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DEPARTMENT OF PLANNING AND PERMITTING

CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813

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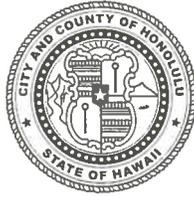
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OFFICE OF ENVIRONMENTAL QUALITY CONTROL

PETER B. CARLISLE
MAYOR



DAVID K. TANOUE
DIRECTOR

JIRO A. SUMADA
DEPUTY DIRECTOR

2012/ED-2(AA)

February 14, 2012

The Honorable Gary Hooser, Director
Office of Environmental Quality Control
State of Hawaii
State Office Tower, Room 702
235 South Beretania Street
Honolulu, Hawaii 96813

Dear Mr. Hooser:

Subject: Chapter 343, Hawaii Revised Statutes
Draft Environmental Assessment (EA)

Applicant:	Westgate Enterprises, Inc.
Landowner:	Hiroko S. Keanu
Agent:	R. M. Towill Corporation
Location:	44-295 Kaneohe Bay Drive - Kaneohe
Tax Map Key:	4-4-7: 11
Requests:	Special Management Area Use Permit (Major) and Shoreline Setback Variance
Proposal:	Four-lot (CPR) development, and installation of rocks or boulders for stabilization purpose in the shoreline setback area.

Attached, please find two hard copies and a compact disk (PDF format) of the above-referenced Draft EA, submitted pursuant to Chapter 343, Hawaii Revised Statutes. We request publication of a notice of this document in The Environmental Notice. The Department of Planning and Permitting anticipates a Finding of No Significant Impact determination.

If you have any questions, please call Ann Asaumi of our staff at 768-8020.

Very truly yours,


David K. Tanoue, Director
Department of Planning and Permitting

DKT:rk

Attachments

cc: R.M. Towill Corporation
Westgate Enterprises, Inc.

Publication Form
The Environmental Notice
Office of Environmental Quality Control

Instructions: Put an e-copy of this publication form on a compact disk along with a copy of the EA or EIS. Mahalo.

Name of Project: Kaneohe Bay Drive Residential Project
Applicable Law: Chapter 343, Hawaii Revised Statutes
Type of Document: Draft Environmental Assessment
Island: Oahu
District: Kaneohe
TMK: 4-4-7: 11
Permits Required: Special Management Area Use Permit (Major); Shoreline Setback Variance; Building Permit

Name of Applicant or Proposing Agency: Westgate Enterprises, Inc.
Address 212 Merchant Street, Suite 330
City, State, Zip Honolulu, Hawai'i 9813
Contact and Phone

Approving Agency: City and County of Honolulu, Department of Planning and Permitting
Address 650 South King Street, 7th Floor
City, State, Zip Honolulu, Hawai'i 96813
Contact and Phone Ann Asaumi / (808) 768-8020

Consultant R. M. Towill Corporation
Address 2024 North King Street, Suite 200
City, State, Zip Honolulu, Hawai'i 96819
Contact and Phone Chester Koga / (808) 842-1133

Project Summary:

The Applicant seeks approval of a Special Management Area Use Permit (SMP) to develop four Condominium Property Regime (CPR) lots and a shared driveway on a 50,965 square-foot property located at 44-295 Kaneohe Bay Drive. The shoreline lot is zoned R-10 Residential District and contains a man-made lagoon which extends approximately 75 to 90 feet from the regulatory shoreline. There are two existing dwellings located on the property. The proposed action will permit two additional dwelling units, for a total of four dwelling units on the property. As the project is part of a larger development (i.e., entail more than two dwelling units), it requires approval of an SMP. Inasmuch as the proposed development, including the two additional dwelling units, will exceed \$500,000, a Major SMP is required. In addition, the Applicant proposes to install rocks or boulders and plant small shrubs and small trees along the edge of the lagoon to stabilize its slope. Part of this installation will take place within 40 feet of the regulatory shoreline, or within the shoreline setback area. Installation of rocks or boulders in the shoreline setback area requires approval of a Shoreline Setback Variance (SSV).

g:posseworkingdirectory\ann\2012ed2oeqcpub.doc

Draft Environmental Assessment

Kāneʻohe Bay Drive Residential Project

Kaneohe, Oʻahu, Hawaiʻi

December 2011

Applicant:

Westgate Enterprises, Inc.

212 Merchant Street, Suite 330

Honolulu, Hawaiʻi 96813

Draft Environmental Assessment
Kāneʻohe Bay Drive
Residential Project
Kaneohe, Oʻahu, Hawaiʻi

December 2011

Prepared For:

Westgate Enterprises, Inc.
212 Merchant Street, Suite 330
Honolulu, Hawaiʻi 96813

Prepared By:

R. M. Towill Corporation
2024 North King Street, Suite 200
Honolulu, Hawaiʻi 96819-3494
1-21871-00

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Project Summary

Project:	Kāneʻohe Bay Drive Residential Project
Applicant:	Westgate Enterprises, Inc. 212 Merchant Street, Suite 330 Honolulu, Hawaiʻi 96813
Owner:	Hiroko S. Keanu 44-295 Kāneʻohe Bay Drive Kāneʻohe, Hawaiʻi 96744
Accepting Agency:	City and County of Honolulu Department of Planning and Permitting (Chapter 343, HRS)
Agent:	R. M. Towill Corporation (RMTC) 2024 North King Street, Suite 200 Honolulu, Hawaiʻi 96819
Location:	Kāneʻohe, Island of Oʻahu, Hawaiʻi
Tax Map Key:	[1] 4-4-007: 011
Proposed Action:	Development of four housing sites pursuant to HRS Chapter 514A, each of which would contain a single family dwelling. There are two existing dwellings on the property. The proposed action involves no more than four single family dwellings. Infrastructure improvements needed to support the dwelling units are also proposed.
Land Area:	1.17 acres
Present Use:	Single family residential
State Land Use District:	Urban
Zoning	R-10 Residential
Special Management Area	Site is within the SMA.
Permits Required:	<p>State of Hawaiʻi</p> <ul style="list-style-type: none"> • Condominium Property Regime Approval <p>City and County of Honolulu</p> <ul style="list-style-type: none"> • Special Management Area Use Permit • Shoreline Setback Variance • Grading Permit • Building Permits • Plumbing Permits • Electrical Permits <p>Utility Companies</p> <ul style="list-style-type: none"> • Plan Review
Anticipated Determination:	Finding of No Significant Impact (FONSI)

Section 1 – Introduction

1.1 Project Overview

Westgate Enterprises, Inc. proposes the development of four house sites, each of which would contain a single family dwelling. The subject property is located at 44-295 Kāneʻohe Bay Drive in Kāneʻohe, Hawaiʻi near the eastern edge of Kāneʻohe Bay. The property is 1.17 acres or 50,965 square feet in size.

The parcel is long and narrow in configuration. The portion fronting Kāneʻohe Bay Drive is approximately 65 feet. The length of the parcel from Kāneʻohe Bay Drive to the shoreline extends approximately 618 feet at its longest point.

The proposed action involves the creation of a condominium property regime (CPR), pursuant to HRS Chapter 514A, for a total of four dwelling lots and a shared driveway. There are two existing dwellings located on the property. The existing dwelling on the makai portion of the parcel will likely remain in place. The other existing dwelling located in the central portion of the parcel will be renovated or reconstructed. A new single family dwelling is proposed on the makai portion of the parcel adjacent to the existing dwelling and another new dwelling to be located on the mauka portion of the property closer to Kāneʻohe Bay Drive.

The proposed action will also include grading work, construction of an access driveway, utility improvements (sewer, water, drainage and electrical facilities) and landscaping.

Figure 1-1 shows the regional context of the project. **Figure 1-2** shows a closer area view.

1.2 Purpose and Need

The proposed project will provide a maximum of four dwelling unit sites within a single parcel in an existing urban area. This will allow full utilization of the parcel in accordance with applicable zoning. Infrastructure improvements are also proposed to meet the utility requirements for all the dwellings.

1.3 Purpose of the Environmental Assessment

The entire project site is within the Special Management Area (SMA). Because the project cost is greater than \$500,000, it will require a Major Use Permit which is subject to the preparation of environmental documentation pursuant to Chapter 25 of the Revised Ordinances of Honolulu (ROH). Moreover, portions of the proposed new landscaping will be located within the shoreline setback and will require a shoreline setback variance pursuant to Chapter 23, ROH, and the City and County of Honolulu's Rules Relating to Shoreline Setbacks and the Special Management Area.

O'ahu

Project Vicinity

Kane'ohē
Marine Corps Base Hawai'i

Mokapu
Peninsula

Kane'ohē Bay

Project Location

Kailua Bay

Kane'ohē

Kailua

Kawainui
Marsh

**FIGURE 1-1
REGIONAL MAP**

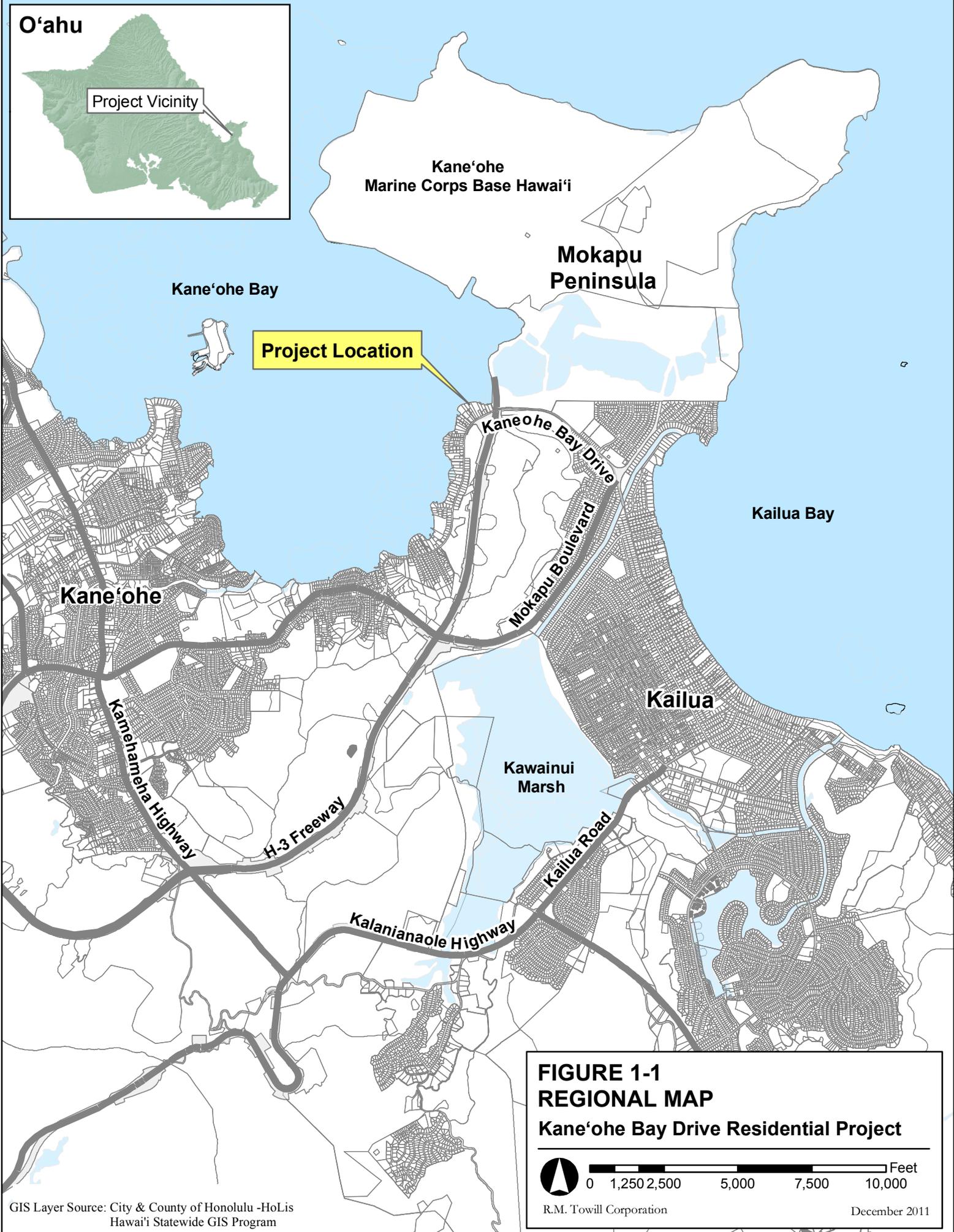
Kane'ohē Bay Drive Residential Project



0 1,250 2,500 5,000 7,500 10,000 Feet

R.M. Towill Corporation

December 2011



Kane'ohē Bay

Nu'upia Pond

Project Location

Kane'ohē Bay Drive

'Aikahi Park

H-3 Freeway

Kalaheo Hillside

Kea'alaū Community Park

**FIGURE 1-2
PROJECT LOCATION MAP
Kane'ohē Bay Drive Residential Project**



0 250 500 1,000 1,500 2,000 Feet

R.M. Towill Corporation

December 2011

1.4 Project Schedule and Cost

The environmental assessment process will be followed by the proceedings for the Shoreline Setback Variance and Special Management Area Use Permit. Construction is anticipated to commence in the fall of 2012 with construction lasting approximately 6 months.

Site development cost is estimated at approximately \$450,000. The construction cost for the two new dwellings and the renovation/reconstruction of one the existing houses have not been determined, however the total cost for the project will be well over the \$500,000 SMA Major Use Permit threshold.

Section 2 – Project Description

2.1 Existing Land Use

There are two existing single family dwellings on the property. A swimming pool, carport and a small storage structure are also present on the property. An underground City sewer line is located within an easement which crosses the subject property approximately 110 feet from the shoreline. There is an existing electrical easement which abuts the western property line. There is a sewer easement along the east property line. The existing man-made lagoon extends approximately 75 to 90 feet from the shoreline. See **Figure 2-1 Topographic Survey**.

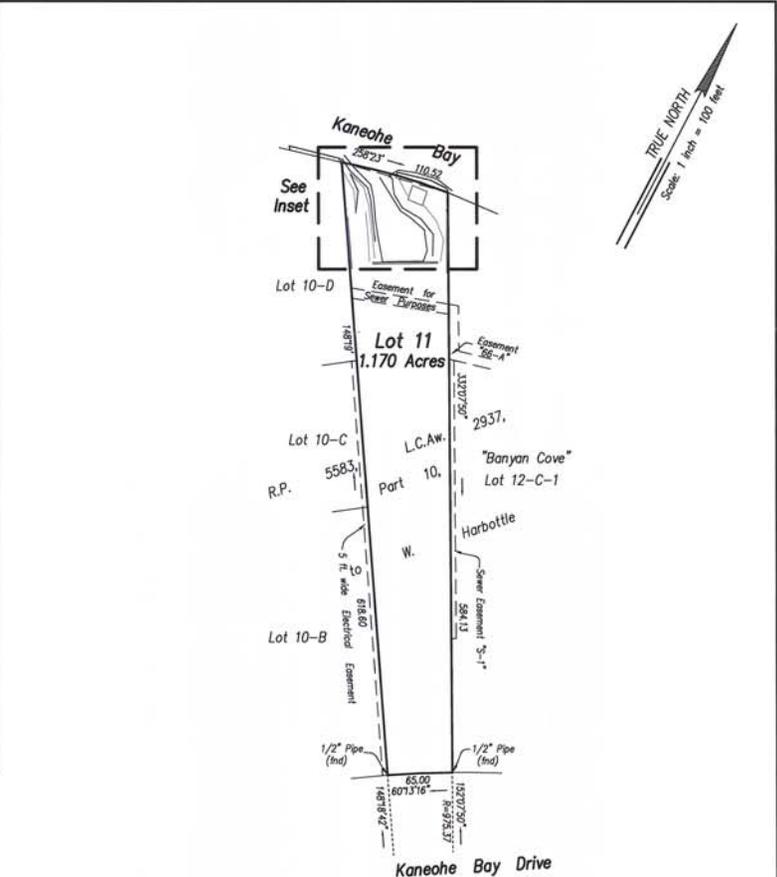
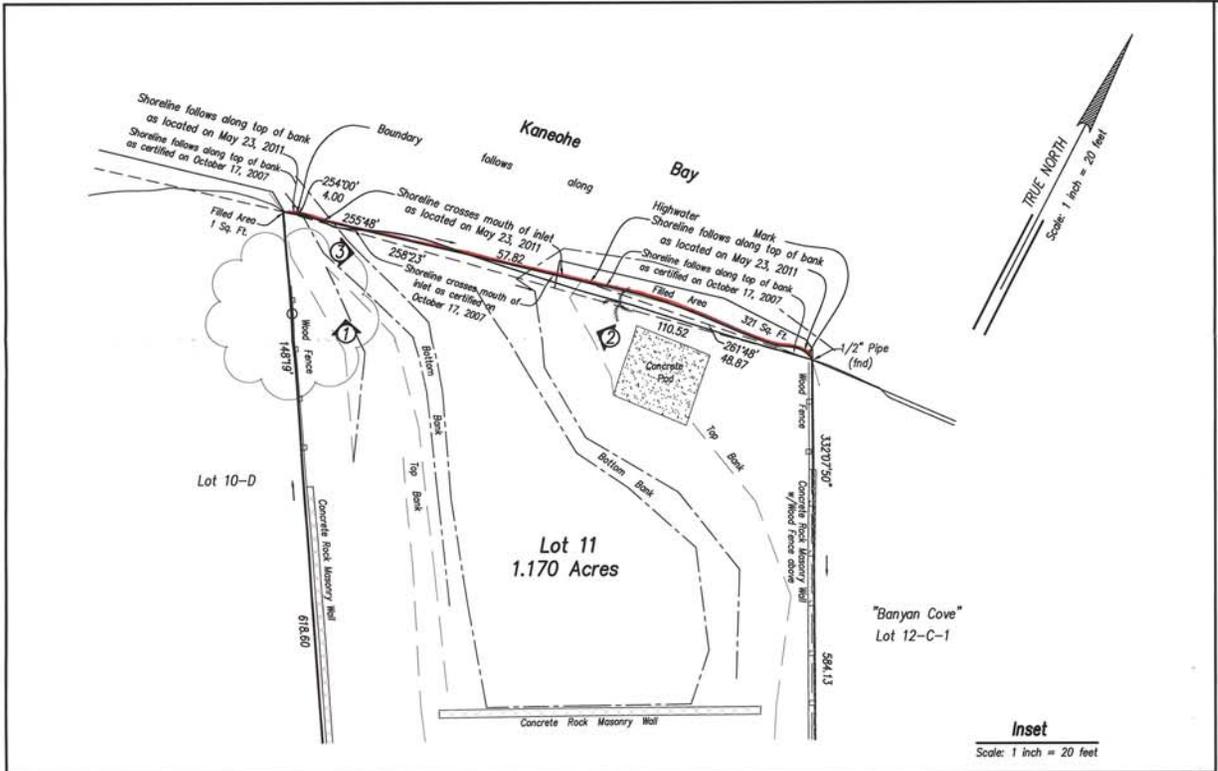
Other land uses in the area include the Kāneʻohe Marine Corps Base Hawaiʻi which is located to the north of the subject property. The H-3 Freeway is located nearby to the east to the subject property. The town of Kailua is located approximately 2 miles to the southeast of the subject property. The Kāneʻohe business district is located approximately 2.6 miles to the southwest.

2.2 Proposed Improvements

The proposed improvements are intended to take advantage of the narrow configuration of the existing parcel. There are two existing houses within the property. The existing dwelling on the makai portion of the parcel will likely remain in place. The other existing dwelling located in the central portion of the parcel will be renovated or reconstructed. A new single family dwelling is proposed on the makai portion of the parcel adjacent to the existing dwelling and another new dwelling to be located on the mauka portion of the property closer to Kāneʻohe Bay Drive. The existing curvilinear driveway will be removed and a new driveway will be constructed along the west property line.

The existing man-made lagoon is intended to remain on the property as a small boat harbor for use by the two makai residences. The Department of Land and Natural Resources has certified the shoreline going across the mouth of the man-made lagoon. See **Figure 2-2 Certified Shoreline Map**. Landscaping along the bank of the lagoon is also proposed. See **Figure 2-3 Proposed Improvements**.

The intent of the applicant is to create a CPR, pursuant to HRS Chapter 514A, for four dwelling lots and a shared driveway. From a zoning standpoint, the total of four residences on the 50,965 square foot parcel would comply with the maximum height and density allowed by the R-10 Residential District zoning which is applicable to the subject property. The CPR approach was taken since the lot's long and narrow configuration makes it difficult to otherwise comply with all zoning and subdivision regulations. In addition, the existing lagoon occupies a significant portion of the parcel which makes traditional subdivision development difficult. Instead, the lagoon would be the responsibility of the two makai residences.



Photograph No. 1
Date: May 24, 2011
Time: 12:54 p.m.



Photograph No. 2
Date: May 24, 2011
Time: 12:55 p.m.



Photograph No. 3
Date: May 24, 2011
Time: 12:56 p.m.

Notes:
Azimuths are referred to Government Survey Triangulation Station "COOLIDGE" Δ.
Fill area shown is from a map entitled "Map Showing Fill Area of Kaneohe Bay of Tax Map Key: 4-4-07, Located March 14, 1978" by Community Planning, Inc.

① Indicates shoreline photograph number and direction.

FIGURE 2.2 CERTIFIED SHORELINE MAP



This work was prepared by me or under my direct supervision
R. M. Towill Corporation
Ryan M. Suzuki 5/30/12
Ryan M. Suzuki Expiration Date
Licensed Professional Land Surveyor
Certificate Number 10059

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

SEP 5 2011

William Paul
Chairperson, Board of Land and Natural Resources

Owner: Hiroko S. Keanu
Property Address: 44-295 Kaneohe Bay Drive
Kaneohe, Hawaii 96734

Shoreline Survey of
Lot 11 of Panahaha Subdivision
Same Being a Portion of Royal Patent 5583,
Land Commission Award 2937, Part 10,
Section 1 to William Harbottle

At Panahaha, Kaneohe, Oahu, Hawaii
Tax Map Key: (1)4-4-07: 11

40-Foot Setback Line

Kane'ohe Bay



Proposed Landscaping for Slope Protection

Potential Buildable Areas (approximate)

Existing Residence

Driveway Improvements

Potential Buildable Area (approximate)

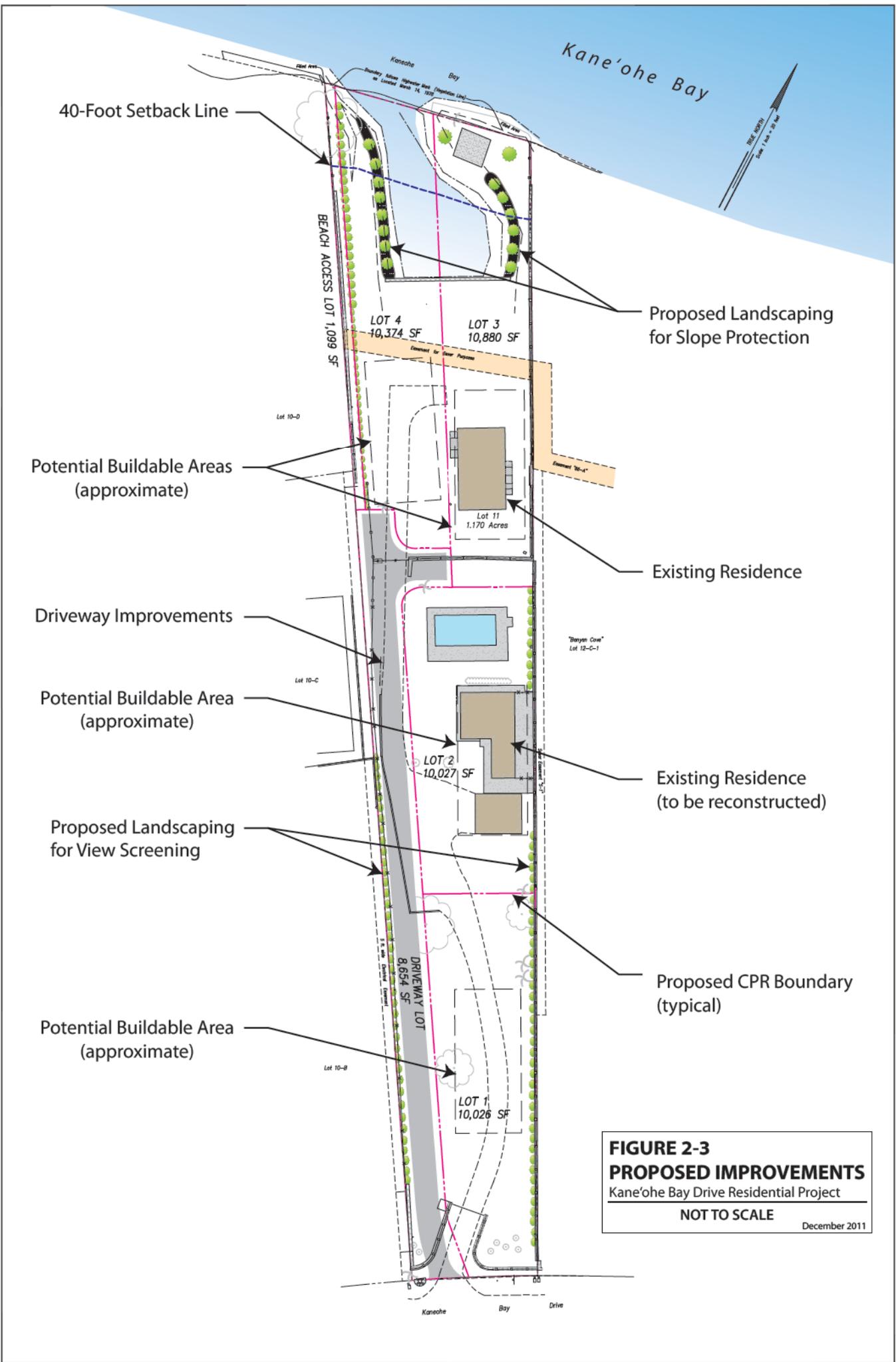
Existing Residence (to be reconstructed)

Proposed Landscaping for View Screening

Proposed CPR Boundary (typical)

Potential Buildable Area (approximate)

FIGURE 2-3
PROPOSED IMPROVEMENTS
Kane'ohe Bay Drive Residential Project
NOT TO SCALE
December 2011



Section 3 – Alternatives Analysis

3.1 Introduction

An alternatives analysis is being considered as part of the environmental assessment in order to evaluate all reasonable alternatives to the proposed project. Two alternatives were considered and are discussed as follows:

3.2 Alternative 1 – No Action

The No Action Alternative involves a continuation of the status quo. There are two existing dwellings on the 50,965 square foot property. Under the existing zoning, one single family dwelling per 10,000 square feet or a maximum of five single family dwellings are allowed on the site. Thus, the property is relatively underutilized compared to what is allowed by the existing R-10 zoning.

The No Action Alternative does not meet the purpose of the project which is to fully utilize the existing property. For this reason, the No Action Alternative is rejected from consideration.

3.3 Alternative 2 – CPR for Four Residential Units

Alternative 2 is the proposed action which involves creating a total of four residential dwelling lots on the property. All the lots will be built within current zoning height and density limits. There will be a net addition of two residential dwellings which is a modest increase over the existing condition. This complies with the provisions in the Koʻolaupoko Sustainable Communities Plan which calls for modest growth within the Urban Community Boundary which the Plan defines as those existing areas within the State Urban District. It is noted that the subject property is in the State Urban District.

For the abovementioned reasons, Alternative 2 is the preferred alternative.

3.4 Alternative 3 – CPR for Five Residential Units

Alternative 3 involves creating a total of five residential dwellings on the property. Because of the long and narrow dimensions of lot and the two existing dwellings, there are limited configurations to which the building sites can be laid out. Adding more than two additional dwelling sites to the existing conditions would mean that there would be house sites that will be located in close proximity to each other. One of the design goals is to provide at least 10,000 square feet for each house lot to provide adequate outdoor area for each dwelling. This alternative, while viable, is not satisfactory as it reduces the areas around one or more of the individual house sites to less than 10,000 square feet. For this reason, this alternative is rejected from further consideration.

Section 4 – Natural Environment

4.1 Climate

Kāneʻohe is located on the windward coast of Oʻahu. The climate of the Kāneʻohe area is comfortably uniform. The area is characterized by abundant sunshine, persistent northeasterly tradewinds, relatively constant temperatures, moderate humidity, and the infrequency of severe storms. Average wind velocity in the area varies from 10 to 15 mph. Monthly temperatures in the project area are within the range of 76 degrees Fahrenheit mean temperature in August and 70 degrees Fahrenheit mean temperature in December. Temperatures of 80 degrees or higher are not uncommon throughout the year.

Average annual rainfall recorded in Kāneʻohe is about 60 inches with typically increased rainfall during the fall and winter months (Juvik and Juvik, 1998).

Potential Effects and Mitigation

The proposed project will have no effect on the climate of the region. No mitigation measures are proposed.

4.2 Topography and Soils

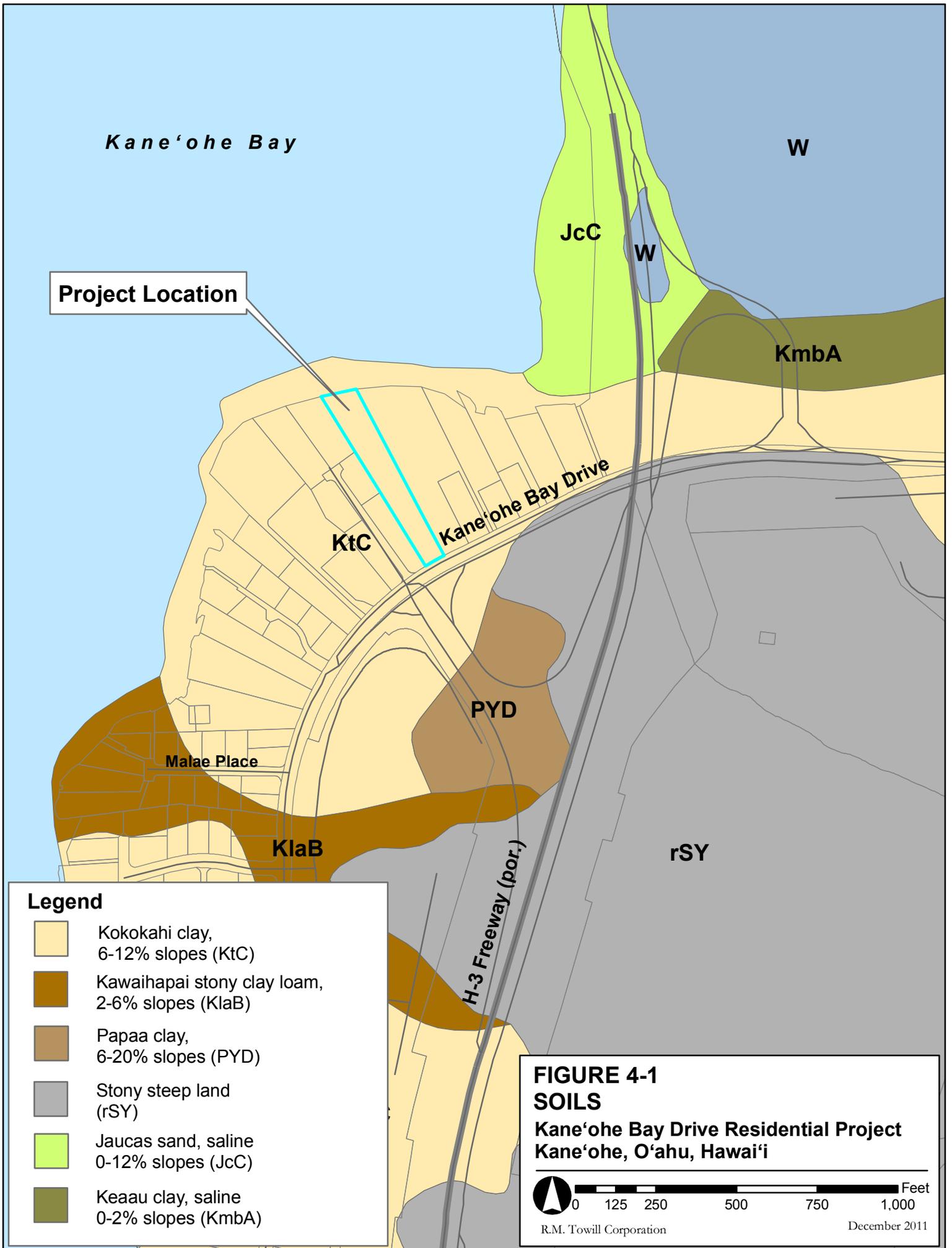
Topography

The project site is relatively flat to gently sloping with a surface elevation ranging from approximately 43 feet above mean sea level near Kāneʻohe Bay Drive to approximately 7-8 feet above sea level adjacent to the shoreline. There is a man-made lagoon adjacent to the shoreline which provides a connection to Kāneʻohe Bay. The average slope for the site is approximately 6 percent.

Soils

Soils information for the project site was obtained from the Soil Survey of Islands of Kauaʻi, Oʻahu, Maui, Molokaʻi and Lānaʻi, State of Hawaiʻi, as prepared by the U.S. Department of Agriculture, 1972. See **Figure 4-1, Soils Map**. The soils at the project site are within the Kokokahi series of soils. These are moderately well drained soils found on talus slopes and alluvial fans on the island of Oʻahu. These soils developed on colluvium and alluvium derived from basic igneous rock.

The soil on the project site is classified as Kokokahi clay, 6 to 12 percent slopes (KtC). In a representative profile, the surface layer is very dark gray and dark gray clay about 14 inches thick. The next layer is about 12 inches thick, is dark grayish-brown clay which has a subangular structure. The substratum is grayish-brown and light brownish-gray clay 14 inches to more than 20 inches thick. These soils are very sticky and very plastic, and they crack widely upon drying.



They are slightly acid to neutral in the surface layer and slightly acid to mildly alkaline below. Permeability is slow to moderately slow. Runoff is medium and the erosion hazard is slight to moderate.

Potential Effects and Mitigation

No significant effects to topography or soils are expected to result from the project. Erosion control measures will be employed during construction to minimize erosion and sediment runoff into State waters.

4.3 Shorelines, Beaches and Dunes, Estuary, and Wetlands

The project site abuts the shoreline of Kāneʻohe Bay. The location of the shoreline was certified by the Department of Land and Natural Resources. It is noted that the location of the shoreline is placed across the makai portion of the mouth of the man-made lagoon located on the project site. Section 13-222- 16(b)(13), Hawaiʻi Administrative Rules notes that:

When a shoreline has been permanently altered by the development of a harbor, lagoon, marina, or other water facility, the shoreline shall be at the mouth of the harbor, lagoon, marina, or water facility; provided, however, that this provision shall not apply where the harbor, lagoon, marina or water facility consists of both natural as well as artificial shorelines.

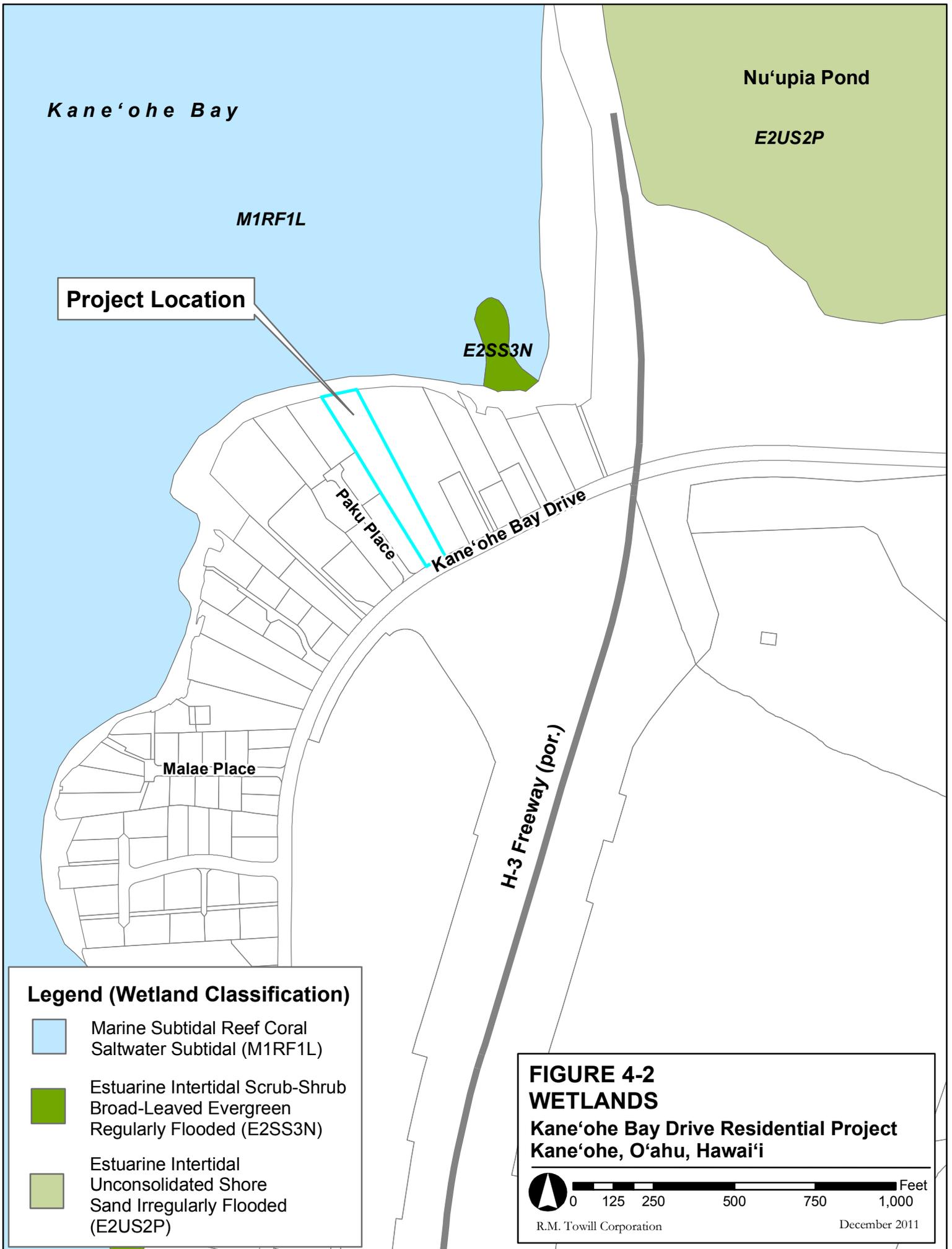
The present shoreline is the result of significant man-made alterations and extensive dredging that was conducted during the 1940's and 1950's. There are numerous small inlets, seawalls, small piers for moorings and a boat channel which still exist. Much of the general area was once the Panahaha 1 and 2 fishponds, which have been filled through soil accretion and residential development (DPP, 2003). Aerial photographs of the area show that the man-made lagoon on the subject property was constructed between 1949 and 1952.

The shoreline fronting the subject property generally consists of boulders, rocks and fill material. There are no beaches or dunes in the vicinity of the project site.

There are also no estuaries or wetlands on the subject property. However, Kāneʻohe Bay is listed in the National Wetlands Inventory. See **Figure 4-2, Wetlands**. Most of Kāneʻohe Bay fronting the subject property is classified as Marine, Subtidal, Reef, Coral, Saltwater Subtidal (M1RF1L). A portion to the southeast of the subject property is classified as Estuarine, Intertidal, Scrub-Shrub, Broad-Leaved Evergreen, Regularly Flooded (E2SS3N). Nuʻupia Pond, located further southeast of the property, is classified as Estuarine, Intertidal, Unconsolidated Shore, Sand, Irregularly Flooded (E2US2P).

Potential Effects and Mitigation

The applicant is proposing to install landscaping around the existing lagoon to improve aesthetics and reduce the potential for erosion.



Kane'ohē Bay

Nu'upia Pond

E2US2P

M1RF1L

Project Location

E2SS3N

Paku Place

Kane'ohē Bay Drive

Malae Place

H-3 Freeway (por.)

Legend (Wetland Classification)

- Marine Subtidal Reef Coral Saltwater Subtidal (*M1RF1L*)
- Estuarine Intertidal Scrub-Shrub Broad-Leaved Evergreen Regularly Flooded (*E2SS3N*)
- Estuarine Intertidal Unconsolidated Shore Sand Irregularly Flooded (*E2US2P*)

**FIGURE 4-2
WETLANDS**

**Kane'ohē Bay Drive Residential Project
Kane'ohē, O'ahu, Hawai'i**



R.M. Towill Corporation

December 2011

No adverse effects to shorelines, beaches, dunes, estuaries and surface waters are expected to result from the project. Appropriate soil erosion and sediment controls will be employed and maintained during installation of landscaping as well as during construction of the proposed residences and other associated improvements. Best Management Practices will be employed and will include measures such as silt fences around the immediate area of construction. Management measures such as project scheduling and phasing, material storage and equipment maintenance procedures will also be required.

4.4 Flora and Fauna

The property has been in residential use for several decades. The property has been landscaped and maintained on a regular basis as part of the residential use. There appears to be no significant issues relating to significant flora and fauna within the project site or nearby vicinity.

Potential Effects and Mitigation

The implementation of the proposed project is not anticipated to result in adverse effects to any protected plant or animal species. No negative impact to plant or animal habitats or specific communities is expected.

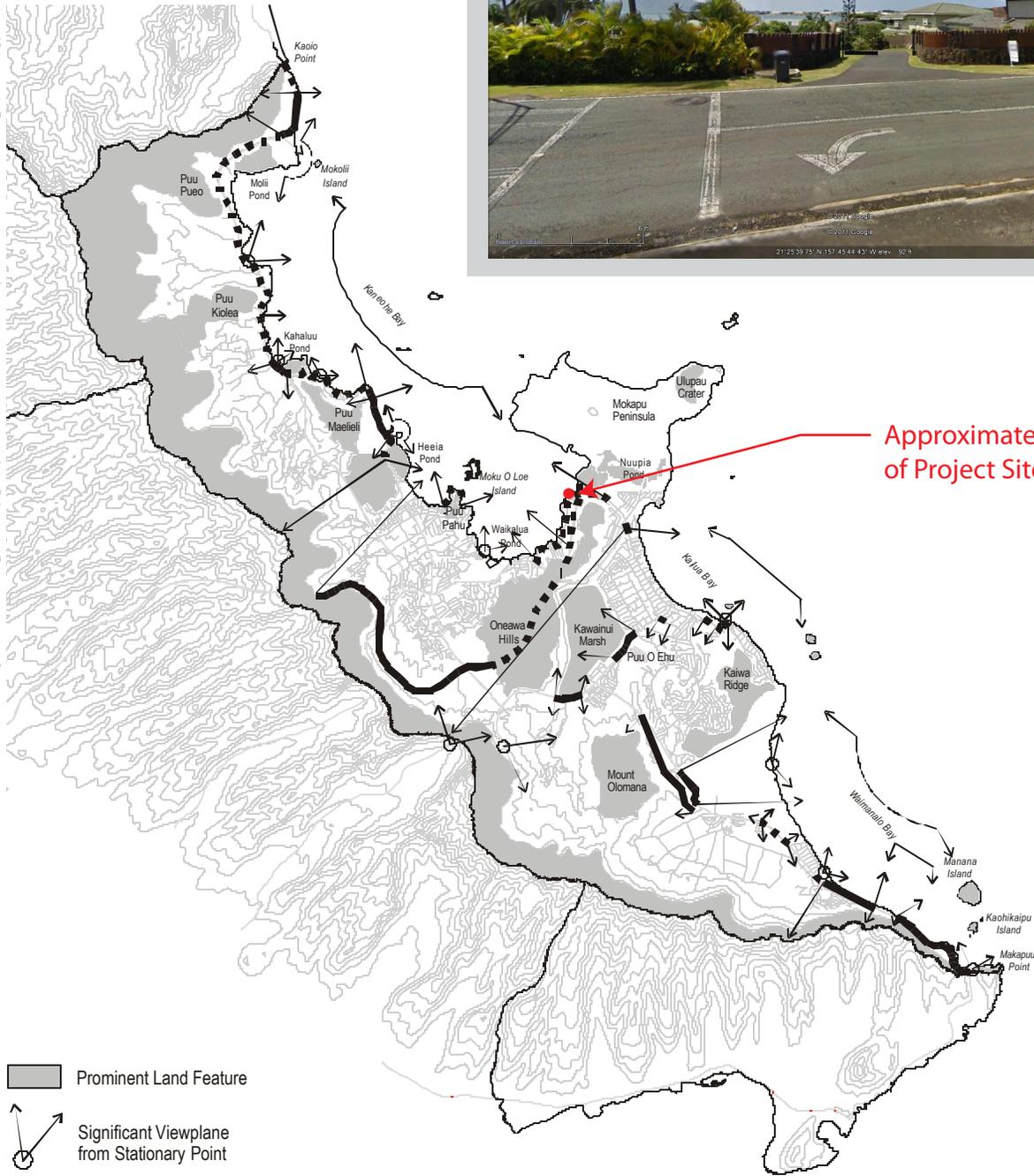
4.5 Scenic and Visual Resources

Kāneʻohe Bay is a significant view resource as recognized by the City and County of Honolulu Koʻolaupoko Sustainable Communities Plan. Properties abutting Kāneʻohe Bay have varying view planes from stationary points, continuous view planes, and intermittent panoramic views. The subject property is recognized as having intermittent panoramic views of Kāneʻohe Bay. The 1987 Coastal View Study states that there are “intermittent makai views of Kāneʻohe Bay from Kāneʻohe Bay Drive to the H-3. Views from Kāneʻohe Bay drive are very limited due to residential lots.” Other prominent land features in the vicinity of the project include Oneawa Hills located to the south and east of the project site as well as Nuʻupia Pond located to the northeast of the project site. See **Figure 4-3 Scenic Features and Viewplanes**.

Potential Effects and Mitigation

The project will not adversely affect scenic and visual resources in the area. The long and narrow site already contains two existing dwellings. The existing dwelling on the makai portion of the site may remain unaltered, while the other may be renovated or reconstructed. An additional two new dwellings units are proposed on the site. All proposed construction will conform to all applicable zoning height restrictions.

Google Street View (facing northwest) along Kane'ōhe Bay Drive fronting the driveway into subject property.

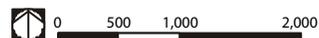


Approximate Location of Project Site

-  Prominent Land Feature
-  Significant Viewplane from Stationary Point
-  Continuous Panoramic Views
-  Intermittent Panoramic Views

Source: Koolaupoko Sustainable Communities Plan – August 2000

FIGURE 4-3
SCENIC FEATURES AND VIEWPLANES
 Kane'ōhe Bay Drive Residential Project



December 2011

4.6 Air Quality

Air quality in the Kāneʻohe area is generally good, as it is throughout the entire State. The State Department of Health has noted that, “Criteria pollutant levels remain below state and federal ambient air quality standards at all State and Local Air Monitoring Stations.” (DOH, 2010).

Potential Effects and Mitigation

Short Term

Short-term effects on air quality will occur either directly or indirectly as a consequence of project construction activities. The operation of vehicles, heavy equipment, and generators at the project site will generate some fugitive dust and pollution emissions. Adjacent areas will be temporarily affected during the period of construction by dust and pollution, however, these effects will be temporary and will cease when construction is completed.

State air pollution control regulations require that there be no visible fugitive dust emissions at the construction site boundary. Therefore, an effective dust control plan will be implemented by the project contractor to ensure compliance with HAR, Chapter 11-59 and 60. Fugitive dust emissions can be controlled to a large extent by watering of active work areas, using wind screens, keeping adjacent paved roads clean, and by covering open-bodied trucks.

Dust control measures will include, but not be limited to, the following:

- Planning phases of construction to minimize dust generating activities;
- Minimizing the use of dust generating materials and centralizing material transfer points and on-site vehicle travel ways;
- Locating dusty equipment in areas of least effect;
- Providing an adequate water source at the site prior to start-up of construction activities;
- Stabilizing bare areas, including slopes, starting from the initial grading phase;
- Providing lasting dust control measures during weekends, after hours, and prior to daily start-up of construction; and
- Construction-related exhaust emissions will be mitigated by ensuring that project contractors properly maintain their internal combustion engines and comply with HAR Chapters 11-59 and 11-60, regarding Air Pollution Control.

Long Term

No long-term negative consequences related to air quality are expected as a result of the project. The addition of two new dwellings will not significantly affect air quality in the vicinity.

4.7 Noise

Ambient noise in the proposed project area is generated from natural and man-made sources. Traffic from nearby roadways such as Kāneʻohe Bay Drive and the H-3 Freeway contribute to background noise in the area.

Construction activities will generate noise which could affect nearby areas. Noise levels of diesel powered construction equipment typically range from 80 to 90 dBA at 50 feet distance. The actual noise levels produced are dependent on the construction methods employed during the construction process. Earth moving equipment, including bulldozers, trucks, backhoes, front-end loaders, graders, etc. will probably be the noisiest equipment used during construction.

Potential Effects and Mitigation

Short Term

Construction noise will be temporary and will cease when construction is complete. Adverse effects from construction noise are not expected to pose a hazard to public health and welfare due to the temporary nature of the work and the application of mitigation measures that will be employed to minimize noise effects.

All project activities will comply with HAR Chapter 11-46, Community Noise Control. Excessive noise levels generated by construction activities will require that a noise permit be filed with the DOH, Noise, Radiation and Indoor Air Quality Branch. The provisions of the noise permit will require that contractors use mufflers on all combustion powered construction vehicles and machinery, and maintain all noise attenuation equipment in good operating condition. Faulty equipment will be repaired or replaced. Additionally, trucks and other construction vehicles will be routed to avoid residential communities whenever possible.

Under current permit procedures, noisy construction activities are normally restricted to the hours between 7:00 AM and 6:00 PM, Monday through Friday, and between 9:00 AM and 6:00 PM on Saturday. Construction activities and use of heavy equipment will be scheduled as much as possible during daylight hours to avoid disturbing area residents during the evening. If work during the nighttime hours is required, a variance from the existing state noise regulations will be requested from the DOH. Construction activities will be suspended on Sundays and during holidays.

Long Term

The noise generated by the project will not substantially change from the existing situation. Significant long term noise impacts are not anticipated.

4.8 Flood Hazards

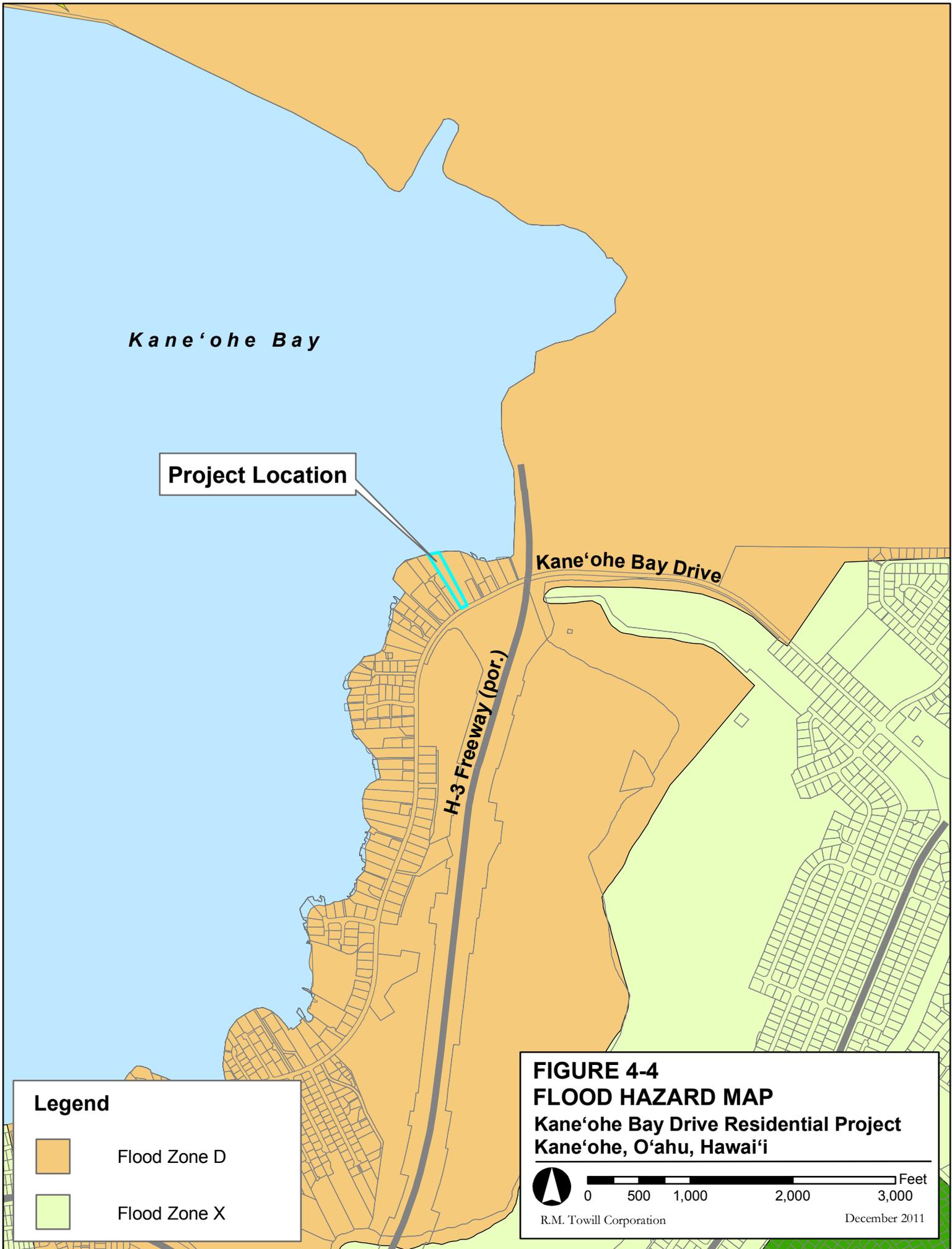
The entire project area (and surrounding area) is characterized by the Federal Emergency Management Agency, Digital Flood Insurance Rate Map (FEMA-FIRM) as Zone “D”, in which flood risk is undetermined but flooding is possible. See **Figure 4-4, Flood Hazard Map**.

Potential Effects and Mitigation

The project is not expected to exacerbate flood conditions or be adversely affected by flooding.

4.9 Other Hazards

In addition to flooding, other natural hazards include volcanic seismic activity, hurricanes, and tsunami. There is the possibility of damage to the project from earthquake and hurricanes. However, the project is no more or less vulnerable than the rest of the island. The property has not historically experienced significant tsunami or wave action hazards and is not expected to be more or less vulnerable than development in other coastal areas.



Kane'ohu Bay

Project Location

Kane'ohu Bay Drive

H-3 Freeway (por.)

Legend



Flood Zone D



Flood Zone X

FIGURE 4-4
FLOOD HAZARD MAP
Kane'ohu Bay Drive Residential Project
Kane'ohu, O'ahu, Hawai'i



R.M. Towill Corporation

December 2011

Section 5 – Public Services

5.1 Traffic and Roadways

The subject property abuts Kāneʻohe Bay Drive which is a 2 lane 2 way divided local roadway in the vicinity of the project site. The posted speed limit along this segment of Kāneʻohe Bay Drive is 25 miles per hour. Entrance and exit roadways from the State of Hawaiʻi's H-3 Freeway intersect with Kāneʻohe Bay Drive in the vicinity of the project. There is a left turn lane on Kāneʻohe Bay Drive to enable access to the entrance roadway to H-3. The exit roadway from H-3 has a stop sign at Kāneʻohe Bay Drive for vehicles desiring to make a left turn. Vehicles wanting to turn right must yield to traffic on Kāneʻohe Bay Drive.

Possible Effects and Mitigation

The project involves the net addition of two single family dwellings. Each dwelling is anticipated to generate 2-4 trips per household per day (assuming a 4-person household) for work, shopping and recreation trips. The assumption is based on Trip Generation prepared by the Institute of Transportation Engineers, 1997. With an anticipated increase of 4-8 vehicular trips per day resulting from the project, no adverse impacts to traffic and surrounding roadways are anticipated.

5.2 Parks and Recreational Resources

There are no recreational resources in the project area. The closest park facility is Keaʻalau Park which is located approximately .7 mile to the south of the project. ʻAikahi Community Park is located approximately .75 mile to the east. Kāneʻohe District Park is located approximately 2 miles to the southwest.

Potential Effects and Mitigation:

The net addition of two dwellings is not anticipated to adversely affect parks and recreation resources in the area.

5.3 Fire, Police and Medical Services

Fire protection service is provided through the Honolulu Fire Department's ʻAikahi, Kailua and Kāneʻohe Fire Stations. Each fire station is able to provide engine and medical services. Police protection services are provided by the Honolulu Police Department's (HPD) Kāneʻohe Station. The Castle Medical Center, located in Kāneʻohe, is a full service medical center which offers a range of inpatient, outpatient and home-based services.

Potential Effects and Mitigation:

The project is not expected to have adverse effects on fire, police or emergency services.

5.4 Water

The Honolulu Board of Water Supply (BWS) is responsible for managing the supply of potable water on the island of Oʻahu.

Potential Effects and Mitigation:

There are no adverse effects expected from the use of potable or irrigation water on the project site. The incremental addition of two single family homes is not anticipated to significantly affect the County source and distribution system. Final design of improvements and connection to the County system will be coordinated with the BWS.

5.5 Wastewater

Wastewater treatment for the project area is provided by the City and County of Honolulu via the Kailua Regional Wastewater Treatment Plant. The area formerly was served by private, individual wastewater systems such as cesspools and septic systems. However, in 2003, the City and County of Honolulu implemented a sewer improvement district project which installed 6-inch and 8-inch gravity lines which benefitted 69 properties in the Malae area of Kāneʻohe Bay (including the subject property).

Potential Effects and Mitigation:

The project will have no adverse effects on wastewater facilities. The project involves minimal incremental increases in accord with density allowed by zoning. It is anticipated that the proposed development can be accommodated by the existing wastewater collection and treatment system.

5.6 Drainage

The addition of two residential dwellings will result in incremental increases in impervious surfaces. However, overall drainage patterns will remain as close to the existing condition as possible. Retention facilities will be placed on-site to ensure that there is no increase in peak runoff as a result of the proposed development. The final drainage will be coordinated with the Department of Planning and Permitting.

Potential Effects and Mitigation

Drainage effects related to construction activities will be of short duration and will cease upon completion of the project. Planned improvements will require excavation and grading to install infrastructure and achieve proper lot elevations and grades.

During construction, erosion control measures will be implemented. Planned improvements will result in less than one acre of ground disturbance during construction. Thus, a NPDES permit relating to discharges of storm water associated with construction activity is not required. Construction dewatering is also not anticipated. In any event,

BMPs will be implemented, including site management measures and physical controls (e.g. diversion berms, silt fences) to reduce pollutants in construction storm water runoff and ensure that the project complies with State water quality standards.

With the implementation of BMPs during construction and retention facilities to address long term issues regarding drainage, no adverse effects on regional and local drainage are expected from the project.

5.7 Electrical Facilities and Communications (Cable, Internet, Telephone)

Hawaiian Electric Company (HECO) provides electrical service to the project and surrounding area. Local cable providers include Oceanic Time-Warner Cable and Hawaiian Telcom. Cellular phone service in a majority of the project area is covered by Verizon, T-Mobile, AT&T, Sprint, and Nextel.

Potential Effects and Mitigation:

The proposed project will be coordinated with HECO to minimize service disruptions. As required, other utility service providers will be contacted and arrangements made for review and approval of work that may require relocation or extension of facilities.

Section 6 – Socio-Economic and Cultural Environment

6.1 Socio-Economic Characteristics

The subject project is not expected to materially affect the socio-economic characteristics of Kāneʻohe or its immediate vicinity. From the year 2000 to 2010, the resident population of Kāneʻohe declined slightly by approximately 3.0 percent, from 34,829 to 33,788. Similarly, the resident population of Kailua also declined by about 4.0 percent, from 45,718 to 43,876 (DBEDT, 2010).

The City's Koʻolaupoko Sustainable Communities Plan did not project a significant amount of growth taking place within the region. The geographic scope of the plan extends from Makapuʻu Point at the region's eastern boundary to Kaʻoʻio Point at the northernmost end of Kāneʻohe Bay. The Plan noted that Koʻolaupoko's population might be expected to increase from 117,700 in 1995 to approximately 122,100 by 2020, less than one-half of one percent per year. It is noted that the Plan was adopted in August 2000 and is currently in the process of being revised.

Potential Effects and Mitigation:

No adverse effects to population are expected as a result of the project. Short-term economic benefits include expenditure of funds and creation of jobs during construction. Long-term, the project is not expected to significantly affect population growth in the area and region.

6.2 Archaeological and Historical Resources

The project site has been developed and previously altered through development of the dwellings, other structures, walls and utility work. No archaeological or historical resources are known on the project site.

Potential Effects and Mitigation:

No adverse effects to archaeological or historical resources are expected from the project. However, should any archaeologically or historically significant artifacts, or other indicators of previous on-site activity be uncovered during the construction phase, their treatment will be conducted in strict compliance with the requirements of the State Historic Preservation Division, Department of Land and Natural Resources.

6.3 Cultural Resources and Practices

The subject property and the immediate vicinity along the shoreline have been in residential use for at least 60 years. No cultural resources or practices are known to occur at the site, according to Sites of Oʻahu (Sterling and Summers, 1978).

Potential Effects and Mitigation:

Adverse impacts to traditional/cultural resources or practices at the project site are not anticipated. The intent of the project is to continue use of the property for residential purposes.

Within the project site, there are no known traditional or contemporary cultural sites or practices in use. There are no known plants on the property that are of significant importance for traditional or cultural uses.

The shoreline along this portion of Kāneʻohe Bay consists generally of mudflats, bordered by various shoreline protection/retention structures. Public lateral shoreline access, therefore, is very limited. There are no public shoreline accesses within the project area. The proposed project will not change this shoreline access situation.

Section 7 – Relationship to County, State and Federal Land Use Plans, Policies and Controls

7.1 Federal

The proposed project is not subject to any federal permit requirements.

Discussion:

The project contractor will be required to implement Best Management Practices and erosion control measures during construction to mitigate possible adverse effects to the waters of Kāneʻohe Bay. Measures may include structural (e.g., silt fences, berms, barriers, filter fabric), vegetative (e.g., grass, mulch, ground cover, soil stabilization), and management measures (e.g., project scheduling and phasing, material storage and equipment maintenance procedures, continuous BMP monitoring and repair).

7.2 State of Hawaiʻi

7.2.1 Hawaiʻi State Plan

The Hawaiʻi State Plan, Chapter 226, HRS, was adopted in 1978 and revised in 1988. The Plan serves as a guide for the future long range development of the State by identifying goals, objectives, policies, and priorities. The purpose of the Hawaiʻi state planning process, as defined in HRS, Chapter 226, is to:

- *Guide the future long-range development of the State;*
- *Identify the goals, objectives, policies, and priorities for the State;*
- *Provide a basis for determining priorities and allocating limited resources;*
- *Improve coordination of federal, state, and county plans, policies, programs, projects, and regulatory activities; and*
- *Establish a system for plan formulation and program coordination to integrate major state, and county activities.*

The Hawaiʻi State Plan provides the following legislative intent.

§226-13 Objectives and policies for Land, air and Water Quality.

Objective (a)(1) Maintenance and pursuit of improved quality in Hawaiʻi's land, air, and water resources.

Policy (b)(7) Encourage urban developments in close proximity to existing services and facilities.

§226-19 Objectives and policies for Housing.

Objective (a)(2) The orderly development of residential areas sensitive to community needs and other land uses.

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

Discussion:

In conformance with Hawai‘i State Plan policies, the proposed project involves an incremental addition to the housing inventory for the region. The site is in close proximity to existing services provided within the Kāneʻohe and Kailua urban area. The project also seeks to provide additional housing stock on underutilized urban lands up to but not exceeding limits allowed by zoning.

7.2.2 State Land Use District Classification

State-level land use control is enabled by Chapter 205, HRS, Land Use Commission, adopted in 1961. Also known as the “State Land Use Law,” Chapter 205 is meant to preserve and protect Hawai‘i lands and encourage the uses to which the lands are best suited. All lands in Hawai‘i are classified as Urban, Rural, Agriculture or Conservation. The subject property is within the Urban District. See **Figure 7-1, State Land Use Districts**.

§206-2 Districting and Classification of Lands

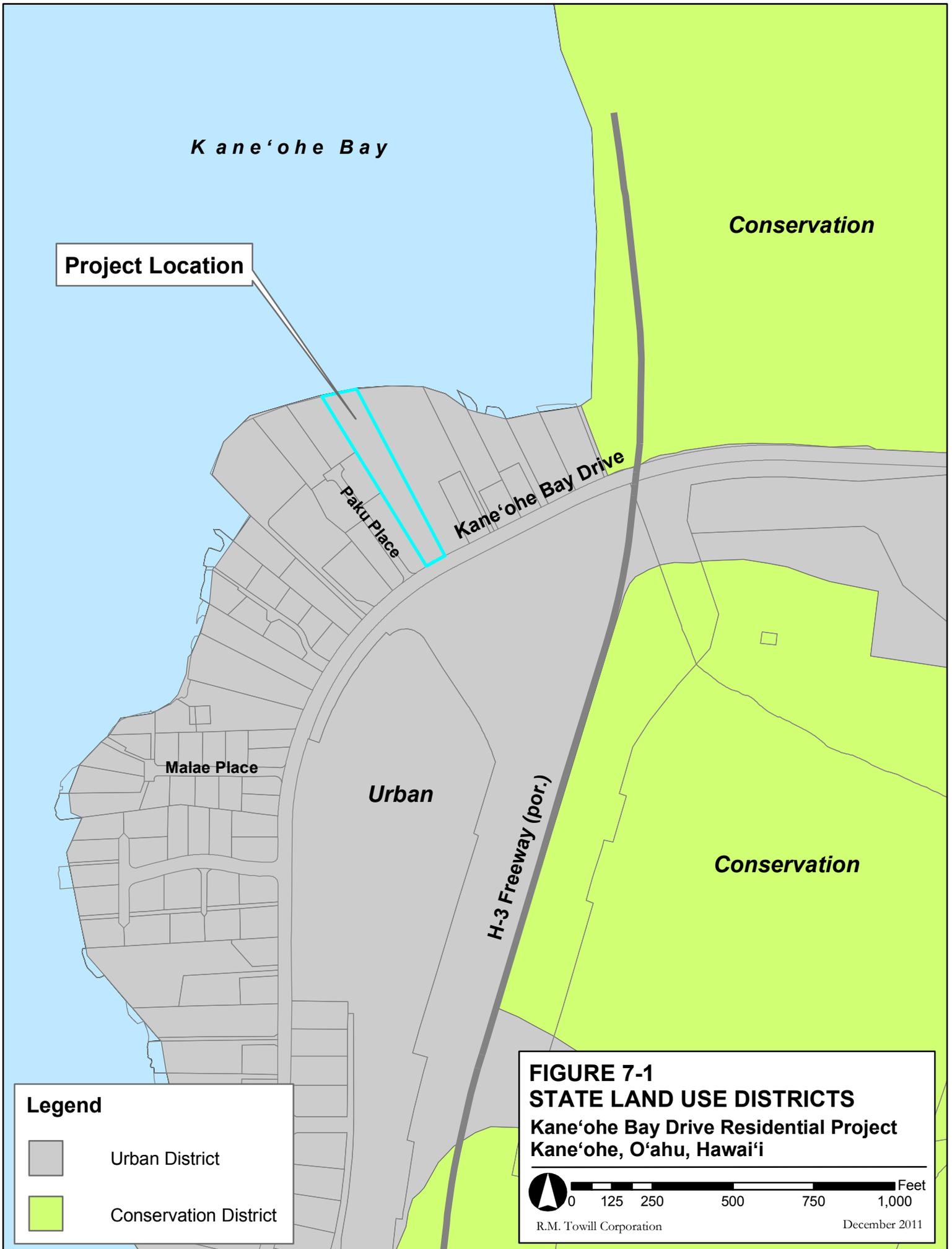
(b) Urban districts shall include activities or uses as provided by ordinances or regulations of the county within which the Urban District is situated.

Discussion:

The proposed project is an infill project within the State Urban District. The use and intensity of the project are consistent with State Urban District provisions.

7.2.3 Coastal Zone Management Program Assessment and Federal Consistency Determination

The CZM program assessment and federal consistency determination is regulated under Section 307 – Coordination and Cooperation of the National Coastal Zone Management Act (NCZMA) of 1972, as amended (16 USC 1451, et seq); HRS Section 205A-3(3), “the lead agency shall review federal programs, federal permits, federal licenses and federal development proposals for consistency with the coastal zone management program;” and Code of Federal Regulations (CFR), Title 15, Part 930-Federal Consistency with Approved Coastal Zone Management Programs, U.S. Department of Commerce, National Oceanic and Atmospheric Administration (NOAA).



Kane'ohē Bay

Conservation

Project Location

Paku Place

Kane'ohē Bay Drive

Malae Place

Urban

H-3 Freeway (por.)

Conservation

Legend

- Urban District
- Conservation District

FIGURE 7-1
STATE LAND USE DISTRICTS
 Kane'ohē Bay Drive Residential Project
 Kane'ohē, O'ahu, Hawai'i



Discussion:

The proposed project does not trigger any federal permits or involve the use of federal funds, therefore a CZM Federal Consistency review will not be required.

Pursuant to HRS, Chapter 205A, actions proposed within the SMA are evaluated with respect to SMA objectives, policies and guidelines. This section addresses the proposed action as related to applicable coastal zone management considerations, as set forth in HRS, Chapter 205A.

Section 205A-2(c)

(1) Recreational resources;

- (B) Provide adequate, accessible, and diverse recreational opportunities in the coastal zone management area by:*
 - (vi) Adopting water quality standards and regulating point and nonpoint sources of pollution to protect, and where feasible, restore the recreational value of coastal waters;*

Discussion:

The proposed project will not significantly affect recreational opportunities in the coastal zone. Drainage will be handled in accordance with all applicable regulations, and thus comply with policies protecting the recreational value of coastal waters.

(2) Historic resources;

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

Discussion:

The project complies with policies regarding historic resources since the project is not anticipated to affect historic or cultural resources. However, should historic resources be encountered during construction, construction in the vicinity of the find will cease and the State Historic Preservation Division will be contacted to determine appropriate mitigation measures.

(3) Scenic and open space resources

- (A) Identify valued scenic resources in the coastal zone management area;*
- (B) Insure that new developments are compatible with their visual environment by designing and locating such developments to minimize the alteration of natural landforms and existing public views to and along the shoreline;*
- (D) Encourage those developments that are not coast-dependent to locate in inland areas.*

Discussion:

The project should not significantly affect scenic and open space resources. The project site is a long and narrow parcel with two existing dwellings. Two additional single family dwellings will not significantly change scenic resource parameters.

Section 205A-2(c)

(4) Coastal ecosystems;

- (B) Preserve valuable coastal ecosystems of significant biological or economic importance;*
- (C) Minimize disruption or degradation of coastal water ecosystems by effective regulation of stream diversions, channelization, and similar land and water uses, recognizing competing water needs;*
- (D) Promote water quantity and quality planning and management practices which reflect tolerance of fresh water and marine ecosystems and prohibit land and water uses which violate state water quality standards.*

Discussion:

The project will comply with coastal ecosystem policies. There are no stream diversions, channelization and similar land and water uses within the project site. Drainage for the project will comply with all applicable regulations.

(5) Economic uses;

- (C) Direct the location and expansion of coastal dependent developments to areas presently designated and used for such developments and permit reasonable long-term growth at such areas, and permit coastal development outside of presently designated areas when:*
 - (i) Utilization of presently designated locations is not feasible;*
 - (ii) Adverse environmental effects are minimized; and*
 - (iii) Important to the State's economy.*

Discussion:

The project will not conflict with policies regarding economic use since the subject parcel and surrounding area have been designated for Urban use. Moreover, the site has been in residential use for a number of decades and the subject proposal involves a continuation of residential use.

(6) Coastal hazards;

- (B) Control development in areas subject to storm wave, tsunami, flood, erosion, and subsidence hazard;*
- (C) Ensure that developments comply with requirements of the Federal Flood Insurance Rate Program; and*
- (D) Prevent coastal flooding from inland projects.*

Discussion:

The project will comply with coastal hazard policies. The site is located in Flood Zone D in which flood risk is undetermined but flooding is possible. All new development proposed as part of the project will comply with applicable flood hazard regulations. Drainage and other infrastructure improvements will comply with all applicable regulations.

(7) *Managing development;*

(C) *Communicate the potential short and long-term impacts of proposed significant coastal developments early in their life-cycle and in terms understandable to the general public to facilitate public participation in the planning and review process.*

Discussion:

This Environmental Assessment has been prepared under Chapter 343, HRS, and Title 11, Chapter 200 of DOH Hawai'i Administrative Rules which allow for public review and participation. Consequently, the preparation of this Environmental Assessment and disclosure of anticipated effects of the project, comply with the policy on managing development.

7.2.4 Shoreline Certification

Pursuant to Title 13, Chapter 222, HAR, the Department of Land and Natural Resources has standardized the application procedure for shoreline certifications for purposes of implementing the shoreline setback law (Chapter 205A, HRS) and other related laws. The term “shoreline” means:

The upper reaches of the wash of the waves, other than storm or seismic waves, at high tide during the season of the year in which the highest wash of the waves occurs, usually evidenced by the edge of vegetation growth, or the upper limit of debris left by the wash of the waves (DLNR, 2006).

In making the determination to locate and mark the shoreline, Section 13-222-16(b)(13) is pertinent.

When a shoreline has been permanently altered by the development of a harbor, lagoon, marina, or other water facility, the shoreline shall be at the mouth of the harbor, lagoon, marina, or water facility; provided, however, that this provision shall not apply where the harbor, lagoon, marina or water facility consists of both natural as well as artificial shorelines (i.e., Pearl Harbor).

Discussion:

The shoreline has been certified by the Department of Land and Natural Resources dated September 5, 2011 (refer to **Figure 2-2**). Pursuant to Section 13-222-16(b)(13), the shoreline has been certified at the mouth of the lagoon. Certification of the shoreline is generally valid for a period of one year from the date of certification (DLNR, 2006).

7.2.5 Section 401 Water Quality Certification

Water Quality Certification (WQC) pursuant to the Federal Clean Water Act of 1977, Section 401 is required of any applicant for a federal license or permit to conduct any activity in state waters that would include, but not be limited to, the construction and operation of facilities that may result in any discharge into navigable waters. The applicant must provide the licensing and permitting agency with a certification from the State in which the discharge originates or will originate.

Section 401 WQC is regulated under the CWA, HRS Chapter 342D – Water Pollution and HAR, Chapter 11-54 – Water Quality Standards.

Discussion:

The project does not involve work that is subject to a Department of the Army Permit, therefore a Section 401 WQC from the State Department of Health (DOH) will not be required.

7.2.6 National Pollutant Discharge Elimination System Permit

The DOH is delegated by the EPA to administer the NPDES Permit program in Hawai‘i. The NPDES Permit program is described in and administered through HAR, Chapter 11-55 – Water Pollution Control.

The applicant will submit Notice of Intent (NOI) application forms for review and approval by the DOH in order to obtain a Notice of General Permit Coverage (NGPC) prior to the commencement of project construction work. Different types of discharges will require different NOI forms.

The NPDES Permit is regulated under CWA et seq, HRS Chapter 342D, 40 CFR Parts 122 to 125 and HAR, 11-55.

Discussion:

A NPDES Form G (Construction Dewatering) is triggered if it is anticipated that dewatering effluent will need to be treated and discharged to State waters for construction activities involving the placement of underground utility lines. Treatment and water quality monitoring will be provided to ensure that any discharges that are permitted will meet State water quality standards of HAR Chapter 11-54. It is not anticipated that construction dewatering for project activities will be necessary at this juncture.

A NPDES Form C permit application is submitted to cover discharge of storm water runoff associated construction activities. A NOI Form C permit is triggered if the area of disturbance is 1 acre or more. It is not anticipated that the project will disturb more than one acre of land. This includes areas undergoing excavation, grading, clearing, equipment staging, and storage.

7.3 City and County of Honolulu

7.3.1 General Plan

The General Plan of the City and County of Honolulu “is a comprehensive statement of objectives and policies which sets forth the long-range aspirations of Oʻahu residents and the strategies of actions to achieve them. It is the focal point of a comprehensive planning process...” (CCH, 2006). The current plan, approved in 2006, is a statement of long-range social, economic, environmental, and design objectives and a statement of broad policies which facilitate the attainment of the objectives of the General Plan.

The most relevant portion of the General Plan is Section IV, Housing, Objective C, “*To provide the people of Oʻahu with a choice of living environments which are reasonably close to employment, recreation and commercial centers and which are adequately served by public utilities.*”

Objective A, Policy 4

Encourage residential development in areas where existing roads, utilities and other community facilities which are not being used to capacity.

Discussion:

The project provides an incremental addition to the housing stock in the Kāneʻohe-Kailua urban region. The property is reasonably close to employment, recreation, and commercial centers, and is adequately served by public utilities.

7.3.2 Koʻolaupoko Sustainable Communities Plan

The purpose of the development plans and sustainable community plans prepared by the City and County of Honolulu, Department of Planning and Permitting, is to implement the General Plan in specific geographic areas. The Koʻolaupoko Sustainable Communities Plan area encompasses the Windward portion of Oʻahu from Makapuʻu Point at the region’s eastern boundary to Kaʻoʻio Point at the northernmost end of Kāneʻohe Bay (CCH, 2000).

The provisions of the Koʻolaupoko Sustainable Communities Plan are not regulatory but are meant to provide a coherent vision to guide resource protection and land use in the Koʻolaupoko region. However, the plan does provide guidance for development in Koʻolaupoko, public investment in infrastructure, zoning and other regulatory procedures, and the preparation of the CCH’s annual capital improvement program budget.

The most recently-approved Koʻolaupoko Sustainable Communities Plan is contained in Revised Ordinances of Honolulu (ROH), Chapter 24, Article 6 and became effective in August 5, 2000. It is the intent of the plan to:

... provide a guide for orderly and coordinated public and private sector development in a manner that is consistent with applicable general plan provisions, recognizing the

region's urban fringe and rural areas as areas where growth will be managed so that "an undesirable spreading of development is prevented." (ROH, Section 24-6.2(b).

With regard to residential uses in the Koʻolaupoko Sustainable Communities Plan region, the Plan seeks to:

- Maintain the predominantly low-rise, low density, single family character of the region.
- Protect the integrity of existing residential neighborhoods.

The Plan establishes an Urban Community Boundary to define and contain the intended extent of urbanized or "built-up" areas to those districts designated as "urban fringe" by the General Plan. The purpose is to accommodate modest increases in population, to provide adequate lands for facilities or other groupings of built uses needed to support established communities while protecting lands outside this boundary for agriculture and other resource and open space values. The Urban Community Boundary is intended to confine most new development to "infill" sites within existing urbanized areas and to prohibit continuous sprawl. The more compact form of development will help to achieve relatively lower site development costs, more efficient utilization of existing urban infrastructure systems, and reduced reliance on the automobile by making transit ridership, walking, and bicycling more feasible and attractive as modes of travel. The Plan notes that the Urban Community Boundary generally circumscribes the community areas of Kāneʻohe, Kailua, Olomana, Maunawili and ʻĀhuimanu within the State Urban District boundary.

Discussion:

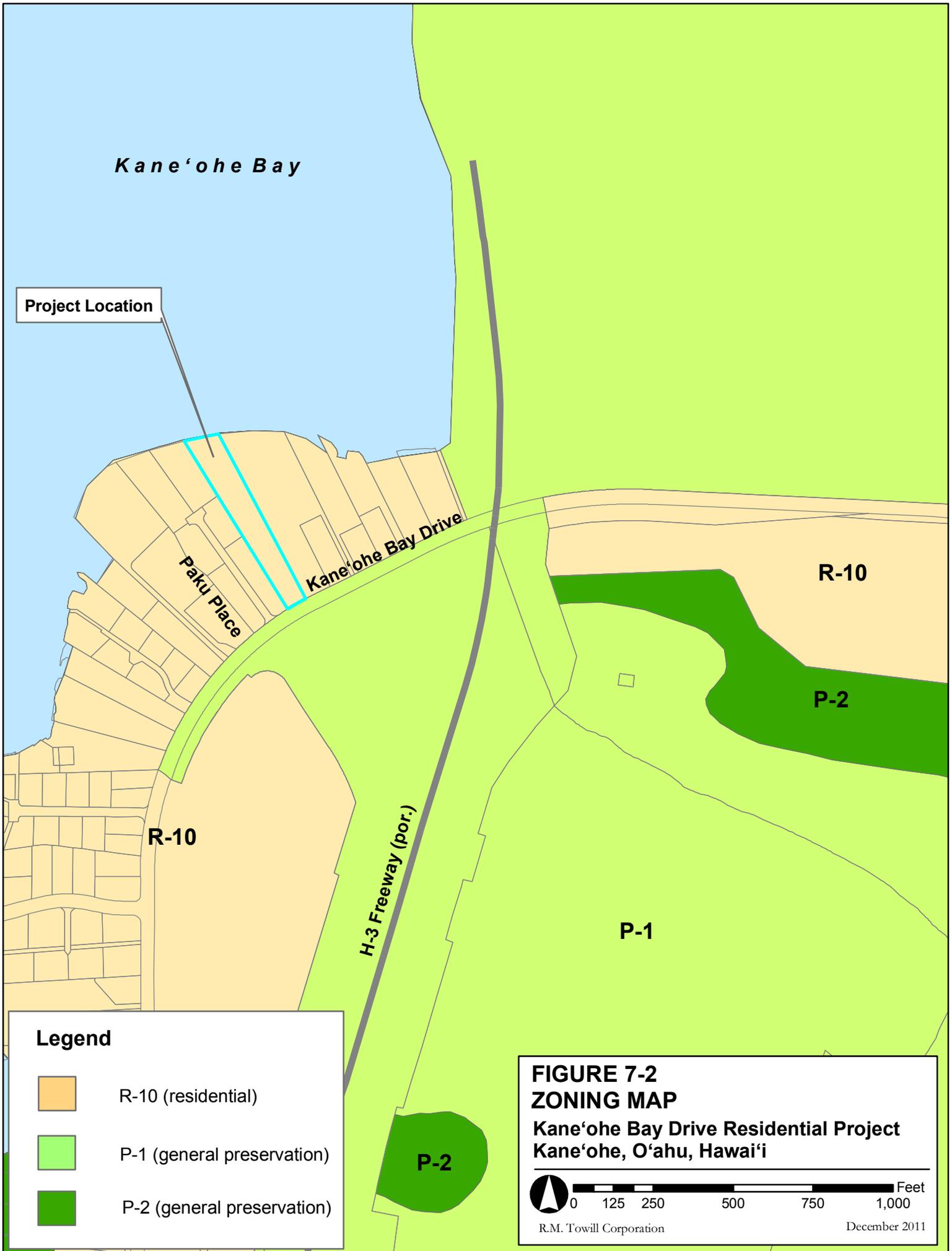
The proposed project is considered an infill project as it is located within the State Urban District. A modest increase in the number of dwelling units on the property is proposed. However, the project retains the low rise single family residential character of the area. The project is in compliance with the provisions of the Koʻolaupoko Sustainable Communities Plan.

7.3.3 County Zoning

Land uses within the City and County of Honolulu jurisdiction are regulated under ROH, Chapter 21, Land Use Ordinance (LUO). The purpose of the LUO, as stated in section 21.1.20, is to:

... regulate land use in a manner that will encourage orderly development in accordance with adopted land use policies, including the Oʻahu general plan and development plans, and to promote and protect the public health, safety and welfare."

The zoning of the subject property is R-10 residential district. See **Figure 7-2, Zoning Map**. The primary use in the residential zoning district is detached residences. The R-10 residential district requires a minimum lot size of 10,000 feet per single family dwelling.



Kane'ohu Bay

Project Location

Paku Place

Kane'ohu Bay Drive

R-10

P-2

R-10

H-3 Freeway (por.)

P-1

P-2

Legend

- R-10 (residential)
- P-1 (general preservation)
- P-2 (general preservation)

**FIGURE 7-2
ZONING MAP**

**Kane'ohu Bay Drive Residential Project
Kane'ohu, O'ahu, Hawai'i**



R.M. Towill Corporation

December 2011

Discussion:

The proposed project site totals 50,945 square feet in size. A total of four single family dwellings are included in the project. Due to the long and narrow lot configuration, the development of four housing sites would otherwise be difficult to develop under conventional subdivision standards. The existing lagoon also occupies a significant portion of the parcel which adds to the difficulty in doing a conventional subdivision. Thus, a CPR application is being filed in order to take a more flexible development approach while not exceeding the maximum allowable zoning height and density. The project complies with zoning height and density provisions of the LUO.

7.3.4 Special Management Area

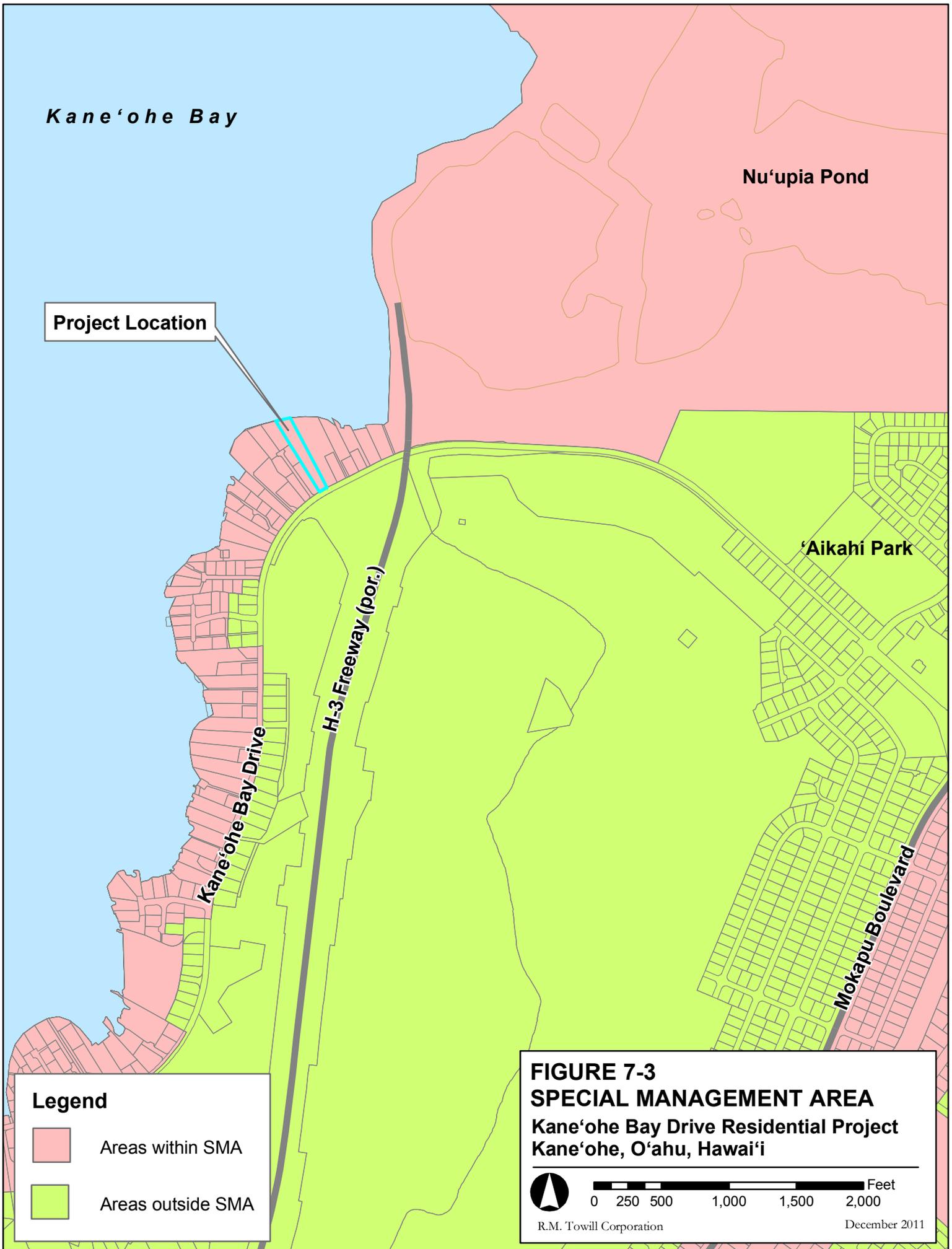
Lands within the Special Management Area (SMA) extend inland from the shoreline, as established in ROH, Chapter 25, Special Management Area and delineated on SMA maps adopted by the City and County of Honolulu, City Council. The subject property is located within the SMA. See **Figure 7-3, Special Management Area**. The SMA Permit covers any uses, activities or operations that are defined as being part of “development” within the SMA. Uses, activities and operations not considered a “development” are exempt from SMA requirements. Any “development” related uses, activities or operations within the SMA requires either an SMA Minor Permit or an SMA Use Permit, depending on the total cost and environmental impact of the project.

Pursuant to Act 153, Session Laws of Hawai‘i (SLH) 2011, an SMA Minor Permit was amended to mean an action authorizing development the valuation of which is not in excess of \$500,000 and which has no substantial adverse environmental or ecological effect, taking into account potential cumulative effects. Proposed actions which exceed these thresholds would require an SMA Use Permit.

Act 153 SLH 2011 also clarified that “development” does not include construction or reconstruction of a single family residence that is less than 7,500 square feet of floor area and is not part of a larger development.

Discussion:

The project involves the net addition of two single family residences. The existing dwelling closer to the ocean will likely remain as it is, while the existing dwelling on the mauka side of the property may be renovated or reconstructed. Under SMA provisions, a single family dwelling by itself would not be considered a “development” and thus would be considered exempt. However, the proposed project involves two additional single family residences which are part of a “larger development”. Thus, the proposed project would require an SMA Use Permit.



7.3.5 Shoreline Setback Variance

Shoreline setback provisions are found in ROH, Chapter 23, Shoreline Setbacks. The primary purpose of the ordinance is to protect and preserve the natural shoreline, especially sandy beaches; to protect and preserve public pedestrian access laterally along the shoreline and to the sea; and to protect and preserve open space along the shoreline. Secondly, the intent is to reduce hazards to property from coastal floods.

As noted previously in Section 7.2.4, the shoreline is located across the mouth of the existing man-made lagoon. According to ROH Section 23-1.4, *Shoreline Setbacks*, the shoreline setback is generally established 40 feet inland from the certified shoreline.

The project involves the installation of landscaping around the existing lagoon to improve aesthetics and reduce the potential for erosion. Portions of the landscaping work will be within the shoreline setback. Refer to **Figure 2-3 Proposed Improvements**.

The intent is to minimize the erosion taking place and utilize the lagoon as a shallow draft harbor for the two proposed residences at the makai portion of the parcel. Section 23-1.8 (a), ROH, notes that:

The director, as provided in Section 23-1.10, may grant a variance upon finding that, based upon the record presented, the proposed structure or activity is necessary for or ancillary to:

- (3) *Landscaping; provided that the proposed structure or activity will not adversely affect beach processes and will not artificially fix the shoreline;*

Discussion:

The proposed landscaping will neither adversely affect beach processes nor artificially fix the shoreline. The landscaping will be installed around the existing lagoon but will not extend all the way to the shoreline.

Section 8 – Necessary Permits and Approvals

8.1 Federal

No federal permits are anticipated.

8.2 State of Hawaiʻi

8.2.1 Condominium Property Regime Approval

If a federal permit is required such as a Department of the Army permit, a Section 401 Water Quality Certification from the State DOH would likely be required. Coordination with the DOH will be done to determine permit applicability.

8.3 City and County of Honolulu

8.3.1 Special Management Area

A Special Management Area Use Permit will be required for the proposed development.

8.3.2 Shoreline Setback Variance

A Shoreline Setback Variance will be required for portions of the proposed landscaping which are located within the 40 foot shoreline setback. This will need to be approved by the City and County of Honolulu Department of Planning and Permitting.

8.3.3 Grading Permit

A grading permit will be needed from the Department of Planning and Permitting.

8.3.4 Building, Electrical, Plumbing Permits

Ministerial permits such as building, electrical and plumbing permits will be required.

8.4 Utility Companies

Plan review by local utility companies will be undertaken as required and appropriate.

Section 9 – Agencies, Organizations and Individuals Consulted or to be Consulted During the Preparation of this EA

9.1 Federal

U.S. Department of the Army Corps of Engineers

9.2 State of Hawaiʻi

Department of Health – Clean Water Branch

Department of Health – Environmental Planning Office

Department of Land and Natural Resources

Department of Transportation – Highways Division

9.3 City and County of Honolulu

Board of Water Supply

Department of Design and Construction

Department of Environmental Services

Department of Facility Management

Department of Planning and Permitting

Honolulu Fire Department

Honolulu Police Department

9.4 Elected Officials, Organizations and Individuals

Councilmember Ikaika Anderson, District 3 – Kāneʻohe, Kailua and Waimānalo

Hawaiian Electric Company, Inc.

Hawaiian Telcom

Kāneʻohe Neighborhood Board No. 30

Oceanic Time Warner Cable

Section 10 – Significance Determination

According to the Department of Health’s HAR, 11-200-12) (Rules), an applicant or agency must determine whether an action may have a significant impact on the environment, including all phases of the project, its expected consequences, both primary and secondary, its cumulative impact with other projects, and its short and long term effects. In making the determination, the Rules establish “Significance Criteria” to be applied as a basis for identifying whether significant impact environmental impact will occur. According to the Rules, an action shall be determined to have a significant impact on the environment if it meets any one of the following criteria.

The proposed project:

1. Involves an irrevocable commitment to loss or destruction of any natural or cultural resources;

The proposed project will not cause any irrevocable loss of natural or cultural resources. The project site has been in residential use for decades. The subject property and abutting properties between Kāneʻohe Bay Drive and the Kāneʻohe Bay have been altered through past and current urban development. No negative effects on plant and animal habitats are expected. The project will not adversely affect view corridors or open space parameters.

No adverse effects to archaeological or historical sites are anticipated from planned improvements. Should any archaeologically or historically significant artifacts, or other indicators of previous on-site activity be uncovered during the construction phase, their treatment will be conducted in strict compliance with the requirements of the State Historic Preservation Division.

2. Curtails the range of beneficial uses of the environment;

The proposed project will not result in the curtailment of the range of beneficial uses of the environment. The proposed action will be implemented on lands dedicated for residential use. The project supports a modest increase in the residential housing stock of the region within the existing Urban District thereby aiding in the preservation of important agricultural lands and open space in other parts of the Koʻolaupoko District.

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

The proposed project is consistent with the environmental policies, goals and guidelines as delineated in HRS, Chapter 344, and as documented in this Environmental Assessment.

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

The proposed project has been assessed for potential social, visual, and environmental impacts in accordance with the requirements of HRS, Chapter 343, and HAR, Chapter 11-200. With implementation of the mitigation measures as identified in this document, no substantial impacts to the economic welfare, social welfare, and cultural practices are expected to result. The proposed project will provide short term employment opportunities during construction. In the long term, the project provides an incremental increase in the housing stock which will provide housing opportunities for Oʻahu residents.

5. Substantially affects public health;

The proposed project will be developed in accordance with Federal, State, and City & County of Honolulu, rules and regulations governing public safety and health. Potential sources of adverse impacts have been identified and appropriate mitigative measures developed. The primary public health concerns are anticipated to involve air, water, and noise impacts. However, it is expected that these impacts will be either minimized or brought to negligible levels by the appropriate use of the mitigation measures described in this document.

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

No adverse impacts to the domestic water, electrical and wastewater capacities and facilities are anticipated. The project is not expected to significantly impact other public services such as fire, health care, and emergency medical services. No adverse impacts upon educational or recreational services are anticipated. The net addition of two dwelling units in the Kāneʻohe area is not expected to significantly change the area's population or demographic make-up.

7. Involves a substantial degradation of environmental quality;

The proposed project is not expected to result in substantial degradation of the environment either by its construction or by its continued use.

8. Is individually limited but cumulatively has considerable effect on the environment, or involves a commitment for larger action;

The proposed project does not commit resources or energy for a larger action. There are no future phases of development for the subject property. There are no other effects on ecosystem resources and human communities from a cumulative effects perspective.

9. Substantially effects any rare, threatened or endangered species or it's habitat;

No rare, threatened or endangered plant or animal species or their habitat is expected to be affected by this project.

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

Construction activities will result in short-term air quality and noise impacts. Dust control measures, such as regular watering and sprinkling of exposed areas, will be implemented to minimize wind-blown emissions. Noise impacts will occur primarily from construction-related activities, however this will be temporary and once the project is completed, noise levels will return to existing levels. Water quality is not expected to be affected. In the long term, the proposed project is not anticipated to have a significant impact on air and water quality.

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 areas, geologically hazardous land, estuary, freshwater or coastal areas;

The project is not in an environmentally sensitive area such as a flood plain, tsunami zone, beach or erosion-prone area, geologically hazardous land, estuary, freshwater or coastal area. Aside from new landscaping, all proposed development will be located mauka of the 40-foot setback line. Potential effects related to erosion will be mitigated by the implementation of construction best management practices.

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

The views to and from the project area will not be adversely affected. County plans note that there are intermittent panoramic views along this portion of Kāneʻohe Bay Drive. Although the project will involve a net addition of two residential units, the property is long and narrow and the proposed units will be in compliance with zoning height limits, and therefore the should be no significant impact to existing views from Kāneʻohe Bay Drive.

13. Requires substantial energy consumption;

The construction of the proposed project will not result in substantial consumption of energy or resources.

Section 11 – Anticipated Findings

In accordance with the provisions set forth in HRS, Chapter 343, and the significance criteria in HAR, 11-200-12, this assessment has preliminarily determined that the project will have no significant adverse impact to water quality, air quality, existing utilities, noise levels, social welfare, archaeological sites, or wildlife habitat. Anticipated effects will be temporary and will not adversely impact the environmental quality of the area. Impacts that have been identified will be mitigated.

Based on analysis and review of the above factors, it has been preliminarily determined that an Environmental Impact Statement (EIS) will not be required, and that a Finding of No Significant Impact (FONSI) should be issued for this project.

Section 12 – References

(CCH, 1987), *Coastal View Study*, Department of Land Utilization (DPP). Prepared by Michael Chu and Robert Jones. 1987.

(CCH, 2000). *Koolaupoko Sustainable Communities Plan*. Prepared by the City and County of Honolulu, Department of Planning and Permitting. August 2000.

(CCH, 2006). *General Plan for the City and County of Honolulu*. Prepared by the City and County of Honolulu, Department of Planning and Permitting. 2006.

(DBEDT, 2010), *2009 State of Hawaiʻi Data Book*, Prepared by State of Hawaiʻi Department of Business, Economic Development & Tourism, 2010.

(DLNR, 2006), *Hawaiʻi Administrative Rules, Title 13, Department of Land and Natural Resources, Subtitle 10, Land Division, Chapter 222, Shoreline Certifications*, Amended June 3, 2006.

(DLNR, 2006). *Hawaiʻi – National Flood Insurance Program*, Department of Land and Natural Resources, Engineering Division, 2006.

(DOH, 2010), *State of Hawaiʻi Annual Summary 2009 Air Quality Data*, Prepared by State of Hawaiʻi Department of Health, September 2010.

(DPP, 1992), *Revised Ordinances of Honolulu, Chapter 23, Shoreline Setbacks*, Added by Ord. 92-34, Amended by Ord. 10-32.

(DPP, 2003), *Finding of Fact, Conclusions of Law, Decision and Order in the Matter of Application by Department of Design and Construction, City and County of Honolulu for a Shoreline Setback Variance*, File No.: 2003/SV-9

(Juvik and Juvik, 1998). *Atlas of Hawaiʻi, 3rd Edition*. Prepared by Sonia and James Juvik. University of Hawaiʻi Press, Honolulu. 1998.

(Office of Planning, 2001), *Agricultural Lands of Importance to the State of Hawaiʻi*, State of Hawaiʻi, Office of Planning, February 2001.

(Sterling and Summers, 1978). *Sites of Oʻahu*. Prepared by Elspeth Sterling and Catherine Summers. Published by Bishop Museum Press, Honolulu. 1978.

(USDA, 1972). *Soil Survey of Islands of Kauaʻi, Oʻahu, Maui, Molokaʻi and Lānaʻi, State of Hawaiʻi*, Prepared by the U.S. Department of Agriculture. 1972.