

HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
CITY AND COUNTY OF HONOLULU

No. 25-39, CD1

RESOLUTION

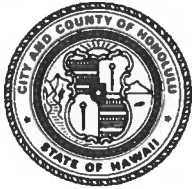
GRANTING A SPECIAL MANAGEMENT AREA MAJOR PERMIT TO ALLOW FOR THE CONSTRUCTION OF CERTAIN PHASED IMPROVEMENTS IN WAIMEA VALLEY IN HALE'IWA, O'AHU.

WHEREAS, on October 7, 2024, the Department of Planning and Permitting ("DPP") accepted the application (DPP File No. 2024/SMA-107) from Munekiyo Hiraga on behalf of Hi'ipaka, LLC (the "Applicant") for a Special Management Area ("SMA") Major Permit to allow for the construction of phased improvements in Waimea Valley, including the renovation and expansion of the visitor center; demolition of the former seed propagation and equipment storage structure, and construction of a new community resource center; installation of a rockfall mitigation fence adjacent to the new community resource center, and other rockfall mitigation measures as needed; renovation and expansion of the existing Pīkake pavilion; construction of a new traditional Hawaiian hale; upgrades to or replacement of the onsite sewage treatment plant and water system; installation of a new offsite fire hydrant on the makai side of Kamehameha Highway across from the valley entrance; and installation of erosion control measures along streambanks, on an approximately one-acre portion of two zoning lots totaling approximately 1,799 acres of land zoned P-1 Restricted Preservation District, located at 59-864 Kamehameha Highway, and identified as Tax Map Keys 6-1-002:002 and 005 (the "Project"); and

WHEREAS, on December 4, 2024, the DPP held a public hearing at the Fasi Municipal Building 6th Floor Conference Room, which was attended by the Applicant, the Applicant's Agent, DPP staff, and several members of the public; and

WHEREAS, on January 14, 2025, within 45 calendar days after the close of the public hearing, the DPP, having duly considered all evidence and the objectives, policies, and guidelines, as established in §§ 25-3.1 and 25-4.1, Revised Ordinances of Honolulu 2021 ("ROH"), and §§ 205A-2 and 205A-26, Hawaii Revised Statutes ("HRS"), completed its report and transmitted its findings and recommendation of approval to the City Council ("Council"); and

WHEREAS, the Council, having received the findings and recommendation of the DPP on January 17, 2025, by Departmental Communication 37 (2025), and having duly considered all of the findings and reports on the matter, desires to approve the subject application for an SMA Major Permit, subject to the conditions enumerated below; now, therefore,



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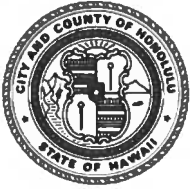
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BE IT RESOLVED by the Council of the City and County of Honolulu ("City") that an SMA Major Permit be issued to the Applicant for the Project, subject to the following conditions:

- A. Development must be in general conformity with the Project as described in the DPP's findings and recommendation, referenced above, and as depicted in Exhibits A, B, C-1 through C-5, and D through J, attached hereto and incorporated by reference herein. Any change in the size or nature of the Project that may have a significant effect on coastal resources as addressed in ROH Chapter 25 or HRS Chapter 205A, or both, will require a new application and SMA Major Permit. Any change that does not have a significant effect on coastal resources may be considered a minor modification and may be permitted under this resolution, upon review and approval by the DPP Director.
- B. To minimize impacts to archaeological, historic, and cultural resources that may be present on the Project site, the Applicant shall comply with the following:
 - 1. Prior to the issuance of any construction permit or building permit for the Project, the Applicant shall submit to the DPP a copy of the written determination from the State Historic Preservation Division ("SHPD") stating that SHPD has completed its review of the impact of the Project on historic properties pursuant to HRS § 6E-42 and has determined whether any mitigative actions and protocols are required. The Applicant shall implement all mitigative actions and protocols required or recommended by SHPD in its written determination and under the memorandum of agreement executed among the Applicant, SHPD, and the U.S. Economic Development Administration (a bureau of the U.S. Department of Commerce).
 - 2. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts; shell, bone, or charcoal deposits; human burials; rock or coral alignments; pavings; or walls) are encountered, the Applicant shall stop work, protect the find from further disturbance, and contact SHPD immediately. Work in the immediate area must be stopped until SHPD has assessed the impact and has made further recommendations for mitigative activity.

The requirements enumerated in this condition, and all mitigation protocols approved or otherwise required by SHPD and under the MOA, must be clearly

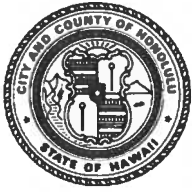


RESOLUTION

stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

C. To minimize impacts to endangered, threatened, or protected avian, marine, and terrestrial fauna that may frequent or traverse the vicinity of the Project site, the Applicant is responsible for the following:

1. All new and replacement outdoor light fixtures and lamps must not exceed a color temperature of 3,000 degrees kelvin.
2. Artificial light from exterior light fixtures on the Project site, including but not limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes, is prohibited if the light directly illuminates, or is directed across property boundaries toward, the shoreline and ocean waters, except as may otherwise be permitted pursuant to HRS § 205A-71(b).
3. Exterior light fixtures on the Project site must be fully shielded, using full cutoff fixtures, with the light directed downward so that the light bulb is only visible from below the light fixture.
4. All Project site work and construction activities are limited to daylight hours (sunrise to sunset).
5. Outdoor lights must be turned off when human activity is not occurring in the lighted area, which may be achieved by installing automatic motion sensor switches and controls on exterior lights.
6. Barbless fencing must be used for all fence construction to avoid the entanglement of Hawaiian hoary bats.
7. Woody plants greater than 15 feet in height must not be disturbed, removed, or trimmed during the Hawaiian hoary bat birthing and pup rearing season (June 1 through September 15).
8. The presence of non-native predators, such as cats, rodents, and mongooses, must be minimized to the extent practicable.
9. Project contractors, subcontractors, and other personnel must be informed that the feeding of endangered, threatened, or protected avian species is prohibited.



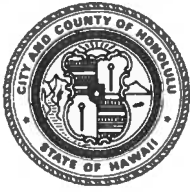
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10. All food rubbish must be secured in closed trash receptacles.
11. During periods of construction-related vehicular activity, a reduced speed limit of 5 miles per hour must be posted and implemented in Project work areas where endangered, threatened, or protected avian species are known to frequent. Project contractors, subcontractors, and other personnel must be informed of the presence of endangered, threatened, or protected avian species and the reduced speed limit.
12. During periods of construction-related vehicular activity, a qualified biologist or qualified Waimea Valley staff member must be retained to supervise and monitor Project work areas where endangered, threatened, or protected avian species have been observed, including near to the community resource center and rockfall mitigation areas. If any endangered, threatened, or protected avian species are observed within a Project work area, all work within 50 feet of the observed bird must stop until the bird has voluntarily left the area.
13. Prior to any Project ground-disturbing or construction activity near pond areas, a waterbird nest survey must be conducted. Repeat surveys must be conducted within three days after the commencement of Project work activity near pond areas and after any subsequent delay of Project work activity for three or more days. If any endangered, threatened, or protected waterbird nests or broods are found, the Applicant shall immediately contact the U.S. Fish and Wildlife Service for further guidance, and:
 - a. Establish and maintain a 100-foot buffer of no activity around all active nest sites or broods until the chicks or ducklings have fledged; and
 - b. Retain a biological monitor familiar with the waterbird species' biology, who must be present near the nest site until the chicks or ducklings have fledged.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

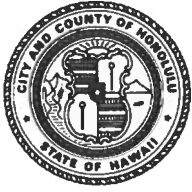


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- D. To minimize impacts to endangered, threatened, or protected flora that may be present on the Project site, and to minimize the spread of invasive pathogens, pests, or plants that may harm native species and ecosystems, the Applicant is responsible for the following:
1. To the extent practicable, native Hawaiian plant species appropriate for the area must be used for new Project landscaping, with no use of invasive species (a recommended reference link is the publication *Native Hawaiian Plants for Landscaping, Conservation, and Reforestation*, at <https://www.ctahr.hawaii.edu/oc/freepubs/pdf/of-30.pdf>).
 2. To manage host materials and plants that may contain the coconut rhinoceros beetle (in any stage of life), the Applicant shall comply with the State Department of Agriculture's Plant Quarantine Interim Rule restricting the movement of coconut rhinoceros beetle host material.
 3. The Applicant shall minimize the importation of soil and structural fill material to the extent possible. No importation of soil or structural fill material is currently proposed.
 4. The Applicant shall minimize the movement of plant or soil material on the Project site, and all Project construction equipment, materials, and personnel must be cleaned of excess soil and debris prior to entering and leaving a Project worksite, in accordance with the current recommendations from the O'ahu Invasive Species Committee ("OISC").
 5. Prior to the commencement of any ground-disturbing or construction activities and upon the arrival of any new workers to the Project site, a copy of the most recently updated OISC "Decontamination Protocols for Prevention of Invasive Species" ("Protocols") must be distributed to all workers who will be present at the site; the Protocols must be posted at the Project site in a visible location accessible to all Project workers, including delivery and haul-out contractors; or both the distribution and posting of the Protocols. All onsite Project workers must be instructed to review the species photos and all Protocols prior to commencing any ground-disturbing or construction activities.
 6. If, at any time, species on the OISC invasive species target list website at <https://www.oahuisc.org/current-targets/>, or any successor website or list provided by the OISC, are discovered on the Project site, the Applicant



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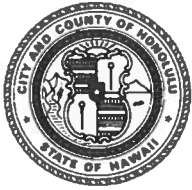
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shall immediately contact the OISC to report the discovery. The current email address and phone number for the OISC must be visibly posted at the Project site during pre-construction and construction activities. The Applicant shall implement any measures recommended by the OISC and any responsible federal or State of Hawai'i agency charged with the eradication and management of invasive species.

The requirements enumerated in this condition must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

- E. Approval of this SMA Major Permit does not constitute compliance with other City ordinances, including but not limited to the Land Use Ordinance ("LUO") and building and construction codes, or other governmental requirements, including but not limited to LUO-related approvals and building, grading, and grubbing permit approvals, which are subject to separate review and approval. The Applicant is responsible for ensuring that the final plans for the Project approved under this SMA Major Permit comply with all applicable City ordinances and other governmental provisions and requirements; and



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BE IT FINALLY RESOLVED that copies of this resolution be transmitted to Richard Pezzulo, Executive Director of Hi'ipaka, LLC, 59-864 Kamehameha Highway, Hale'iwa, Hawai'i 96712; Tessa Munekiyo Ng of Munekiyo Hiraga, 225 Queen Street, Suite 200, Honolulu, Hawai'i 96813; Dawn Takeuchi Apuna, Director Designate of the Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813; and Mary Alice Evans, Director of the State Office of Planning and Sustainable Development, Attention: Coastal Zone Management Branch, P.O. Box 2359, Honolulu, Hawai'i 96804-2359.

INTRODUCED BY:

Tommy Waters (br)

DATE OF INTRODUCTION:

January 27, 2025
Honolulu, Hawai'i

Councilmembers

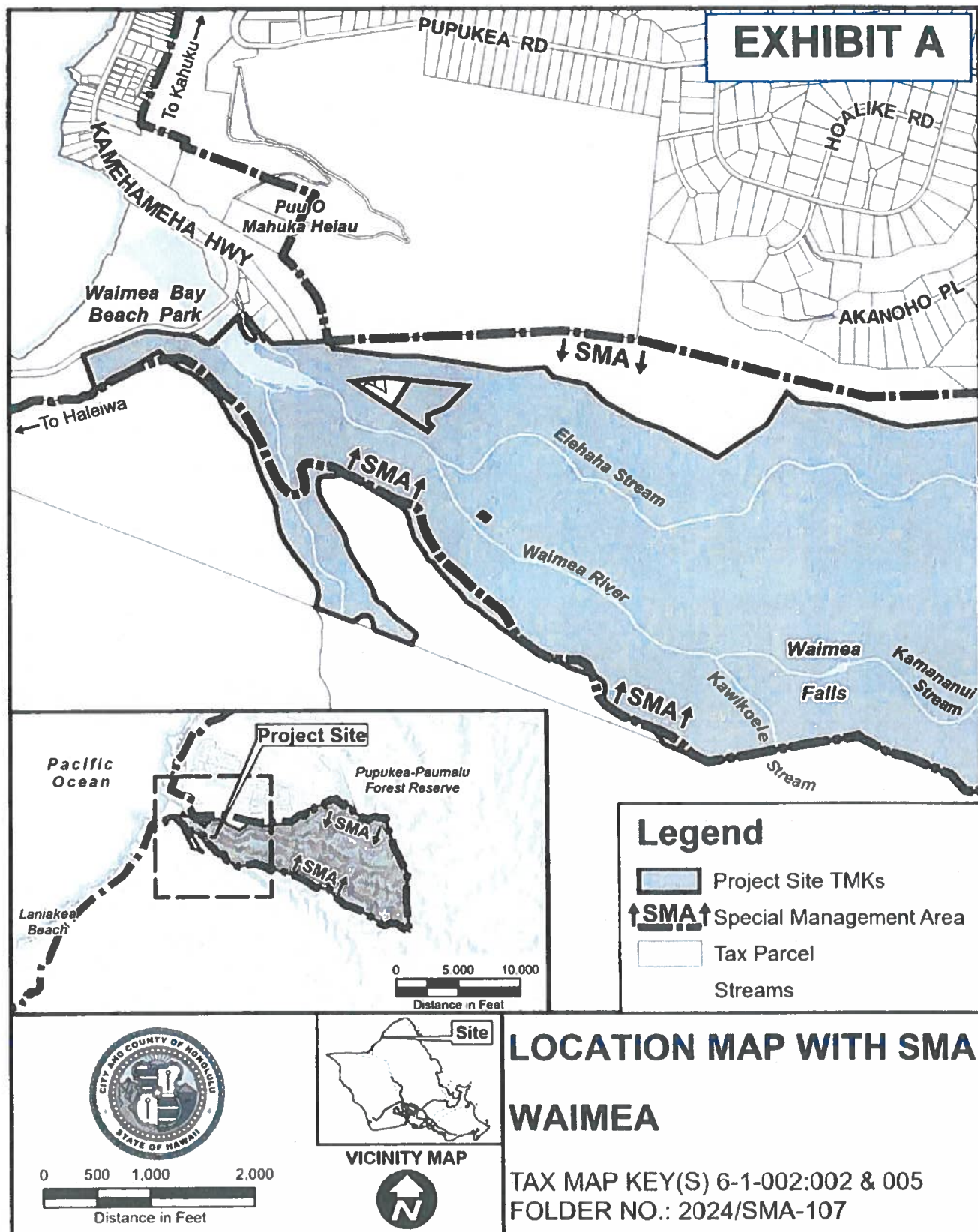
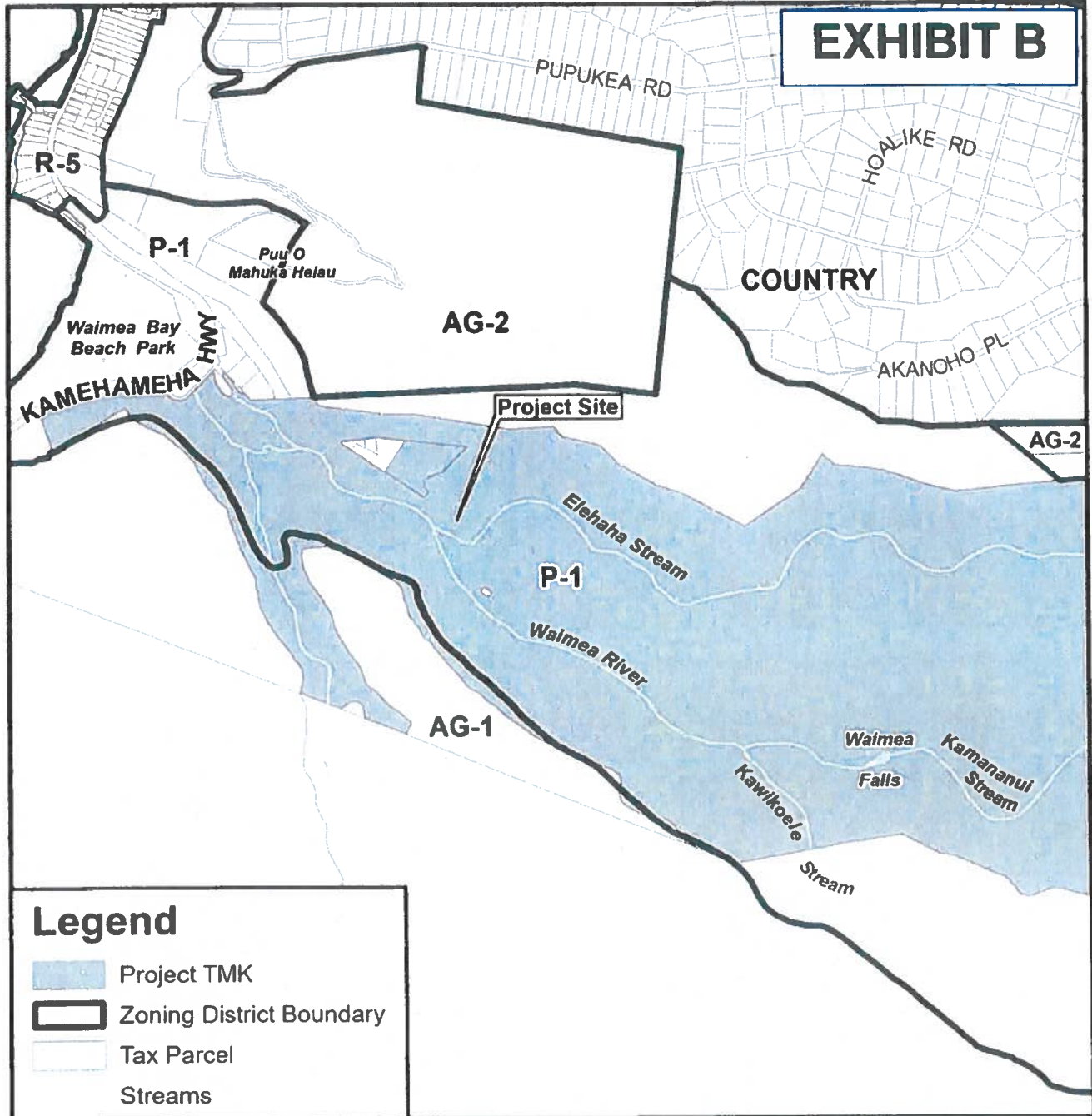
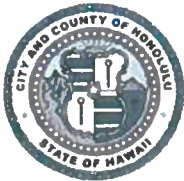


EXHIBIT B

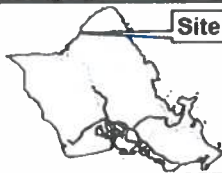


Legend

- Project TMK
- Zoning District Boundary
- Tax Parcel
- Streams



0 500 1,000 2,000
Distance in Feet



VICINITY MAP



PORTION OF ZONING MAP KAWAILOA - WAIALEE

TAX MAP KEY(S): 6-1-002:002 & 005
FOLDER NO.: 2024/SMA-107

EXHIBIT C-1: Project Overview

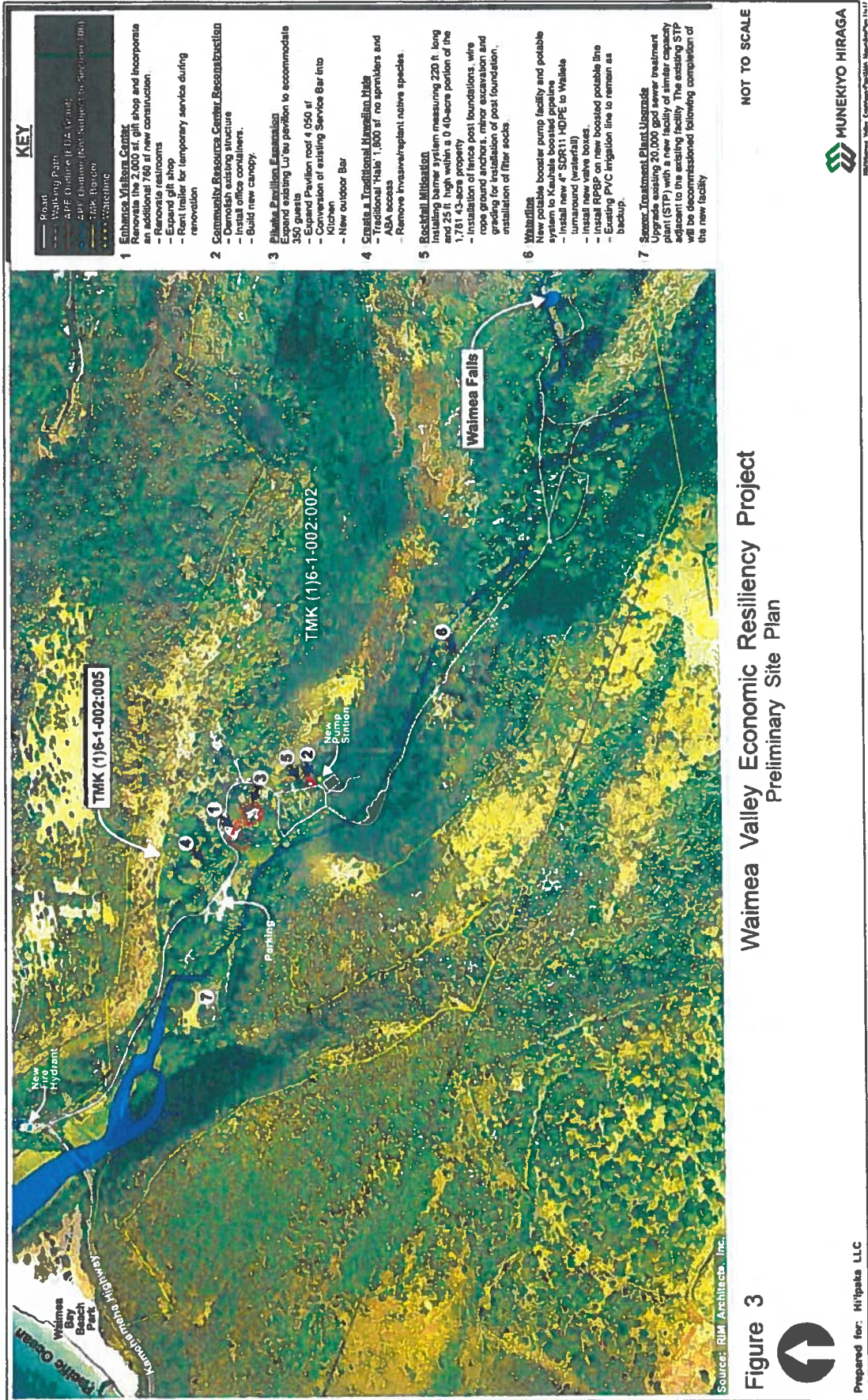


EXHIBIT C-2: Visitor Center and Pikake Pavilion

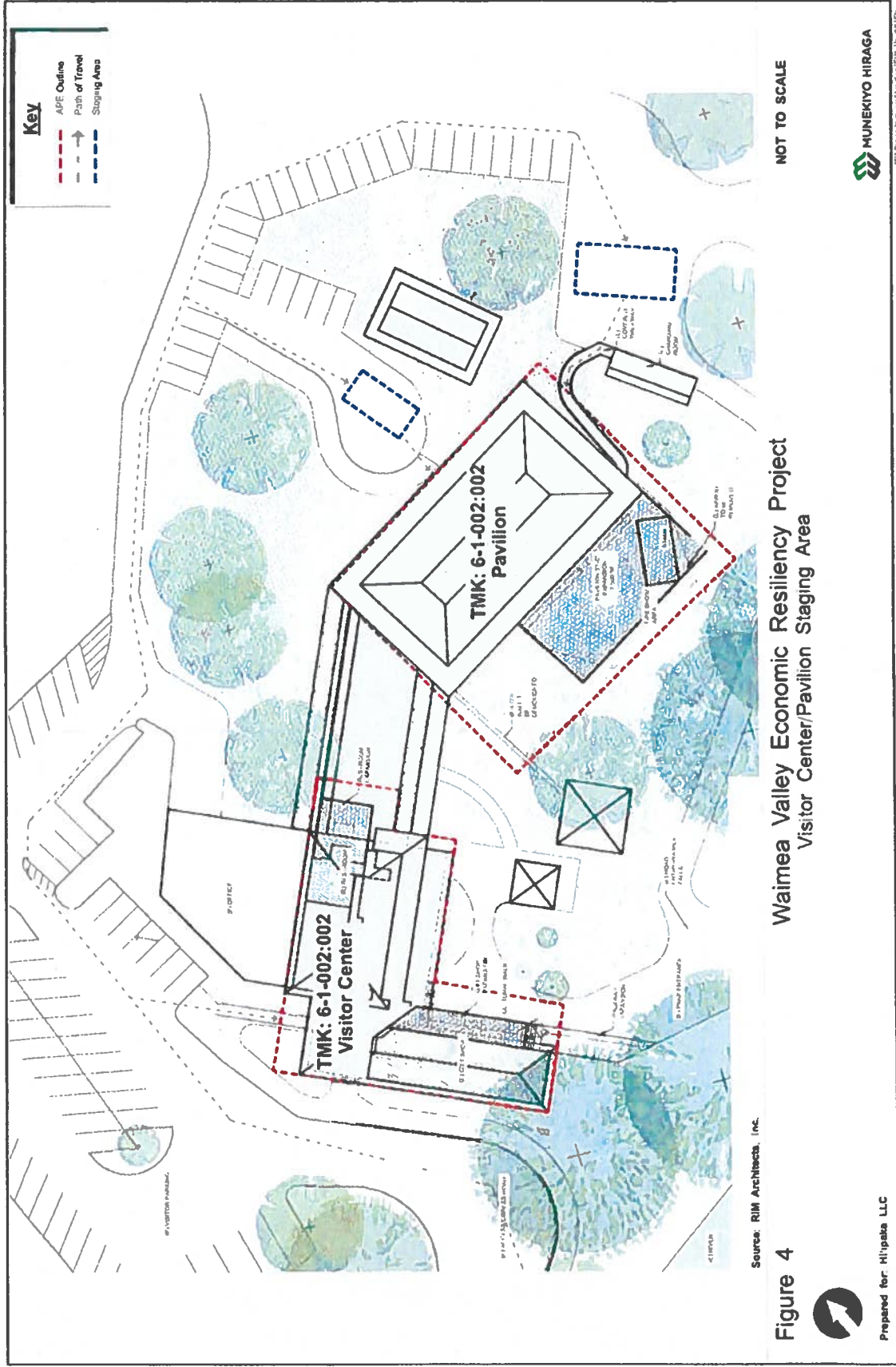
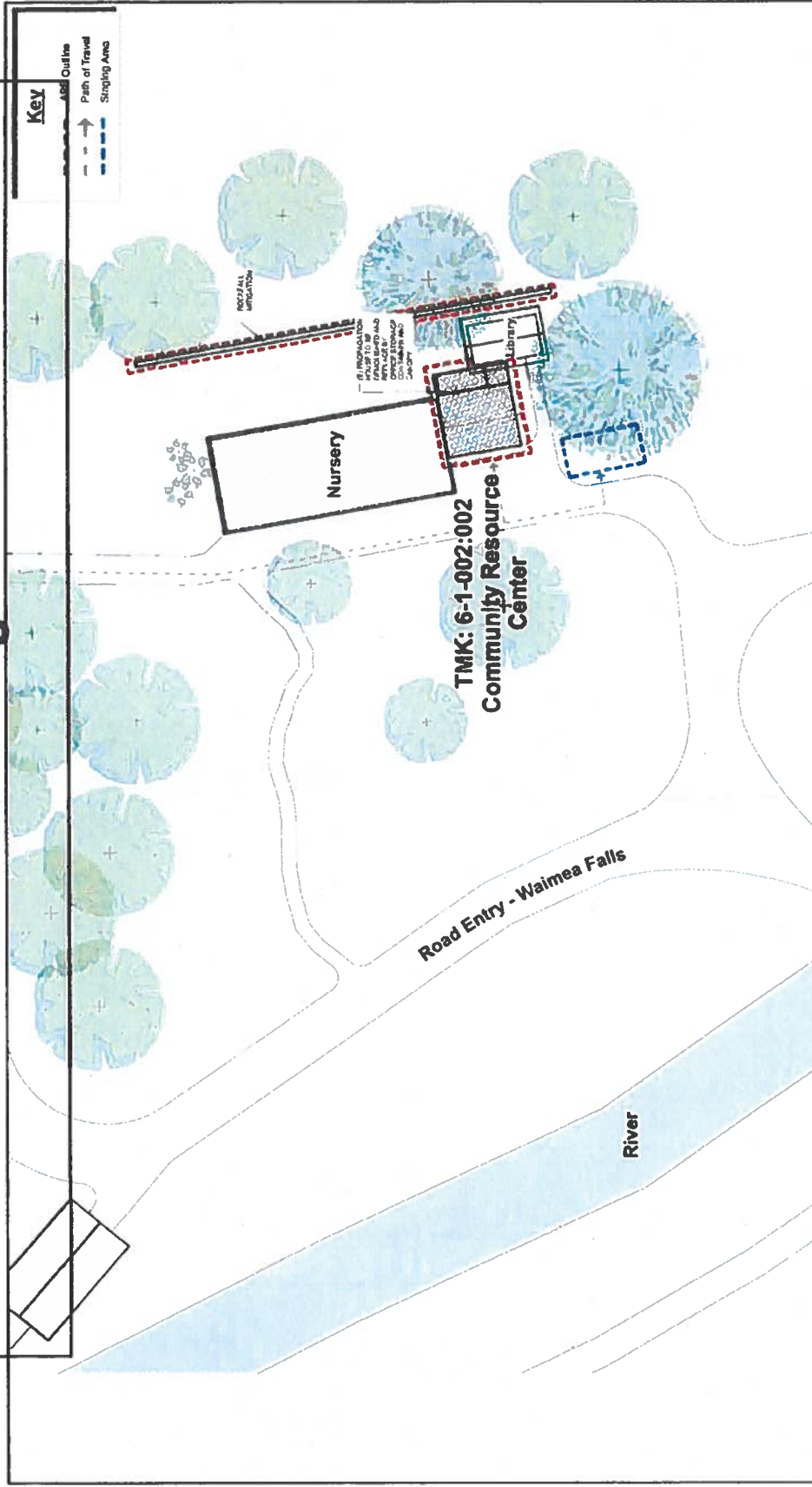


EXHIBIT C-3: Community Resource Center and Rockfall Mitigation



Source: RIM Architects, Inc.

Figure 5



Prepared for: H'iipaka LLC

Waimea Valley Economic Resiliency Project
Community Resource Center and Rockfall Fence Staging Area

NOT TO SCALE



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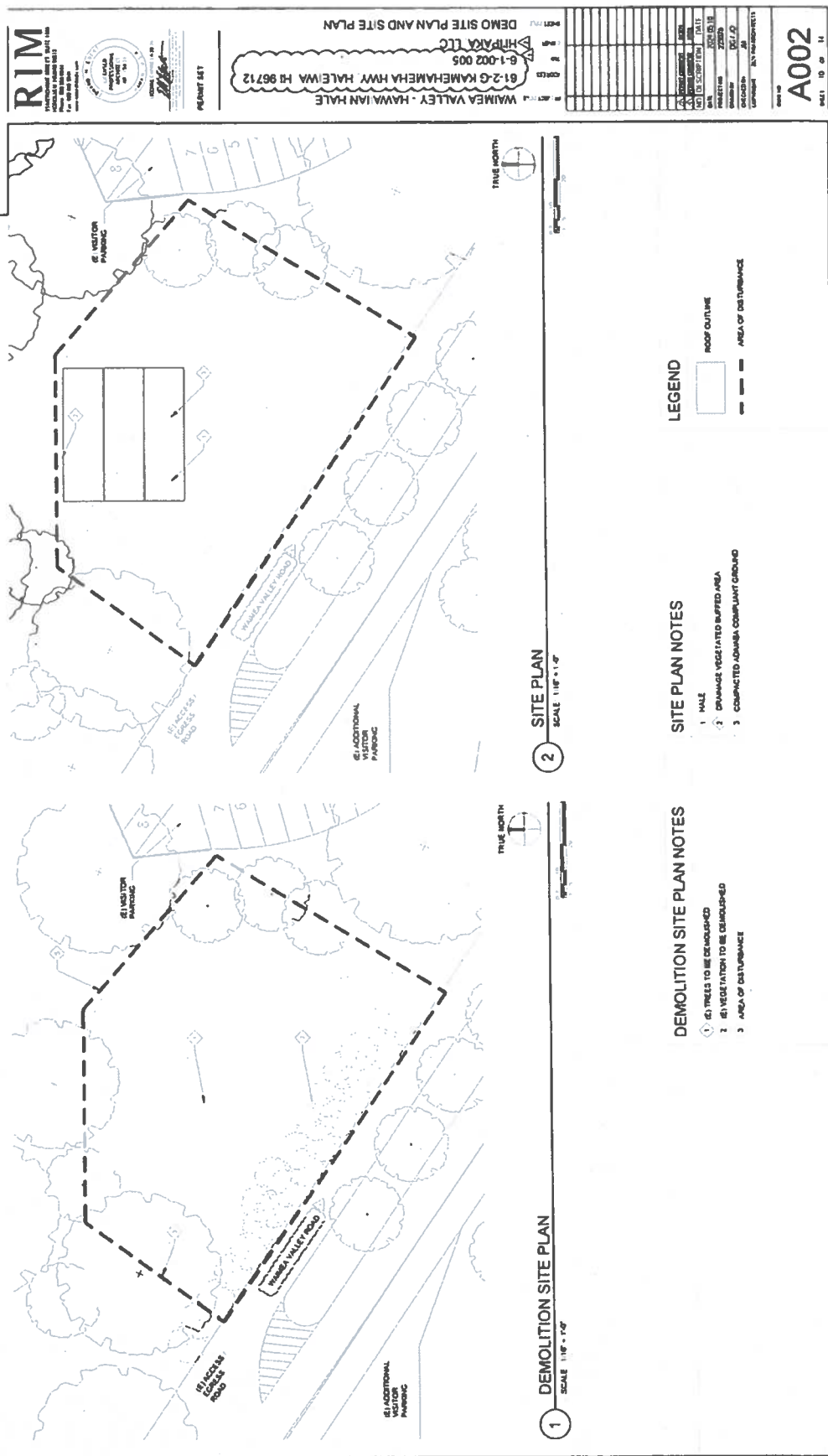
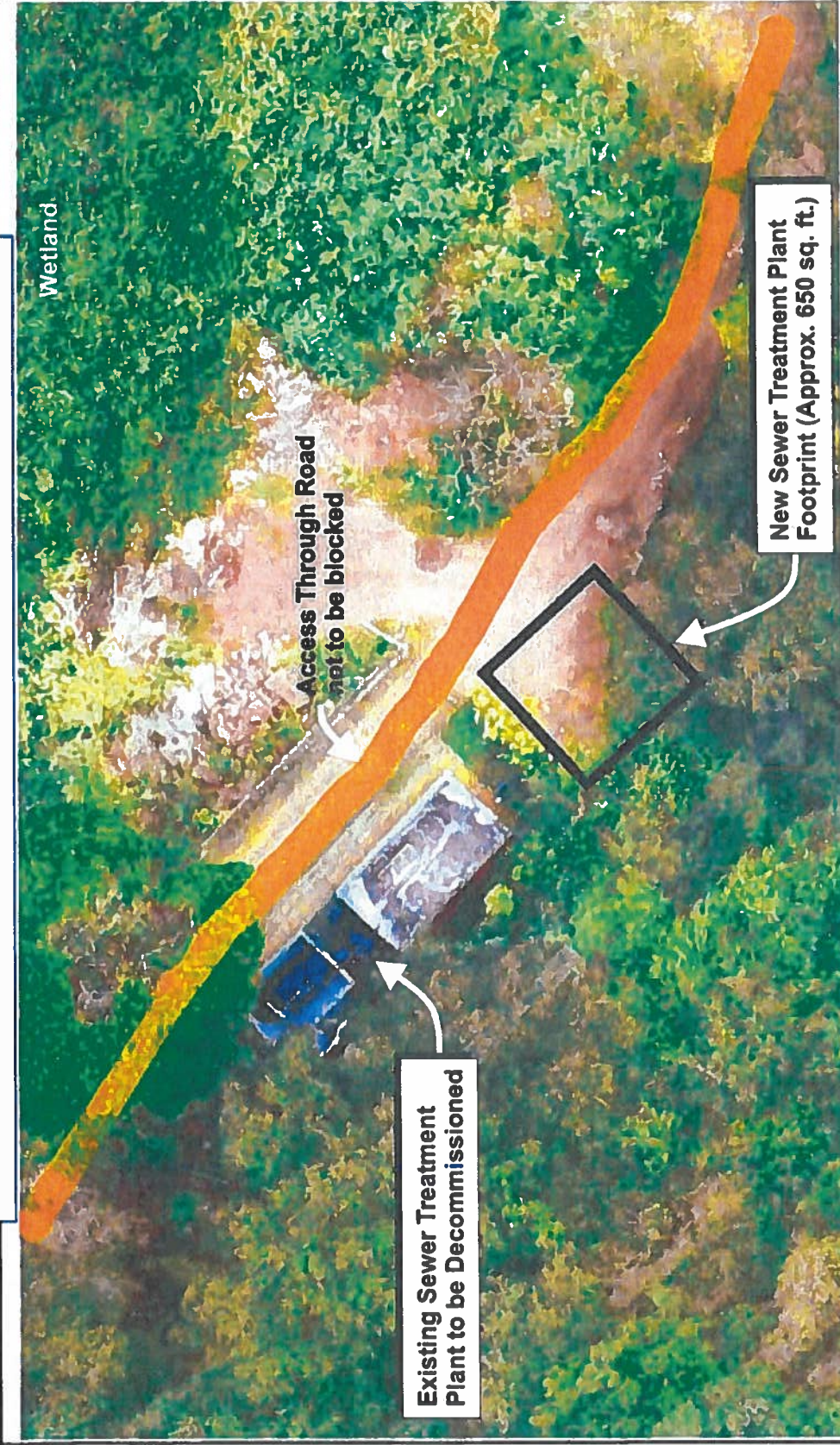
$$\begin{aligned} & \sigma_{\text{eff}} = \frac{1}{2} \rho \omega^2 \sum_{i=1}^N \sigma_i^2 \\ & \rho_{\text{eff}} = \frac{1}{2} \rho \omega^2 \sum_{i=1}^N \sigma_i^2 \end{aligned}$$


EXHIBIT C-5: Sewer Treatment Plant



Source: Hi'ipaka LLC

Waimea Valley Economic Resiliency Project Sewer Treatment Plant Upgrade Location Map

NOT TO SCALE



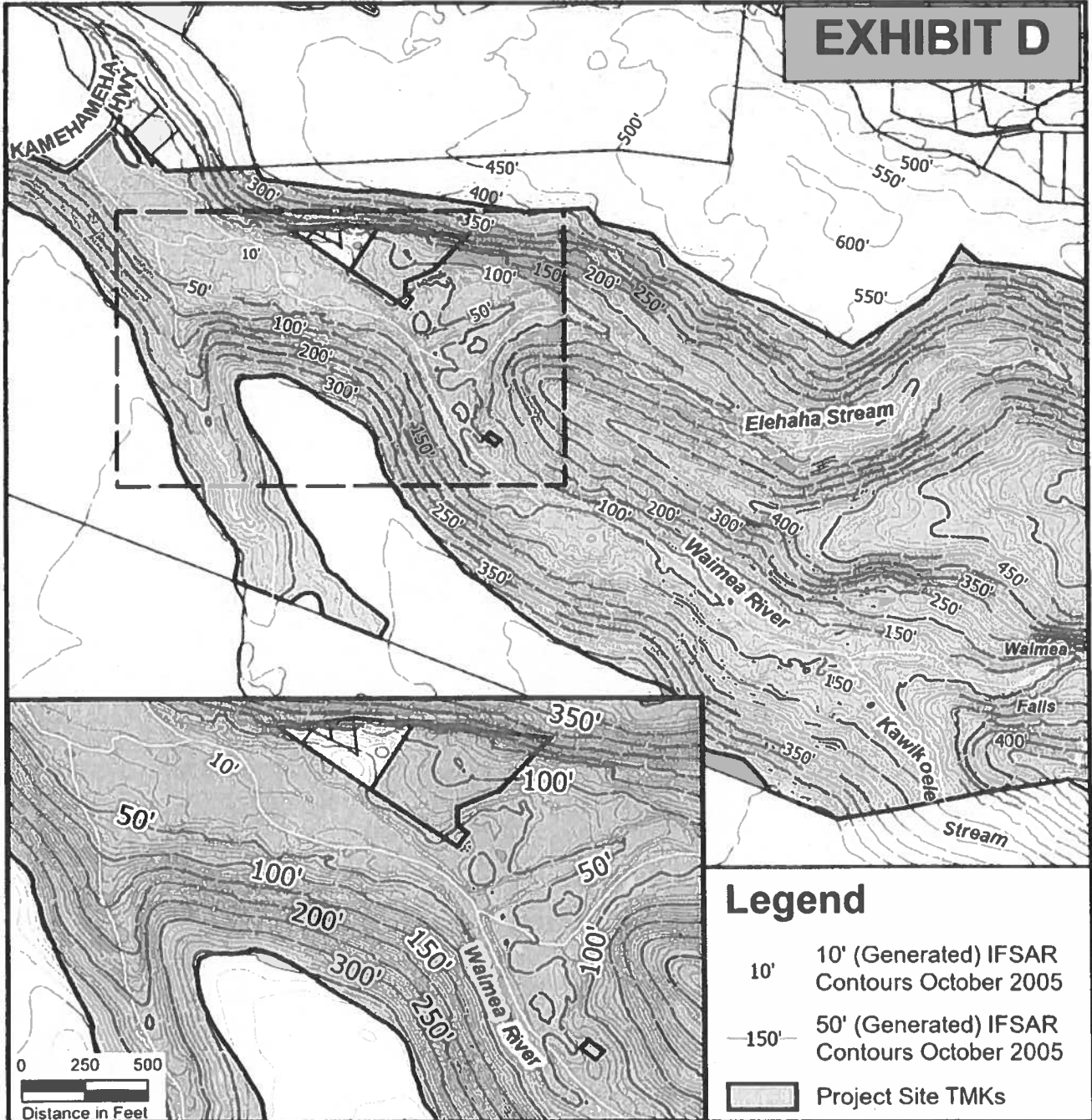
Prepared for: Hi'ipaka LLC



MUNEKIYO HIRAGA

Hi'ipaka LLC Waimea Valley Economic Resiliency Project

EXHIBIT D

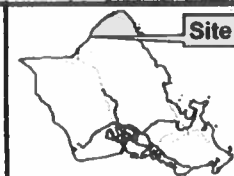


Legend

- 10' 10' (Generated) IFSAR Contours October 2005
- 50' 50' (Generated) IFSAR Contours October 2005
- Project Site TMKs



0 250 500 1,000
Distance in Feet



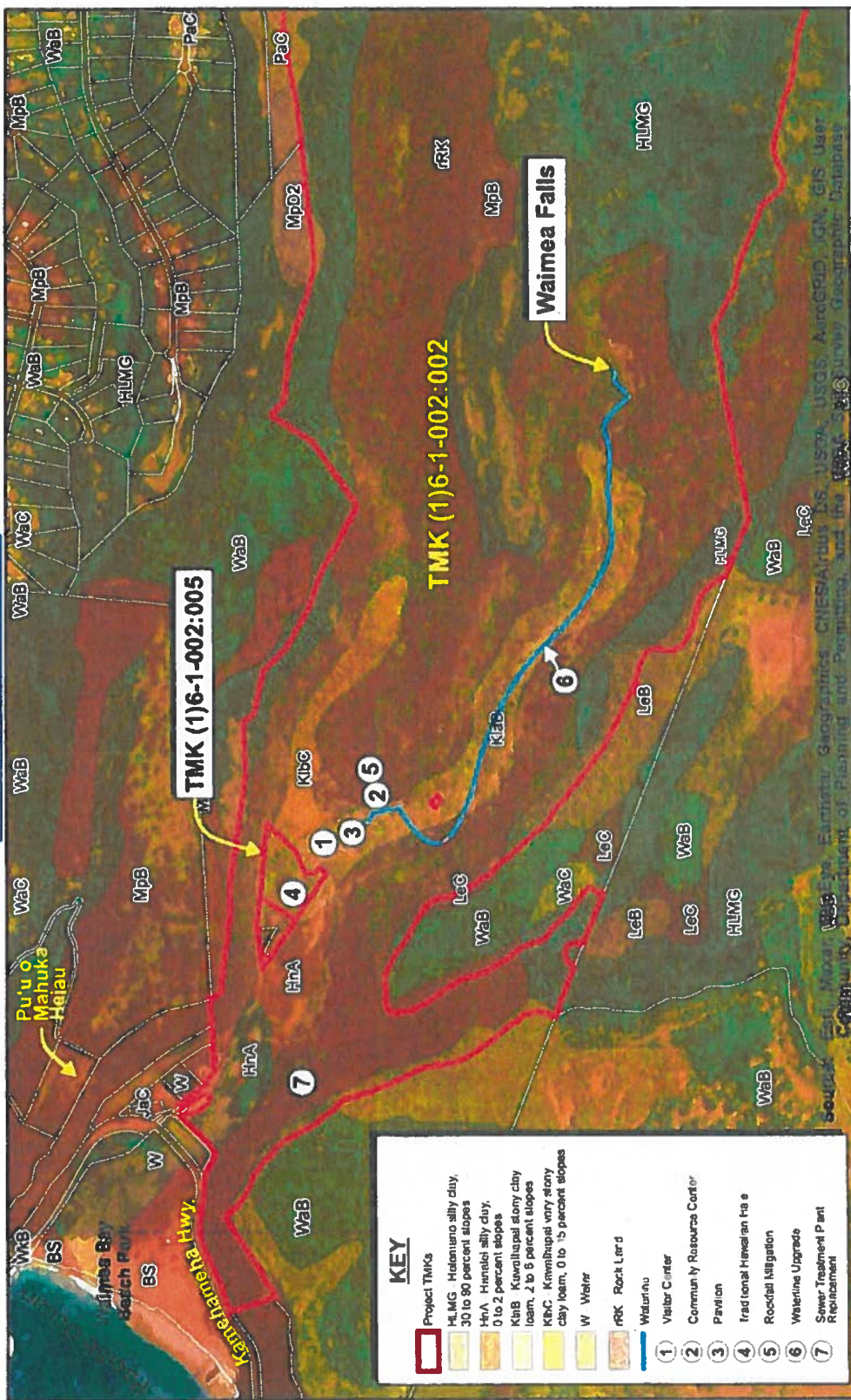
VICINITY MAP



PORTION OF TOPOGRAPHIC MAP WAIMEA

TAX MAP KEY(S): 6-1-002:002 & 005
FOLDER NO.: 2024/SMA-107

EXHIBIT F



**Figure 7 Waimea Valley Economic Resiliency Project
Soil Classification Map**

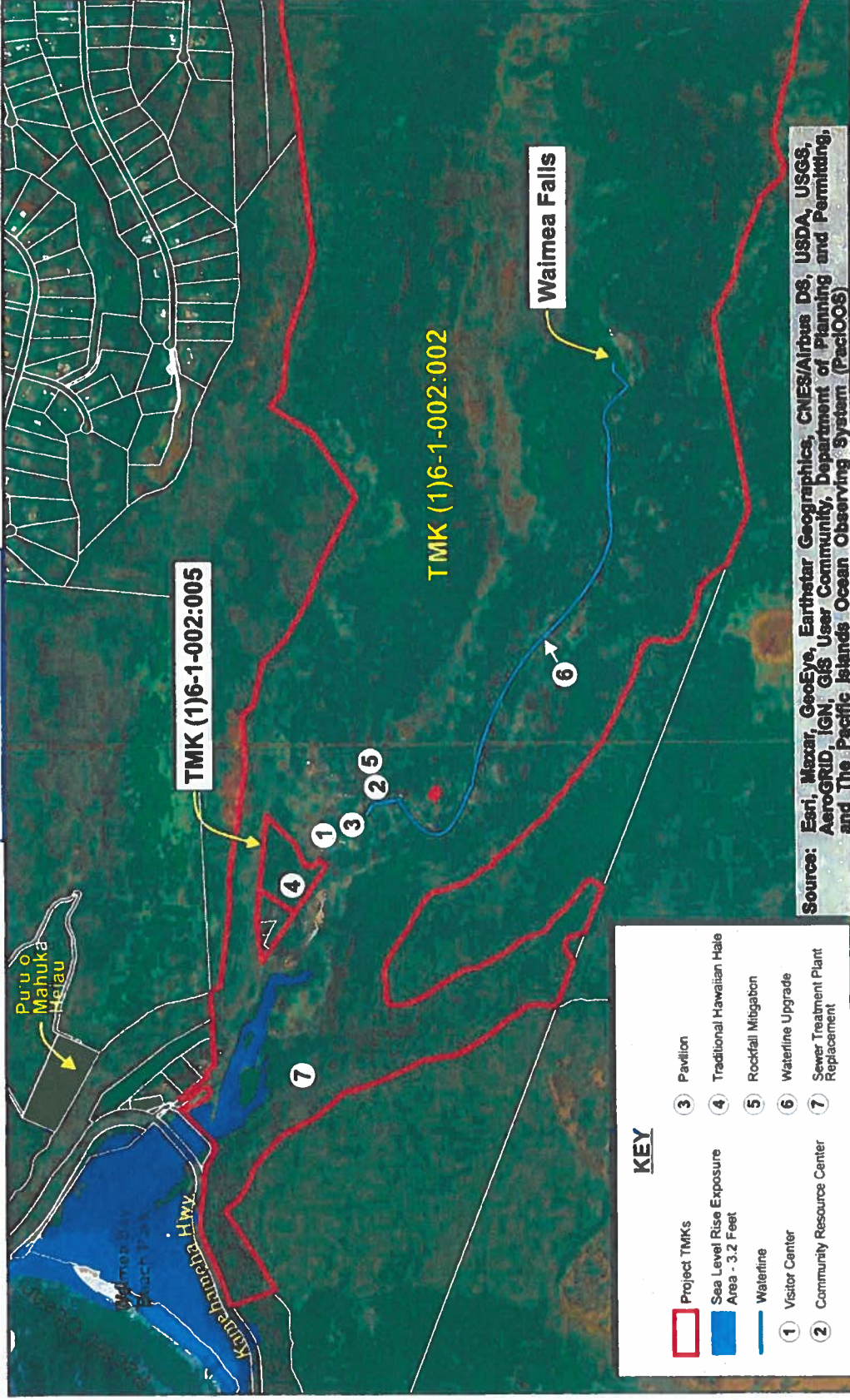


Prepared for: Hi'ipaka LLC



RAINBOW VALLEY ENERGY SOLUTIONS **OUR OWN SOLUTIONS. OUR OWN.**

EXHIBIT G



Waimea Valley Economic Resiliency Project Sea Level Rise Exposure Area Map

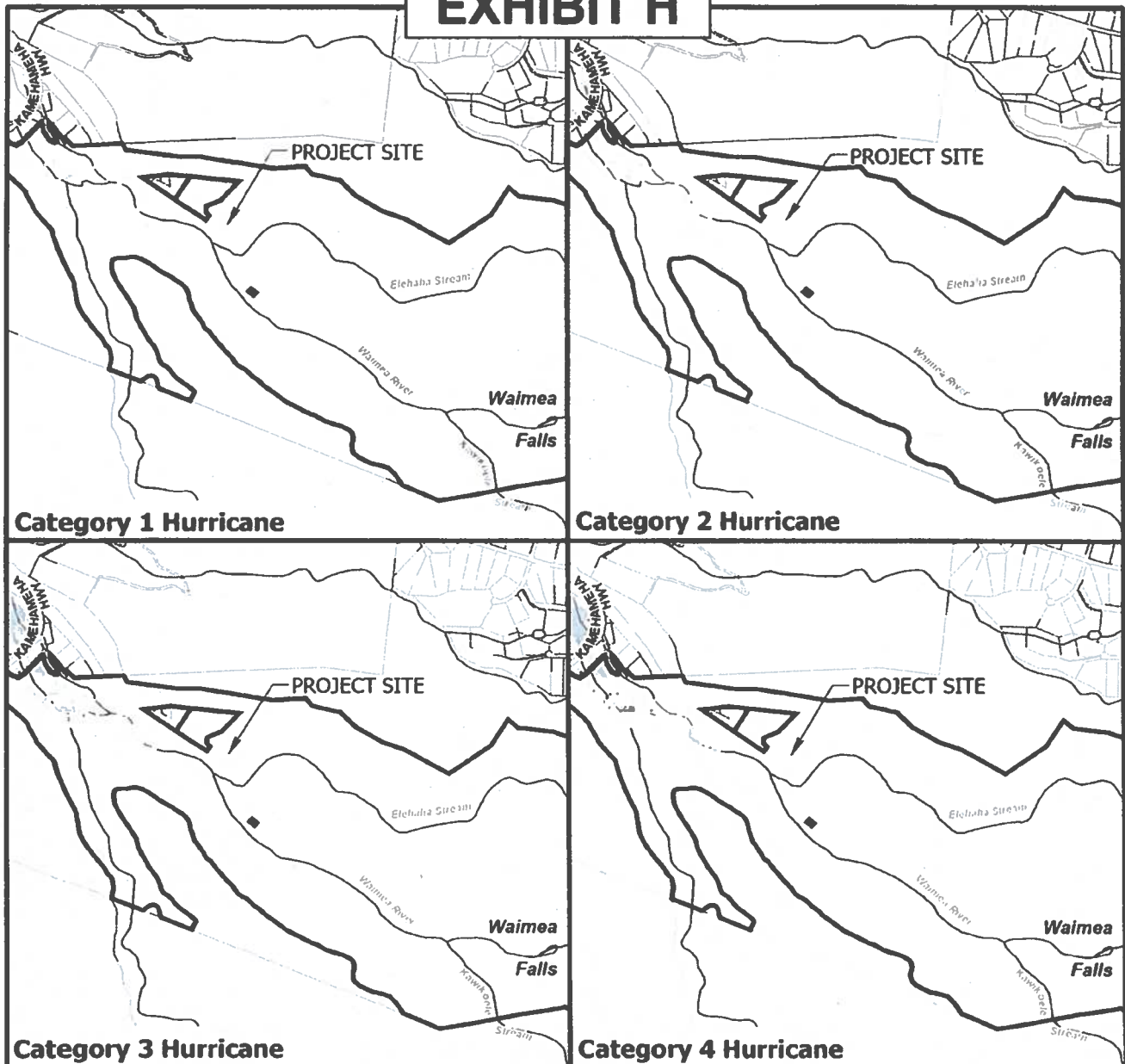


Prepared for: Hi'ipaka LLC



Hi'ipaka Valley, Eari/Appear/Fig/SMA, Major/SLR, SMA

EXHIBIT H



Legend

Less than 3 feet
above ground



Greater than 3 feet
above ground



Greater than 6 feet
above ground



Greater than 9 feet
above ground



0 500 1,000 2,000
Distance in Feet



VICINITY MAP



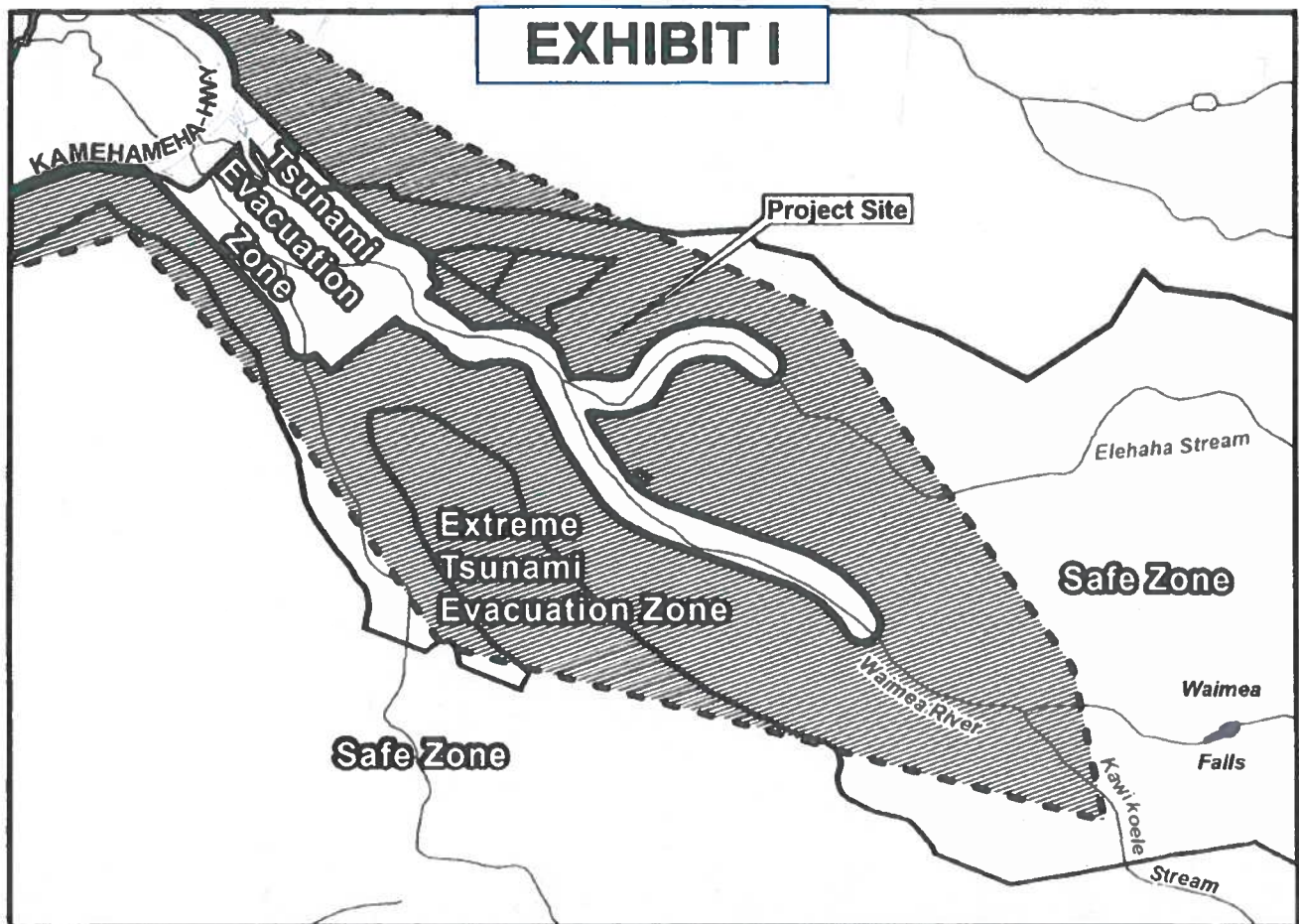
PORTION OF STORM SURGE MAP

Data from National Hurricane Center
Storm Surge Risk Maps

Data Source: National Weather Service (NWS) SLOSH model
Maximum of MEOWs (MOMs) for various category storms at a high tide.

TAX MAP KEY(S): 6-1-002:002 & 005

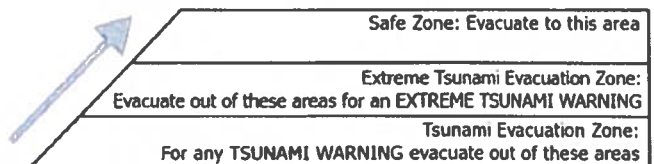
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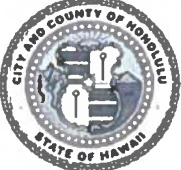


- For most Tsunami Warnings, evacuate out of the Tsunami Evacuation Zone; in the unlikely case of an Extreme Tsunami Warning, evacuate out of the Extreme Tsunami Evacuation Zone
- Remain at least 100 feet away from inland waterways and marinas connected to the ocean due to wave surges and possible flooding
- Boaters should move vessels to at least 50 fathoms (300 ft) deep and 2 miles away from harbor entrances; follow all directions from the Captain of the Port
- Structural steel or reinforced concrete buildings of ten or more stories provide increased protection on or above the fourth floor; if you are caught near the shoreline consider using vertical evacuation
- The evacuation zone is a guideline and should be considered the minimum safe evacuation distance


• These maps do not consider the destructive effects of a locally generated tsunami. If you feel shaking, move inland immediately, well inland from the red tsunami evacuation zone

1. **TSUNAMI WARNING:** Destructive waves from a tsunami may inundate all coastline. Evacuate Tsunami Evacuation Zone
2. **EXTREME TSUNAMI WARNING:** In the unlikely event of an extreme tsunami waves may move significantly inland; evacuate Tsunami Evacuation Zone and Extreme Tsunami Evacuation Zone






0 250 500 1,000
Distance in Feet



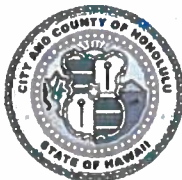
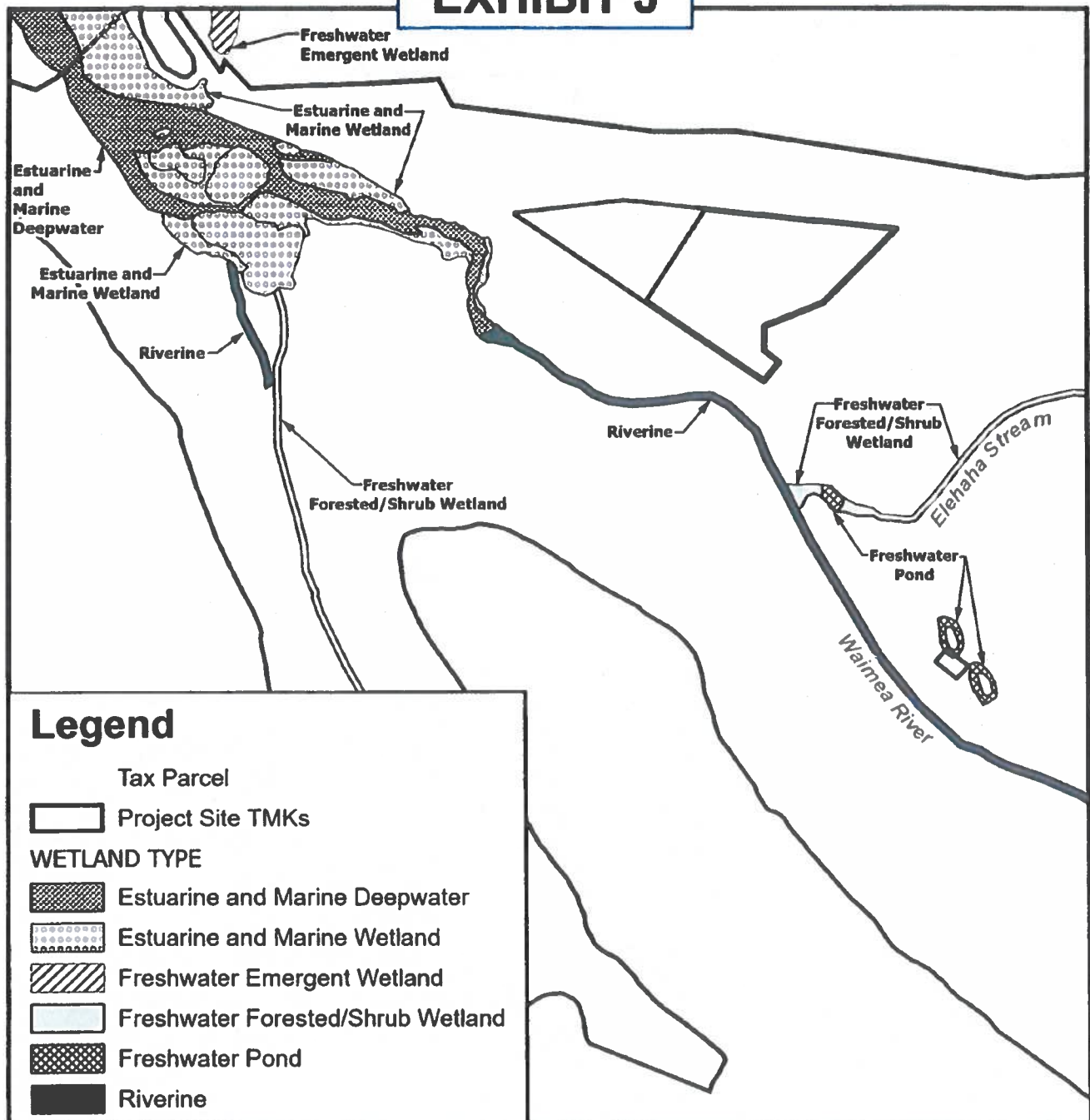
VICINITY MAP



**PORTION OF
TSUNAMI EVACUATION MAP
WAIMEA
MAP 12 INSET 1**

**TAX MAP KEY(S): 6-1-002:002 & 005
FOLDER NO.: 2024/SMA-107**

EXHIBIT J



0 250 500
Distance in Feet



VICINITY MAP



PORTION OF WETLANDS MAP

WAIMEA

TAX MAP KEY(S): 6-1-002:002 & 005
FOLDER NO.: 2024/SMA-107

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 25-39, CD1

Introduced: 01/27/25 By: TOMMY WATERS - BY REQUEST Committee: ZONING (ZON)

Title: GRANTING A SPECIAL MANAGEMENT AREA MAJOR PERMIT TO ALLOW FOR THE CONSTRUCTION OF CERTAIN PHASED IMPROVEMENTS IN WAIMEA VALLEY IN HALEIWA, O'AHU.

Voting Legend: * = Aye w/Reservations

01/27/25	INTRO	Introduced.
02/13/25	ZON	Reported out for adoption as amended in CD1 form. CR-54 5 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, WEYER
02/26/25	CCL	Committee report and Resolution as amended were adopted. 9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, TUPOLA, WATERS, WEYER

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



TOMMY WATERS, CHAIR AND PRESIDING OFFICER