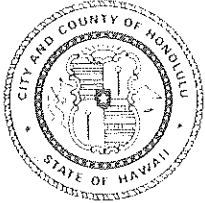


Attachment 8

Special Management Area Approval (Resolution 278-CD1)



OFFICE OF THE CITY CLERK
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077 / TELEPHONE 768-3810

DENISE C. DE COSTA
CITY CLERK

October 26, 2007

Mr. Chester Koga
R.M. Towill Corporation
420 Waiakamilo Road, Suite 411
Honolulu, Hawaii 96817

Dear Mr. Koga:

This is to inform you that Resolution 07-278, CD1, granting a Special Management Area Use Permit to the State Department of Transportation, for demolition of an existing bridge over Kaipapau Stream and construction of a new bridge, at Hauula, Oahu, was adopted by the Council of the City and County of Honolulu on Wednesday, October 17, 2007.

Sincerely,

A handwritten signature in black ink, reading "Denise C. De Costa". The signature is written in a cursive, flowing style.

DENISE C. DE COSTA
City Clerk

ah

Attachment



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 07-278, CD1

RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT FOR CONSTRUCTION OF A NEW BRIDGE OVER KAIPAPAU STREAM AT HAUULA, OAHU.

WHEREAS, the Department of Planning and Permitting (DPP) on June 22, 2007 accepted the application (File No. 2007/SMA-32) of the State Department of Transportation, herein referred to as the Applicant, for a Special Management Area Use Permit (SMP) for demolition of an existing bridge over Kaipapau Stream, and construction of a new bridge, located at 54-241, -252, -260, -261, -264, -266, and -269 Kamehameha Highway; and, 54-20 and -22 Pipilani Place, Hauula, Oahu, and identified as Tax Map Keys 5-4-11: 4, 6, 7, 20, and 21; and 5-4-18: 1 through 5; and

WHEREAS, on August 14, 2007, the DPP held a public hearing which was attended by representatives of the Applicant and nine members of the public; and

WHEREAS on August 29, 2007, within 10 working days after the close of the public hearing, the DPP having duly considered all evidence and the review guidelines as established in Sections 25-3.1 and 25-3.2, Revised Ordinances of Honolulu (ROH), completed its report and transmitted its findings and recommendation of approval to the Council; and

WHEREAS, the City Council, having received the findings and recommendation of the DPP on August 29, 2007, and at its meeting of OCT 17 2007, having duly considered all of the findings and reports on the matter, approved the subject application for an SMP with the conditions enumerated below; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that an SMP be issued to the Applicant under the following conditions:

- A. Construction shall be in substantial conformance with the master plan, as shown on Attachments "A" through "C," and Exhibits "B-1" through "B-12," attached hereto.
- B. Prior to issuance of development permits, the Applicant shall provide the DPP with written confirmation from the DLNR, State Historic Preservation Division (SHPD), that photographs of the existing bridge and an acceptable archaeological monitoring plan have been submitted and approved.
- C. Prior to the application for development permits, the Applicant shall submit to the DPP:



RESOLUTION

1. Written confirmation from the DLNR, Aquatic Resources Division, that DLNR has approved a construction timeline showing that no in-stream activities will be scheduled during the spawning season (i.e., August through October) of the native fish inhabiting the stream; and
 2. A construction timeline, for review and approval by the DPP, showing the period(s) when vegetation will be removed from the banks. These periods should occur outside the rainy season (i.e., from May through September). Or, the Applicant may submit an alternate proposal meeting the intent of this condition.
- D. An erosion contingency plan shall be submitted to the DPP for its review and approval prior to the application for any development permits. The erosion control plan shall include the following elements:
1. Identification of appropriate corrective actions depending upon on the type of erosion which may occur; and
 2. A schedule of periodic monitoring and reporting to the DPP.
- E. The Applicant shall make available, during all phases of the construction, a public outreach person to provide the general public with information about project construction activities and to answer questions and/or resolve complaints about project construction from the general public. The Applicant shall publicize and maintain a telephone "hotline" to facilitate this process.
- F. Prior to the issuance of development permits, the Applicant shall contact the Marine Mammal Response Coordinator of the National Marine Fisheries Service (NMFS) Protected Resources Division (phone 944-2200), to schedule a briefing for the construction crew. The Applicant shall provide the DPP with written confirmation from the NMFS that a briefing has been requested.
- G. Prior to the issuance of development permits, the Applicant shall provide the DPP with written confirmation from the NMFS that he has agreed to adhere to the terms and conditions of the National Oceanic and Atmospheric Administration (NOAA) Fisheries Protocol for "No Effect" Concurrence pertaining to monk seals, including the following elements:
1. A survey of the project area (including reconnaissance of the beach area downstream from the project site) shall be performed just prior to commencement or resumption of construction activity to ensure that no



RESOLUTION

protected species are in the project area. If protected species are detected, construction activities must be postponed until the animal(s) voluntarily leave the area;

2. If any listed species enters the area during the conduct of construction activities, all activities shall cease until the animal(s) voluntarily depart the area;
 3. The Applicant shall ensure that all on-site project personnel are apprised of the status of any listed species potentially present in the project area and the protections afforded to those species under Federal laws;
 4. Any incidental take of marine mammals shall be reported immediately to NOAA Fisheries' 24-hour hotline at 1-888-256-9840. Information reported must include the name and phone number of a point of contact, location of the incident, and nature of the take and/or injury;
 5. Appropriate best management practices (BMPs) shall be implemented as applicable to minimize turbidity, minimize species disturbance, and to avoid the release of pollutants into the water; and
 6. Any intake pipes on project-related equipment shall be screened or otherwise configured to ensure the prevention of entrainment of protected species.
- H. In conformance with the standard recommendation of the DLNR, Division of Forestry and Wildlife, the Applicant shall incorporate the use of shielded lighting, to reduce the possibility that seabirds may become disoriented and harmed by the lighting. The shielded lighting shall be implemented both during and after bridge construction, and shall be specified on the building permit plans.
- I. The Applicant shall maintain the site (including construction easements) in a clean condition at all times, to protect private and public property as well as the water quality of the stream and ocean.
- J. Approval of this Special Management Area Use Permit does not constitute compliance with other Land Use Ordinance or governmental agencies' requirements, including building or grading permit approval. They are subject to separate review and approval. The Applicant shall be responsible for ensuring that the final plans for the project approved under these permits comply with all



RESOLUTION

applicable Land Use Ordinance and other governmental agencies' provisions and requirements.

- K. Construction shall be in general conformity with the plans on file with the Department of Planning and Permitting and in accordance with the Land Use Ordinance. Any change in the size or nature of the project which has a significant effect on coastal resources addressed in Chapter 25, ROH, shall require a new application. Any change which does not have a significant effect on coastal resources shall be considered a minor modification and therefore permitted under this resolution, upon review and approval of the Director of Planning and Permitting.

BE IT FINALLY RESOLVED by the Council of the City and County of Honolulu that the Clerk be and is directed to transmit copies of this resolution to Henry Eng, FAICP, Director of Planning and Permitting; Glenn M. Yasui, Highways Administrator, State of Hawaii, Department of Transportation, 869 Punchbowl Street, Honolulu, Hawaii 96813; and Chester Koga, R. M. Towill Corporation, 420 Waiakamilo Road, Suite 411, Honolulu, Hawaii 96817.

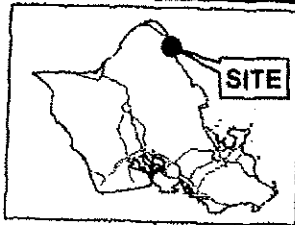
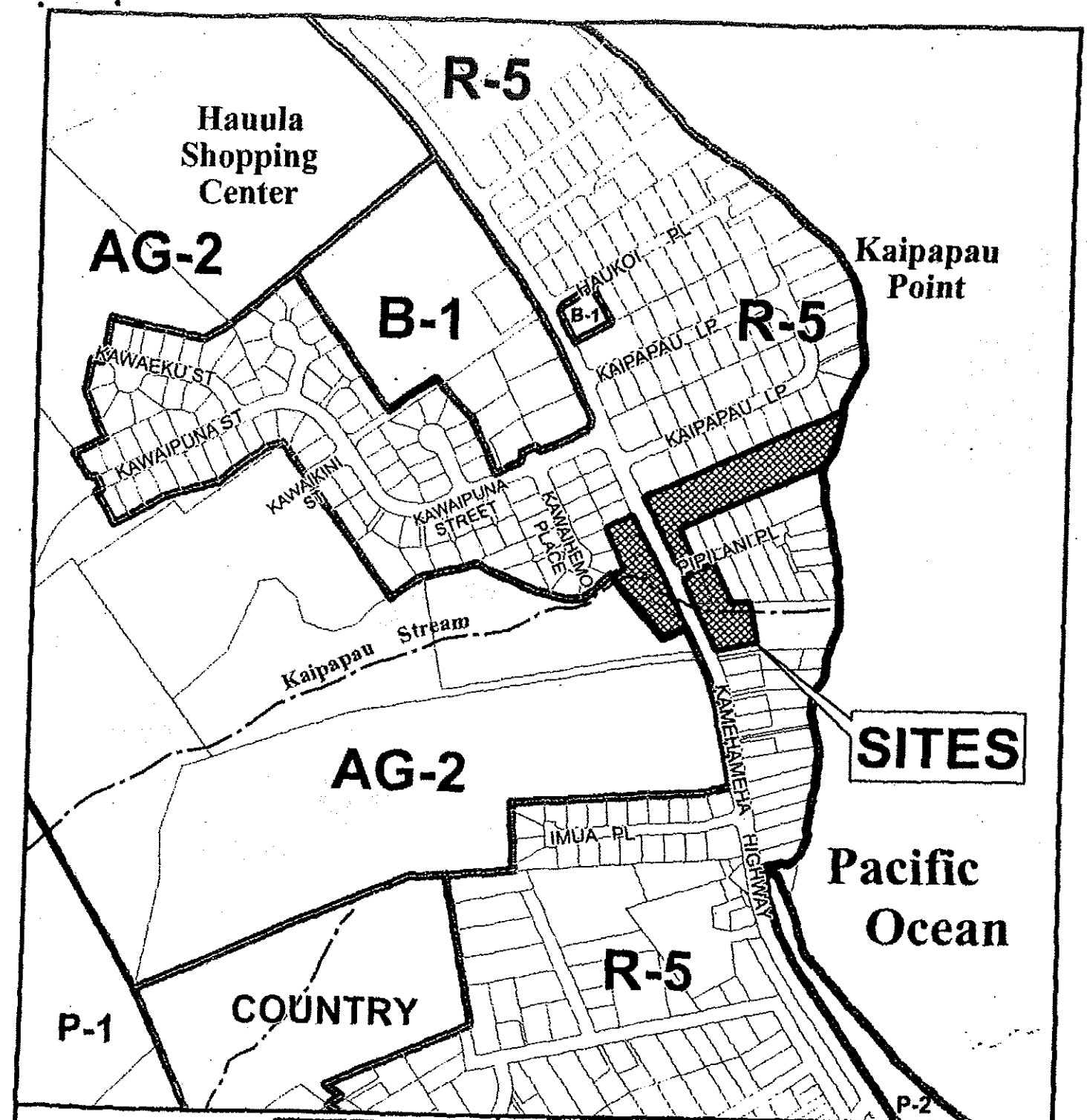
INTRODUCED BY:

Barbara Marshall (BR)

DATE OF INTRODUCTION:

September 04, 2007
Honolulu, Hawaii

Councilmembers



Scale in Feet

VICINITY MAP



PORTION OF

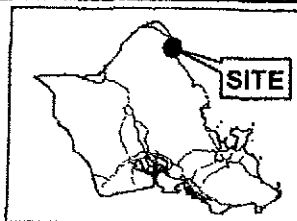
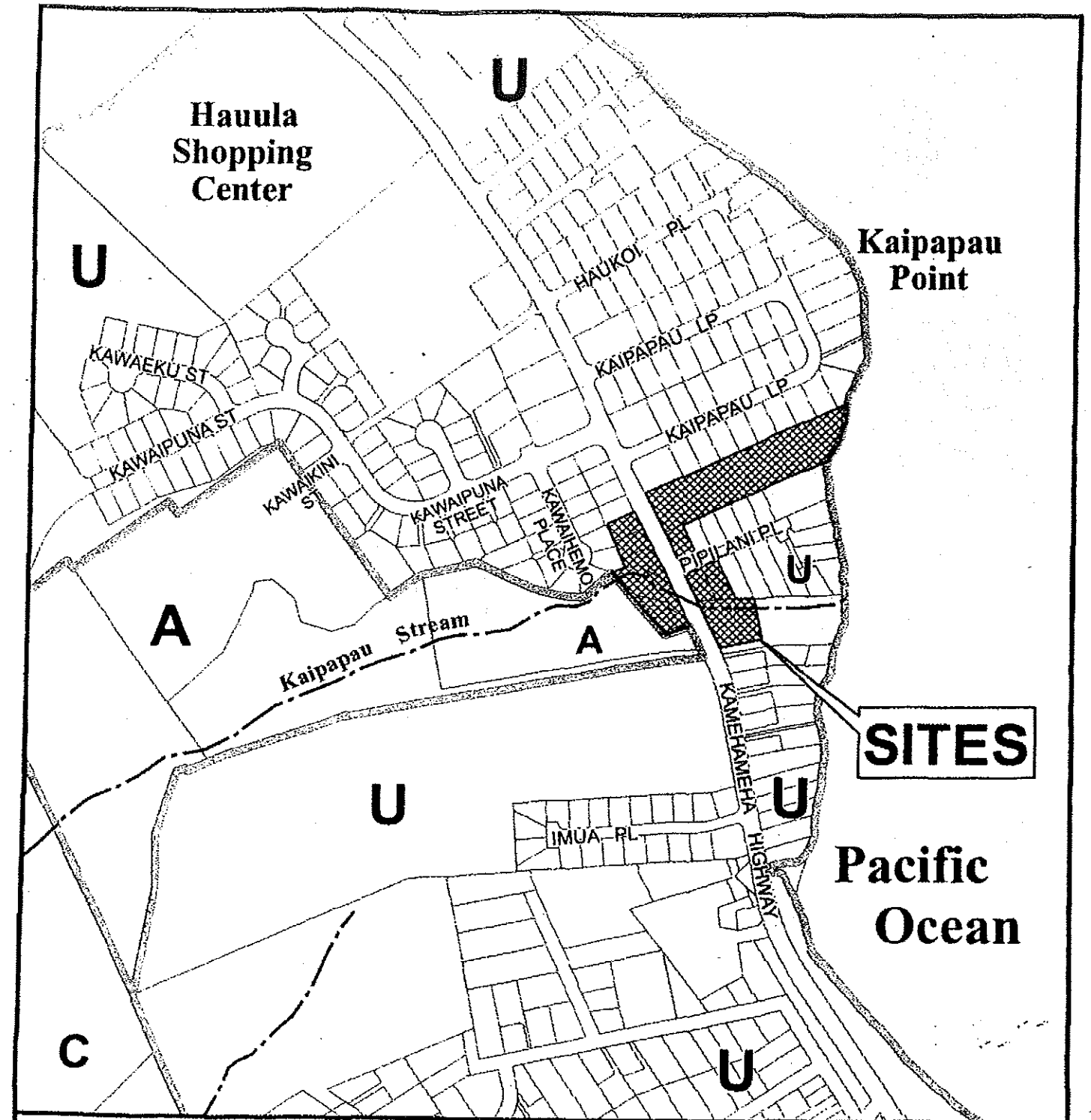
ATTACHMENT A

EXISTING ZONING MAP

HAUULA-PUNALUU-KAAWA

TAX MAP KEY(S): 5-4-11:04,06,07,20&21
and 5-4-18:01 to 05

FOLDER NO.: 2007/SMA-32



400 200 0 400

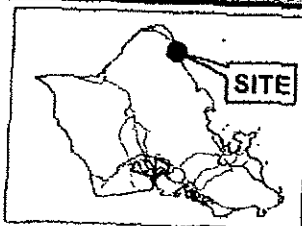
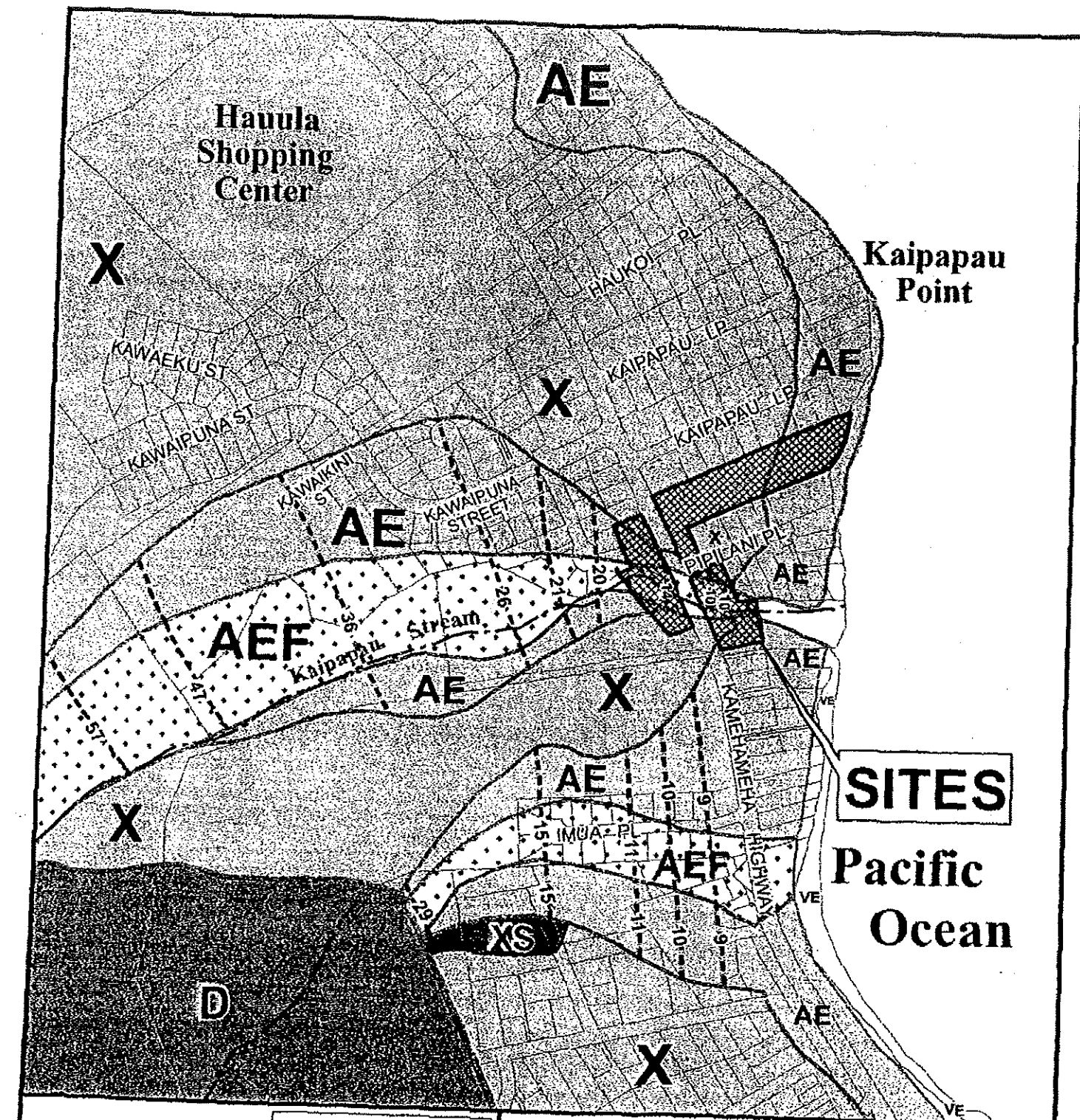
Scale in Feet



PORTION OF ATTACHMENT B
STATE LAND USE MAP
HAUULA

TAX MAP KEY(S): 5-4-11:04,06,07,20&21
 and 5-4-18:01 to 05

FOLDER NO.: 2007/SMA-32



Scale in Feet



VICINITY MAP






PORTION OF

FLOOD MAP ATTACHMENT C

TAX MAP KEY(S): 5-4-11:04,06,07,20&21
and 5-4-18:01 to 05

FOLDER NO.: 2007/SMA-32

LEGEND

-  Location of Proposed New Concrete Abutments
-  Location of Proposed New Concrete Stream Wall
-  Additional Right-of-Way Acquisition
-  Location of Stockpile Area w/ BMPs (berms, silt fences, etc.)
-  Approximate Location of Existing Stream Bank

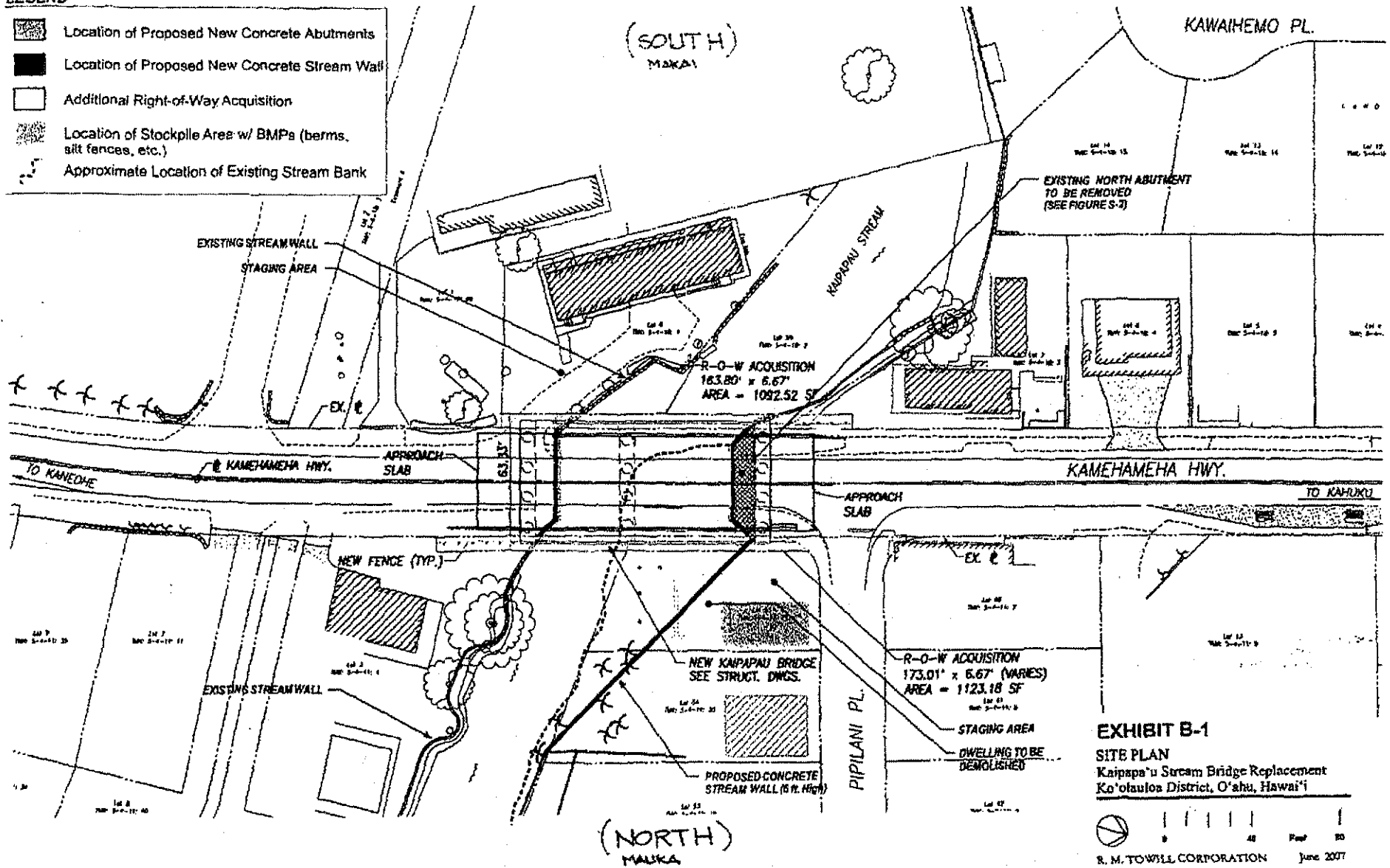
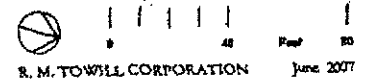
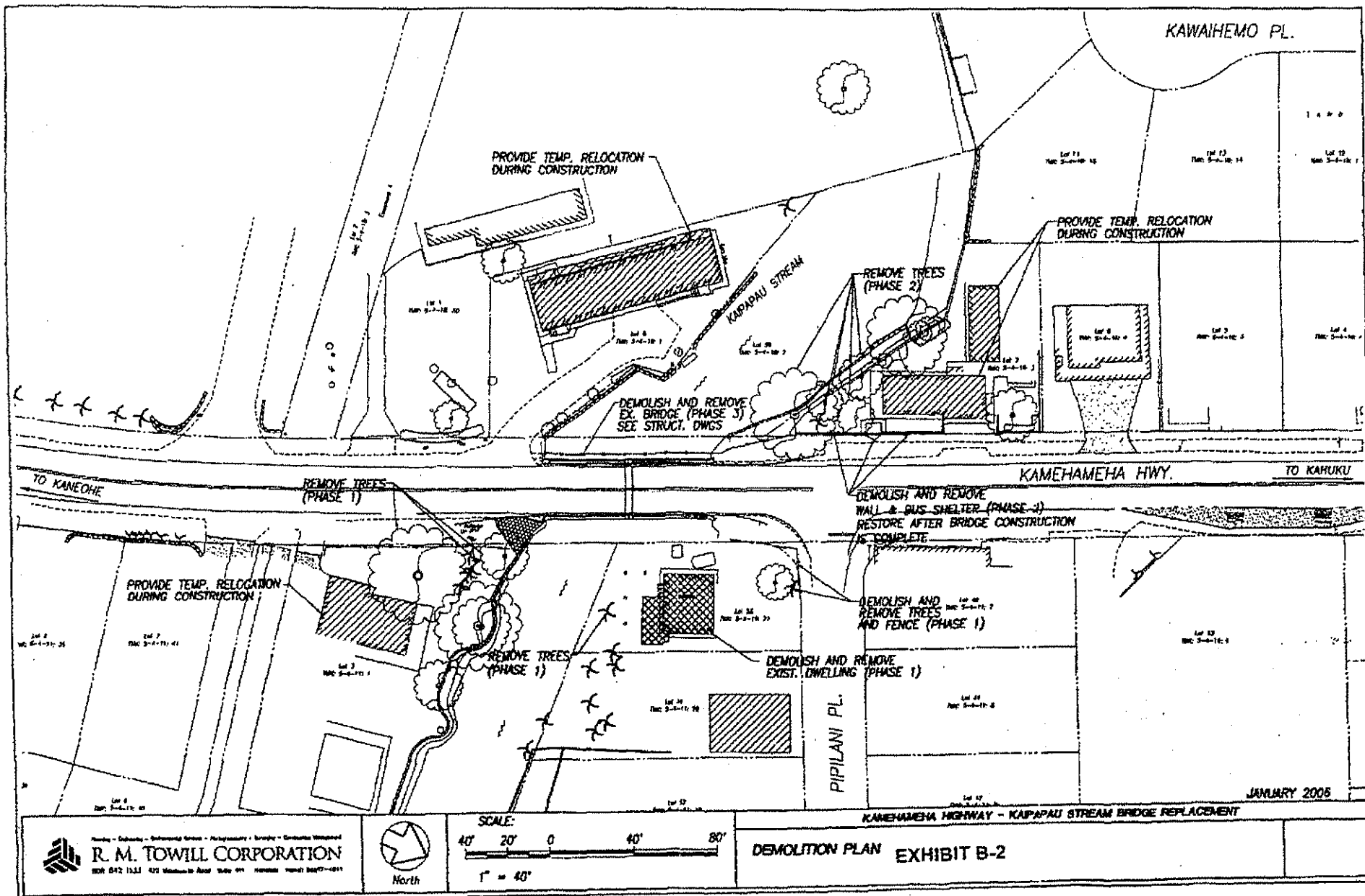
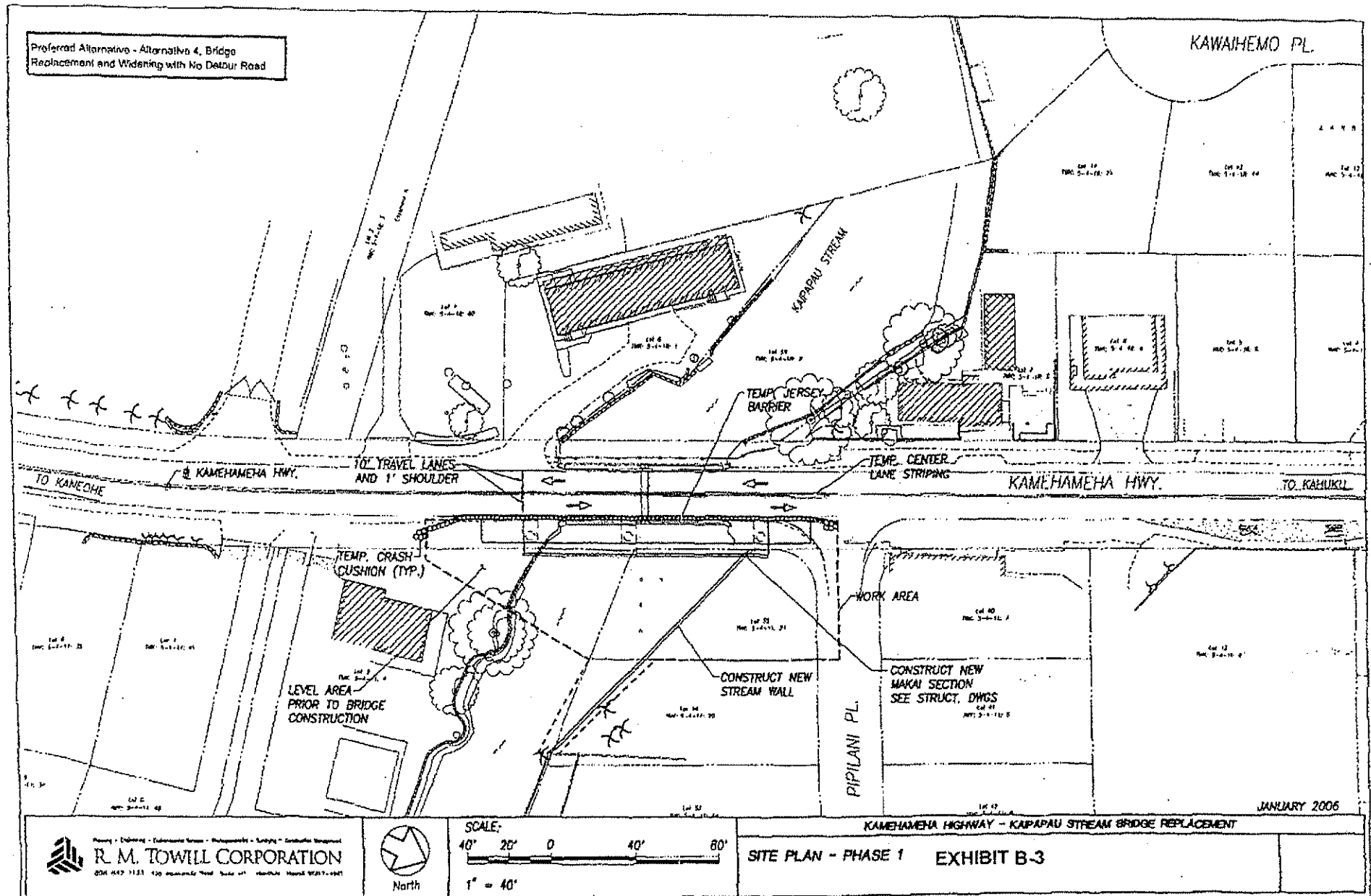


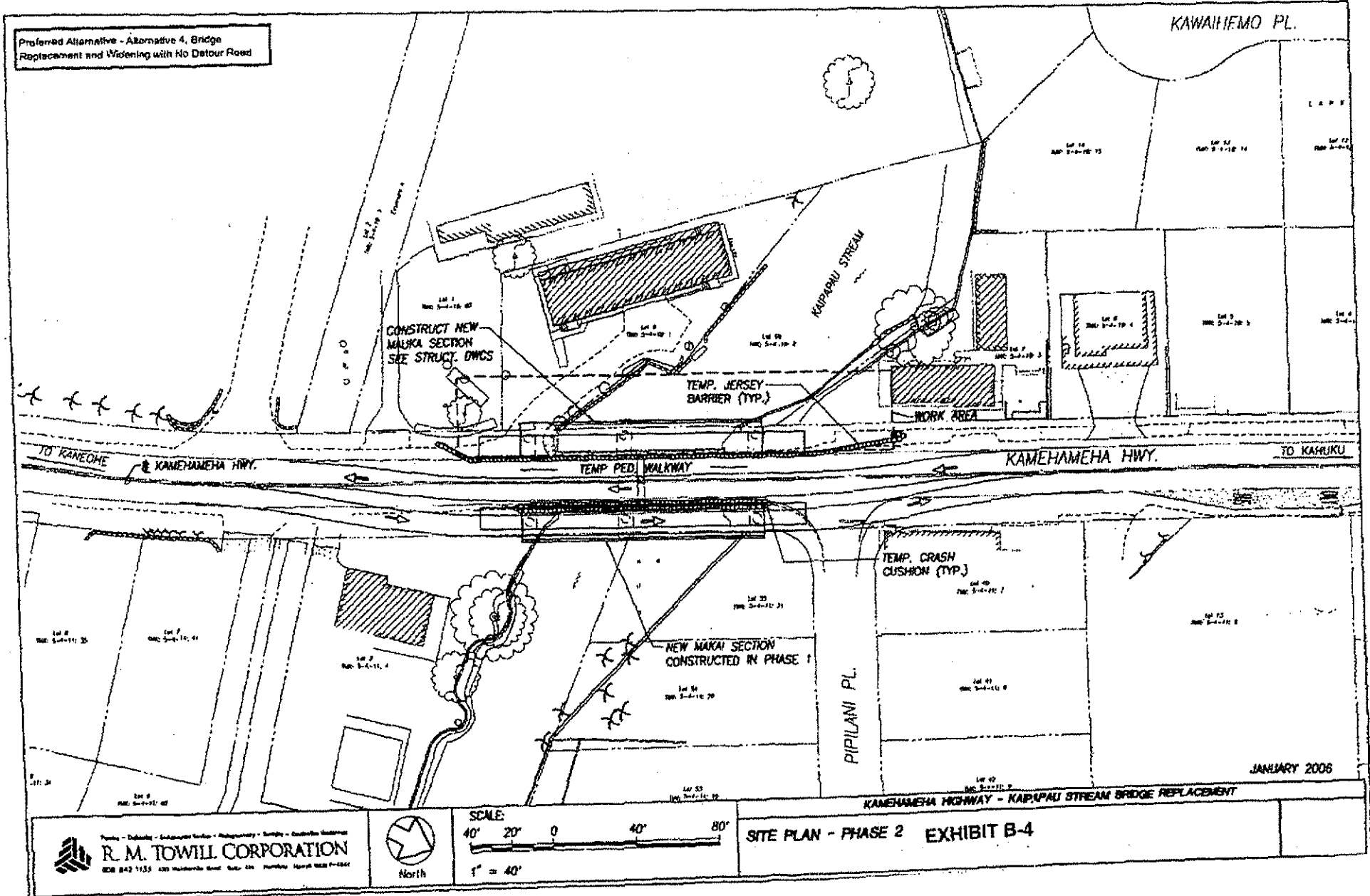
EXHIBIT B-1

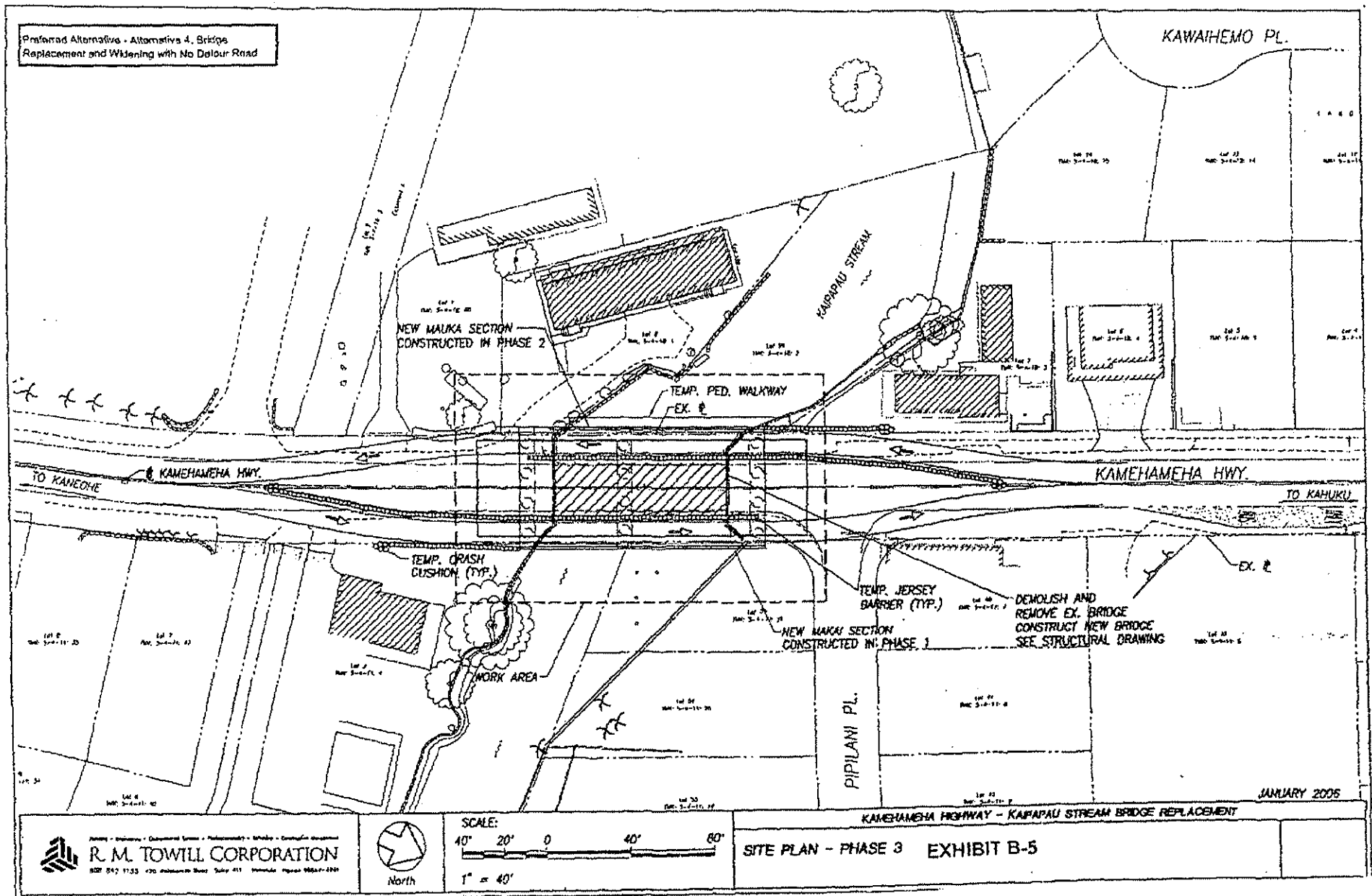
SITE PLAN
 Kaipapa'u Stream Bridge Replacement
 Ko'olaupoko District, O'ahu, Hawaii

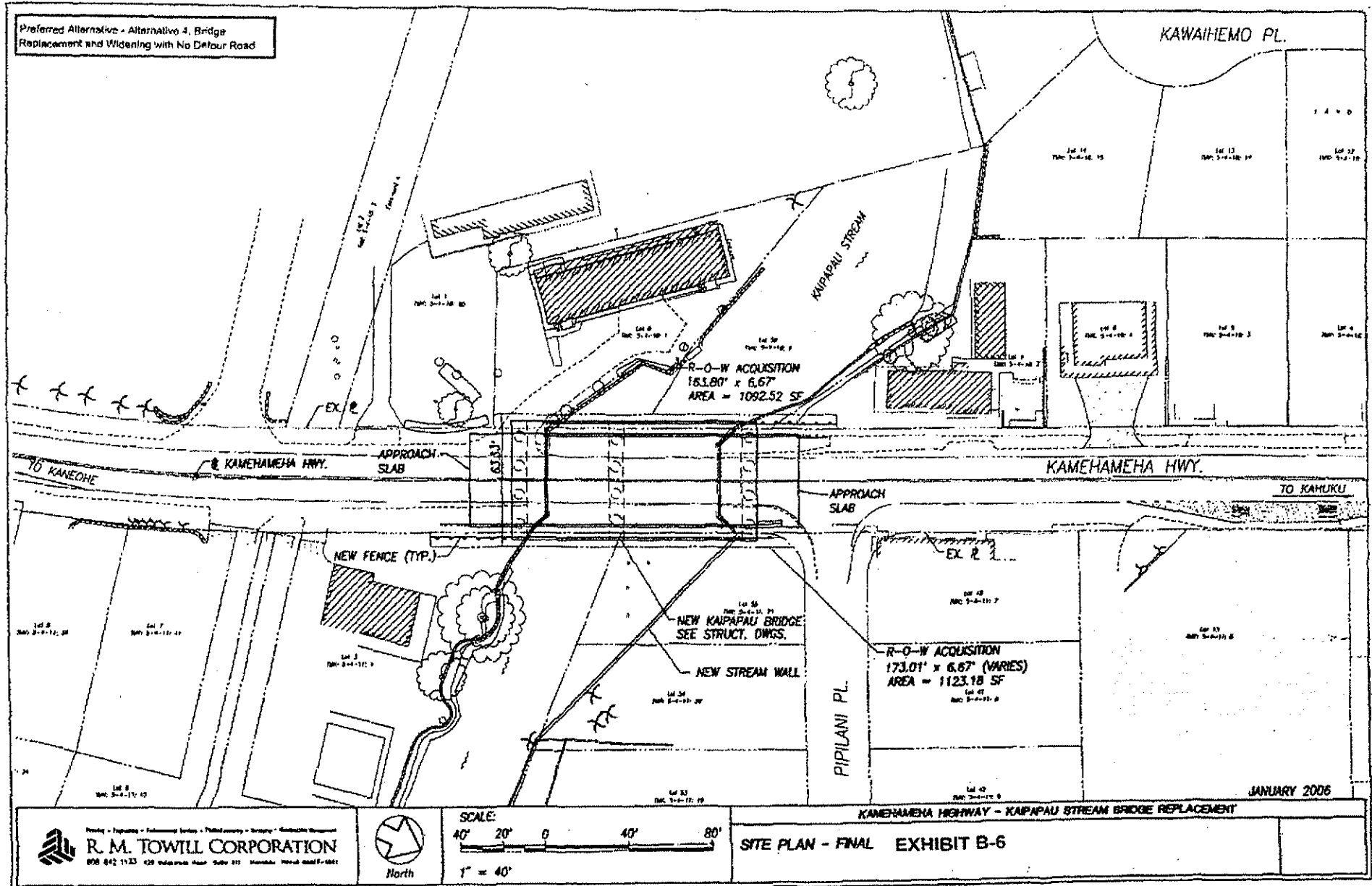


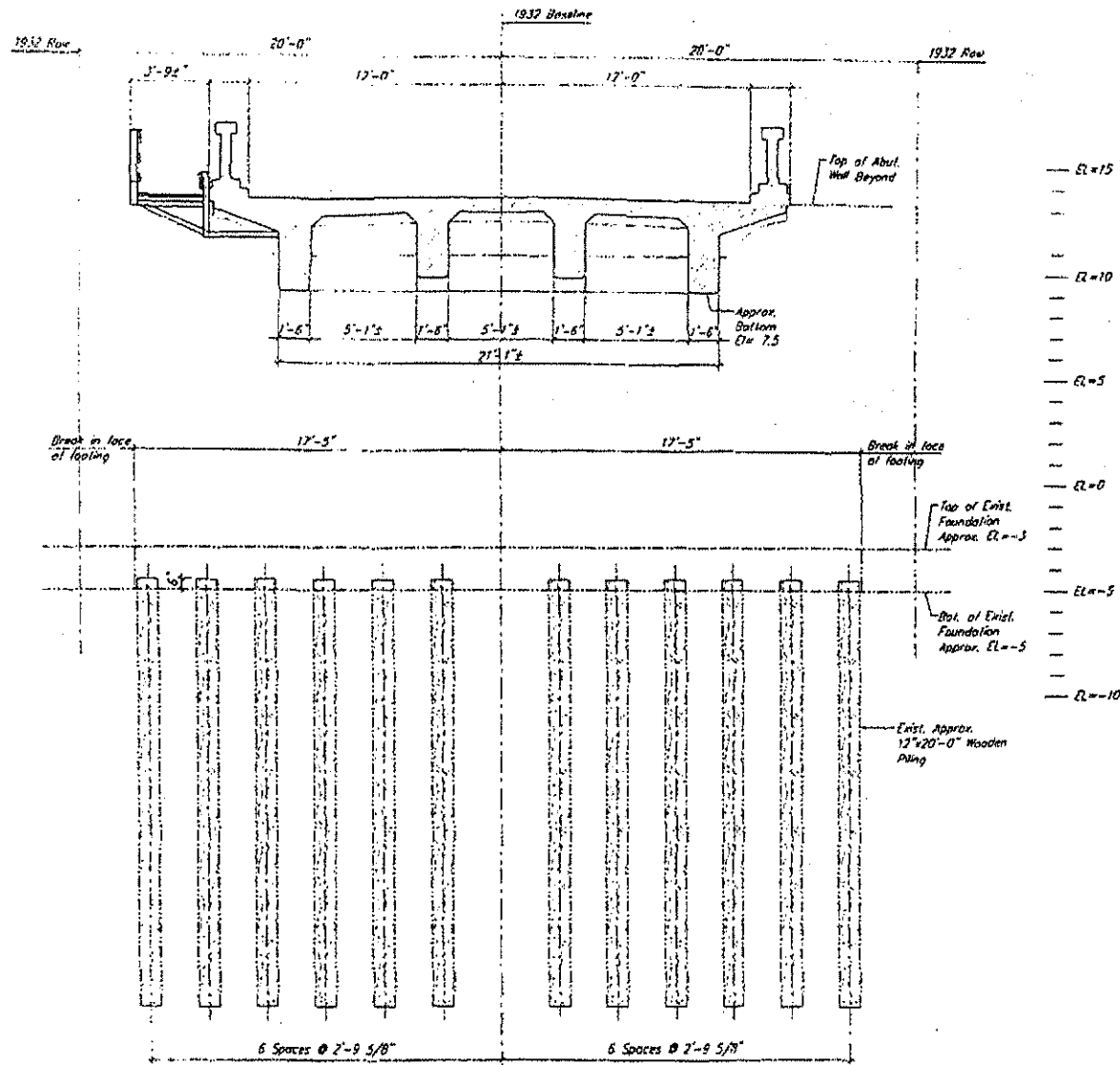












EXISTING BRIDGE SECTION (LOOKING UPSTATION)

Scale: 3/8" = 1'-0"

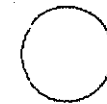
2 0 2 4'

SCALE: 3/8" = 1'-0"

FED. ROAD DIST. NO.	STATE	FED. AID PROJ. NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
HAWAII	HAW.	0000000000	2008	CD-3	4

Preferred Alternative - Alternative 4, Bridge Replacement and Widening with No Detour Road

Elevations: EL +15, EL +10, EL +5, EL = 0, EL -5, EL -10



THIS DRAWING WAS PREPARED BY
AS AN AID TO THE
DEPARTMENT OF TRANSPORTATION
STATE OF HAWAII
EXHIBIT B-7

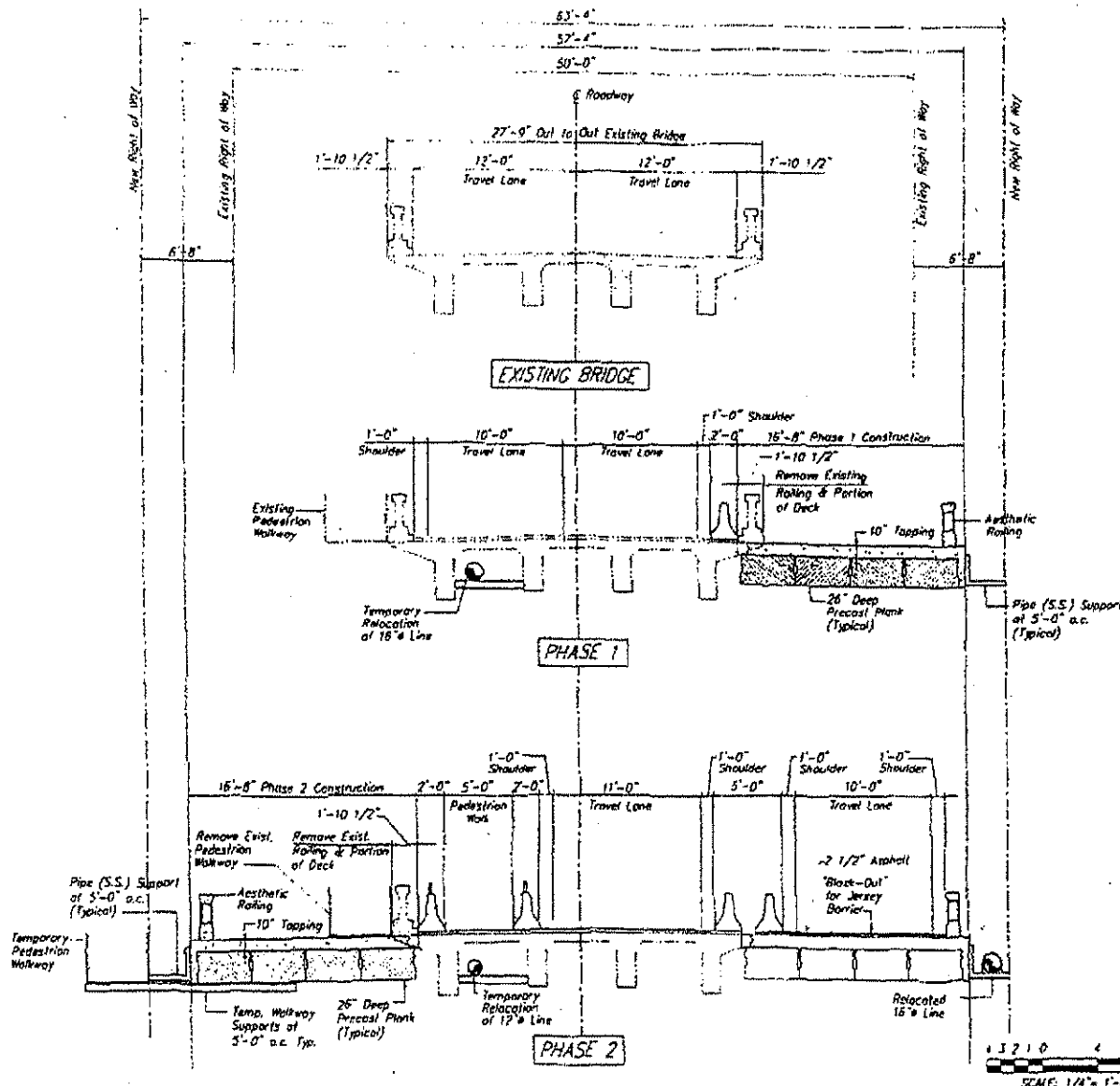
STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
EXHIBIT B-7

EXHIBIT B-7

SHEET No. CD-3 OF 4 SHEETS

DIST. NO.	STATE	FED. AID	YEAR	NO.	SHEET
MDOT	MD	99000000	2000	0000	1

Preferred Alternative - Alternative 4, Bridge Replacement and Widening with No Detour Road



NOT SCALE AND NOT TO BE USED FOR CONSTRUCTION

DESIGNED BY: [Signature]

CHECKED BY: [Signature]

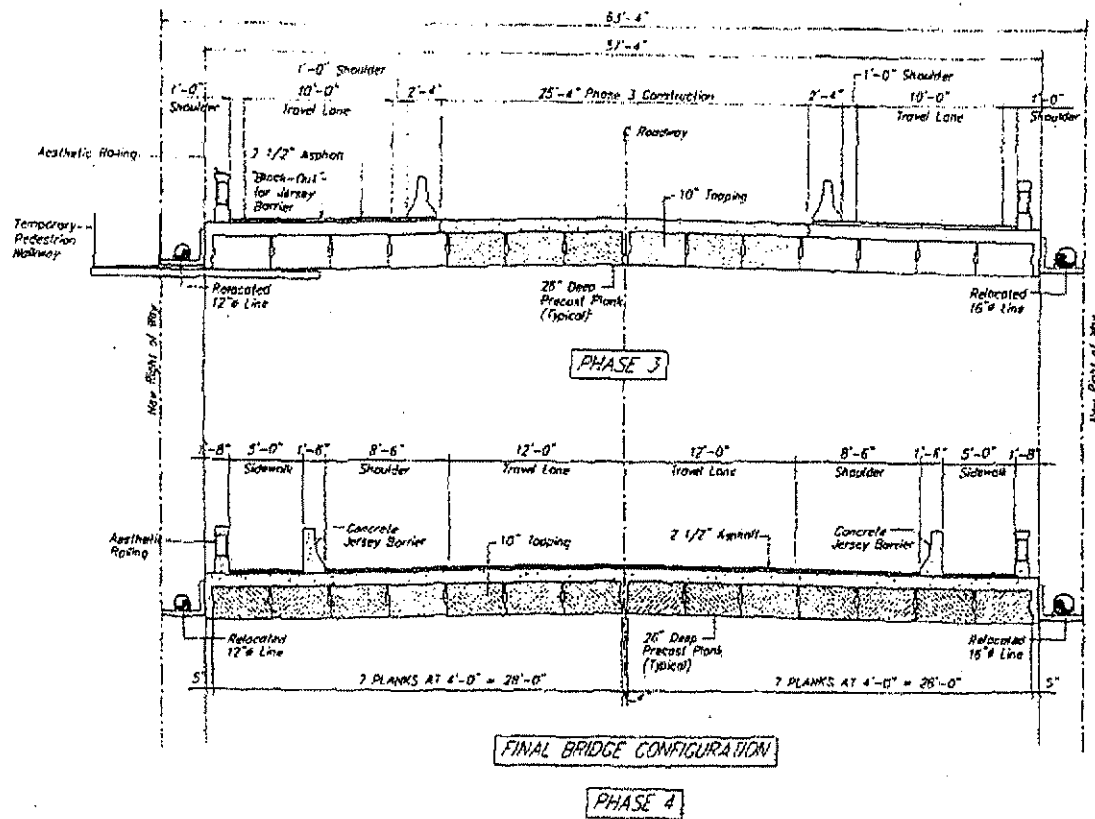
MDOT
DEPARTMENT OF TRANSPORTATION
BRIDGE DIVISION
EXISTING BRIDGE, PHASE NO. 1
and NO. 2 SECTIONS

EXHIBIT B-8

SHEET NO. CDS-4 OF 6 SHEETS

CONCEPTUAL DESIGN - REVISED SEPT. 30, 2003

XX



DESIGN NO.	STATE	PROJECT NO.	YEAR	NO.	SHEET NO.
HPW-1	MASS.	100000000	2008	000-0	1

Preferred Alternative - Alternative 4. Bridge Replacement and Widening with No Detour Road



SCALE: 1/4" = 1'-0"

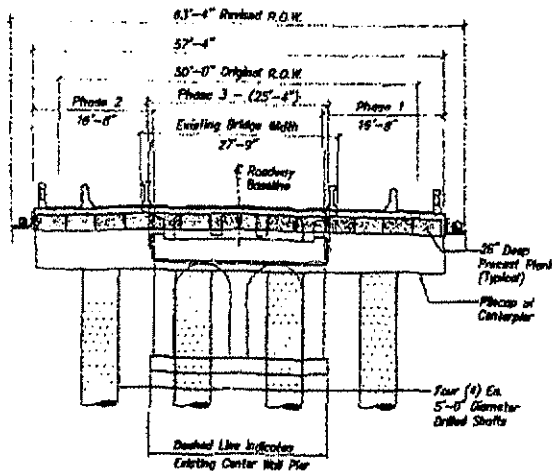
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DEPARTMENT OF TRANSPORTATION
Highway Division

PHASE NO. 3 and NO. 4 SECTION

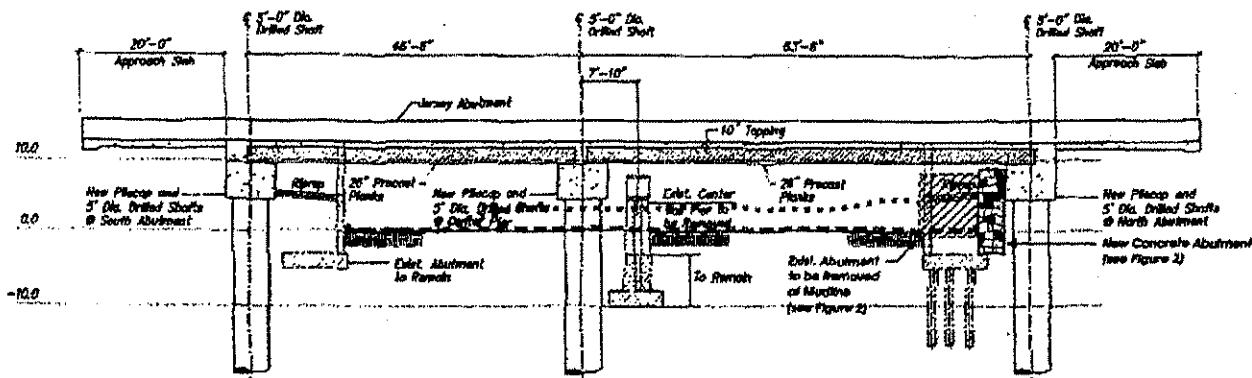
EXHIBIT B-9

SHEET NO. 000-0 OF 0 SHEETS





SECTION at CENTER PIER
Scale: 1/8\"/>



LONGITUDINAL SECTION
Scale: 1/8\"/>

PROJ. NO.	STATE	PROJ. NO.	PROJ. NO.	PROJ. NO.	TOTAL
000000	000000	000000	000000	000000	0

Preferred Alternative - Alternative 4, Bridge Replacement and Widening with No Detour Road

Legend

- Existing North Abutment to be Removed at Mudline and Replaced with Concrete Abutment for Bank Stabilization (See Figure 2).
- Existing Streambed (approximate). See Photos 1 & 2.
- Proposed Streambed Elevation.

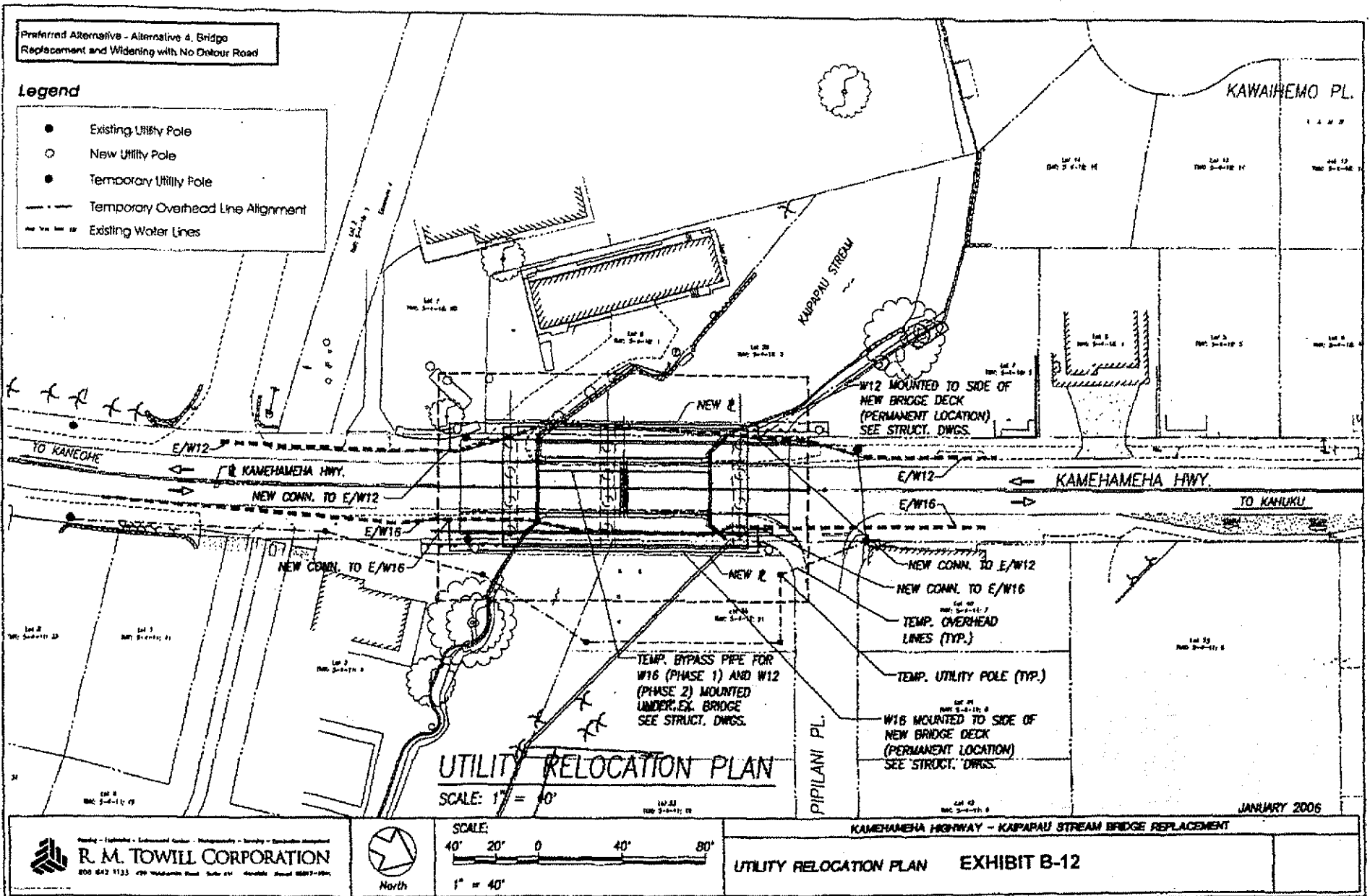
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SCALE: 1/8\"/>



CENTER PIER ELEVATION
and LONGITUDINAL SECTION

EXHIBIT B-11

SHEET No. 000-0 OF 1 SHEET



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
C E R T I F I C A T E

RESOLUTION 07-278, CD1

Introduced: 09/04/07 By: BARBARA MARSHALL (BR)

Committee: ZONING

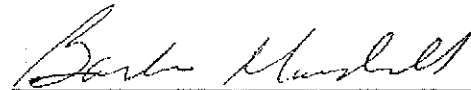
Title: RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT FOR CONSTRUCTION OF A
NEW BRIDGE OVER KAIPAPAU STREAM AT HAUULA, OAHU.

Links: [RES07-278](#)
[RES07-278, CD1](#)
[D-669\(07\)](#)

ZONING	09/25/07	CR-343 - RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION AS AMENDED IN CD1 FORM. (DEADLINE: 10/28/07)			
COUNCIL	10/17/07	CR-343 AND RESOLUTION AS AMENDED (RES07-278, CD1) WERE ADOPTED.			
	APO Y	CACHOLA Y	DELA CRUZ Y	DJOU Y	GARCIA Y
	KOBAYASHI Y	MARSHALL Y	OKINO Y	TAM Y	

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.


DENISE C. DE COSTA, CITY CLERK


BARBARA MARSHALL, CHAIR AND PRESIDING OFFICER