

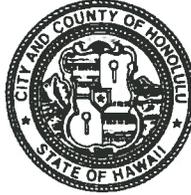
DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR



GEORGE I. ATTA, FAICP
DIRECTOR

ARTHUR D. CHALLACOMBE
DEPUTY DIRECTOR

2015/ELOG-658(ST)
2015/ED-9

May 4, 2016

Mr. Scott Glenn, Interim Director
State of Hawaii
Department of Health
Office of Environmental Quality Control
235 South Beretania Street, Room 702
Honolulu, Hawaii 96813-2437

Dear Mr. Glenn:

SUBJECT: Chapter 25, Revised Ordinances of Honolulu
Final Environmental Assessment (FEA)
Project: Kihapai Place 42-unit Apartment Project
Applicant: Kihapai Hui LLC
Agent: Lee Sichter LLC
Request: Special Management Area Use Permit
Location: 734 and 735 Kihapai Place - Kailua (Coconut Grove Tract)
Tax Map Keys: 4-3-58: 47, 48, and 65
Determination: Finding of No Significant Impact (FONSI)

OFC. OF ENVIRONMENTAL
QUALITY CONTROL

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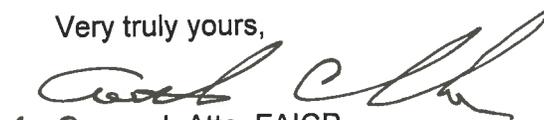
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The Department of Planning and Permitting is enclosing the FEA and FONSI for the above Project, in the Kailua District on the island of Oahu, for publication in the next available edition of "*The Environmental Notice*."

The Applicant has included copies of comments and responses that were received during the 30-day public comment period on the Draft Environmental Assessment and Anticipated FONSI.

Enclosed is a hard copy of the FEA and FONSI, a copy of the Publication Form, a compact disc (which includes the FEA-FONSI). Should you have any questions, please contact Steve Tagawa of our staff at 768-8024.

Very truly yours,


George I. Atta, FAICP
Director

Enclosure

cc: Lee Sichter



August 2015

NON-CHAPTER 343 DOCUMENT
PUBLICATION FORM
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

Project Name: Kihapai Place Apartments
Applicable Law: Chapter 25, Revised Ordinances of Honolulu
Type of Document: Final Environmental Assessment
Island: Oahu
District: Kailua
TMK: (1) 4-3-58: 47, 48, and 65
Permits Required: Special Management Area (SMA) Use Permit Major, Building Permits, Grading, Trenching and Stockpiling Permits, and Sewer Connection Permits

Applicant: Kihapai Hui, LLC
1050 Bishop Street, Suite 303
Honolulu, Hawaii 96813
Contact: Gail Berengue
(808) 861-5925

Approving Agency: City and County of Honolulu
Department of Planning and Permitting
650 South King Street, 7th Floor
Honolulu, Hawaii 96822
Contact: Steve Tagawa
(808) 768-8024

Consultant: Lee Sichter LLC
45024 Malulani Street , Room 1
Kaneohe, Hawaii 96744
Contact: Lee Sichter,
(808) 382-3836

Status: FEA-FONSI

Project Summary: The Applicant proposes to construct a four-story building, with 42 one-bedroom apartment units on a recently consolidated 24,593-square-foot parcel located at 734 and 735 Kihapai Place. The site is in the Special Management Area (SMA), and is a vacant lot in the Coconut Grove Tract of Kailua, zoned A-2 Medium Density Apartment District. The site borders the makai side of the Kawai Nui Marsh and the flood protection levee. The development will provide 58 at-grade parking stalls, including five visitor and two ADA accessible stalls. The development will include landscaping and a required park area. The Project has an estimated cost of \$8 million and is anticipated to take one year to complete once construction begins. As a site located within the SMA, the Project will require the approval of a SMA Use Permit from the Honolulu City Council.

Kihapai Place Apartments
Final Environmental Assessment
Kailua, O`ahu

March 17, 2016

Prepared for: Kihapai Place LLC

Prepared by: Lee Sichter LLC

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Kihapai Place
Chapter 25 Final Environmental Assessment for an SMA Use Permit

I. GENERAL INFORMATION

The regulatory authority for this document is Section 25-3.3(c)(1) Revised Ordinances of Honolulu – which follows the procedural steps of the State Environmental Impact Statement (EIS) law, Chapter 343 Hawaii Revised Statutes (HRS) and Title 11, Chapter 200 Hawaii Administrative Rules (HAR).

As a Final Environmental Assessment (FEA), this document has been revised from a Draft EA to include additional information which was requested by Consulted Parties during the public/agency comment and review period. All new information is presented in italicized, underlined, boldface to allow the reader to distinguish it from the content of the Draft EA. However, this highlighting method does not include changes to pagination and formatting that resulted from the inclusion of the additional information.

A. Applicant

The Applicant is Kihapai Place LLC. **The site address is 734 & 735 Kihapai Place, Kailua, Hawai'i 96734.**

B. Recorded Fee Owner

The Recorded Fee Owner is Kihapai Place LLC, c/o Gail Berengue, 842 Halula Place, Kailua, Hawai'i 96734.

C. Agent

The Agent is Lee Sichter LCC, c/o Lee Sichter, 45024 Malulani Street #1, Kaneohe, Hawai'i 96744.

D. Tax Map Key

The Proposed Action is the development of a vacant lot, identified as Lot A, Portion Land Court Application 495 and Portion File Plan 784 at Kailua, Koolaupoko, Oahu. See Figure 1.

	Lot A
Area	24,593 sq.ft.
State Land Use District	Urban
Zoning	A-2 Apartment
SMA	Yes
Owner	Kihapai Place LLC

The single development lot is hereinafter referred to as “the Subject Property”. The Subject Property formerly comprised three tax map parcels (4-3-058:047,048, and 065) that were consolidated on May 22, 2015 (2015/Sub-72) into Lot A (See Figures 2 and 3). At the time of this writing, a new tax map key parcel number has not yet been assigned to the Subject Property.

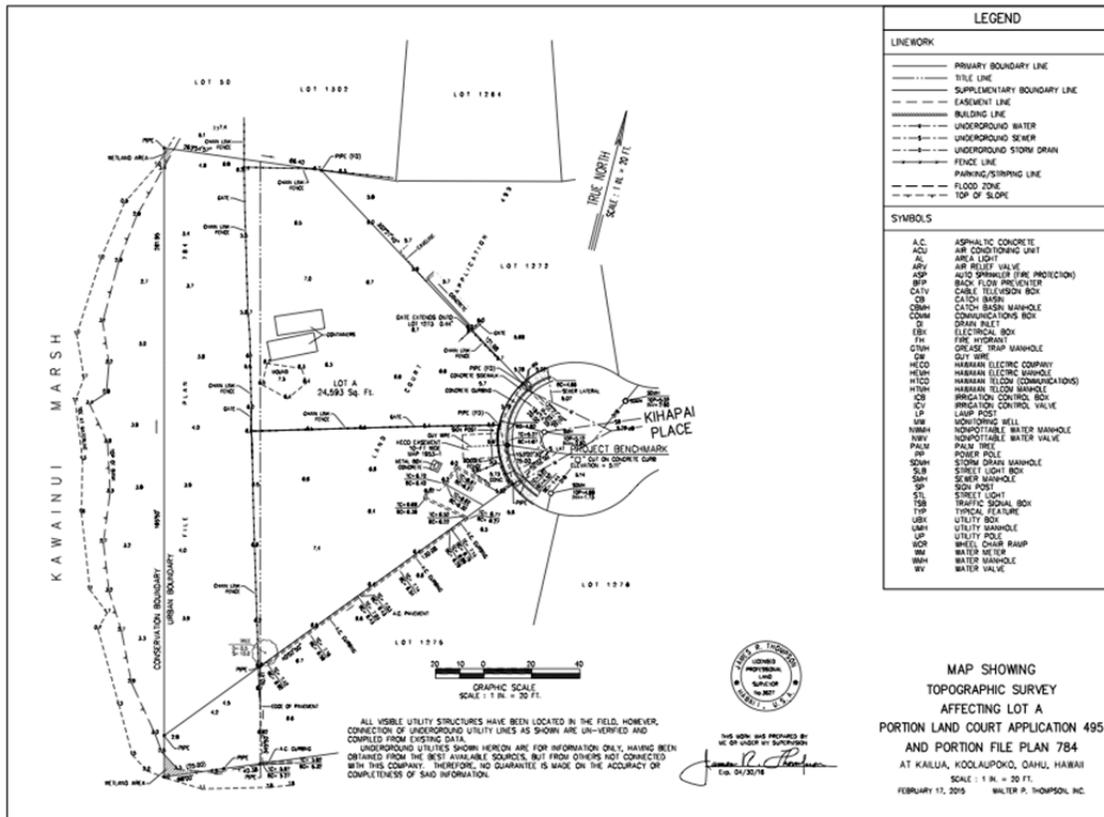


Figure 1: Metes & Bounds

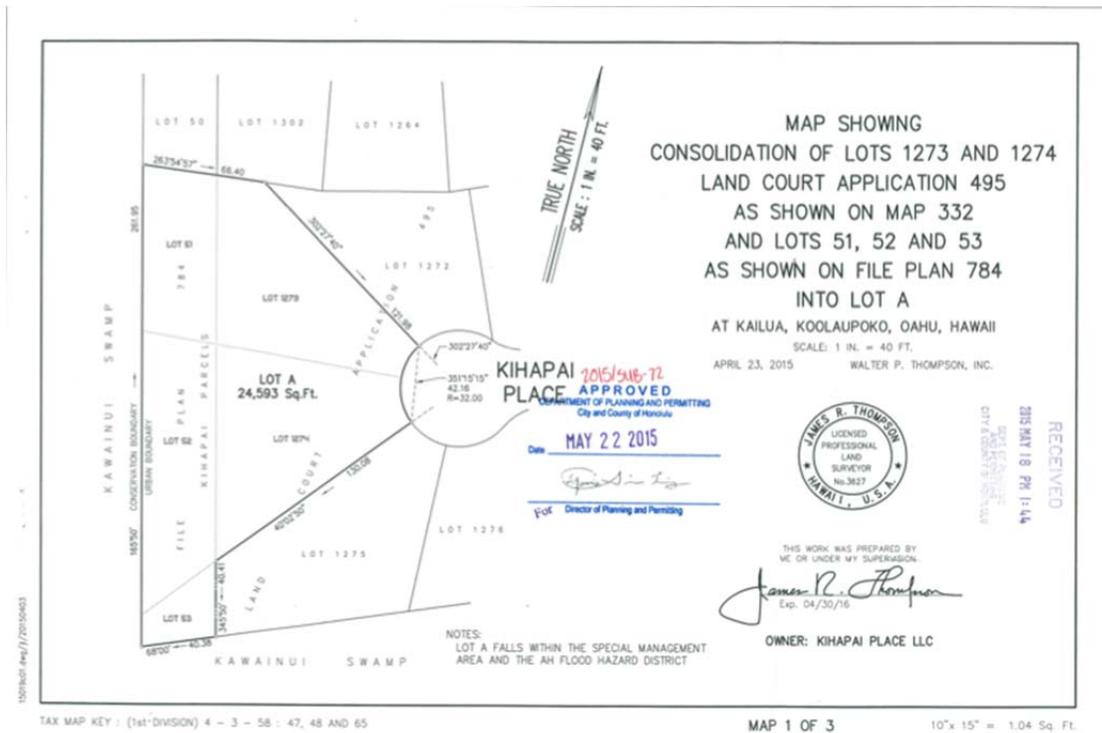


Figure 2: Consolidation Approval

E. Lot Area

The Subject Property contains a total of 24,593 square feet.

F. Identification of Consulted Parties

Members of the project team have discussed the Proposed Action with the following agencies and individuals:

- Jamie Pierson, Department of Planning and Permitting
- Dino Buchanan, U.S. Army Corps of Engineers, Honolulu District Office
- Jason Misaki, Wildlife Biologist, Department of Land and Natural Resources
- Kenneth Krebs, neighbor
- Patricia Gerum, neighbors
- Danette Tamayoshi, neighbor
- Daniel Baram, neighbor
- Michael Murphy, neighbor
- Ryan Lager, neighbor
- Hawaiiloa and Amber Durante, neighbors
- Jose, Grace, and Gracy Dizon, neighbors
- Douglas and Joni Kroll, neighbors
- Sheri-Lynn Lacount, neighbor

G. Approving Agency

This document has been prepared as part of an application for a Special Management Area (SMA) Use Permit. The Department of Planning and Permitting, City and County of Honolulu, is the approving agency for this Environmental Assessment. Approval of the Special Management Area Use Permit by the Honolulu City Council is required pursuant to Chapter 25, Revised Ordinances of Honolulu.

II. DESCRIPTION OF THE PROPOSED ACTION

A. General Description

1. Narrative of Location and Land Use Approvals

The Subject Property is located at the western end of the Kihapai Place cul-de-sac. It is an irregular shaped trapezoid extending from the approximate 42-foot wide apex that abuts the Kihapai Place cul-de-sac approximately 180 feet to the rear yard (western) boundary abutting fast land, a canal bank, and an open water canal that are a portion of Kawainui Marsh (see Figure 3).

The Subject Property is abutted on the north by tax map key parcel 4-3-058:058 (see Figure 4), which is zoned A-2 **Medium Density** Apartment and is occupied by three residential dwellings. It is abutted on the northeast by parcel 4-3-058:049, which is zoned A-2 **Medium Density** Apartment and is occupied by two residential dwellings, and on the southeast by a portion of the Kihapai Place cul-de-sac and by parcel 46, which is zoned A-2 **Medium Density** Apartment and is occupied by a two-story apartment building (see Figure 3). It is abutted on the south and west by a narrow strip of land abutting submerged land that constitutes an open water canal (also known as Kawainui Stream) that is a portion of Kaiwainui Marsh (**zoned P-1 Restrictive Preservation District and classified as State Conservation District**). Together, the narrow strip of land and the canal are identified as a portion of tax map key parcel 4-2-016:013 (see Figure 5).



Figure 3: Aerial View of Subject Property (not to scale)

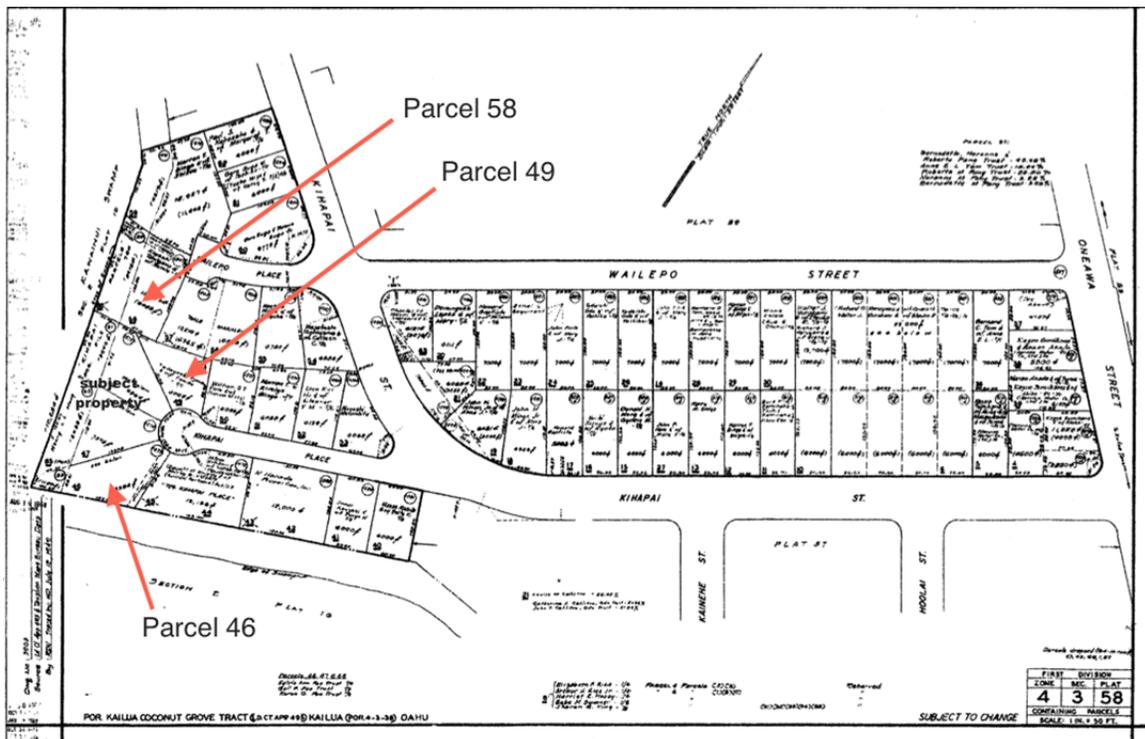


Figure 4: TMK Zone 4, Section 3, Plat 058

Source: US Fish & Wildlife Service National Wetlands Inventory

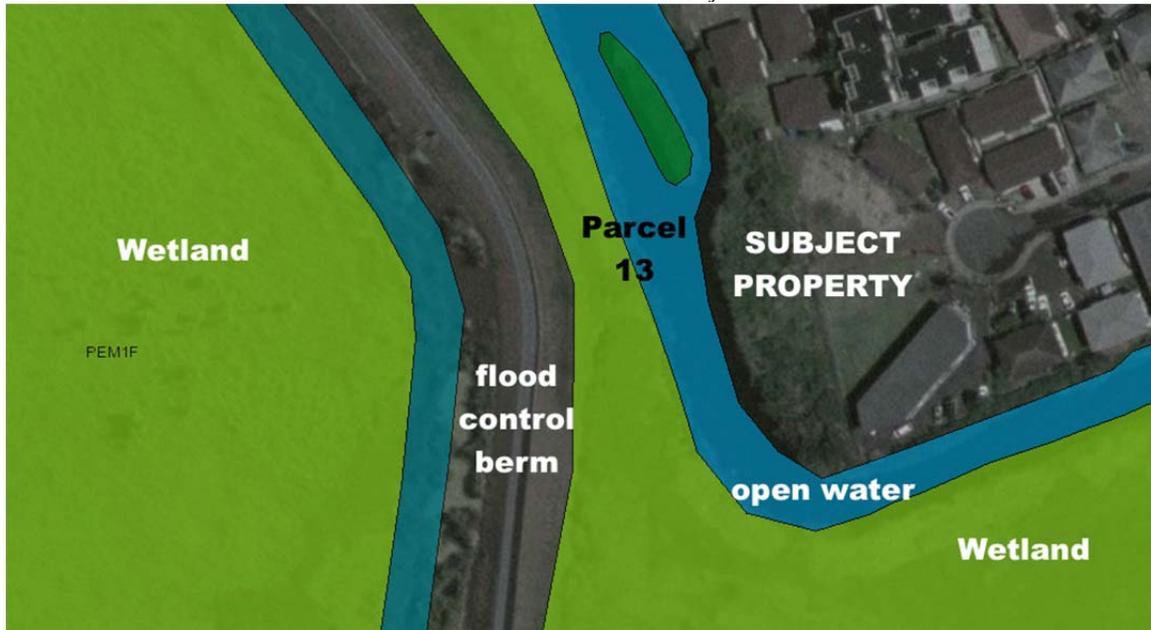


Figure 5: Open Space West of Subject Property

2. Relationship of the Parcel to the SMA

The Subject Property is located in the Special Management Area. See Figure 6.

3. Location Map

See Figure 6.

4. Land Use Approvals Granted or Required

The Subject Property is classified as Urban District by the State Land Use Commission and is zoned A-2 (Medium Density Apartment) by the City and County of Honolulu (see Figure 7). The Proposed Action will require a Special Management Area Use Permit and various administrative approvals including trenching and building permits.

B. Technical Characteristics

1. Use

The Proposed Action is the development of the Subject Property with a four-story apartment building, containing 42 one-bedroom apartment units, and appurtenant uses such as an at-grade paved parking lot, landscaping, and a rear yard grade retention wall topped by a fence (see Figures 8 and 9).

Source: City & County of Honolulu, HOLIS

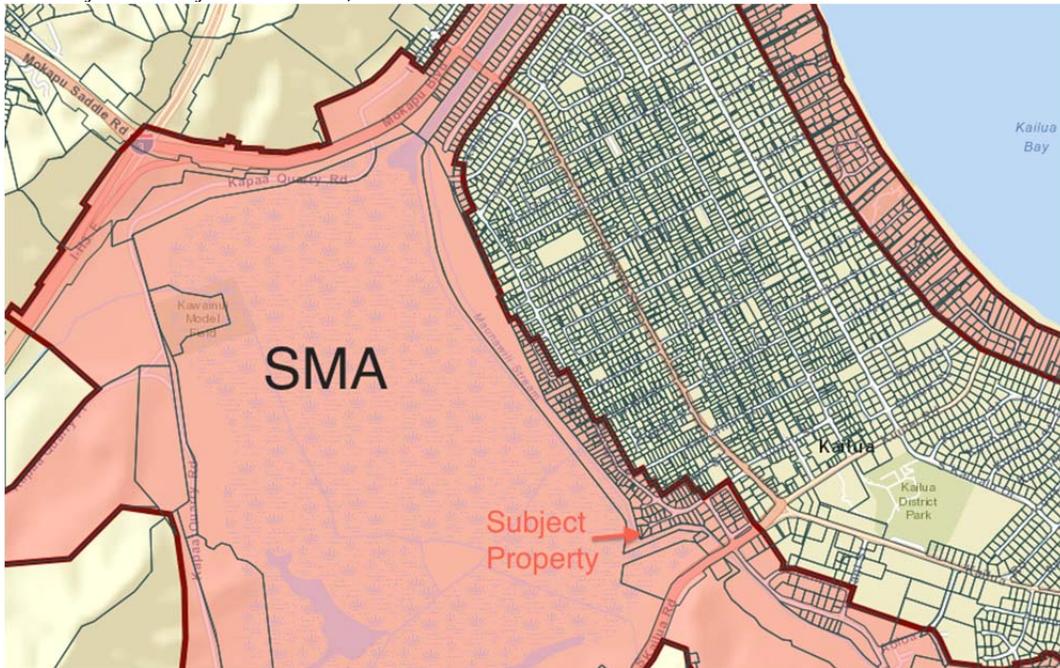


Figure 6: Special Management Area

Source: City & County of Honolulu, HOLIS

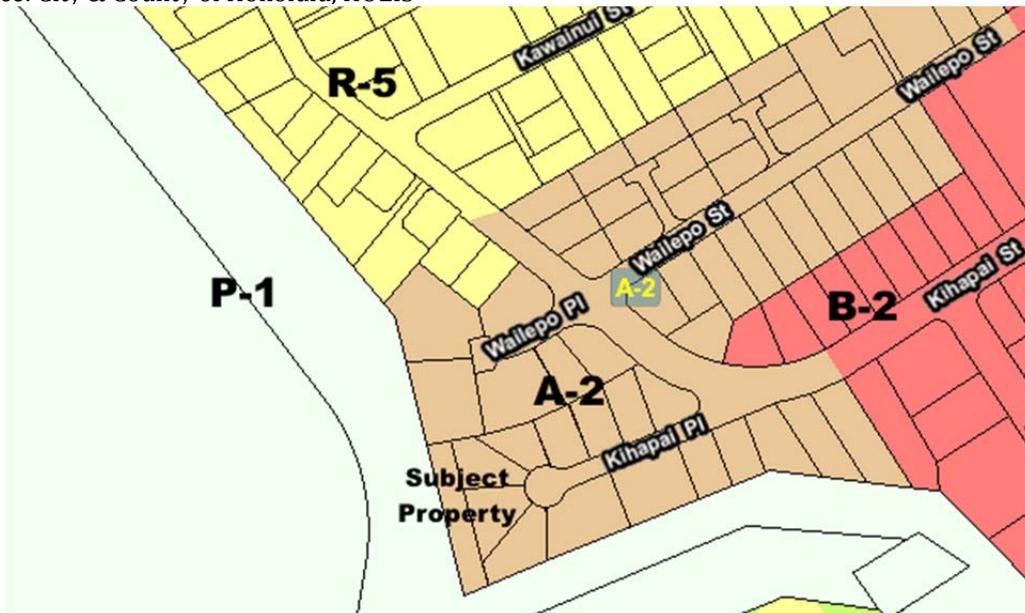


Figure 7 (Revised): Zoning Classification of Subject Property

The proposed apartment units will be available for rent at prevailing market rates. The building will have 14 units per floor and the total floor area of the proposed project will be approximately 24,000 square feet (see Figure 10).

The proposed apartment building will be 43 feet, six inches in height, which includes a 3-foot 6-inch parapet provided as a safety feature, as permitted by the A-2 ***Medium Density*** zoning district. The first habitable floor will be elevated approximately 14 feet above ground level (see Figure 11). ***(It was determined during Due Diligence that redevelopment of the property at a lower building height would not be financially feasible.)*** Apartments will be located on the second, third, and fourth floors.



Figure 8: Kihapai Place Apartments (Northeast Perspective)



SOUTHWEST PERSPECTIVE

KIHAPAI



Figure 9: Southwest Roof Perspective (showing portion of rear yard)

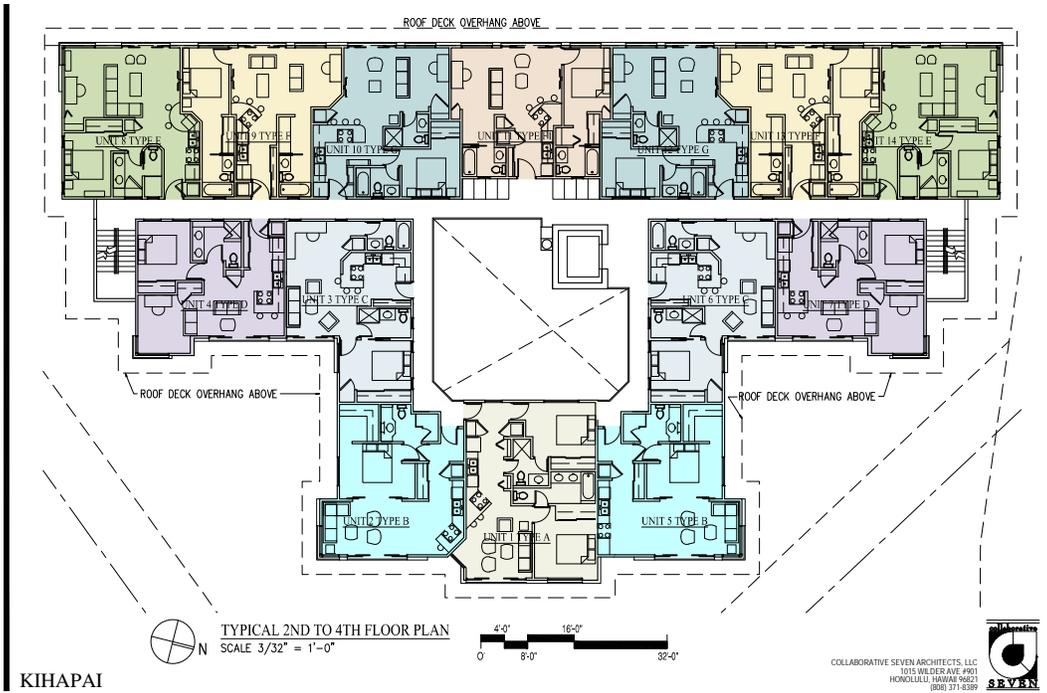


Figure 10: Typical Floor Plan



Figure 11: Building Elevation

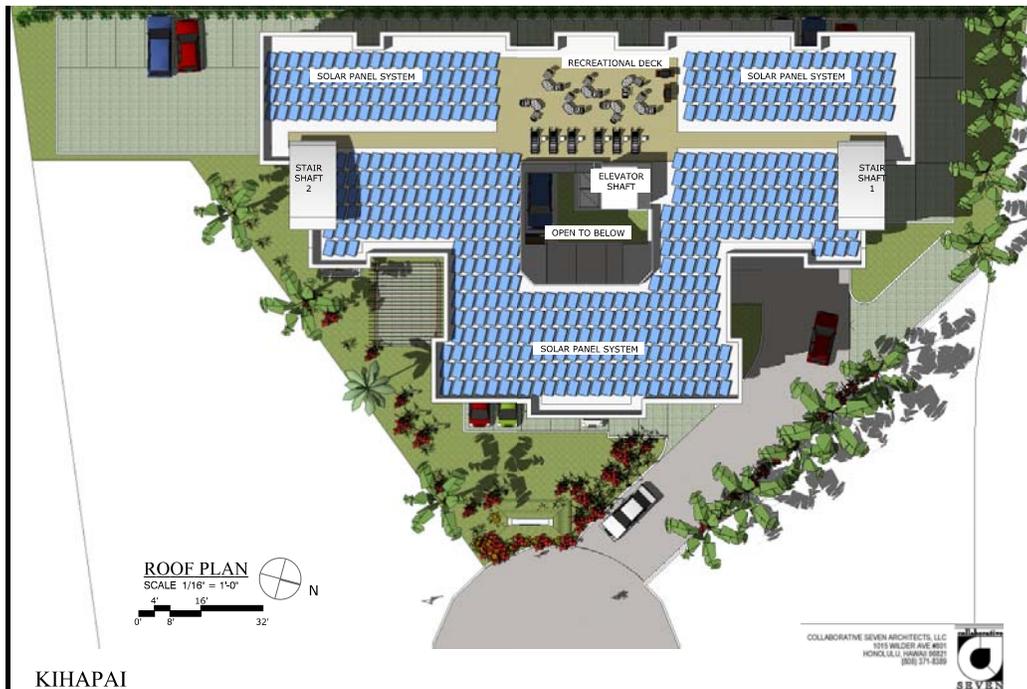


Figure 12: Roof Plan

The roof of the building will include the elevator mechanics; a small uncovered seating area available to building residents and guests for entertainment purposes, and solar water heating and photovoltaic panels (see Figure 12).

The Proposed Action includes 58 on-site parking stalls, including 5 guest-parking stalls, and 2 handicap stalls. The parking lot will be constructed at ground level consisting of paved and grass-crete parking stalls. The ground floor area will be used for parking, access, refuse disposal and loading with landscaping along portions of the property edge (see Figures 13 and 14).

The building and its appurtenant facilities will be built in accordance with the Land Use Ordinance and Uniform Building Code.

A grade adjustment wall will be constructed along the rear (western) property boundary and a portion of the north and south property boundaries (see Figure 15). This wall will redirect runoff away from the marsh. It will be constructed of concrete masonry units (CMU) and topped with a fence to screen headlight glare from the parking lot into the abutting marshland.

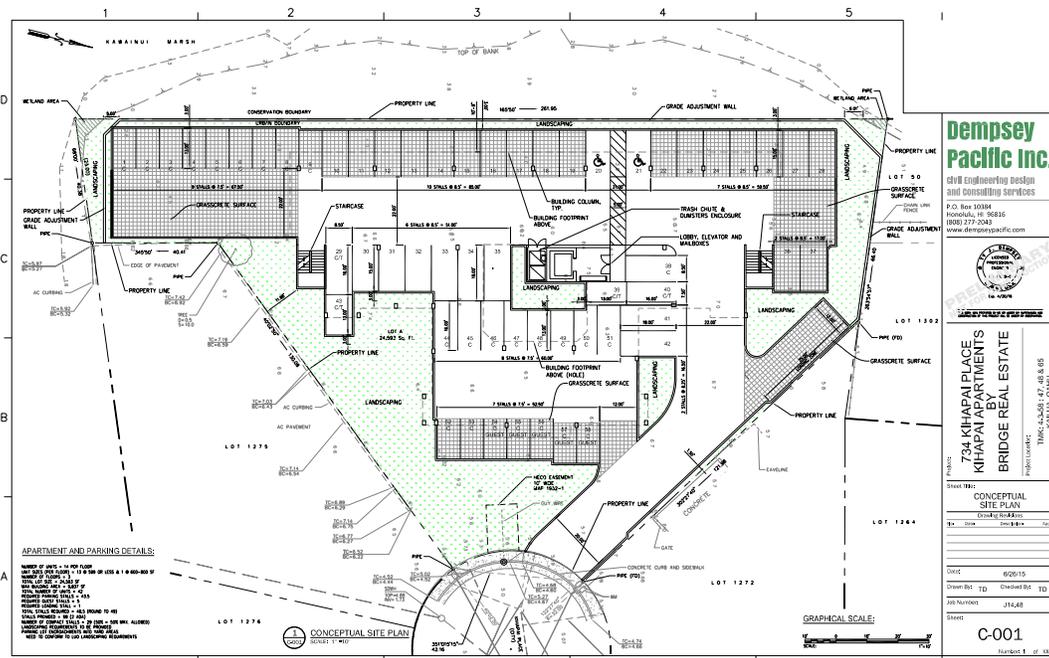


Figure 13: Parking Plan

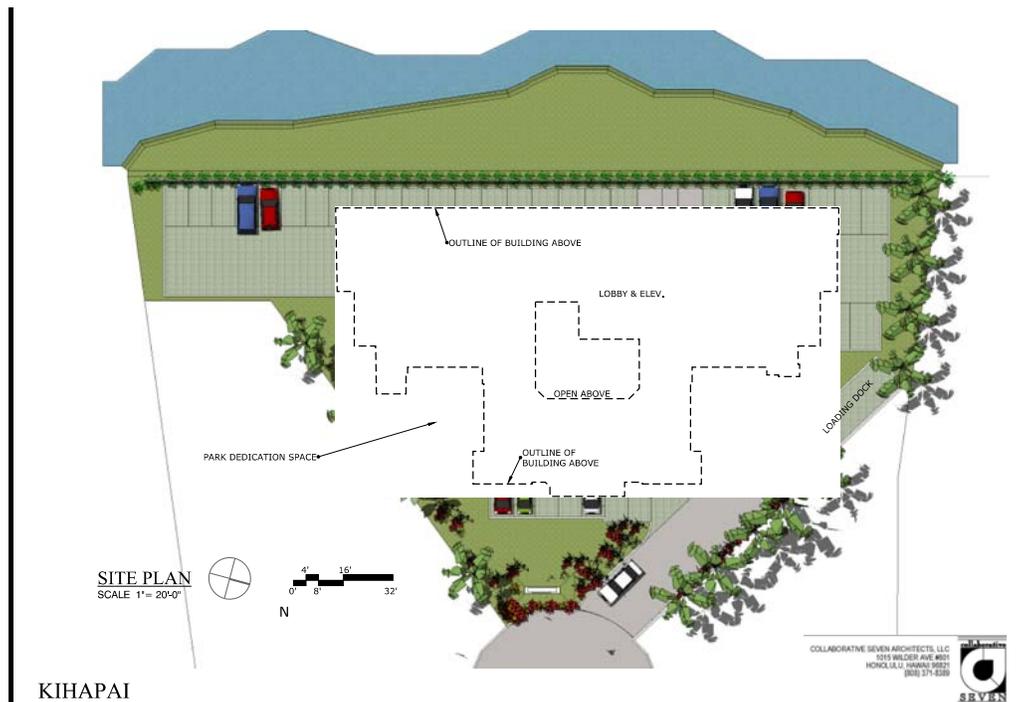


Figure 14: Landscape Plan



Figure 15: Rear Yard Detail

2. Physical Characteristics

The Subject Property is presently vacant, except for two shipping containers temporarily stored on the property, a two temporary parking stalls and a mailbox utilized by the apartment building on Parcel 46 which will be removed prior to construction. A portion of the Subject Property (former Parcel 47) was previously occupied by a two-story, nine-unit apartment building that was constructed in 1959 and demolished in 2005. A chain link fence bisects the property and surrounds a portion of it as shown in Photo 1. Please note that the fence is not aligned to the rear yard property boundary (see Figure 3 above). Please note that the two-story apartment building discussed in Section II.A.1 above is visible on the left side of Photo 1.



Photo 1: Subject Property (looking west)

3. Construction

The general construction sequence of the Proposed Action will be as follows:

Construction activities on the Subject Property will begin with the installation of erosion control measures: silt fencing, dust screens, and stabilization of the construction entrance from Kihapai Place.

After the existing fences and an existing container are removed from the property, the lot will be cleared of vegetation. A grade adjustment wall (retaining wall) will then be constructed around the rear portions of the property to prevent any runoff into the marsh and wetland areas. Once the wall has been completed, mass grading of the site will commence which will result in reshaping the surface of the property to redirect runoff sheet flow toward Kihapai Place and away from the marsh and wetland areas. **No soil will be removed from the property. It is estimated that less than 300 cubic yards of soil will be brought into the property to level the slope in the back of the property up to the grade adjustment wall. Existing soil will be redistributed from the front of the property (and from small areas excavated for utilities and building footings) to minimize the amount of imported soil needed. The imported soil will be clean material obtained from a local soil source.**

Underground utilities will also be installed at this time. As the mass grading will constitute less than one acre in area, no National Pollution Discharge Elimination System (NPDES) permit is required.

Graded areas will then be stabilized with landscaping materials to minimize fugitive dust and soil erosion during subsequent construction activities. Landscape materials will include exotic grasses and eventually shrubs. **Native plants will be incorporated into the landscaping to reduce irrigation demand wherever practicable.**

Construction of the apartment building and parking lot will commence once all the preceding activities have been completed. Portions of the parking lot will be constructed of grass-crete to increase percolation and help reduce the volume of storm water runoff.

4. Utility Requirements (water, electricity, gas)

The Subject Property is presently serviced by an existing 1-inch water meter (Meter Number 01402932). The Board of Water Supply meter box is located in the sidewalk area fronting the Kihapai Place cul-de-sac abutting the eastern edge of the parcels. **The anticipated average water demand for the project is 10,500 gallons per day. This will require the installation of a 2-inch water meter.**

The Subject Property is presently served by an existing 12KV overhead electrical transmission line.

Kihapai Place is presently served by a one-inch gas main owned by Hawaii Gas Company line with a ¾-inch lateral serving the property.

5. Wastewater

The Subject Property is presently serviced by a 9-inch vitrified clay sewer main that constitutes a portion of the City and County of Honolulu sanitary sewer system. By a letter dated 4-9-2014 (Application No. 2014/SCA-0268), the DPP has indicated that municipal sewers are available and did not raise any objections to the Applicant connecting the proposed apartment building to the municipal system.

6. Solid Waste

Solid waste generated by the Proposed Action will be collected by the City Department of Public Works, Refuse Division. The service was previously provided to the properties before the previous residential structure was demolished. A storage area for roll-on roll-off (ro-ro) trash containers will be located adjacent to the elevators on the ground floor of the proposed Apartment Building. The schedule for trash pick up has not yet been determined.

7. Access

Pedestrian access to the Subject Property is provided by an existing sidewalk that abuts both sides of Kihapai Place and extends around the cul-de-sac (see Photo 2).

Vehicular access to the Subject Property is provided by Kihapai Place, which intersects with Oneawa Street. Bicycles utilize Oneawa Street and Kihapai Place to access the Subject Property.

8. Other Pertinent Information

None.

C. Economic and Social Characteristics

1. Cost and Phasing

The cost of constructing the Proposed Action is estimated to be approximately \$8 million. The Proposed Action will be privately funded. No government funds will be sought or utilized.



Photo 2: View of Kihapai Place Cul-De-Sac (looking east)

Groundbreaking is presently targeted for June 2016. Construction is presently targeted for completion by June 2017.

2. Social Characteristics

The Subject Property is located in the town of Kailua in the Koolaupoko District of O`ahu, a few blocks east of the town's central business district. The Subject Property is located at the southern end of a residential district known as Coconut Grove. Coconut Grove is generally located on the western edge of Kailua's principal residential district and abuts the eastern edge of Kawainui Marsh.

The 57 properties abutting Kihapai Place (including the Subject Property), Wailepo Place and the western end of Wailepo Street are all zoned A-2 ***Medium Density*** Apartment. Nine of these properties are developed with apartment buildings and the remainder with single-family homes and duplexes.

According to the Kailua Chamber of Commerce, the current population of Kailua is just over 51,000. Approximately 52 percent of Kailua's population has occupied the same home for five or more years.

D. Environmental Characteristics

1. Soils

The majority of the Subject Property's soil (99.9975%) consists of Jaucus sand (JaC), characterized by a slope of 0 to 15 percent, with a depth to the water table of more than 80 inches. This class of soil is considered to be excessively drained.

A topographic survey of the Subject Property conducted in February 2015 reveals that two small areas representing the northwestern and southwestern corners of the Subject Property appear to be wetland. The northwestern corner wetland area (hereinafter, Wetland Area A) contains approximately 16 square feet. The southwestern corner wetland area (hereinafter, Wetland Area B) contains approximately 45 square feet (see Figure 16.)

The two wetland areas abut a canal that constitutes the east edge of Kawainui Marsh. Please refer to Figure 3 above for an aerial view of the Subject Property and its relationship to the canal/channel.

The canal abuts the east side of a flood control levee that was constructed by the U.S. Army Corps of Engineers in the 1990s. The U.S. Fish & Wildlife Service classifies the canal with code "R2UBHx"¹, which is defined by the USFWS as:

- (R) Riverine
- (2) Lower Perennial
- (UB) Unconsolidated Bottom
- (H) Permanently Flooded
- (x) Excavated

The two water areas, which together constitute 0.0025% of the Subject Property, are designated as W by the U.S. Department of Agriculture-National Resource Conservation Service.

¹ <http://www.fws.gov/wetlands/Documents/Wetlands-and-Deepwater-Habitats-Classification-chart.pdf>

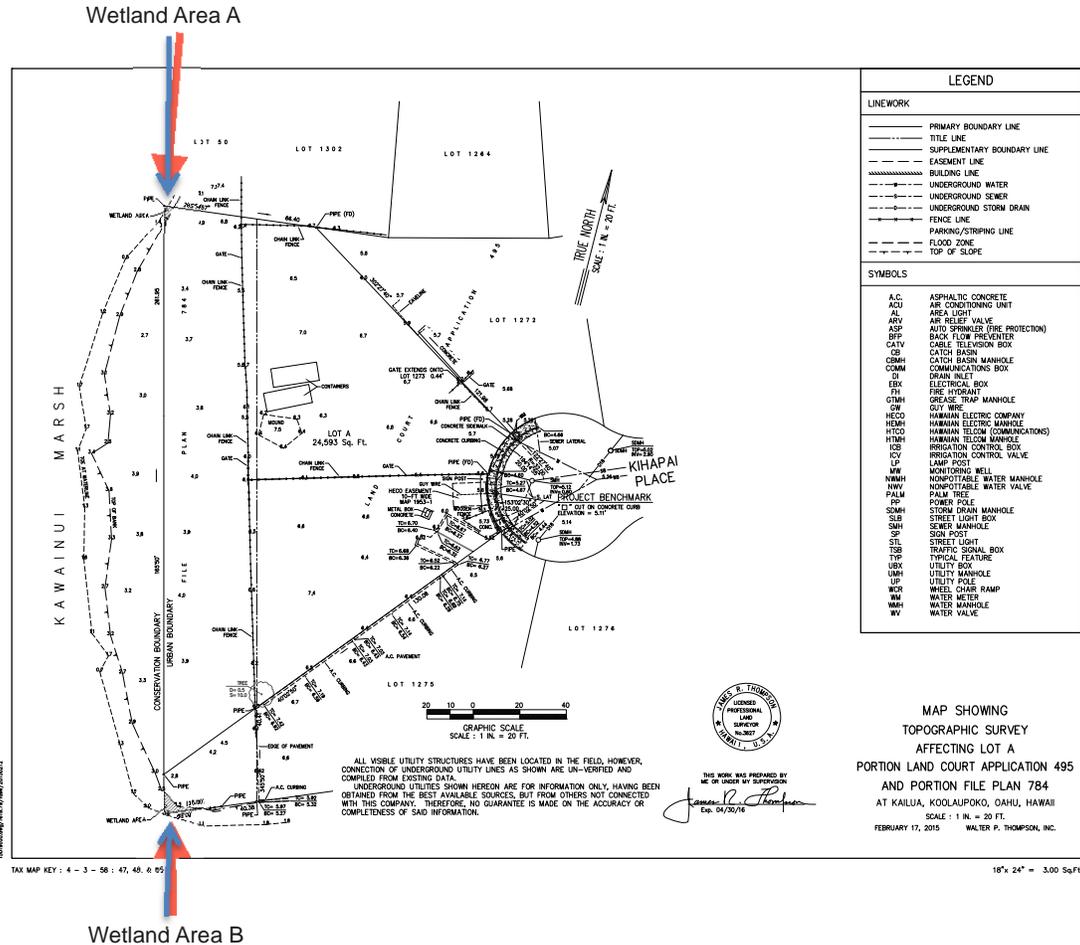


Figure 16: Wetland Areas on Subject Property

2. Topography/Relationship to Geographic Features

With the exception of a small 1.3-foot high mound in the north central portion of the property, the majority of the Subject Property is relatively flat with an elevation ranging from 5.5 feet above sea mean sea level 7.4 feet above mean sea level. The rear (western) portion of the Subject Property includes land sloping toward the canal/channel, its elevation ranges from 6.6 feet to about 3.4 feet at points on its western boundary.

3. Surface Runoff, Drainage, and Erosion Hazard

Much of the Subject Property appears to drain naturally toward the Kihapai Place cul-de-sac, with the rear portion draining toward the marsh. Kihapai Place has a catch basin and underground storm drains that transport roadway runoff into the marsh area west of the Subject Property. **Kawaiui**

Stream is the receiving water body for the runoff. See Appendix A for a more detailed discussion of surface runoff and drainage.

Due to the character of the existing soil, the hazard potential for erosion is considered to be slight.

4. Hazards

a. FIRM

The Subject Property is designated as Flood Zone AH (base flood elevation 6 feet) by the Federal Emergency Management Agency (see Figure 17.) Zone AH is the flood insurance rate zone that corresponds to the areas of 100-year shallow flooding (usually areas of ponding) where average depths are between 1 and 3 feet.

b. LUO Hazard District

Portions of the Subject Property as described previously are situated in the Flood Fringe District and are subject to the provisions of Section 21-9.10-6, Revised Ordinances of Honolulu.

c. Other Geographical Hazards

The Subject Property is not situated in any other known geographic hazard areas.

5. Other Information Pertinent to the SMA

None.



Note: The narrow light green strip on the above map corresponds to the location of the Flood Control Levee.

Figure 17: Flood Insurance Rate Map

III. DESCRIPTION OF AFFECTED ENVIRONMENT

A. Relationship to Surrounding Area

1. Surrounding Land Uses

As described above, the Subject Property is generally bounded on the north and east by an existing residential community known to realtors as Coconut Grove, generally located along the western side of Oneawa Street in Kailua, O`ahu. On the west and south, the Subject Property abuts Kawainui Marsh, designated as a Ramsar Wetland of International Importance in 2005 for its historical, biological, and cultural importance². As noted above, the portion of the marsh abutting the Subject Property is identified as Tax Map Key 4-2-016:013, a 37-acre narrow sliver of land and submerged land corresponding to that portion of the marsh situated on the east side of the flood-control levee constructed by the U.S. Army Corps of Engineers to protect Kailua Town from flooding. The 37-acre strip includes a dredged canal or channel (also identified as Kawainui Stream) situated west of the property boundary

² Wetland Restoration and Habitat Enhancement Plan, Kawainui Marsh, Kailua, O`ahu, Helber Hastert & Fee, March 2011, page 1-1.

of former TMK Parcel 65. The top of the bank abutting the canal/channel extends from the southwestern corner of the Subject Property in a gentle curve around the rear of the Subject Property to its northwestern corner, as depicted in Figure 3. At its furthest distance, the top of the canal/channel bank is approximately 22 feet west of the Subject Property's western property boundary. At its closest points on the northwest and southwest, the top of the canal/channel bank intersects the Subject Property.

2. Land Use Controls (GP, DP, Zoning, Unique Features)

The Subject Property is situated in the Urban Fringe area of Kailua Town in Windward O`ahu, as identified in the General Plan Development Pattern (O`ahu General Plan, page 9) and is classified as Urban District by the State Land Use Commission.

It is designated as a portion of the Medium Density Residential District abutting Kaiwainui Marsh in Map A-2, Section 3 of the Koolaupoko Sustainable Communities Plan. The Subject Property is not part of the Kailua Regional Town Center. The Proposed Action is consistent with Section 3.6.1(1) of the Plan, which calls for infill development of remaining vacant lands in areas that are already urbanized.

As noted above, the Subject Property is part of a 57-lot area zoned A-2 ***Medium Density*** Apartment that includes all the lots surrounding Kihapai Place, Wailepo Place, and most of the lots abutting Wailepo Street (see Figure 7).

B. Relationship to Sensitive Areas

1. Publically Owned or Used Beaches, Parks, Recreation Areas

The Subject Property is approximately 5,100 linear feet south-southwest of Kailua Bay. It is approximately 3,200 feet west of Kailua District Park. As discussed above, the Subject Property abuts the eastern boundary of Kawainui Marsh.

2. Rare, Threatened, Endangered Species and Habitats

There are no known rare, threatened or endangered species or habitats on the Subject Property. However, the Subject Property abuts Kawainui Marsh, which is identified by the U.S. Fish & Wildlife Service as a "primary habitat" for the recovery of four endangered species of native Hawaiian water birds. The marsh also provides habitat for various migratory water birds, wintering shore birds, and a variety of resident and introduced bird species. The endangered water birds include the Hawaiian stilt (*Himantopus mexicanus*

knudseni), Hawaiian coot (*Fulica alai*), Hawaiian moorhen (*Gallinule chloropus sandvicensis*), and Hawaiian duck (*Anas wyvilliana*).

3. Wildlife Preserves

There are no wildlife preserves or nature reserves on the Subject Property. The adjacent Kawainui Marsh is identified as a Nature Reserve on the USGS topographic map for the region. Wetland Areas A and B constitute portions of the privately owned Subject Property and are not portions of TMK Parcel 13 or Kawainui Marsh.

4. Wetlands, Lagoons, Tidal Lands, and Submerged Lands

Wetland Area A includes a small area of tidal land, as it generally includes land extending from the top of the bank to the toe of the bank abutting the adjacent canal/channel, and may include a few square feet of submerged land at high tide. Wetland Area B constitutes land extending from the top of the bank to the toe of the bank abutting the canal/channel but appears to include no submerged land. The adjacent Kawainui Marsh is a designated wetland and also contains submerged lands.

5. Fisheries and Fishing Grounds

There are no fisheries or fishing grounds on the Subject Property.

6. Other Coastal/Natural Resources

Groundwater beneath the Subject Property represents a portion of the basal-water aquifer that underlies the coastal area of windward O`ahu. Due to the Subject Property's location on the coastal plain and its proximity to Kawainui Marsh, groundwater at the property is brackish, and does not constitute a source of potable water.

C. Historic, Archaeological, Cultural Resources

Partial human remains have been identified on the Subject Property. There are no **other** known historic, archaeological or cultural resources associated with the Subject Property. It has been previously developed with residential uses dating back to the late 1950s.

The records of the State Historic Preservation Division (SHPD) of the Department of Land and Natural Resources indicate that Kawainui Marsh has been determined eligible for the Hawaii and National Register of Historic Places. They also indicate that numerous archaeological studies have been conducted within the marsh and surrounding fringes. These studies identified and documented the presence of numerous historic properties.

including human burials. However, it appears that no archaeological inventory survey has been previously conducted on the Subject Property. To rectify that, the Applicant, in consultation and coordination with the SHPD, authorized an archaeological inventory survey to be conducted. The study was completed on March 11, 2016. Under monitoring by SHPD and cultural observers, several trenches were excavated on-site. One trench yielded partial human remains (iwi). The iwi were reinterred in place. No other cultural resources or deposits were found. At the time of this writing, a final archaeological inventory survey report is being prepared by the project's consulting archaeologist, together with a Burial Treatment Plan which will be submitted to the O'ahu Burial Council and the SHPD for review and approval.

D. Coastal Views

As the Subject Property is located nearly a mile inland from the shoreline of Kailua Bay and separated from the bay by an entire residential community, there are no views of the bay or the coastline from the Subject Property (see Figure 6).

E. Quality of Receiving Waters and Groundwater Resources

Kawainui Marsh is identified as Class 1 Inland Receiving Waters of the State Department of Health. It is the objective of Class 1 waters to remain in their natural state as nearly as possible with an absolute minimum of pollution from any human-caused source. Please refer to Section V. Mitigations Measures for a discussion of how the impacts of site development and long-term operation will be mitigated to preserve and protect Kawainui Marsh.

F. Location/Site Maps

See Figures 5, 6 and 7.

IV. PROJECT IMPACTS

A. Relationship to CZM Objectives

Following is a discussion of the project's relationship to the objectives of Chapter 205A-26, Hawaii Revised Statutes:

Objective 1A: Provide coastal recreation opportunities accessible to the public.

Discussion: Not applicable. As discussed in Section B.1 above, the Proposed Action will occur well inland of the shoreline and will not impact pedestrian accessibility to coastal-oriented recreational opportunities.

The Flood Control Levee constructed by the U.S. Army Corps of Engineers along the western edge of TMK Parcel 13 (approximately 160 feet west of the Subject Property at its closest point) includes a pedestrian path along the western side of the levee wall, which Kailua and Kaneohe residents use for walking, jogging, bicycling and dog walking. Implementation of the Proposed Action will not impact activities on the levee's pedestrian path. Photo 3 presents a view of the levee wall, the pedestrian path, and the Subject Property in the distance. The Subject Property is not visible from the levee at its closest point because the view is blocked by vegetation. However, it is visible from the levee at a distance of several hundred feet.

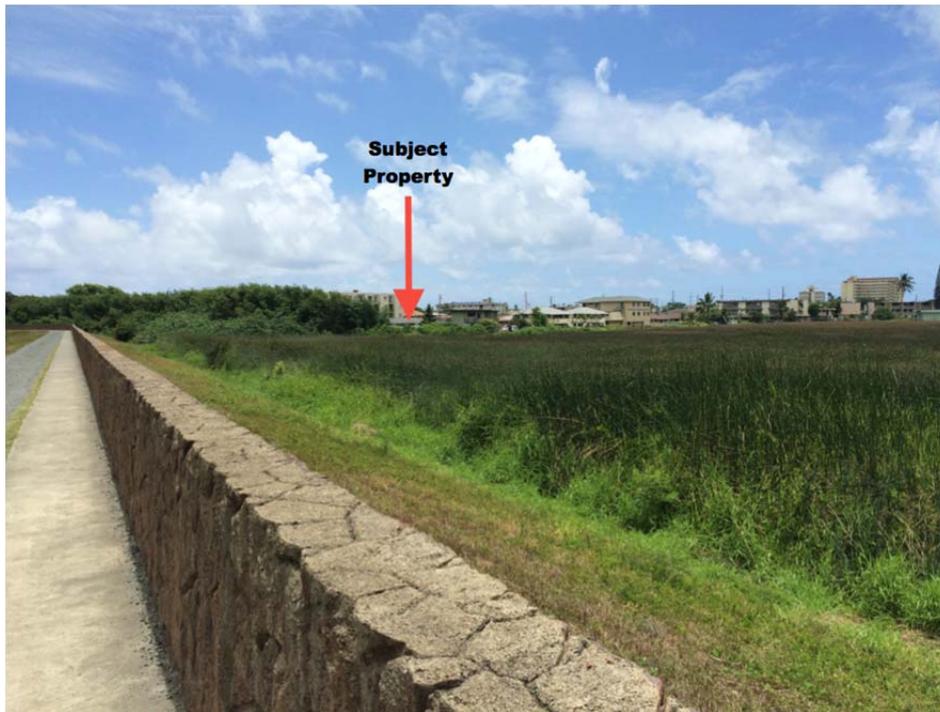


Photo 3: View of Subject Property from Levee (distance about 400 feet)

Objective 2A: Protect, preserve, and where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

Discussion: **As discussed above, partial human remains were discovered on the Subject Property during an archaeological inventory survey conducted from January to March 2016.** There are no ***other*** known manmade historic, prehistoric, or cultural resources identified on the Subject Property.

Wetland Areas A and B will be protected during construction of the Proposed Action and will be preserved during and after construction. The provision of silt fencing and dust screens discussed in Section B.3 above will aid in protecting the two small wetland areas on the Subject Property, as well as the portion of Kawainui Marsh

abutting the Subject Property, during construction. The construction of the grade adjustment wall (retaining wall) along the western boundary of the Subject Property will result in the redirection of surface flow and runoff away from the two Wetland Areas on-site and the abutting Kawainui Marsh.

Based upon the drainage calculations presented in Appendix A, the generated runoff from the proposed development will reduce the amount of surface runoff flowing directly into the Marsh from 0.64 cubic feet per second (cfs) to 0.01 cfs during the 10-year storm by improving the site drainage to direct runoff into the new landscaped areas and Low Impact Development (LID) Best Management Practice (BMP) areas before connecting to the City's storm drain system in Kihapai Place. The net runoff entering the Marsh from the site (through combination of the direct runoff and the City's storm drain system) will be reduced from 1.86 cfs to 1.75 cfs during the 10-year storm event with the proposed LID drainage improvements. The LID drainage provisions will help storm water bio-filtration and retention for water quality treatment before discharge into the City's storm drain system. A Drainage Connection License will be obtained from the City during the building permit phase when the detailed drainage construction plans are prepared.

Objective 3A: Protect, preserve, and, where desirable, restore or improve the quality of coastal scenic and open space resources.

Discussion: The Proposed Action will have no significant impact upon Kawainui Marsh as an open space resource. The Proposed Action will be constructed entirely on privately owned property that is part of an existing residential neighborhood, in a manner that is consistent with underlying land use controls. Dense vegetation grows between the aforementioned levee and the Subject Property (see Photo 1).

Objective 4A: Protect valuable coastal ecosystems, including reefs, from disruption and minimize adverse impacts on all coastal ecosystems.

Discussion: Not applicable. The Subject Property is located approximately 5,100 feet inland from the coastline of Kailua Bay.

Objective 5A: Provide public or private facilities and improvements important to the State's economy in suitable locations.

Discussion: The provision of affordable rental housing as important not only to the State's economy, but to the social well being of State residents. As the Subject Property is already zoned to accommodate a modest sized apartment building, the location is suitable for the Proposed Action.

Objective 6A: Reduce hazard to life and property from tsunami, storm waves, stream flooding, erosion, subsidence, and pollution.

Discussion: The Subject Property is not situated in an area susceptible to tsunami or storm wave inundation. The aforementioned Flood Control Levee constructed by the U.S. Army Corps of Engineers, approximately 160 feet west of the Subject Property at its closest point was specifically designed to control regional flooding from Kawainui Marsh. The Subject Property enjoys the benefits derived from the presence of the levee and the Proposed Action will have no identifiable impacts upon it. The Subject Property is not susceptible to erosion or subsidence. The Proposed Action is not considered to constitute a significant source of pollution.

Objective 7: Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

Discussion: This requirement is largely a function of governmental authority. The Proposed Action will have no impact upon the development review process or the management of coastal resources.

Objective 8: Stimulate public awareness, education, and participation in coastal management.

Discussion: As the Proposed Action is located well inland of the shoreline in an urban setting, it is well removed from matters pertaining to coastal management.

Objective 9: Protect beaches for public use and recreation.

Discussion: There are no beaches in the vicinity of the Subject Property. The nearest shoreline is situated approximately 5,100 feet east of the Subject Property.

Objective 10: Promote the protection, use, and development of marine and coastal resources to assure their sustainability.

Discussion: Not Applicable.

B. Relationship to the SMA Guidelines (Section 25-3.2, Revised Ordinances of Honolulu):

(a) All development in the special management area shall be subject to reasonable terms and conditions set by the council to ensure that:

(1) Adequate access, by dedication or other means, to publicly owned or used beaches, recreation areas and natural reserves is provided to the extent consistent with sound conservation principles;

Discussion: The Proposed Action is located approximately 5,100 feet west of Kailua Bay. It will have no impact upon access to recreational areas and activities associated with the bay or its beaches. As the Subject Property is separated from the Flood Control Levee and its pedestrian pathway by an

open water canal/channel, development of the Proposed Action will have no impact upon access to the levee's pedestrian pathway.

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

Discussion: The Proposed Action will have no impact upon existing recreational activities associated with Kawainui Marsh or Kailua Bay. It is located nearly a mile inland from the bay and is separated from the greater portion of Kawainui Marsh by an open water canal/channel and a Flood Control Levee. **A strip of undisturbed natural vegetation will be preserved between the proposed development and the edge of Kawainui Stream to provide a natural barrier between the project and the stream.** All exterior lighting on the proposed apartment building will be shielded in an effort to reduce effects on nocturnal avifauna that may be sensitive to light. A proposed grade retention wall along the western edge of the proposed at-grade parking lot will be topped with a fence that will shield the glare from automobile headlights that might otherwise illuminate the eastern portion of the marsh between the levee and the Subject Property. **This wall/fence will also help to inhibit pedestrian activity near the stream.**

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

Discussion: As the Subject Property is served by the City and County of Honolulu's sanitary sewer system, wastewater generated by the future residents of the Proposed Action will not have an adverse effect on SMA's resources. Similarly, solid waste generated by the future residents of the proposed apartment building will be periodically collected by a private collection service and transported to a county-approved refuse transfer station for processing and disposal.

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

Discussion: The Subject Property is presently vegetated with grass, which will be removed prior to the commencement of construction. The Subject Property will then be mass graded to redirect the flow of storm water runoff away from Kawainui Marsh to the existing storm water drainage system on Kihapai Place. Construction of a grade adjustment wall will ensure that drainage is directed away from the marsh and the two small Wetland Areas on site. Open space areas surrounding the proposed structure and its parking lot will be planted with native vegetation to the extent possible to

promote soil stability and minimize erosion. No adverse impact to the water resources of the marsh or the two small Wetland Areas on site is anticipated to result from implementation of the Proposed Action. These alternations to the existing landform are considered to be relatively minor in character in that they will not disturb the scenic character of the property or the surrounding area. Nor will they increase the potential for floods, landslides, erosion, siltation, or failure in the event of an earthquake. To the last point, the proposed apartment building will be constructed in compliance with the current Uniform Building Code. **As construction of the Proposed Action will not involve significant excavation, no significant adverse impacts to groundwater are anticipated.**

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

(1) The development will not have any substantial, adverse environmental or ecological effect except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health and safety, or compelling public interest. Such adverse effect shall include, but not be limited to, the potential cumulative impact of individual developments, each one of which taken in itself might not have a substantial adverse effect and the elimination of planning options;

Discussion: The Subject Property constitutes one of the very few remaining vacant properties in the Coconut Grove region of Kailua. As it is zoned for A-2 **Medium Density** Apartment, the Proposed Action is consistent with the intended use of the property as envisioned by the Land Use Ordinance. The Proposed Action will not result in a substantial adverse environmental or ecologic effect on the environment. Specific measures to mitigate the short-term effects of construction and the long-term effects of occupancy are discussed below in Section V. Best Management Practices will be employed by the contractor to ensure that any potential adverse impacts are mitigated to the extent practicable. The public benefits derived from the provision of new rental housing in the Kailua area in a location that is walkable to the central business district clearly outweighs retaining the property in its present vacant state. As the vast majority of the properties surrounding the Subject Property are zoned A-2 **Medium Density** Apartment but are mostly developed as single family residences, the construction of a new multi-story apartment building on the Subject Property will not have an adverse cumulative effect on the environment or the surrounding community: it represents the fulfillment of existing City zoning policy for the area.

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

Discussion: The Proposed Action is consistent with the objectives and policies of Sections 25 and 205A, which together are embodied in the Coastal Zone Management guidelines discussed at length in Section IV.A above.

(3) The development is consistent with the county general plan, development plans and zoning. Such a finding of consistency does not preclude concurrent processing where a development plan amendment or zone change may also be required.

Discussion: Please refer to discussion under Section 3.A.2 above.

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

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

Discussion: The Proposed Action will involve no dredging, filling, or otherwise altering any body of water. The two small Wetland Areas onsite will not be disturbed by construction, or in any way altered.

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

Discussion: Not applicable. The Proposed Action is located nearly a mile from the nearest beach. The nearest area usable for public recreation is a pedestrian walkway located atop the Flood Control Levee approximately 160 feet west of the Subject Property across an open water canal/channel, and therefore inaccessible from the Subject Property.

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

Discussion: Due to its location nearly a mile from the shoreline, the Proposed Action will in no way restrict public access to public beaches. Public access to the tidal and submerged lands that constitute Kaiwainui Marsh is generally provided by a pedestrian walkway located atop of the Flood Control Levee approximately 160 feet west of the Subject Property at its closest point. The Proposed Action will not impact access to the levee's public walkway.

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

Discussion: The Subject Property is located nearly a mile inland from the shoreline. The shoreline is not visible from the Subject Property. The Subject Property is located approximately 700 feet northwest of the Pali Highway as it enters Kailua. The highway is routed generally perpendicular to the shoreline, which is not visible from the highway at its nearest point to the Subject Property. Development of the Proposed Action will not change this existing condition.

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

Discussion: The Proposed Action will not adversely affect water quality or existing areas of open water associated with Kawainui Marsh. As discussed above, mass grading proposed to occur prior to construction will redirect existing storm water runoff away from Kawainui Marsh. The provision of grass-crete on site in portions of the parking area will increase percolation and help to further minimize localized storm water runoff. There are no existing or potential fisheries, fishing grounds, or existing or potential agricultural uses in the area. The Proposed Action will have no adverse impact upon Kawainui Marsh as it is separated from the marsh by an open water canal/channel and the Flood Control Levee.

C. Relationship to Chapter 343, HRS Significance Criteria

Hawai'i's Environmental Protection Act establishes procedures by which environmental impacts resulting from a Proposed Action are disclosed. The rules governing the implementation of Chapter 343 are found in Section 11-200-12, Hawaii Administrative Rules, which establishes thirteen (13) significance criteria that agencies use in evaluating an action's impacts. While this EA is prepared pursuant to Chapter 25, Revised Ordinances of Honolulu, the following discussion is intended to demonstrate how the Proposed Action relates to generally recognized significance criteria, which, when applied, would support a finding of no significant impact:

Pursuant to subparagraph 12, ...an action shall be determined to have a significant effect on the environment if it:

- (1) Involves an irrevocable commitment to loss or destruction of any natural or cultural resource;*

Discussion: The Subject Property was developed for Residential use in the late 1950s and has been grubbed and graded at least once and possibly twice (the second time being when the original residential structure was demolished). Because there is no evidence of historic, archaeological, or

cultural features on the property, the Proposed Action will have no measurable impact on cultural resources. If, in the unlikely event that subsurface archaeological or cultural resources are inadvertently found during mass grading, the contractor will comply with policies and procedures established pursuant to Chapter 6E, HRS, and implemented under the auspices of the SHPO and the O`ahu Burial Council. The two small Wetland Areas at the northwestern and southwestern corners of the Subject Property constitute natural resources that will be preserved and remain undisturbed during the development of the Proposed Action.

(2) Curtails the range of beneficial uses of the environment:

Discussion: The Proposed Action is consistent with the planned beneficial use of the area; the development of medium density apartments in an A-2 **Medium Density** Apartment zoning district. To that end, it will not curtail the use of the property for which it has been designated by the State Land Use Commission and the City and County of Honolulu.

(3) Conflicts with the state's long-term environmental policies or goals and guidelines as expressed in chapter 344, HRS, and any revisions thereof and amendments thereto, court decisions, or executive orders;

Discussion: The stated purpose of Chapter 344 is to establish a state policy which will encourage productive and enjoyable harmony between people and their environment, promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of humanity, and enrich the understanding of the ecological systems and natural resources important to the people of Hawai'i. The Proposed Action complies with the policies, goals and guidelines of Chapter 344. The Proposed Action represents the build-out of one of the last vacant lots in the Coconut Grove residential community. As this entire community abuts the Kawainui Marsh, development of the Subject Property will have impacts no greater than the surrounding community. As discussed throughout this environmental assessment, the design of the Proposed Action, as well as its construction methods, are intended to preserve the harmonious relationship that presently exists between the Coconut Grove residential community and the neighboring Kawainui Marsh.

(4) Substantially affects the economic or social welfare of the community or State;

Discussion: The Proposed Action will have a beneficial impact upon the economic and social welfare of Kailua, the region and the State. It will provide new residential opportunities that will directly benefit the residents of the region. It will also generate new property tax revenues for the City and County of Honolulu, while generating no significant adverse impact upon public facilities or services.

(5) Substantially affects public health;

Discussion: The Proposed Action is not anticipated to have a significant impact on public health. Infrastructure systems will be constructed to comply with applicable State, DOH, and County standards and regulations. Best Management Practices will be employed during construction to minimize short-term construction impacts.

(6) Involves substantial secondary impacts such as population changes or effects on public facilities;

Discussion: The Proposed Action will not have a significant impact on population, or upon public facilities. As the Subject Property is already zoned for medium density apartment, its development is already anticipated by the City and County of Honolulu in its population forecasts. The modest increase in population resulting from the development of the Subject Property is offset by the increased economic benefits that the Proposed Action will bring to the region in terms of new tax revenues and new housing opportunities.

(7) Involves a substantial degradation of environmental quality

Discussion: The Proposed Action will not result in a substantial degradation of environmental quality in the community or the region. The Subject Property is part of an existing suburban community that is fully served by the City and County's sanitary sewer and storm drainage systems. The proposed use of the Subject Property will be designed to minimize any physical impacts upon the neighboring Kawainui Marsh.

(8) Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions;

Discussion: The Proposed Action will not involve a commitment for larger actions by the State or the City and County of Honolulu. It will result in a beneficial cumulative effect in the form of increased tax revenues in the region. The project's environmental impacts are mostly related to short-term construction impacts that can be mitigated through the implementation of Best Management Practices. As the Subject Property represents one of the last vacant properties in the Coconut Grove community, its development will be limited to the property area. No adverse cumulative impacts are anticipated.

(9) Substantially affects a rare, threatened, or endangered species, or its habitat;

Discussion: No rare, threatened, or endangered plants or terrestrials animals or birds have been identified on the Subject Property. As the Subject

Property is separated from the vast area of Kawainui Marsh by an open water canal/channel, development of the property will have no physical impacts on the marsh. As discussed elsewhere in this EA, development of the Proposed Action will have no impact upon the water quality of the open water canal/channel. **Because the Subject Property is separated from Kawainui Marsh by an open water canal (Kawainui Stream), which is boarded by a strip of dense vegetation, construction and/or operation of the project is not anticipated to result in significant adverse impacts to rare, threatened or endangered avian species that frequent the marsh. As discussed above, to minimize the potential impacts of exterior lighting on night-flying avian species, all exterior lighting will be shielded, including a light-shielding fence atop the grade retention wall to project the marsh area from the headlights of vehicles entering or leaving the property during night time hours.**

(10) Detrimentially affects air or water quality or ambient noise levels;

Discussion: The Proposed Action will have no significant adverse impact upon water or air quality. Short-term construction impacts can be mitigated through the implementation of Best Management Practices

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

Discussion: While it is located in a Flood Zone, the Proposed Action will be implemented in a manner that conforms to prevailing flood control regulations and requirements. The first habitable floor of the proposed apartment building will be constructed 14 feet above grade. No adverse impacts are anticipated on the adjacent Kawainui Marsh due to the architectural design of the proposed structure, the proposed parking and landscape plans, and the Best Management Practices to be employed during construction.

(12) Substantially affects scenic vistas and viewplanes identified in county or state plans or studies,

Discussion: The Proposed Action will not affect scenic vistas and viewplanes between the mountains and the ocean. There are no identified view corridors in the vicinity of the Subject Property.

(13) Requires substantial energy consumption.

Discussion: Although energy consumption will be increased as the result of the Proposed Action, the increase is expected to be modest in scale and will

be offset by energy saving strategies discussed below and the provision of photovoltaic solar panels on the building roof.

V. **MITIGATION MEASURES**

The Proposed Action is located within close proximity to public transportation and shopping to encourage pedestrian activity and reduce reliance upon automobiles. Bicycle storage and bicycle sharing may be provided on site.

The Proposed Action will conserve natural areas, soils, and vegetation. It will preserve and protect the adjacent wetland (including Wetland Areas A and B on the Subject Property), slopes to the wetland, and sensitive environmental areas. The Proposed Action will avoid disturbing vegetation and soil on the slope between the Subject Property and the marsh/wetland. An undisturbed buffer approximately 5 feet in width will be provided between limits of construction work and the marsh/wetland, including the slope area and Wetland Areas A and B. **The project's consulting biologist confirms that this will be sufficient to discourage pedestrian birds from wandering onto the property from the stream.**

The Proposed Action will minimize disturbances to natural drainages. It will limit site disturbance to the current flat areas of the Subject Property: clearing and grading will be prohibited near the small Wetland Areas on the Subject Property by a providing grade adjustment wall along the rear yard of the Subject Property. The Proposed Action will maintain the existing marsh water body alignment, size and shapes. The contractor will use construction fencing to delineate where no disturbances will be allowed and employ Best Management Practices during construction.

The Applicant is mindful of its responsibility to ensure that adverse impacts to rare, threatened, and endangered species are avoided. To accomplish this goal, the Applicant has devised a multi-phased strategy to minimize adverse impacts:

The minimization measures associated with construction include training materials for construction workers, specific construction BMPs to minimize petroleum, oil and lubricants (POL) from migrating into the marsh, and measures to control sedimentation and erosion, as well as emergency response protocols to be followed in the event of an injury or death of a protected species. They also include the order in which things are constructed and the careful consideration of buffer areas between the construction site and the stream.

The most prudent action to avoid harm to endangered waterbird on the site after construction is to educate the tenants, on-site workers, and

general public about the birds of the area. A program of restrictions presented in a brochure will be provided to all tenants and employees. These will include the following:

- . All trash containers needed to be covered,**
- . No feeding of pets outdoors will be permitted.**
- . It will be specifically prohibited to put out food trays for feral cats and dogs anywhere on the property.**
- . Do not feed the waterbirds no matter how tame they seem to appear.**
- . Do not disturb any waterbirds along the stream edge.**

It addition to the provisions above, signage will erected on site which depicts protected species of the area and provides information about them.

The Proposed Action will minimize soil compaction. The contractor will avoid/minimize soil compaction in open space, landscaped and proposed LID BMP areas. Once construction has been completed, the contractor will restore compacted open space areas with tilling and soil amendments.

The Proposed Action will minimize runoff from the Subject Property into the Kawainui Stream through a combination of the following actions:

- a. Avoid disturbing vegetation and soil on slopes and near surface waters.**
- b. Leave an undisturbed buffer along the side of the marsh.**
- c. Limit site disturbance, clearing, and grading to the smallest areas necessary.**
- d. Minimize and control construction traffic areas.**
- e. Minimize and control construction stockpiling and storage areas.**
- f. Use construction fencing to mark where no disturbances will be allowed.**
- g. Prohibit working on wet soils with heavy equipment.**
- h. Restore compacted open space areas with tilling and soil amendments.**
- i. Minimize soil compaction in open space, landscaped, and proposed Low-Impact Development BMP areas.**
- j. Design roof drains to flow to vegetated areas.**
- k. Direct flow from paved areas to stabilized landscaped/vegetated areas.**
- l. Grade paved areas to achieve sheet flow to landscaped areas.**
- m. Break up flow directions from large paved areas.**
- n. Design irrigation system to minimize runoff to excess irrigation water**

- o. **Shutoff devices will be used to prevent irrigation during and after precipitation**

As indicated in Appendix A (page 12), the generated runoff from the proposed development will reduce the amount of surface runoff flowing directly into the marsh from 0.64 cubic feet per second to 0.01 cubic feet per second during the 10-year storm by improving the site drainage into the new landscaped areas and LID BMP areas before connecting to the City's storm drain system in Kihapai Place. The net runoff entering the marsh from the site (through a combination of the direct runoff into and the City's storm drain system) will be reduced from 1.86 cfs to 1.75 cfs during the 10-year storm event with the proposed LID drainage improvements.

The Proposed Action will minimize impervious surfaces. The Proposed Action will maximize the utilization of compact car spaces in parking areas, and will incorporate shared parking areas and driveways into the project. The Proposed Action will reduce driveway size to the minimum allowable widths and will provide grass-crete (or similar pervious-type pavements) for the parking stalls and lower-use drive aisle areas in the parking lot.

The Proposed Action will direct runoff to landscaped areas. Roof drains will be designed to flow to vegetated areas and flow from paved areas will be directed to stabilized landscaped/vegetated areas where practicable. Paved areas will be graded to achieve sheet flow to landscaped areas where practicable. Flow directions from large paved surfaces will be segregated into smaller flows.

Native plants will be incorporated into the landscaping to reduce irrigation demand.

Best Management Practices for on-site drainage will include the following:

- Provide open landscaped areas with vegetation and Low Impact Development (LID) features to collect storm water runoff and allow percolation into the ground before discharge into the storm drain system along Kihapai Place.
- **All storm drain inlets and catch basins will include appropriate stenciling.**
- Automatic irrigation systems will be employed for landscaped areas to minimize the runoff of excess irrigation water into the storm drain system.
- The irrigation system will be designed to minimize runoff of excess irrigation water.

- Shutoff devices will be used to prevent irrigation during/after precipitation.
- Storm drain inlet notices with prohibitive language to not dump waste into the drainage system will be stenciled at appropriate locations.
- Parking areas will be designed to drain towards vegetated/landscaped areas with LID drainage provisions.
- Roof downspouts will remain disconnected and drain to landscaped areas in the front and sides of the building. Downspouts from the back of the building will be routed under the parking lot and discharge into landscaped areas.
- Rear yard areas will be raised to allow runoff to drain towards the front yard landscaped areas and then into the Kihapai Place cul-de-sac storm drain system.

Planned energy saving fixtures include LED or CFL bulbs, dual-pane energy efficient windows, split air conditioning, passive ventilation wherever possible, energy star rated appliances, and photovoltaic solar panels on the roof.

Best Management Practices will be employed during construction to minimize impacts upon air quality and noise quality at the Subject Property. Project construction activities will comply with all applicable Department of Health regulations.

To minimize the potential impacts of exterior lighting on night-flying avian species, all exterior lighting will be shielded, including a light-shielding fence atop the grade retention wall to project the marsh area from the headlights of vehicles entering or leaving the property during night time hours.

VI. DISTRIBUTION AND COMMENTS

The following table summarizes the distribution of the Draft EA and the comments received. Each comment letter received, together with the Applicant's response is attached to this document, following the table below.

<u><i>Distribution</i></u>	<u><i>Received Draft EA</i></u>	<u><i>Provided Comments</i></u>
<u><i>Federal</i></u>		
<u><i>US Army Corps of Engineers</i></u>	<u><i>Yes</i></u>	<u><i>No</i></u>
<u><i>US Fish & Wildlife Service</i></u>	<u><i>Yes</i></u>	<u><i>Yes</i></u>
<u><i>State of Hawaii</i></u>		
<u><i>DLNR:</i></u>	<u><i>Yes</i></u>	
<u><i>Forestry & Wildlife</i></u>		<u><i>No</i></u>
<u><i>DLNR Land</i></u>		<u><i>Yes</i></u>
<u><i>DLNR OCCL</i></u>		<u><i>No</i></u>
<u><i>DLNR SHPD</i></u>		<u><i>Yes</i></u>
<u><i>DLNR Aquatic Resources</i></u>		<u><i>Yes</i></u>
<u><i>DLNR Engineering</i></u>		<u><i>Yes</i></u>
<u><i>DOH:</i></u>		
<u><i>DOH Clean Water</i></u>	<u><i>Yes</i></u>	<u><i>Yes</i></u>
<u><i>DOH Env. Planning</i></u>	<u><i>Yes</i></u>	<u><i>Yes</i></u>
<u><i>Office of Hawn Affairs</i></u>	<u><i>Yes</i></u>	<u><i>No</i></u>
<u><i>Office of Planning</i></u>	<u><i>Yes</i></u>	<u><i>Yes</i></u>
<u><i>UH Environ. Center</i></u>	<u><i>Yes</i></u>	<u><i>No</i></u>
<u><i>City and County</i></u>		
<u><i>Dept. Planning & Permitting</i></u>	<u><i>Yes</i></u>	<u><i>Yes</i></u>
<u><i>Dept. Parks and Recreation</i></u>	<u><i>Yes</i></u>	<u><i>No</i></u>
<u><i>Kailua NB 31</i></u>	<u><i>Yes</i></u>	<u><i>Yes</i></u>
<u><i>Kailua Satellite City Hall</i></u>	<u><i>Yes</i></u>	<u><i>No</i></u>
<u><i>Kailua Public Library</i></u>	<u><i>Yes</i></u>	<u><i>No</i></u>
<u><i>General Public:</i></u>		
<u><i>Debra Baetz</i></u>	<u><i>No</i></u>	<u><i>Yes</i></u>



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

In reply, please refer to:
EMD/CWB

09002PJF.15

September 1, 2015

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

Dear Mr. Atta:

**SUBJECT: Draft Environmental Assessment (DEA) for
Kihapai Place Apartment Project
Kailua, Island of Oahu, Hawaii**

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, dated August 13, 2015, requesting comments on your project. The DOH-CWB has reviewed the subject document and offers these comments. Please note that our review is based solely on the information provided in the subject document and its compliance with the Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. You may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at: <http://health.hawaii.gov/epo/files/2013/05/Clean-Water-Branch-Std-Comments.pdf>.

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 discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55).

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 an 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.

3. If your project involves work in, over, or under waters of the United States, it is highly recommended that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 835-4303) regarding their permitting requirements.

Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may **result** in any discharge into the navigable waters..." (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and HAR, Chapter 11-54.

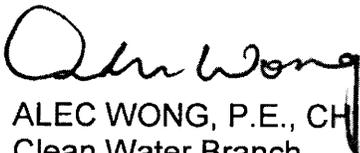
4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.
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. Particular consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.

If you have any questions, please visit our website at: <http://health.hawaii.gov/cwb/>, or contact the Engineering Section, CWB, at (808) 586-4309.

Sincerely,



ALEC WONG, P.E., CHIEF
Clean Water Branch

JF:ay

c: Lee Sichter LLC

Lee Sichter LLC

45024 Malulani Street #1, Kaneohe, Hawaii 96744

Ph. (808) 382-3836; Fax. (808) 234-0872; Web. www.lesichter.com

March 14, 2016

Mr. Alec Wong, P.E., Chief
Clean Water Branch
Department of Health
State of Hawaii
P.O. Box 3378
Honolulu, Hawai'i 96801-3378

Dear Mr. Wong:

**Response to Comments
Draft Environmental Assessment
Kihapai Place Apartment Project
Kailua, O`ahu, Hawai`i**

I am writing to response to your comments addressed to DPP Director George Atta regarding the above project and dated September 1, 2015. Following are our responses in the order your comments were presented in your letter:

1. The proposed project will comply with the criteria identified.
2. The applicant will comply with the NPDES permit requirements if applicable. The following has been added to the discussion under Section IV.A of the Environmental Assessment:

Based upon the drainage calculations presented in Appendix A, the generated runoff from the proposed development will reduce the amount of surface runoff flowing directly into the Marsh from 0.64 cubic feet per second (cfs) to 0.01 cfs during the 10-year storm by improving the site drainage to direct runoff into the new landscaped areas and Low Impact Development (LID) Best Management Practice (BMP) areas before connecting to the City's storm drain system in Kihapai Place. The net runoff entering the Marsh from the site (through combination of the direct runoff and the City's storm drain system) will be reduced from 1.86 cfs to 1.75 cfs during the 10-year storm event with the proposed LID drainage improvements. The LID drainage provisions will help storm water bio-filtration and retention for water quality treatment before discharge into the City's storm drain system. A Drainage Connection License will be

obtained from the City during the building permit phase when the detailed drainage construction plans are prepared.

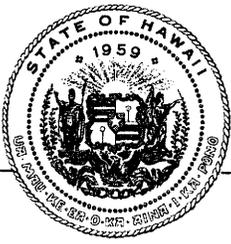
3. The Proposed Action does not involve work in, over, or under waters of the United States.
4. The Proposed Action will comply with the State's Water Quality Standards.
5.
 - a. As discussed in Section V. of the Draft EA, the Proposed Action will comply with low impact development methods to collect storm water runoff and allow percolation into the ground before discharge into the storm drain system along Kihapai Place. Please see response to question #2 above.
 - b. We believe that the discussion in Section V. of the Draft EA is consistent with the State's position on water quality. Statements in that section address proposed measures to mitigate the impacts of the Proposed Action.
 - c. The Proposed Action considers storm water BMPs as discussed on page 32 of the Draft EA.
 - d. The Proposed Action will include pervious pavement where possible.
 - e. Existing storm water infrastructure at Kihapai Place is maintained by the City and County of Honolulu. Retrofitting the City's storm drains are beyond the control of the Applicant. However, the Applicant will work with the City to ensure that areas of aged infrastructure are identified wherever applicable.

Mahalo for participating in the environmental assessment review process. If you have any questions or require any additional information, please call me at 382-3836.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lee Sichter', written over a horizontal line.

Lee Sichter



OFFICE OF PLANNING STATE OF HAWAII

DAVID Y. IGE
GOVERNOR

LEO R. ASUNCION
ACTING DIRECTOR
OFFICE OF PLANNING

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

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

Ref. No. P-14890

September 1, 2015

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

Attention: Mr. Steve Tagawa

Dear Mr. Atta:

Subject: Chapter 25, Revised Ordinances of Honolulu (ROH), Draft Environmental Assessment (EA) for Construction of a Four-Story Apartment Building, Kailua, Oahu, Hawaii; Tax Map Key: (1) 4-3-058: 047, 048, and 065

Thank you for the opportunity to provide comments on the subject Draft EA. According to the Draft EA, the proposed action is to construct a four-story, 42-unit apartment building on a vacant land, with associated appurtenant uses such as paved parking lot, landscaping, and a retention wall. This EA is prepared to meet assessment requirements for special management area use permit pursuant to Chapter 25, ROH.

The Office of Planning has reviewed the Draft EA and has the following comment to offer. To protect and preserve the onsite wetland areas A and B, as stated on page 22, in addition to the mitigation measures discussed in **Section V**, pages 31-32, the Final EA should provide a drainage study or plan to ensure the flow of stormwater runoff resulting from the proposed development will be directed away from the onsite wetland areas and Kawainui Marsh to the existing and/or new stormwater drainage system.

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

Sincerely,

Leo R. Asuncion
Acting Director

✓Lee Sichter LLC

Lee Sichter LLC

45024 Malulani Street #1, Kaneohe, Hawaii 96744

Ph. (808) 382-3836; Fax. (808) 234-0872; Web. www.leeichter.com

March 14, 2016

Mr. Leo R. Asuncion
Acting Director
Office of Planning
State of Hawaii
P.O. Box 2359
Honolulu, Hawai'i 96804

Dear Mr. Asuncion:

Response to Comments
Draft Environmental Assessment
Kihapai Place Apartment Project
Kailua, O`ahu, Hawai`i

I am writing to response to your comment addressed to DPP Director George Atta dated September 1, 2015 regarding the above project. A copy of the drainage study for the Proposed Action has been added as an appendix to the Final EA.

Mahalo for participating in the environmental assessment review process. If you have any questions or require any additional information, please call me at 382-3836.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lee Sichter', written over a horizontal line.

Lee Sichter

KAILUA NEIGHBORHOOD BOARD NO. 31

519 WANA AO ROAD • KAILUA, HAWAII 96734
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>
prentissc001@hawaii.rr.com

RECEIVED

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September 8, 2015

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

Department of Planning and Permitting
650. S. King Street
Honolulu, Hawaii 96813

Aloha:

Please find attached the comments of the Kailua Neighborhood Board on the Environmental Assessment for the Kihapai Place apartment project. We will await responses as required in HRS 343.

Sincerely,



Charles A. Prentiss, Chairperson

9/3/15

Kailua Neighborhood Board Comments and Recommendations on

Kihapai Place Apartments Chapter 25 Environmental Assessment for an SMA

D. Environmental Characteristics

2. Topography/relationship to geographic features

- Rear (western) portion of the Subject Property includes land sloping toward the canal/channel, its elevation ranges from 6.6 feet to about 3.4 feet at points on its western boundary.
- **How much soil will be removed and/or brought onto the property to level this slope?**
- **How large is the area adjacent to Oneawa/Kawainui Canal that will be leveled?**
- **Is the "undisturbed buffer approximately 5 feet in width" between "limits of construction work and the marsh/wetland" existing or will be created?**

3. Surface Runoff, Drainage, and Erosion Hazard

- Much of the subject property appears to drain naturally toward the Kihapai Place cul-de-sac, with the rear portion draining toward the marsh.
- The EA does not explain what measures will be used during construction and once the property is leveled to prevent runoff from the property into Oneawa/Kawainui Canal. **This information must be provided before the EA is approved and a SMAP granted.**

III. DESCRIPTION OF AFFECTED ENVIRONMENT

2. Rare, Threatened, Endangered Species and Habitats

- The EA does not address lighting impacts from 3 floors of apartments, parking and roof top areas on flight patterns of migratory waterbirds such as the wedge-tailed shearwater or on Hawaii's 4 endangered water birds (Hawaiian stilt, Hawaiian coot, Hawaiian moorhen and Hawaiian duck).
- **Impacts must be identified and preventative measures, if possible, adopted before this EA is approved or a SMAP is granted**

4. Wetlands, Lagoons, Tidal Lands, and Submerged Lands

- While the EA identifies Wetland Areas A and B it is silent on what waterbirds use the wetlands for habitat and/or foraging. **This information must be provided and measures put in place to prevent disturbance or destruction of these wetlands before this EA is approved and a SMAP granted.**
- **Where is the mentioned "small area of tidal land" and possible "few square feet of submerged land at high tide" located in relation to construction activities on the property? How will these two areas be impacted during construction and after the apartment building is built?**
- The EA does not mention how construction of the grade adjustment (retaining wall), movement of soil to level the property, laying cement for parking areas, and putting in utilities above and underground utilities will impact Wetland Areas A and B. **This**

information must be provided and mitigation measures in place, if necessary, before this EA is approved or the SMAP is granted.

IV. PROJECT IMPACTS

A. Relationship to CZM Objectives

Pg 22 The EA notes that "The construction of the grade adjustment wall (retaining wall) along the western boundary of the Subject will result in the redirection of surface flow and runoff away from the two Wetland Areas on-site and the abutting Kawainui Marsh" but does not identify where the redirected surface flow and runoff will be directed. **Information on where and how surface runoff will be directed to prevent flows into the canal and Kawainui Marsh must be provided before this EA is accepted and the SMAP approved.**

- **Does the description of the two Wetland Areas as "on-site" mean that the wetlands are located near an area where soil will be excavated, leveled, brought in or removed?**

Objective 5A. Provide public or private facilities and improvements important to the State's economy in suitable locations.

- While there is a need for *affordable* rental housing in Kailua and on Oahu the 42 units of the development are identified as being "available for rent at prevailing market rates."

B. Relationship to the SMA Guidelines (Section 25-3.2 Revised Ordinances of Honolulu):

(4) "Alterations to existing landforms and vegetation; except crops, and construction of structures shall cause minimum adverse effect to water resources and scenic..."

- The EA states, "These alterations to the existing landform are considered to be relatively minor in character in that they will not disturb the scenic character of the property or the surrounding area" This is an incorrect statement because there are no buildings 40 feet in height located adjacent to Oneawa/Kawainui Canal and Kawainui Marsh.
- The longest section of the building is being built along the edge of the property facing Kawainui Marsh. This creates a solid wall and obstructs the scenic view looking across Kawainui Marsh mauka to makai.

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

(1) The development will not have any substantial adverse environmental or ecological effect except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health and safety, or compelling public interest.

- The EA states, "As the vast majority of the properties surrounding the Subject Property are zoned A-2 Apartment but are mostly developed as single family residences, the construction of a new multi-story apartment building on the Subject Property will not have an adverse cumulative effect on the environment or the surrounding community..."
 - The new 40 foot high building adjacent to single and two story residential properties, the addition of 42 cars at a minimum on the narrow cul-de-sac creates a safety issue, and with only 5 guest parking stalls the potential for increased on-street parking is great. The increased car traffic on this narrow cul-de-sac will adversely impact the surrounding community.
 - **Solutions to potential pedestrian and traffic safety and parking issues must be addressed before this EA is approved or a SMAP is granted.**

Lee Sichter LLC

45024 Malulani Street #1, Kaneohe, Hawaii 96744
Ph. (808) 382-3836; Fax. (808) 234-0872; Web. www.leesichter.com

March 14, 2016

Mr. Charles A. Prentiss, Chairperson
Kailua Neighborhood Board No. 31
519 Wanaao Road
Kailua, Hawai'i 96734

Dear Mr. Prentiss:

**Response to Comments
Draft Environmental Assessment
Kihapai Place Apartment Project
Kailua, O`ahu, Hawai`i**

I am writing on behalf of the Applicant in response to your comments addressed to the Department of Planning and Permitting dated September 8, 2015 regarding the above project. Following are our responses to your comments in the order they were presented in your letter.

1. D.2. Topography
 - There are no plans to remove soil from the property. It is estimated that less than 300 cubic yards of soil will be brought into the property to level the slope in the back of the property up to the grade adjustment wall. Existing soil will be redistributed from the front of the property (and excavation for utilities and building footings) to minimize the amount of imported soil needed. The imported soil will be clean material obtained from a local soil source.
 - While the entire property will likely be graded to redistribute the soil as described above, the area to which you refer generally equates to former Tax Map Key parcel 65, which is about 8,000 square feet in area.
 - The proposed buffer area will be delineated prior to commencing construction activity.
2. 3. Surface Runoff
 - The third paragraph under section B.3. states, "Once the wall has been completed, mass grading of the site will commence which will result in reshaping the surface of the property to redirect runoff sheet flow toward Kihapai Place and away from the marsh and wetland areas." Section D.3. states, "Much of the Subject Property appears to drain

naturally toward the Kihapai Place cul-de-sac, with the rear portion draining toward the marsh. Kihapai Place has a catch basin and underground storm drains that transport roadway runoff into the marsh area west of the Subject Property.” The last bullet on page 32 (Section V) states, “Rear yard areas will be raised to allow runoff to drain towards the front yard landscaped areas and then into the Kihapai Place cul-de-sac storm drain system.” We feel that these three statements clearly explain how runoff from the property will be prevented from flowing directly into the Oneawa/Kawainui Canal. The following discussion has been added to the discussion of Mitigation Measures in the Final EA:

The Proposed Action will minimize runoff from the Subject Property into the Kawainui Stream through a combination of the following actions:

- a. Avoid disturbing vegetation and soil on slopes and near surface waters.*
- b. Leave an undisturbed buffer along the side of the marsh.*
- c. Limit site disturbance, clearing, and grading to the smallest areas necessary.*
- d. Minimize and control construction traffic areas.*
- e. Minimize and control construction stockpiling and storage areas.*
- f. Use construction fencing to mark where no disturbances will be allowed.*
- g. Prohibit working on wet soils with heavy equipment.*
- h. Restore compacted open space areas with tilling and soil amendments.*
- i. Minimize soil compaction in open space, landscaped, and proposed Low-Impact Development BMP areas.*
- j. Design roof drains to flow to vegetated areas.*
- k. Direct flow from paved areas to stabilized landscaped/vegetated areas.*
- l. Grade paved areas to achieve sheet flow to landscaped areas.*
- m. Break up flow directions from large paved areas.*
- n. Design irrigation system to minimize runoff to excess irrigation water*
- o. Shutoff devices will be used to prevent irrigation during and after precipitation*

As indicated in Appendix A (page 12), the generated runoff from the proposed development will reduce the amount of surface runoff flowing directly into the marsh from 0.64 cubic feet per second to 0.01 cubic feet per second during the 10-year storm by improving the site drainage into

the new landscaped areas and LID BMP areas before connecting to the City's storm drain system in Kihapai Place. The net runoff entering the marsh from the site (through a combination of the direct runoff into and the City's storm drain system) will be reduced from 1.86 cfs to 1.75 cfs during the 10-year storm event with the proposed LID drainage improvements.

3. 2. Description of Environment. 2. Rare, Threatened , Endangered Species
 - The discussion in Section B.a.2 addresses exterior lighting issues.
4. 4. Wetlands
 - As discussed in Section B.2., “There are no known rare, threatened or endangered species or habitats on the Subject Property. However, the Subject Property abuts Kawainui Marsh, which is identified by the U.S. Fish & Wildlife Service as a “primary habitat” for the recovery of four endangered species of native Hawaiian water birds. The marsh also provides habitat for various migratory water birds, wintering shore birds, and a variety of resident and introduced bird species. The endangered water birds include the Hawaiian stilt (*Himantopus mexicanus knudseni*), Hawaiian coot (*Fulica alai*), Hawaiian moorhen (*Gallinule chloropus sandvicensis*), and Hawaiian duck (*Anas wyvilliana*).” While none of these species has been seen utilizing the two Wetland Areas for foraging or habitat, the above statement makes it clear that these species are known to be present in the general marsh area. The discussion under Objective 2A on page 22 clearly describes what measures will be employed to preserve the two Wetland Areas.
 - Section B.4. clearly describes the small area of tidal land and few square feet of submerged land as being part of Wetland Area A. Figure 13 depicts Wetland Area A as being located south of the grade retention wall. As discussed above, the discussion under Objective 2A on page 22 clearly describes what measures will be employed to preserve the two Wetland Areas. It is the developer’s intention to ensure that the two identified Wetland Areas will not be adversely impacted during construction or after the apartment building is constructed.
 - The discussion under Section B.3. beginning on page 13 illustrates what measures will be taken before construction commences to ensure that that the wetland and marsh areas are not adversely impacted. Also see the discussion above that has been added to the EA’s discussion of Mitigation Measures.
5. IV. Project Impacts
 - Please refer to discussion under #2 above.
 - No. Reference to the two Wetland Areas being “on-site” means that they are located on the Subject Property. However, as described in item #4, bullet 2, above, the two Wetland Areas will be protected from

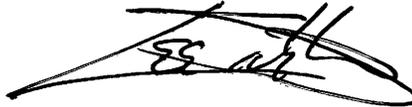
the impacts of development. See Figure 13 for their proximity to the proposed grade retention wall.

- While there is a critical need for affordable rental housing on O`ahu, there is also a need for rental units in general. The spiraling cost of rents on O`ahu attests to the fact that more rental units are needed, affordable or otherwise.
 - Photo 1 in the Draft EA provides a partial view of a four-story apartment building, Hale Makalei, located adjacent to the Subject Property at 711 Wailepa Place. The Hale Makalei building is constructed in a manner similar to the Proposed Action: At-grade parking on the first floor with three floors of apartment units above.
 - To our knowledge there are no scenic views of the marsh looking mauka to makai from public roadways or properties. Views of the marsh from Kapaa Quarry Road are obstructed by dense vegetation. Views of the marsh from Pali Highway are lateral to the coastline, and therefore, the Subject Property is on the makai edge of the marsh outside the marsh view plane. Similarly, views of the marsh from Mokapu Boulevard are generally lateral to the shoreline and the Subject Property is situated on the edge of the marsh outside the view plane. The marsh is not visible from Kamehameha Highway. While the marsh is visible from portions of the makai bound lanes of H-3, the freeway is at an elevation close to a hundred feet above the Coconut Grove residential area and the Subject Property is located on the makai side of the marsh.
6. B. No development shall be approved...
- The prevailing A-2 Apartment zoning on the Subject Property and the surrounding area, as illustrated in Figure 7, exhibits the official policy of the City and County of Honolulu to encourage the development of low- and medium rise apartment buildings in proximity to the central business district of Kailua. We respectfully disagree with your assertion that the presence of a new apartment building will create a safety issue and adversely impact the surrounding community. According to officers at the Kailua station of the Honolulu Police Department, parking is technically not allowed on Kihapai Place. It appears that a No-Parking sign that was installed by the City has been removed from the metal post. While the applicant opposes illegal parking on Kihapai Place, and jay-walking across the street, the enforcement of traffic, parking, and pedestrian activities rests solely with the Honolulu Police Department. We are advised that it is the responsibility of the City's Department of Transportation Services to replace the no-parking sign that was formerly present on Kihapai Place. We believe that replacement of the sign, together with active enforcement of parking laws, will ensure that Kihapai Place can function as a safe street for both motorists and pedestrians. These actions represent the most immediate and practical solutions for

increased traffic flow on Kihapai Place resulting from the Proposed Action. Thus, the width of the street will not be an issue: it is wide enough for two cars to pass and paved sidewalks are provided on each side and around the cul-de-sac.

Mahalo for participating in the environmental assessment review process. If you have any questions or require any additional information, please call me at 382-3836.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lee Sichter', written over a horizontal line.

Lee Sichter



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

In reply, please refer to:
File:

EPO 15-209

September 9, 2015

Mr. Lee Sichter
Lee Sichter, LLC
45-024 Malulani Street, Suite 1
Kaneohe, Hawaii 96744

Dear Mr. Sichter:

**SUBJECT: Draft Environmental Assessment (DEA) for Kihapai Place Apartment Project
Kailua, (Coconut Grove), Oahu
TMK: 4-3-58:47, 48, and 65**

The Department of Health (DOH), Environmental Planning Office (EPO), acknowledges receipt of your DEA to our office via the OEQC link:

http://oeqc.doh.hawaii.gov/Shared%20Documents/EA_and_EIS_Online_Library/Non-343-EA-EIS-Notices/2015-08-23-Chapter-25-DEA-Kihapai-Place-Apartments.pdf

EPO strongly recommends that you review the standard comments and available strategies to support sustainable and healthy design provided at: <http://health.hawaii.gov/epo/landuse>. Projects are required to adhere to all applicable standard comments.

EPO offers the following comments:

1. We suggest you review the requirements for the National Pollutant Discharge Elimination System (NPDES) permit. We recommend contacting the Clean Water Branch at (808) 586-4309 or cleanwaterbranch@doh.hawaii.gov after relevant information is reviewed at:
 - a. <http://health.hawaii.gov/cwb>
 - b. <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/standard-npdes-permit-conditions>
 - c. <http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/forms>
2. Please note that all wastewater plans must conform to applicable provisions of the Department of Health's Administrative Rules, Chapter 11-62, "Wastewater Systems". We do reserve the right to review the detailed wastewater plans for conformance to applicable rules. Should you have any questions, please review online guidance at <http://health.hawaii.gov/wastewater/> and contact the Planning and Design Section of the Wastewater Branch at 586-4294.

Mr. Lee Sichter
Page 2
September 9, 2015

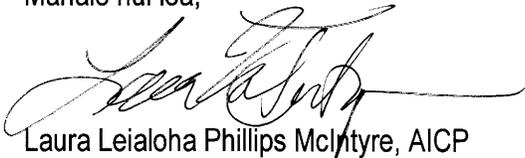
3. EPO recommends you review the need and/or requirements for a Clean Air Branch permit. The Clean Air Branch can be consulted via e-mail at: [Cab.General@doh.hawaii.gov](mailto: Cab.General@doh.hawaii.gov) or via phone: (808) 586-4200.
4. If noise created during the construction phase of the project may exceed the maximum allowable levels as set forth in Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control". A noise permit may be required and should be obtained before the commencement of work. Please call the Indoor and Radiological Health Branch at (808) 586-4700 and review relevant information online at: <http://health.hawaii.gov/irhb/noise>

EPO encourages you to examine and utilize the Hawaii Environmental Health Portal. The portal provides links to our e-Permitting Portal, Environmental Health Warehouse, Groundwater Contamination Viewer, Hawaii Emergency Response Exchange, Hawaii State and Local Emission Inventory System, Water Pollution Control Viewer, Water Quality Data, Warnings, Advisories and Postings. The Portal is continually updated. Please visit it regularly at: <https://eha-cloud.doh.hawaii.gov>

You may also wish to review the revised Water Quality Standards Maps that have been updated for all islands. The Water Quality Standards Maps can be found at:
<http://health.hawaii.gov/cwb/site-map/clean-water-branch-home-page/water-quality-standards/>.

We request that you utilize all of this information on your proposed project to increase sustainable, innovative, inspirational, transparent and healthy design.

Mahalo nui loa,



Laura Leialoha Phillips McIntyre, AICP
Program Manager, Environmental Planning Office

c: Ms. Gail Berengue, Kihapai Hui, LLC
DOH: CWB, CAB, IRHB (via email only)

Lee Sichter LLC

45024 Malulani Street #1, Kaneohe, Hawaii 96744

Ph. (808) 382-3836; Fax. (808) 234-0872; Web. www.leesichter.com

March 14, 2016

Ms. Laura Leialoha Phillips McIntyre, AICP
Program Manager
Environmental Planning Office
Department of Health
State of Hawaii
P.O. Box 3378
Honolulu, Hawai'i 96801-3378

Dear Ms. McIntyre:

Response to Comments
Draft Environmental Assessment
Kihapai Place Apartment Project
Kailua, O'ahu, Hawai'i

I am writing on behalf of the Applicant in response to your comments regarding the above project dated September 9, 2015. As recommended in your letter, the Applicant will review the standard comments and strategies presented at your website, as well as the related websites recommended in your letter. Following are our responses in the order your comments were presented in your letter:

1. Acknowledged. The Applicant will review the on-line information as suggested and contact your office if needed.
2. Acknowledged.
3. Acknowledged.
4. Acknowledged. The Applicant will apply for a Noise Permit if required.

Mahalo for the information pertaining to the Hawaii Environmental Health Portal and the updated Water Quality Standards Maps.

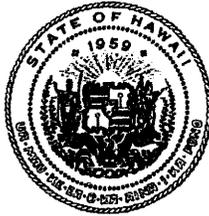
Mahalo for participating in the environmental assessment review process. If you have any questions or require any additional information, please call me at 382-3836.

Very truly yours,



Lee Sichter

DAVID Y. IGE
GOVERNOR OF HAWAII



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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 22, 2015

Lee Sichter LLC
45-024 Malulau Street, Suite 1
Kaneohe, HI 96744

via email: leesichter@gmail.com

Dear Mr. Sichter,

SUBJECT: Draft Environmental Assessment (DEA), Chapter 25, Revised Ordinances of Honolulu, Special Management Area (SMA), Kihapai Place Apartment Project

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

At this time, enclosed are comments from (1) Land Division; (2) Division of Aquatic Resources; and (3) Engineering Division. No other comments were received as of our suspense date. Should you have any questions, please feel free to call Supervising Land Agent Steve Molmen at 587-0439. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell Y. Tsuji".

Russell Y. Tsuji
Land Administrator

Enclosure(s)



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 17, 2015

MEMORANDUM

FROM *TO:*

DLNR Agencies:

- Div. of Aquatic Resources
- Div. of Boating & Ocean Recreation
- Engineering Division
- Div. of Forestry & Wildlife
- Div. of State Parks
- Commission on Water Resource Management
- Office of Conservation & Coastal Lands
- Land Division – Oahu District
- Historic Preservation

TO: **FROM:**

Russell Y. Tsuji, Land Administrator

SUBJECT:

Draft Environmental Assessment (DEA), Chapter 25, Revised Ordinances of Honolulu, Special Management Area (SMA), Kihapai Place Apartment Project

LOCATION:

734 and 735 Kihapai Place – Kailua (Coconut Grove); Tax Map Key: 4-3-58: 47, 48, and 65

APPLICANT:

Kihapai Hui LLC by its agent Lee Sichter LLC

Transmitted for your review and comment on the above-referenced document. We would appreciate your comments on this document which can be found here:

1. Go to: <https://sp01.ld.dlnr.hawaii.gov/LD>
2. Login: Username: LD\Visitor Password: Opa\$\$word0 (first and last characters are zeros)
3. Click on: Requests for Comments
4. Click on the subject file "Draft Environmental Assessment (DEA), Chapter 25, Revised Ordinances of Honolulu, Special Management Area (SMA), Kihapai Place Apartment Project" then click on "Files" and "Download a copy". (Any issues accessing the document should be directed to Linda Kawakami at (808) 587-0371 or Linda.Kawakami@hawaii.gov)

Please submit any comments by **September 21, 2015**. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

Attachments

- () We have no objections.
- () We have no comments.
- () Comments are attached.

Signed: _____
 Print Name: _____
 Date: _____

Tsuji
Russell Y. Tsuji
 8/20/15

W

DAVID Y. IGE
GOVERNOR OF HAWAII



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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 17, 2015

MEMORANDUM



DAQ # 5171

TO: DLNR Agencies:
 Div. of Aquatic Resources
 Div. of Boating & Ocean Recreation
 Engineering Division
 Div. of Forestry & Wildlife
 Div. of State Parks
 Commission on Water Resource Management
 Office of Conservation & Coastal Lands
 Land Division – Oahu District
 Historic Preservation

FROM: Russell Y. Tsuji, Land Administrator

SUBJECT: Draft Environmental Assessment (DEA), Chapter 25, Revised Ordinances of Honolulu, Special Management Area (SMA), Kihapai Place Apartment Project

LOCATION: 734 and 735 Kihapai Place – Kailua (Coconut Grove); Tax Map Key: 4-3-58: 47, 48, and 65

APPLICANT: Kihapai Hui LLC by its agent Lee Sichter LLC

UKL
AT

Transmitted for your review and comment on the above-referenced document. We would appreciate your comments on this document which can be found here:

1. Go to: <https://sp01.ld.dlnr.hawaii.gov/LD>
2. Login: Username: LD\Visitor Password: 0pa\$\$word0 (first and last characters are zeros)
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Please submit any comments by September 21, 2015. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: Alton Miyasaka
 Print Name: Alton Miyasaka, Acting Administrator
 Date: 9-8-15

DAVID Y. IGE
GOVERNOR OF HAWAII



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

KEKO A KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
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
DIVISION OF AQUATIC RESOURCES
1151 PUNCHBOWL STREET, ROOM 330
HONOLULU, HAWAII 96813

Date: August 27, 2015
DAR # 5171

MEMORANDUM

Alton Miyasaka

TO: Alton Miyasaka, Acting Administrator
DATE: 9-8-15
FROM: Annette Tagawa, Aquatic Biologist *AT*
SUBJECT: Draft Environmental Assessment (DEA), Chapter 25, Revised Ordinances of Honolulu, Special Management Area (SMA), Kihapai Place Apartment Project

Comment	Date Request	Receipt	Referral	Due Date
	Aug. 17, 2015	Aug. 18, 2015	Aug. 18, 2015	Sept. 21, 2015

Requested by: Russell Y. Tsuji, Land Administrator

Summary of Proposed Project

Title: Draft Environmental Assessment (DEA), Chapter 25, Revised Ordinances of Honolulu, Special Management Area (SMA), Kihapai Place Apartment Project

Project by: Kihapai Place LLC

Location: 734 and 735 Kihapai Place – Kailua (Coconut Grove), Oahu; Tax Map Key: 4-3-58: 47, 48, and 65

Brief Description: The applicant is proposing to develop a vacant lot located at the end of a cul-de-sac on Kihapai Place, Kailua, Oahu which lies within a Special Management Area that includes Kawainui Marsh. The subject property is adjacent to a portion of the Kawainui Marsh. The Proposed Action is the development of the Subject Property with a four-story apartment building, containing 42 one-bedroom apartment units, and appurtenant uses such as at-grade paved parking lot, landscaping, and a rear yard grade retention wall topped by a fence.

Comments: The Division has no major objections to the proposed project since it is not expected to have significant adverse impact on aquatic resource values in this area. However, the Division has some concerns regarding potential impacts on aquatic resources within the adjacent area. In addition to native Hawaiian water birds, Kawainui Marsh also provides habitat for a number of native freshwater and saltwater fish species as well as introduced species. The Division is in

agreement with the Best Management Practices (BMPs) that have been suggested by the applicant. In addition, the Division would like to see Best Management Practices addressed toward mitigation measures that include preventing any contaminants such as sediments, pollutants, petroleum products and other debris from possibly entering the aquatic environment during construction activities. We also suggest that site work be scheduled during periods of minimal rainfall and lands denuded of vegetation be replanted or covered as quickly as possible to control erosion.

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

DAVID Y. IGE
GOVERNOR OF HAWAII



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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 17, 2015

MEMORANDUM

TO: *PK*

- DLNR Agencies:
- Div. of Aquatic Resources
 - Div. of Boating & Ocean Recreation
 - Engineering Division
 - Div. of Forestry & Wildlife
 - Div. of State Parks
 - Commission on Water Resource Management
 - Office of Conservation & Coastal Lands
 - Land Division – Oahu District
 - Historic Preservation

FROM: *PK*
SUBJECT:
LOCATION:
APPLICANT:

Russell Y. Tsuji, Land Administrator
Draft Environmental Assessment (DEA), Chapter 25, Revised Ordinances of Honolulu, Special Management Area (SMA), Kihapai Place Apartment Project
734 and 735 Kihapai Place – Kailua (Coconut Grove); Tax Map Key: 4-3-58: 47, 48, and 65
Kihapai Hui LLC by its agent Lee Sichter LLC

Transmitted for your review and comment on the above-referenced document. We would appreciate your comments on this document which can be found here:

1. Go to: <https://sp01.ld.dlnr.hawaii.gov/LD>
2. Login: Username: LD\Visitor Password: Opa\$\$word0 (first and last characters are zeros)
3. Click on: Requests for Comments
4. Click on the subject file "Draft Environmental Assessment (DEA), Chapter 25, Revised Ordinances of Honolulu, Special Management Area (SMA), Kihapai Place Apartment Project" then click on "Files" and "Download a copy". (Any issues accessing the document should be directed to Linda Kawakami at (808) 587-0371 or Linda.Kawakami@hawaii.gov)

Please submit any comments by **September 21, 2015**. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

Attachments

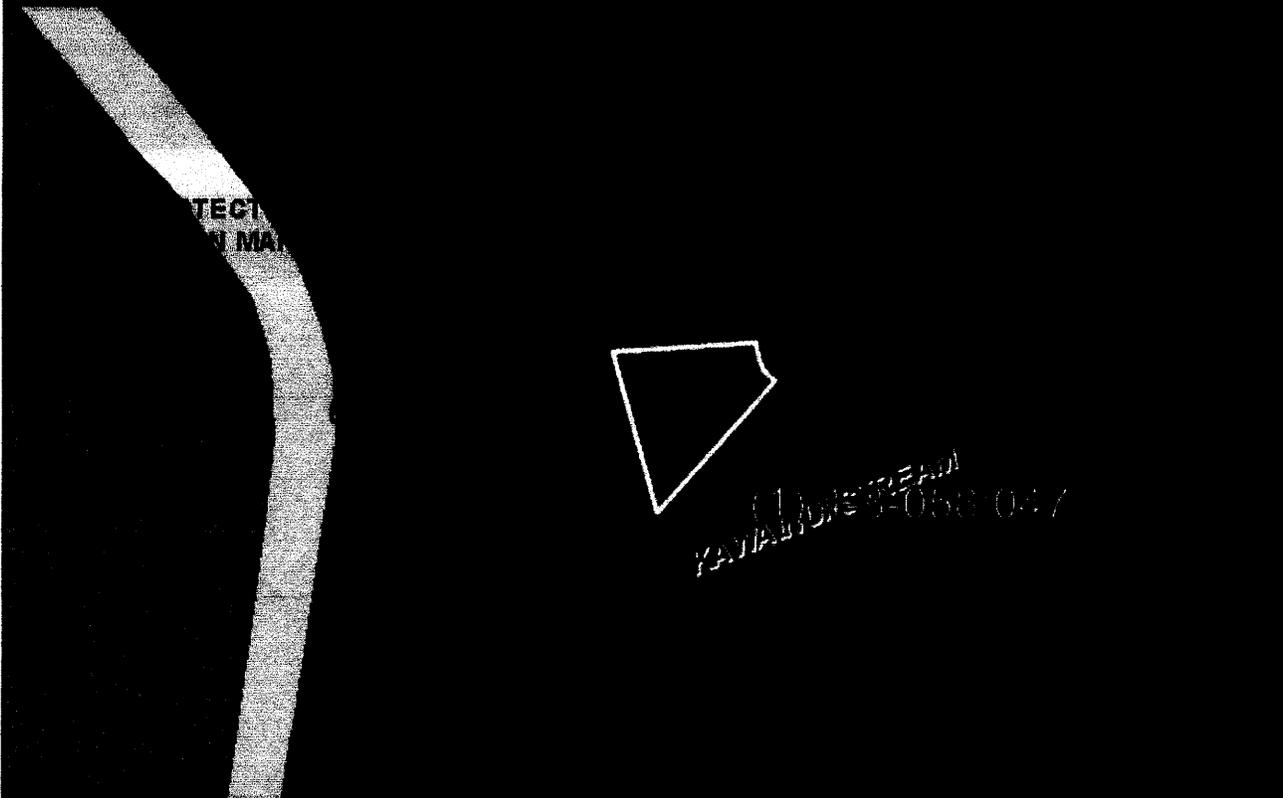
- We have no objections.
- We have no comments.
- Comments are attached.

Signed: _____
Print Name: *an* **Carty S. Chang, Chief Engineer**
Date: 9/17/15

15806107M1202100000000



FLOOD HAZARD ASSESSMENT REPORT



NATIONAL FLOOD INSURANCE PROGRAM

FLOOD ZONE DEFINITIONS

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD – The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zone A, AE, AH, AO, V, and VE. The Base Flood Elevation (BFE) is the water-surface elevation of the 1% annual chance flood. Mandatory flood insurance purchase applies in these zones:

- Zone A:** No BFE determined.
- Zone AE:** BFE determined.
- Zone AH:** Flood depths of 1 to 3 feet (usually areas of ponding); BFE determined.
- Zone AO:** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
- Zone V:** Coastal flood zone with velocity hazard (wave action); no BFE determined.
- Zone VE:** Coastal flood zone with velocity hazard (wave action); BFE determined.
- Zone AEF:** Floodway areas in Zone AE. The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without increasing the BFE.

NON-SPECIAL FLOOD HAZARD AREA – An area in a low-to-moderate risk flood zone. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

- Zone XS (X shaded):** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- Zone X:** Areas determined to be outside the 0.2% annual chance floodplain.

OTHER FLOOD AREAS

- Zone D:** Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

PROPERTY INFORMATION

COUNTY: HONOLULU
TMK NO: (1) 4-3-058-047
PARCEL ADDRESS: 735 KIHAPAI PL
 KAILUA, HI 96734
FIRM INDEX DATE: NOVEMBER 05, 2014
LETTER OF MAP CHANGE(S): NONE
FEMA FIRM PANEL(S): 15003C0290H
PANEL EFFECTIVE DATE: NOVEMBER 05, 2014

PARCEL DATA FROM: APRIL 2014
IMAGERY DATA FROM: MAY 2006

IMPORTANT PHONE NUMBERS

County NFIP Coordinator
 City and County of Honolulu
 Mario Siu-Li, CFM (808) 768-8098
State NFIP Coordinator
 Carol Tyau-Beam, P.E., CFM (808) 587-0267

Disclaimer: The Hawaii Department of Land and Natural Resources (DLNR) assumes no responsibility arising from the use, accuracy, completeness, and timeliness of any information contained in this report. Viewers/Users are responsible for verifying the accuracy of the information and agree to indemnify the DLNR, its officers, and employees from any liability which may arise from its use of its data or information.

If this map has been identified as 'PRELIMINARY', please note that it is being provided for informational purposes and shall not be used for flood insurance rating. Contact your county floodplain manager for flood zone determinations to be used for compliance with local floodplain management regulations

Lee Sichter LLC

45024 Malulani Street #1, Kaneohe, Hawaii 96744
Ph. (808) 382-3836; Fax. (808) 234-0872; Web. www.leesichter.com

March 14, 2016

Mr. Russell Y. Tsuji
Land Administrator
Department of Land & Natural Resources
State of Hawaii
P.O. Box 621
Honolulu, Hawai'i 96809

Dear Mr. Tsuji:

**Response to Comments
Draft Environmental Assessment
Kihapai Place Apartment Project
Kailua, O`ahu, Hawai`i**

I am writing on behalf of the Applicant in response to your comments regarding the above project dated September 22, 2015. Your letter included comments from three divisions: Land, Aquatic Resources, and Engineering. Following are our responses in the order your comments were presented in your letter:

Land Division:

1. Land Division had no comments.

Division of Aquatic Resources

1. We acknowledge that this division is in general agreement with the proposed BMPs. In response to your suggestion, the BMPs will be expanded to include mitigation measures targeted to preventing any contaminants (sediments, petroleum products, other debris) from entering the aquatic environment during construction. Your suggestion regarding the scheduling of construction work during periods of minimal rainfall and replanting denuded areas as quickly as possible will be passed on to the general contractor for the project. Please note that the following has been added to the discussion of Mitigation Measures in Section V. of the Environmental Assessment:

The Proposed Action will minimize runoff from the Subject Property into the Kawainui Stream through a combination of the following actions:

- a. *Avoid disturbing vegetation and soil on slopes and near surface waters.*
- b. *Leave an undisturbed buffer along the side of the marsh.*

- c. *Limit site disturbance, clearing, and grading to the smallest areas necessary.*
- d. *Minimize and control construction traffic areas.*
- e. *Minimize and control construction stockpiling and storage areas.*
- f. *Use construction fencing to mark where no disturbances will be allowed.*
- g. *Prohibit working on wet soils with heavy equipment.*
- h. *Restore compacted open space areas with tilling and soil amendments.*
- i. *Minimize soil compaction in open space, landscaped, and proposed Low-Impact Development BMP areas.*
- j. *Design roof drains to flow to vegetated areas.*
- k. *Direct flow from paved areas to stabilized landscaped/ vegetated areas.*
- l. *Grade paved areas to achieve sheet flow to landscaped areas.*
- m. *Break up flow directions from large paved areas.*
- n. *Design irrigation system to minimize runoff to excess irrigation water*
- o. *Shutoff devices will be used to prevent irrigation during and after precipitation*

As indicated in Appendix A (page 12), the generated runoff from the proposed development will reduce the amount of surface runoff flowing directly into the marsh from 0.64 cubic feet per second to 0.01 cubic feet per second during the 10-year storm by improving the site drainage into the new landscaped areas and LID BMP areas before connecting to the City's storm drain system in Kihapai Place. The net runoff entering the marsh from the site (through a combination of the direct runoff into and the City's storm drain system) will be reduced from 1.86 cfs to 1.75 cfs during the 10-year storm event with the proposed LID drainage improvements.

Engineering Division

1. We acknowledge that the project must comply with the rules and regulations of the National Flood Insurance Program. The County's NFIP will be contacted to confirm prevailing local flood ordinance standards.

Mahalo for participating in the environmental assessment review process. If you have any questions or require any additional information, please call me at 382-3836.

Very truly yours,

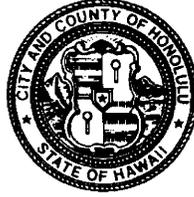


Lee Sichter

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.honolulu.dpp.org • CITY WEB SITE: www.honolulu.gov

KIRK CALDWELL
MAYOR



GEORGE I. ATTA, FAICP
DIRECTOR

ARTHUR D. CHALLACOMBE
DEPUTY DIRECTOR

2015/ED-9(ST)

September 22, 2015

Mr. Lee Sichter, LLC
45-024 Malulani Street, Number 1
Kaneohe, Hawaii 96744

Dear Mr. Sichter:

SUBJECT: Draft Environmental Assessment
Kihapai Place Apartments
Special Management Area (SMA)
Chapter 25, Revised Ordinances of Honolulu (ROH)
734 & 735 Kihapai Place - Kailua (Coconut Grove Tract)
Tax Map Key 4-3-58: 47, 48 and 65

Our comments on the Draft Environmental Assessment (EA) for the above project are as follows:

Section I General Information: We suggest the Final EA include a cover page that identifies the document as a Final Environmental Assessment. The general information section should include the site address; the regulatory authority for the document, i.e. Section 25-3.3(c)(1) ROH, which follows the procedural steps of the State Environmental Impact State (EIS) law, Chapter 343 Hawaii Revised Statutes (HRS) and Title 11, Chapter 200 Hawaii Administrative Rules (HAR); the Department of Planning and Permitting (DPP) should be identified as the approving agency for the document; and that approval of a Major Special Management Area (SMA) Use Permit from the City Council is required pursuant to Chapter 25, ROH. The zoning of the site should be revised to "A-2 Medium Density Apartment District".

Section II Description of Proposed Action:

- A. General Description: The surrounding mauka (south) areas of Kawainui Marsh and Stream should be described as areas in the zoned P-1 Restrictive Preservation District and in the State Conservation District. Figure 7 should be revised to include the missing label for the R-5 Residential District (i.e., areas in yellow) and the P-1 Restricted Preservation District (i.e., areas in light blue).
- B. Technical Characteristics:

3. Construction: The Final EA should be expanded to include estimates of the amount of earthwork (i.e., cubic yards) anticipated for the construction of the project.
4. Utility Requirements (water, electricity, gas): The Final EA should disclose the water demand anticipated for the proposed project.

D. Environmental Characteristics:

3. Surface Runoff, Drainage, and Water Quality: Information on the existing storm drain system should be expanded (size, location of inlets, outlets, etc.). Exhibits showing locations of existing inlets and outlets should be provided and anticipated runoff volumes should be disclosed. The Final EA should identify the receiving water body for the runoff and what impacts might be associated with that.
4. The Final EA should discuss existing groundwater conditions of the site and surrounding area, and whether any project impacts are anticipated.

Section III Description of Affected Environment:

A. Relationship to Surrounding Area:

2. Land Use Controls (GP, DP, Zoning, Unique Features): The zoning of the site should correctly indicate that it is in the A-2 Medium Density *Apartment* District. We note that Koolaupoko Sustainable Communities Plan identifies that relative to Urban Forms of Residential Development (3.6.4.2), Low-Density Apartment development should make an effort to minimize the overall building height to 30 feet. Although not located in the A-1 Low Density Apartment District, the final EA should address whether lower building heights were considered.

B. Relationship to Sensitive Areas:

2. Rare, Threatened, Endangered Species and Habitats: The final EA should describe what mitigation measures or accommodations if any, are recommended for developments that are located at the boundary of "primary habitat" as identified by the U.S. Fish and Wildlife Service. Exterior lighting and potential impacts and mitigation measures should be addressed.

Construction activities and impacts, including lighting, run off and siltation and noise should be addressed in the final EA.

4. Wetland, Lagoons, Tidal Lands, and Submerged Lands: The final EA should discuss how these sensitive areas in and around the project area

Mr. Lee Sichter
September 22, 2015
Page 3

of the project will or will not be developed, and what mitigation measures will be employed to address proximity concerns.

Historic, Archaeological, Cultural Resources: The final EA should include the information provided by the State Historic Preservation Division (SHPD) in its letter dated September 14, 2015, regarding the potential adverse impacts of the project, and address SHPD request that an archaeological inventory survey (AIS) be prepared. We recommend that the archaeological inventory be included in the final EA. The Final EA should include a section on cultural resources and practices if any) on the site and surrounding area, and what if any, impacts are anticipated by the project.

Comments and Responses: The Final EA should include a list of agencies and organizations which received a copy of the Draft EA, and indicates from which agencies and organizations written comments were provided. See example table attached. The Final EA must include copies the comments and responses which were sent directly to those who provided comment.

We are also forwarding copies of the comment letters received so far for the proposed project (which were not indicated as sent to you).

If you have any questions, please contact Steve Tagawa of our staff at 768-8024.

Very truly yours,


George I. Atta, FAICP
Director

Enclosures. Receipts No. 103547, 103830
Sample Distribution List

cc: State Department of Land and Natural Resources-
Division of Forestry and Wildlife
State Department of Health-Office of Environmental
Quality Control

Distribution	Receiving Draft EA	Comments received
Federal		
U.S. Army Corps of Engineers	*	
U.S. Fish and Wildlife Service	*	
State of Hawaii		
Department of Land and Natural Resources	*	
Division of Forestry and Wildlife	*	
Land Division	*	
Office of Conservation and Coastal Lands	*	
Historic Preservation Division	*	
Department of Health	*	
Clean Water Branch	*	
Environmental Planning Office	*	
Office of Hawaiian Affairs	*	
Office of Planning	*	
University of Hawaii, Environmental Center	*	
City and County of Honolulu		
Department of Parks and Recreation	*	
Kailua Neighborhood Board No. 31	*	
Kailua Satellite City Hall	*	
Kailua Public Library	*	

KAILUA NEIGHBORHOOD BOARD NO. 31

519 WANAAO ROAD • KAILUA, HAWAII 96734
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>
prentissc001@hawaii.rr.com

RECEIVED

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September 8, 2015

DEPT OF PLANNING
AND PERMITTING
CITY & COUNTY OF HONOLULU

Department of Planning and Permitting
650. S. King Street
Honolulu, Hawaii 96813

Aloha:

Please find attached the comments of the Kailua Neighborhood Board on the Environmental Assessment for the Kihapai Place apartment project. We will await responses as required in HRS 343.

Sincerely,



Charles A. Prentiss, Chairperson

9/3/15

Kailua Neighborhood Board Comments and Recommendations on

Kihapai Place Apartments Chapter 25 Environmental Assessment for an SMA

D. Environmental Characteristics

2. Topography/relationship to geographic features

- Rear (western) portion of the Subject Property includes land sloping toward the canal/channel, its elevation ranges from 6.6 feet to about 3.4 feet at points on its western boundary.
- **How much soil will be removed and/or brought onto the property to level this slope?**
- **How large is the area adjacent to Oneawa/Kawainui Canal that will be leveled?**
- **Is the “undisturbed buffer approximately 5 feet in width” between “limits of construction work and the marsh/wetland” existing or will be created?**

3. Surface Runoff, Drainage, and Erosion Hazard

- Much of the subject property appears to drain naturally toward the Kihapai Place cul-de-sac, with the rear portion draining toward the marsh.
- The EA does not explain what measures will be used during construction and once the property is leveled to prevent runoff from the property into Oneawa/Kawainui Canal. **This information must be provided before the EA is approved and a SMAP granted.**

III. DESCRIPTION OF AFFECTED ENVIRONMENT

2. Rare, Threatened, Endangered Species and Habitats

- The EA does not address lighting impacts from 3 floors of apartments, parking and roof top areas on flight patterns of migratory waterbirds such as the wedge-tailed shearwater or on Hawaii’s 4 endangered water birds (Hawaiian stilt, Hawaiian coot, Hawaiian moorhen and Hawaiian duck).
- **Impacts must be identified and preventative measures, if possible, adopted before this EA is approved or a SMAP is granted**

4. Wetlands, Lagoons, Tidal Lands, and Submerged Lands

- While the EA identifies Wetland Areas A and B it is silent on what waterbirds use the wetlands for habitat and/or foraging. **This information must be provided and measures put in place to prevent disturbance or destruction of these wetlands before this EA is approved and a SMAP granted.**
- **Where is the mentioned “small area of tidal land” and possible “few square feet of submerged land at high tide” located in relation to construction activities on the property? How will these two areas be impacted during construction and after the apartment building is built?**
- The EA does not mention how construction of the grade adjustment (retaining wall), movement of soil to level the property, laying cement for parking areas, and putting in utilities above and underground utilities will impact Wetland Areas A and B. **This**

information must be provided and mitigation measures in place, if necessary, before this EA is approved or the SMAP is granted.

IV. PROJECT IMPACTS

A. Relationship to CZM Objectives

Pg 22 The EA notes that “The construction of the grade adjustment wall (retaining wall) along the western boundary of the Subject will result in the redirection of surface flow and runoff away from the two Wetland Areas on-site and the abutting Kawainui Marsh” but does not identify where the redirected surface flow and runoff will be directed. **Information on where and how surface runoff will be directed to prevent flows into the canal and Kawainui Marsh must be provided before this EA is accepted and the SMAP approved.**

- **Does the description of the two Wetland Areas as “on-site” mean that the wetlands are located near an area where soil will be excavated, leveled, brought in or removed?**

Objective 5A. Provide public or private facilities and improvements important to the State’s economy in suitable locations.

- While there is a need for *affordable* rental housing in Kailua and on Oahu the 42 units of the development are identified as being “available for rent at prevailing market rates.”

B. Relationship to the SMA Guidelines (Section 25-3.2 Revised Ordinances of Honolulu):

(4) “Alterations to existing landforms and vegetation; except crops, and construction of structures shall cause minimum adverse effect to water resources and scenic...”

- The EA states, “These alterations to the existing landform are considered to be relatively minor in character in that they will not disturb the scenic character of the property or the surrounding area” This is an incorrect statement because there are no buildings 40 feet in height located adjacent to Oneawa/Kawainui Canal and Kawainui Marsh.
- The longest section of the building is being built along the edge of the property facing Kawainui Marsh. This creates a solid wall and obstructs the scenic view looking across Kawainui Marsh mauka to makai.

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

(1) The development will not have any substantial adverse environmental or ecological effect except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health and safety, or compelling public interest.

- The EA states, “As the vast majority of the properties surrounding the Subject Property are zoned A-2 Apartment but are mostly developed as single family residences, the construction of a new multi-story apartment building on the Subject Property will not have an adverse cumulative effect on the environment or the surrounding community...”
 - The new 40 foot high building adjacent to single and two story residential properties, the addition of 42 cars at a minimum on the narrow cul-de-sac creates a safety issue, and with only 5 guest parking stalls the potential for increased on-street parking is great. The increased car traffic on this narrow cul-de-sac will adversely impact the surrounding community.
 - **Solutions to potential pedestrian and traffic safety and parking issues must be addressed before this EA is approved or a SMAP is granted.**

Lee Sichter LLC

45024 Malulani Street #1, Kaneohe, Hawaii 96744
Ph. (808) 382-3836; Fax. (808) 234-0872; Web. www.leesichter.com

March 14, 2016

Mr. George Atta, FAICP, Director
Department of Planning & Permitting
City & County of Honolulu
650 South King Street, 7th Floor
Honolulu, Hawai'i 96813

Dear Mr. Atta:

**Response to Comments
Draft Environmental Assessment
Kihapai Place Apartment Project
Kailua, O`ahu, Hawai`i**

I am writing on behalf of the Applicant in response to your comments regarding the above project dated September 22, 2015. Following are our responses in the order your comments were presented in your letter:

Section I – General Information

1. A cover sheet has been included in the Final EA. The additional requested information has been added to Section I. References to the property's zoning have been corrected to include "Medium Density" in Section II.A.1.

Section II – Description of the Proposed Action

- A. General Description. The requested reference to zoning has been added to Section II.A.1, paragraph 2. Figure 7 has been revised to enlarge the zoning district labels and add a label for P-1.
- B. Technical Characteristics:
 3. Construction. The following has been added to the third paragraph under Section II.B.3: No soil will be removed from the property. It is estimated that less than 300 cubic yards of soil will be brought into the property to level the slope in the back of the property up to the grade adjustment wall. Existing soil will be redistributed from the front of the property (and excavation for utilities and building footings) to minimize the amount of imported soil needed. The imported soil will be clean material obtained from a local soil source.

4. Utility Requirements. The anticipated water demand for the project is 10,500 gallons per day. This information has been added to Section II.B.4.
- D. Environmental Characteristics
3. Surface Runoff. A drainage study has been added as an appendix to the document. Information on the existing storm drain system, locations of inlets and outlets, and anticipated volumes are included in the study. Reference to the receiving water body (Kawainui Stream) has been added to Section II.D.3. A discussion of the project's drainage impacts is already provided at Section IV.B.(a)(4). Additional discussion of impacts is presented in the Drainage Study appendix and has been added to the discussion under Objective 2A in Section IV.A. and to the discussion under the proposed Mitigation Measures.

Groundwater. The following discussion has been added to Section III.B.6: Groundwater beneath the Subject Property represents a portion of the basal-water aquifer that underlies the coastal area of windward O`ahu. Due to the Subject Property's location on the coastal plain and its proximity to Kawainui Marsh, groundwater at the property is brackish, and does not constitute a source of potable water. As construction of the Proposed Action does not involve significant excavation, no significant adverse impacts to groundwater are anticipated. This discussion has been added to Section IV.B.(a)(4).

Section III – Description of the Affected Environment

- A. Relationship to Surrounding Area
2. Land Use Controls. Corrections to zoning references have been made throughout the document. With regard to building heights, due diligence determined that redevelopment of the Subject Property at a lower building height would not be financially feasible. A note to that effect has been added to Section I.B.1.
- B. Relationship to Sensitive Areas
2. Rare, Threatened, Endangered Species and Habitats. The discussion of Mitigation Measures in Section V addresses anticipated construction impacts of the Proposed Action. The following discussion has been added to the Mitigation Measures:

The Applicant is mindful of its responsibility to ensure that adverse impacts to rare, threatened, and endangered species are avoided. To accomplish this goal, the Applicant has devised a multi-phased strategy to minimize adverse impacts:

The minimization measures associated with construction include training materials for construction workers, specific construction BMPs to minimize petroleum, oil and lubricants (POL) from migrating into the marsh, and measures to control sedimentation and erosion, as well as emergency

response protocols to be followed in the event of an injury or death of a protected species. They also include the order in which things are constructed and the careful consideration of buffer areas between the construction site and the stream.

The most prudent action to avoid harm to endangered waterbird on the site after construction is to educate the tenants, on-site workers, and general public about the birds of the area. A program of restrictions presented in a brochure will be provided to all tenants and employees. These will include the following:

- . All trash containers needed to be covered,*
- . No feeding of pets outdoors will be permitted,*
- . It will be specifically prohibited to put out food trays for feral cats and dogs anywhere on the property,*
- . Do not feed the waterbirds no matter how tame they seem to appear,*
- . Do not disturb any waterbirds along the stream edge.*

In addition to the provisions above, signage will be erected on site which depicts protected species of the area and provides information about them.

A discussion of the impacts of exterior lighting has been presented in Section III.B.(a)(2) on page 25 and has been added again at the end of Section V. Construction of the Proposed Action will comply with all applicable regulations of the State Department of Health regarding air and noise quality. Measures proposed to mitigate runoff impacts are presented in Section V.

4. Wetlands, Lagoons, Tide Lands and Submerged Lands. The discussion under Section IV.A. Objective 2A (page 23) specifically addresses how Wetland Areas A and B will be protected and preserved. Section V presents detailed measures to mitigate the impacts of drainage and construction.

Historic, Archaeological and Cultural Resources: The following information provided by the State Historic Preservation Division of the Department of Land and Natural Resources has been added, together with the findings of a recent archaeological inventory survey, to Section III.C. as requested:

The records of the State Historic Preservation Division (SHPD) of the Department of Land and Natural Resources indicate that Kawainui Marsh has been determined eligible for the Hawaii and National Register of Historic Places. They also indicate that numerous archaeological studies have been conducted within the marsh and surrounding fringes. These studies identified and documented the presence of numerous historic properties, including human burials. However, it appears that no archaeological inventory survey has been previously conducted on the

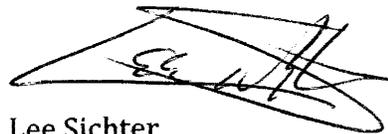
Subject Property. To rectify that, the Applicant, in consultation and coordination with the SHPD, authorized an archaeological inventory survey to be conducted. The study was completed on March 11, 2016. Under monitoring by SHPD and cultural observers, several trenches were excavated on-site. One trench yielded partial human remains (iwi). The iwi were reinterred in place. No other cultural resources or deposits were found. At the time of this writing, a final archaeological inventory survey report is being prepared by the project's consulting archaeologist, together with a Burial Treatment Plan which will be submitted to the O'ahu Burial Council and the SHPD for review and approval.

Because no other cultural features have been identified on the Subject Property as the result of the Archaeological Inventory Survey (AIS), and out of respect for the privacy of the lineal descendants, the Applicant respectfully recommends that the Final AIS not be included in the Final EA. We believe that the location of the reinterred *iwi* should remain private and not be publically disclosed. Of course, we will share the Final AIS report with the DPP once it has been completed.

Comments and Responses: A table summarizing the distribution of the Draft EA and comments received has been added to the Final EA.

Mahalo for participating in the environmental assessment review process. If you have any questions or require any additional information, please call me at 382-3836.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lee Sichter", written over a horizontal line.

Lee Sichter



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:
2015-TA-0394

SEP 22 2015

Mr. George I. Atta
Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, HI 96813

Subject: Technical Assistance for the Draft Environmental Assessment Kihapai Place
Apartment Complex Project, Kailua, O'ahu

Dear Mr. Atta:

The U.S. Fish and Wildlife Service (Service) received your letter on August 18, 2015, requesting our comments on the Draft Environmental Assessment (EA) for the proposed Kihapai Place Apartment Complex Project, Kailua, O'ahu [TMK: 4-3-058: 047, 048, and 065]. The project applicant is Kihapai Hui LLC. The proposed project involves building a four-story apartment containing 42 one-bedroom apartment units, paved parking lot with 58 stalls, rear yard retention wall topped with a fence, and landscaping. The project area abutts Kawainui Stream and Kawainui Marsh and is across from Hamakua Marsh. Two corners (16 square feet and 45 square feet) of the project are classified as wetland habitat; however, the proposed action will not involve dredging, filling, or otherwise altering any body of water. The following comments have been prepared pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), as amended (ESA); Migratory Bird Treaty Act (16 U.S.C. 703-712) (MBTA); and the National Environmental Policy Act of 1969 [42 U.S.C. 4321 *et seq.*; 83 Stat. 401] as amended (NEPA). Based on these authorities, we offer the following comments for your consideration.

We have reviewed the information you provided and pertinent information in our files, including data compiled by the Hawai'i Biodiversity and Mapping Program as it pertains to listed species and designated critical habitat. There is no federally designated critical habitat within the immediate vicinity of the proposed project. Our data indicate the federally endangered Hawaiian waterbirds, including the Hawaiian coot (*Fulica alai*), Hawaiian gallinule (*Gallinula chloropus sandvicensis*), Hawaiian stilt (*Himantopus mexicanus knudseni*), and Hawaiian duck (*Anas wyvilliana*), are known occur in Kawainui Stream, Kawainui Marsh and Hamakua Marsh. The wedge-tailed shearwater (*Puffinus pacificus chlorhynchus*), a seabird species protected under the MBTA, may fly over the project area.

The proposed project is directly adjacent to Kawainui Stream and Kawainui Marsh where endangered waterbirds are known to nest therefore, there is a potential for a Section 9 violation of the ESA due to construction of the proposed project. To avoid a Section 9 violation, the Service recommends no construction take place during the waterbird breeding season, which

occurs from mid-February through August. If construction during this time is unavoidable and the project is funded, authorized, or permitted by a Federal agency, then the Federal 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 laying out the proposed actions, determine the effects of the action on affected fish and wildlife species and their habitats, and define measures to minimize and mitigate adverse effects.

Additional concerns regarding Hawaiian waterbirds pertain to post construction. Hamakua Marsh, a 23 acre (9 hectare) state-owned and managed waterbird sanctuary is adjacent to the proposed project. An unfenced portion of Hamakua Marsh abutts a shopping center and receives a high amount of human traffic. This has resulted in several documented deaths and disturbances of endangered waterbirds at Hamakua Marsh. People have discarded bread or other foods in parking areas adjacent to the marsh. Attracted by the food, waterbirds leave the marsh and forage for crumbs in the parking area, and these birds have been killed by vehicles and occasionally people. Dog owners throw tennis balls into the marsh for their dogs to retrieve, which disturbs nesting birds or may result in direct predation. In addition, there has been illegal disposal of garbage which has degraded nesting habitat. It is unlikely the proposed project will have high amounts of human traffic, however, there is potential for the above impacts to occur. Therefore, we recommend the following measures be incorporated into your project description to avoid and minimize potential impacts to listed Hawaiian waterbirds:

- Design a fence to prevent pets from accessing Kawainui Stream and Kawainui Marsh from the apartment complex to prevent predation of waterbirds and/or disturbance of nesting waterbirds.
- Place signage around the property to educate residents about waterbird issues.
- Prohibit feeding of feral cat colonies to prevent predation of waterbirds.
- Allow only closed and contained trash receptacles to prevent garbage from degrading waterbird nesting habitat.
- Provide each buyer and renter for each unit with information regarding Hawaiian waterbirds such as; basic species information, importance of not feeding waterbirds and keeping their pets out of Kawainui Stream and Kawainui Marsh, keeping trash in closed trash receptacles to prevent degradation of waterbird habitat, and no feeding of animals such as feral cat colonies to prevent predation of waterbirds. The biologist indicated below can help provide this information.

Outdoor lighting, such as street lights, can adversely impact migratory seabird species, such as the wedge-tailed shearwater, that may fly over the proposed project area. Seabirds fly at night and are attracted to artificially lighted areas which can result in disorientation and subsequent fallout due to exhaustion or collision with objects such as utility lines, guy wires, and towers that protrude above the vegetation layer. Once grounded, they are vulnerable to predators or often struck by vehicles along roadways. Every year many young shearwaters are downed and struck along Oahu roadways. Any increase in the use of night-time lighting, particularly during each year's peak fallout period (September 15 through December 15), could result in additional seabird injury or mortality.

Page 24 of the DEA stated, "All exterior lighting on the proposed apartment building will be shielded in an effort to reduce effects on nocturnal avifauna that may be sensitive to light." The Service appreciates the implementation of this measure to reduce impacts to seabirds. If

additional outdoor lighting is proposed for the project, the Service recommends a comprehensive lighting plan be developed and incorporated into the Final EA to minimize and avoid artificial lighting impacts to seabirds. If lights cannot be eliminated due to safety or security concerns then they should be positioned low to the ground, be motion-triggered and be shielded and/or full cut-off. Effective light shields should be completely opaque, sufficiently large, and positioned so that the bulb is only visible from below. We recommend adding signage around the apartment complex to educate residents of seabird fallout issues and let them know that downed birds can be taken to Sea Life Park for rehabilitation and what they can do to help reduce fallout (*e.g.*, dim lights, close curtains). In addition, each owner and renter should be provided with this information. Also, construction activities should occur during daylight hours only. We appreciate your efforts to minimize and avoid artificial lighting impacts to seabirds.

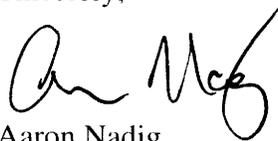
On page 13, paragraph 5 of the Draft EA it mentioned that "Landscape materials will include exotic grasses and eventually shrubs." However, on page 32, paragraph 2, it states, "Native plants will be incorporated into the landscaping to reduce irrigation demand." In the Final EA please clarify the extent as to which native and non-native plants will be used for landscaping.

Hawai'i's native ecosystems are heavily impacted by exotic invasive plants. Whenever possible we recommend using native plants for landscaping purposes. If native plants do not meet the landscaping objectives, we recommend choosing species that are thought to have a low risk of becoming invasive. The following websites are good resources to use when choosing landscaping plants: Pacific Island Ecosystems at Risk (<http://www.hear.org/Pier/>), Weed Risk Assessment for Hawai'i and Pacific Islands (<http://www.botany.hawaii.edu/faculty/daehler/wra/>) and Global Compendium of Weeds (<http://www.hear.org/gcw/>).

Because the proposed project will involve earthwork, we are attaching the Service's recommended Best Management Practices regarding sedimentation and erosion control. We encourage you to incorporate the relevant practices into your project design.

We appreciate your efforts to conserve endangered species. If you have questions regarding these comments, please contact Leila Gibson, Fish and Wildlife Biologist (phone: 808-792-9400, email: leila_gibson@fws.gov).

Sincerely,



Aaron Nadig
Island Team Manager
O'ahu, Kaua'i, North Western Hawaiian Islands,
and American Samoa

Enclosure: Service BMPs for erosion and sediment control

cc: Mr. Lee Sichter

U.S. Fish and Wildlife Service Recommended Standard Best Management Practices

The U.S. Fish and Wildlife Service (USFWS) recommend 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 <http://www.haccp-nrm.org/Wizard/default.asp>) 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.

Lee Sichter LLC

45024 Malulani Street #1, Kaneohe, Hawaii 96744
Ph. (808) 382-3836; Fax. (808) 234-0872; Web. www.leesichter.com

March 14, 2016

Mr. Aaron Nadig
Island Team Manager
Pacific Islands Fish & Wildlife Office
300 Ala Moana Blvd., Room 3-122
Honolulu, Hawai'i 96850

Dear Mr. Nadig:

**Response to Comments
Draft Environmental Assessment
Kihapai Place Apartment Project
Kailua, O`ahu, Hawai`i**

I am writing on behalf of the Applicant to response to your comments addressed to DPP Director George Atta regarding the above project and dated September 22, 2015. Following are our responses in the order your comments were presented in your letter:

1. The Applicant acknowledges your recommendation that no construction occur at the Subject Property during the waterbird breeding season (mid-February through August). No Federal agency is involved in the proposed project. To address your concerns, the Applicant will assemble a suite of mitigation measures to minimize to the maximum extent practical potential impacts to listed and protected wildlife species. These measures will be split between construction activity and subsequent build-out, education and outreach to tenants.
2. The Applicant will provide the requested fence to prevent predation of waterbirds and/or disturbance of nesting waterbirds. There is a very dense stand of *koa haole* between the existing back fence on the property and the stream that completely shields on-ground activity from the stream and the marsh. The marsh also has a relatively tall and dense stand of *hau* on the inland side of the river. Clearing and grubbing on the lot will be conducted from the road side towards the stream only as far as is required to build the rock wall that will be backfilled towards the front of the lot, leaving the dense vegetation on the stream-side of the c.m.u. wall foundation footprint depicted in Figure 15 of the Draft EA. The applicant will build a fence on top of the c.m.u. wall to further screen the

site from the stream, which will also limit pedestrian traffic between the wall and the stream. With this order of construction, birds will not be able of see construction activity, and construction activity has no chance of harming nests, eggs or birds.

3. The Applicant will post the requested signage.
4. The Applicant will inform tenants of the following restrictions:
 - a. Do not feed pets outdoors;
 - b. It is specifically prohibited to put out food trays for feral cats and dogs anywhere on the property;
 - c. Do not feed the waterbirds no matter how tame they seem to appear; and
 - d. Do not disturb any waterbirds along the river edge.The Applicant will include these restrictions in the lease for each apartment, to the extent practicable. The Applicant will also prepare a brochure containing these restrictions together with other information to educate the tenants about the presence of endangered and protected wildlife.
5. The Applicant will implement your recommendation regarding closed trash containers.
6. As discussed in response #4 above, the Applicant will provide written material to new renters regarding the above recommendations.
7. No additional outdoor lighting is proposed. The Applicant will provide the requested information to new renters.
8. Mahalo for pointing out the inconsistency. The statement in the fifth paragraph of Section II.B.3 has been amended to include the statement that native plants will be incorporated into the landscaping wherever practicable. The Applicant's landscape architect will be informed of your recommendation.
9. Your recommendations regarding earthwork are acknowledged.

Mahalo for participating in the environmental assessment review process. If you have any questions or require any additional information, please call me at 382-3836.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lee Sichter", written over a horizontal line.

Lee Sichter



Lee Sichter <leesichter@gmail.com>

FW: Hearing on Kihapai Housing

1 message

Tagawa, Steve H. <stagawa@honolulu.gov>
To: "leesichter@gmail.com" <leesichter@gmail.com>

Wed, Sep 23, 2015 at 8:43 AM

Lee,

This is a written comment which received yesterday, which we said would count as comments received, but was not enclosed with our letter mailed out yesterday.

Please include it in the Final EA.

Mahalo,

Steve T.

From: Super Girl [mailto:deetigergirl@yahoo.com]
Sent: Tuesday, September 22, 2015 6:42 PM
To: Tagawa, Steve H.
Subject: Hearing on Kihapai Housing

Hi, Steve! This is Debbra Baetz. I called you this morning with questions pertaining to the aforementioned subject. You were kind enough to answer my questions and provide me with additional information regarding the deadline to submit public comments regarding this matter. You advised me to address my comments to George Atta, Director of Planning & Permits by today through your email:

To: George Atta

The initial purpose of my inquiry regarding this submit matter was to verify if the construction will affect the current area that I reside in should the permit for building be approved by the City Council. My husband and I live on Wailepo Place which is behind the Kawainui Marsh. I've lived there for a little over 20 years and being displaced would be devastating because of the rise in cost of housing everywhere. Based on the description of the area where the construction would take place, according to Steve Tagawa, it shouldn't affect the area that we live (hopefully).

I think that new housing construction is necessary in Kailua; however, it should be affordable. This has been a recurring issue and concern in Hawaii for decades as many local residents are challenged with finding affordable housing, let alone afford living in this State. This issue has caused more local residents to move to the mainland, or become homeless. My hope and vote is to allow spending on building permits for affordable housing only. It is an important factor as a solution to preventing homelessness and boosting our economy by keeping local residents in Hawaii.

Thank you for allowing me to submit a public comment.

Debra Baetz

(Kailua resident since 1970)

Lee Sichter LLC

45024 Malulani Street #1, Kaneohe, Hawaii 96744
Ph. (808) 382-3836; Fax. (808) 234-0872; Web. www.leesichter.com

March 14, 2016

Ms. Debbra Baetz
c/o deetigergirl@yahoo.com

Dear Ms. Baetz:

Response to Comments
Draft Environmental Assessment
Kihapai Place Apartment Project
Kailua, O`ahu, Hawai`i

I am writing on behalf of the Applicant to respond to your email addressed to the Department of Planning and Permitting dated September 22, 2015 regarding the above project. Following are our responses to your comments in the order they were presented in your email.

1. The proposed construction of a new apartment building at 734/735 Kihapai Place will not displace any residents. The property is vacant. As the proposed construction will not affect the existing use of any surrounding properties, no surrounding residents will be displaced.
2. The Applicant shares your concern and acknowledges your request that the Proposed Action provide affordable housing units. At this time, the Applicant's intent is to provide market-priced rental units that will serve a very high-demand sector of the housing market. The Applicant believes that offering the units at the low end of the market will also boost our economy and help to keep local residents in Hawaii.

Mahalo for participating in the environmental assessment review process. If you have any questions or require any additional information, please call me at 382-3836.

Very truly yours,



Lee Sichter

DAVID Y. IGE
GOVERNOR OF HAWAII



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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 28, 2015

Lee Sichter LLC
45-024 Malulau Street, Suite 1
Kaneohe, HI 96744

via email: leesichter@gmail.com

Dear Mr. Sichter,

SUBJECT: Draft Environmental Assessment (DEA), Chapter 25, Revised Ordinances of Honolulu, Special Management Area (SMA), Kihapai Place Apartment Project

Thank you for the opportunity to review and comment on the subject matter. In addition to the comments sent to you dated September 22, 2015, enclosed are additional comments from the State Historic Preservation Division. Should you have any questions, please feel free to call Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

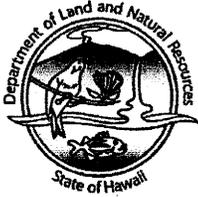
Sincerely,

A handwritten signature in black ink, appearing to read "Russell Y. Tsuji".

Russell Y. Tsuji
Land Administrator

Enclosure(s)

DAVID Y. IGE
GOVERNOR OF HAWAII



Duplicate
2015.03173

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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 17, 2015

MEMORANDUM

TO:

DLNR Agencies:

- Div. of Aquatic Resources
- Div. of Boating & Ocean Recreation
- Engineering Division
- Div. of Forestry & Wildlife
- Div. of State Parks
- Commission on Water Resource Management
- Office of Conservation & Coastal Lands
- Land Division – Oahu District
- Historic Preservation

FROM:

Russell Y. Tsuji, Land Administrator

SUBJECT:

Draft Environmental Assessment (DEA), Chapter 25, Revised Ordinances of Honolulu, Special Management Area (SMA), Kihapai Place Apartment Project

LOCATION:

734 and 735 Kihapai Place – Kailua (Coconut Grove); Tax Map Key: 4-3-58: 47, 48, and 65

APPLICANT:

Kihapai Hui LLC by its agent Lee Sichter LLC

Transmitted for your review and comment on the above-referenced document. We would appreciate your comments on this document which can be found here:

1. Go to: <https://sp01.ld.dlnr.hawaii.gov/LD>
2. Login: Username: LD\Visitor Password: Opa\$\$word0 (first and last characters are zeros)
3. Click on: Requests for Comments
4. Click on the subject file "Draft Environmental Assessment (DEA), Chapter 25, Revised Ordinances of Honolulu, Special Management Area (SMA), Kihapai Place Apartment Project" then click on "Files" and "Download a copy". (Any issues accessing the document should be directed to Linda Kawakami at (808) 587-0371 or Linda.Kawakami@hawaii.gov)

Please submit any comments by September 21, 2015. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Supervising Land Agent Steve Molmen at (808) 587-0439. Thank you.

Attachments

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: Alan Downer
Print Name: Alan Downer
Date: 9.23.15

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

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

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON
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

September 14, 2015

Mr. George I. Atta, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street, 7th Floor
Honolulu, HI 96813

Log No. 2015.03173
Doc. No. 1509GC02
Archaeology,
History and Culture

Dear Mr. Atta:

**SUBJECT: Chapter 6E-42 Historic Preservation Review
Draft Environmental Assessment (DEA) – Special Management Area
Kihapai Place Apartment Project – 2015/ED-9(ST)
Kailua Ahupua‘a, Ko‘olaupoko District, Island of O‘ahu
TMK: (1) 4-3-058: 047, 048 and 065**

Thank you for the opportunity to review and comment on the Draft Environmental Assessment (DEA) for the proposed construction of Kihapai Place Apartments. The proposed four story apartment building (42 units) is located within a 0.41-acre project area consisting of vacant parcels identified as TMKs: (1) 4-3-058:047, 048 and 065, which are owned by Kihapai Place LLC. The property is bounded on the west and south by an open water canal that is a portion of Kawainui Marsh, and residential apartments on the north and east. The subject property was formerly comprised of three tax map parcels (TMK: (1) 4-3-058:047, 048 and 065), which were consolidated on May 22, 2015 (2015/Sub-72) into Lot A. The project involves construction of a 24,000 square-foot, four-story apartment building with appurtenances, including underground utilities and an at-grade paved parking lot; as well as extensive grading and landscaping, and construction of an at-grade retention wall topped by a fence in the rear portion of the project area. In addition, the DEA indicates that a grade-adjustment wall will be constructed along the western property boundary and a portion of the north and south property boundaries; the wall is designed to redirect runoff away from Kawainui Marsh.

A review of SHPD records indicates that Kawainui Marsh has been determined eligible for the Hawaii and National Register of Historic Places (September 18, 2003; Log No: 20033.1808, Doc. No. 0309SC05). They also indicate that numerous archaeological studies have been conducted within Kawainui Marsh and surrounding fringes. These studies identified and documented the presence of numerous historic properties, including human burials. The identified sites include, but are not limited to, the Kawainui Marsh archaeological cultural historic complex, grinding stone and habitation area (Site 50-80-11-2029), Kihapai Occupation Site (Site 50-80-11-2030), and a historic road remnant (Site 50-80-11-7199). In addition, SHPD's records indicate no archaeological inventory survey (AIS) has been conducted for the above subject parcels, and thus SHPD has no information on whether surface and/or subsurface archaeological historic properties are present. The USDA identifies the soils in the project area as Jaucas sands (Foote et al. 1972), a substrate conducive to containing historically-significant deposits, including subsurface cultural layers and human remains/burials.

Based on the above information, SHPD has concerns that the proposed project may adversely impact potential subsurface historic properties (cultural deposits and/or human burials). Some of the nearby archaeological studies have documented the presence of cultural deposits and/or burials in both primary context as well as in areas impacted by utility installation or improvement projects, including the Kawainui Marsh Wetland Restoration and Habitat Enhancement project (e.g., SHPD letter dated July 32, 2014; Log No. 2014.01797, Doc. No. 1407NN13).

Mr. George Atta
September 14, 2015
Page 2

In addition, SHPD's research indicates that Kawainui and Hamakua Marsh Complex is a RAMSAR registered site #1460. RAMSAR is the oldest of the modern global intergovernmental environmental agreements (treaty) created between concerned countries and Non-Governmental Organizations (NGOs) dealing with the increasing degradation of wetland habitats. RAMSAR recognizes the significance of Wetlands of International Importance. Sacred to Native Hawaiians, the Kawainui Marsh Complex is one of the largest remaining emergent wetland in Hawai'i and one of Hawai'i's largest remaining Loko Wai or freshwater fishponds.

Pursuant to Hawaii Administrative Rules (HAR) §13-284, SHPD requests that an archaeological inventory survey (AIS) involving subsurface testing be conducted by a qualified archaeologist in order to adequately determine the potential impacts of this project on archaeological historic properties, and to ensure that appropriate mitigation is implemented, if needed. The SHPD website contains a listing of local firms.

SHPD looks forward to reviewing an AIS report meeting the requirements of HAR §13-276-5, as well as any subsequent mitigation plans, as appropriate, based on the survey findings, prior to issuance of the permit.

SHPD will notify you when the required reports and/or plans have been reviewed and accepted and the permit may be issued.

Please contact Ka'āhiki Solis at (808) 692-8030 or at Sheleigh.Solis@hawaii.gov for any concerns regarding History and Culture, including NHO consultation, cultural sites and burials. Please contact me at (808) 692-8019 or at Susan.A.Lebo@hawaii.gov for questions or concerns regarding archaeological resources or this letter.

Aloha,



Susan A. Lebo, PhD
Archaeology Branch Chief

cc: Lee Sichter, LLC
45-024 Malulani Street, Suite 1
Kaneohe, HI 96744

Lee Sichter LLC

45024 Malulani Street #1, Kaneohe, Hawaii 96744

Ph. (808) 382-3836; Fax. (808) 234-0872; Web. www.lesichter.com

March 14, 2016

Ms. Susan A. Lebo, Branch Chief
State Historic Preservation Division
Department of Land & Natural Resources
State of Hawaii
Kakuhihewa Building
601 Kamokila Blvd., Suite 555
Kapolei, Hawai'i 96707

Dear Ms. Lebo:

**Response to Comments
Draft Environmental Assessment
Kihapai Place Apartment Project
Kailua, O`ahu, Hawai'i**

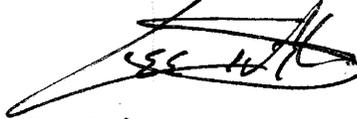
I am writing on behalf of the Applicant in response to your comments regarding the above project dated September 14, 2015. Pursuant to your request, an archaeological inventory survey was conducted on the Subject Property and was completed on March 11, 2016. The following discussion has been added to Section III.C. of the Environmental Assessment:

The records of the State Historic Preservation Division (SHPD) of the Department of Land and Natural Resources indicate that Kawainui Marsh has been determined eligible for the Hawaii and National Register of Historic Places. They also indicate that numerous archaeological studies have been conducted within the marsh and surrounding fringes. These studies identified and documented the presence of numerous historic properties, including human burials. However, it appears that no archaeological inventory survey has been previously conducted on the Subject Property. To rectify that, the Applicant, in consultation and coordination with the SHPD, authorized an archaeological inventory survey to be conducted. The study was completed on March 11, 2016. Under monitoring by SHPD and cultural observers, several trenches were excavated on-site. One trench yielded partial human remains (iwi). The iwi were reinterred in place. No other cultural resources or deposits were found. At the time of this writing, a final archaeological inventory survey report is being prepared by the project's consulting archaeologist, together with a Burial Treatment Plan which will be submitted to the O`ahu Burial Council and the SHPD for review and approval.

The Applicant sincerely appreciates the guidance and coordination provided by your office and will endeavor to comply with all requisite protocols associated with the inadvertent find.

Mahalo for participating in the environmental assessment review process. If you have any questions or require any additional information, please call me at 382-3836.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lee Sichter", written over a horizontal line.

Lee Sichter

APPENDIX A

DRAINAGE REPORT AND STORM WATER QUALITY CHECKLIST

FOR

KIHAPAI PLACE APARTMENTS

734 KIHAPAI PLACE

KAILUA, OAHU, HAWAI'I

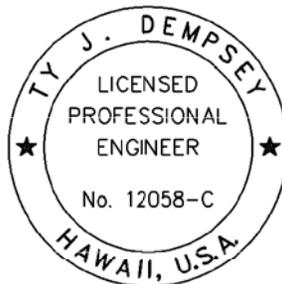
TMK: 4-3-58: 47, 48 & 65

PREPARED BY:

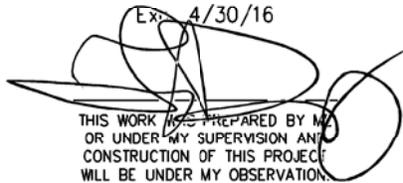
Dempsey Pacific Inc.

Civil Engineering Design & Consulting Services

P.O. Box 10384
Honolulu, HI 96816



Exp. 4/30/16


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

October 2015

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I. INTRODUCTION

This project consists of developing three lots recently consolidated into a single 24,593 square foot parcel at the end of Kihapai Place in Kailua. The project site will be improved with a new 42-unit apartment structure, site landscaping and parking lot pavement slopes from 0.5% to 2% for the new parking lot and landscaping areas. This is a preliminary drainage report which will be finalized as part of the grading and construction plans to be submitted to DPP Site Development Division during the building permit phase of the project.

The total area of the project is approximately 0.56 acres. See Appendix A for the Tax Map and Appendix B for the existing topographic conditions.



Figure 1: Vicinity Map

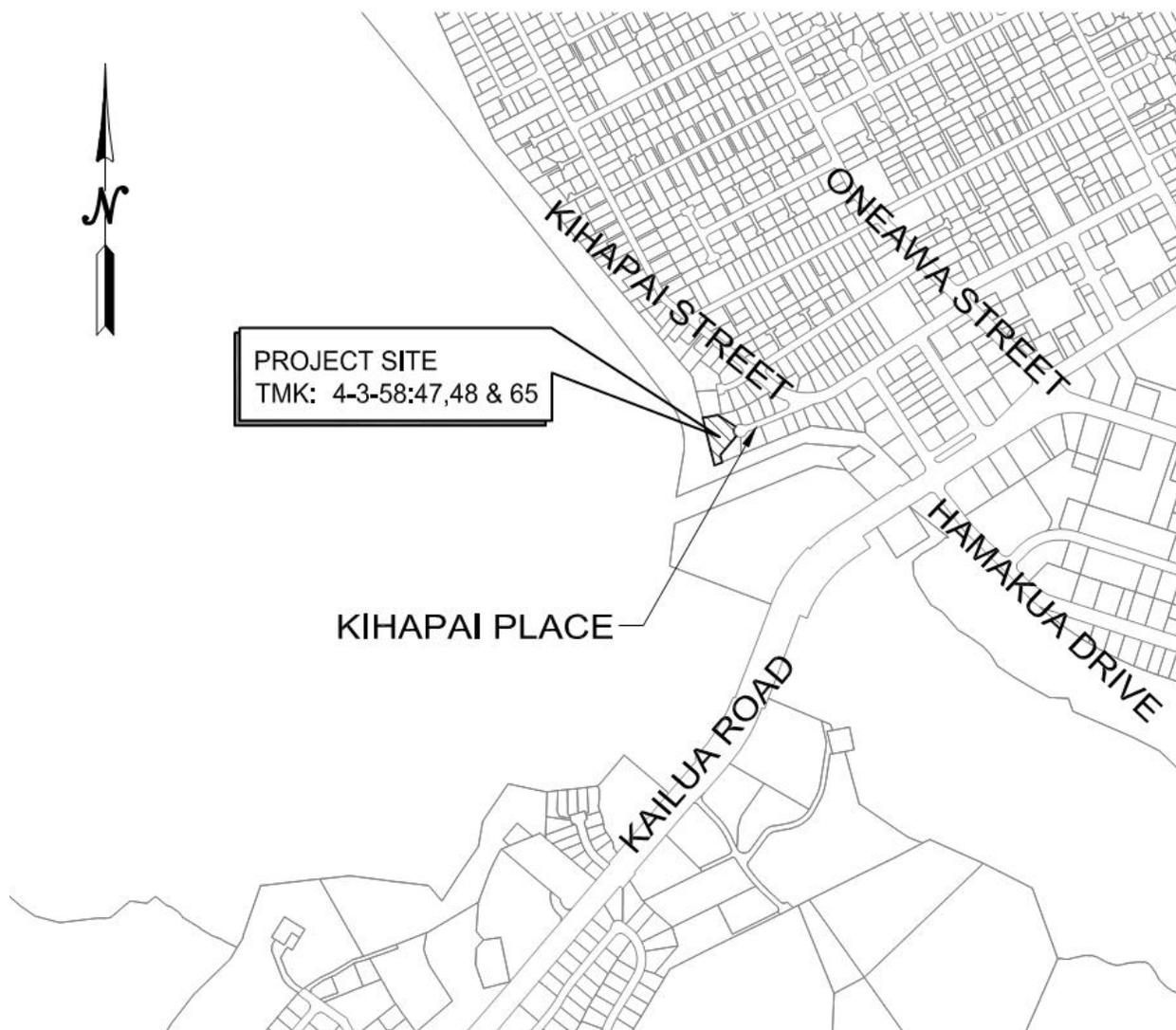


Figure 2: Location Map

II. EXISTING CONDITIONS

Currently the site consists of a vacant lot with fencing. An apartment building previously existed on the property which was demolished in 2004. A portion of the existing runoff from the site will surface flow towards the Kawainui Marsh canal on the west side of the high point in the property and a majority will surface flow towards the Kihapai Place cul-de-sac and street catch basin which ties into the City's storm drain system. The City's catch basin has a 24" reinforced concrete drain line that discharges into the canal through an outlet within a 10' wide drainage easement in the adjacent lot (TMK: 4-3-58:46).

See Appendix C for the Existing Drainage Map.

III. PROPOSED CONDITIONS

The project consists of grading the site by raising the site elevations in the rear of the property to prevent runoff directly into the Marsh and providing a parking lot and landscaping areas that direct runoff away from the new building. The drainage pattern will flow into the landscaping areas and private drain inlets and tie into the storm drain system in Kihapai Place. Low Impact Development (LID) drainage provisions will be provided.

See Appendix D for the Proposed Drainage Map.

IV. HYDROLOGIC CRITERIA

Design criteria for the proposed project are outlined in “Rules Relating to Storm Drainage Standards”, Department of Planning and Permitting, City and County of Honolulu, dated January 2000 (Drainage Standards).

Recurrence Interval (Tm)

Hydrologic analyses are developed for recurrence intervals of 10 and 50 years for the Kihapai Place Apartments site which has a drainage area of 100 acres or less.

Runoff Quantity

Based on the Drainage Standards, the rational method will be used to estimate the storm runoff from drainage areas, provided that the total drainage area is less than 100 acres, whereas:

Where: Q = flow rate in cubic feet per second (cfs)
C = runoff coefficient
I = rainfall intensity in inches per hour
A = drainage area in acres

Runoff Coefficient (C)

Runoff coefficients to be used for the project are:

C= 0.80 (Apartment Areas zoned A-2)
C= 0.26 (Flat pervious surface, meadow)

Time of Concentration, Tc

The Time of Concentration (Tc) varies from 7.6 minutes to 17.3 minutes for the existing condition and 5.0 minutes to 30.5 minutes for the proposed condition. Refer to Figure 3 and Figure 4: Plate 3 – Existing/Proposed Overland Flow Charts.

Plate 3
Overland
Flow
Chart

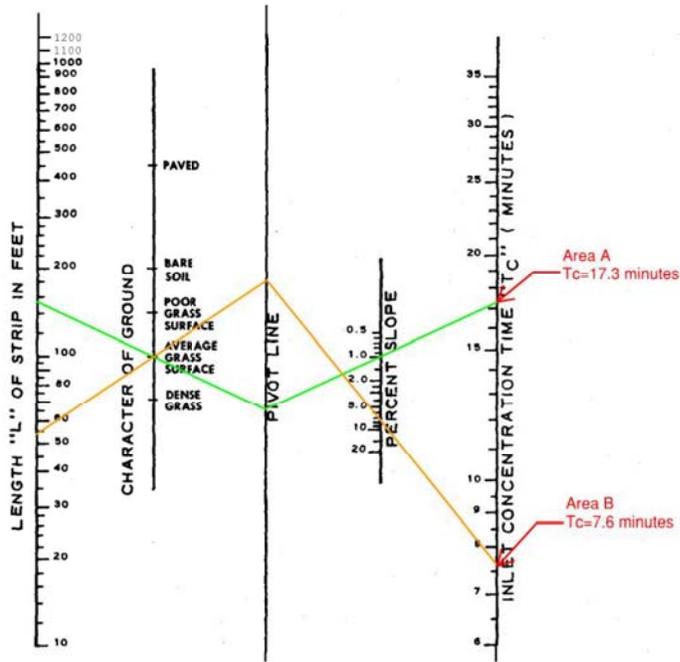


Figure 3: Plate 3 – Existing Overland Flow Chart

Plate 3
Overland
Flow
Chart

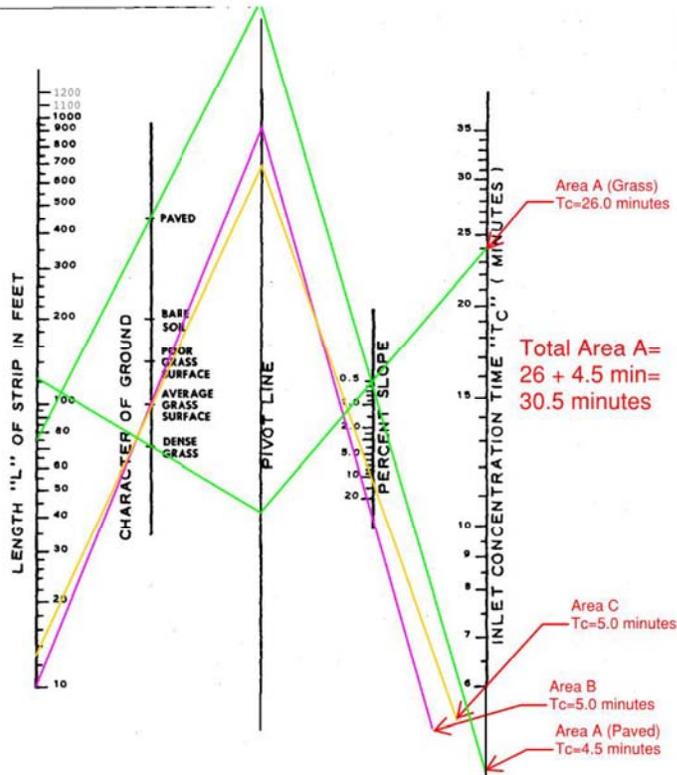


Figure 4: Plate 3 – Proposed Overland Flow Chart

Correction Factor, CF

The correction factor varies from 1.87 to 2.50 for the existing condition and 1.40 to 2.80 for the proposed condition. Refer to Figure 5 and Figure 6: Plate 4 - Correction Factors.

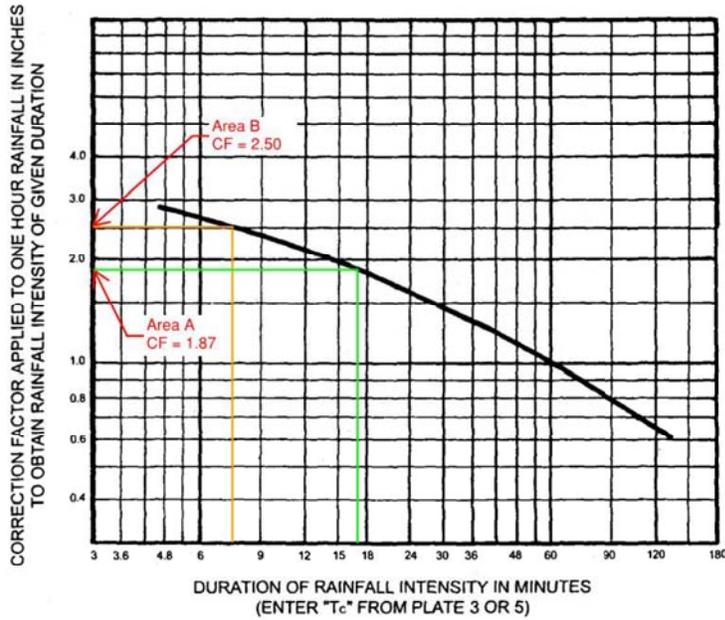


Figure 5: Plate 4 – Existing Correction Factor

Plate 4

CORRECTION FACTOR
 FOR CONVERTING 1 HR. RAINFALL
 TO RAINFALL INTENSITY
 OF VARIOUS DURATIONS

TO BE USED FOR AREA
 LESS THAN 100 ACRES
 (See Plate 6 for area
 more than 100 acres)

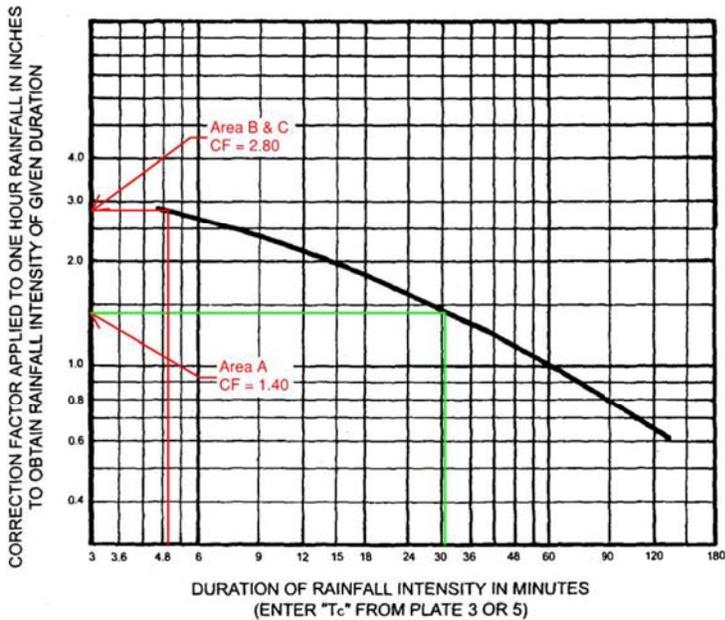


Figure 6: Plate 4 – Proposed Correction Factor

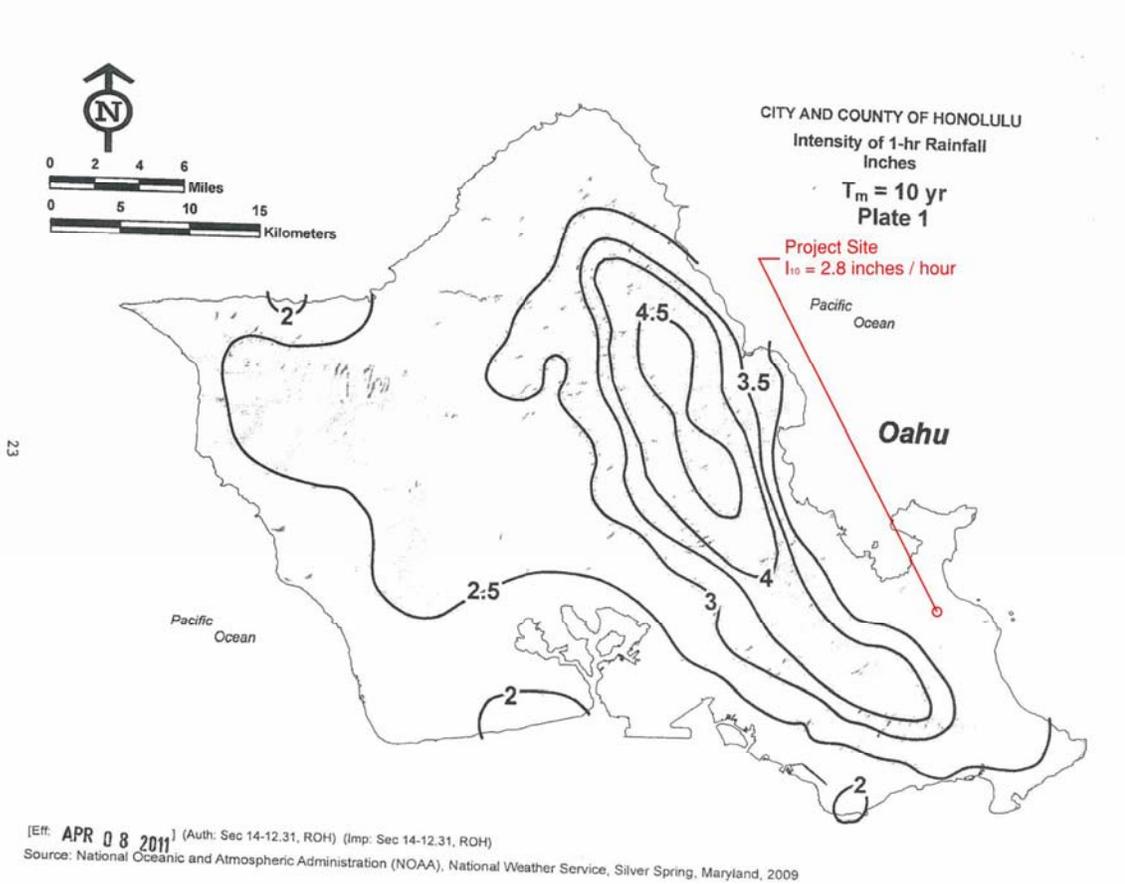
Plate 4

CORRECTION FACTOR
 FOR CONVERTING 1 HR. RAINFALL
 TO RAINFALL INTENSITY
 OF VARIOUS DURATIONS

TO BE USED FOR AREA
 LESS THAN 100 ACRES
 (See Plate 6 for area
 more than 100 acres)

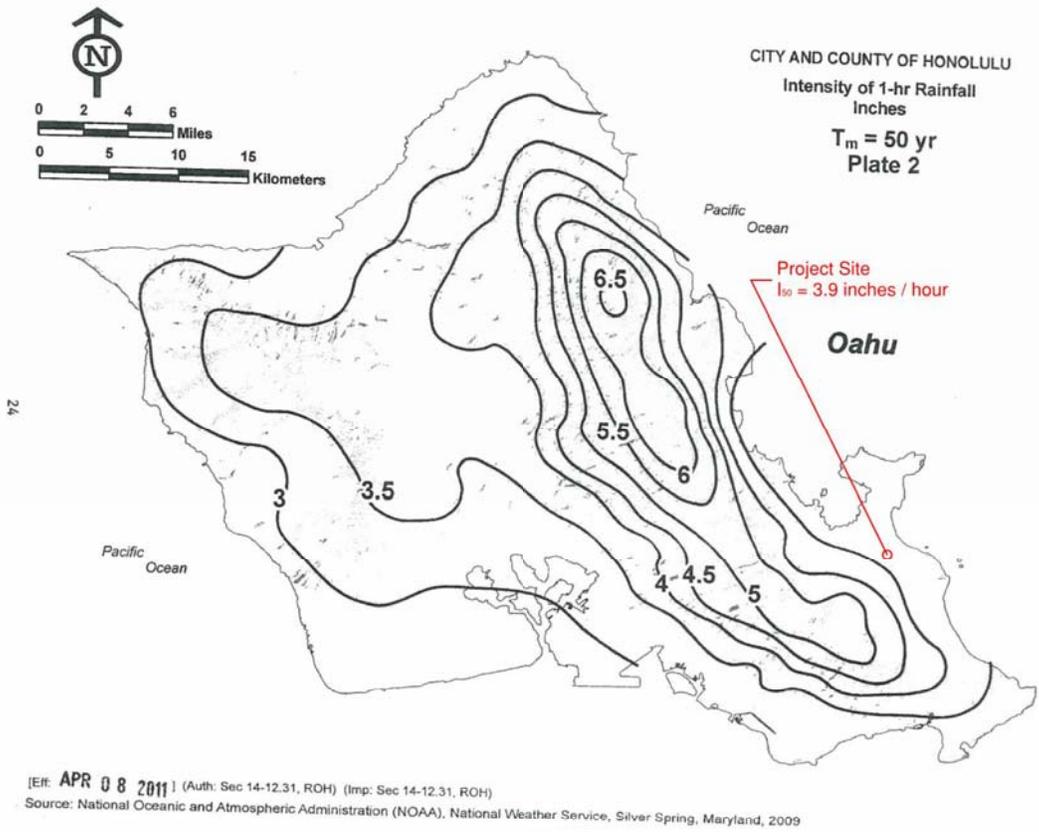
Rainfall Intensity, I_{10} and I_{50}

The rainfall intensity of 1-hour rainfall for 10-year recurrence interval, $I_{10} = 2.80$ inches/hour and for 50-year recurrence interval, $I_{50} = 3.90$ inches/hour will be based from the City Standards.



$I_{10} = 2.8$ inches

Figure 7: Rainfall Intensity 1-hour, 10 year



$I_{50} = 3.9$ inches

Figure 8: Rainfall Intensity 1-hour, 50 year

Calculations

- a. Runoff Coefficients
 C= 0.80 (Apartment Areas zoned A-2)
 C= 0.26 (Flat pervious surface, meadow)
 C= Weighted average where two land types exist in one drainage area

- b. Average Rainfall Intensity ($T_m = 10\text{-yr}$ and 50-yr)
 $I_{10} = 2.8$ inches/hour
 $I_{50} = 3.9$ inches/hour

- c. Time of Concentration, T_c
 T_c used varies between 5.0 minutes and 30.5 minutes for each drainage area

- d. Correction Factor
 CF used varies between 1.4 and 2.8 for each drainage area

- e. Design Rainfall Intensity, I
 $= CF \times I_{10}$ $= CF \times I_{50}$

Table 1: Existing Peak Runoff

Area No.	Area	C	TC	CF	I_{10}	I_{50}	Q_{10}	Q_{50}
	(acre)		(minutes)		2.80	3.90	(cfs)	(cfs)
A	0.295	0.79	17.3	1.87	5.24	7.29	1.22	1.70
B	0.269	0.34	7.6	2.50	7.00	9.75	0.64	0.90
Total =	0.56 ac.						1.86 cfs	2.60 cfs

Table 2: Proposed Peak Runoff (with LID drainage provisions)

Area No.	Area	C	TC	CF	I_{10}	I_{50}	Q_{10}	Q_{50}
	(acre)		(minutes)		2.80	3.90	(cfs)	(cfs)
A	0.555	0.80	30.5	1.40	3.92	5.46	1.74	2.43
B	0.002	0.26	5.0	2.80	7.84	10.92	0.00	0.01
C	0.007	0.26	5.0	2.80	7.84	10.92	0.01	0.02
Total =	0.56 ac.						1.75 cfs	2.46 cfs

V. STORM WATER QUALITY

This project is a residential apartment development with impervious areas exceeding 10,000 square feet. Since the lot is under 1.0 acres, the project is considered Priority B project regarding Water Quality Criteria.

Priority B projects shall include:

- i.* Consider appropriate LID Site Design Strategies.
- ii.* Incorporate appropriate Source Control BMPs to the maximum extent practicable.

See Appendix E for the Storm Water Quality Checklist. The following LID Site Design Strategies will be incorporated into the project:

- Conserve natural areas, soils, and vegetation
 - Preserve/protect wetlands
 - Avoid disturbing vegetation and soil on slopes and near surface waters
 - Leave an undisturbed buffer along the side of the marsh
- Minimize disturbances to natural drainages
 - Limit site disturbance, clearing, and grading to the smallest areas necessary
 - Minimize and control construction traffic areas
 - Minimize and control construction stockpiling and storage areas
 - Use construction fencing to mark where no disturbances will be allowed
- Minimize soil compaction
 - Prohibit working on wet soils with heavy equipment
 - Restore compacted open space areas with tilling and soil amendments
 - Minimize soil compaction in open space, landscaped, and proposed LID BMP areas
- Minimize impervious surface
 - Maximize utilization of compact car spaces in parking areas
 - Incorporate shared parking areas and driveways
 - Reduce driveway sizes
- Direct runoff to landscaped areas
 - Design roof drains to flow to vegetated areas
 - Direct flow from paved areas to stabilized landscaped/vegetated areas
 - Grade paved areas to achieve sheet flow to landscaped areas
 - Break up flow directions from large paved surfaces

The following Source Control BMPs will be incorporated into the project:

- Storm Drains
 - All storm drain inlets and catch basins include appropriate stenciling
- Runoff Management
 - Landscaped areas incorporated into drainage design
 - Pavement graded to direct runoff to landscaped areas
- Landscaped Areas
 - Irrigation system designed to minimize runoff to excess irrigation water
 - Shutoff devices used to prevent irrigation during/after precipitation

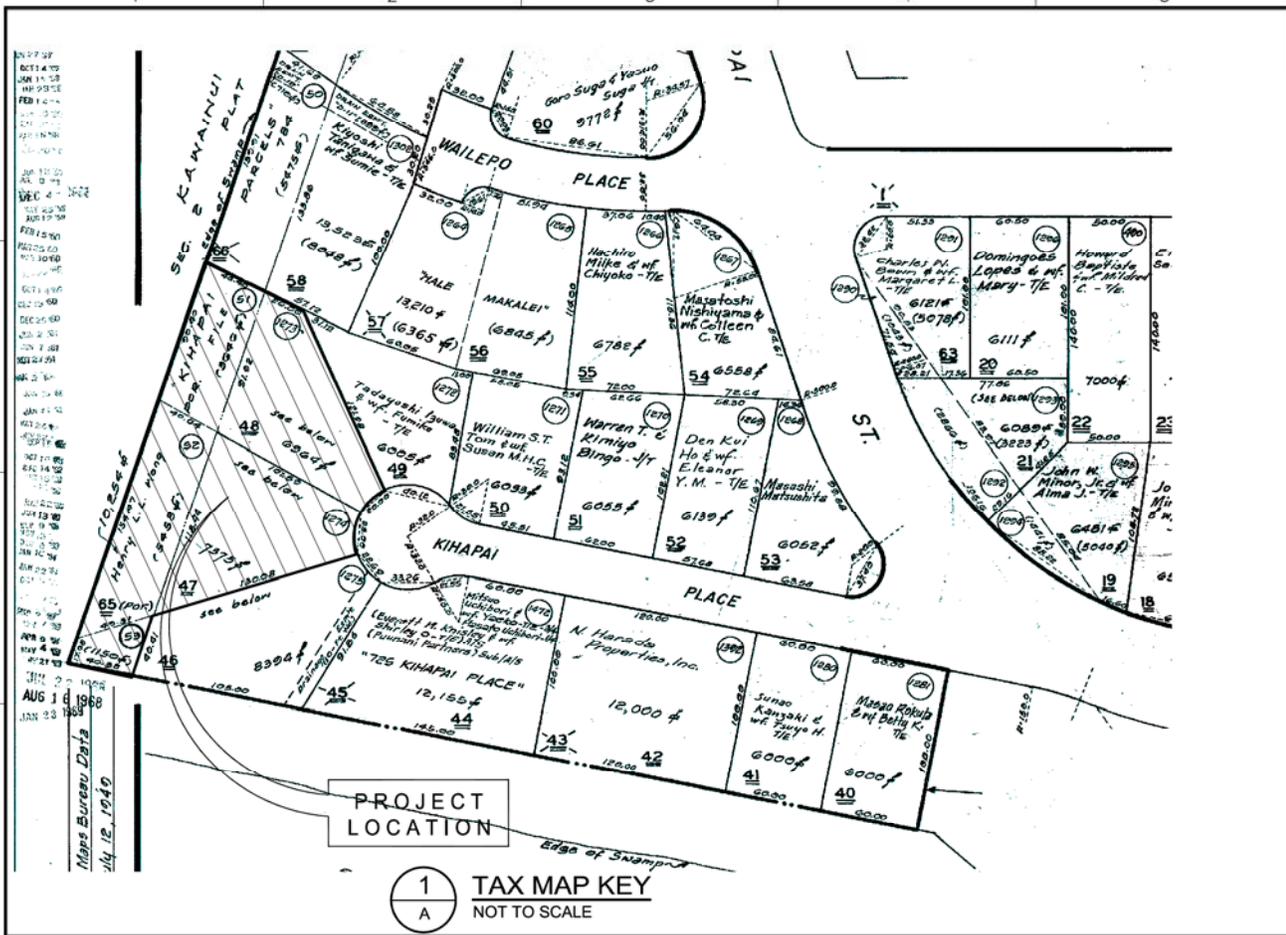
VII. CONCLUSION

From the drainage calculations, the generated runoff from the proposed development will reduce the amount of surface runoff flowing directly into the Marsh from 0.64 cfs to 0.01 cfs during the 10-year storm by improving the site drainage to direct runoff into the new landscaped areas and LID BMP areas before connecting to the City's storm drain system in Kihapai Place. The net runoff entering the Marsh from the site (through combination of the direct runoff and the City's storm drain system) will be reduced from 1.86 cfs to 1.75 cfs during the 10-year storm event with the proposed LID drainage improvements.

The LID drainage provisions will help storm water bio-filtration and retention for water quality treatment before discharge into the City's storm drain system. A Drainage Connection License will be obtained from the City during the building permit phase when the detailed drainage construction plans are prepared.

Appendix A: Tax Map Key

Date Printed: Oct 12, 2015 12:12pm Printed By: TY Drawing Path: C:\Users\Public\Documents\Drawings\Appendix A_Tax Map Key.dwg



REVISIONS	
NO.	DATE & DESCRIPTION

P.O. Box 10286
Honolulu, HI 96816
(808) 277-2048
dempsey@pacifi.com

dempsey
pacific inc.
civil engineering design
and consulting services



Exp. 4/30/16

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION

Project:
KIHAPAI PLACE APARTMENTS

Date: 10/12/15

Drawn By: TD

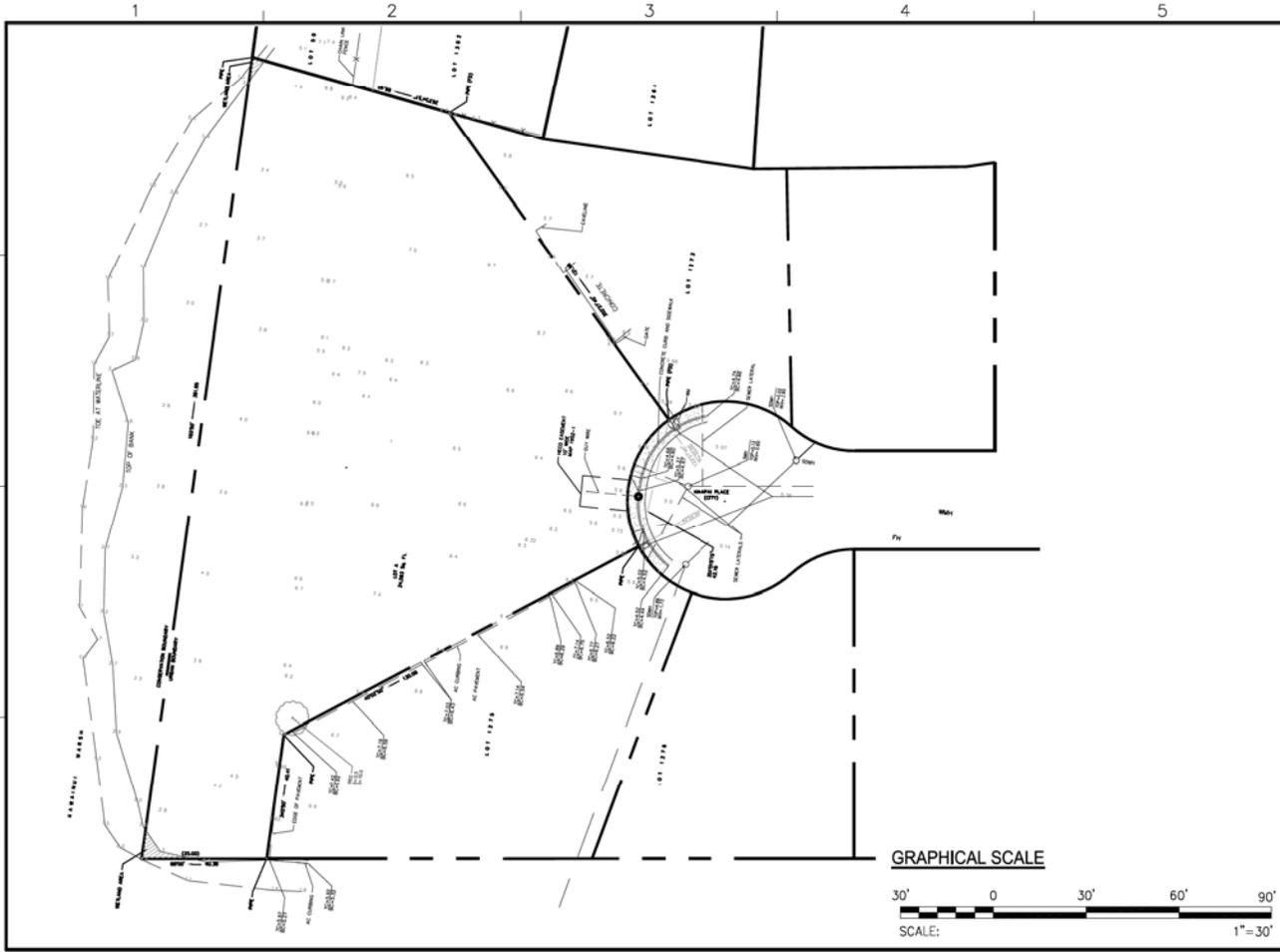
Checked By: TD

Job Number: J14.48

Sheet Title:
TAX MAP KEY

Sheet:
A

Appendix B: Topographic Map



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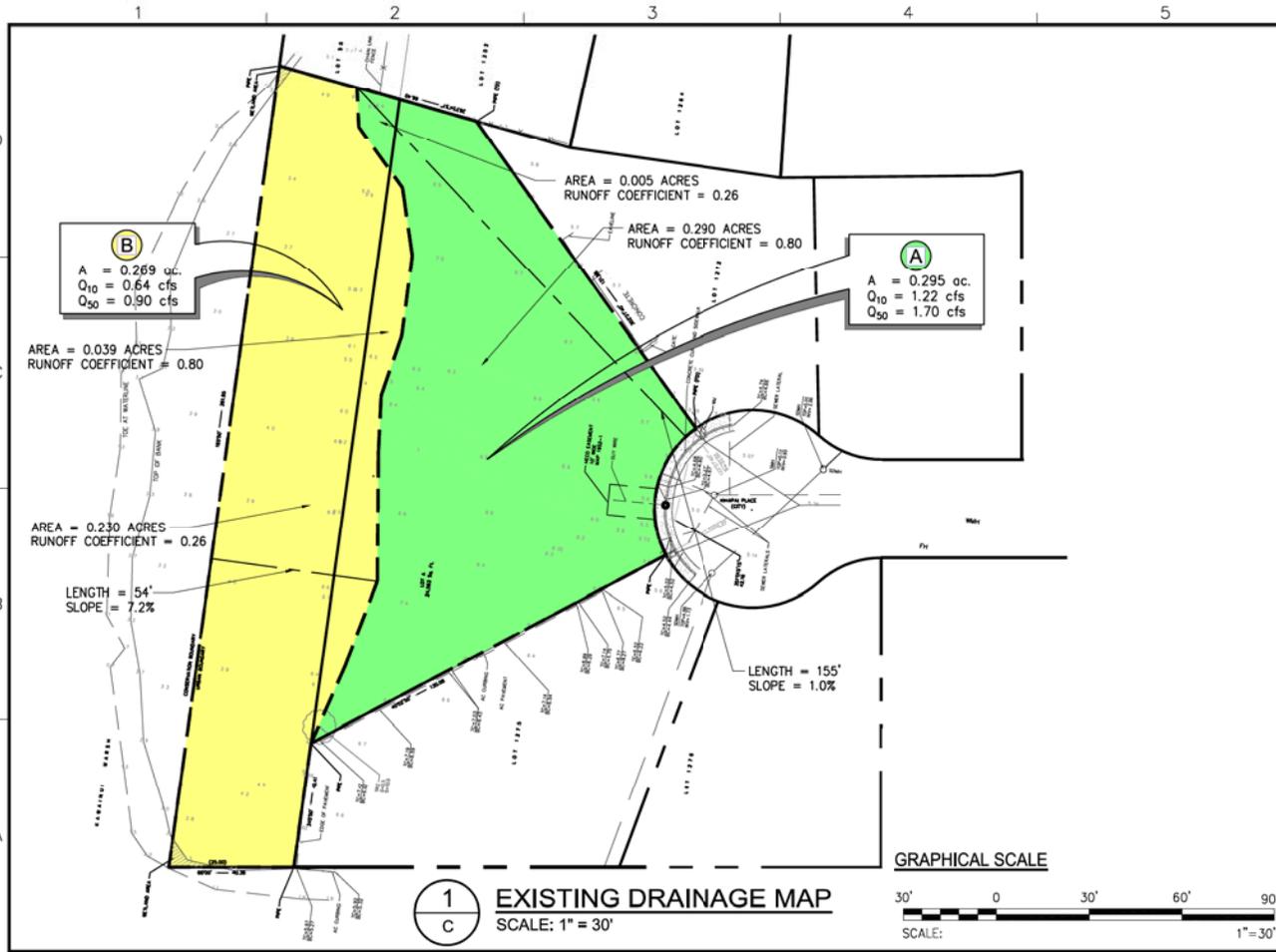
Project:
**KIHAPAI PLACE
APARTMENTS**

Date: 10/12/15
Drawn By: TD
Checked By: TD
Job Number: J14.48
Sheet Title:
TOPOGRAPHIC MAP

Sheet:
B

Appendix C: Existing Drainage Map

Date Plotted: Oct 13, 2015 - 10:35am -> Plotted By: TY -> Drawing Path: C:\temp\pacific\085\14.48 BRIDGE REAL ESTATE Kihapai Place\Reports\Drawings\Appendix C_Existing Drainage Map.dwg



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T. J. DEMPSEY
LICENSED PROFESSIONAL ENGINEER
No. 12050-C
HAWAII, U.S.A.

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Project:
KIHAPAI PLACE APARTMENTS

Date: 10/12/15

Drawn By: TD

Checked By: TD

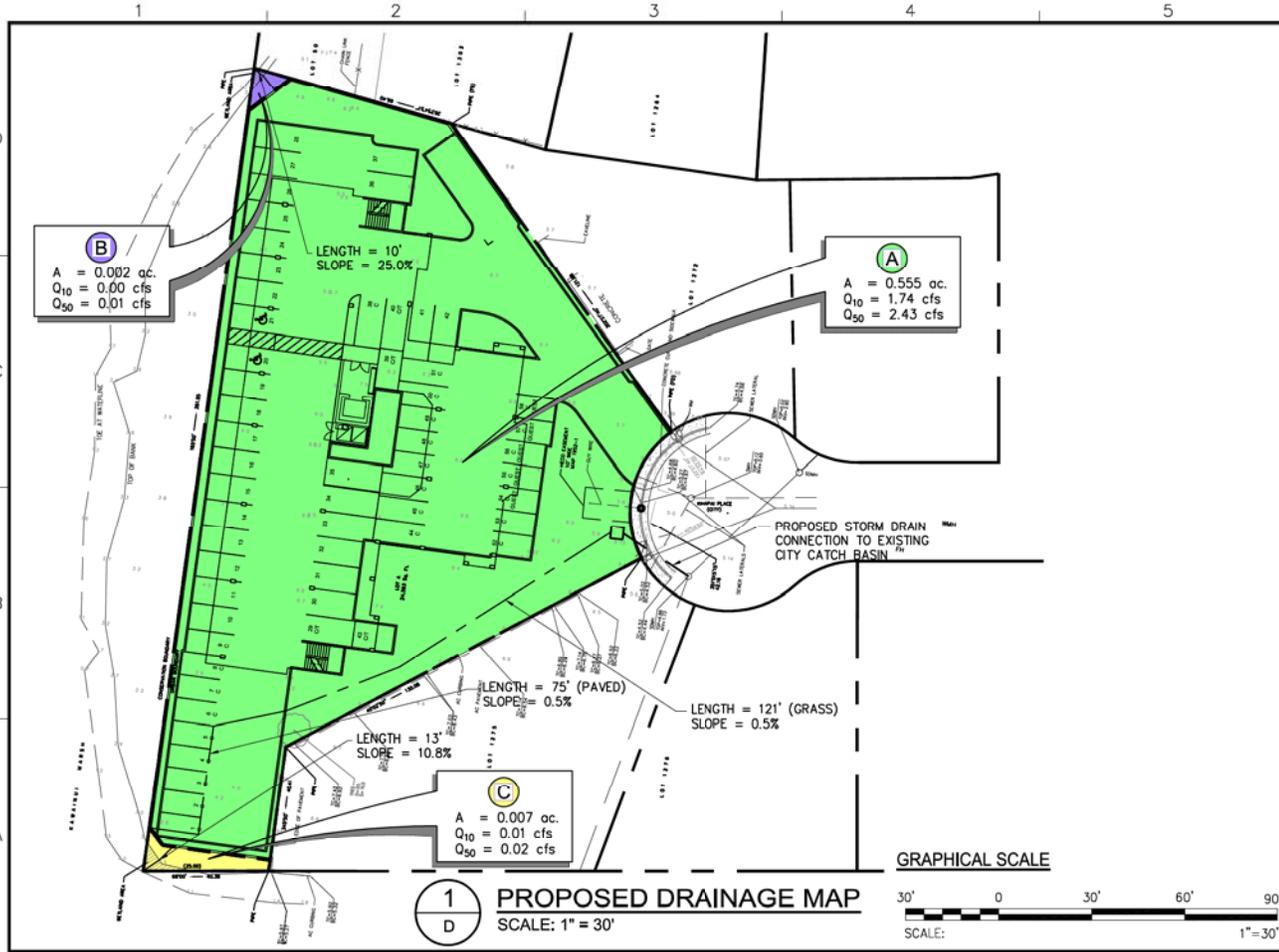
Job Number: J14.48

Sheet Title:
EXISTING DRAINAGE MAP

Sheet:
C

Appendix D: Proposed Drainage Map

Date Plotted: Oct 13, 2015 - 10:12am -> Plotted By: TY -> Drawing Path: C:\Users\Public\Documents\Kihapai Place\Reports\Drawings\Appendix C_Proposed Drainage Map.dwg



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Project:
KIHAPAI PLACE
APARTMENTS
Date: 10/12/15
Drawn By: TD
Checked By: TD
Job Number: J14.48
Sheet Title:
PROPOSED
DRAINAGE MAP

Sheet:
D

Appendix E: Storm Water Quality Checklist

Storm Water Quality Checklist (SWQC) for New Development and Redevelopment
Priority B, Parking Lot with 10,000 sq-ft of impervious area

Date: 6/22/15

PROJECT DESCRIPTION	
Project Name:	734 Kihapai Place Apartments
Project Address:	734 Kihapai Place, Kailua, HI 96734
Project Size (square feet):	24,593 SF
Tax Map Key (TMK):	4-3-58: 47, 48 & 65
Impervious Area (square feet):	12,612 SF

MANAGEMENT PRACTICES TO MEET WATER QUALITY CRITERIA						
<p>i. LID Site Design. The following strategies were considered:</p> <table><tbody><tr><td><input checked="" type="checkbox"/> Conserve natural areas, soils, and vegetation</td><td><input checked="" type="checkbox"/> Minimize soil compaction</td></tr><tr><td><input checked="" type="checkbox"/> Minimize disturbances to natural drainages</td><td><input checked="" type="checkbox"/> Minimize impervious surface</td></tr><tr><td><input checked="" type="checkbox"/> Direct runoff to landscaped areas</td><td><input type="checkbox"/> None</td></tr></tbody></table>	<input checked="" type="checkbox"/> Conserve natural areas, soils, and vegetation	<input checked="" type="checkbox"/> Minimize soil compaction	<input checked="" type="checkbox"/> Minimize disturbances to natural drainages	<input checked="" type="checkbox"/> Minimize impervious surface	<input checked="" type="checkbox"/> Direct runoff to landscaped areas	<input type="checkbox"/> None
<input checked="" type="checkbox"/> Conserve natural areas, soils, and vegetation	<input checked="" type="checkbox"/> Minimize soil compaction					
<input checked="" type="checkbox"/> Minimize disturbances to natural drainages	<input checked="" type="checkbox"/> Minimize impervious surface					
<input checked="" type="checkbox"/> Direct runoff to landscaped areas	<input type="checkbox"/> None					
<p>ii. Source Control. The following BMPs were incorporated into the design:</p> <p><i>Storm Drains</i></p> <p><input checked="" type="checkbox"/> All storm drain inlets and catch basins include appropriate stenciling</p> <p><i>Runoff Management</i></p> <p><input checked="" type="checkbox"/> Landscaped area(s) incorporated into drainage design</p> <p><input checked="" type="checkbox"/> Pavement graded to direct runoff to landscaped areas</p> <p><i>Landscaped Areas</i></p> <p><input checked="" type="checkbox"/> Irrigation system designed to minimize runoff of excess irrigation water</p> <p><input checked="" type="checkbox"/> Shutoff devices used to prevent irrigation during/after precipitation</p>						

MANAGEMENT PRACTICES TO MEET WATER QUALITY CRITERIA (CONT.)

ii. Source Control (cont.). The following BMPs are recommended during operations:

General Maintenance & Sweeping

- Leaves, trash, sand, and other debris will be cleaned regularly.
- Litter will be routinely disposed of in the trash.
- Entire parking lot will be swept at least once before the onset of the wet season.
- An adequate number of covered trash receptacles will be provided and emptied regularly.

Paving/Re-surfacing

- Paving, re-surfacing, and re-sealing activities will be done only on dry days, and any in-progress activities will be stopped immediately before rainfall.
- Hot bituminous material will be pre-heated, transferred or loaded away from storm drain inlets.
- Solids, liquids, and slurries will not be allowed to enter storm drains.

Surface Cleaning

- Dry clean-up methods (absorbents) will be used on auto spills and/or drips.
- Pavement will not be hosed down unless absolutely necessary. If pressure washing is necessary, wash water will be discharged to the sanitary sewer or a vegetated area.

Spill Response and Prevention

- A stockpile of spill cleanup materials will be kept where it will be readily accessible or at a central location.
- Fluid spills will be cleaned up with absorbent rags or material, and spilled material and absorbents will be disposed of properly.
- Affected areas will not be hosed down unless the wash water will be completely contained, cleaned up and disposed of appropriately.

Landscaping

- Pesticides and fertilizers will not be used when it is raining or when rain is forecast.
- Green waste will not be blown or raked into the street, gutter, or storm drain.

Storm Water Quality Checklist (SWQC) for New Development and Redevelopment
Priority B, Parking Lot with 10,000 sq-ft of impervious area

OWNER'S CERTIFICATION

The undersigned, while it owns the subject property, is responsible for the implementation of the provisions of this SWQC and will ensure that this checklist is amended as appropriate to reflect up-to-date conditions on the site.

This SWQC will be reviewed with the facility operator, facility supervisors, employees, maintenance and service contractors, or any other party having responsibility for implementing specific portions of this SWQC. A copy of the certified SWQC shall be available on the subject property indefinitely.

I will be responsible to maintain the Source Control BMPs that have been incorporated into the design of the project. I will be responsible for complying with the Operations and Maintenance recommendations for the applicable Source Control BMP's identified in the Department of Planning and Permitting's Storm Water BMP Guide.

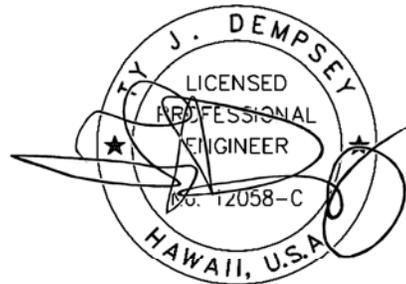
Once the undersigned transfers its interest in the property, its successors-in-interest shall bear the aforementioned responsibility to implement and amend the SWQC. The City's Department of Environmental Services will be notified of the change of ownership and the new owner will submit a new certification.

I am aware that there are significant penalties for discharging polluted runoff into the City Municipal Separate Storm Sewer System (MS4).

Signature:	 95ACD5D035EF41C...
Print Name:	Jonah Kogen
Title:	Member
Company:	Kihapai Hui, LLC
Address:	3517 Wela St Honolulu HI 96815
Telephone No.:	808 861-5925
Date:	6/22/2015

ARCHITECT/ENGINEER'S STATEMENT

This work was prepared by me or under my supervision. To the best of my knowledge, the information submitted is true, accurate and complete.



Exp. 4/30/16