

STATE OF HAWAII
Department of Land and Natural Resources
Office of Conservation and Coastal Lands
Honolulu, Hawaii

Board of Land and Natural Resources
Department of Land and Natural Resource
State of Hawai'i
Honolulu, Hawai'i

FILE NO.: CDUA OA-3609
REF: OCCL: MC
Acceptance Date: December 2, 2011
180 Exp. Date: May 30, 2012

May 25, 2012

REGARDING: 30-foot Telecommunications Tower; Management Plan

LAND USE: HAR §13-5-22 P-14 TELECOMMUNICATIONS

APPLICANT: Verizon Wireless

AGENT: Les Young, RealCom Associates LLC, 1506 Ala Mahamoe Street,
Honolulu HI 96819

LANDOWNER: First Presbyterian Church of Honolulu

LOCATION: Ko`olau Golf Course, 45-550 Kionaole Road, Kāne`ohe, O`ahu

TMK: (1) 4-5-042:001

AREA OF USE: 600 square feet

SUBZONE: General

DESCRIPTION OF AREA AND PROPOSED USE

The proposed facility includes a thirty-foot tower with 12 panel antennas, six outdoor equipment cabinets, one diesel-fueled emergency generator, and associated conduits and coax cables. The 600 square-foot project area would be enclosed by a six-foot high chain link fence.

Construction will begin within 30 to 60 days of receipt of the permit, and be completed 45 to 60 days after that.

The project site is off the paved maintenance access road, approximately 90 feet northwest of the existing maintenance building and 120 feet south of the H-3. Telco and HECO utility poles run along the access road. The area has been previously disturbed, and is currently used as-needed for the storage of soil and sand.

The area immediately to the west is a thick forest with trees rising to fifty feet. This will partially mitigate the visual impact of the structure from H-3.

The applicant has submitted correspondence from the State Historic Preservation Division that no historic properties would be affected by a telecom tower on the site, and from the U.S. Fish and Wildlife Service that no federally listed or proposed species, or proposed or designated critical habitats, occur on the proposed site.

No known cultural or recreational activities beyond golfing occur on the parcel.

A management plan, as required by Hawai'i Administrative Rules (HAR) §13-5 for new telecommunications facility, was processed concurrently with this application.

The following exhibits have been attached for the Board's review:

1. Site Location Map
2. Site Vicinity Map
3. Photographs of Project Site
4. Management Plan (includes Site Plans)

SUMMARY OF COMMENTS

The Office of Conservation and Coastal Lands referred the application to the following agencies and offices for review and comment: O'ahu Board Member; DLNR – Land Division, Historic Preservation, Division of Forestry and Wildlife, and State Parks; Office of Hawaiian Affairs; ICSD; State Civil Defense; County Department of Emergency Management; Honolulu Police; Honolulu Fire Department; and the Makiki/Lower Punchbowl/Tantalus Neighborhood Board.

A notice of the application was placed in the December 23, 2011 edition of the Office of Environmental Quality Control's Environmental Notice. In addition, copies of the application and environmental assessment were available for review at the Hawaii State Library and the Kāne'ohē Public Library

OCCL received no comments on the application or proposed management plan.

ANALYSIS

Following review and acceptance for processing the applicant was notified, by letter dated December 13, 2011 that:

1. The proposed use is an identified use within the Conservation District according to the Hawai'i Administrative Rules (HAR), § 13-5-22, P-14, TELECOMMUNICATIONS, (D-1) *New telecommunications facility. A management plan approved simultaneously with the permit is also required.* The applicant was advised that this finding did not constitute approval of the proposal.

2. Pursuant to HAR §13-5-40(4), HEARINGS, a public hearing was not required¹.
3. In conformance with Chapter 343, Hawaii Revised Statutes (HRS), as amended, and HAR §11-200, the draft Environmental Assessment was published on December 23, 2011, and a Finding of No Significant Impact to the Environment was published in the February 23, 2012 edition of the *Environmental Notice*.

SECTION 13-5-30 CRITERIA

The following discussion evaluates the merits of the proposed land use by applying the criteria established in Section 13-5-30, Hawaii Administrative Rules (HAR).

1. *The proposed use is consistent with the purpose of the Conservation District.*

The objective of the Conservation District is to conserve, protect and preserve the important natural resources of the State through appropriate management and use to promote their long-term sustainability and the public health, safety, and welfare.

The subject area is currently used as a maintenance area for a golf course; staff is of the opinion that a thirty-foot pole will not have an appreciable impact on the State's natural resources.

2. *The proposed land use is consistent with the objectives of the Subzone of the land on which the use will occur.*

The objective of the General subzone is to designate open space where specific conservation uses may not be defined.

Staff is of the opinion that the proposed land use is consistent with the General Subzone's identified land use(s). The project area is adjacent to an existing telecommunications facility, and the proposed additional building and associated fencing and paving does not represent a significant expansion of use. The work has been designed and located such that the visual impact outside the site will be minimal.

3. *The proposed land use complies with the provisions and guidelines contained in Chapter 205A, HRS entitled "Coastal Zone Management", where applicable.*

Relevant policies of Chapter 205A include:

- Ensure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;
- Locate new structures inland from the shoreline setback to conserve open space, minimize interference with natural shoreline processes, and minimize loss of improvements due to erosion;

¹ §13-5-40 requires public hearings on all applications for a proposed use of land for commercial purposes; however, OCCL has traditionally interpreted telecommunications facilities as being in the same category as regulated public utilities, and thus not a commercial use as defined in §13-5.

The applicant has consulted with the State Historic Preservation Division and the Office of Hawaiian Affairs, who both concur that no known historic or archaeological resources will be affected by the proposal. The project should not be visible from coastal areas.

Staff believes that the proposal is consistent with the guidelines of HRS 205A.

The project is not in the Special Management Area.

- 4. The proposed land use will not cause substantial adverse impact to existing natural resources within the surrounding area, community or region.*

The proposed project is an addition to an existing facility. Considering the small scale of the project, the location next to an existing building, and the limited intensity of the land use, staff concurs with the applicant that the project will have little to no impact on existing natural resources.

The proposed location has limited access to the public, as it is reached by a private road that runs parallel to the H-3 Freeway.

- 5. The proposed land use, including buildings, structures and facilities, shall be compatible with the locality and surrounding areas, appropriate to the physical conditions and capabilities of the specific parcel or parcels.*

Staff notes that the visual impact of the project will be minimized via design and siting. The H-3 Freeway is 120 feet to the north, while the nearest residence is approximately 3000 feet to the northeast. The site itself is relatively flat, with a thick forest of 35 to 50-foot tall trees that will block the view of the tower from the freeway.

The area is in Flood Zone D, an area in which flood hazards are undetermined. The elevation of the site is 360 feet, and the potential for flood hazards are expected to be minimal to non-existent.

- 6. The existing physical and environmental aspects of the land, such as natural beauty and open space characteristics, will be preserved or improved upon, whichever is applicable.*

As noted above, the project's visual impact will be minimal. According to the applicant close to 97% of the parcel is open space. Infrastructure on the property includes utility poles for electricity and phone.

Staff does not believe that the telecommunications tower will have an impact on the area's natural beauty or open space.

- 7. Subdivision of land will not be utilized to increase the intensity of land uses in the Conservation District.*

The proposal does not involve the subdivision of land.

8. *The proposed land use will not be materially detrimental to the public health, safety and welfare.*

Staff is of the opinion that the proposed addition will not be materially detrimental to the public health, safety and welfare.

SECTION 13-5 MANAGEMENT PLAN CRITERIA

The Management Plan is attached to this report for the Board's review. Staff would like to call attention to the following elements of the plan:

Best Management Practices (Construction) – the applicant has built over 200 telecommunications facilities in Hawai'i over the past 25 years, which they state gives them extensive experience in implementing Best Management Practices throughout the project's life. All work will be done by licensed contractors under the supervision of a State-licensed engineer or architect. The applicant is aware that work should be stopped and the Historic Preservation Division contacted should any archaeological artifacts or human remains be uncovered during construction.

Best Management Practices (Ongoing) – A technician will inspect the facility once per month to identify areas needing preventive or corrective maintenance.

Activity Schedule – Construction will start within 30 to 60 days after the issuance of the permit. The initial phase will involve coring for the base of the tower, followed by the installation of the tower base and concrete pad. After this the equipment shelter will be installed and the electrical and telco utilities hooked up. The last phase will involve installing fencing, antennas, and cables.

The grounds surrounding the facility are the responsibility of the golf course maintenance crew. Verizon will cooperate with them as needed.

Annual Reporting Requirements – OCCL is not requesting that the permit holder deliver annual reports.

DISCUSSION

The proposed use is an identified use within the Conservation District according to the Hawai'i Administrative Rules (HAR), § 13-5-22, P-6, PUBLIC PURPOSE USE.

The applicant consulted with numerous state, county, and community groups in the application and environmental assessment process. OCCL did not encounter any opposition or criticism of the proposal.

Staff has reviewed the Management Plan, and finds that it is consistent with the §13-5 criteria.

Staff notes that, pursuant to §13-5, construction of any additional towers at the site will require a Departmental Permit if the tower is lower than this one, and a Board Permit otherwise. Thus, approving this tower does not automatically open the site up to becoming a major telecommunications site.

Staff feels that telecommunications systems are increasingly becoming a vital utility in the modern world, and that facilities such as this serve the general welfare by providing a needed public service.

RECOMMENDATION

Based on the proceeding analysis, staff recommends that the Board of Land and Natural Resources APPROVE this application for the Verizon Telecommunications Facility and associated Management Plan at the Ko`olau Golf Course, Kāne`ohe, Ko`olaupoko, O`ahu, TMK (1) 4-5-042:001, subject to the following terms and conditions:

1. The permittee shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, state, and county governments, and applicable parts of this chapter;
2. The permittee, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit;
3. The permittee shall comply with all applicable department of health administrative rules;
4. The permittee shall provide documentation (e.g., book and page or document number) that the permit approval has been placed in recordable form as a part of the deed instrument, prior to submission for approval of subsequent construction plans;
5. Before proceeding with any work authorized by the department or the board, the permittee shall submit four copies of the construction plans and specifications to the chairperson or an authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Three of the copies will be returned to the permittee. Plan approval by the chairperson does not constitute approval required from other agencies;
6. Unless otherwise authorized, any work or construction to be done on the land shall be initiated within one year of the approval of such use, in accordance with construction plans that have been signed by the chairperson, and shall be completed within three years of the approval of such use. The permittee shall notify the department in writing when construction activity is initiated and when it is completed;
7. All representations relative to mitigation set forth in the accepted environmental assessment or impact statement for the proposed use are incorporated as conditions of the permit;

8. The permittee understands and agrees that the permit does not convey any vested right(s) or exclusive privilege;
9. In issuing the permit, the department and board have relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of the permit such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the department may, in addition, institute appropriate legal proceedings;
10. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the permittee shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;
11. During construction, appropriate mitigation measures shall be implemented to minimize impacts to off-site roadways, utilities, and public facilities;
12. The permittee acknowledges that the approved work shall not hamper, impede, or otherwise limit the exercise of traditional, customary, or religious practices of native Hawaiians in the immediate area, to the extent the practices are provided for by the Constitution of the State of Hawaii, and by Hawaii statutory and case law; and
13. Other terms and conditions as prescribed by the chairperson.
14. Failure to comply with any of these conditions shall render a permit void under the chapter, as determined by the chairperson or board.

Respectfully submitted,



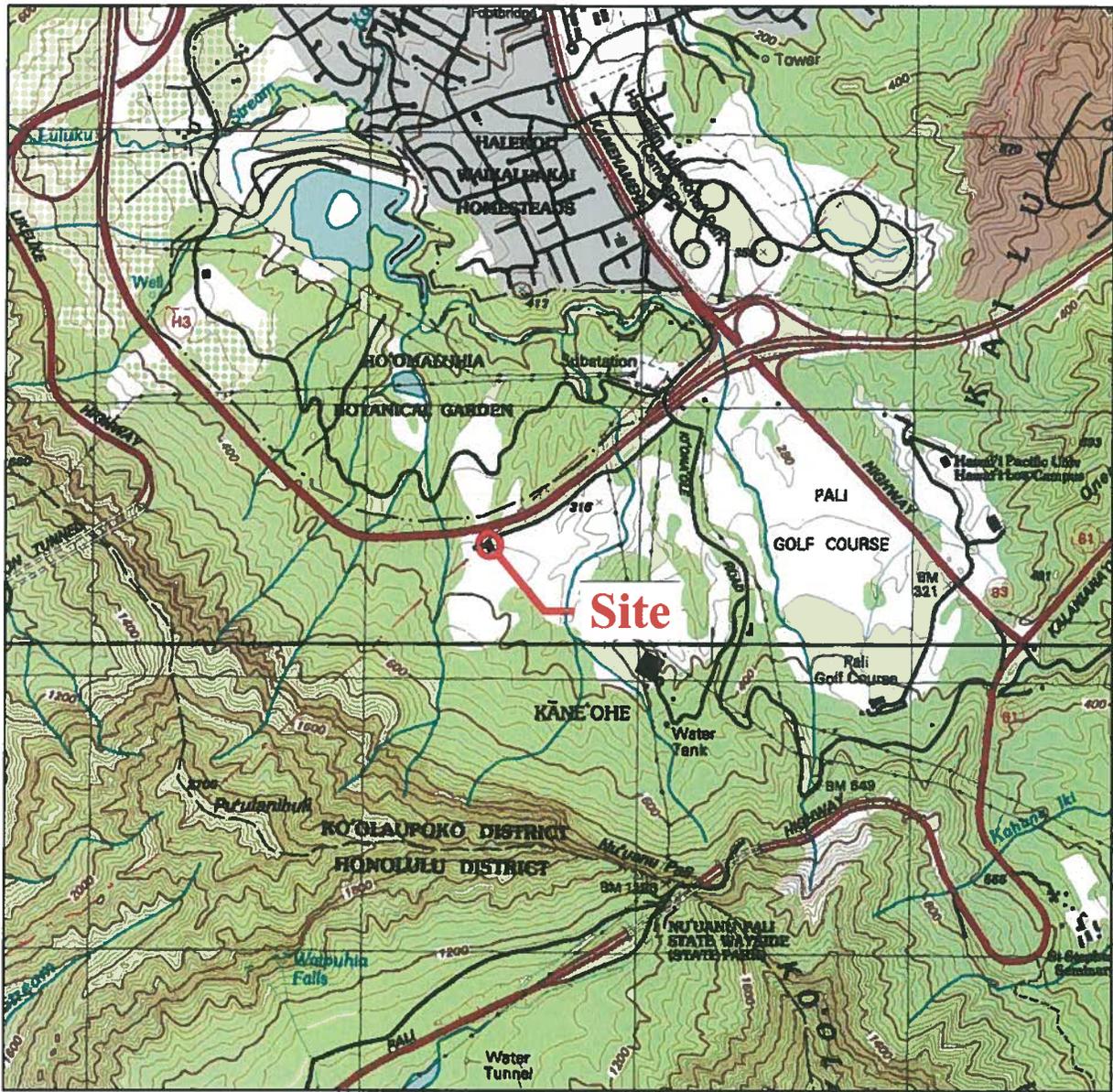
Michael Cain
Staff Planner

Approved for submittal:

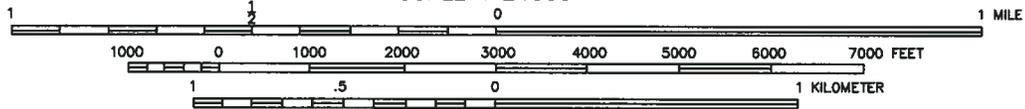
By:



WILLIAM J. AILA, Chairperson
Board of Land and Natural Resources

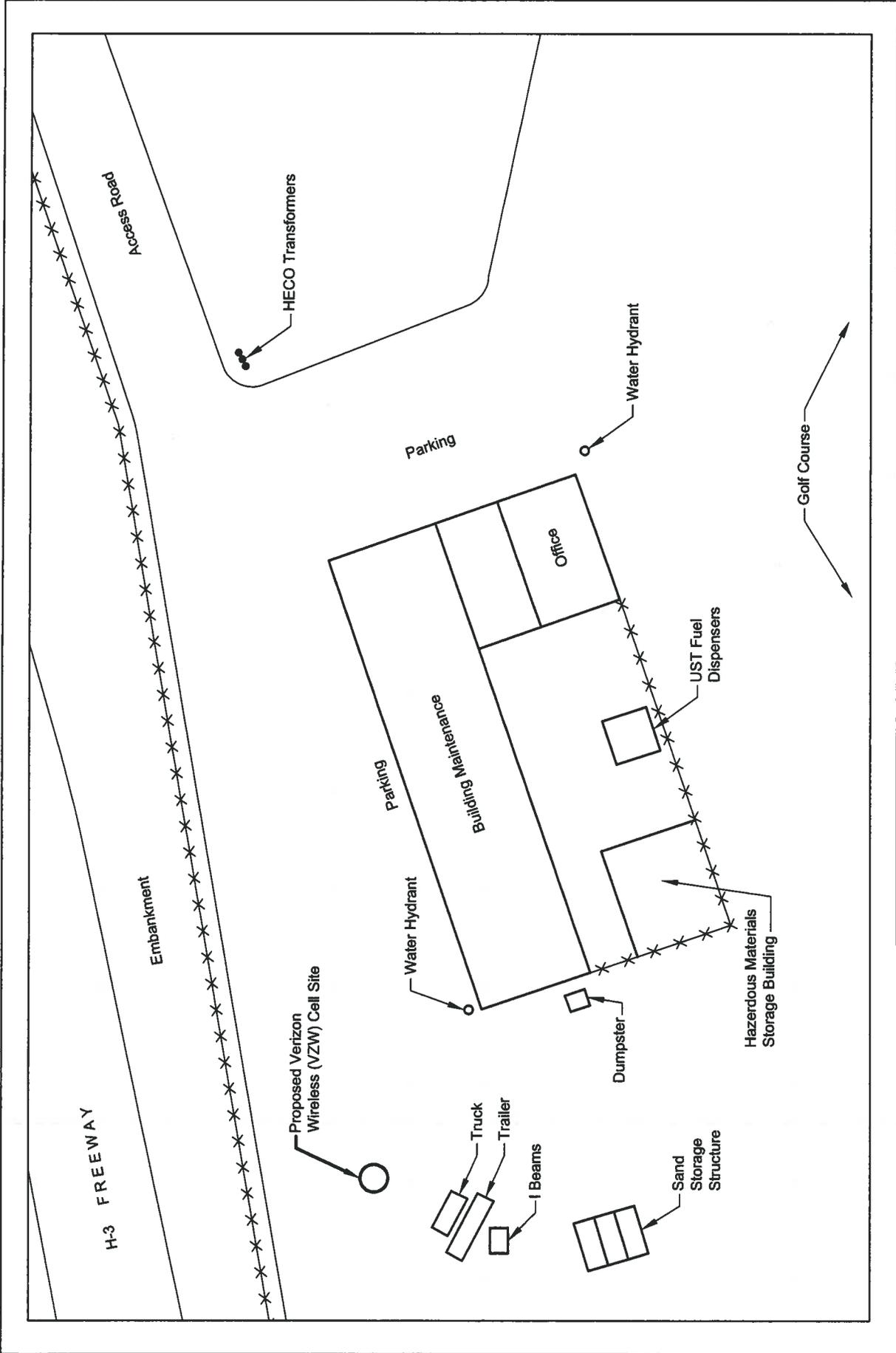


SCALE 1:24000



Portion of 7.5-minute Series (Topographic) Maps
 United States Department of Interior
 United States Geological Survey
 Kaneohe & Honolulu Quadrangle, City & County of Honolulu, Hawaii
 1998

	Project No.: 17005-005348.05	Title: Site Location Map	FIGURE 1
	Date: 08/05/08	Location: VZW HON Hawaiian Memorial Cell Site 45-550 Kionaole Road Kaneohe, Oahu, Hawaii	
	Revised By: DG		
	Checked By: MA	Client: Verizon Wireless (VZW) / Cades Schutte, LLP	



Project No.: 17005-005348.05		Title: Site Vicinity Map	
Date: 08/05/08	Location: VZW HON Hawaiian Memorial Cell Site 45-550 Kionaole Road Kaneohe, Oahu, Hawaii	Reviewed By: DG	Client: Verizon Wireless (VZW) / Cades Schutte, LLP
Checked By: MA			



BUREAU OF LAND MANAGEMENT
VERITAS





FIGURE 2



Project Number 17005-005348.05	Description	Access road to cell site and maintenance building looking west	Photo 1
	Site Name	VZW HON Hawaiian Memorial Cell Site, 45-550 Kionaole Road, Kaneohe, Hawaii	Photo Date
	Client	Verizon Wireless (VZW) / Cades Schutte, LLP	8/1/2008



Project Number 17005-005348.05	Description	View of proposed VZW antenna tower site looking west from access road	Photo 2
	Site Name	VZW HON Hawaiian Memorial Cell Site, 45-550 Kionaole Road, Kaneohe, Hawaii	Photo Date
	Client	Verizon Wireless (VZW) / Cades Schutte, LLP	8/1/2008



Project Number 17005-005348.05	Description	Truck, trailer, I-beams west of the proposed cell site	Photo 3
	Site Name	VZW HON Hawaiian Memorial Cell Site, 45-550 Kionaole Road, Kaneohe, Hawaii	Photo Date
	Client	Verizon Wireless (VZW) / Cades Schutte, LLP	8/1/2008



Project Number 17005-005348.05	Description	Golf cart tires and other maintenance debris in the brush west of the proposed cell site	Photo 4
	Site Name	VZW HON Hawaiian Memorial Cell Site, 45-550 Kionaole Road, Kaneohe, Hawaii	Photo Date
	Client	Verizon Wireless (VZW) / Cades Schutte, LLP	8/1/2008



Project Number 17005-005348.05	Description	View of H-3 Freeway looking northwest from the area of the proposed cell site	Photo 5
	Site Name	VZW HON Hawaiian Memorial Cell Site, 45-550 Kionaole Road, Kaneohe, Hawaii	Photo Date 8/1/2008
	Client	Verizon Wireless (VZW) / Cades Schutte, LLP	



Project Number 17005-005348.05	Description	Concrete sand storage structure located southwest of proposed cell site	Photo 6
	Site Name	VZW HON Hawaiian Memorial Cell Site, 45-550 Kionaole Road, Kaneohe, Hawaii	Photo Date 8/1/2008
	Client	Verizon Wireless (VZW) / Cades Schutte, LLP	



Project Number 17005-005348.05	Description	View of hazardous materials storage building located south of the maintenance building and southeast of the proposed cell site	Photo 7
	Site Name	VZW HON Hawaiian Memorial Cell Site, 45-550 Kionaole Road, Kaneohe, Hawaii	Photo Date
	Client	Verizon Wireless (VZW) / Cades Schutte, LLP	8/1/2008



Project Number 17005-005348.05	Description	View of fuel dispensers located south of the maintenance building and southeast of the proposed cell site	Photo 8
	Site Name	VZW HON Hawaiian Memorial Cell Site, 45-550 Kionaole Road, Kaneohe, Hawaii	Photo Date
	Client	Verizon Wireless (VZW) / Cades Schutte, LLP	8/1/2008

CHAPTER 13-5

EXHIBIT 3

Management Plan Requirements

RECEIVED
OFFICE OF CONSERVATION
AND NATURAL LANDS

2012 MAR 23 A 11: 03

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

Conservation District Use Application
Verizon Wireless Telecommunication Facility
(Site Name: HI-HON Hawaiian Memorial)

Koolau Golf Course
Maintenance Building Area
45-550 Kionaole Road
Kaneohe, Hawaii 96744

TMK: (1) 4-5-042:001

Applicant:
Cellco Partnership dba Verizon Wireless
300 Kahelu Avenue
Mililani, Hawaii 96789

Agent:
RealCom Associates
Attn: Les Young
1506 Ala Mahamoe Street
Honolulu, Hawaii 96819

Date: March 22, 2012

EXHIBIT 4

1. **General Description:** The Applicant proposes to construct a telecommunications facility within a 600 square foot area that will include a 30-foot tall steel monopole antenna tower with twelve (12) panel antennas, a pre-fabricated equipment shelter with dimensions of 11' 6"W X 26'L X 11' 6"H, and one (1) indoor diesel fueled emergency generator located within the equipment shelter for back-up electrical power enclosed by a six-foot high chain link fence with a locked gate to restrict unauthorized access.
2. **Project Location:** The project is located on the Kaneohe side of Oahu and more specifically within the maintenance facility area of the Koolau Golf Course. See attached site plan.
3. **Natural Resource assessment:** The property is not listed on either the Hawaii or National Registers of Historic Places, therefore the proposed facility is not expected to have an impact on any archeological resources. A historical review of the subject parcel indicates that the property was formerly used as farming and ranch lands before being developed as a golf course in the late 1980's and early 1990's.

The vegetation in the project area consists largely of introduced species due to the varied history of the past land uses.

While native species may be scattered throughout the area, they are usually found on the steeply sloping areas and in the open scrub. These native species, which include uluhe fern, hala, hau, ohia, akia and others, are found in similar environmental habitats throughout the Hawaiian Islands and none are considered rare, threatened or endangered. There are no endemic Hawaiian waterbirds or forest birds, nor any suitable habitat for them in the project area. Although two species of endemic waterbirds are found in small numbers on the reservoir in Hoomaluhia Park, it does not provide suitable habitat for reproduction of these species.

The current golf course operation and proposed telecommunication facility will not pose any adverse effect on the owl, night heron, golden plover or any introduced species. No animals/birds are native to these islands and are commonly found throughout Oahu.

Requests for comment and information was initiated in early 2006 and the subsequent responses from the various governmental agencies are attached as exhibits and summarized below:

State of Hawaii – Department of Land & Natural Resources
Peter Young, State Historic Preservation Officer
Letter dated January 11, 2006:

" . . . The maintenance facility was built in 1989. Therefore, we concur that the determination for the architectural concerns of the proposed project is "no historic properties affected."

State of Hawaii – Department of Land & Natural Resources

Peter Young, State Historic Preservation Officer

Letter dated January 17, 2006:

“... We believe that no historic properties will be affected by this undertaking because previous grabbing/grading has altered the land, and an acceptable archeological assessment or inventory survey found no historic properties, and previous inventory survey (Shun et al 1987, SHPD Report No. 0-388) and other in-depth studies of the current project area (e.g. Meeker 1995, SHPD Report No. 0-1416)”

City & County of Honolulu – Dept. of Planning & Permitting

Henry Eng, Director

Letter dated January 25, 2006:

“... we recommend that you contact SHPD for information concerning the potential impacts of this proposal on historical and/or cultural resources. Similarly, because the site is located within the State Land Use Conservation District, which is also administered by the Department of Land and Natural Resources and not within the land use jurisdiction of the City & County of Honolulu, we suggest that you contact the DLNR regarding comments on the proposed telecommunication antenna.”

Department of the Navy – US Army Engineering District

George P. Young, PE, Chief – Regulatory Branch

Letter Dated July 8, 2005

“... have determined that there are no waters of the U. S., including wetlands and no proposed placement or discharge of dredged and/or fill materials into waters of the U. S. by these antenna sites and therefore a Department of the Army permit will not be required.”

United States Dept. of the Interior – Fish & Wildlife Service

Patrick Leonard, Field Supervisor

Letter dated November 1, 2005

“... We have reviewed the information you provided and pertinent information in our files, including data compiled by the Hawaii Natural Heritage Program. To the best of our knowledge, no federally listed or proposed species, or proposed or designated critical habitat occur on the proposed project site.”

State of Hawaii - Office of Hawaiian Affairs

Clyde Namu’o – Administrator

Letter dated July 12, 2005:

“... OHA has no comments concerning the proposed project at this time. OHA further requests your assurances that if the project goes forward, should iwi or Native Hawaiian cultural or traditional deposits be found during ground disturbance, work will cease, and the appropriate agencies will be contacted pursuant to applicable law.”

- 4. Natural Hazard assessment:** The topography of the proposed telecommunications site is level and flat. The elevation of the parcel ranges from approximately 300 feet to 500 feet and the slope ranges from approximately 3% to more than 40% in certain areas. Due to the level and flat nature of the proposed site and its elevation relative to the surrounding areas, no increased runoff or sedimentation is expected at this time. The project site is situated on Flood Zone D, an area in which flood hazards are undetermined. Being that this site is situated high above the H-3 Freeway and at an elevation of approximately 360-feet above sea level, the potential for flood hazards are expected to be minimal to non-existent.
- 5. Best Management Practices during Construction:** The Applicant has successfully constructed over 200 telecommunication facilities throughout Hawaii over the past 25 years and continues to maintain an excellent reputation for its best practices exercised prior to construction (pre-construction planning), during construction, and post-construction. All work is done by licensed contractors and under the supervision of either a State of Hawaii licensed architect or engineer. Also, during the construction phase, should any previously unidentified archeological resources such as artifacts, shell, bone, charcoal deposits, human burial rock or coral alignments, pavings or walls be uncovered, the Applicant will instruct the contractor to stop all work and contact the Historic Preservation Office for review and approval of mitigation measures.
- 6. Best Management Practices during Lifetime of project:** Ongoing maintenance and upkeep of its telecommunication facilities is critical to providing uninterrupted and continuous service to the Applicant's customers. Therefore, regular maintenance to the site will be done at a minimum once monthly whereby a technician will inspect the facility, both the exterior and interior sections, to identify any areas needing preventative or corrective maintenance and then scheduling with the appropriate resources to address issue. Prevention is the key to a successful operation rather than having to correct a problem. This is Verizon's goal and best management practice to maintain and operate its facilities.
- 7. Description of the Conservation Methods & Applications:** NA
- 8. Description of Existing Uses & Facilities:** Koolau Golf Course is located on the subject parcel. The golf course consists of an 18-hole championship golf course with driving range. The "club house" consists of a pro-shop, dining/restaurant facilities, meeting rooms and offices. There are men's and women's locker room facilities. There is also a maintenance building located on the northwest section of the parcel.
- 9. Description of Proposed Facilities and Uses:** The Applicant proposes to construct a telecommunications facility within a 600 square feet area that will include a 30-foot tall steel monopole antenna tower with twelve (12) panel antennas, a pre-fabricated equipment shelter with dimensions of 11' 6"W X 26'L X 11' 6"H, and one (1) indoor diesel fueled emergency generator located within the equipment shelter for back-up electrical power enclosed by a six-foot high chain link fence with a locked gate to restrict unauthorized access.

10. Activity Schedule: Construction of this facility will commence upon receipt of the necessary governmental building permits. Once received, construction should commence within 30 – 60 days and should be completed within 45 – 60 days of commencement of construction. The initial phase will include coring for the base of the antenna tower followed by the installation of the tower base and concrete pad. Next will be the installation of the equipment shelter and hook up of all electrical and telco utilities. Last will be the installation of fencing and all equipment including antennas and cabling. Once in operation, technicians will monitor the facility and visit the site at least once monthly for maintenance.

The grounds surrounding the proposed facility are the responsibility of the golf course maintenance and Verizon will defer to their maintenance and upkeep schedule and cooperate.

There are no annual reporting requirements.

11. Any Other Information or Data as required: NA

Site Plan
ON FOLLOWING PAGE

