

DAVID Y. IGE
GOVERNOR OF HAWAII



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

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

November 30, 2022

LD 0455

Craig K. Nakamoto, Executive Director
Hawaii Community Development Authority
547 Queen Street
Honolulu, HI 96813

Via email: sergut.berhanu@hawaii.gov

Dear Sirs:

SUBJECT: Development Permit Application for the Liliuokalani Trust
932 Ward Avenue, Honolulu, Island of Oahu
TMK: (1) 2-1-044:005

Thank you for the opportunity to review and comment on the subject project. The Land Division of the Department of Land and Natural Resources (DLNR) distributed copies of your request to DLNR's various divisions for their review and comment.

Enclosed are comments received from our Division of Forestry and Wildlife. Should you have any questions, please feel free to contact Barbara Lee via email at barbara.j.lee@hawaii.gov. Thank you.

Sincerely,

Russell Tsuji

Russell Y. Tsuji
Land Administrator

Attachments
cc: Central Files



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

November 09, 2022

LD 0455

MEMORANDUM

FROM: **DLNR Agencies:**
___ Div. of Aquatic Resources
___ Div. of Boating & Ocean Recreation
X Engineering Division (via email: DLNR.engr@hawaii.gov)
X **Div. of Forestry & Wildlife** (via email: rubyrosa.t.terrago@hawaii.gov)
___ Div. of State Parks
X Commission on Water Resource Management (via email: DLNR.CWRM@hawaii.gov)
___ Office of Conservation & Coastal Lands
X Land Division – Oahu District (via email: barry.w.cheung@hawaii.gov)

TO: Russell Y. Tsuji, Land Administrator
Russell Tsuji

SUBJECT: **Development Permit Application for the Liliuokalani Trust**
(The Liliuokalani Center)

LOCATION: 932 Ward Avenue, Honolulu, Island of Oahu, Hawaii
TMK: (1) 2-1-044:005

APPLICANT: **Hawaii Community Development Authority**

Transmitted for your review and comment is information on the above-referenced project. Please review the attached information and submit any comments by the internal deadline of **November 25, 2022**, to barbara.j.lee@hawaii.gov at the Land Division.

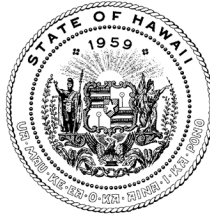
If no response is received by the above due date, we will assume your agency has no comments at this time. Should you have any questions about this request, please contact Barbara Lee at the above email address. Thank you.

BRIEF COMMENTS:

() We have no objections.
() We have no comments.
() We have no additional comments.
(☒) Comments are included/attached.

Signed: *Lainie Berry*
Print Name: LAINIE BERRY, Wildlife Program Mgr.
Division: Division of Forestry and Wildlife
Date: Nov 23, 2022

Attachments
Cc: Central Files



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

November 23, 2022

MEMORANDUM

Log no. 3894

TO: RUSSELL Y. TSUJI, Land Administrator
Land Division

FROM: LAINIE BERRY, Wildlife Program Manager
Division of Forestry and Wildlife

SUBJECT: Division of Forestry and Wildlife Comments for the Development Permit Application for the Lili'uokalani Trust (The Lili'uokalani Center) on O'ahu

The Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) has received your request for comments for the Development Permit Application for the Lili'uokalani Trust project at 932 Ward Avenue, in Honolulu, on the island of O'ahu; TMK: (1) 2-1-044:005. The proposed project consists of renovating an existing, non-conforming 85,132 square-foot (SF) structure located on a 32,725 SF lot into a 97,305 SF educational facility that will serve as the Lili'uokalani Trust's flagship education facility and is envisioned as the Trust's signature youth development hub for culture, creativity, technology, and play. A total of approximately 164 parking stalls and three (3) loading stalls will be provided and are located within the existing structure.

The State listed Hawaiian Hoary Bat or 'Ōpe'ape'a (*Lasiurus cinereus semotus*) could potentially occur at or in the vicinity of the project and may roost in nearby trees. Any required site clearing should be timed to avoid disturbance to bats during their birthing and pup rearing season (June 1 through September 15). During this period woody plants greater than 15 feet (4.6 meters) tall should not be disturbed, removed, or trimmed. Barbed wire should also be avoided for any construction because bats can become ensnared and killed by such fencing material during flight.

Artificial lighting can adversely impact seabirds that may pass through the area at night by causing them to become disoriented. This disorientation can result in their collision with manmade structures or the grounding of birds. For nighttime work that might be required, DOFAW recommends that all lights used to be fully shielded to minimize the attraction of seabirds. Nighttime work that requires outdoor lighting should be avoided during the seabird fledging season, from September 15 through December 15. This is the period when young seabirds take their maiden voyage to the open sea. Permanent lighting also poses a risk of seabird attraction, and as such should be minimized or eliminated to protect seabird flyways and preserve the night sky. For illustrations and guidance related to seabird-friendly light styles that also protect seabirds and the dark starry skies of Hawai'i, please visit <https://dlnr.hawaii.gov/wildlife/files/2016/03/DOC439.pdf>.

The State threatened White Tern (*Gygis alba*) or Manu o Kū is known to nest in the vicinity of the proposed project. If tree trimming or removal is planned, DOFAW strongly recommends a qualified biologist survey for the presence of White Terns prior to any action that could disturb the trees. White Tern pairs typically lay their single egg on a tree branch with no nest. Eggs and chicks can be dislodged by construction equipment or workers that contact trees in which White Terns are nesting. As such, a tree protection program should be in place for any mature trees with nesting or roosting White Terns. If a nest is discovered, please notify DOFAW staff for assistance.

DOFAW recommends using native plant species for landscaping that are appropriate for the area (i.e., climate conditions are suitable for the plants to thrive, historically occurred there, etc.). Please do not plant invasive species. DOFAW also recommends referring to www.plantpono.org for guidance on the selection and evaluation of landscaping plants and for consulting the Hawai'i-Pacific Weed Risk Assessment to determine the potential invasiveness of plants proposed for use in the project.

DOFAW recommends minimizing the movement of plant or soil material between worksites. Soil and plant material may contain pathogens, pests such as Little Fire ants, or invasive plant parts that could harm our native species and ecosystems. We recommend consulting the O'ahu Invasive Species Committee (OISC) at (808) 266-7994 to help plan, design, and construct the project, learn of any high-risk invasive species in the area, and ways to mitigate their spread. All equipment, materials, and personnel should be cleaned of excess soil and debris to minimize the risk of spreading invasive species.

The invasive Coconut Rhinoceros Beetle (CRB) or *Oryctes rhinoceros* is known to occur in O'ahu. On July 1, 2022, the Hawai'i Department of Agriculture (HDOA) approved Plant Quarantine Interim Rule 22-1, which restricts the movement of CRB-host material within or to and from the island of O'ahu, which is defined as the Quarantine Area. Regulated material (host material or host plants) is considered a risk for potential CRB infestation. Host material for the beetle specifically includes a) entire dead trees, b) mulch, compost, trimmings, fruit and vegetative scraps, and c) decaying stumps. CRB host plants include the live palm plants in the following genera: *Washingtonia*, *Livistona*, and *Pritchardia* (all commonly known as fan palms), *Cocos* (coconut palms), *Phoenix* (date palms), and *Roystonea* (royal palms). When such material or these specific plants are moved there is a risk of spreading CRB because they may contain CRB in any life stage. For more information regarding CRB, please visit <https://dlnr.hawaii.gov/hisc/info/invasive-species-profiles/coconut-rhinoceros-beetle/>.

We appreciate your efforts to work with our office for the conservation of our native species. These comments are general guidelines and should not be considered comprehensive for this site or project. It is the responsibility of the applicant to do their own due diligence to avoid any negative environmental impacts. Should the scope of the project change significantly, or should it become apparent that threatened or endangered species may be impacted, please contact our staff as soon as possible. If you have any questions, please contact Paul Radley, Protected Species Habitat Conservation Planning Coordinator at (808) 295-1123 or paul.m.radley@hawaii.gov.

Sincerely,

Lainie Berry

LAINIE BERRY
Wildlife Program Manager



**HAWAII COMMUNITY
DEVELOPMENT AUTHORITY**

547 Queen Street, Honolulu, Hawaii 96813
Telephone: (808) 594-0300 Fax: (808) 587-0299
Web site: <http://dbedt.hawaii.gov/hcda/>

LD 0455

DAVID Y. IGE
GOVERNOR

CHASON ISHII
CHAIRPERSON

CRAIG K. NAKAMOTO
EXECUTIVE DIRECTOR

Ref. No.: KAK 21-028

October 27, 2022

Ms. Suzanne Case, Chairperson
Department of Land and Natural Resources
1151 Punchbowl Street, Room 130
Honolulu, Hawaii 96813

Re: Development Permit Application for the Liliuokalani Trust,
(The Liliuokalani Center) at 932 Ward Avenue;
TMK: (1) 2-1-044: 005

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII
2022 NOV -2 PM 1:45

RECEIVED
LAND DIVISION

Dear Ms. Case:

The Hawaii Community Development Authority ("HCDA") has initiated a Development Permit Application review process for the above referenced Project.

We are requesting your review, comments, and recommendations as to the adequacy of infrastructure systems and the demands placed on these systems by the proposed development. The development permit application can be accessed and downloaded from the HCDA website at <https://dbedt.hawaii.gov/hcda/liliuokalani-trust/>. We would appreciate receiving any comments you might have **by November 28, 2022**.

Public hearings, in accordance with Section 206E-5.6, Hawaii Revised Statutes, and Chapters 15-217 and 15-219, Hawaii Administrative Rules, will be conducted before the Hawaii Community Development Authority makes a determination on the Development Permit Application. A copy of the public hearing notice is included for your information.

Please contact Ms. Sery Berhanu, AICP, HCDA Planner, at 808-594-0330 or by email at sergut.berhanu@hawaii.gov should you have any questions.

Sincerely,

Craig K. Nakamoto
Executive Director

Enclosure (1): Notice of Public Hearings