

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

No. 25-108

RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA MAJOR PERMIT TO ALLOW IMPROVEMENTS TO THE WAIKĪKĪ AQUARIUM SUPPLY WATER INTAKE SYSTEM AT 2777 KALĀKAUA AVENUE, WAIKĪKĪ, O'AHU.

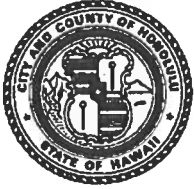
WHEREAS, on January 3, 2025, the Department of Planning and Permitting ("DPP") accepted the application (DPP Reference Number 2024/SMA-132) from Oceanit on behalf of the University of Hawai'i ("UH") (Applicant) for a Special Management Area ("SMA") Major Permit to allow renovation of the water intake system and associated electrical and mechanical systems, and to reconstruct and expand the Edge of Reef ("EOR") Exhibit. The Waikīkī Aquarium ("Aquarium") is located in the P-2 General Preservation District, and also within the Diamond Head Special District, Core Area, located at 2777 Kalākaua Avenue, and identified as Tax Map Key 3-1-031: 006 (Project); and

WHEREAS, a portion of the proposed work is located within the Shoreline Setback Area, as established in the Revised Ordinances of Honolulu ("ROH") Chapter 26, and the Applicant has submitted an application for a Shoreline Setback Variance ("SSV"), for which the Director of the DPP must render a decision within 45 days of the adoption of this Resolution; and

WHEREAS, on February 10, 2025, the DPP held a public hearing at the Fasi Municipal Building, which was attended by the UH Project manager, Project engineer, Agent, and the DPP staff. No members of the public attended, and no written testimony was received; and

WHEREAS, on March 28, 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 the ROH §§ 25-3.1, and 25-4.1, and the Hawai'i Revised Statutes ("HRS") §§ 205A-2, 205A-26, and 205A-46, completed its report and transmitted its Report and Recommendation of approval to the City Council ("Council"); and

WHEREAS, the Council, having received the Report and Recommendation of the DPP on 03/28/2025, by Departmental Communication Number 245 (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 with the conditions enumerated below; now, therefore,



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BE IT RESOLVED by the Council of the City and County of Honolulu 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 Report and Recommendation, referenced above, and as depicted in Exhibits A through F, G-1 through G-2, and H through N enclosed hereto and incorporated herein by this reference. Any change in the size or nature of the Project that may have a significant effect on coastal resources addressed in ROH Chapters 25 or HRS Chapter 205A will require a new application for an SMA Major Permit. Any change that does not have a significant effect on coastal resources will be considered a Minor Modification and may be permitted under this resolution upon review and approval by the Director of the DPP.
- B. Development must be in general conformity with the Project as described in the DPP's Report and Recommendation, referenced above, and as depicted in Exhibits A through F, G-1 through G-2, and H through N, enclosed hereto and incorporated herein by this reference. Any change in the size or nature of the Project that may have a significant effect on coastal resources addressed in ROH Chapters 25 or HRS Chapter 205A will require a new application for an SMA Major Permit. Any change that does not have a significant effect on coastal resources will be considered a Minor Modification and may be permitted under this resolution upon review and approval by the Director of the DPP.
- C. The Applicant must obtain a SSV approval from the Director of the DPP or the Project may not proceed.
- D. To minimize impacts to archaeological, historic, and cultural resources that may be present at 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 State Historic Preservation Division ("SHPD") an archeological monitoring plan meeting the requirements of HAR § 13-279-4, and submit to the DPP a copy of its acceptance from the SHPD; and
 - 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



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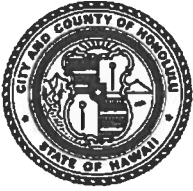
No. **25 - 108**

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contact the SHPD immediately. Work in the immediate area must be stopped until SHPD is able to assess the impact and make further recommendations for mitigative activity.

The requirements enumerated in this condition, and all mitigation protocols approved or otherwise required by SHPD, must be clearly stated under "Environmental Notes" on all Project construction permit plans and building permit plans.

- E. 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 is the Plant Pono website.
 2. If at any time, species on the O'ahu Invasive Species Committee's ("OISC") invasive species target list website, or any successor website or list provided by the OISC, are discovered on the Project site, the Applicant 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;
 3. To 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 OISC;
 4. 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 the 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 Protocols may both be



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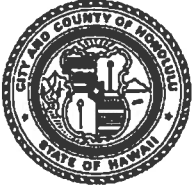
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distributed or posted. All onsite Project workers must be instructed to review the species photos and all Protocols prior to commencing any ground-disturbing or construction activities;

5. 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 ("CRB") host material; and
6. To minimize the importation of soil and structural fill material to the extent possible. No importation of soil or structural fill material is currently proposed.

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

- F. 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 must not exceed a color temperature of 3,000 degrees kelvin;
 2. Artificial light from exterior lighting 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 to project across property boundaries toward the shoreline and ocean waters, except as may otherwise be permitted pursuant to HRS Section 205A-71(b);
 3. Exterior lighting that is not necessary for security purposes must be turned off when human activity is not occurring in the illuminated area;
 4. Exterior light fixtures on the zoning lot 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;
 5. All Project site work and construction activities are limited to daylight hours (sunrise to sunset);

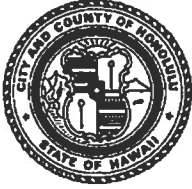


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6. Woody plants greater than 15 feet ("ft.") in height must not be disturbed, removed, or trimmed during the Hawaiian Hoary Bat birthing and pup rearing season (June 1 through September 15);
7. Barbless fencing must be used for all fence construction to avoid entanglement of Hawaiian Hoary Bats;
8. The presence of non-native predators, such as cats, rodents, and mongooses, must be minimized to the extent practicable;
9. If the nest of sensitive avian species is discovered during construction, contact the Division of Forestry and Wildlife ("DOFAW"), and place a 100 ft. buffer of no activity around the active nests/downed seabird;
10. If State-listed waterbirds are present during construction, all activities within 100 ft. must cease until the bird(s) leave of their own volition;
11. Before any potentially disturbing activity like clearing vegetation, or other ground-based disturbance, a qualified biologist must conduct surveys during crepuscular hours and walk line transects through the area to detect any active pueo nests. If a pueo nest is discovered, notify DOFAW staff, minimize time spent at the nest, and establish a minimum buffer distance of 650 ft. (200 meters) from the nest until chicks are capable of flight;
12. All Project-related activities must cease if a Hawaiian Monk Seal, Green Sea Turtle, or Hawksbill Turtle is on land within 150 ft. of the work area, or as recommended by State or federal regulations. Project activities may only recommence after the animal voluntarily leaves the area. If a monk seal pup is present, a 300-ft. buffer must be observed. Any Project-related debris that may pose an entanglement threat to monk seals or turtles must be removed from the work area at the end of each day and at the conclusion of Project-related activities;
13. Examine trees several days prior to cutting or trimming to determine if manu-o-kū (white fairy terns) are nesting in them, especially during the breeding season of January through June. If active nests are found, contact DOFAW and do not trim or remove trees; and



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14. Prior to initiation of work, provide information about seabird fallout to staff working on the site.

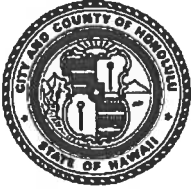
These requirements must be clearly stated under "Environmental Notes" on any Project construction permit plans and building permit plans.

- G. To minimize the potential for adverse impacts related to coastal hazards, including but not limited to SLR, coastal erosion, flooding, wave action, and storm surge, the landowner hereby acknowledges (and any successor owner or interested party is hereby notified of) the following:

1. *"The landowner hereby acknowledges that Tax Map Key 3-1-031: 006 is susceptible to coastal hazards, which may result in harm to or loss of life and property."*
2. *"The landowner hereby acknowledges that a majority of Tax Map Key 3-1-031:006 is projected to be impacted by 3.2 feet of sea level rise by the year 2100, and that a majority of the proposed Project is located within the 3.2-foot sea level rise exposure area ("SLR-XA"). The landowner agrees to assume all risk and liability for any harm to or loss of life and property due to development within the SLR-XA. The landowner further agrees to accept all responsibility for the cost and physical removal of materials and structures lost or damaged as a result of coastal hazards, including the cleanup and restoration of the Project site."*

This statement must be clearly stated under "Landowner Acknowledgements" on all Project BP plans.

- H. Approval of this SMA Major Permit does not constitute compliance with other City ordinances, including but not limited to the Land Use Ordinance ("LUO"), 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.



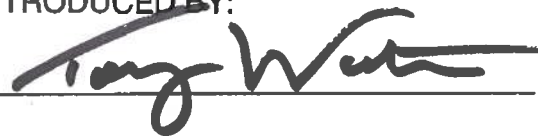
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BE IT FINALLY RESOLVED by the Council of the City and County of Honolulu that copies of this Resolution be transmitted to Ross Richards, Director of the UH Office of Project Delivery, 2002 East-West Road, Honolulu, Hawai'i 96822; Berna Senelly, Oceanit, 828 Fort Street Mall, Suite 600, Honolulu Hawai'i 96813; Dawn Takeuchi Apuna, Director of the DPP, 650 South King Street, 7th Floor, Honolulu, Hawai'i 96813; and Mary Alice Evans, Director of the Office of Planning and Sustainable Development, Attention: Coastal Zone Management Branch, P.O. Box 2359, Honolulu, Hawai'i 96804-2359.

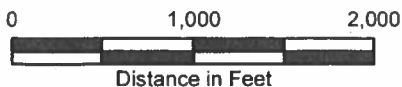
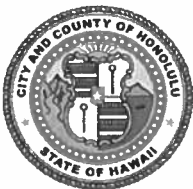
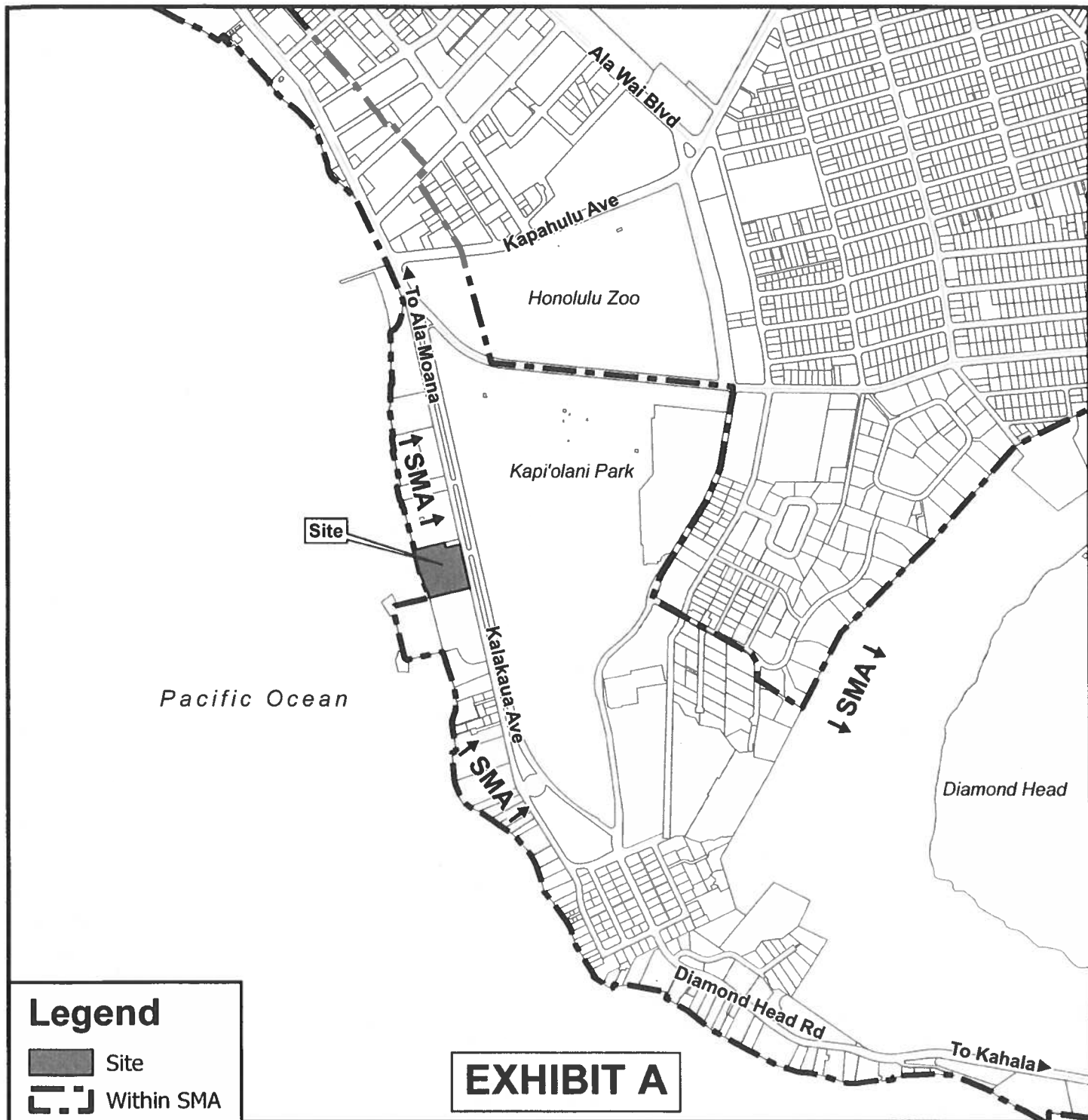
INTRODUCED BY:

 (br)

DATE OF INTRODUCTION:

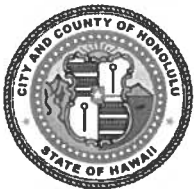
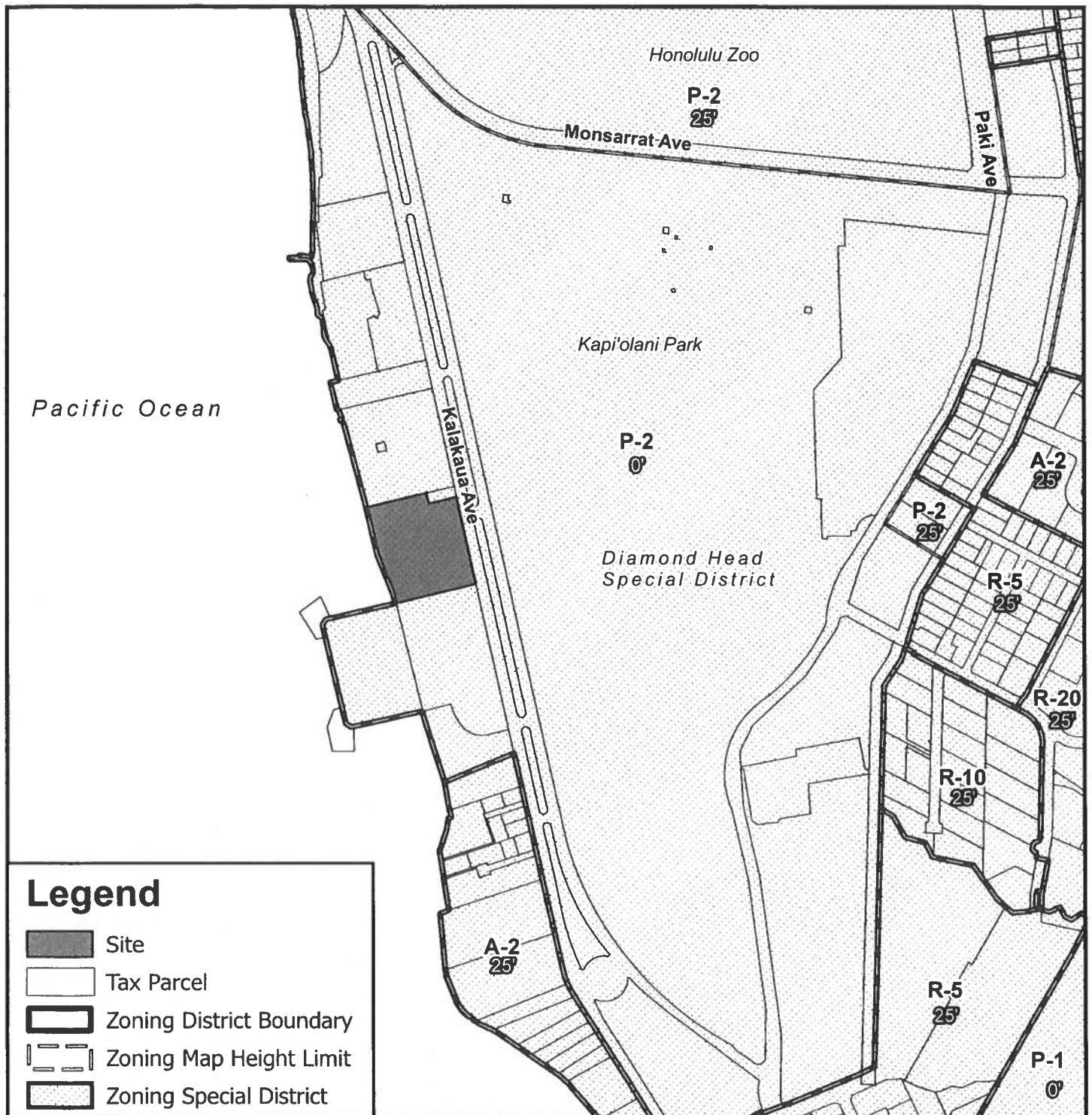
APR 3 2025
Honolulu, Hawai'i

Councilmembers

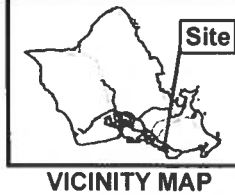


LOCATION MAP WAIKIKI, HONOLULU

TAX MAP KEY(S): 3-1-031:006
FOLDER NO.: 2024/SMA-132 & 2024/SV-3



0 250 500
Distance in Feet



PORTION OF ZONING MAP

(MOILIILI - KAIMUKI)

TAX MAP KEY(S): 3-1-031:006

FOLDER NO.: 2024/SMA-132 & 2024/SV-3

EXHIBIT B

EXHIBIT C

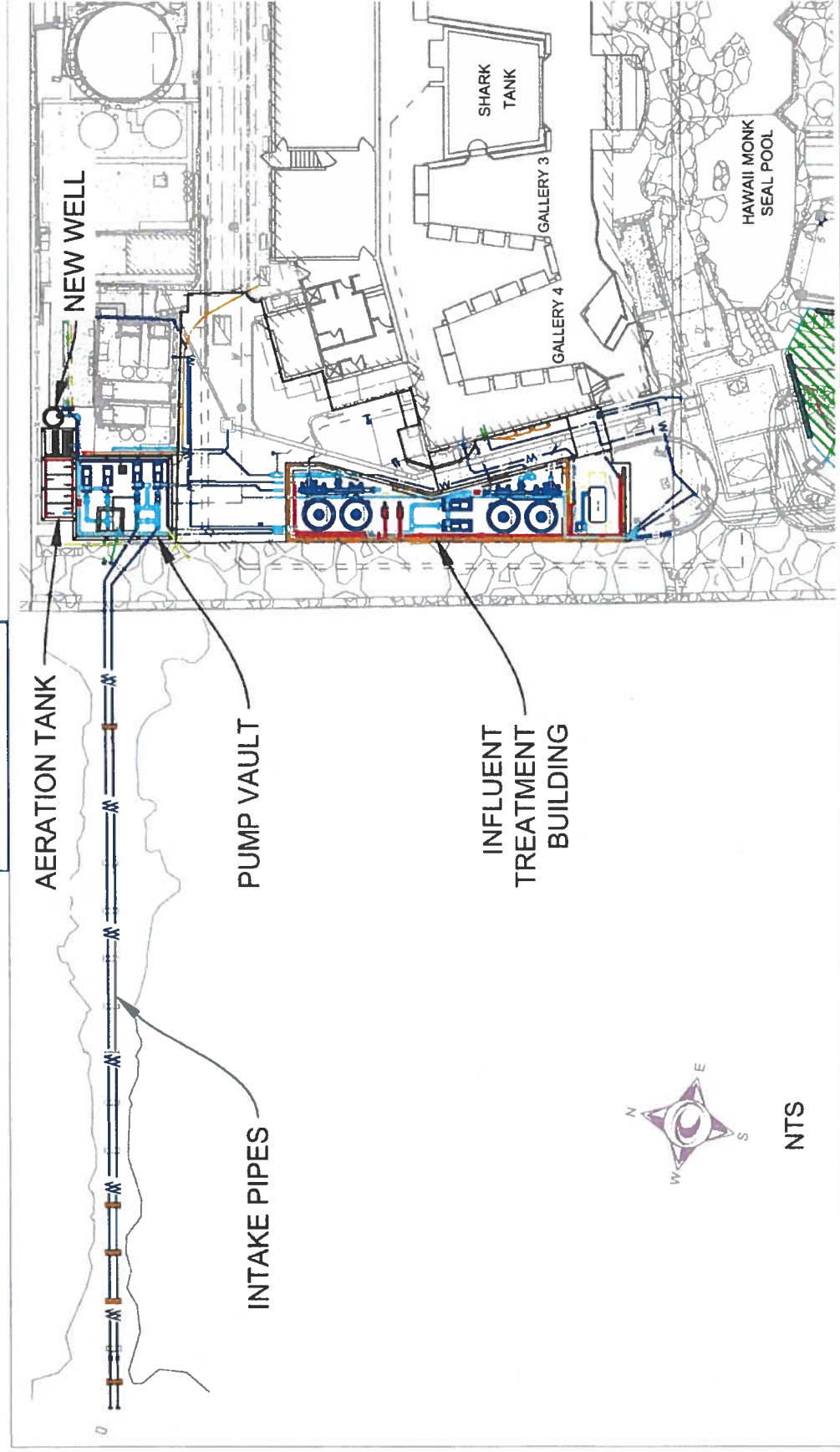


Figure 5: Conceptual Site Plan Layout

EXHIBIT D

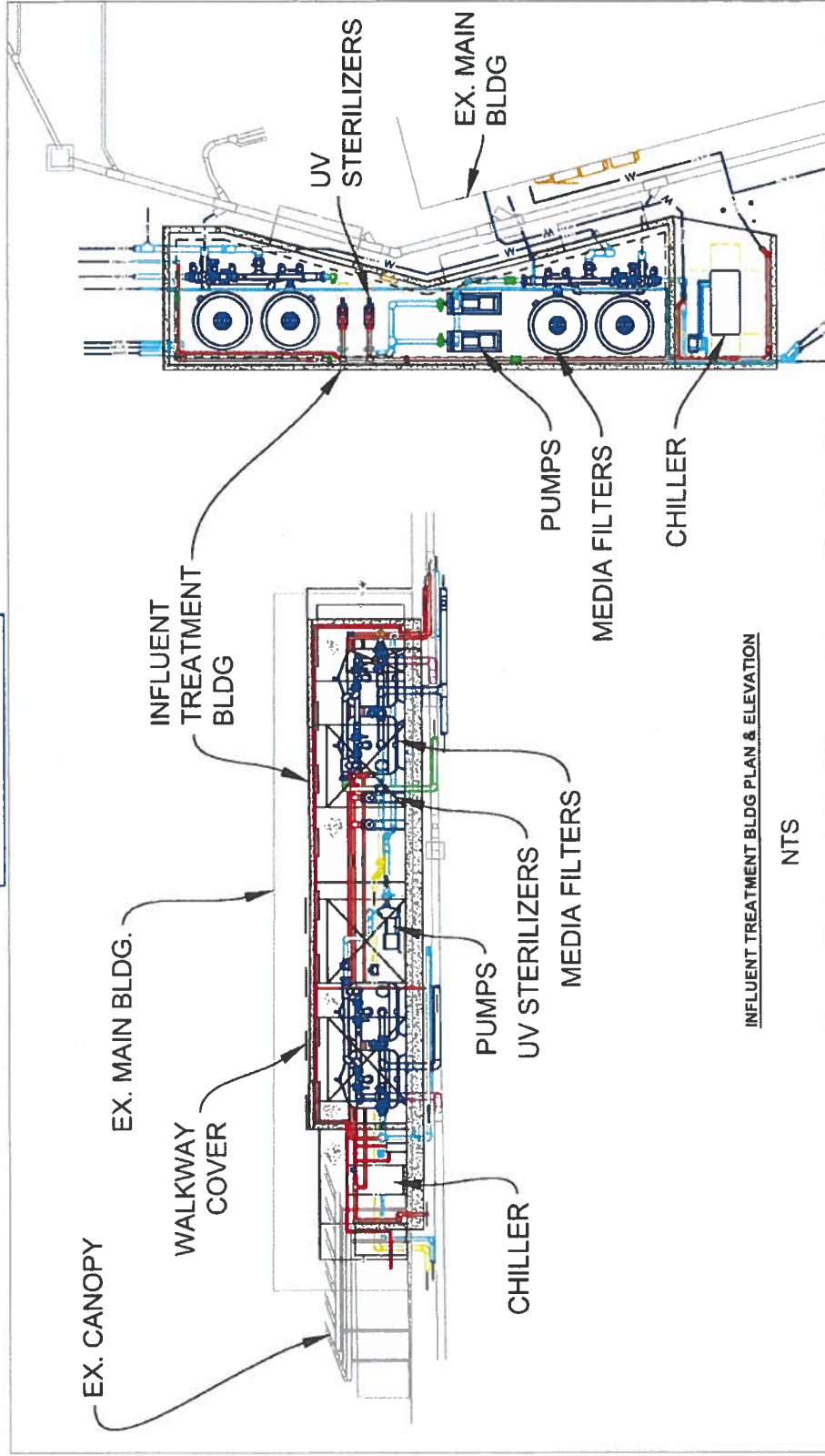


Figure 6: Influent Treatment Building Plan and Elevation

EXHIBIT E

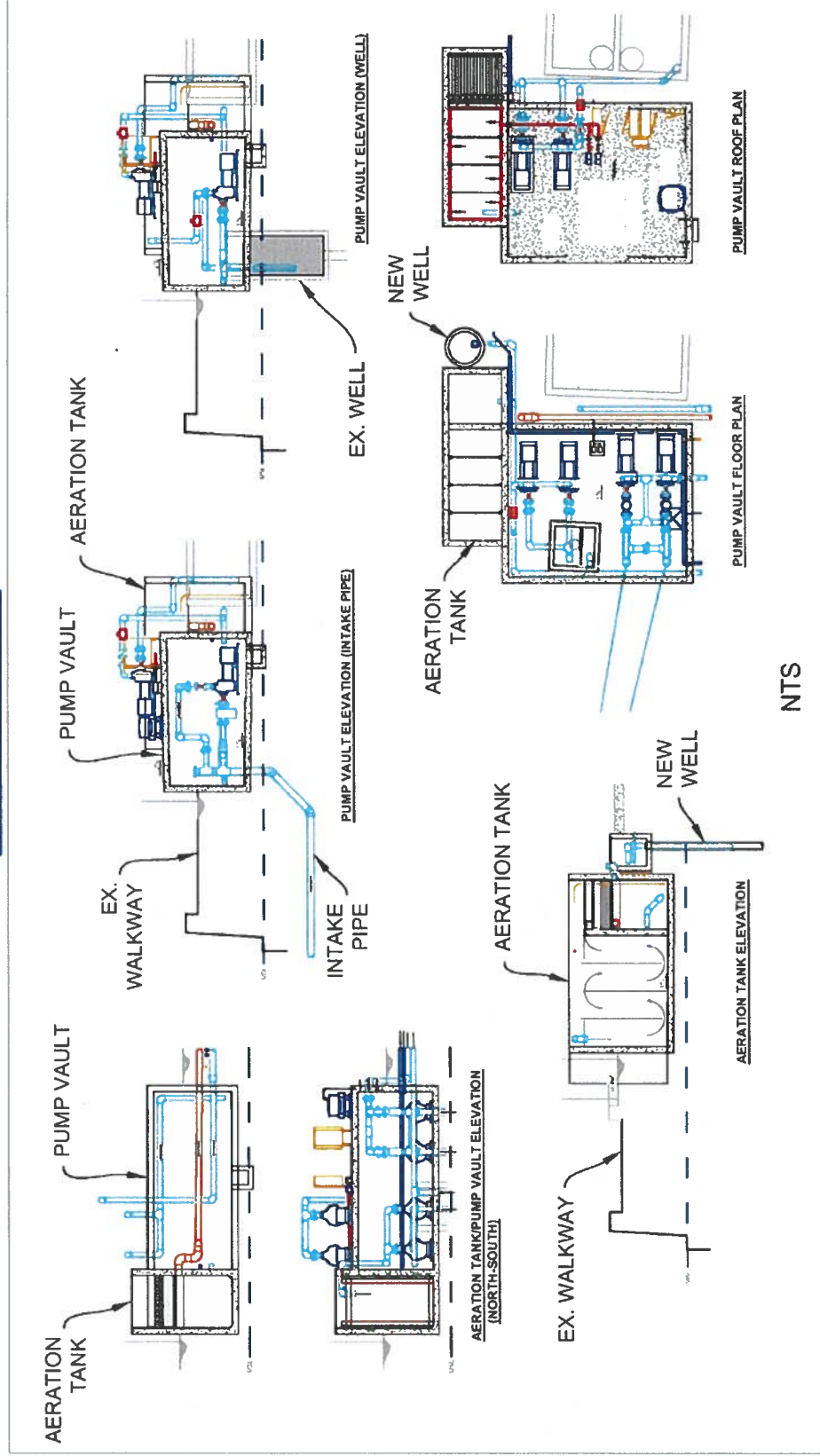


Figure 7: Pump Vault / Aeration Tank Plan and Elevation

EXHIBIT F

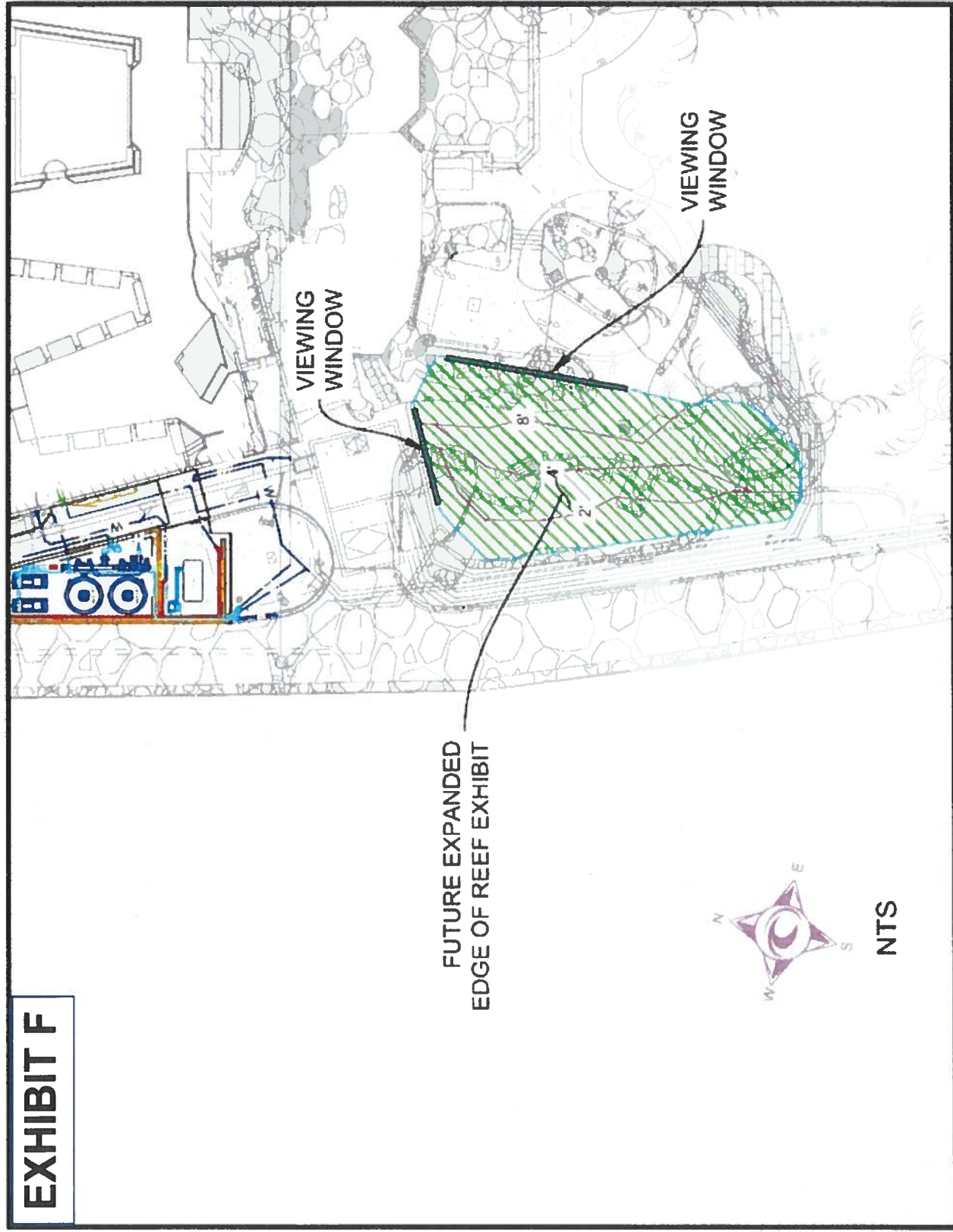


Figure 9: Future Expanded EOR Exhibit

[illegible]
$$24^{\circ} \times 24^{\circ} = 6.0 \text{ m}^2$$

TAX MAP KEY: 3-1-30:1, PAR. 3 AND 3-1-31:4, 5, 6

EXHIBIT H

Kapi'olani Park

Pacific Ocean

Kalakaua Ave

Legend



Site



Tax Parcel

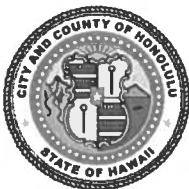
WETLAND TYPE



Estuarine and Marine
Deepwater



Estuarine and Marine
Wetland



VICINITY MAP



Distance in Feet

PORTION OF WETLANDS MAP WAIKIKI, HONOLULU

TAX MAP KEY(S): 3-1-031:006
FOLDER NO.: 2024/SMA-132 & 2024/SV-3

EXHIBIT I

Pacific Ocean

Honolulu Zoo

KIA

MONSARRAT AVE

PAKI AVE

Kapi'olani Park

BS

JaC

KALAKAUA AVE

PAKI AVE

MuB

Legend



Site



Tax Parcel

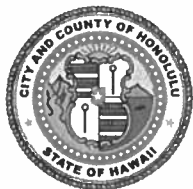
NRCS Soil Type

BS Beaches

JaC Jaucas sand,
0 to 15 percent slopes,
MLRA 163

KIA Kawaihapai clay loam,
0 to 2 percent slopes,
MLRA 158

MuB Molokai silty clay loam,
3 to 7 percent slopes,
MLRA 158



0 500 1,000
Distance in Feet



VICINITY MAP



PORTION OF
SOIL MAP
KAPIOLANI PARK,
WAIKIKI, HONOLULU

TAX MAP KEY(S): 3-1-031:006

FOLDER NO.: 2024/SMA-132 & 2024/SV-3

Legend

Site

TAX Parcel

FIRM Flood Panel (Index) 2014

0368G
1/19/2011

15' Base Flood Elevation

Pacific Ocean

Flood Hazard Zones:

SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. The Base Flood Elevation (BFE) is the water-surface elevation of the 1% annual chance flood.

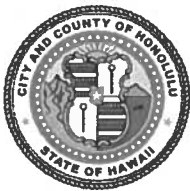
Zone AE = BFE determined

Zone VE = Coastal flood zone with velocity hazard (wave action); BFE determined

OTHER AREAS

Zone X = Areas determined to be outside the 0.2% annual chance floodplain.

EXHIBIT J



0 250 500

Distance in Feet



VICINITY MAP



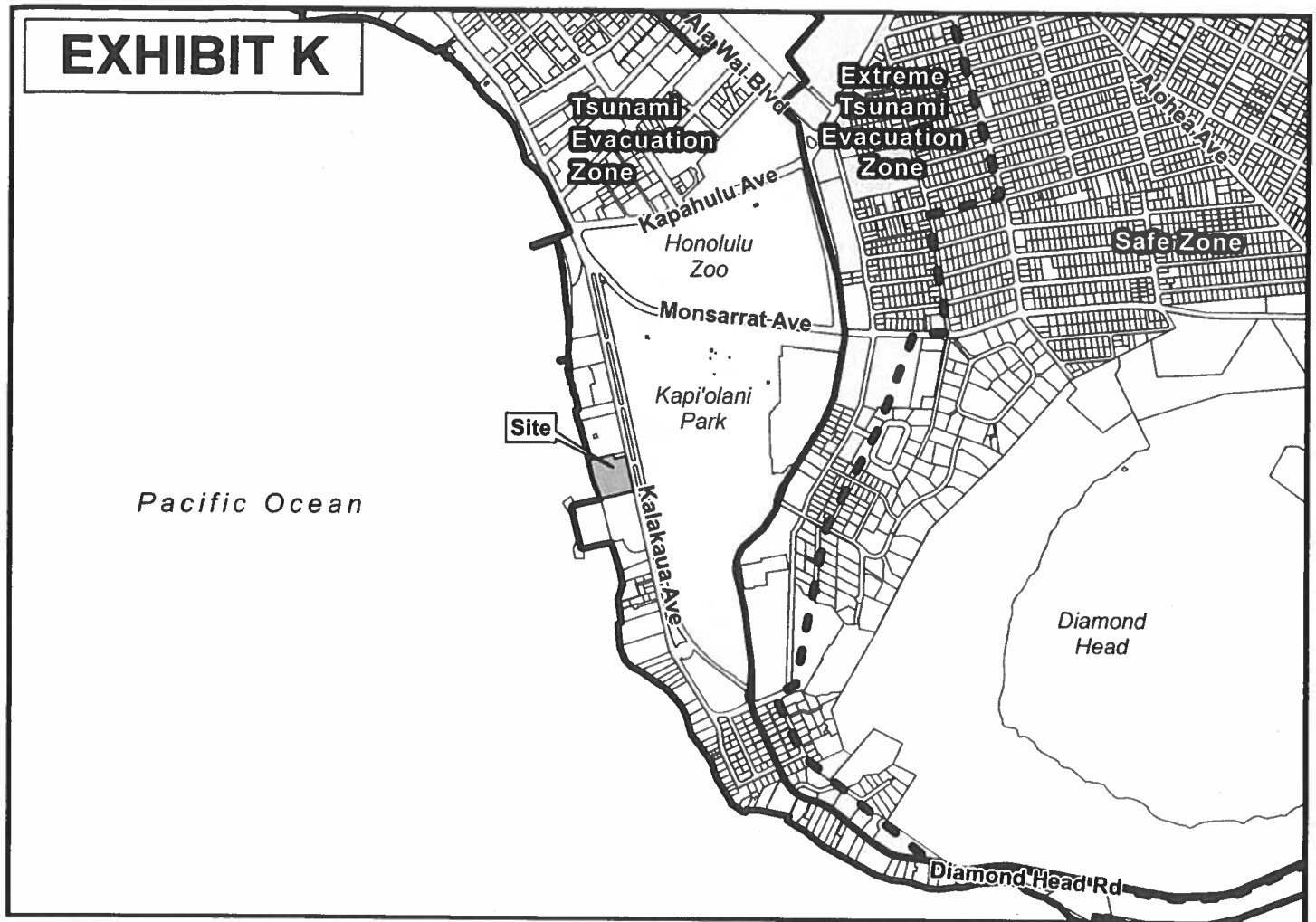
PORTION OF FLOOD HAZARD MAP

FIRM PANEL 15003C0368G

TAX MAP KEY(S): 3-1-031:006

FOLDER NO.: 2024/SMA-132 & 2024/SV-3

EXHIBIT K



* 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

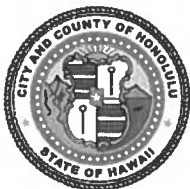
* These maps do not consider the destructive effects of a locally generated tsunami. If you feel shaking, move inland immediately, well inland from the red tsunami evacuation zone

* The evacuation zone is a guideline and should be considered the minimum safe evacuation distance

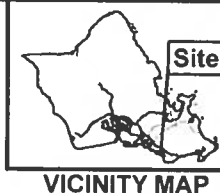
1. TSUNAMI WARNING: Destructive waves from a tsunami may inundate all coastline. Evacuate Tsunami Evacuation Zone

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

Safe Zone: Evacuate to this area
Extreme Tsunami Evacuation Zone: Evacuate out of these areas for an EXTREME TSUNAMI WARNING
Tsunami Evacuation Zone: For any TSUNAMI WARNING evacuate out of these areas



0 750 1,500
Distance in Feet



VICINITY MAP



PORTION OF TSUNAMI EVACUATION MAP

Waikiki
Map 1

TAX MAP KEY(S): 3-1-031:006

FOLDER NO.: 2024/SMA-132 & 2024/SV-3

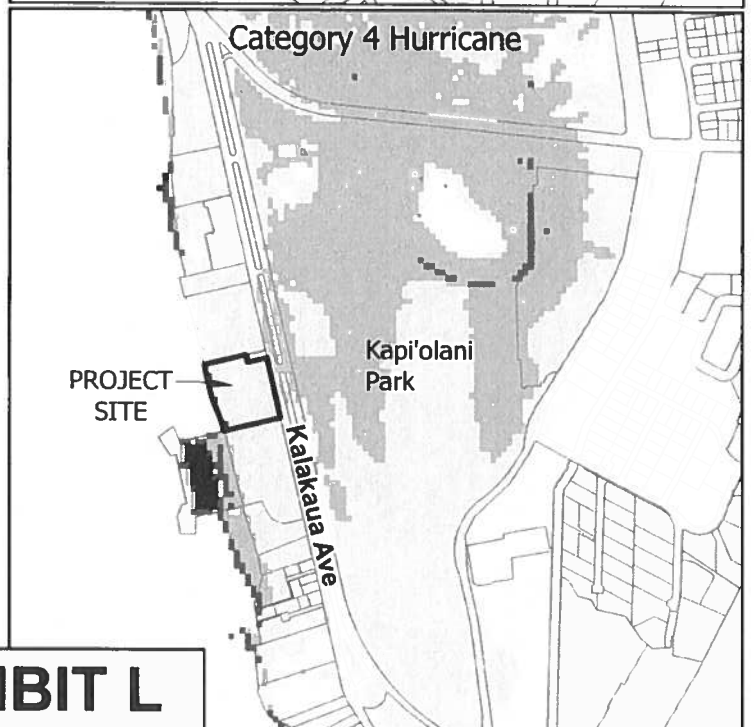
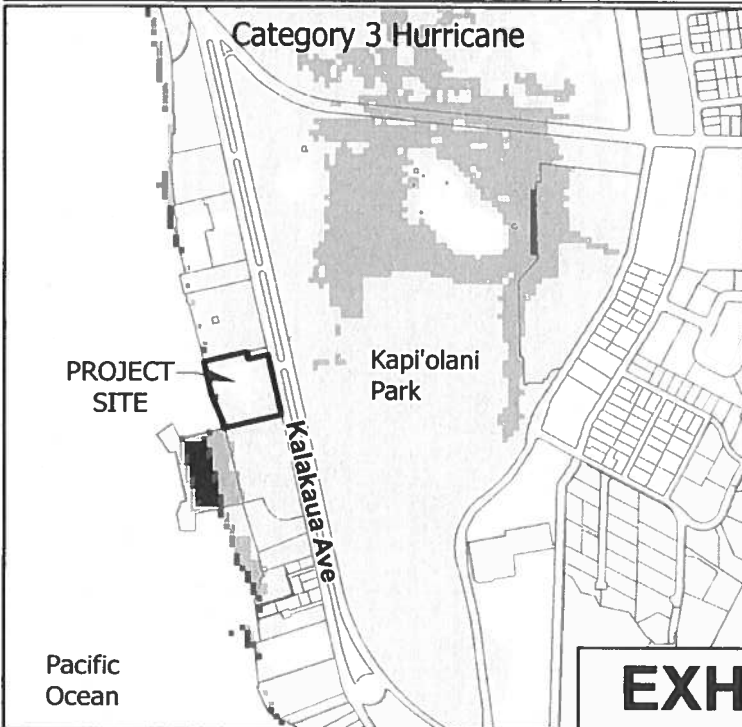
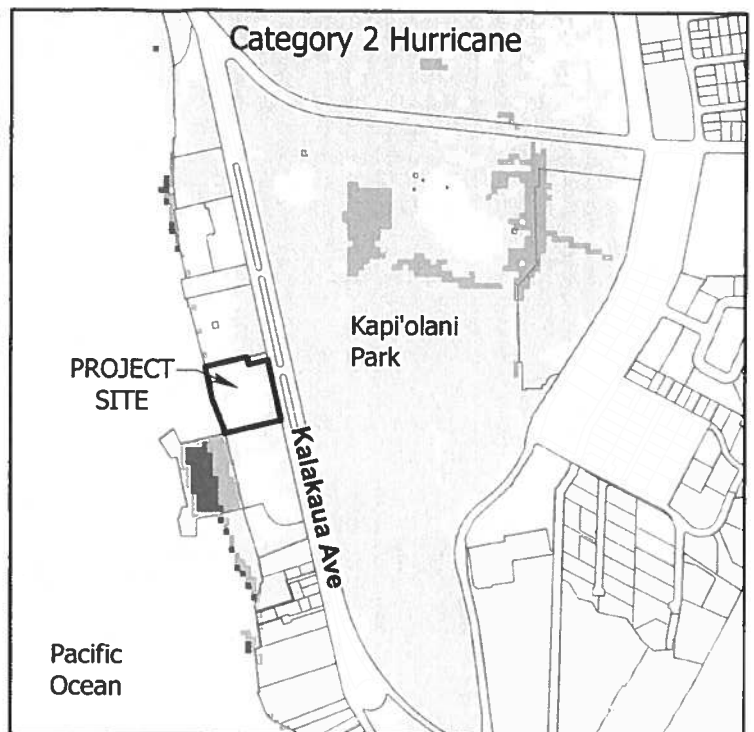
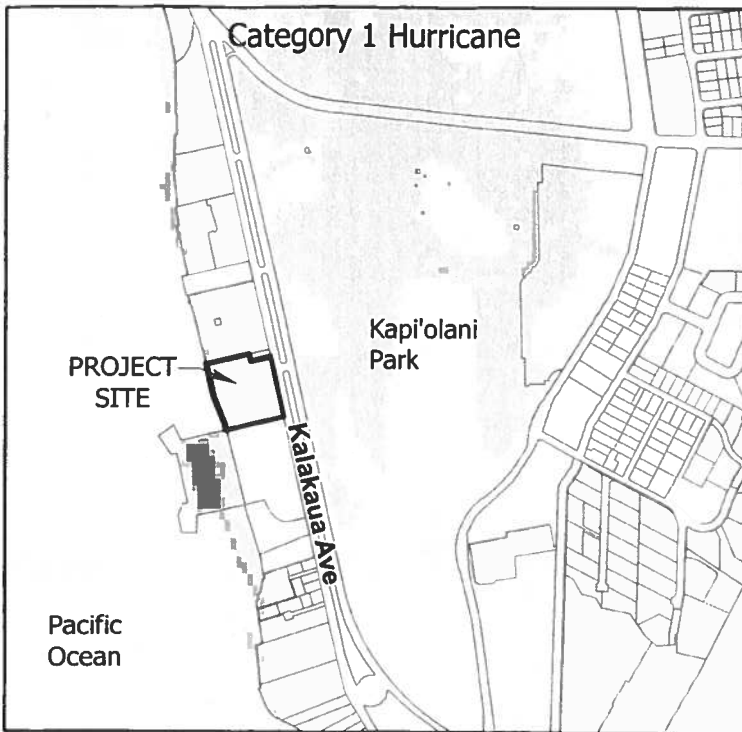


EXHIBIT L

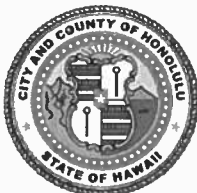
Legend

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 1,000 2,000
Distance in Feet



VICINITY MAP



PORTION OF STORM SURGE MAP

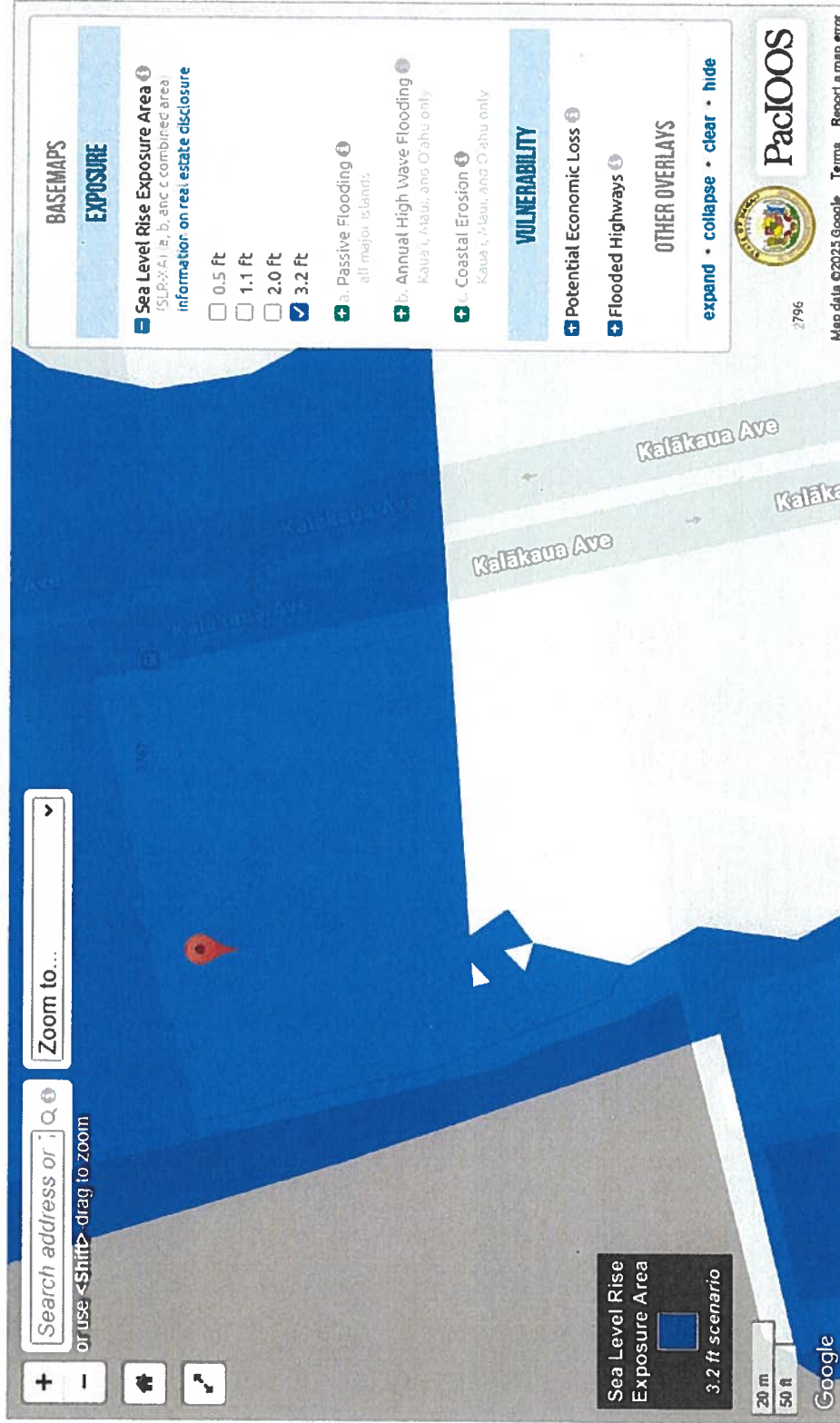
Data from National Hurricane Center
Storm Surge Risk Maps

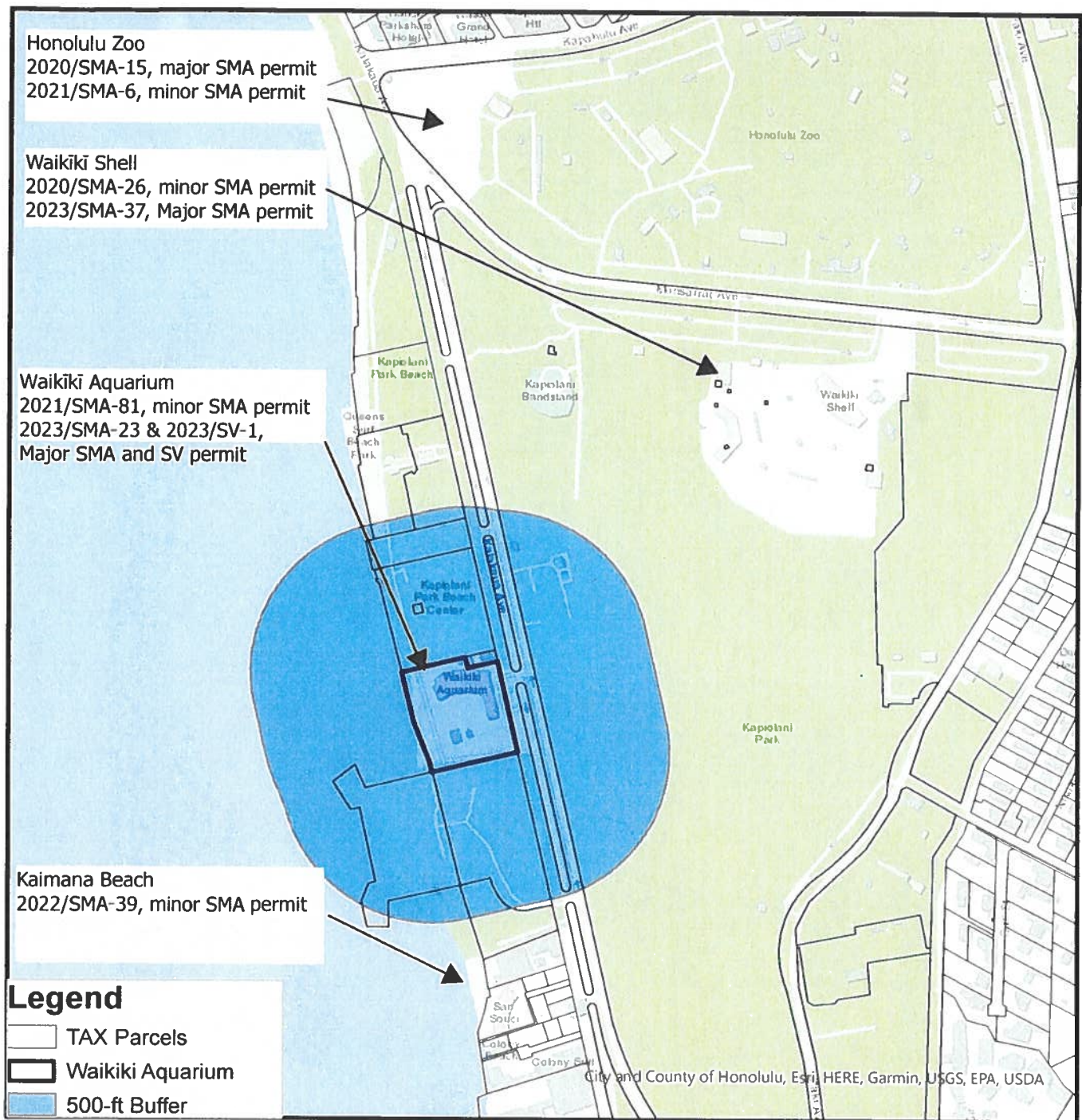
Data Source: National Weather Service (NWS) SLOSH model;
Maximum of MEOWs (MOMs) for various category storms
at a high tide.

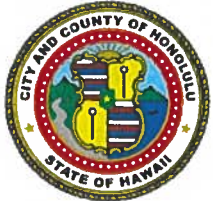
TAX MAP KEY: 3-1-031:006

FOLDER NO.: 2024/SMA-132 & 2024/SV-3

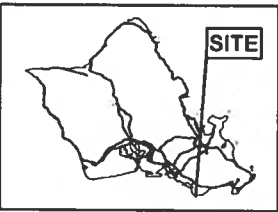
EXHIBIT M







VICINITY MAP



0 235 470 940
Scale in Feet



EXHIBIT N

500-Ft Buffer Area

2777 Kalākaua Avenue

TAX MAP KEY: 3-1-031: 006

FOLDER NO.: 2024/SMA-132 & 2024/SV-3