



**DEPARTMENT OF BUSINESS,  
ECONOMIC DEVELOPMENT & TOURISM**

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Ref. No. P-13049

June 30, 2010

Ms. Jeanne Murata  
Ocean Investments LLC  
1288 Ala Moana Boulevard, Suite 206  
Honolulu, Hawaii 96814

Dear Ms. Murata:

Subject: Incomplete Special Management Area (SMA) Use Approval Application for Restaurant and Multi-Use Assembly and Hospitality Uses, with Parking and Other Support Facilities, TMK 2-1-060: 013, Kakaako Community Development District Makai Area, Honolulu, Oahu

The application for SMA Use Approval for restaurant and multi-use assembly and hospitality uses, with parking and other support facilities, TMK 2-1-060: 013, Kakaako Community Development District Makai Area, Honolulu, Oahu, was received on June 23, 2010. We have determined that the application is incomplete. In accordance with Hawaii Administrative Rules (HAR), Section 15-150-9, the following information is necessary for the application to be considered complete and accepted for consideration.

1. Provide a drainage plan showing the drainage flow patterns on the site and where stormwater will be directed off of the site. The drainage plan shall show the storm drain inlets that will be used to receive stormwater from the site.
2. Provide a stormwater runoff and drainage mitigation plan which identifies specific mitigation measures to be used. Mitigation measures must be designed to prevent petroleum and sediment from the proposed parking lot from entering the storm drain system.
3. Provide an analysis of the impacts of the exterior lighting to the State of Hawaii protected indigenous Wedge-tailed Shearwater (HAR, Chapter 13-124) and proposed mitigation measures, such as use of down-cast or shielded lighting. On page 12, there is a lack of specific mitigation measures for exterior lighting.
4. Provide best management practices in a manner to properly isolate and confine the proposed activities, including demolition and reconstruction to contain and prevent

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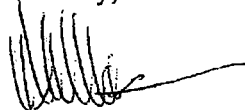
potential pollutant discharge from adversely impacting the State water. On page 17, the discussion on mitigation measures for Coastal Ecosystems is too general.

5. Provide an analysis of potential impacts on public parking at Kakaako Waterfront Park from the proposed project. Do the proposed parking stalls meet parking requirements without adverse impacts on public parking? Exhibit C – Site Plan indicates that the parking stalls for V1 to V11 are for double parking. If this is true, how will parking be managed? Please also provide the number of existing parking stalls.
6. Provide information about the existing site access to the project and parking, and provide vehicular traffic ingress and egress plans. The section on Site Access and Parking, page 6, is too general.
7. Provide a letter of clearance from the Hazard Evaluation and Emergency Response Office, Department of Health, for the proposed project site to confirm that hazardous materials are not present on the site.
8. Page 6, 1.4.4. Utilities and Public Services, does not mention the existing saltwater production well and discharge. According to our records (SMA/05-3), this well supplies saltwater to the restaurant aquariums. Are there any changes and plans for the existing saltwater production well and discharge? Please describe and provide appropriate analysis as to how to deal with this saltwater production well in your SMA use approval application.

*generates  
site  
Ocean to waterfront*

When the above information is received, we will determine whether the SMA Use Approval Application is complete. If you have any questions, please contact Shichao Li of our Coastal Zone Management Program at 587-2841.

Sincerely,



Abbey Seth Mayer  
Director

c: Mr. Richard Senelly, Earthplan  
Mr. Anthony J.H. Ching, HCDA  
Mr. Bryan Yee, Department of the Attorney General