself into a shark. Mano-niho-kahi appeared as other men except that he always wore a tapa cloth which concealed the shark's mouth in his back.
>
> Whenever he saw women going to the sea to fish or to get *limu* he would call out, "are you going into the sea to fish?"
>
> Upon hearing that they were, he would hasten in a roundabout way to reach the sea, where he would come upon them and, biting them with his one shark's tooth, kill them.

> This happened many times. Many women were killed by Mano-niho-kahi. At last the chief of the region became alarmed and ordered all the people to gather together on the plain. Standing with his kahuna, the chief commanded all the people to disrobe. All obeyed by Mano-niho-kahi, Shark-with-One-Tooth. So his tapa was dragged off and there on his back was seen the shark's mouth. He was put to death at once and there were no more deaths among the women. (ibid.:111)

Rice (1923:113-115) relates the story of Manuwahi, a man with supernatural powers who protected Mālaekahana during the conquest of Oʻahu by Kamehameha I and his warriors. According to the story, Kamehameha "had succeeded in subduing all the island except for Malae-kahana, between Laie and Kahuku;" so he sent a contingent of warriors led by Kahalaiu to defeat the powerful *kahuna* (Manuwahi) that protected Mālaekahana. Mahuwahi proved too strong as he was assisted by several *akua*, and Kahalaiu ultimately relented and joined Manuwahi in planting the valley with *ʻawa*, "[s]o Malae-kahana was not conquered."

Lastly, a pond (Waiʻāpuka) in Mālaekahana (possibly the same pond referred to in the Mani-niho-kahi legend) is the entrance to an underground cavern that sheltered Lāʻieikawai as described in "The Story of Lāʻieikawai" (Kalakaua 1888:455-480). In this story, the chief of both Koolau districts was Kahauokapaka and his wife was Malaekahana. Only desirable of sons, Kahauokapaka put to death the first four of his wife's newborn daughters. Pregnant again, Malaekahana was determined to see her offspring live no matter what their gender. So, when birth was imminent, she sent her husband on a journey to retrieve her favorite fish (*ohua palemo*). In his absence she gave birth to twin daughters, Lāʻieikawai and Lāʻielohelohe, and to protect them they were secreted away before Kahauokapaka returned. Lāʻielohelohe was sent to Kukaniloko and Lāʻieikawai was taken by her protector (Waka) into the cavern of Waiapuka. As she grew older, Waka took Laʻieikawai to Molokaʻi, then to Hawaiʻi Island, all the while followed by a potential suiters. After much intrigue and deception, Laʻieikawai, forsaken and residing in the netherworld, was granted a return to earth where she lived out her life with her sister, changing her name to "*Ka wahine o ka liula*—the 'the lady of the twilight'—under which title she was worshiped by certain families after her death." (Kalākaua 1883:480).

While informative as parables, these legendary accounts also provide insights into resource availability, land use, and occupational practices. The Mano-niho-kahi legend describes nearshore fishing and *limu* collection by women, and the Manuwahi legend describes *ʻawa* cultivation practices as well as a habitation cave named "Kaukana-leau" where "natives made their stone adzes." (Rice 1923:114).

History After Contact (1779-1847)

Just two weeks after the death of Captain Cook, the H.M.S. Resolution captained by Charles Clerke rounded the northern tip of Oʻahu providing the first historical accounts of the that area (in Beaglehole 1967). Both Clerke and Lieutenant James King wrote similar descriptions of the area as populous and verdant. However, in 1794, British Captain, George Vancouver also visited the northern tip of Oʻahu, but found the area to be slightly different than the verdant, well populated plain described by Clerke and King fifteen years earlier. He wrote:

> . . . In every other respect our examination confirmed the remark of Capt. King excepting that in point of cultivation or fertility, the country did not appear in so flourishing a state, nor to be so numerously inhabited, as he represented it to have been at that time, occasioned most probably by the constant hostilities that had existed since that period. (Vancouver 1798(3):71)

Much attention has been paid to these two descriptions, separated by only fifteen years, but describing two different places; one with thriving villages and extensive agricultural fields, and another that is not so populated or agriculturally productive. Specific to the neighboring *ahupuaʻa* of Kahuku, Handy and Handy (1972:462) ask, "What catastrophe of the elements, slow or swift, has wrought change in Kahuku?" They write that:

> Kahuku *ahupuaʻa* presents something of a paradox. McAllister (1933 p. 153) remarked in his survey that it did not seem possible that this "rather desolate, wind swept" plain could ever have supported much life, agricultural or human, before the era of industrial machinery and organization. Yet one of his informants "remembers the time when trees now found only in the mountains" covered it. (Handy and Handy 1972:462)

In 1833, E. O. Hall observed at Kahuku that "much taro land now lies in waste because of the diminished population of the district does not require its cultivation" (Hall 1839 in Handy and Handy 1972:462). The changes in Kahuku were the same changes taking place throughout the Hawaiian Islands. Although early explorers blamed the decline in population on warfare, others suggest the reason for such rapid population decline was the introduction of Western diseases (Kuykendall 1938; Nakamura 1981; Wong-Smith 1989). Once introduced, the foreign diseases quickly decimated the Hawaiian population which had no immunity to them. The sudden dramatic reduction in

population radically altered the Hawaiian way of life and paved the way for further change. The 1831-32 Mission census (Schmitt 1973) recorded a total of 114 individuals (90 adults and 24 children) in Mālaekahana (and 49 in neighboring Kaʻena). In the 1835 census, the combined population number for Mālaekahana and Kaʻena was 146 individuals. This slight decrease in population over a four year period is also reflected in the overall population of Koʻolauloa, which saw a 210 drop between 1832 and 1836 (ibid.). Also, at this time, the increasing presence of foreigners led to major socioeconomic and political changes. As Osorio (2002:5) explains, it was foreign economic interests originally promoted by the Hawaiian League and their "bayonet constitution" that ultimately infiltrated beliefs, ideas, and institutions; and as he put it, "literally and figuratively dismembered the *lāhui* (the people) from their traditions, their land and ultimately their government." Indeed, the Hawaiian culture was well on its way towards Western assimilation, although not without resistance (Silva 2004), as industry in Hawaiʻi went from the sandalwood trade, to a short-lived whaling industry, to the more lucrative, but environmentally destructive sugar industry. The slopes and *kula* of the north shore of Oʻahu ultimately became a center of sugarcane production.

The *Māhele ʻĀina* of 1848

By the mid-19th-century, the Hawaiian Kingdom was an established center of commerce and trade in the Pacific, recognized internationally by the United States and other nations in the Pacific and Europe (Sai 2011). As Hawaiian political elite sought ways to modernize the burgeoning Kingdom, and as more Westerners settled in the Hawaiian Islands, major socioeconomic and political changes took place, including the formal adoption of a Hawaiian constitution by 1840, the change in governance from an absolute monarchy to a constitutional monarchy, and the shift towards a Euro-American model of private land ownership. This change in land governance was partially informed by ex-missionaries and Euro-American businessmen in the islands who were generally hesitant to enter business deals on leasehold lands that could be revoked from them at any time. *Mōʻī* (Ruler) Kauikeaouli (Kamehameha III), through intense deliberations with his high-ranking chiefs and political advisors, separated and defined the ownership of all lands in the Kingdom (King n.d.). They decided that three classes of people each had one-third vested rights to the lands of Hawaiʻi: the *Mōʻī*, the *aliʻi* and *konohiki*, and the native tenants (*hoaʻāina*). In 1846, King Kauikeaouli formed the Board of Commissioners to Quiet Land Titles (more commonly known as the Land Commission) to adopt guiding principles and procedures for dividing the lands, grant land titles, and act as a court of record to investigate and ultimately award or reject all claims brought before them (Bailey in Commissioner of Public Lands 1929). All land claims, whether by chiefs for an entire *ahupuaʻa* or *ʻili kūpono* (nearly independent *ʻili* land division within an *ahupuaʻa*, that paid tribute to the ruling chief and not to the chief of the *ahupuaʻa*), or by *hoaʻāina* for their house lots and gardens, had to be filed with the Land Commission within two years of the effective date of the Act (February 14, 1846) to be considered. This deadline was extended for chiefs and *konohiki*, but not for native tenants (Soehren 2005).

The King and some 245 chiefs spent nearly two years trying unsuccessfully to divide all the lands of Hawaiʻi amongst themselves before the whole matter was referred to the Privy Council on December 18, 1847 (King n.d.; Kuykendall 1938). Once Kauikeaouli and his chiefs accepted the principles of the Privy Council, the *Māhele ʻĀina* (Land Division) was completed in just forty days (on March 7, 1848). The names of nearly all of the *ahupuaʻa* and *ʻili kūpono* of the Hawaiian Islands, as well as the names of the chiefs who claimed them, were recorded in the *Buke Māhele* (*Māhele* Book) (*Buke Māhele* 1848; Soehren 2005). As this process unfolded, King Kauikeaouli, who received roughly one-third of the lands of Hawaiʻi, realized the importance of setting aside public lands that could be sold to raise money for the government and also purchased for fee simple title by his subjects. Accordingly, the day after the division when the name of the last chief was recorded in the *Buke Māhele*, the King commuted about two-thirds of the lands awarded to him to the government (King n.d.). Unlike Kauikeaouli, the chiefs and *konohiki* were required to present their claims to the Land Commission to receive their Land Commission Awards (LCAw.). The chiefs who participated in the *Māhele* were also required to provide to the government commutations of a portion of their lands in order to receive a Royal Patent giving them title to their remaining lands. The lands surrendered to the government by the King and chiefs became known as "Government Land." The lands personally retained by the King became known as "Crown Land." Lastly, the lands received by the chiefs became known as "Konohiki Land" (Chinen 1958:vii; 1961:13). Lots awarded to *hoaʻāina* became known as *kuleana*. To expedite the work of the Land Commission, all lands awarded during the *Māhele* were identified by name only, with the understanding that the ancient boundaries would prevail until the lands could be formally surveyed.

Following the *Māhele,* the Hawaiian kingdom initiated a grant program to encourage more native tenants to engage in fee-simple ownership of parcels of land. These parcels consisted primarily of Government lands-those lands given outright by the King or commuted to the Government by the *aliʻi* in lieu of paying the commutation fees on the parcels awarded them during the *Māhele*. These land grants were quite large, ranging in size from approximately ten acres to many hundreds of acres. When the sales were agreed upon, Royal Patents were issued and recorded following

a numerical system that remains in use today. In 1862, the Commission of Boundaries (Boundary Commission) was established to legally set the boundaries of the *ahupua'a* that had been awarded (not retained by or commuted to the government) as a part of the *Māhele*. The primary informants for the boundary descriptions were old native residents of the lands, many of which had also been claimants for *kuleana* during the *Māhele*.

During the *Māhele*, Mālaekahana was awarded as *konohiki* land (LCAw. 8452:1) to Ane Keohokālole; but Kame'eleihiwa (1992) points out that before the *Māhele*, Mālaekahana was the property of Kaisara Kapa'akea, Keohokālole's husband and cousin.

Within Mālaekahana, there were nine *kuleana* parcels were awarded to five individuals. Table 1 below list the names of these individuals along with the details of their awards; this information was extracted from the *Indicies of Awards* published by the Commissioner of Public Lands (1929) and notes on land use were obtained from the awardees associated *kuleana* claim documents (i.e. Native Register and Foreign Testimony) retrieved from the Office of Hawaiian Affairs Papakilo and Kīpuka databases. All of the awarded *kuleana* parcels were located *mauka* of the current project area on the inland side of current Kamehameha Highway (Figure 13).

Table 1. Kuleana awards in Mālaekahana Ahupua'a

Awardee Name	*LCAw.*	*Royal Patent Grant No.*	*Acres*	*Number of Parcels Awarded*	*Land Use*
Kahawaii	8537	7970	0.28	2	*mo'o 'āina kula*; portion planted in *wauke.*
Kakau	8355	n/a	0.55	3	*mo'o 'āina kula* planted in banana and *wauke.*
Nawai	9894	n/a	0.45	3	Only two of the three parcels are in Malaekahana. *Kula* land planted in *wauke* and banana and a house lot.
Paukoa	7727	7965	0.13	1	*mo'o 'āina kula*; portion planted in *wauke.*
Puu	3870	7966	0.22	1	Potato and banana; parcel had become overgrown due to cattle grazing.

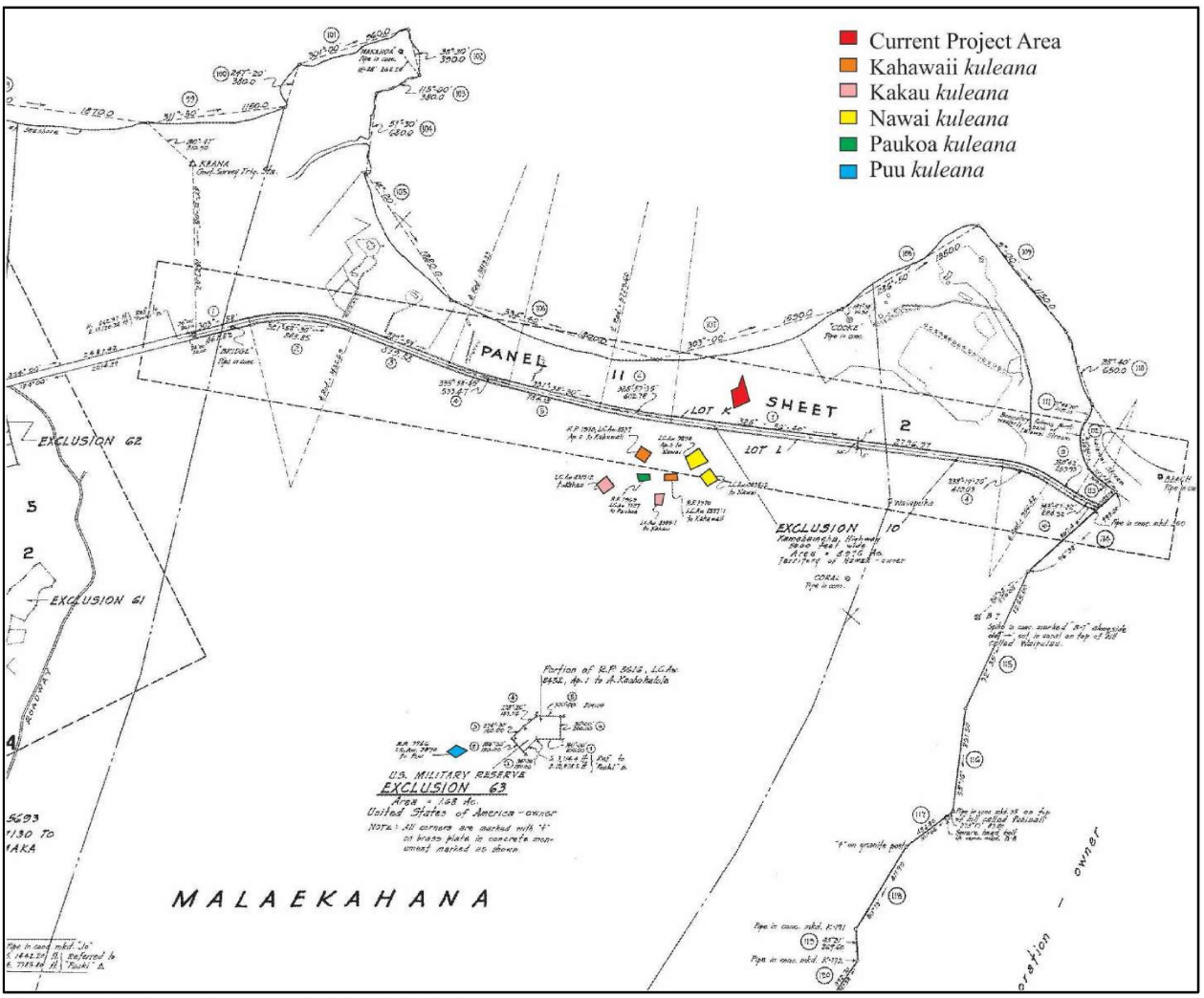

Figure 12. *Kuleana* lots awarded in Mālaekahana.

Kahawaii (LCAw. 8537) claimed lands in two *ahupua'a*; Lā'ie in which three *lo'i* (wet land taro patch) were located and another for a *mo'o 'āina* of *kula* lands in Mālaekahana. In the Native Register, Kahawaii described the Mālaekahana lands as extending from the sea of Halii to their house site to the uplands. Kahawaii noted that these lands were received during the time of Kamehameha I. In the Foreign Testimony, Kuhapa testified on behalf of Kahawaii and noted that part of the Mālaekahana lands were planted in *wauke* (paper mulberry; *Broussonetia papyrifera*)—a plant utilized in the production of bark cloth (Abbott 1992). Furthermore, Kuhapa's testimony idicates that Kahawaii died in 1850 and that the land had passed to his wife.

Similar land use patterns were also noted in Kakau (LCAw. 8355) and Paukoa's (LCAw. 7965) claim in which claims for *lo'i* in Lā'ie were made along with a *mo'o 'āina kula* in Mālaekahana. Kuhapa also testified on behalf of Kakau and Paukoa and described their *mo'o 'āina kula* as extending from the sea (*kai*) to the uplands (*kuahiwi*). Kuhapa noted that Kakau's land were not cultivated and that Paukoa died in 1850 and his land passed to his wife who cultivated a portion of it in *wauke*.

Regarding the claim made by Nawai (LCAw. 9894), Kalimakuhi who testified on behalf of Nawai noted three *lo'i* in Lā'ie and a piece of *kula* land and a house site in Mālaekahana. The *kula* land was planted in *wauke* and banana and the houselot was not enclosed. Kalimakuhi noted that the lands were received from his ancestors but no specific time period was noted.

Concerning the claim made by Puu (LCAw. 3870), Kuhapa testified that Puu's land was overgrown with weeds (*nāhelehele*) and had not been planted in several months on account of cattle grazing. According to Kuhapa's testimony, Puu's land was once cultivated with potatos and banana.

It is clear from the review of the land claim documents, that many of the awardees had land in Lā‘ie where they cultivated taro in *lo‘i* while their lands in Mālaekahana were used for dryland agriculture, specifically the cultivation of banana, potato, and *wauke*. The testimony describing the extent of the parcels suggest that the *mo‘o ‘āina kula* in Mālaekahana were much larger than the parcels that were awarded by the Land Commission. Also, from the testimony, we learn that the agricultural practices of at least one of the native tenants was being impacted by cattle.

Nineteenth and Twentieth Century Land Use

Traditional land use patterns saw a rapid shift after the *Māhele* of 1848. At that time, land ownership was defined by grants and awards by the king (Kamehameha III) to the chiefs and other retainers. By 1850 laws were enacted under which commoners could also own land (*kuleana*) if they could prove that they actually occupied those lands. See Keme‘eleihiwa (1992) for an in-depth discussion on indigenous perspectives, possible motivations, and dire outcomes of the 1848 *Māhele*. Needless to say, the *Māhele* paved the way for Hawai‘i’s land to be sold to foreigners. Beginning in the 1850s, *ahupua‘a* in this part of Ko‘olauloa were granted, leased, and sold to foreigners, who established sheep and cattle ranches on O‘ahu’s north shore (Williams and Patolo 1998). Two of the early ranches that encompassed a large portion of the Ko‘olauloa District, were known as the Mālaekahana and Kahuku Ranches. By 1873 the Mālaekahana and Kahuku Ranches had been purchased by Herman A. Widemann (Thayer 1934:138). On January 19, 1874 Widemann sold his interest in the ranches to Julius L. Richardson for $45,000, who in turn sold them to James Campbell for $63,500 on October 2, 1876 (Thayer 1934:138). Ushered in by Campbell, sugar soon became the dominant industry in the area; and in 1889, Campbell leased the ranch to B.F. Dillingham and it remained in business until the mid-1900s. At this time, the Kahuku Sugar Company had been established and soon at least 150 acres of sugarcane fields extended into Mālaekahana. Dillingham, in 1886 had proposed, “The Great Land Colonization Scheme” for the Kahuku Ranch lands, writing:

> The Kahuku Ranch consists of 20,000 acres in fee simple and 5,000 acres Government leasehold…On the estate is a level tract of land at an elevation of from 10 to 25 feet above sea level…This tract is pronounced excellent Sugar cane land. There are already flowing artesian wells on either side of this level tract, while near the middle is an unfailing spring in which the water rises to within 2-1/2 feet of the surface, in a column of at least one foot in diameter, and flows thence to the sea. This proves that an ample supply may be found for irrigation.
>
> There have been offered by rice growers to the present owners $10,000 a year for 400 acres of this land, water for cultivation being furnished. A contract has been made to bore five additional artesian wells to comply with this requirement. (Dillingham 1886:76)

Another important part of Dillingham’s land colonization scheme for Kahuku was the construction of an around the island O‘ahu railroad. In 1889, Dillingham was granted franchise and charter by the Hawaiian Government to create the Oahu Railway and Land Company (Nakamura 1981). Construction began on the O. R. & L. railroad in March of 1889, the line was competed to Kahuku on December 28, 1898, and the railroad began operations on January 1, 1899 (Kuykendall 1967). By 1903 the railway crossed through Mālaekahana and continued to Lā‘ie, and would eventually be extended to Kahana Bay. Near the current project area, the railway line was adjacent to current day Kamehameha Highway. Between 1934 and 1938, the Campbell Estate was initially partitioned through a Land Court action, which established many of the current day tax map parcels. Commercial sugarcane cultivation continued in the area through the middle twentieth century, and the railroad continued its Kahuku operations until 1972 (McElroy and Duhaylonsod 2017).

PRIOR ARCHAEOLOGICAL STUDIES

While there have been several archaeological studies conducted in Mālaekahana Ahupua‘a (see McElroy and Duhaylonsod 2017), the discussion here will focus on those studies (Table 2) most proximate (Figure 13) to the current project area. In the Bishop Museum publication *Archaeology of Oahu*, McAllister (1933) identified four sites in the coastal portion of Mālaekahana: Site 272, a fishing *ko‘a* on Makahoa Point; Site 273, the stone foundation of Manuwahi’s coastal house; Site 274, another fishing *ko‘a* and human skeletal remains in the Kalanai portion of the Mālaekahana State Recreation Area; and Site 275, Wai‘āpuka Pond in a field on the *mauka* side of Kamehameha Highway.

A series of archaeological studies (Hammatt 1977; Yent and Estioko-Griffin 1980; Yent and Ota 1982; Griffin and Yent 1986; Smith 1990) was conducted within the discontinuous Mālaekahana State Recreation Areas (see Figure 13) between 1997 and 1990. Collectively, these studies documented a widespread cultural deposit (SIHP Site 50-80-02-2801) reflective of habitation, ceremonial, and burial activities dating from at least the A.D. 1600s.

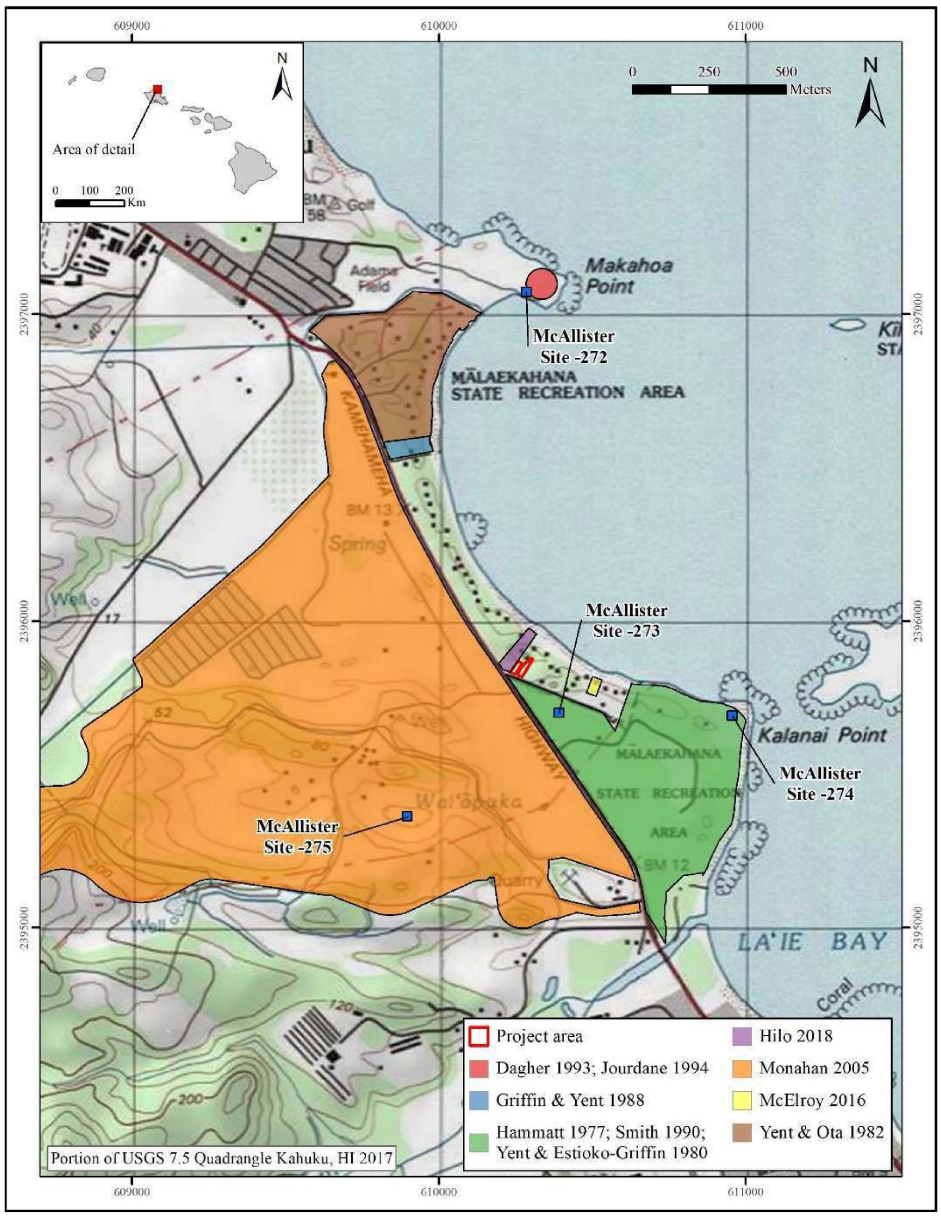

Figure 13. Prior archaeological studies conducted in the vicinity of the current project area.

Table 2. Prior archaeological studies conducted in the vicinity of the current project area.

Year	*Author(s)*	*Type of Study*	*Location*
1933	McAllister	Survey	Coastal Mālaekahana
1977	Hammatt	Stratigraphic Analysis	Mālaekahana State Recreation Area
1980	Yent and Estioko-Griffin	Archaeological Excavation	Mālaekahana State Recreation Area
1982	Yent and Ota	Archaeological Excavation	Mālaekahana State Recreation Area
1986	Griffin and Yent	Archaeological Excavation	Mālaekahana State Recreation Area
1990	Smith	Archaeological Excavation	Mālaekahana State Recreation Area
1993	Dahger	Inadvertent Discovery	Mālaekahana State Recreation Area
1994	Jourdane	Inadvertent Discovery	Mālaekahana State Recreation Area
2005	Monahan	Inventory Survey	TMK: (1) 5-6-006:006, 058
2016	McElroy	Archaeological Assessment	TMK: (1) 5-6-001:028
2018	Hilo	Inadvertent Discovery	TMK: (1) 5-6-001:090-1, -3

In 1993 and then again in 1994, DLNR-SHPD responded to the inadvertent discovery of human skeletal remains at Makahoa Point to the north of the current study area (see Figure 13). The 1993 discovery was assigned SIHP Site 50-80-02-4665 (Dagher 1993) and the 1994 discovery was assigned SIHP Site 50-80-02-4821 (Jourdane 1994).

In 2005, Scientific Consultant Services, Inc. conducted an archaeological inventory survey (Monahan 2005) of an approximately 500 acre area on the *mauka* side of Kamehameha Highway (see Figure 13) in Mālaekahana and Lāʻie *ahupuaʻa*. Monahan (ibid.) documented forty-four sites, thirty-two of which were interpreted to be historic in age, eleven dating from the Precontact Period, and one of an indeterminate age. The historic sites were primarily representative of commercial sugarcane operations, and the Precontact sites consisted of three rockshelters, interpreted as short-term resting locations, three agricultural sites, two habitation/agricultural sites, one rockshelter with a burial, one buried cultural layer with an *imu* (earth oven), and Waiʻāpuka Pond (McAllister's Site 275). The DLNR-SHPD concurred with Monahan's recommendations of no further work for thirty-eight sites, preservation for six sites, and monitoring of any future subsurface work in the Jaucas sand deposits adjacent to Kamehameha Highway.

In 2016, Keala Pono Archaeological Consulting, LLC conducted an archaeological assessment (McElroy 2016) for the development of a single-family residence on a portion of TMK: (1) 5-6-001:028 (see Figure 13) located seven lots to the east of the current project area. As a result of the surface survey and subsurface testing there were no archaeological resources identified. Despite the negative finding, archaeological monitoring was recommended.

Keala Pono Archaeological Consulting, LLC carried out archaeological monitoring (McElroy and Duhaylonsod 2017) associated with repairs to a 1.14 mile long section Kamehameha Highway spanning the entirety of Mālaekahana Ahupuaʻa and extend southeast into Lāʻiewai Ahupuaʻa (see Figure 13). Excavation work associated with the road repairs "were very shallow and no archaeological resources were encountered during the monitoring" (ibid. 2017:i).

In 2018, DLNR-SHPD responded (Hilo 2018) to the inadvertent discovery of human skeletal remains on TMK: (1) 5-6-001:090 CPR Units 1 and 3, which is located adjacent and to the northwest of the current project area (see Figure 13). A relatively complete set of remains were recovered and a midden deposit was noted. At the time of this writing the skeletal remains have yet to be reinterred.

3. PROJECT AREA EXPECTATIONS

The information garnered form the culture-historical background review coupled with the results of prior archaeological studies conducted in the vicinity of the current project area provides for a clear set of archaeological expectations. A subsurface cultural layer and traditional burials have been observed in the sandy deposits at both ends of the bay fronting Mālaekahana and on the neighboring parcel to the northwest. This deposit and the burials have been encountered in close proximity to the shore, at location slightly more *makai* than the current project area. Given the sandy substrate of the entire project area and given these prior findings, it is possible that either or both a cultural deposit and/or burials could be encountered during the current field effort. It is also recognized that the prior ground-disturbing activities on the overall parcel may have impacted or removed any such resources.

4. FIELDWORK

Fieldwork for the current study was conducted on February 4, 2021 by Robert B. Rechtman, Ph.D. and Daina Avila, B.A. Excavator assistance was provided by C. Fujimoto Contracting LLC. A total of 18 labor hours were expended on the fieldwork.

FIELD METHODS

During the archaeological field survey, the entire (100%) ground surface of study area was visually inspected by field technicians walking transects oriented north-south, spaced at no more than 3 meters apart. Ground visibility was excellent. Project area boundaries were clearly visible and locational information about proposed construction elements was incorporated into a data layer available in the field on a handheld tablet computer running ESRI's Collector application connected to an EOS Arrow 100 GNSS receiver with sub-meter accuracy (set to the UTM NAD 83 datum, Zone 4 North). This technology was also used to record the locations of six mechanically excavated test trenches (Figure 14).

FIELD RESULTS

There were no archaeological resources observed on the surface of the project area; and likewise, there were no archaeological resources observed during the subsurface testing. The entire project area has been subject to extensive prior ground disturbance associated with the placement of a driveway (see Figure 7) and the installation of underground utilities for a single-family residence that was constructed in the *makai* portion of the overall Tax map parcel. A substantial spoils pile (see Figure 8) from the prior grading is located in the western portion of the project area, and buried water lines were encountered in two of the test trenches. Subsurface testing, the results of which are described below, revealed a highly disturbed substrate.

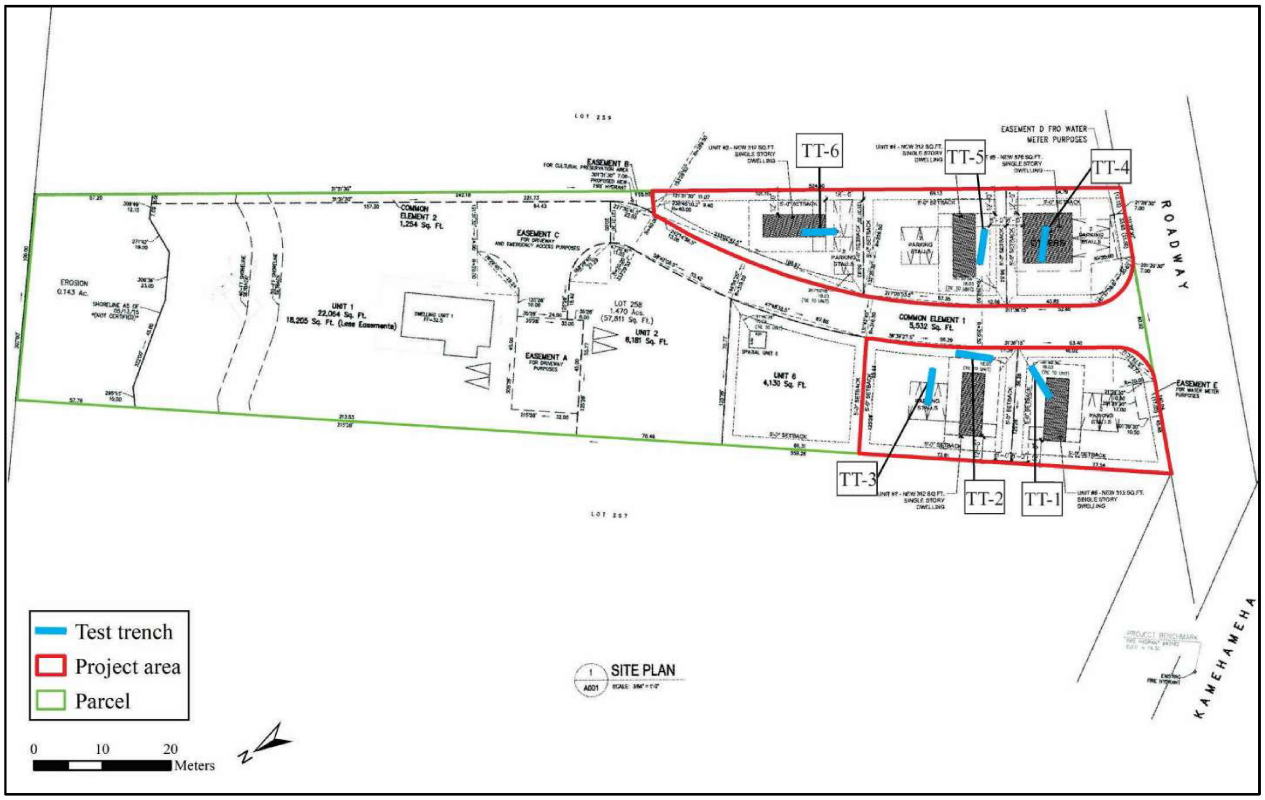

Figure 14. Project area showing locations of test trenches.

Test Trench 1

Test Trench (TT) 1, 6 meters long and 70 centimeters wide, was excavated in CPR Unit 8 (see Figure 14). A buried plastic water line was encountered at a depth of 55 centimeters below the ground surface in the eastern portion of the trench, which led to a 1-meter westward shift in the trench to avoid impacting the utility. Three stratigraphic layers were observed in the trench profile (Figure 15). Layer I was light yellowish brown (10YR 6/4) gravel and sand fill extending between 20 and 70 centimeters in depth below the ground surface with an abrupt contact with Layer II. Layer II was also a fill layer of brown (7.5YR 4/4) sand with clay inclusions. This layer also ended abruptly at depths between 48 and 55 centimeters below the ground surface. Layer III was very pale brown (10YR 7/4) powdery sand excavated to a depth of 170 centimeters below the ground surface; this is the native deposit and was culturally sterile (Figure 16).

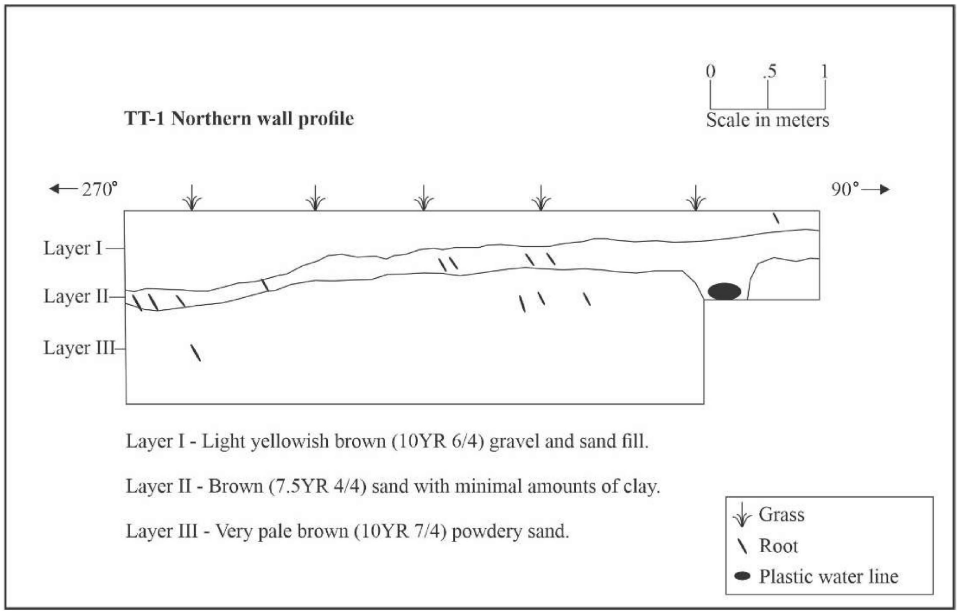

Figure 15. TT-1 profile.

Figure 16. TT-1 view to the northeast.

Test Trench 2

TT-2, 5 meters long and 70 centimeters wide was excavated in CPR Unit 7 (see Figure 14). Six stratigraphic layers were observed (Figure 17). The upper five layers, each relatively thin, represent various fill episodes to a depth of 80 centimeters below the ground surface, where they end abruptly at Layer VI. Layer VI was very pale brown (10YR 7/4) powdery sand excavated to a depth of 170 centimeters below the ground surface; this is the native deposit and was culturally sterile (Figure 18).

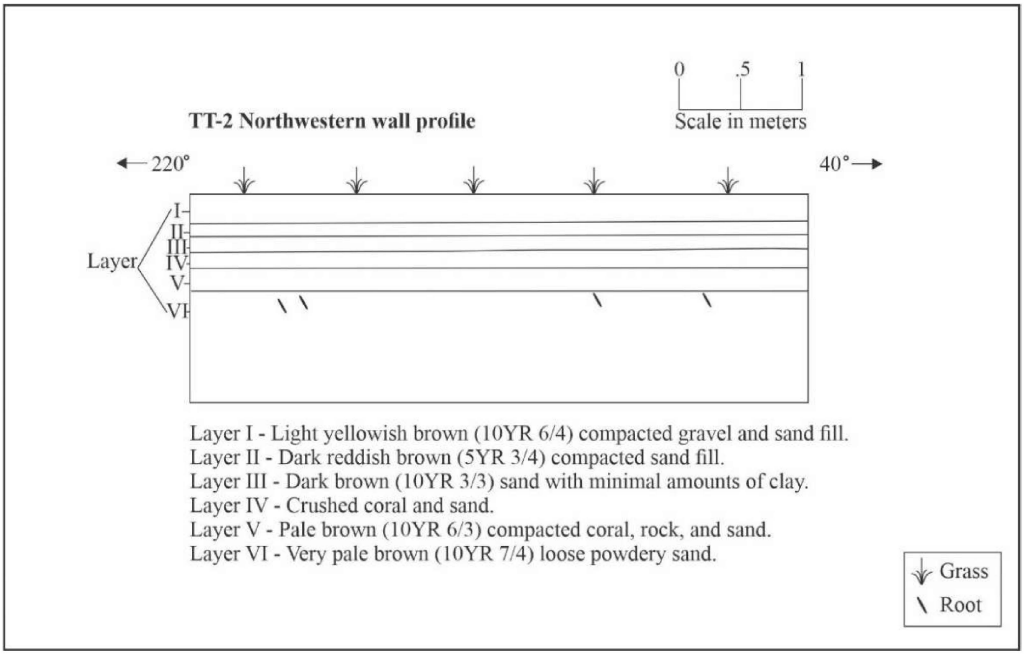

Figure 17. TT-2 profile.

Figure 18. TT-2, view to the southwest.

Test Trench 3

TT-3, 5 meters long and 70 centimeters wide was excavated in CPR Unit 7 (see Figure 14). Two stratigraphic layers were observed (Figure 19). Layer I was a yellowish brown (10YR 5/4) compacted gravel and sand fill extending to between 40 and 70 centimeters below the ground surface, where it ends abruptly at Layer II. Layer II was very pale brown (10YR 7/3) powdery sand excavated to a depth of 150 centimeters below the ground surface; this is the native deposit and was culturally sterile (Figure 20).

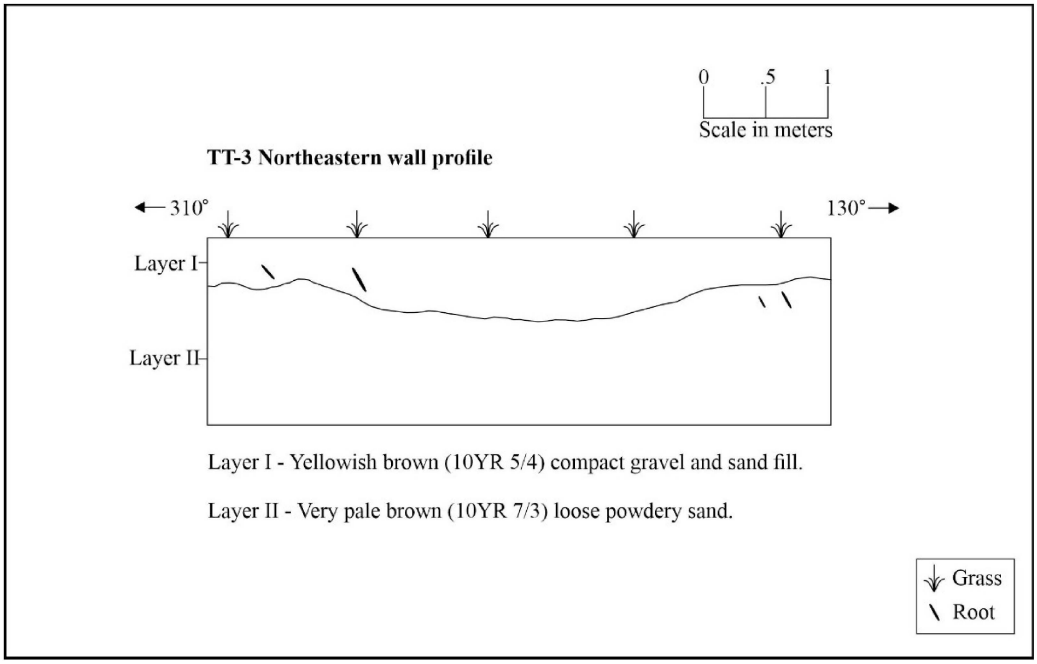

Figure 19. TT-3 profile.

Figure 20. TT-3, view to the northwest.

Test Trench 4

TT-4, 5 meters long and 70 centimeters wide was excavated in CPR Unit 5 (see Figure 14). Three stratigraphic layers were observed (Figure 21). Layer I was a yellowish brown (10YR 5/4) compacted gravel and sand fill extending to between 30 and 40 centimeters below the ground surface, where it ends abruptly at Layer II. Layer II was a thin (no more than 10 centimeters thick) fill strata of very dark grayish brown (10YR 3/2) sand with clay inclusions. Layer III was very pale brown (10YR 7/4) powdery sand excavated to a depth of 150 centimeters below the ground surface; this is the native deposit and was culturally sterile (Figure 22).

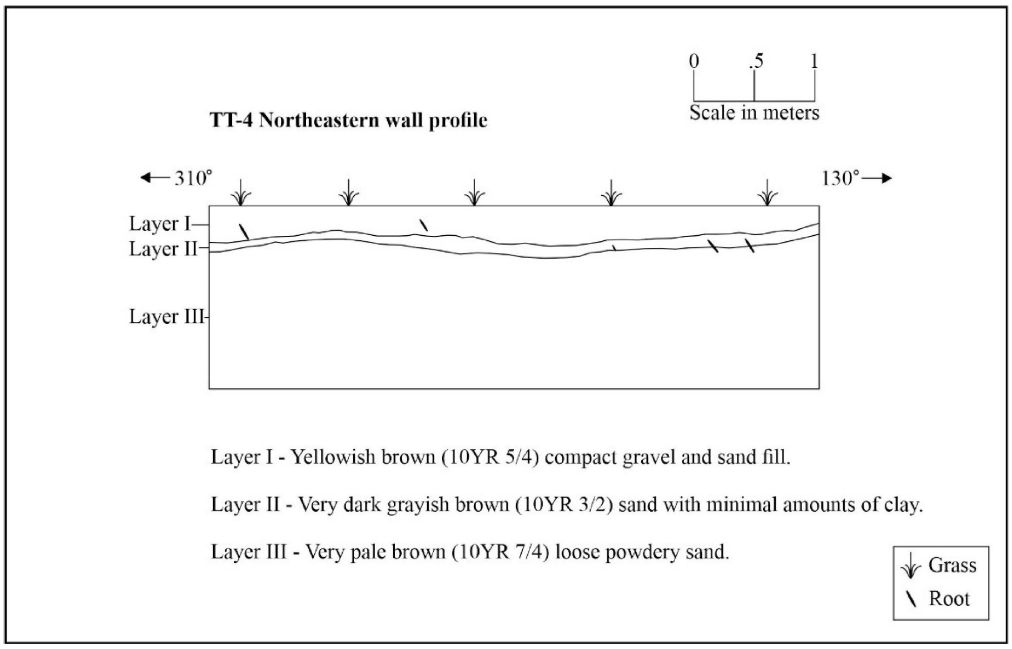

Figure 21. TT-4 profile.

Figure 22. TT-4, view to the southeast.

Test Trench 5

TT-5, 5 meters long and 70 centimeters wide was excavated in CPR Unit 4 (see Figure 14). Six stratigraphic layers were observed (Figure 23). The upper five layers, each relatively thin, represent various fill episodes to a depth of 55 centimeters below the ground surface, where they end abruptly at Layer VI. Layer VI was very pale brown (10YR 7/4) powdery sand excavated to a depth of 200 centimeters below the ground surface; this is the native deposit and was culturally sterile (Figure 24).

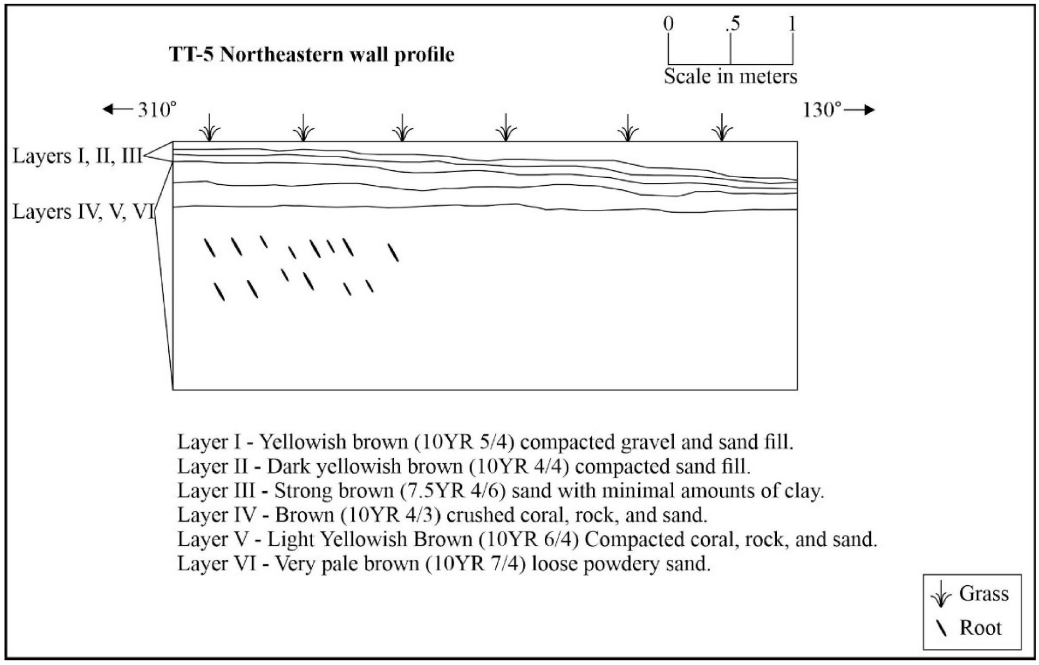

Figure 23. TT-5 profile.

Figure 24. TT-5, view to the southeast.

Test Trench 6

TT-6, 6 meters long and 70 centimeters wide was excavated in CPR Unit 5 (see Figure 14). A buried "warning water line tape" was encountered at a depth of 50 centimeters below the ground surface in the northern portion of the trench, which led to a 1-meter southward shift in the trench to avoid impacting the utility. Three stratigraphic layers were observed (Figure 25). Layer I was a yellowish brown (10YR 5/4) compacted gravel and sand fill extending to between 10 and 70 centimeters below the ground surface, where it ends abruptly at Layer II. Layer II was a 20 centimeters thick fill strata of very dark grayish brown (10YR 3/2) sand with clay inclusions. Layer III was very pale brown (10YR 7/4) powdery sand excavated to a depth of 150 centimeters below the ground surface; this is the native deposit and was culturally sterile (Figure 26).

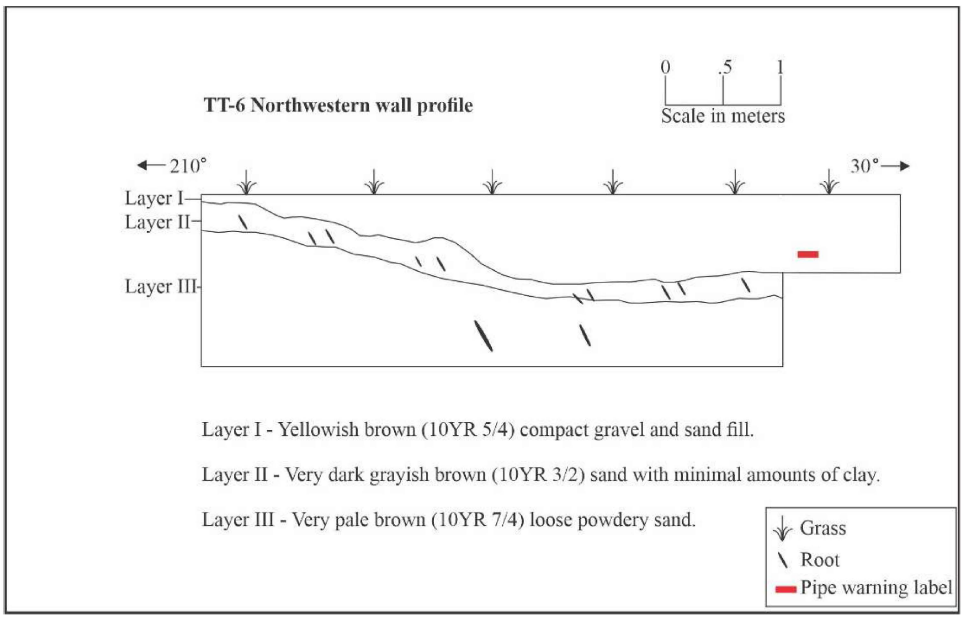

Figure 25. TT-6 profile.

Figure 26. TT-6, view to the northeast.

5. RECOMMENDATION

Although the current study produced negative findings with respect to the identification of historic resources, the SHPD believes that insufficient information is available at this time to determine that the project will not adversely affect subsurface cultural layers or burials. The soils within the project area and vicinity consist of Jaucas sands, which are known to contain significant subsurface cultural layers and human remains/burials. Additionally, previous archaeological findings show human burials, an *imu* pit and at least two fire pits were identified at 56-155 Kamehameha Highway (adjacent parcel). The SHPD has requested that a program of on-site archaeological monitoring for identification purposes be conducted for any ground-disturbing activities for the proposed project. Such monitoring should be conducted pursuant to an Archaeological Monitoring Plan prepared in accordance with HAR §13-279.

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EXHIBIT Q

Intentionally

Omitted

EXHIBIT R

NHB MINUTES

KO'OLAULOA NEIGHBORHOOD BOARD NO. 28

NEIGHBORHOOD COMMISSION • 925 DILLINGHAM BOULEVARD, SUITE 160 • HONOLULU, HAWAII, 96817
PHONE 808) 768-3710 • FAX 808) 768-3711 • INTERNET http:///www.honolulu.gov/nco

INITIAL CONVENING MEETING WRITTEN SUMMARY FOR VIDEO RECORD
THURSDAY, SEPTEMBER 14, 2023
HAU'ULA COMMUNITY CENTER AND WEBEX PLATFORM

Video recording of this meeting can be found at: https://www.youtube.com/watch?v=wn2v4D7Z2tk_t=2172s

Reports & other meeting materials can be found at:
https://drive.google.com/drive/folders/11yf-3a7hYpEAB0LVTuRylOGyTXXA_6lp.

I. **CALL TO ORDER – [0:00:00]** 6:30p.m.

Member Kelly-Paddock called the meeting to order at 6:30p.m. **Quorum was established with six (6) members present.** Note – This 11-member Board requires six 6 members to establish quorum and take official Board action.

Members Present: Pane Meatoga, Lorraine Matagi, Dotty Kelly-Paddock, Sunny Greer, Stephanie Vaioleti and David Fonoimoana, Michael Epp (appointed , and Dr. Tusi Avegalio (appointed .

Member(s Absent: None.

Guests: Captain Aoki Honolulu Fire Department ; Officer Jarret Atkins Honolulu Police Department); Catherine Taschner Mayor Rick Blangiardi ; Crystal Kiona Governor Josh Green); Letani Peltier Councilmember Matt Weyer); Samantha DeCorte Hi'iaka Jardine Senator Brenton Awa); Rainbow Uli'i Key Project); Rainbow Uli'i Key Project); Melodie Aduja DPH Environmental Caucus ; Matt Gray U.S. Army ; Rachel Okoji, Ella Siroskey, Linda Donoso, Andrea Anixt, Susan Stanley, Derrick Pressley, Lillie, Gabrielle Sumner, Terry Galpin, Kathryn Heath, Dave Krupp, Gloria Borland, Dr. Alan Keil, Stanley Perbela, Deb Lee, Ken Furukawa, Merian Helamano, Carolyn Unser, Linda Avegalio, Layla Kilolu, and KC Connors Residents ; Judi-Ann Smith-Kauhane Neighborhood Commission Office). **Note: Name was not included if not legible**. **Total Participants: 51.**

II. **ELECTION OF OFFICERS TO SERVE FROM JULY 2023-JUNE 2024– [0:01:24]:** All officers are required to be voted by roll call quorum vote.

Election of Officers – Chair [0:1:43]: **[0:01:44] Kelly-Paddock nominated Pane Meatoga as Board Chair**. Hearing no other nominations, the board conducted a roll call vote. **Pane Meatoga was elected Chair 6-0-0 (AYE:** Kelly -Paddock, Fonoimoana, Greer, Matagi, Vaioleti, and Meatoga. **NAY**: None. **ABSTAIN**: None.). [0:02:24]

Election of Officers – Vice Chair [0:03:26]: **[0:03:27] - Greer nominated Dotty Kelly-Paddock as Board Vice Chair.** Hearing no other nominations, the board conducted a roll call vote. **Dotty Kelly-Paddock was elected Vice Chair 9-0-1(AYE:** Kelly -Paddock, Fonoimoana, Greer, Matagi, Vaioleti, and Meatoga. **NAY**: None. **ABSTAIN**: None.). [0:03:37]

Election of Officers – Secretary [0:04:12]: **[0:04:18] - Matagi nominated Stephanie Vaioletti Board Secretary.** Hearing no other nominations, the board conducted a roll call vote. **Stephanie Vaioletti was elected Secretary 6-0-0 (AYE:** Kelly -Paddock, Fonoimoana, Greer, Matagi, Vaioleti, and Meatoga. **NAY**: None. **ABSTAIN**: None.). [0:04:39]

Election of Officers – Treasurer [0:05:13]: **[0:05:19] - Matagi nominated David Fonoimoana as Board Treasurer.** Hearing no other nominations, the board conducted a roll call vote. **David Fonoimoana was elected Treasurer 6-0-0 (AYE:** Kelly -Paddock, Fonoimoana, Greer, Matagi, Vaioleti, and Meatoga. **NAY**: None. **ABSTAIN**: None.). [0:05:54]

III. **CITY/STATE MONTHLY REPORTS – [0:06:21].**

Honolulu Fire Department (HFD) - [0:06:30]: Captain Aoki gave the September monthly report.
August 2023: 1 Structure fire; 1 wildland/brush fires; 3 nuisance fires; 4 activated alarms; 81 medical calls; 10 motor vehicle crash/collision; 2 mountain rescues; and 3 ocean rescues.
September 2023 Safety Tip: Evacuation Planning. For more information please visit: https://fire.honolulu.gov/.
A copy of the report can be found on: https://drive.google.com/drive/folders/11yf-3a7hYpEAB0LVTuRylOGyTXXA_6lp
Questions, comments, and concerns followed – [0:08:24]:

Honolulu Police Department (HPD) – [0:13:04]: Due to Officer Jarret Atkins' speaker was not working, he sent his report in the chat.

August/July 2023 Statistics: 2/4 Motor Vehicle Thefts; 1/6 Burglaries; 15/14 Thefts; 6/5 Unauthorized Entry to a Motor Vehicle; 1/0 Robberies. For more information, please visit http://www.honolulupd.org Officer Atkins answered questions, comments, and concerns in the chat.

United State Army – [0:21:12]: Officer Matt Gray shared his monthly report. Due to volume technical difficulties, the US Army monthly report was not recorded in the minutes.

IV. FILLING OF VACANCIES – [0:24:16]:

Filling of Vacancies – [0:24:30]: Sub District 1 1 vacancy ; Sub District 2 2 vacancies ; and Sub District 3 2 vacancies . Michael Epp, and Dr. Tusi Avegalio volunteered for the 2) Sub District 3 vacancies. NA Smith-Kauhane verified addresses for both Epp and Tusi. Kelly-Paddock asked Epp and Tusi to talk a little bit about themselves and why they would like to be on the Board.

Questions, comments, and concerns followed – [0:27:45]:

[0:27:57] – Kelly-Paddock moved and Matagi seconded to appoint both Avegalio and Epp to fill the vacancies of Sub District 3 Hearing no other nominations, the board conducted a roll call vote.**Tusi Avegalio and Michael Epp were Elected to Sub District 3 6-0-0 (AYE:** Kelly-Paddock, Fonoimoana, Greer, Matagi, Vaioleti, and Meatoga. **NAY**: None. **ABSTAIN**: None.). [0:31:48].

[0:32:20] NA Smith-Kauhane issued the Oath of Office to Epp and Tusi. 8 members present.

V. INITIAL CONVENING PROCEDURES – [0:33:33]:

Determination of Meeting Date/Time/Location/Format – In person and WebEx – [0:33:54]:
[0:34:07] Kelly-Paddock Moved and Matagi Seconded to retain the same date/time/location: Second Thursday, at 6:30 p.m., at Hau'ula Community Center. Hearing no objection, The Motion WAS ADOPTED 8-0-0 (AYE: Kelly-Paddock, Fonoimoana, Greer, Matagi, Vaioleti, Meatoga, Epp, and Tusi. **NAY**: None. **ABSTAIN**: None.). [0:34:17]

Board Recess Schedule – Up to three 3) per year - [0:34:19]: **[0:34:36] Kelly-Paddock Moved and Matagi Seconded the Motion to recess in December 2023, and July 2024. Hearing no objection, the Motion WAS ADOPTED 8-0-0 (AYE:** Kelly-Paddock, Fonoimoana, Greer, Matagi, Vaioleti, Meatoga, Epp, and Tusi. **NAY**: None. **ABSTAIN**: None.). [0:34:38]

Rules of Speaking and Time Limits – Two (2) minutes or less for all questions, comments and concerns/Eight (8) minutes or less for presentations - [0:34:39]: **[0:34:41] Kelly-Paddock Moved and Matagi Seconded the Motion to retain the same oral testimony rules. Hearing no objection, the Motion WAS ADOPTED 8-0-0 (AYE:** Kelly-Paddock, Fonoimoana, Greer, Matagi, Vaioleti, Meatoga, Epp, and Tusi. **NAY**: None. **ABSTAIN**: None.). [0:35:09]

Formation of Committees - NP §2-14-124[a]: The Board may establish committees - [0:35:31]: If any Board Member Is interested in serving on a committee; please inform the Chair Meatoga.

To consider the conversion of Sub District Seats to At-Large Seats (Discussion Only - [0:36:09]: Vice Chair Kelly-Paddock requested to the Board to defer this topic to the next meeting.

VI. BOARD BUSINESS – [0:36:37].

Adoption of resolution to support the release of $2.75 million of City Funds by the Mayor for the Ko'olauloa Resilience Hub – [0:36:45] – Presenter Dotty Kelly-Paddock. This proposed resolution was sent to all Board members 2 months ago and presented last month. **[0:37:04] Meatoga Moved and Greer Seconded to support the release of $2.75 million of City Funds by the Mayor for the Ko'olauloa Resilience Hub . Hearing no objection, the Motion WAS ADOPTED 8-0-0 (AYE:** Kelly-Paddock, Fonoimoana, Greer, Matagi, Vaioleti, Meatoga, Epp, and Tusi. **NAY**: None. **ABSTAIN**: None.). [0:41:11]

Adoption of resolution regarding Kahena Wai Estate – [0:42:20]: Presenter: Lorraine Matagi. Matagi informed the Board and community, due to lack of quorum from the Neighborhood Board, the Kahena Wai Estate LLC. presentation was shared at the Punalu'u Community Association. Discussion Followed – [0:37:04]. **[0:48:08] Matagi Moved and Greer Seconded to support Kahena Wai Estate Based unpon the LLC's request for an Evironmental Assessment in Support of SMA Major Permit. Hearing no objection, the Motion WAS ADOPTED 7-0-1 (AYE:** Kelly-Paddock, Fonoimoana, Matagi, Vaioleti, Meatoga, Epp, and Tusi. **NAY**: None. **ABSTAIN**: Greer. . [0:49:03]

Approval of the Minutes – [0:49:51]: Approval of the Thursday, November 11, 2021; January 13, 2022; April 13, 2023; and June 8, 2023 Meeting minutes. Discussion Followed – [0:50:38]. **[0:51:49] Hearing no objections, All minutes were approved as written.**

VII. GOVERNMENT REPORTS – [0:51:45]:

Mayor Rick Blangiardi's Representative – Cat Tashner [0:51:50]: You can find the Mayor's monthly report at the Newsletter Link: https://www.oneoahu.org/newsletter; Podcast: https://www.oneoahu.org/podcast.
A copy of the report can be found on: https://drive.google.com/drive/folders/11yf-3a7hYpEAB0LVTuRyIOGyTXXA_6Ip. Taschner shared the Mayor Rick Blangiardi's monthly report highlighting Forbes magazine, which has named the City and County of Honolulu as the best public employer and one of the best places to work in Hawai'i. Various public safety officers from the City and County have taken trips to Māui to help with the Lāhainā fires. A new Lifeguard tower was built at Kahe Point and gave an update on the resurrection of Verona Village in Ewa. Taschner also gave updated responses to last month's Mayor's concerns.

Questions, comments, and concerns followed – [0:59:52].

Councilmember Matt Weyer – Letani Peltier [1:07:44]: mweyer@honolulu.gov 808)768-5002. Peltier shared Councilmember Weyer's monthly report highlighting the deadline to file for the Real Tax Credit is due on Friday, October 2, 2023. Peltier also gave updated report for Bill 34 and Bill 40 regarding the requirements of tax exemptions ranges of family incomes; Bill 47 regarding recycling. Approved Resolution 23-185 regarding the Ko'olauloa Resilience Hub. He updated responses from last month's meeting concerns.

Questions, comments, and concerns followed – [1:10:42].

US House of Representatives Congresswoman Jill Tokuda – [1:13:29]: www.tokuda.house.gov Please follow Congresswoman Tokuda on all her social medias: http://tokuda.house.gov, www.instagram.com/repjilltokuda , and her press releases. No representative present. No report was given.

Governor Josh Green Representative – Crystal Kionia [1:13:50]: https://governor.hawaii.gov NA Smith-Kauhane was informed that Crystal Kionia had to catch a flight, sending the report to the Neighborhood Commission Office.

State Senator Brenton Awa – Samantha De Corte [1:14:05]: sennawa@capitol.hawaii.gov 808)586-7330. Samantha De Corte share Senator Awa's monthly report highlighting the Ka'a'awa/Hau'ula Town Hall meeting Friday, September 29, 2023 starting at 5:30 p.m. Hosted by Senator Awa, Representative Quinlan, and Councilman Weyer located at Swanzy Beach Park. Various of City, and State departments will be there to field questions regading costal erosion. De Corte also highlighted an updated status regarding raised crosswalk requests and provided responses from the last month's meeting concerns.

Questions, comments, and concerns followed – [1:16:59].

State House Representative Sean Quinlan – [1:20:40]: repquilan@capitol.hawaii.gov 808)586-6380. No representative present. No report was given.

VIII. PRESENTATIONS – [1:20:44].

Special Management Area Use Permit – [1:20:55]: Location: 55-133 Kamehameha Hwy, Laie 96762, Construction dates: Fall 2023-Fall 2024, Type of Project: Demolition of existing single-family residence and construction of a new single-family residence. Presenter: Rachel Okoji/Gabrielle Sumner. TMK # 5-5-001-014-0001/0.5609-acre parcel that is residental and undeveloped property. The proposed build is a 5 bedroom/5 bath home for a single family.

Questions, comments and concerns followed – [1:25:55]:

Special Management Area Use Permit – [1:34:16]: Location: 56-155 Kamehameha Hwy, Laie 96762. Demolition of existing single-family residence and construction of a new single-family residence. Presenter: Rachel Okoji/Gabrielle Sumner. TMK# (1) 5-6-001:033/1.47-acre parcel that is a residential property. The project is consists of resident Ms. Linda Donoso, who purchased a property and decided to parcel out her R5 property to 3 properties. Donoso is planning to demolish her existing home and rebuild a new home and the othe 2 remaining properties to build tiny homes for her son and daughter.

Questions, comments and concerns followed – [1:41:42]:

Special Management Area Use Permit – [1:58:17]: Kahena Wai Estates - Presenter- Roy Irei. No presentation.

IX. PUBLIC INPUT/COMMUNITYANNOUNCEMENTS – [1:58:56].

Māui Fundraiser: - [1:59:00]: Kelly-Paddock announced ther will be a Māui fundraiser at the location where the Koʻolauloa Resilience Hub will be built on Saturday, September 23, 2023 from 10:00a.m. to 2:00p.m.

CERC Training: - [2:01:27]: Community Emergency Response Team 3-Day Training happening at the Hauʻula Community Center. This event is TBA – updates will follow.

Hauʻula Mele Kalikimaka – [2:03:24]: Kelly-Paddock announced there will be a Māui fundraiser at the location where the Koʻolauloa Resilience Hub on Saturday, December 2, 2023 all day.

Key Project – [2:06:08]: Rainbow Uliʻi announced various of activties and volunteer kōkua days happening at Key Project. For more information please visit: https://www.keyproject.org/.

X. BOARD ANNOUNCEMENTS – [2:08:21].

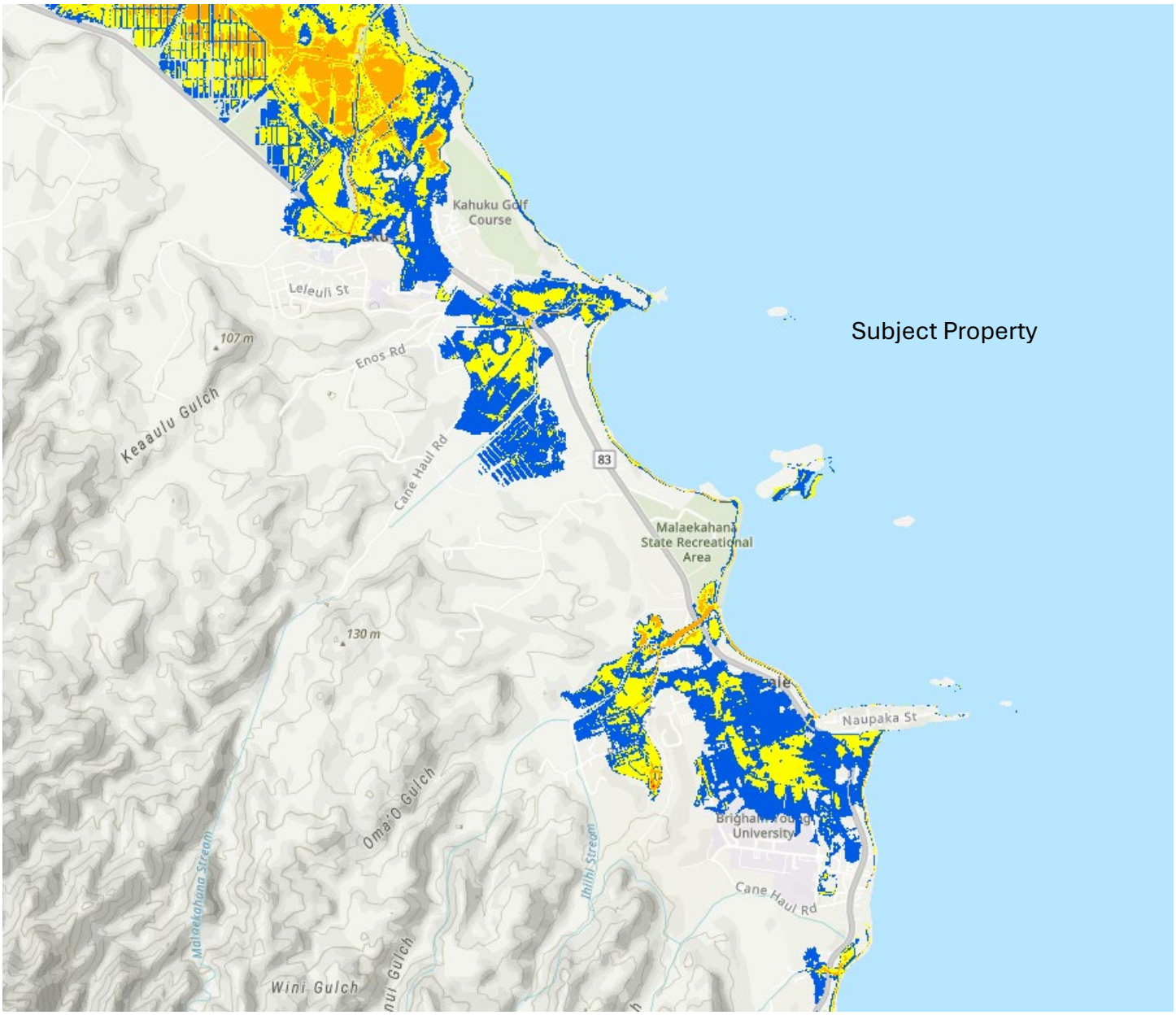
The next meeting is scheduled for Thursday, October 12, 2023, 6:30 p.m. at the Hauʻula Community Center and via WebEx Platform.

XI. ADJOURNMENT: The meeting ended at 8:23p.m.

Submitted by: Judi-Ann Smith-Kauhane, Neighborhood Assistant
Reviewed by: Naomi Hanohano – Community Relations Specialist
Final Review by:

EXHIBIT S

HURRICANE SURGE MAP

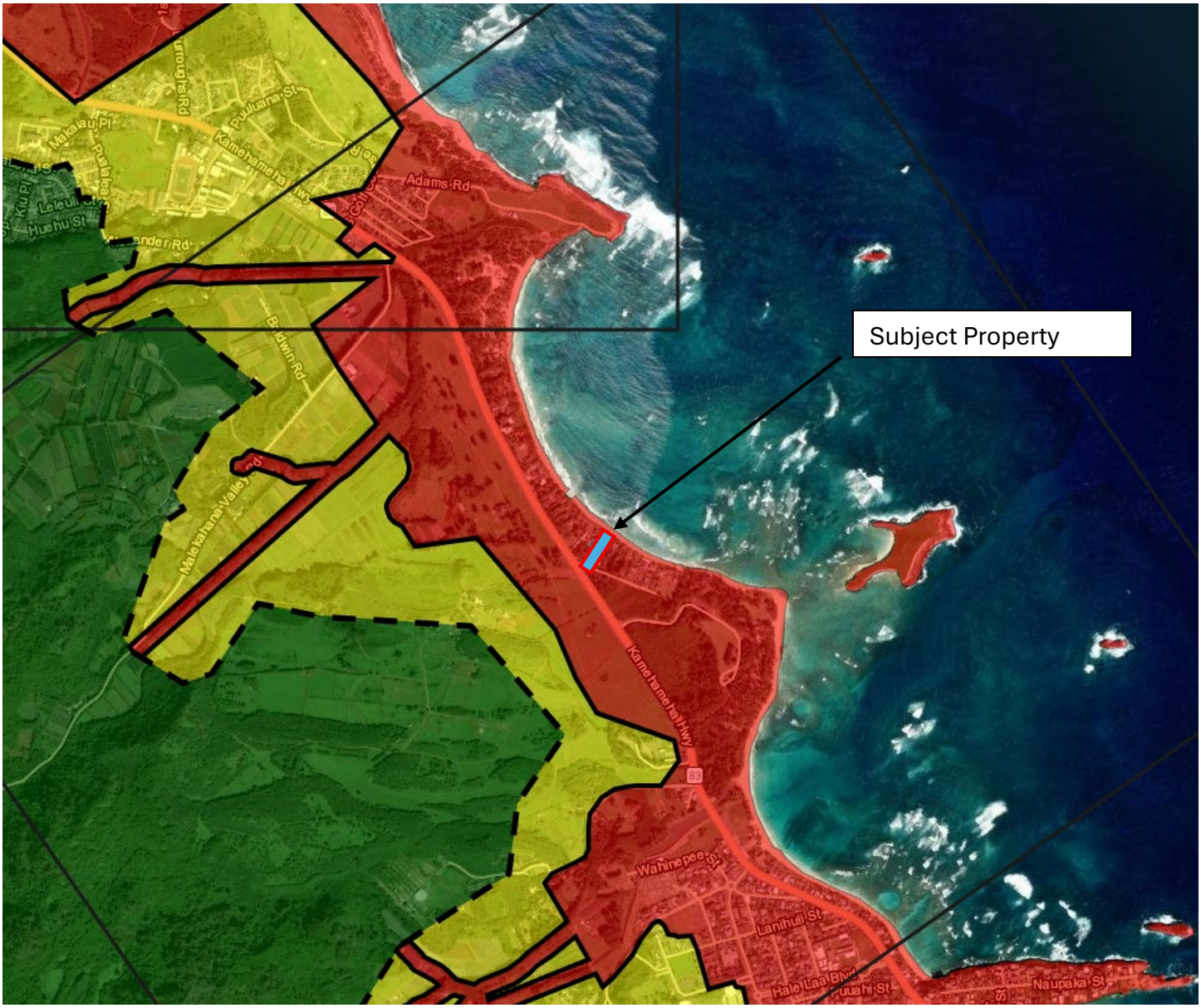


Less than 3 feet above ground
Greater than 3 feet above ground
Greater than 6 feet above ground
Greater than 9 feet above ground
Leveed area
Consult local officials for flood risk

HAWAII ENGINEERING GROUP, INC.	EXHIBIT S – HURRICANE SURGE MAP – CAT 4	1 0F 1
	Donoso – Malaekahan LLC	Kahuku, Hawaii
	Draft Environmental Assessment	25-090

EXHIBIT T

TSUNAMI MAP



TsunamiMapLineWork - XTEZ_SAFE_Boundary_Line

TsunamiMapLineWork - TEZ_XTEZ_Boundary_Line

Map Download Index

Tsunami Evacuation Zones

- Tsunami Evacuation Zone
- Extreme Tsunami Evacuation Zone
- Safe Zone

HAWAII ENGINEERING GROUP, INC.	EXHIBIT T – TSUNAMI EVACUATION ZONES	1 0F 1
	Donoso – Malaekahan LLC	Kahuku, Hawaii
	Draft Environmental Assessment	25-090

EXHIBIT U

Biological & Faunal Assessment

BIOLOGICAL ASSESSMENT - BOTANICAL AND FAUNAL SURVEY

Donoso & Malaekahana Bay Condo Master Property, 56-155A Kamehameha Highway, Kahuku, (Malaekahana), Oahu, HI 96731
TMK: 1-5-6-001:033

Prepared By: WHALE Environmental Services LLC

Prepared For:
Donoso & Malaekahana Bay Condo Master Property

November 2023

BIOLOGICAL ASSESSMENT - BOTANICAL AND FAUNAL SURVEY

INTRODUCTION

The Subject Property is located at 56-155A Kamehameha Highway, Kahuku (Malaekahana) Oahu, 96731. TMK: 1-5-6-001:033

The project area has its driveway frontage on a side entrance road off Kamehameha Highway marking the western boundary and has no other access. It is an partially occupied lot, and the goal of the project is to conduct projects as follows: retain current main Donoso residence, renovations to an existing residential single-family home, demolition of an existing house and construction of a new one, construction of four new dwellings and designation of two concept plans for houses on the same property. This biological and faunal assessment was initiated to ensure no biological resources would be significantly impacted by the project development on the 8-unit CPR subdivision.

CONTACT INFORMATION

Contact Information:
Property Name & Operator: Linda Donoso (lead applicant) & Malaekahana Bay Condo Master Property
Email: markahowland@hawaii.rr.com (environmental agent)

SITE LOGISTICS

Site Description:
Location of Property: 56-155A Kamehameha Highway, Kahuku (Malaekahana), HI 96731
Tax Map Key #(s): TMK: 1-5-6-001:033
Size of Property: approximately 1.47A

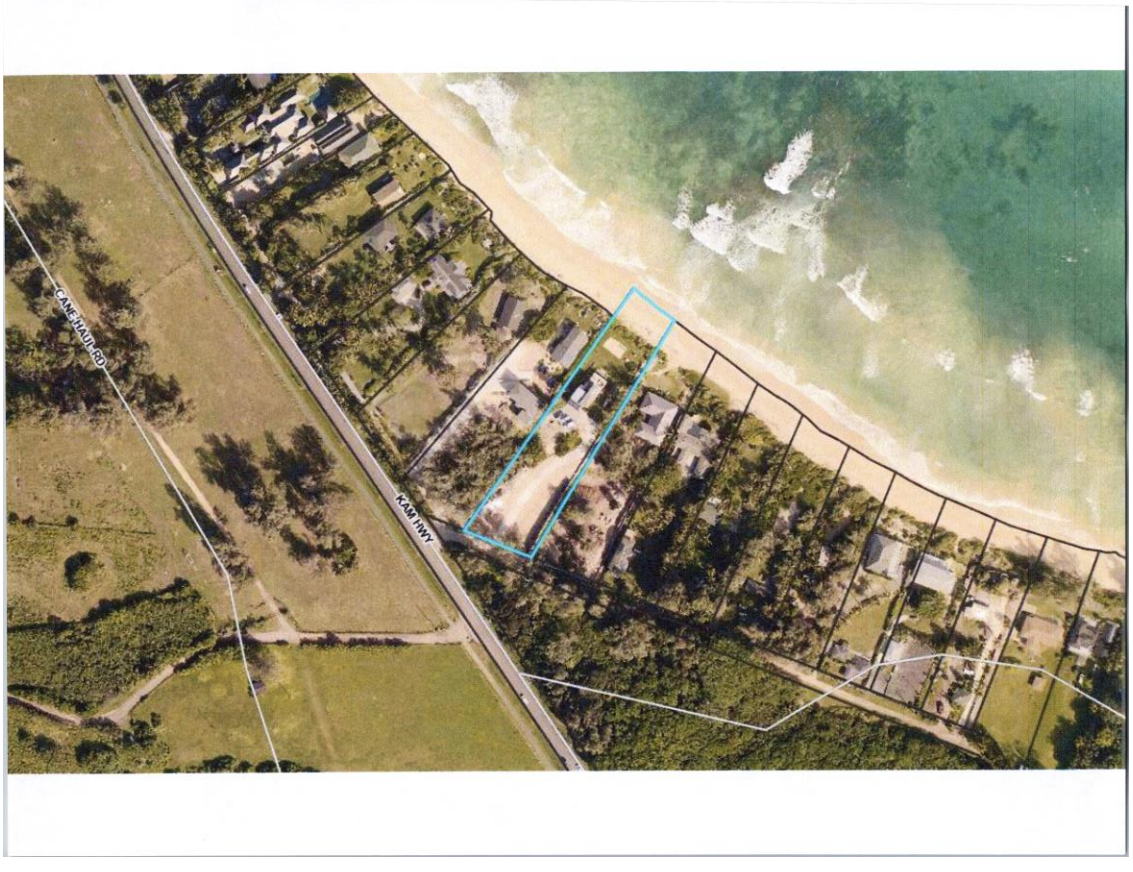
Type of Operation: Residential Development

Annual Precipitation: ~39.01 inches (Online Rainfall Atlas of Hawai'i)
Elevation: 0-10 feet
Zoning: Residential (R 5)
Flooding: flood hazard mainly Zone X
Soils: Major: JaC - Jaucas sands, Minor: Art- Artificial Slopes, 0-10% slope

SITE DESCRIPTION

The project area is situated in the Malaekahana (Kahuku), Oahu region. Most of the land is level and vegetated with mostly grassed ground cover with hedge landscaping shrubs and trees – only located on the perimeter or on house borders with the non-occupied areas mostly grassed or driveway pavement. The shrubs and trees are classic ornamental landscaping plants and non-native to the region and on the lot as house perimeter plantings. For the most part, there is domination by the ground layer of grass in the herbaceous layer. The project elevation ranges from 0 to 10 feet above sea level averaging 8-10 feet. Annual rainfall averages 31 inches. Annual air temperature averages 72.1 degrees Fahrenheit.)

Project site, Subject Property – 56-155A Kamehameha Highway, Kahuku, HI 96731

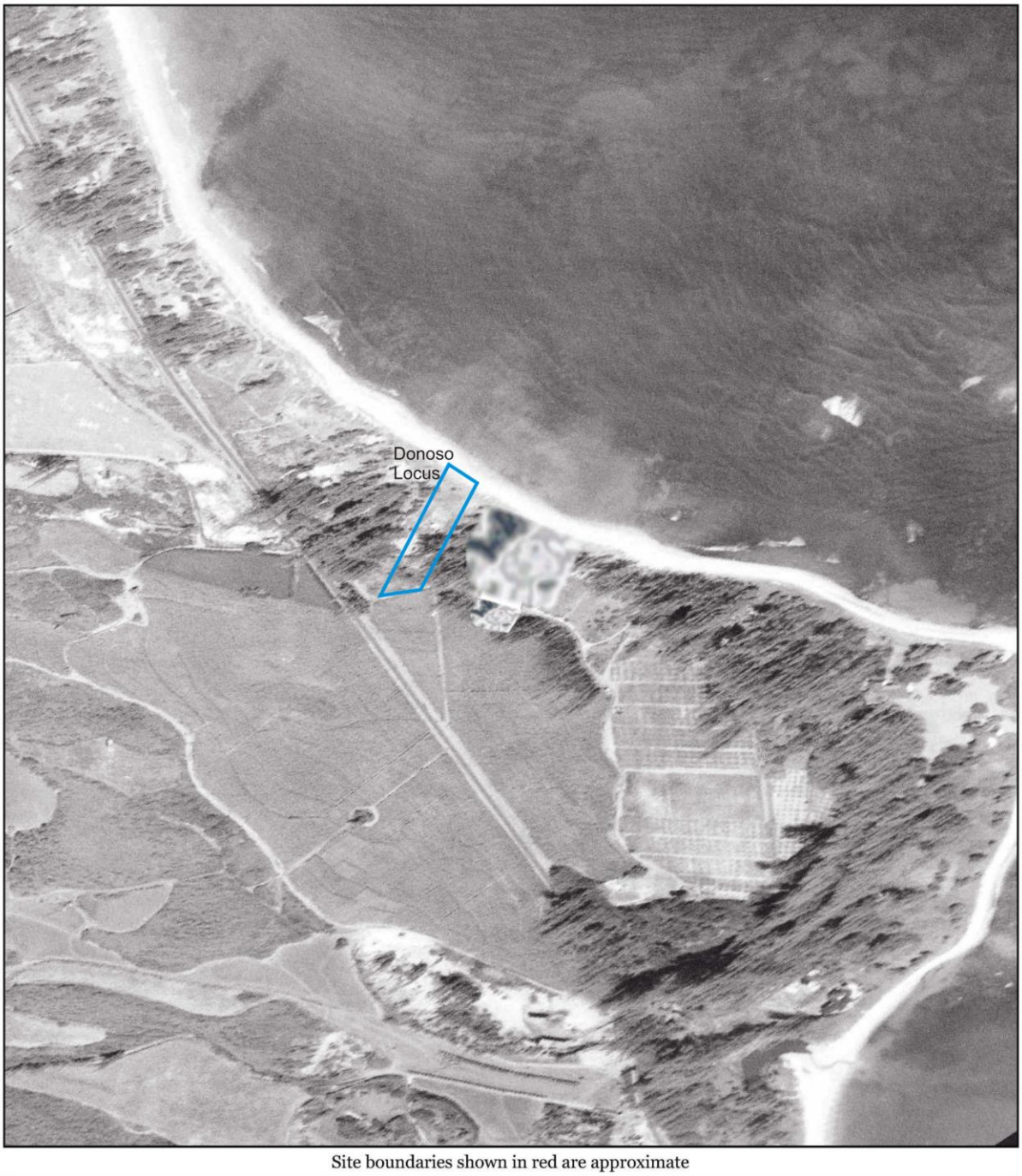


Site Locus

The original vegetation on the site would have been a limited coastal zone given the position on the ocean. Typical canopy species would have likely included milo, hau, kamani, perhaps noni and maybe native naupaka.

After the arrival of humans, a series of forces including fire, agriculture, forestry, and introduced plants, animals, and diseases transformed these common current sites to predominantly non-native vegetation.

It is unclear when the native tree canopy would have been removed. The fact that there is only fescue grasses in a mostly lawn configuration along the midpoint of the site and much of the lot graded and/or concrete driveway in a clearly graded lot likely means that both the artificial fill and grass and/or landscaping plants establishment has eliminated any native or indigenous plantings of value. The is some naupaka on the shoreline, but it is not the native naupaka. This was done long before the Property records of ownership as evident in the historical aerial photos found in the ESA in Appendix 7. As can be seen below, from 1954 to 1977, though HIG highlights a nearby site as the Donoso property, (Photos have been edited to show correct locus) one can ascertain that the site was heavily treed and/or vegetated. The rest of the property is mostly a paved driveway area with some areas also grassed and the perimeter of the site and the perimeter of the house planted with ornamental landscaping plants. The entrance to the site is paved. Today, the site is predominantly occupied with grassed areas, landscaping amenities, and three existing residences. The bulk of the vegetation on the site is non-native, dominated by aggressive non-native grasses, and ornamental landscaping plants on the neighbor's and owner's boundaries and house limits.



Site boundaries shown in red are approximate

Linda Donoso 56-155 Kamehameha Highway Kahuku, HI	N	**1951** HIG Project # 2078217 Client Project # Approximate Scale 1: 6,000 (1"=500') www.historicalinfo.com	HIG

Site boundaries shown in red are approximate

Linda Donoso 56-155 Kamehameha Highway Kahuku, HI	N	**1965** HIG Project # 2078217 Client Project # Approximate Scale 1: 6,000 (1"=500') www.historicalinfo.com	HIG

Site boundaries shown in red are approximate

Linda Donoso 56-155 Kamehameha Highway Kahuku, HI	N	**1974** HIG Project # 2078217 Client Project # Approximate Scale 1: 6,000 (1"=500') www.historicalinfo.com	HIG

Site boundaries shown in red are approximate

Linda Donoso 56-155 Kamehameha Highway Kahuku, HI	N	**1977** HIG Project # 2078217 Client Project # Approximate Scale 1: 6,000 (1"=500') www.historicalinfo.com	HIG

SURVEY OBJECTIVES

The objectives of the survey were to:

- Document what native and endangered plant and/or animal species occur on the site or may likely occur in the existing habitat. Ornamentals are discarded, the survey is done only for native, threatened or endangered species.

REPRESENTATIVE PHOTOS

Document the status and abundance of each species.

- Determine the presence or likely occurrence of any native flora and fauna, particularly any which *are Federally-listed as Threatened or Endangered*. If such occur, identify what features of the habitat may be essential for these species.

- Determine if the project area contains any special habitats which if lost or altered might result in a significant negative impact on the flora and fauna in this part of the island.

As can be seen, it is a lot of landscaping Plants mixed with various grasses – typical cover materials after home construction activities. Nothing of importance detected.

On the next pages are a past biological review of the site by others (similar findings):

Biological Assessment of 56-155 Kamehameha Highway for Special Management Area Permit

Prepared by: Maya LeGrande, LeGrande Biological Surveys Inc.

Field survey date: August 10, 2021

The survey area includes TMK 5-6-001:033 located in Kahuku on the North Shore of O'ahu. The 1.468 acres includes a rectangular lot with Kamehameha Highway to the southwest and coastal strand to the northeast. The lot is bounded to the east and west by other house lots.

Prior to conducting fieldwork, the biologist reviewed existing scientific literature and topographic maps and images of the general area. The site visit included noting all plant and animal species observed during the survey and noting if any signs of wetlands occurred within the subject property (i.e. ponding, surface soil patterns, obligate or facultative plant species). No wetlands are mapped by the USFWS National Wetland Inventory (2021) and non-hydric soils include Jaucus sand (JaC) and Beaches (BS) (NRCS 2021).

Vegetation

The subject property is characterized by sand substrate with both native and introduced plant species present. The main portions of the property are dominated by landscaped hedges and introduced grass and herbaceous species. The coastline harbors the majority of the native plant species found on a sandy dune at the makai (seaward) end of the property. Plants such as tree heliotrope (*Heliotropium foertherianum*), 'aki'aki (*Sporobolus virginus*) grass, (*Sporobolus virginus*), and naupaka (*Scaevola taccada*) are the dominant species in this zone.

The majority of the plants growing in the mauka (southwestern) half of the property are non-native. They include, ironwood (*Casuarina equisetifolia*), sea grape (*Coccoloba uvifera*), coconut (*Cocos nucifera*), naupaka, Guinea grass (*Megathyrsus maximum*), swollen fingergrass (*Chloris barbata*), New Zealand spinach (*Tetragonia tetragonioides*), turkeyberry (*Solanum torvum*), Chinese violet (*Asystasia gangetica*), spiny amaranth (*Amaranthus spinosus*), slender amaranth (*A. viridis*), *Ipomoea obscura*, and pohuehue (*Ipomoea pes-caprae*). The naupaka and pohuehue are both indigenous species in Hawai`i.

Birds

The only birds recorded on the site were common resident alien species. The habitat and location of the site does not support vegetation or altitude suitable for native listed forest birds. There is no water features on the site, ergo there is no habitat for any of the listed waterbird species that are still extant on the Island of O'ahu. Native seabird species may overfly the site on a seasonal basis, though there is no habitat on the site for any listed seabirds to nest in. No signs of burrows of Wedge-tailed Shearwaters or `ua`u kani (*Ardenna pacifica*) were located along the sand dunes. One or more species of indigenous migratory shorebirds may use resources on the site on a seasonal basis, though none were seen.

Marine Biota

Green sea turtles or honu (*Chelonia mydas*) most likely utilize the sandy beach fronting the subject property for basking. Green Sea Turtle nesting mostly occurs in the Northwestern Hawaiian Islands. It is possible that the Hawaiian Monk Seal (*Monachus schauinslandi*) may occur in the area at times. If either species are reported hauled out on the beach adjacent to the property, the owners should contact the USFWS/DOFAW and follow any protocols that they deem fit in the situation.

Discussion

The results of the fieldwork represent a one-time snapshot of the plants and animals inhabiting the survey area. However, when considered together with the results of historical surveys, we can compile a reasonably accurate description of the environment and vegetation of the project area. Native plant habitat within the proposed project area has been highly modified by human activities, such as housing and road construction, illegal dumping, and the intentional and accidental introduction of alien species.

The currently proposed building project at the mauka or highway end of the property has the potential to disturb non-native vegetation. The area proposed for new construction is dominated by non-native plants. Although the Makai half of the property is already developed, continued care should be taken to preserve the vegetation along the dune area with the extant naupaka plants as much as possible.

The coastline provides habitat for marine animals as well and care should be taken by keeping at least 50 feet away when green sea turtles or Hawaiian monk seals are hauled out on the beach. If there is a mother seal and pup, it is recommended to stay at least 150 feet away from the pair. Several feral cats were observed on the property. Feral cats pose a risk to birds, marine animals, and human health. They are top predators of nesting seabirds and can spread the parasite *Toxoplasma gondii* that can effect the health of Hawaiian monk seals as well as humans. It is recommended that humane traps be used to capture cats and have them sterilized so that their numbers do not increase.

The taller ironwood trees located at the mauka or southwestern portion of the property could provide habitat for the native endangered Hawaiian hoary bat (*Lasiurus cinereus semotus*), or *ʻōpeʻapeʻa* as it is known locally, on a seasonal basis. The principal potential impact that the project could pose to bats is during any clearing and grubbing phase of the construction. The trimming or removal of foliage and/or trees in the area may temporarily displace individual bats, which may use the vegetation as a roosting location. As bats use multiple roosts within their home territories, the potential disturbance resulting from the removal of the vegetation is likely to be minimal. During the pupping season, females carrying their pups may be less able to rapidly vacate a roost site while vegetation is cleared. Additionally, adult female bats sometimes leave their pups in the roost tree while they themselves forage, and very small pups may be unable to flee a tree that is being felled. Potential adverse effects from such disturbance can be avoided or minimized by not clearing woody vegetation taller than 4.6 meters (15-feet), between June 1 and September 15, the pupping season.

No Threatened or Endangered plant or animal species were observed on land during the one-day survey. No Critical Habitat was located for the subject property using the US Fish & Wildlife Service's map of Threatened and Endangered Species with Critical Habitat designation.

Literature Cited

Natural Resource Conservation Service (NRCS). 2021. Accessed August 10, 2021. http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

USFWS. 2021. National Wetland Inventory, Wetland Mapper. https://www.fws.gov/wetlands/Data/Mapper.html Accessed August 6, 2021.

Figure 1. Coastal strand dominated by naupaka and beach heliotrope.

Figure 2. Mauka end of property by Kamehameha Highway with ironwood trees at western property boundary. Piles of sand with non-native weeds such as New Zealand spinach, *Heliotropium procumbens* var. *depressum*, Guinea grass, and beach wiregrass.

Figure 3. Low growing weedy vegetation at the southeastern corner of the property with silt fence at property line.

Figure 4. Existing structure in background with shipping container along driveway. Tall ironwood trees to the west.

Figure 5. Understory in ironwood stand harbors scattered weedy plants such as Guinea grass and Chinese violet.

BOTANICAL SURVEY METHODS

A walk-through botanical survey method was used following horizontal-to-the shoreline transects in 50' wide swaths. The width surveyed was slightly varied based on vegetation locations, but was generally at least twenty-five feet on either side of transects on this relatively open site. Notes on vegetative types were photo and word recorded.

Notes were made on plant species, distribution, and abundance. Extra emphasis was placed on areas with high diversity (if present), such as gullies with ferns and other pockets of remnant native plants (*not present*). The route was surveyed in November 2023. Vegetation on the site is predominantly non-native, with two main habitat types – herbaceous cover of invasive grasses and sedges, or landscaping plants.

Most of the project area has been heavily impacted by previous human disturbances and is currently dominated by hardy non-native plants of grasses and ornamental landscaping plants. None are of special conservation concern. No special native plant habitats occur on the project site, or plantings that are not found elsewhere in this part of the island. The proposed project is not expected to have a significant negative impact on the botanical resources in this part of Oahu.

FAUNAL SURVEY METHODS

A walk-through survey method was conducted in conjunction with the botanical survey. Field observations were made with the aid of binoculars and by listening to vocalizations.

Notes were made on species, abundance, activities, and location as well as observations of trails, tracks, scat and signs of feeding. Conspicuous insects in excess (such as swarming bees in the naupaka) were noted and reported if present.

In addition, one dusk/evening visit was made to record crepuscular activities and vocalizations and to look for presence of Hawaiian Hoary Bats (*Lasiurus cinereus semotus*). Along with visually scanning the sky for bats, active ultrasonic bat detectors were used to help detect bats. None were observed.

The site was surveyed in November. Dusk/Night visit was on November 8th, 2023.

Hawaiian Hoary Bats are present over all of Oahu, some of their highest numbers occur in forested sections of the mid-elevations, and they have been well documented from the Kahuku Training Area Army Reserve and at Peacock Flats in the Waianae Range. No bats were detected during the night survey for this project, which is outside of that common habitat region. As well, it is unlikely that they frequent this low elevation flat and barren area with limited ironwood trees.

Hawaiian Hoary Bats roost in tall trees in sheltered areas, such as on the branch tips of mature Eucalyptus trees. There are no trees on this site and even perimeter neighboring trees are not all of species seen to host the bats. The bats give birth to and raise their young in the summer. Avoiding cutting large trees during the summer months will help minimize potential impact to young bats that have not yet learned to fly, though this is an unlikely scenario given unsuitable host species and no plans to affect perimeter tree species in construction plans.

There are no signs of game mammals that would have commonly been found within sites which would include feral pigs, cats or mongoose. There is a potential for cats – no presence observed in places, and no scat was observed. Other mammals likely to utilize this property, but which were not observed or heard; include rats (*Rattus spp.*), mice (*Mus domesticus*), cats (*Felis domesticus*) and mongoose (*Herpestes javanicus*).

A complete inventory of the insects was beyond the scope of this survey. Conspicuous insects were noted and special effort was made to look for native insects of conservation concern. In general, there were few insects present found on-site. Perhaps the salt air, lack of wetlands and monotypic vegetation contributed to that. There were no detected galls on or

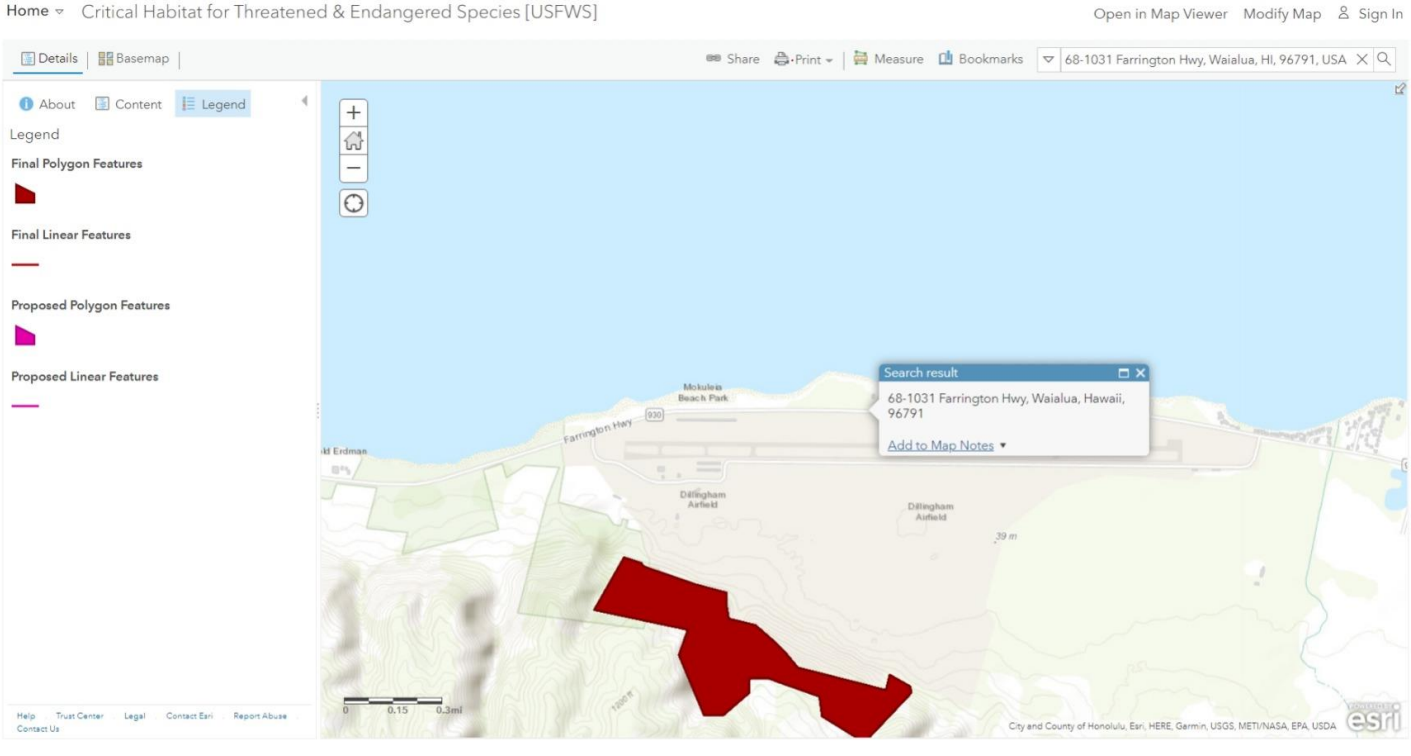
leaves of trees that would appear to be chewed on. Vacancy of insect damage indicates insect presence is sparse. More intensive surveys would undoubtedly turn up many more cryptic species, though it is unlikely any would be of conservation concern.

Avian Species

A check along the shoreline for avian species was made with none observed. In other surveys for other clients, we have seen Pacific Golden Plovers along this shoreline, and it is the season for that migratory bird. No tracks were seen in the beach sand or observations were noted. The shoreline is steep, and plovers like more level beach areas.

It is known that Hawaiian Monk Seals and Green Turtles exist on this shoreline, they just weren't present during our inspection. Regardless, Dark Sky Provisions should be applied.

The Proposed Action site does not include, and would not affect, USFW critical habitat. There would be no significant impact to biological resources under the Proposed Action.



USFW Critical Habitat Map

To adhere with provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended (ESA) and from information received from USFW with pertinent information in their files, as it pertains to federally listed species in accordance with section 7 of the ESA;

the applicant is aware that the following federally listed species *may* occur or *transit* through the vicinity of the proposed project area:

The endangered Hawaiian hoary bat (Lasiurus cinereus semotus); endangered Hawaiian petrel (Pterodroma sandwichensis), threatened Newell's shearwater (Puffinus auricularis newelli), and endangered Hawaii DPS band-rumped storm-petrel (Oceanodroma castro) (hereafter collectively referred to as Hawaiian seabirds); the endangered Hawaiian stilt (Himantopus mexicanus knudseni), Hawaiian coot, (Fulica alai) Hawaiian gallinule (Gallinula galeata sandvicensis), and Hawaiian duck (Anas wyvilliana) (hereafter collectively referred to as Hawaiian waterbirds).

Hawaiian hoary bat The Hawaiian hoary bat roosts in both exotic and native woody vegetation across all islands and will leave young unattended in trees and shrubs when they forage and particularly like ironwood. If trees or shrubs 15 feet or taller are cleared during the pupping season, there is a risk that young bats could inadvertently be harmed or killed since they are too young to fly or may not move away.

To avoid and minimize impacts to the endangered Hawaiian hoary bat the applicant is incorporating the following applicable measure into the project mitigations:

• Do not disturb, remove, or trim woody plants greater than 15 feet tall during the bat birthing and pup rearing season (June 1 through September 15). Ironwood will be removed after September and before June.

• Do not use barbed wire for fencing. Any existing barbed wire fencing should be removed and replaced with wooden fencing.

Hawaiian seabirds: Hawaiian seabirds may traverse the project area at night during the breeding, nesting, and fledging seasons (March 1 to December 15). Outdoor lighting could result in seabird disorientation, fallout, and injury or mortality. Seabirds are attracted to lights and after circling the lights they may become exhausted and collide with nearby wires, buildings, or other structures or they may land on the ground. Downed seabirds are subject to increased mortality due to collision with automobiles, starvation, and predation by dogs, cats, and other predators. Young birds (fledglings) traversing the project area between September 15 and December 15, in their first flights from their mountain nests to the sea, are particularly vulnerable.

To avoid and minimize potential project impacts to seabirds the following has been incorporated as applicable mitigation measures:

• Fully shield all outdoor lights so the bulb can only be seen from below bulb height and only use when necessary.

• Install automatic motion sensor switches and controls on all outdoor lights or turn off lights when human activity is not occurring in the lighted area.

• Avoid nighttime construction during the seabird fledging period, September 15 through December 15.

• In areas where waterbirds are known to be present, post and implement reduced speed limits, and inform project personnel and contractors about the presence of endangered species on-site.

• If water resources are located within or adjacent to the project site, incorporate applicable best management practices regarding work in aquatic environments into the project design (see enclosure).

• Have a biological monitor that is familiar with the species' biology conduct Hawaiian waterbird nest surveys where appropriate habitat occurs within the vicinity of the proposed project site prior to project initiation. Repeat surveys again within 3 days of project initiation and after any subsequent delay of work of 3 or more days (during which the birds may attempt to nest). If a nest or active brood is found:

1. Contact the USFW Service within 48 hours for further guidance.
2. Establish and maintain a 100-foot buffer around all active nests and/or broods until the chicks/ducklings have fledged. Do not conduct potentially disruptive activities or habitat alteration within this buffer.
3. Have a biological monitor that is familiar with the species' biology present on the project site during all construction or earth moving activities until the chicks/ducklings fledge to ensure that Hawaiian waterbirds and nests are not adversely impacted.

The same provisions of monitoring for site entry, halt to construction, notification of species presence to USFW and DLNR/DAR and request for guidance will apply to other species such as monk seals and green sea turtles that may enter the site from near shore waters and beaches.

There are challenges to building on Jaucas sands due to erodibility, percolation, salinity, and the proclivity to hosting cultural artifacts. As such, foundations are designed to be slab foundations, care is given to structural strengths that can withstand soil movement, compactions, and saline factors. As such, a sufficient strength concrete that is saline damage resistant should be used. Any excavation needs to adhere to the cultural considerations described below for mitigation. If any structural soils are brought in the stabilize the concrete slabs, the totals amounts will be reported to DPP along with certification that the sources were clean fill, tested and reported as such by a certified lab that the material is clean and free of contaminants and pathogens. This certification is also required for any off-site loams, sands, clays or other materials brought in for septic system placement, landscaping, driveway, or other support structures such as ground-mounted solar panels. As the concrete driveway as shown on the plans is in place and constructed and accounted for the majority of the cut and fill of soils; it leaves a much smaller cut and fill volume for the various building pads. A query to the site engineers was replied to us that the driveway required the most excavation to achieves correct width and slopes. Upon submission of the FEA to the SMA application, they will provide final totals for building pads cut and fill needs and driveway retrofit from a dirt driveway, along with certification of volume of structural fill, and certificate of clean status of such fill.

U.S. Fish and Wildlife Service Recommended Standard Best Management Practices

The U.S. Fish and Wildlife Service (USFWS) recommends the following measures to be incorporated into project planning to avoid or minimize impacts to fish and wildlife resources. Best Management Practices (BMPs) include the incorporation of procedures or materials that may be used to reduce either direct or indirect negative impacts to aquatic habitats that result from project construction-related activities. These BMPs are recommended in addition to, and do not over-ride any terms, conditions, or other recommendations prepared by the USFWS, other federal, state or local agencies. If you have questions concerning these BMPs, please contact the USFWS Aquatic Ecosystems Conservation Program at 808-792-9400.

1. Authorized dredging and filling-related activities that may result in the temporary or permanent loss of aquatic habitats should be designed to avoid indirect, negative impacts to aquatic habitats beyond the planned project area.

2. Dredging/filling in the marine environment should be scheduled to avoid coral spawning and recruitment periods, and sea turtle nesting and hatching periods. Because these periods are variable throughout the Pacific islands, we recommend contacting the relevant local, state, or federal fish and wildlife resource agency for site specific guidance.

3. Turbidity and siltation from project-related work should be minimized and contained within the project area by silt containment devices and curtailing work during flooding or adverse tidal and weather conditions. BMPs should be maintained for the life of the construction period until turbidity and siltation within the project area is stabilized. All project construction-related debris and sediment containment devices should be removed and disposed of at an approved site.

4. All project construction-related materials and equipment (dredges, vessels, backhoes, silt curtains, etc.) to be placed in an aquatic environment should be inspected for pollutants including, but not limited to; marine fouling organisms, grease, oil, etc., and cleaned to remove pollutants prior to use. Project related activities should not result in any debris disposal, non-native species introductions, or attraction of non-native pests to the affected or adjacent aquatic or terrestrial habitats. Implementing both a litter-control plan and a Hazard Analysis and Critical Control Point plan (HACCP – see https://www.fws.gov/policy/A1750fw1.html) can help to prevent attraction and introduction of non-native species.

5. Project construction-related materials (fill, revetment rock, pipe, etc.) should not be stockpiled in, or in close proximity to aquatic habitats and should be protected from erosion (e.g., with filter fabric, etc.), to prevent materials from being carried into waters by wind, rain, or high surf.

6. Fueling of project-related vehicles and equipment should take place away from the aquatic environment and a contingency plan to control petroleum products accidentally spilled during the project should be developed. The plan should be retained on site with the person responsible for compliance with the plan. Absorbent pads and containment booms should be stored on-site to facilitate the clean-up of accidental petroleum releases.

7. All deliberately exposed soil or under-layer materials used in the project near water should be protected from erosion and stabilized as soon as possible with geotextile, filter fabric or native or non-invasive vegetation matting, hydro-seeding, etc.

DOFAW Mitigation Suggestions

DOFAW recommends minimizing the movement of plant or soil material between worksites. Soil and plant material may contain detrimental fungal pathogens (e.g., Rapid ʻŌhiʻa Death), vertebrate and invertebrate pests (e.g., Little Fire Ants, Coconut Rhinoceros Beetles, etc.), or invasive plant parts (e.g., Miconia, Pampas Grass, etc.) that could harm our native species and ecosystems. We recommend consulting the

Oʻahu Invasive Species Committee (OISC) at (808) 266-7994 to help plan, design, and construct the project, learn of any high-risk invasive species in the area, and ways to mitigate their spread. All equipment, materials, and personnel should be cleaned of excess soil and debris to minimize the risk of spreading invasive species.

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

Cats as well prey on native birds, including State-listed endangered waterbirds, seabirds, and forest birds. Predation is instinctive and means that even well-fed cats will hunt and kill wildlife. Therefore, DOFAW recommends that residents with pet cats be kept indoors or safely contained. In addition, no feeding of feral cats should occur on the premises.

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