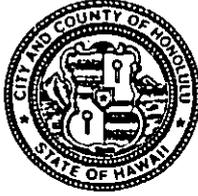


DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 523-4414 • FAX: (808) 527-6743 • INTERNET: www.co.honolulu.hi.us

JEREMY HARRIS
MAYOR



RECEIVED

RANDALL K. FUJIKI, AIA
DIRECTOR

LORETTA K.C. CHEE
DEPUTY DIRECTOR

'00 SEP 13 P3:11

2000/SV-6
2000/ED-5

September 12, 2000
OFFICE OF ENVIRONMENTAL
QUALITY CONTROL

Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control
State of Hawaii
State Office Tower, Room 702
235 South Beretania Street
Honolulu, Hawaii 96813

Dear Ms. Salmonson:

CHAPTER 343, HRS
Environmental Assessment (EA)/Determination
Finding of No Significant Impact

Owner/Applicant : Dewain & Lyla Dedrick
Agent : Donald A. Clegg, Analytical Planning
Consultants
Location : 84-197 Makau - Waianae
Tax Map Key : 8-4-10: 1
Request : Shoreline Setback Variance
Proposal : Construct a 4-foot high, 66-foot long,
rock wall along the certified shoreline
within the setback area and side-yard
walls and fences.
Determination : A Finding of No Significant Impact is
Issued

Attached and incorporated by reference is the Final EA prepared by the applicant for the project. Based on the significance criteria outlined in Chapter 200, State Administrative Rules, we have determined that an Environmental Impact Statement is not required.

We have enclosed a completed OEQC Bulletin Publication Form and four copies of the Final EA. If you have any questions, please contact Ardis Shaw-Kim of our staff at 527-5349.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Randall K. Fujiki".

RANDALL K. FUJIKI, AIA
Director of Planning and
Permitting

RKF:lg
Enclosures
DN 29946

116

2000-09-23-0A-FAA-Dedrick

SEP 23 2000

FILE COPY

FINAL ENVIRONMENTAL ASSESSMENT FOR A

(SHORELINE SETBACK VARIANCE) '00 AUG 29 PM 10 11

I. GENERAL INFORMATION

Applicant: Dewain Dedrick
84-197 Makau
Waianae, Hawaii 96792
Tel: 836-3449

Recorded Fee Owner: Dewain and Lyla Dedrick
84-197 Makau
Waianae, Hawaii 96792
Tel: 836-3449

Agent: Analytical Planning Consultants
928 Nuuanu Avenue, Suite 502
Honolulu, Hawaii 96813
Donald Clegg, President
Tel: 536-5695 Fax: 599-1553

Property Profile:

Location: Makaha, Hawaii
Site Address: 84-197 Makau
Waianae, Hawaii
TMK and Lot Area: (1) 8-4-010:001 12,126 sq. ft.
State Land Use: Urban
Development Plan: Residential
Zoning (LUO): R-10 Residential District
Special District: No
Special Management Area: Yes (Private Residence)
Flood Zone: "AE" and "VE"

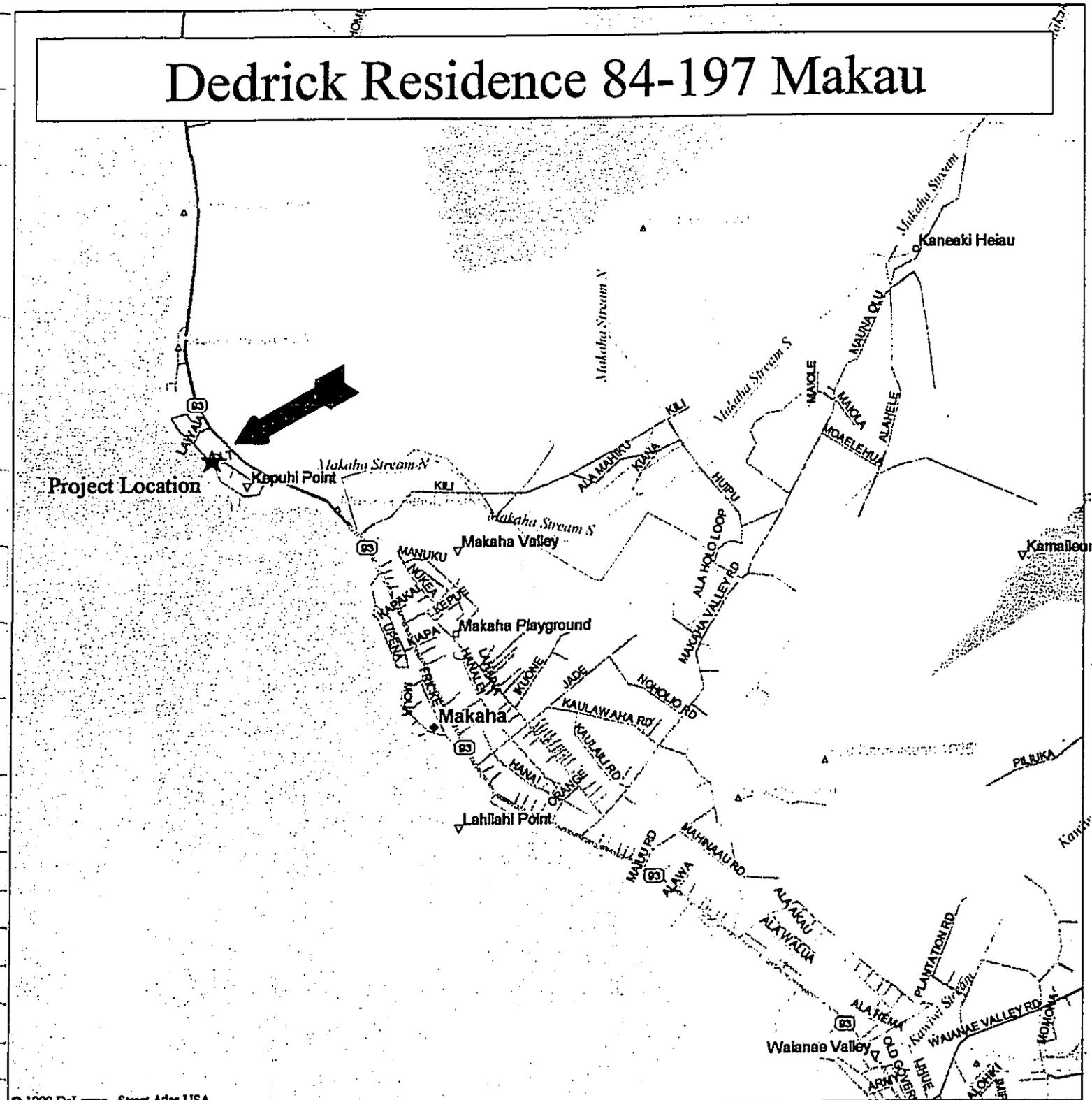
Additional Permits Required: Building Permits

Agencies Consulted: City and County Department of
Planning & Permitting

State of Hawaii Office of
Environmental Quality Control

State of Hawaii Department of
Land & Natural Resources

Dedrick Residence 84-197 Makau



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Mag 14.00

Tue Feb 29 16:16 2000

Scale 1:31,250 (at center)

2000 Feet



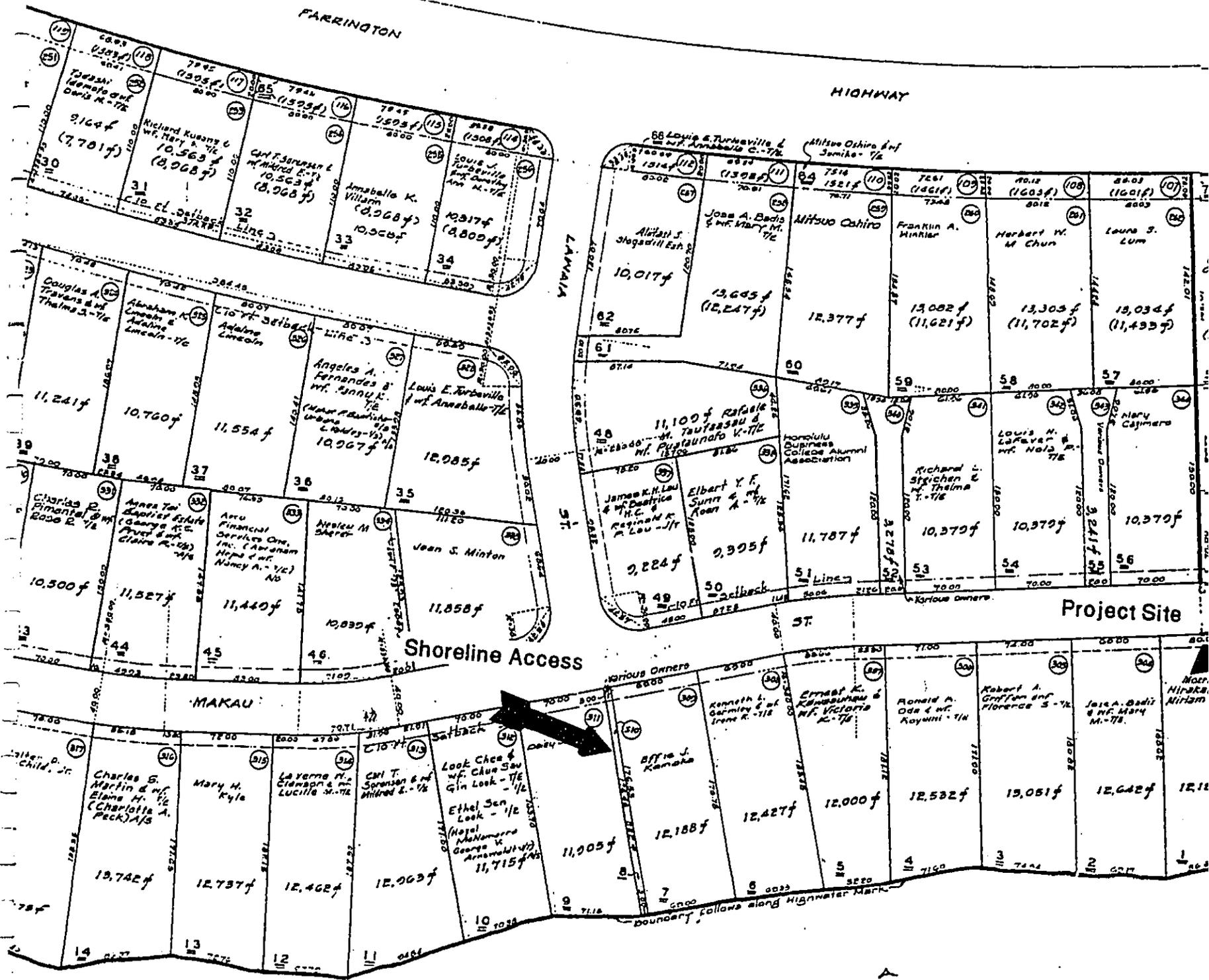
1000 Meters



- | | |
|---------------------|--------------------|
| Local Road | Summit |
| Major Connector | Geographic Feature |
| State Route | Park/Reservation |
| Primary State Route | Lake |
| Walkway/Stairway | Land |
| Trail | Water |
| Point of Interest | State Park/Forest |
| Small Town | River/Canal |

Exhibit 1

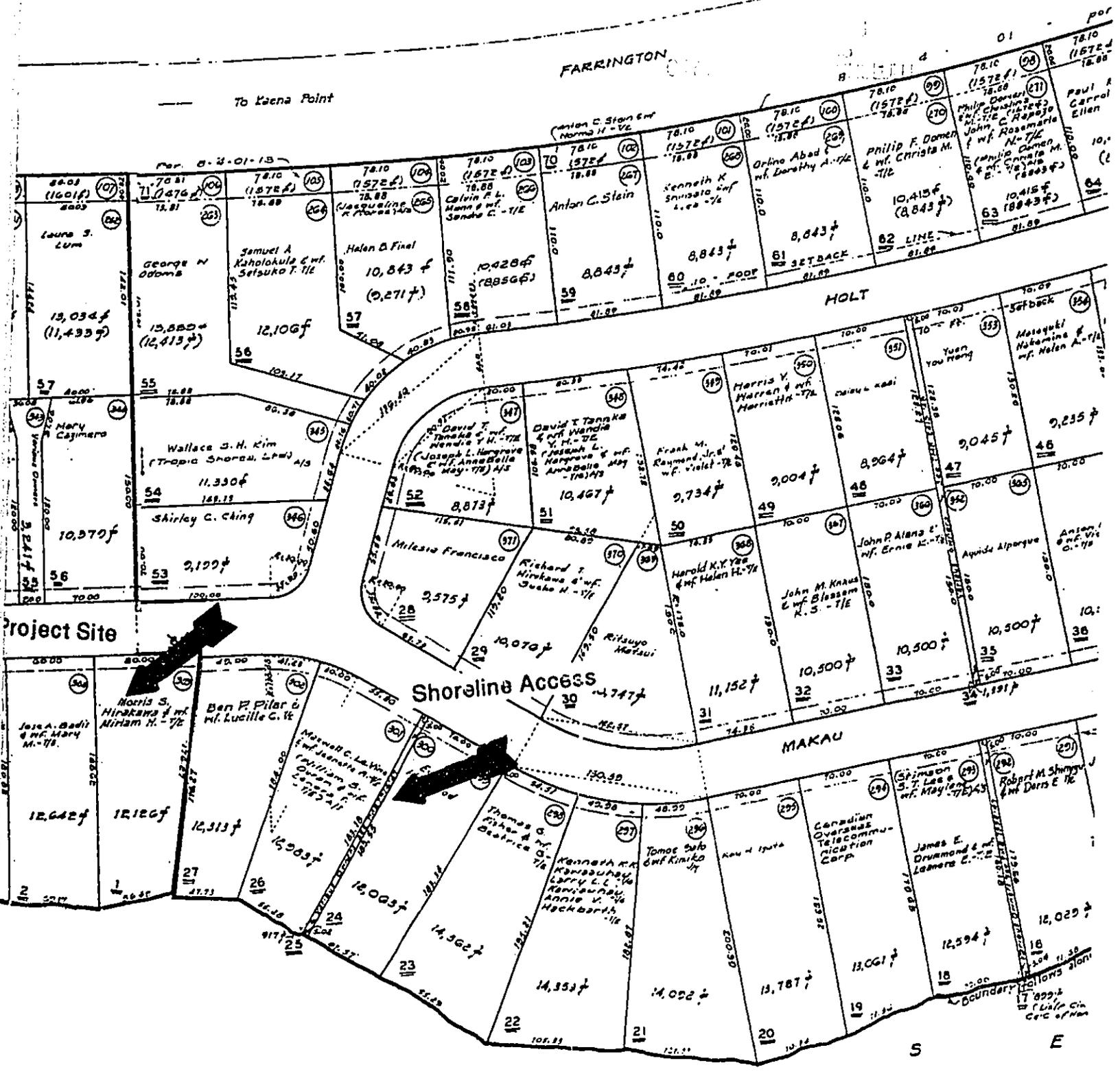
PLAT 02



Shoreline Access in Relationship to the Project Site

PLAT

NOV 19 1951



POR. MAKAHA, WAIANAE, OAHU, T. H.

II. DESCRIPTION OF THE PROPOSED ACTION

A. General Description

(1) Proposed Project

The applicant is requesting a variance from Chapter 23 ROH Section 23-1.5 (b) which prohibits the building of any structures having a "fixed location on the ground" within the designated 40 foot shoreline setback area without a Shoreline Setback Variance. Specifically, approval is being sought for the following:

- (a) Construction of a 48" high rock wall with 24" open metal fence on top, extending 55.63 feet along the certified shoreline, including a gate. The wall is constructed on top of an extensive lava rock outcropping that extends approximately 30 feet makai of the wall then drops off 10 to 12 feet into the ocean.
- (b) Fill behind the wall with top soil to a depth of two feet. The fill will extend approximately 30 feet mauka to level the property. The area will be landscaped with grass and shrubs.
- (c) Approval for an existing 24" redwood fence on top of an existing 48 rock wall within the 40 ft. shoreline setback area on the Kaena Point side of the property.
- (d) Construction of a 24" wall with a 48" wood fence within the shoreline setback area along the Ewa property line. The wall and fence will extend 10 feet mauka from the certified shoreline.
- (e) Approval for an existing 24" wall and 48" fence along the Ewa property line mauka from the end of the new wall 30 feet to the shoreline setback line.

According to the records at the Department of Planning and Permitting there was a previous non-conforming wall constructed approximately 5 feet makai of the certified shoreline. Most of the wall was destroyed by Hurricane Iniki and the remnants removed by the applicant.

(2) Shoreline Setback Area Requirements

As stated in Chapter 23 ROH Section 23-1.2 "it is a primary policy of the city to protect and preserve the natural shoreline, especially sandy beaches; to protect and preserve public pedestrian access laterally along the shoreline and to the sea; and to protect and preserve open space along the shoreline. It is a secondary policy of the city to reduce hazards to property from coastal floods. To carry out these policies, Chapter 23 "prohibits within the shoreline area any construction or activity which may adversely affect beach processes, public access along the shoreline, or shoreline open space."

Chapter 23 also states that the shoreline setback line shall be established 40 feet inland from the certified shoreline and that structures and activities are prohibited within the shoreline area. A certified shoreline map dated November 24, 1999 is enclosed.

This application and environmental assessment requests approval for a variance from these regulations, provides a description of the action, and addresses the potential impacts of the shoreline structure to the coastal environment.

(3) Existing Conditions

Presently the only protection for the property is a six foot high chain link fence running along the shoreline frontage and extending 10 feet along the Ewa property line. This fence was intended for safety purposes to keep people and animals away from the shoreline and not as a barrier to protect the property from the intense wave action of this section of the Makaha coastline. There is a gate in the middle of the fence which opens out to the shore. As a result of storm surges the ocean waves wash up through the chain link fence and onto the property (see photos).

On both sides of the parcel there are existing lava rock walls running mauka along the property lines and connecting to the chain link fence. The rock walls are 2-3 feet high and topped with open redwood paneling for a total height of 6 feet. To the best of the owners knowledge the wall on the Ewa side of the property was constructed by the owner of the adjoining property in the early 1980's. As shown in the survey, the wall encroaches on the applicants property at the makai end of the property. The applicant does not own any part of the rock wall, however he has an

encroachment agreement with the neighbor. For security purposes, the applicant, with the consent of the neighbor, has constructed a redwood fence on top of the wall for a total height of six feet. This can be seen in photo #8.

The wall on the Kaena Pt. side was constructed by the neighbor on this side of the property just before hurricane Iwa in 1983. The wall was built on an existing wall that was constructed in the 1960's. Portions of the wall are on the applicants property, however the neighbor has declined to obtain an encroachment agreement. The applicant has constructed a wood fence on top of the wall for security purposes.

The applicant is including both walls and the wood fences in this application for a shoreline set back variance.

The house that can be seen in the aerial photograph #17 (taken in 1967) was constructed in the 1950's. This house was demolished in 1983 and the current house constructed in 1999. A 1000 sq. ft. addition to the house and a lanai along the makai side of the house were constructed in March, 2000. Building permits were obtained for all construction. The existing house including additions is shown on the enclosed site plan. As can be seen, the house is 65 feet from the shore line set back line.

The aerial photograph shows a wall along the ocean front that lines up with the ocean front walls on most of the other properties in the area. The trees along Ewa and Kaena Point boundaries obscure any walls that might have been present at that time.

(4) Land Use Approvals Required

- (a) Shoreline Setback Variance from the Department of Planning and Permitting, City and County of Honolulu
- (b) Building Permits from the Department of Planning and Permitting, City and County of Honolulu

B. Technical Characteristics

(1) Use Characteristics

The purpose of the proposed makai wall is to protect

the property from coastal wave action resulting from storm activity and to stop runoff of dirt and debris into the ocean.

For security purposes the applicant is also requesting approval for adding redwood fencing to the existing rock walls on both sides of the property line which will connect to the proposed wall as part of this application. This fencing encroaches into the shoreline setback area. (See Exhibit 4).

(2) Physical Characteristics

The proposed new makai wall is located along the 56 foot shoreline frontage of the Dedrick property which is 12,126 sq. ft. in area. As shown in the pictures this section of the Makaha coastline is not sandy beach but lava rock. To protect the property from storm induced wave action, a four foot wall is proposed to be built along the shoreline and extending 10 feet along the Ewa property line.

The proposed wall structure will join the rock walls which run along the side property lines. These six foot fences are made of 2 feet of grouted lava rock topped with redwood panels.

(3) Construction Characteristics

The proposed wall will be a standard reinforced fully grouted CMU wall approximately 4 feet high with a coral rock veneer. A 24 inch open grate iron fence will be placed on top of the CMU wall for a total height for wall and fence of 6 feet. Foundation for the makai wall will be as shown on the plans. The seaward side of the wall foundation will be placed at the certified shoreline.

A gate will be placed in the iron grate fence at the Kaena Point end of the wall. Approximately 2 feet of topsoil fill will be placed behind the wall, mauka for 20 feet, to level the property.

III. AFFECTED ENVIRONMENT

A. Site & Surrounding Area

The property at 84-197 Makau is one of a number of private residences situated makai of Farrington Highway along the Makaha coast between Makaha Beach Park and Keeau Beach Park on what is called Kepuhi Point.

The property is zoned R-10 Residential and is designated Residential on the Development Plan. Included in the objectives for the preservation of the natural environment, the General Plan states that there shall be "sufficient setbacks of improvements in unstable shoreline areas to avoid the future need for protective structures". The shoreline of this particular section of the Makaha coast is not sandy beach and therefore is not considered to be an unstable shoreline. As the shoreline in this area consists of an extended shelf of lava rock, the construction of the wall would have little or no impact on the concerns of the General Plan regarding protective shoreline structures.

B. Flood Hazard District

The subject property is located in the flood hazard area "AE" and "VE" where base flood elevations have been determined at 12 feet for both areas. Coastal flood with velocity hazard wave action may occur in the "VE" zone. The makai wall along the certified shoreline is in the "VE" zone with a flood elevation of 12 feet. The base of the wall will rest on the lava rock outcrop which has an elevation of 11 to 12 feet above the mean sea level, very close to the flood elevation. During storm surges water, water will hit the wall and be deflected. This is the purpose for the wall. A portion of the fence and walls along the sides of the property are in the "VE" zone and a portion is in the "AE" zone.

The elevation at the lava rock increases to slightly over 12 feet along the sides of the property, hence the rock walls will be at 12 feet or above. The walls will serve to protect the property from wave action and to stem run off into the ocean from the land along the shoreline frontage which will not only protect the residence on this property but also adjoining properties and inland areas. All structures that are a part of the house comply with the Federal Flood Insurance Program.

The makai wall and fence are in the VE zone. the side walls and fence are in both the VE and AE zones. A flood hazard district certification by a licensed engineer is included certifying that the structures and improvements will not affect the regulatory flood not aggravate existing flood related erosion hazards, and the structures and improvements would not result in increase of the regulatory flood levels.

C. Coastal Views

The project site is a private residential property along the Makaha coast. Due to the nature of the shoreline (which is extremely rocky) there is little pedestrian activity. The construction of a four foot vertical seawall with a two foot open iron grillwork fence will not obstruct or detract from any coastal views. The proposed seawall will be faced with a coral rock veneer and have a natural appearance and; therefore, will be similar in aesthetic appearance to the surrounding parcels with shoreline structures.

D. Project Site in relation to publicly owned or used beach access points, beach parks and recreation areas; rare, threatened, or endangered species and their habitats; wildlife preserves; wetlands, lagoons, tidal lands and submerged lands; fisheries and fishing grounds; other coastal/natural resources.

The nearest public beach parks are Makaha Beach Park approximately 800 feet east of the property and Keeau Beach Park .33 miles west (see enclosed tax map). Public access to the shore will not be affected by the shoreline structure. There is lateral access along this shoreline which is used mainly by local fisherman and its recreational use will not be diminished by the proposed action. There are access paths to the ocean which are jointly owned by the residents of the subdivision approximately 100 feet on the Ewa side of the property and 400 feet on the Kaena Point side.

The project will have no significant adverse effect on coastal ecosystems or other coastal/natural resources. Runoff will be controlled at the project site. Best management practices will be applied in site construction activities.

E. Location maps, site plans and photos included

IV. PROJECT IMPACTS AND MITIGATION MEASURES

Almost all the property owners along this portion of the Makaha shoreline have had to construct protective walls to stop the damage to their property and structures. Thus, there are existing walls on adjacent properties to the east and west. The effect of the walls on shoreline processes at this location has been negligible. There was previously a wall on the applicant's property which was partially destroyed by Hurricane Iniki.

There will be no measurable impacts on the sea floor or on ocean processes from the wall.

The ocean is approximately 10 feet deep at the edge of the rock outcrop. The outcrop is approximately 11 to 12 feet above the ocean surface. Thus the face of the lava outcrop, which is essentially vertical, is 21 to 22 feet in height. During normal sea conditions waves hit the face of the lava outcropping and bounce back seaward. This could have a considerable influence on the sea floor substrate characteristics.

During storm surge conditions waves hit the lava rock face with such force that water is propelled onto the surface of the rock outcrop, and travels 40 feet inland where it will meet the proposed wall and be reflected back another 40 feet along the surface of the rock outcrop, and fall 12 feet into the ocean. It is truly difficult to accept that the water reflected by the proposed wall will have any measurable impact on the sea floor substrate characteristics when compared to the impacts caused by the normal wave action.

A number of mitigative measures are proposed to reduce or eliminate the potential impacts of the wall construction. One is the use of best management practices during all phases of construction which will include the following actions.

1. All work will be done when the wave action is low such that no water is flowing over the site of the wall. All excavated rock from the wall foundation channel will be taken mauka beyond any possible wave action to prevent the rock from going into the ocean.
2. There will be no release of any petroleum products into the ocean or surrounding area.

3. All construction debris will be removed and disposed of in accordance with City regulations.
4. Coastal areas outside of the property will not be disturbed.
5. All personnel working on the site will be briefed on the requirement to adhere to best management practices in the performance of their work.
6. All construction material temporarily stored on site will be stored mauka of any possible wave action and secured from the weather so that it cannot be washed into the ocean.
7. Materials stored on site, to the extent possible, will be kept in their original containers with the original manufacturers label.
8. There will be no night work.

The wall will have a natural coral rock veneer which is more visually appealing than the standard CMU wall or concrete faced wall structure.

V. ALTERNATIVES CONSIDERED

A. No action One alternative would be to not build a wall leaving the shoreline frontage of the lot unprotected. This action would potentially expose the property to severe damage from storm wave action. It would also contribute to the silting of the ocean at the shore from dirt and debris. The no-action alternative is therefore not considered reasonable.

B. Other alternatives which have been considered would be to construct a sloping rock revetment in place of the vertical wall or to attempt a "soft structure" and non-structural solution such as sand bags. Both of these alternatives are more suitable for beach shorelines and not shorelines which consist of lava rock or coral. They would also be less aesthetically attractive.

VI. COMMENTS RECEIVED ON THE DRAFT ENVIRONMENTAL ASSESSMENT

The draft EA was published in the April 23, 2000 OEQC Bulletin. Copies of the EA were submitted for review and comment to the OEQC, Waianae Public Library and Neighborhood Board , Various Agencies for the City and County of Honolulu Department of Planning and Permitting, the Office of Environmental Quality Control, the Environmental Center University of Hawaii at Manoa, State of Hawaii Department of Land and Natural Resources, State of Hawaii Department of Health.

Two presentations were given to the Waianae Neighborhood Board. The first was given on May 11, 2000 to their Planning and Zoning Committee. The project was approved. The second presentation was given to the full Board at their regular monthly meeting on June 5, 2000. The Board voted in favor of the project 16:4 with 4 abstentions. Minutes of the meeting are enclosed.

The following are the letters and comments that were received on the DEA and the responses.



WAI'ANAE COAST NEIGHBORHOOD BOARD NO. 24

c/o NEIGHBORHOOD COMMISSION • CITY HALL, ROOM 400 • HONOLULU, HAWAII 96813

**PLANNING & ZONING MEETING AGENDA
THURSDAY, MAY 11, 2000
WAI'ANAE NEIGHBORHOOD COMMUNITY CENTER
85-870 FARRINGTON HIGHWAY
6:00 P.M. - 7:30 P.M.**

RECEIVED
CITY CLERK
C&C OF HONOLULU
MAY 4 11 42 AM '00

1. CALL TO ORDER/WELCOME
2. ANNOUNCEMENTS
3. NEW BUSINESS:
 - A. AFTER -THE- FACT SHORELINE SETBACK VARIANCE, 84-849 MOUA STREET, AM MAKAHA, WAI'ANAE (RETENTION OF 3- INCH HIGH CONCRETE RUBBLE MASONRY RETAINING WALL AND CONSTRUCTION OF NEW WROUGHT IRON FENCE WITHIN THE 40-FOOT SHORELINE SETBACK.
 - B. SHORELINE SETBACK VARIANCE, 84-197 MAKAU, WAI'ANAE (8-4-10:1) CONSTRUCT A 48" HIGH, 66-FOOT LONG, ROCK WALL ALONG THE CERTIFIED SHORELINE.
4. UNFINISHED BUSINESS:
5. ADJOURNMENT

**LEGISLATIVE COMMITTEE AGENDA
THURSDAY, MAY 11, 2000
7:30 P.M. TO 8:30 P.M.**

1. CALL TO ORDER/WELCOME
2. ANNOUNCEMENTS
3. NEW BUSINESS:
 - A. UNEQUAL SENATE TERM
 - B. LEGISLATIVE WRAP UP
 - C. INITIATE LEGISLATIVE PLAN OF ACTION FOR 2001
4. UNFINISHED BUSINESS:
5. ADJOURNMENT

Wai'anae Coast Neighborhood Board No. 24 is a drug/alcohol free community meeting.

ANY DISABLED PERSON REQUIRING ACCOMMODATION TO PARTICIPATE AT THIS MEETING
MAY CALL THE NEIGHBORHOOD COMMISSION OFFICE AT 523-4089 OR 527-8749 FOR ASSISTANCE



Oahu's Neighborhood Board System-Established 1973


WAIANAE COAST NEIGHBORHOOD BOARD NO. 24

c/o NEIGHBORHOOD COMMISSION • CITY HALL, ROOM 400 • HONOLULU, HAWAII 96818

**MINUTES OF REGULAR MEETING
JUNE 6, 2000
WAI ANAE COMMUNITY CENTER**

CALL TO ORDER: Chair Cynthia Rezentes called the meeting to order at 7:00 p.m. with a quorum present. Boddy led the audience in the Pledge of Allegiance.

MEMBERS PRESENT: Alvin Awo, Richard Boddy, Harry Choy, David Escalante, Charles Herrmann, Jr., Georgette Jordan, Daphne Kahawai-Tom, John Kaopua III, David Keawe, Denton Kissell, James Manaku, Sr., Chrysanthea Morgan, Steve Olbrich, Cynthia Rezentes, Danny Rodrigues, Rocky Rogers, Frank Slocum, Mark Sulso, Patty Teruya, Naddie Waiamau-Nunuha.

MEMBERS ABSENT: Karon Awana, Paulette Dibibar, Rogina Keawe, Sunday Paris, Albert H. Silva.

GUESTS: Officer Avery Choy, Lt. Kenneth Andrade and Sgt. Dennis Yamashiro (HPD), Captain Robert Lenchanko (HFD), Cliff Jamilo (Mayor's Representative), Donna Broome (Councilmember John DeSoto's office), Senator Colleen Hanabusa, Representative Emily Auwae, Dicky Johnson (Representative Auwae's office), Ron Schaedel (Governor's Representative), Captain Carl Kimball (U.S. Army), Cecelia Chang (City Prosecutor's Office), Ed Harper (MVT), Dennis Fortna (C&C), Duke Chung and Wayne Tello (BWS), Don Clagg (Analytical Planning), Nettie Armitage-Lapilio and Lyn Worley (Waianae Coast Coalition), Michelle Matson (Diamond Head-Kapahulu-St. Louis Heights Neighborhood Board), Dave Chun (McCully-Moiliili Neighborhood Board), Mahealani Cypher (Koolau Foundation), Denise DeCosta, Faith Arakawa, Pat Camara, Thomas Likos, Charles White, Andrew and Layla Dedrick, Tom Caldwell, Art Frank, Dennis and Kathy Kamada, Momi Kanahela, Elizabeth Kam, Elena Lactaon (Neighborhood Commission Office staff).

APPROVAL OF JUNE 6, 2000 REGULAR MEETING AGENDA - Chair Rezentes noted Col. Joe Riojas is unable to attend tonight's meeting; a Certificate of Appreciation will be given to him at the change of command ceremony on Friday. Teruya moved and Herrmann seconded to remove Item A under Reports and Announcements, and approve the agenda as amended. The motion carried unanimously, 18-0-0. (Awo, Boddy, Choy, Escalante, Herrmann, Jordan, Kahawai-Tom, D. Keawe, Kissell, Manaku, Morgan, Olbrich, Rezentes, Rodrigues, Rogers, Slocum, Teruya, Waiamau-Nunuha)

APPROVAL OF MAY 2, 2000 REGULAR MEETING MINUTES - The following corrections were noted: 1) Page 1, under GUESTS, "Brian Loudermilk" should be "Bryan Loudermilk". 2) Page 2, third paragraph under U.S. ARMY, 4th line, add "Artillery" after "25th Infantry Division". 3) Page 5, third to last paragraph under WAIANAE COAST COALITION UPDATE, replace "Monday" with "Wednesday". Escalante moved and Manaku seconded to approve the May 2, 2000 regular meeting minutes as corrected. The motion carried unanimously, 18-0-0.

REPORTS AND ANNOUNCEMENTS:

ELECTION OF BOARD OFFICERS FOR 2000-2001 TERM - The following offices were elected:

CHAIR - Teruya nominated Rezentes. Herrmann moved and Kahawai-Tom seconded to close the nominations. The motion carried unanimously, 18-0-0. By acclamation, Rezentes was elected Board Chair.

VICE CHAIR - Boddy nominated Silva. Waiamau-Nunuha moved and Rogers seconded to close the nominations. The motion carried unanimously, 18-0-0. By acclamation, Silva was elected Board Vice Chair. Chair Rezentes noted this action is contingent upon Silva accepting the position.

SECRETARY/TREASURER - Herrmann nominated Kahawai-Tom, however, Kahawai-Tom declined the nomination. Waiamau-Nunuha nominated Teruya. Manaku moved and Waiamau-Nunuha seconded to close



Oahu's Neighborhood Board System-Established 1973

WAI'ANAE COAST NEIGHBORHOOD BOARD NO. 24
REGULAR MEETING MINUTES
JUNE 6, 2000 PAGE 5

Concerns and comments followed: 1) Suggestions were made to track down the origin of chemicals used to make drugs and cooperate with convenience stores that attract drug activities. 2) Mandatory drug treatment programs are needed in prisons. Chang noted she is not familiar with the programs of the State Department of Public Safety. She explained the process of the "drug courts". 3) The Board thanked Chang for the information.

UNFINISHED BUSINESS:

PUBLICITY STRATEGY FOR 2000-2001 - Manaku moved and Kaopua seconded to consider videotaping regular Board meetings for broadcast on Olelo. Discussion followed: 1) Herrmann explained that Sparky Rodrigues is willing to find the funds to broadcast the meetings; labor will be free of charge. The Board can use its Publicity funds to supplement outside donations. 2) Teruya noted the Publicity funds have been used for publishing articles in the Westside Stories newspaper for \$200 a month; the newspaper is distributed to every household on the Waianae Coast. 3) Suiso noted the need for more information regarding Olelo. The Board may consider having both newspaper article and Olelo broadcasts of the regular meetings. Manaku and Kaopua withdrew the motion.

Herrmann moved and Escalante seconded to defer this matter to next month's meeting and obtain information on videotaping regular Board meetings for broadcast on Olelo. The motion carried, 15-0-2. Abstain: Boddy, Olbrich. Awo, Morgan and Waiamau-Nunuha were away from the table.

"COFFEE MONEY" USE STRATEGY - Teruya moved and Morgan seconded to utilize the Board's Refreshment Account funds on a quarterly basis. The motion carried, 18-1-0. Nay: Escalante. Awo was away from the table.

AFTER-THE-FACT SHORELINE SETBACK VARIANCE FOR 84-849 MOUA STREET - Herrmann moved for the Planning and Zoning (P&Z) Committee that the Waianae Coast Neighborhood Board supports the after-the-fact shoreline setback variance application for 84-849 Moua Street. Resident Tom Likos had concerns because setbacks are implemented to protect the shoreline and provide beach access.

Suiso called for the question. The motion to call for the question failed, 9-9-2. Aye: Awo, Boddy, Herrmann, Jordan, Kahawai-Tom, Kaopua, Morgan, Slocum, Suiso. Nay: Choy, Escalante, D. Keawe, Manaku, Olbrich, Rezentes, Rogers, Teruya, Waiamau-Nunuha. Abstain: Kissell, Rodrigues.

Olbrich pointed out that at the P&Z Committee meeting, he abstained on the motion.

Don Clegg, consultant from Analytical Planning, provided handouts and explained the shoreline setback laws. The 30-inch high wall will have an additional 3½-foot wrought iron fence. No beach processes or access will be modified or impacted since the shoreline has lava rocks and no sand. All neighboring houses have sea walls.

The motion carried, 18-0-2. Abstain: Kissell, Olbrich.

SHORELINE SETBACK VARIANCE FOR 84-197 MAKAU STREET - Herrmann moved for the Planning and Zoning (P&Z) Committee that the Waianae Coast Neighborhood Board supports the shoreline setback variance application for 84-197 Makau Street. Clegg provided handouts and noted there will be adequate beach access. The certified shoreline lies along the property line. The proposed 40-inch cement wall with a 2-foot open fence will provide protection during wave surge times.

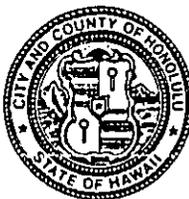
Concerns and comments followed: 1) The shoreline is certified by the Department of Land and Natural Resources (DLNR) according to the high wash of waves, not the surge of waves. 2) Andrew Dedrick, the property owner, explained there is a 8 to 10 feet drop beyond the 30-foot coral shelf. Water does not go up to the property, unless during severe weather conditions. Most homes in the area also have walls. 3) Shoreline revetments or sloping walls only pertain to sandy shorelines endangered by erosion. 4) Fishermen usually do not fish during high surges. 5) Tom Caldwell noted the need for an engineered wall design to allow proper run off.

The motion carried, 16-0-4. Abstain: Choy, Kissell, Manaku, Olbrich.

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 523-4414 • FAX: (808) 527-6743 • INTERNET: www.co.honolulu.hi.us/planning

JEREMY HARRIS
MAYOR



RANDALL K. FUJIKI, AIA
DIRECTOR

LORETTA K.C. CHEE
DEPUTY DIRECTOR

2000/SV-6 (ASK)

May 25, 2000

Mr. Donald A. Clegg
Analytical Planning Consultants, Inc.
928 Nuuanu Avenue, Suite 502
Honolulu, Hawaii 96813

Dear Mr. Clegg:

Draft Environmental Assessment (DEA)
After-the-fact Shoreline Setback Variance
CMU Wall, Fence and Fill
Dewain Dedrick
84-197 Makau Street - Waianae
Tax Map Key 8-4-10: 1

We are forwarding copies of all comments we have received related to the Draft Environmental Assessment (DEA) of the above-referenced project.

In accordance with the provisions of Chapter 343, Hawaii Revised Statutes (HRS), you must respond in writing to these and any other comments which were received during the 30-day comment period which began with publication of a notice of availability of the DEA in The Environmental Notice on April 23, 2000. The Final Environmental Assessment (FEA) must include these comments and responses, as well as revised text, if appropriate.

Our comments are as follows:

Alternatives

Page 7 of the DEA notes "no-action" and a sloping revetment as project alternatives. The FEA should include as a third alternative a lower wall topped with a security fence located at the vegetation line (the location of which is clearly shown in photos numbered "8" and "9" of the DEA). This alternative should substitute open, rather than solid fencing, along the side yards.

Shoreline

1. The DEA contains conflicting information regarding the stability of the shoreline.

Pages 3 and 7 indicate that during high tides or surf, ocean waves wash through the chain link fence over the makai portion of the property. This condition is clearly shown in photos 8, 9 and 17. We note, however, that the shoreline survey seems to indicate that the shoreline is further seaward. The FEA should include a site plan identifying the location of the vegetation line.

Pages 4, 5, and 6 state that the property is subject to coastal wave action and erosion. This suggests that waves commonly run-up landward of the proposed CMU wall and that the property is experiencing erosion.

Other sections (e.g. page 5) of the DEA state that the shoreline consists of a fixed "lava rock" shoreline. The FEA should resolve this apparent conflict by either stating that the shoreline is stable and unchanging or that it is eroding. Evidence to support either claim should be included.

2. If the proposed wall is to prevent erosion and to fix the shoreline, then it is defined as a shore protection structure. Shoreline variance applications for shore protection structures should include an "evaluation of the design of the structure by a registered professional structural engineer" as required in Section 17-2(b)(6) of our rules.
3. Based on the photos contained in the DEA and those on file in our office, sand appears to have been placed in the shoreline area. The FEA should describe the approximate volume of sand and disclose when it was placed in the shoreline area.

Project Description

1. Wall sections indicate that the footing will be embedded in 16 inches below the surface of the "lava rock". The FEA should specify the construction methods to be used to install the wall footing. Where will excavated material be disposed?

Mr. Donald A. Clegg
Page 3
May 25, 2000

2. The type and volume of back fill material should be described in the FEA.
3. The project description should be clarified. We suggest that the FEA include a plan showing existing conditions and label existing structures "to remain" or "to be removed" and a proposed site plan labeling structures as "new" if they require approval under the variance. We presume the existing chain link fence along the shoreline will be removed. Please confirm this.
4. A more complete background of the property should be provided. The FEA should describe and disclose the unauthorized fence walls in the shoreline setback area. When were these structures built? The FEA should describe the recently constructed house addition. The distance of the previously existing house and the new addition should be disclosed in the FEA.
5. Page 6 of the DEA states that "best management practices" will be used during all phases of construction. The FEA should be more explicit and describe possible mitigation measures.
6. The FEA should include a site plan which is drawn to an identified scale.

Flood

The FEA should explicitly describe how the proposal will meet flood hazard requirements. Is the fence wall in the VE or AE zone? Is the proposed wall above the flood hazard elevation?

Significance Criteria

The FEA must be expanded to provide an additional section which addresses each of the significance criteria pursuant to the EIS regulations, Section 11-200-12, Hawaii Revised Statutes (HAR).

Filing Fee

As specified in Section 23-1.2(b) the filling fee for structures which have been completed is \$400.

Mr. Donald A. Clegg
Page 4
May 25, 2000

Should you have any questions, please contact Ardis Shaw-Kim of
our Land Use Approvals Branch at 527-5349.

Sincerely yours,

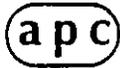


for RANDALL K. FUJIKI, AIA
Director of Planning
and Permitting

RKF:lg
Enclosures

cc: Office of Environmental Quality Control

DN 39580



PHONE (BUS): (808) 536-5695
FAX: (808) 599-1553

ANALYTICAL PLANNING CONSULTANTS, INC.
928 NUUANU AVENUE, SUITE 502 • HONOLULU, HI 96817

August 25, 2000

Mr. Randy Fujiki, Director
Department of Planning and Permitting
650 So King St. 7th floor
Honolulu, HI 96813

Dear Mr. Fujiki

Thank you for responding to the Environmental Assessment which was submitted to the Department of Planning and Permitting for the proposed seawall in the shoreline setback area 84-197 Makua Street in Waianae on the island of Oahu (TMK: 8-4-010:001). Your letter and our comments, as outlined below, have been included in the Final Environmental Assessment.

COMMENT: Alternatives

1. The FEA should include as a third alternative a lower wall topped with a security fence located at the vegetation line. This alternative should substitute open, rather than solid fencing, along the side yards.

RESPONSE: The vegetation line shown in the photographs is more than forty feet from the certified shoreline hence, a shoreline setback variance is not needed to construct a wall at this location. Construction of a wall out side of the 40 foot shoreline setback is the same as a "no action" alternative because there are no shoreline setback issues associated with this action.

Open fencing on top of the side walls rather than solid fencing within the shoreline setback is a viable alternative.

COMMENTS: Shoreline

1. The DEA contains conflicting information regarding the stability of the shoreline.

RESPONSE: The certified shoreline has been determined by a licensed surveyor, and certified by the State, to be at the makai end of the property as shown on Exhibit 1, identified as the "upper reaches of the wash of waves". The vegetation line shown in photo's 8 and 9 is grass planted by the owner above the shoreline setback in top soil imported by the owner. The grass is growing makai into the more sandy shoreline setback area. Thus, the "vegetation line" shown in the photographs is not a result of wave action and is not a determiner of the shoreline. In fact, there is no vegetation line at this shoreline location.

The certified shoreline is located at the upper wash of the waves resulting from normal tidal action and not at the high wash of the waves resulting from storm surges. If the latter were the case certified shorelines throughout the State would be placed at the high wash of the waves from hurricanes such as Iwa and Iniki. Quite correctly, this is not the current practice.

Photos 13-17, show wave action resulting from offshore storms and covering the lava outcropping. The effect is greater when storm surges occur during high tides. The photos show the potential impact of these waves on the property and why a wall is needed.

The property is not experiencing erosion, in the sense that part of the property is being washed into the sea such that the property is being diminished in size. Rather, when the water covers the land during these storm surges, it carries surface soil and debris into the ocean as each wave recedes. Water does not cover the surface of the land during the normal tidal wave action. Very likely, "erosion" is not the correct term to use to describe this type of ocean process.

The shore surface itself is solid lava rock and hence is stable and unchanging.

2. If the proposed wall is to prevent erosion and to fix the shoreline, then it is defined as a shore protection structure.

RESPONSE: The shoreline was determined by an independent analysis by a licensed surveyor and certified by the State to be located as shown on Exhibit 1, without the presence of a wall. The owner proposes to construct a wall along the certified shoreline hence the wall does not fix the shoreline and

is not a shore protection structure. Nevertheless, the plans for the wall and the side wall and fence have been prepared by a registered professional engineer.

3. The FEA should describe the approximate volume of sand and disclose when it was placed in the shoreline area.

RESPONSE: The native surface of the property is composed of mixture of sand and soil. In 1999 the owner moved approximately 4 cubic yards of this material from the front of the property to the makai part of the property in order to construct a driveway in front. The owner also placed topsoil in the area mauka of the forty foot shoreline setback. Grass that was planted in the top soil area is now growing into the sandy area.

COMMENTS: Project Description

1. Wall sections indicate that the footing will be embedded 16 inches below the surface of the lava rock. The FEA should specify the construction methods to be used to install the wall footing. Where will excavated material be disposed?

RESPONSE: The channel in the lava rock for the wall footing will be excavated using pneumatic jack hammers. If this process is unsuccessful a Backhoe with a hydraulic breaker will be used to break up the rock and Jack hammers used to shape the finished channel. Further construction details for the wall and footing are shown on the submitted plans.

2. Describe the type and volume of back fill described in the FEA.

RESPONSE: The owner plans to backfill behind the wall to a depth of 2 feet from the wall to approximately 40 feet mauka of the wall (approximately 60 cubic yards of top soil). The rock removed from the channel will be placed behind the wall and covered with soil.

3. The project description should be clarified.

RESPONSE: The section on the project description has been expanded to show existing structures to stay and new structures. The existing chain link fence will be removed.

4. A more complete background of the property should be provided.

RESPONSE: The FEA has been expanded to more fully describe the status and history of the existing fence and walls and the house construction.

5. The FEA should be more explicit and describe the possible mitigation measures to be taken as a part of the best management practices to be used in constructing the wall.

RESPONSE: The section on best management practices has been expanded to cover these issues.

6. The FEA should include a site plan drawn to an identified scale.

RESPONSE: A site plan showing existing and proposed structures on the property that are in the shoreline setback area and those outside of the shoreline setback is included in the FEA.

COMMENT: Flood

1. FEA should describe how the proposal will meet flood hazard requirements. Is the fence wall in the VE or AE zone? Is the proposed wall above the flood hazard elevation?

RESPONSE: The following has been included in the FEA:

The makai wall and fence are in the VE zone. The side walls and fence are in both the VE and AE zones. A flood hazard district certification by a licensed engineer is included certifying that the structures and improvements will not affect the regulatory flood not aggravate existing flood related erosion hazards, and the structures and improvements would not result in increase of the regulatory flood levels.

COMMENT: Significant Criteria

1. FEA must address the significant criteria pursuant to the EIS regulations, Section 11-200-12, Hawaii Revised Statutes.

RESPONSE: This has been included in the FEA.

COMMENT: Filing fee

1. Filing fee is \$400 for structures that have been completed.

RESPONSE: The appropriate filing fee will be submitted with the FEA.

If you have any further comments or questions please contact me at 536-5695.

Sincerely,


Donald Clegg
President

BENJAMIN J. CAYETANO
GOVERNOR



GENEVIEVE SALMONSON
DIRECTOR

STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

235 SOUTH BERETANIA STREET
SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 586-4185
FACSIMILE (808) 586-4186

May 23, 2000

Mr. Randall K. Fujiki, Director
Department of Design and Construction
City and County of Honolulu
650 South King Street, Second Floor
Honolulu, Hawaii 96813

Dear Mr. Fujiki:

Subject: Dedrick Shoreline & Side Yard Fence/Walls, Waianae, Oahu

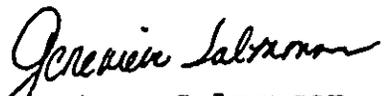
Thank you for the opportunity to review the subject document. We have the following comments.

1. We recommend that the existing structures within the shoreline setback area be removed and future structures not be approved because these improvements may adversely affect public access along the shoreline. Intense wave actions, which are known to occur in this area, poses danger to the public (recreational users and local fishermen) who use this shoreline segment.
2. The proposed makai wall could be built 40 feet inland of the shoreline (and outside the shoreline setback area) and would still be able to protect the house, which is located 60 feet mauka of the shoreline setback. Please fully analyze this alternative.
3. Please discuss the findings and reasons for supporting the FONSI determination based on the significant criteria listed in §11-200-12 of the EIS rules. Please see the enclosed example.
4. These activities will cause adverse water quality impacts. Please provide details of the Best Management Practice (BMP) procedures that will be implemented to minimize water quality impacts.
5. We recommend that all wall structures be constructed from natural rocks or boulders to improve visual quality.

Mr. Fujiki
Page 2

Should you have any questions, please call Jeyan Thirugnanam at
586-4185.

Sincerely,


Genevieve Salmonson
Director

c: Dewain Dedrick
APC



PHONE (BUS): (808) 536-5695
FAX: (808) 599-1553

ANALYTICAL PLANNING CONSULTANTS, INC.
928 NUUANU AVENUE, SUITE 502 • HONOLULU, HI 96817

August 4, 2000

Ms. Genevieve Salmonson, Director
Office of Environmental Control
State of Hawaii
235 So Beretania St. Suite 702
Honolulu HI 96813

Dear Ms. Salmonson

Thank you for responding to the Environmental Assessment which was submitted to the Department of Planning and Permitting for the proposed seawall in the shoreline setback area 84-197 Makua Street in Waianae on the island of Oahu (TMK: 8-4-010:001). Your letter and our comments, as outlined below, have been included in the Final Environmental Assessment.

COMMENTS:

1. We recommend that the existing structures within the shoreline setback area be removed and future structures not be approved because these improvements may adversely affect public access along the shoreline. Intense wave actions, which are known to occur in this area, poses danger to the public (recreational users and local fishermen) who use this shoreline segment.

RESPONSE: It is not appropriate to require a homeowner to permit the public unlimited access to his property. The improvements proposed in the shoreline set back area are all on the applicants property and will not affect public access along the shoreline. There will be approximately 40 feet of the lava rock outcrop between the proposed wall and the drop off into the ocean. This provides more than adequate lateral access for recreational users and fisherman to move along the shoreline.

The nearest public beach parks are Makaha Beach Park approximately 800 feet east of the property and Keeau Beach Park .33 miles west (see enclosed tax map).

Public access to the shore will not be affected by the shoreline structure. There is lateral access along this shoreline which is used mainly by local fisherman and its recreational use will not be diminished by the proposed action. There are access paths to the ocean which are jointly owned by the residents of the subdivision approximately 100 feet on the Ewa side of the property and 400 feet on the Kaena Point side.

During times of intense wave action there is as very real danger and the public should stay clear of this area of the shoreline.

2. The proposed makai wall could be built 40 feet inland of the shoreline (and outside the shoreline setback area) and would still be able to protect the house, which is located 60 feet mauka of the shoreline setback. Please fully analyze this alternative.

RESPONSE: The purpose of the wall is not only to protect the house, as the reviewer suggests, but to permit the property owner to use and landscape his property, within the constraints imposed by the shoreline set back provisions. In this area, without the wall for protection from storm surges, this would be impossible. The Shoreline Setback provisions do not require a land owner to "abandon" his property in the shoreline setback area, rather use of the property is permitted within the constraints imposed by the statute. This is what is occurring on this property.

On this area of coastline, there is no environmental benefit to be gained, or environmental processes that are being degraded by placing a protective wall at the certified shoreline.

3. Please discuss the findings and reasons for supporting the FONSI determination based on the significant criteria listed in paragraph 11-200-12 of the EIS rules.

RESPONSE: The discussion of the significant criteria will be included in the FEA.

4. These activities will cause adverse water quality impacts. Please provide details of the Best Management Practice procedures that will be implemented to minimize water quality impacts.

RESPONSE: It is difficult to see how construction of a masonry wall, 44" high and 56 feet long, 30 feet from the waters edge, on a lava rock outcrop that is 12 feet above the water level, will cause adverse water quality to the Ocean. Nevertheless, the following "best management practices" will be observed:

1. All work will be done when the wave action is low such that no water is flowing over the site of the wall. All excavated rock from the wall foundation channel will be taken mauka beyond any possible wave action to prevent the rock from going into the ocean.
2. There will be no release of any petroleum products into the ocean or surrounding land area.
3. All construction debris will be removed and disposed of in accordance with City regulations.
4. Coastal areas outside of the property will not be disturbed.
5. All construction material temporarily stored on site will be stored mauka of any possible wave action and secured from the weather so that it cannot be washed into the ocean.
6. All personnel working on the site will be briefed on the requirement to adhere to best management practices in the performance of their work.
7. Materials stored on site, to the extent possible, will be kept in their original containers with the original manufacturers label.
8. There will be no night work.

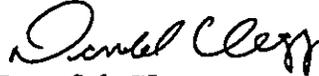
5. We recommend that all wall structures be constructed from natural rocks or boulders to improve visual quality.

RESPONSE: In order to withstand the wave forces generated by storm surges, a wall constructed only with natural rocks or boulders would need to be very massive. Further it would be difficult to anchor such a wall to the underlying rock shelf.

Instead the applicant is proposing to construct a much less massive, stronger wall using cement block reinforced with rebar and cement and securely attached to the underlying rock shelf. For aesthetics, a coral veneer will be attached to the outside surfaces of the wall which will give it the appearance of a natural rock wall.

If you have any further comments or questions please contact me at 536-5695.

Sincerely,



Donald Clegg
President

**COPY**

University of Hawai'i at Mānoa

Environmental Center
A Unit of Water Resources Research Center
2550 Campus Road • Crawford 917 • Honolulu, Hawai'i 96822
Telephone: (808) 956-7381 • Facsimile: (808) 956-3980

May 23, 2000
EA: 00194

Dewain Dedrick
84-197 Makau
Wai'anae, Hawai'i 96792

Dear Mr. Dedrick,

Dedrick Shoreline Setback Variance
Environmental Assessment
Wai'anae, Oahu

The applicant is proposing to construct a 6-foot high fence/wall along the shoreline and a portion of the left property boundary, as well as after the fact approval of existing fences along the side yard.

This review was prepared with the assistance of Charles Fletcher, Geology and Geophysics, and Jolie Wanger, Environmental Center.

General Comments

We believe this action may require a Conservation District Use Permit from the Department of Land and Natural Resources. Photo #17 shows a chain link fence with a wave running about 10-15 feet beyond it in the State's Conservation Zone. This fence is on state property because it appears to be makai of the shoreline, and any proposed actions regarding the fence is therefore a state issue.

There is an inconsistency in this document concerning the stability of the shoreline. On page 5, Section III A. Site & Surrounding Area, the shoreline is characterized as being stable. In the next section B. Flood Hazard District, it is stated that the wall will "stem erosion from the land along the shoreline frontage ..." Either the shoreline is stable or it is not.

Alternatives

The existing residence is located at least 100 feet from the shoreline. This seems to be an adequate buffer from the ocean in most cases. If the problem is protecting the residence from unusual storm wave, it makes sense to build the wall outside the shoreline setback area. This alternative was not contemplated in the V. Alternatives Considered section, yet it would present

a solution to the homeowner's problem without requiring a variance, or anything more than a building permit.

A wall previously constructed in the shoreline setback area failed during Hurricane Iniki in 1992. Building another wall in the same area is inviting failure. Building the wall outside the setback area, closer to the residence will make the wall less susceptible to failure in the event of a large storm. This solution may not be aesthetically attractive but it may be more environmentally sound.

Environmental Impacts

Regarding replacing the fence with a rock wall, this will cause the waves to be reflected, which doubles the amount of wave energy in the offshore zone, and will change the sea floor substrate characteristics. This increases the volume of erosion. There seems to be a misconception that a rocky shoreline is a dead environment; these shorelines are natural, legitimate coastal environments and are disturbed by the energy created by such vertical barriers. Additionally, the progressive erosion along this shoreline is a natural process. Because erosion is not due to the removal of sand budgets, walls built will interfere with this natural process.

Conclusion

The potential environmental impacts of building a vertical rock wall in the shoreline setback area are not discussed adequately in this EA. Permitting shoreline armoring should be discouraged, because it exacerbates a natural, progressive problem along Hawaii's shorelines. The fact that the shoreline is not a sandy beach should not automatically lead to the conclusion that there will be no environmental impacts caused by the construction of a vertical wall in the shoreline setback zone.

Another alternative should be considered in the analysis, that of building a barrier outside the setback area. It will help protect the residence from storms while having very few impacts outside of aesthetics.

We believe that it is necessary to apply for a Conservation District Use Permit for the existing and any proposed future actions involving the shoreline on this property, because the existing fence appears to be on state lands.

Thank you for the opportunity to review the Draft Environmental Assessment.

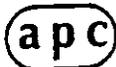
Sincerely,



Peter Rappa

Environmental Review Coordinator

CC. OEQC
James Moncur, Water Resources Resource Center
Ardis Shaw-Kim, Department of Planning and Permitting
Donald Clegg, Analytical Planning Consultants, Inc.
Charles Fletcher, Geology & Geophysics
Jolie Wanger, Environmental Center



PHONE (BUS): (808) 536-5695
FAX: (808) 599-1553

ANALYTICAL PLANNING CONSULTANTS, INC.
928 NUUANU AVENUE, SUITE 502 • HONOLULU, HI 96817

August 4, 2000

Mr. Peter Rappa
Environmental Review Coordinator
Environmental Center
University of Hawaii at Manoa
2550 Campus Road - Crawford 917
Honolulu, HI 96822

Dear Mr. Rappa

Thank you for responding to the Environmental Assessment which was submitted to the Department of Planning and Permitting for the proposed seawall in the shoreline setback area 84-197 Makua Street in Waianae on the island of Oahu (TMK: 8-4-010:001). Your letter and our comments, as outlined below, have been included in the Final Environmental Assessment.

COMMENTS:

1. The action may require a Conservation District Use Permit.

RESPONSE: The shoreline has been surveyed by a registered surveyor and has been certified by the Department of Land and Natural Resources as being along the fence line. The property line is a few feet makai of the certified shoreline. The property mauka of the certified shoreline is in the State Urban District and thus, a Conservation District Use Permit is not required

The photo referenced by the reviewer, shows wave action resulting from storm surges that goes mauka of the fence in some areas, ie. mauka of the certified shoreline. The photo was included to show the impact of storm surges on the property and why a wall is needed.

The certified shoreline is located at the upper wash of the waves resulting from normal tidal action and not at the high wash of the waves resulting from storm surges. If the latter were the case certified shorelines throughout the State would be placed at the high wash

of the waves from hurricanes Iwa and Iniki. This is obviously not a meaningful or acceptable criteria.

It should also be noted that the comment "This fence is on State property because it appears to be makai of the shoreline...." is incorrect. Instead, it is correct to state that while property makai of the shoreline is under the jurisdiction of the State it is not necessarily owned by the State. In this case the fence is on privately owned property.

2. Inconsistency regarding erosion in Sections III A and B of the DEA.

RESPONSE: In paragraph "A" the DEA states that the shoreline is characterized as being stable and in paragraph "B" it is stated that the wall will "stem erosion from the land along the shoreline frontage." The reviewer comments that either the shoreline is stable or it is not.

As stated in the DEA, the shore consists of a lava rock outcropping that ends in a drop off of approximately 10 to 12 feet into the sea. There is no beach and the shoreline is very stable. The erosion referred to is earth products and debris that are washed into the ocean as a result of storm surges that force water high onto the shore. The wall will retard storm surges from going up onto the shore and will retain debris from water that gets over the wall and then flows back to the ocean.

3. Build the wall closer to the house outside the shoreline setback area.

RESPONSE: The purpose of the wall is not only to protect the house, as the reviewer suggests, but to permit the property owner to use and landscape his property, within the constraints imposed by the shoreline set back provisions. In this area, without the wall for protection from storm surges, this would be impossible. The Shoreline Setback provisions do not require a land owner to "abandon" his property in the shoreline setback area, rather use of the property is permitted within the constraints imposed by the statute. This is what is occurring on this property.

4. A wall previously constructed in the shoreline setback area failed during Hurricane Iniki in 1992. Building another wall in the same area is inviting failure. A wall

built closer to the house will be less susceptible to failure in another large storm.

RESPONSE: The proposed wall is not intended to provide protection from a major storm like Iniki. It will however, provide protection from smaller storm surges. If another Iniki occurs and the wall is destroyed, the owner will need to rebuild the wall. Fortunately storms as ferocious as Iniki occur relatively infrequently.

5. The wall will create wave energy in the offshore zone that will change the sea floor substrate characteristics.

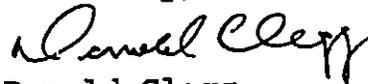
RESPONSE: This is speculation on the reviewers part. No evidence is presented that these impacts would occur in this location. In fact, speculation would lead to the conclusion that there would be no measurable impacts on the sea floor from the wall. It is only necessary to review the total environment of the area.

The ocean is approximately 10 feet deep at the edge of the rock outcrop. The outcrop is approximately 11 to 12 feet above the ocean surface. Thus the face of the lava outcrop, which is essentially vertical, is 21 to 22 feet in height. During normal sea conditions waves hit the face of the lava outcropping and bounce back seaward. This could have a considerable influence on the sea floor substrate characteristics.

During storm surge conditions waves hit the lava rock face with such force that water is projected onto the surface of the rock outcrop, and travels 40 feet where it will meet the proposed wall and be reflected back another 40 feet along the surface of the rock outcrop, and fall 12 feet into the ocean. It is difficult to accept that the water reflected by the proposed wall will have any measurable impact on the sea floor substrate characteristics when compared to the impacts caused by the ocean waves hitting the lava rock face.

If you have any further comments or questions please contact me at 536-5695.

Sincerely,



Donald Clegg
President

COPY



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
P.O. BOX 621
HONOLULU, HAWAII 96809

AQUACULTURE DEVELOPMENT PROGRAM
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
CONSERVATION AND RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
LAND DIVISION
STATE PARKS
WATER RESOURCE MANAGEMENT

May 1, 2000

Ref.: DEA84101.RCM

LD/NAV

Honorable Randall K. Fujiki, AIA
Director of Planning and Permitting
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Dear Mr. Fujiki:

SUBJECT: Review of Draft Environmental Assessment for construction of a rock wall mauka of the certified shoreline
Applicant: Dewain Dedrick 84-197 Makau - Waialanae, Oahu, Hawaii TMK 8-4-10: 1

CITY & COUNTY OF HONOLULU
MAY 5 PM 10 14

Thank you for the opportunity to review the subject matter.

A review of our shoreline records confirms certification of the shoreline as being November 24, 1999. Please be informed that the certification of the shoreline is in effect for a period of one year from the date of certification.

The applicant should submit to this department an engineer's drawing of the seawall so we can append it to the applicant's shoreline file for future reference should another certification of the shoreline be required. Furthermore, please inform the applicant that no structure is to be placed or constructed makai of the certified shoreline.

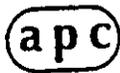
The department has no other comment to offer on the subject matter.

Should you have any questions, please contact Nicholas A. Vaccaro of our Land Division Support Services Branch at 587-0438.

Very truly yours,

Dean Y. Uchida
DEAN Y. UCHIDA
Administrator

C: Oahu District Land Office



PHONE (BUS): (808) 536-5695
FAX: (808) 599-1553

ANALYTICAL PLANNING CONSULTANTS, INC.
928 NUUANU AVENUE, SUITE 502 • HONOLULU, HI 96817

August 4, 2000

Mr. Dean Uchida, Administrator
Land Division
Department of Land and Natural Resources
State of Hawaii
P.O. Box 621
Honolulu, HI 96809

Dear Mr. Uchida

Thank you for responding to the Environmental Assessment which was submitted to the Department of Planning and Permitting for the proposed seawall in the shoreline setback area 84-197 Makua Street in Waianae on the island of Oahu (TMK: 8-4-010:001). Your letter and our comments, as outlined below, have been included in the Final Environmental Assessment.

COMMENTS:

1. The applicant has a certified shoreline dated November 24, 1999 which is in effect for one year.
2. The applicant should submit to this department an engineers drawing of the seawall so we can append it to the applicant's shoreline file for future reference should another certification of the shoreline be required. Furthermore, please inform the applicant that no structure is to be placed or constructed makai of the certified shoreline.

RESPONSE: The applicant will be so informed.

If you have any further comments or questions please contact me at 536-5695.

Sincerely,

Donald Clegg
President

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII



BRUCE B. ANDERSON, Ph.D., M.P.H.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801

In reply, please refer to:
File

May 22, 2000

00-067/epo

Mr. Randall Fujiki, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Dear Mr. Fujiki:

Subject: Draft Environmental Assessment
Applicant: Calvin & Helen Kamada
Request: After-the-Fact Shoreline Setback
Variance (2000/SV-5)
Location: 84-849 Moua Street, Makaha, Waianae
TMK: 8-4-05:17

Thank you for allowing us to review and comment on the subject
variance application. We do not have any comments to offer at
this time.

Sincerely,


GARY GILL
Deputy Director for
Environmental Health

00 MAY 25 PM 2 25
CITY & COUNTY OF HONOLULU

Post-it* Fax Note	7671	Date	5/25/00	# of pages	1
To	Lori Clegg	From	Steve Tagaman		
Co./Dept.		Co.	DPP		
Phone #		Phone #	523-4817		
Fax #	599-1553	Fax #	527-6743		

VII. DETERMINATION FINDINGS AND REASONS SUPPORTING THE DETERMINATION

SIGNIFICANT CRITERIA: According to the Department of Health Rules (I 1-200-12), an applicant or agency must determine whether an action may have a significant impact on the environment, including all phases of the project, its expected consequences both primary and secondary, its cumulative impact with other projects, and its short and long-term effects. In making the determination, the Rules establish "Significant Criteria" to be used as a basis for identifying whether significant environmental impact will occur. According to the Rules, an action shall be determined to have a significant impact on the environment if it meets any one of the following criteria:

1. **Involves an irrevocable commitment to loss or destruction of any natural or cultural resources;**

There will be no destruction of natural resources due to the proposed action and no archeological or historical sites are known to exist at this site.

2. **Curtails the range of beneficial uses of the environment;**

The project will occupy a developed residential property which previously contained a wall that was partially destroyed by Hurricane Iniki. There will be no curtailment of beneficial uses of the environment by the construction of the new makai wall or additions to the side walls.

3. **Conflicts with the state's long term environmental policies or goals and guidelines as expressed in Chapter 344, HRS;**

The project is located in land which has been designated urban by the State of Hawaii, and will have no significant environmental impacts. As such there will be no conflict with the State long term environmental policies and guidelines.

4. **Substantially affects the economic or social welfare of the community or state;**

The proposed action will have no affect on the economic or social welfare of the community or state.

5. **Substantially affects public health;**

There is no public health impact caused by this project. Public access to the shore will not be affected by the shoreline structure.

6. **Involves substantial secondary impacts, such as population changes or effects on public facilities;**

The project will have no impact on population changes or public facilities.

7. **Involves a substantial degradation of environmental quality;**

The project is located in a residential area where shore protection walls have been constructed on virtually every property along this stretch of shoreline. The effect of the walls on shoreline processes at this location has been negligible. The wall will be approximately 30 feet from an approximately 12 foot drop off to the ocean. There is no beach in the area. The wall will limit movement of surface debris into the ocean and protect the property from wave damage. There will be no degradation of environmental quality from the action.

8. **Is individually limited but cumulatively has considerable effect on the environment, or involves a commitment for larger actions;**

The project is self contained and independent of other projects and facilities in the area hence there will be no cumulative impacts.

9. **Substantially affects a rare, threatened or endangered species or its habitats;**

There are no endangered of threatened species or their habitats on or near this property.

10. **Substantially affects air or water quality, or ambient noise levels;**

There will be no detrimental impact on air quality, water quality, or ambient noise levels. The purpose of the proposed makai wall is to protect the property from coastal wave action and to stop runoff of dirt and debris into the ocean. During construction of the walls, best management practices will be employed. Any grading needed will be done in accordance with Chapter 14 ROH. Graded areas will be kept moist to ensure minimal dust and any possible impact to near-shore ecosystems resulting from surface runoff. Any noise associated with construction will cease upon completion of the walls.

11. **Affects or is likely to suffer damage by being located in an environmentally sensitive area, such as a flood plain, tsunami zone, erosion-prone area, geologically hazardous land, estuaries, fresh water or coastal waters.**

The applicants property is located on a lava outcropping that drops off abruptly into the ocean. During storm conditions, waves from the ocean wash over the makai portion of the property causing movement of the surface soil which is subsequently deposited on the outcropping makai of the property or in the ocean. The wall will protect the shoreline from this silting. There will be no impact on ocean processes either surface or sub-surface.

12. **Substantially affects scenic vistas and view planes identified in county or state plans or studies;**

The six foot wall with 2 foot open grillwork will be constructed along the certified shoreline of a private residential parcel of property on the Waianae coast. There are no scenic vistas or view plains which will be affected by the proposed project. The project is approximately 880 feet from Farrington Highway and will not be visible by the general public or from persons traveling along the highway.

13. **Requires substantial energy consumption.**

The project will utilize energy during construction.

After it is completed no energy will be consumed.

The proposed project would not have a significant effect on the environment and therefore preparation of an Environmental Impact Statement is not required.

VI. VARIANCE HARDSHIP STANDARDS

A structure may be granted a variance from the Shoreline Setback Area upon grounds of hardship if:

- (a) The applicant would be deprived of reasonable use of the land if required to comply fully with the shoreline setback ordinance and the shoreline setback rules.

The applicants property is located on a lava outcropping that drops off abruptly into the ocean. During storm conditions waves from the ocean wash over the makai portion of the property causing movement of the surface soil which is deposited on the outcropping makai of the property and eventually into the ocean.

Under extreme, but not unusual ocean activity, waves could endanger the house which is 60 feet mauka of the shoreline setback. This wave action would deprive the applicant of reasonable use of his property.

The walls and fencing on the sides of the property will extend along the full 40 feet of the shoreline setback area. The rock footing is necessary to provide the structural strength for the walls and fence to survive the anticipated wave action. Further this is a relatively isolated area on Oahu with a history of security issues. The side walls and fence will secure the property and provide some protection for the residents.

The purpose of the wall is not only to protect the house, but to permit the property owner to use and landscape his property, within the constraints imposed by the shoreline set back provisions. In this area, without the wall for protection from storm surges, this would be impossible. The Shoreline Setback provisions do not require a land owner to "abandon" his property in the shoreline setback area, rather use of the property is permitted within the constraints imposed by the statute. This is what is occurring on this property.

On this area of coastline, there is no environmental benefit to be gained, or environmental processes that are being degraded by placing a protective wall at the certified

rock wall will appear "natural" from the makai side and the open 24 inch iron grill fence on top of the rock wall provides for clear views mauka and makai.

The wall is far enough mauka of the ocean edge to provide for adequate unimpeded lateral public access to the ocean.

A Makai wall, as proposed in this variance request, were present on the property in 1967 as evidenced by the enclosed 1967 aerial photograph.

VII. CONCLUSION

The findings of this final environmental assessment indicate that the proposed wall will create minimal environmental impact and appears to be reasonable, when considering other possible alternative actions at this location. In terms of ocean processes, the wall structure does not cause adverse effects to the shoreline or the adjoining properties. We request that a Finding of No Significant Impact (FONSI) be issued for this action.

The wall has been designed to withstand storm generated ocean wave wash at this location. This documentation has demonstrated that the landowner would experience hardship if the seawall was prohibited, with a likely loss of property. For these reasons, the applicant requests approval of a variance from the shoreline setback ordinance. Other permits will be obtained to complete the project.

S
E
A

EDGE CORAL LEDGE

SPIKE (fd)
(6.34)

EROSION
176 Sq.Ft.

124° 12'

SPIKE (fd)

CFM WALL

CHAIN LINK FENCE

CFM WALL

SHORELINE (UPPER REACHES OF THE WASH OF WAVES) AS LOCATED ON 8/28/93.

SHORELINE (UPPER REACHES OF THE WASH OF WAVES) AS OF 7/7/99.

225° 30'

53° 31'

LOT 304

84-197 MAKAU S
LOT 303
12,126 Sq.
(11,950 Sq.)

LOT 302

LOT 301

TRUE NORTH
SCALE : 1 IN. = 20 FT.



The shoreline as located and certified and delineated in red is hereby confirmed as being the actual shoreline as of NOV 24 1999

Paul E. Rawls
Chairman, Board of Land and Natural Resources

THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION

James R. Thompson

88160103.mtp/1232.85/jmdc/jul16

TAX MAP KEY : 8 - 4 - 10 : 01

304

100 AUG 29 AM 10 1

CPM WALL

185.62

CPM WALL

PIPE

MAKAU STREET

80.00

CHAIN LINK FENCE

10-FT. SETBACK LINE

84-197 MAKAU STREET

LOT 303

12,126 Sq.Ft.

(11,950 Sq.Ft.)

WALL

176.27

315' 30"

GATE

CPM PILLAR

02

OWNER: ANDREW DEDRICK
84-197 MAKAU STREET
WAIANAE, HI 96792

MAP SHOWING

SHORELINE AFFECTING

LOT 303, LAND COURT APPLICATION 1052

AT MAKAHA, WAIANAE, OAHU, HAWAII

SCALE : 1 IN. = 20 FT.

JULY 16, 1999

WALTER P. THOMPSON, INC.

Exhibit 3

10" x 15" = 1.0 Sq.Ft.

PHOTOGRAPHIC REVIEW

Photograph 1 is taken from the hill above the applicants property which is identified with a red arrow. Note that the shore line consists of a rocky lava ledge that drops off abruptly into the ocean. Also note that almost all the houses have walls for protection from ocean waves.

Photograph 2 is taken from the lava rock ledge in front of the applicants property looking mauka/Ewa at the Ewa neighbors property. The debris and rocks that can be seen are the results of hurricane Iniki.

Photograph 3 shows the coastline looking Ewa from the property.

Photograph 4 is a close up of the wall front on the Ewa neighbors property. The condition of the wall and the debris is a result of hurricane Iniki.

Photograph 5 is taken looking Ewa and is a close-up of the pools of water left by the high surf.

Photograph 6 is taken looking towards Kaena Point. Note the neighbors sea walls. A portion of the applicants chain link fence can be seen in the right hand side of the picture.

Photograph 7 shows the current condition of the sea wall two houses away from the applicants property. Again, note the damage that was done to the original wall by hurricane Iniki.

Photograph 8 is taken from the lava rock ledge and shows the applicants chain link fence which runs across the makai end of his property. The applicant is requesting to replace the chain link fence with a concrete block wall with a rock facade and an Aluminum grate fence.

Photograph 9 shows the relationship of the current fence and the applicants house.

Photograph 10 is taken from inside the applicants property looking Ewa/makai along the coastline.

Photograph 11 shows the existing wall and fence along the Ewa side of the property. The applicant is requesting approval for the portion of this structure that is in the shoreline setback in addition to approval to extend the wall to the makai wall.

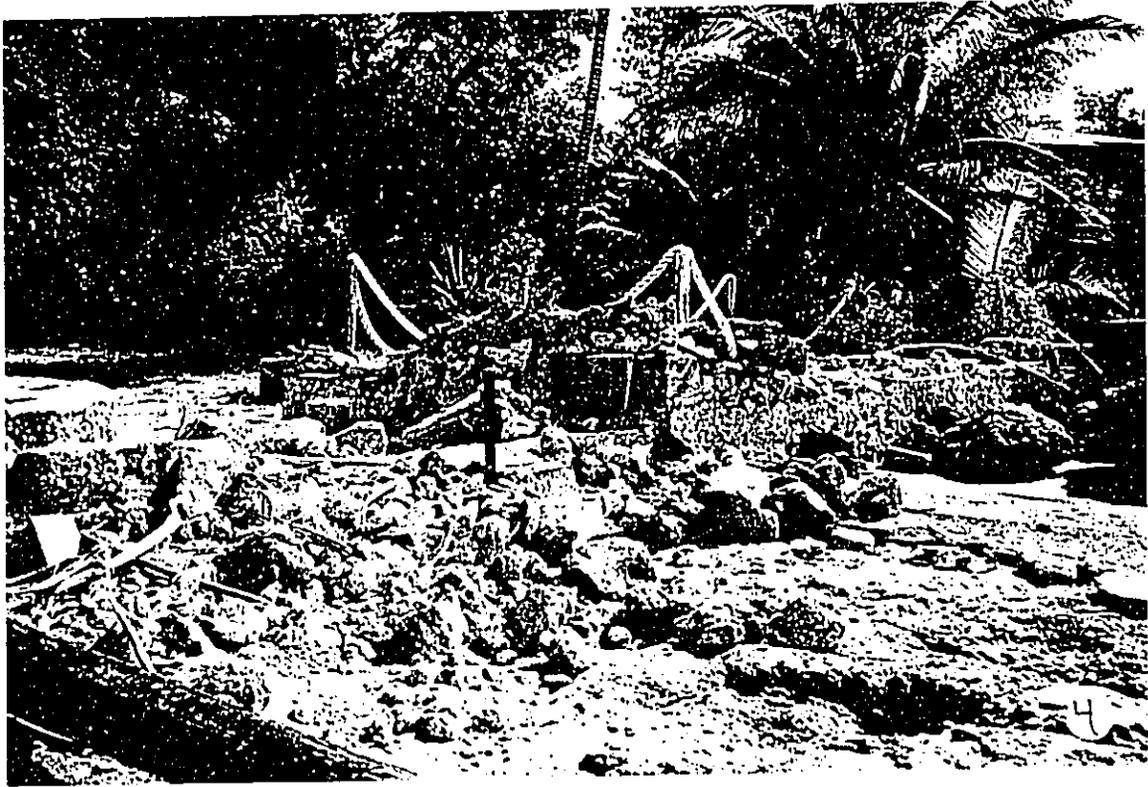
Photograph 12 shows the wall and fence on the Kaena Point side of the property.

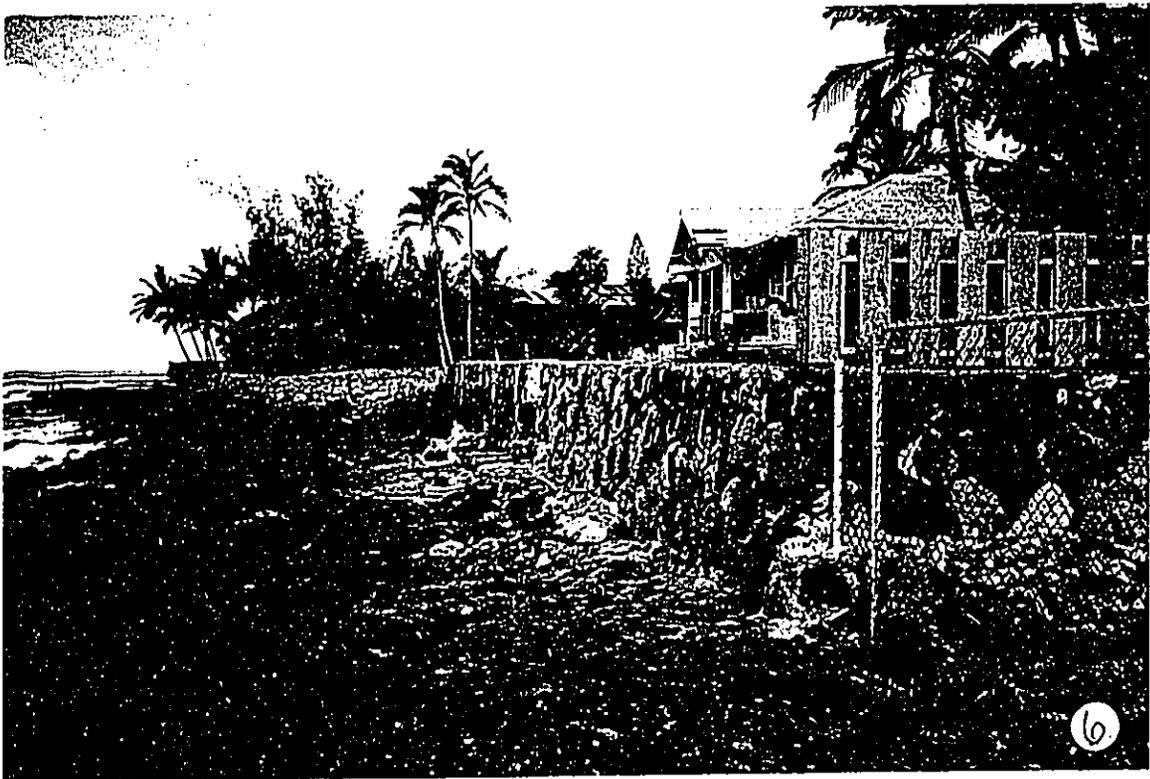
Photographs 13 and 15 are taken looking toward Kaena Point and the type of surf that is prevalent along the shoreline.

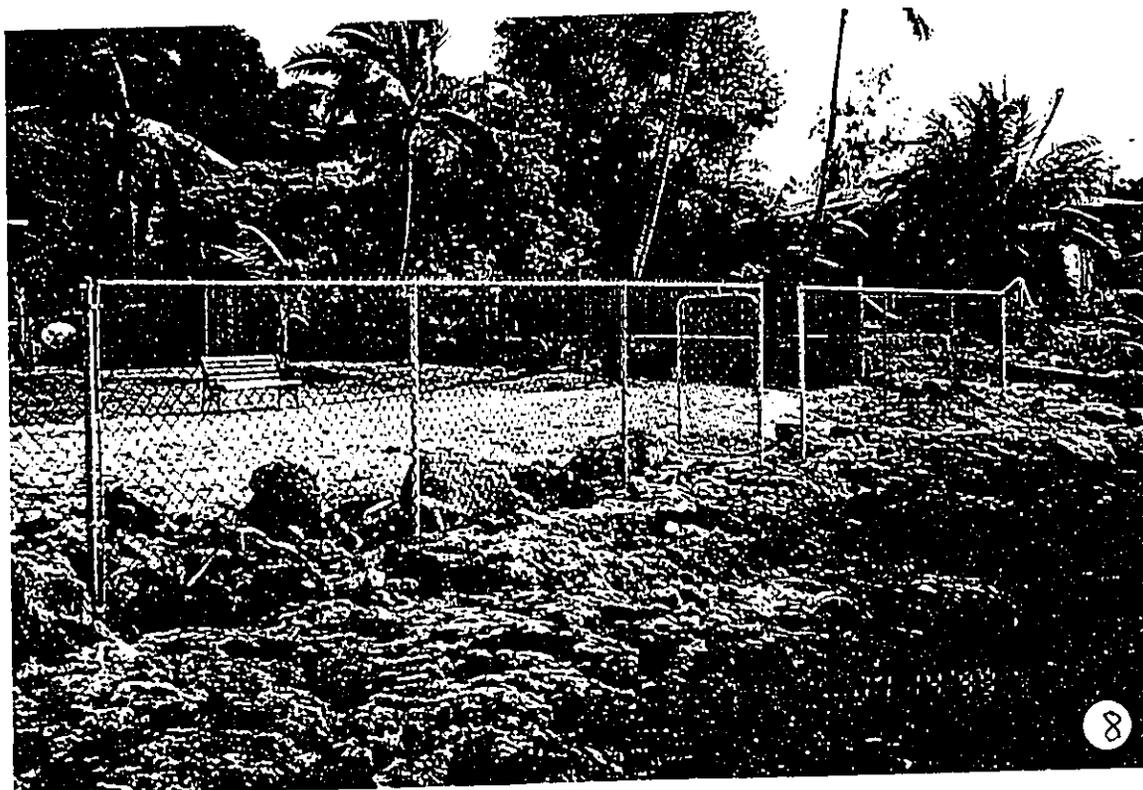
Photographs 14 and 16 shows the high surf on the Ewa side of the property.

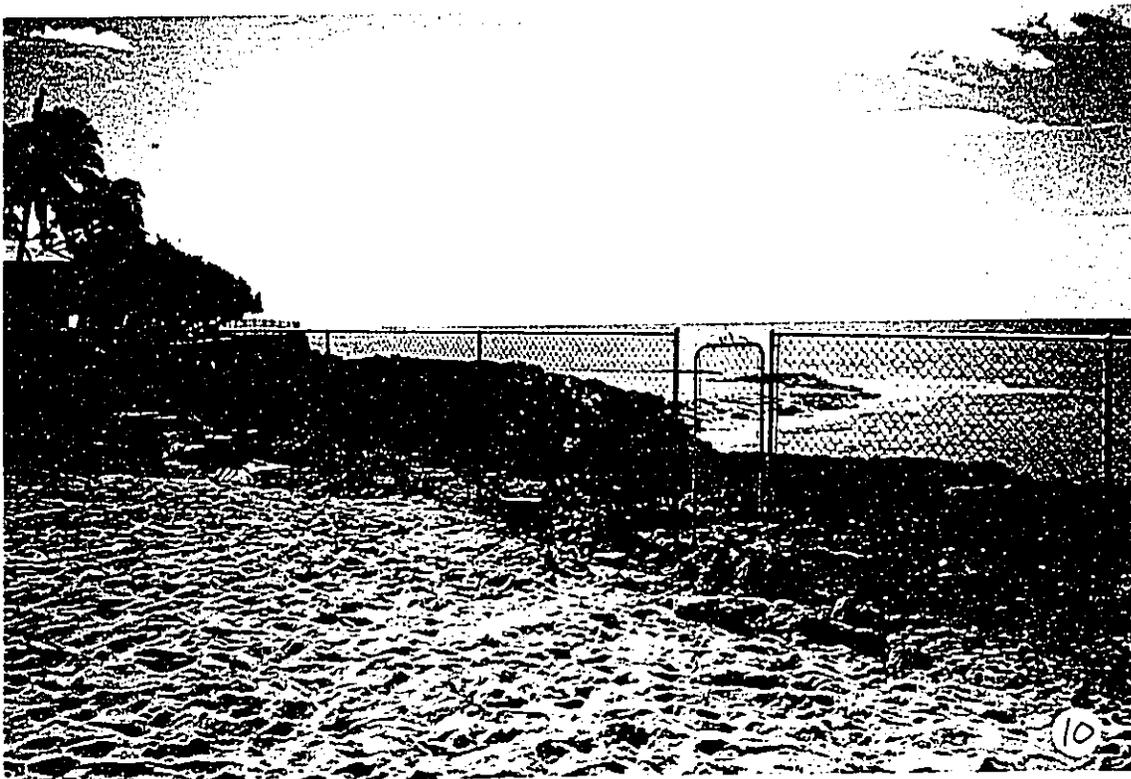
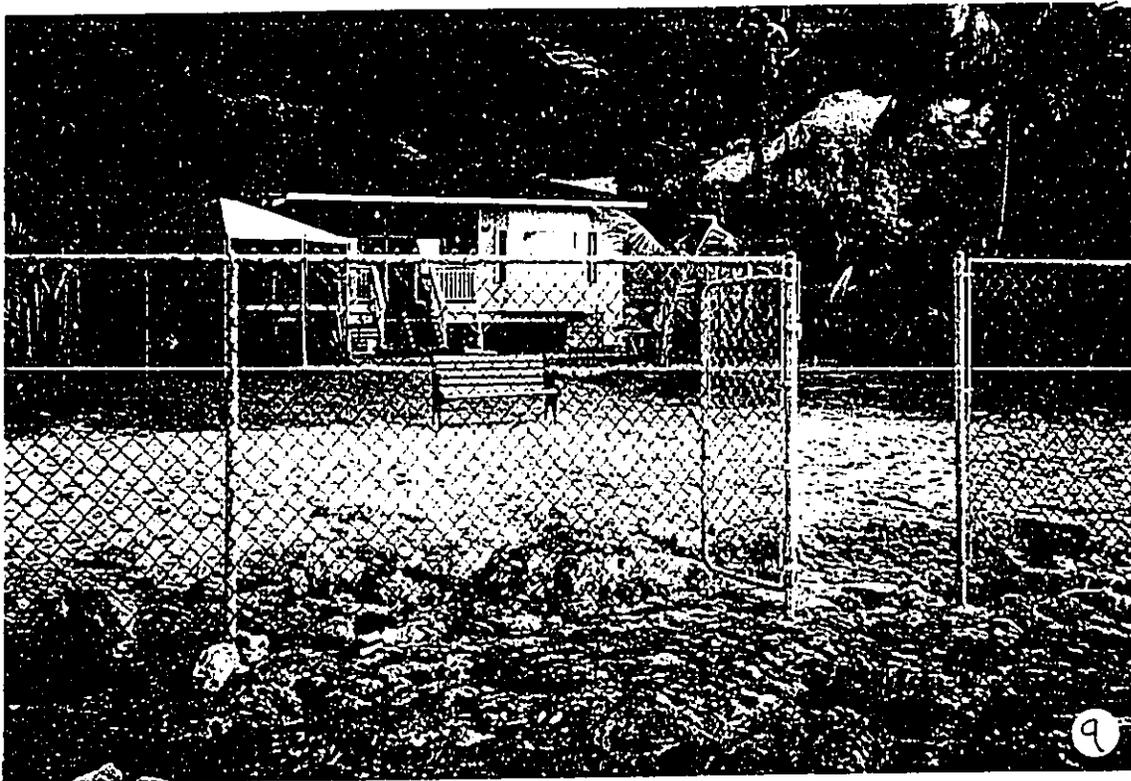
Photograph 17 is an aerial photo taken in 1967. The photo shows existing walls along the shoreline and both the Ewa and Kaena Point property lines. The coastline of this section of Oahu has not changed.

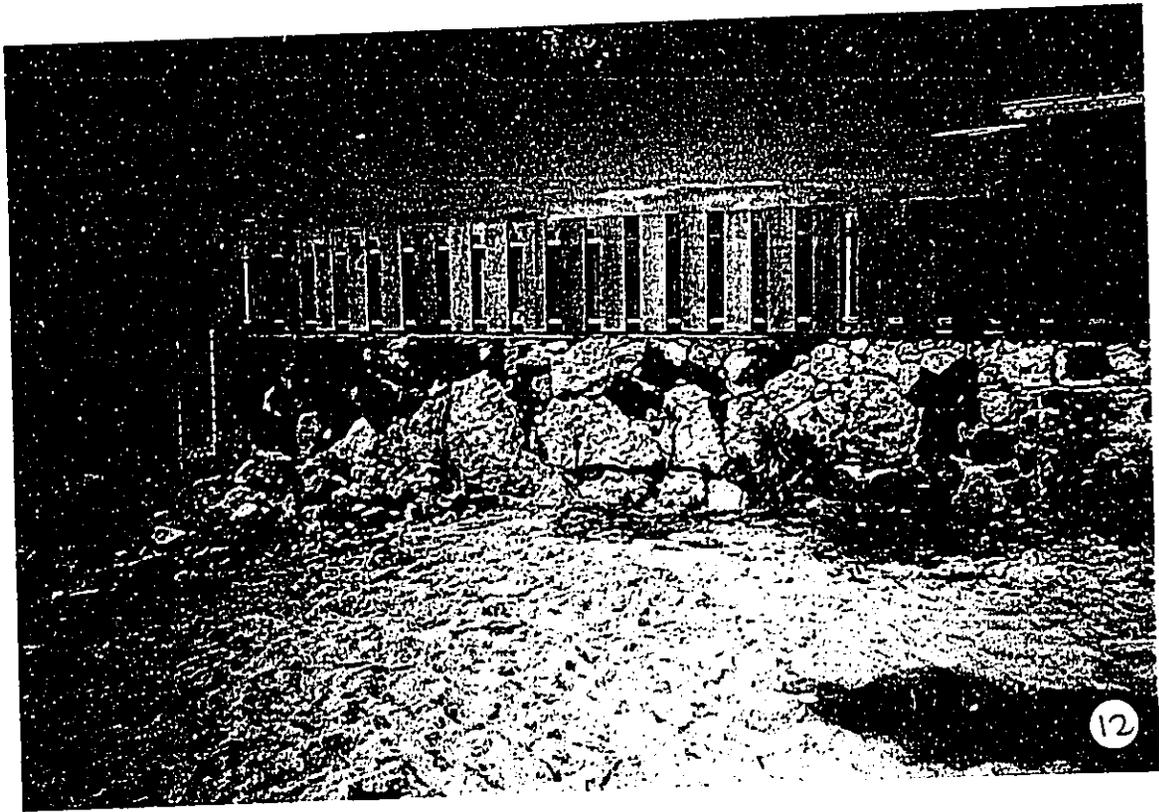
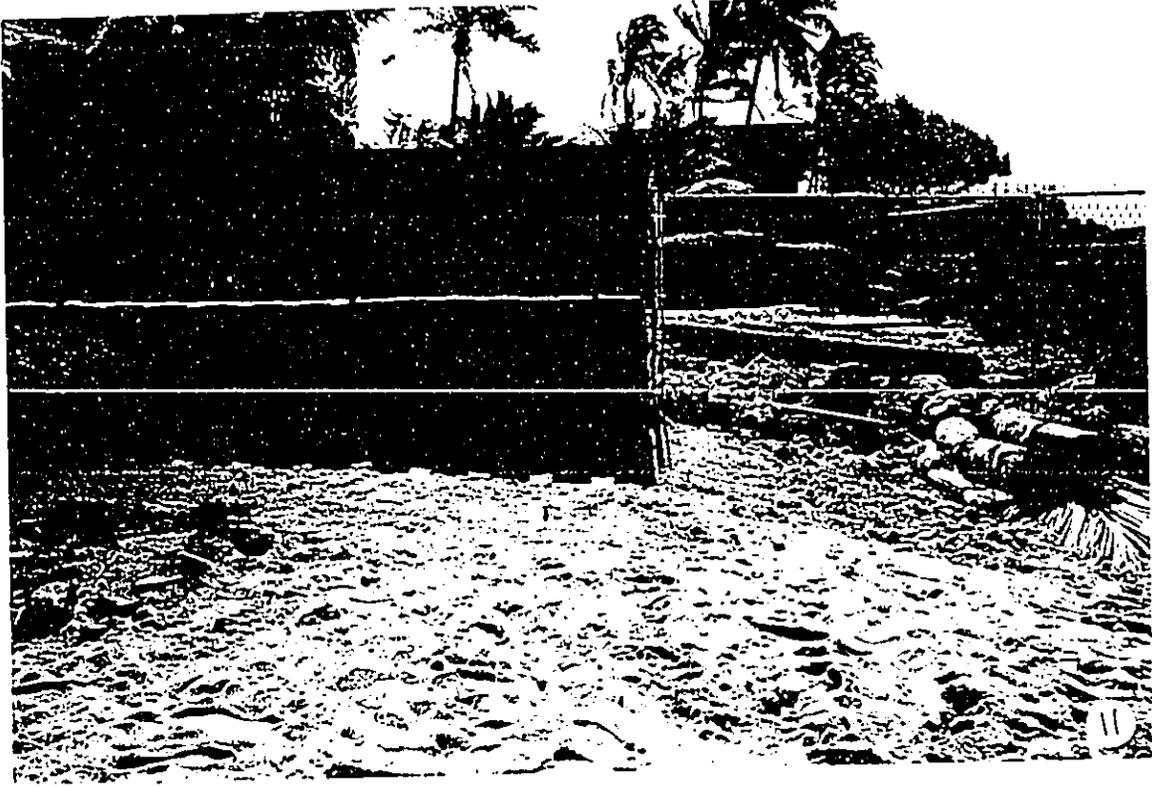




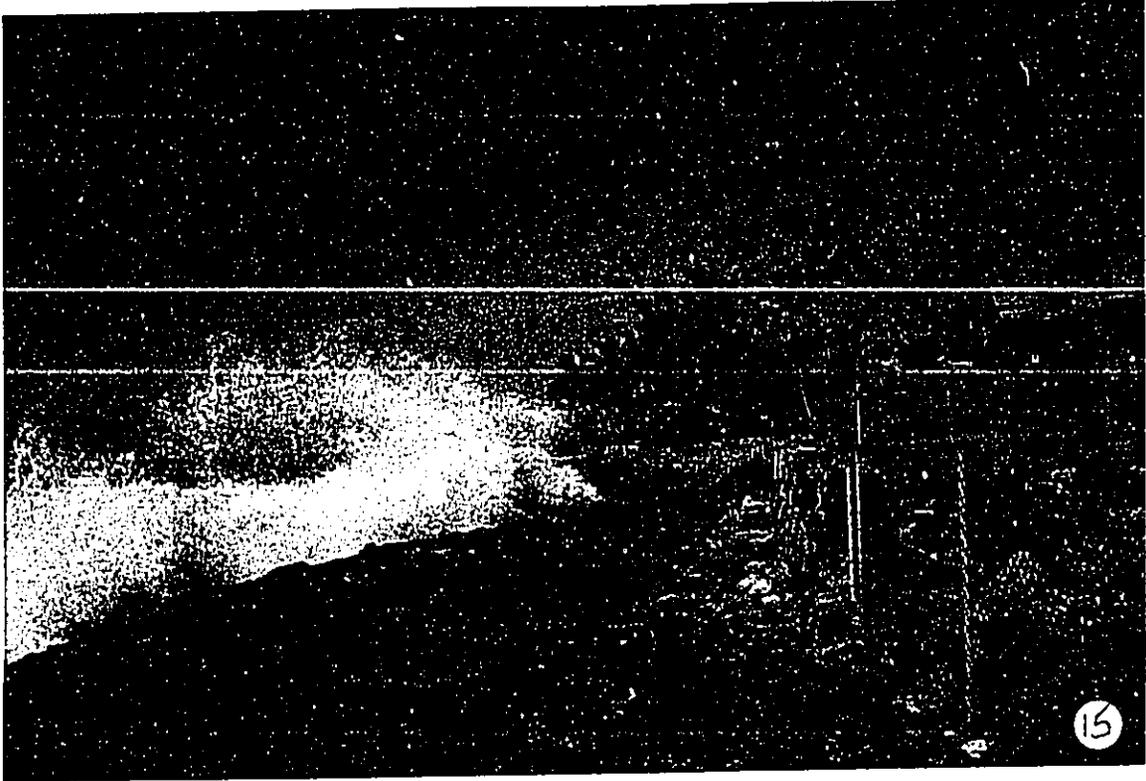






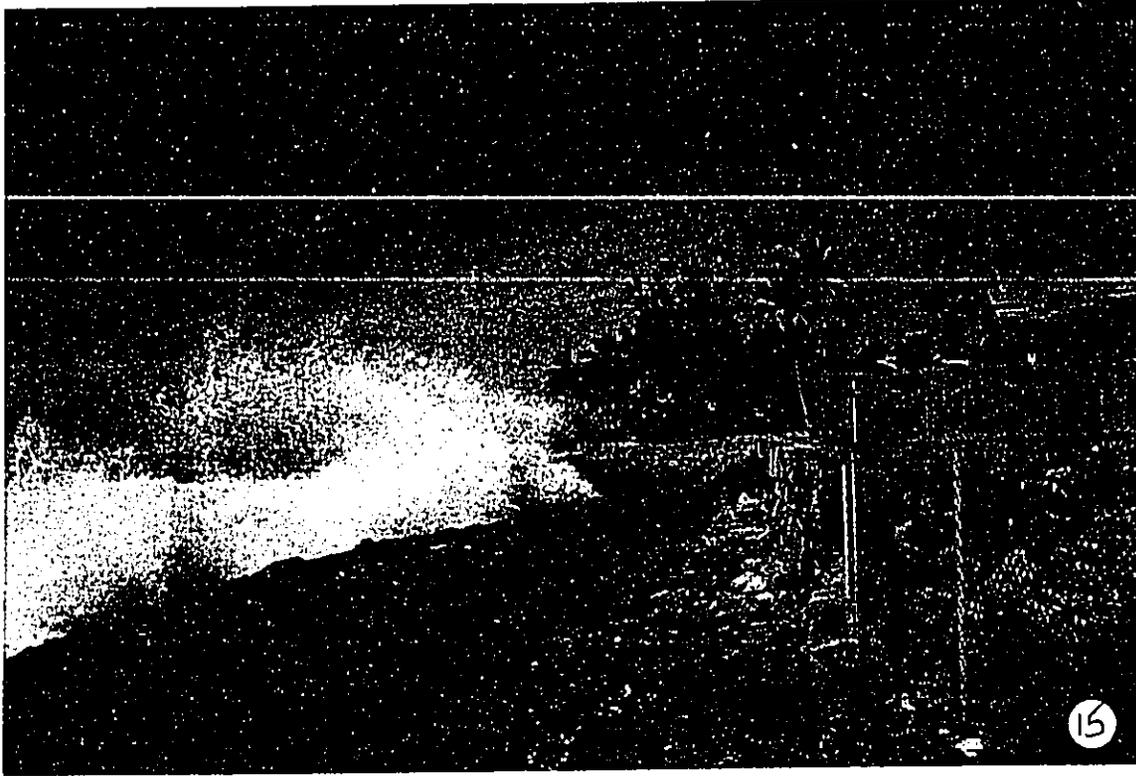


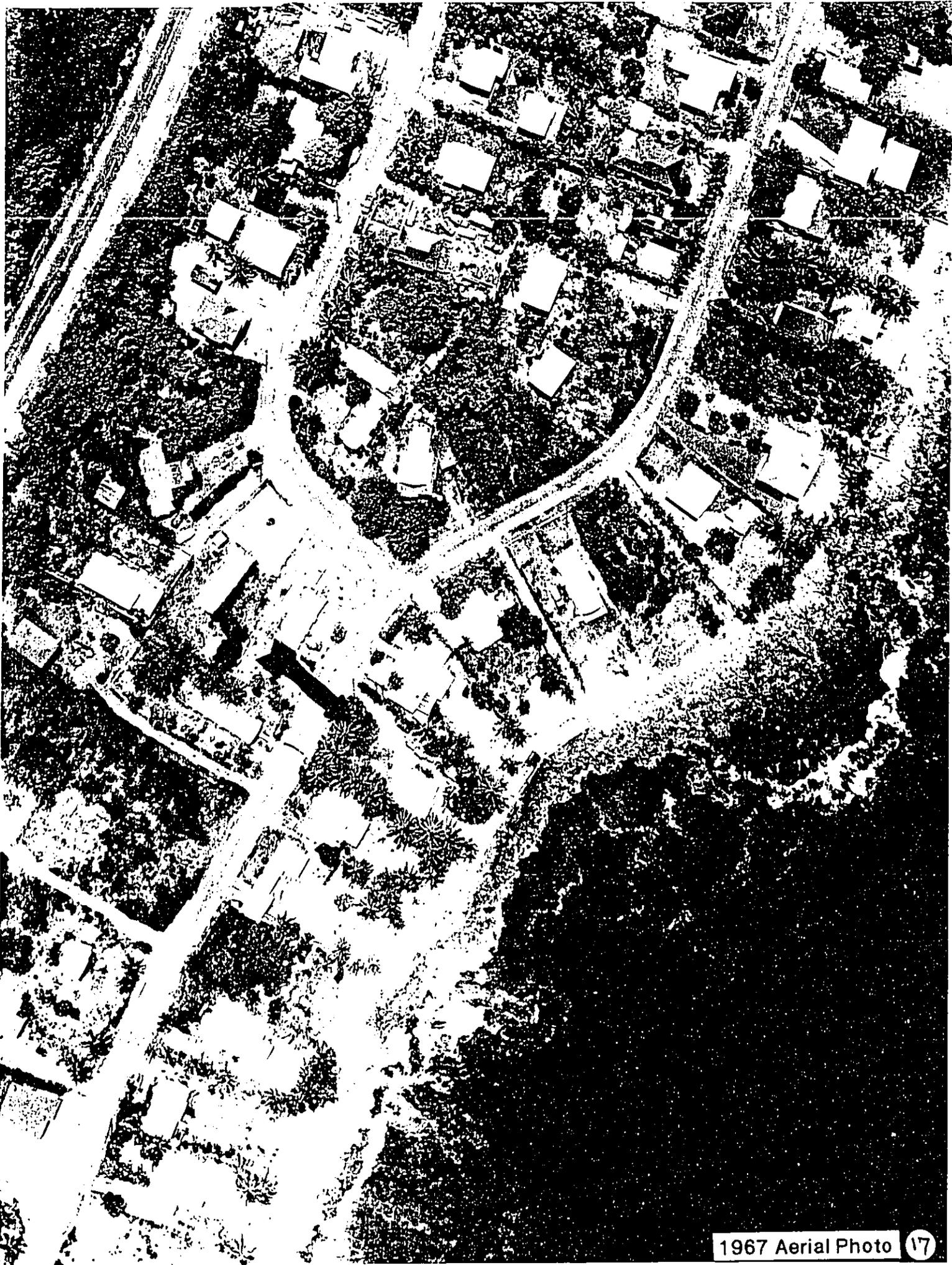




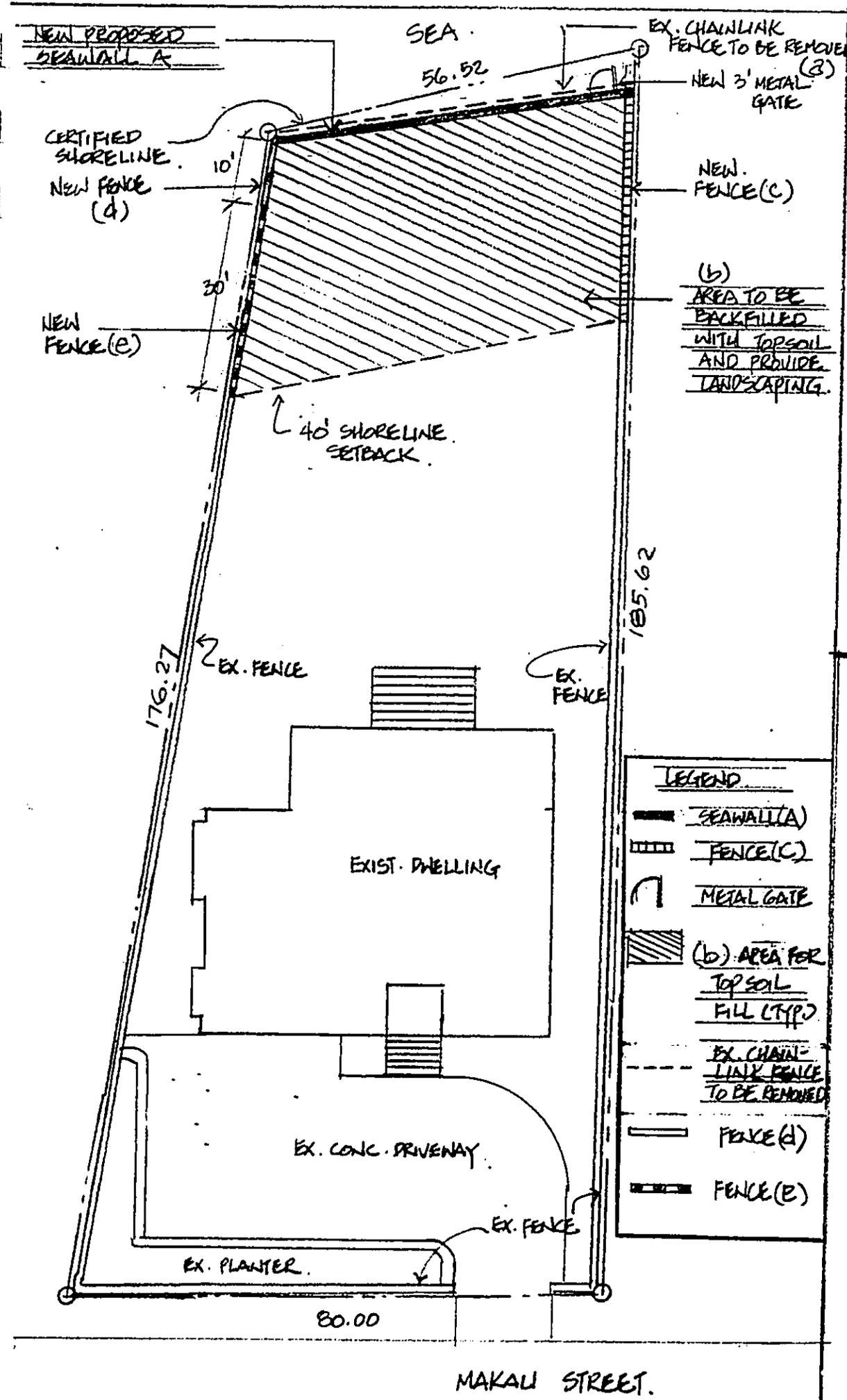
CORRECTION

THE PRECEDING DOCUMENT(S) HAS
BEEN REPHOTOGRAPHED TO ASSURE
LEGIBILITY
SEE FRAME(S)
IMMEDIATELY FOLLOWING

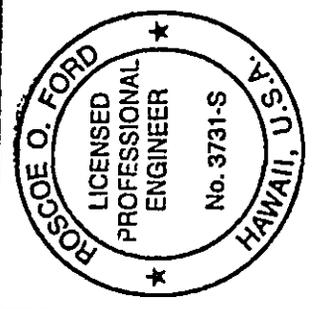




1967 Aerial Photo 17



This work was prepared by me or under my supervision and construction of this project will be under my observation as defined in Section 1.2 of the Rules and Regulations of the Hawaii Board of Registration of Professional Engineers, Architects, Land Surveyors, and Landscape Architects.



LEGEND

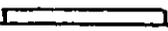
	SEAWALL (A)
	FENCE (C)
	METAL GATE
	(b) AREA FOR TOPSOIL FILL (TYP)
	EX. CHAINLINK FENCE TO BE REMOVED
	FENCE (D)
	FENCE (E)

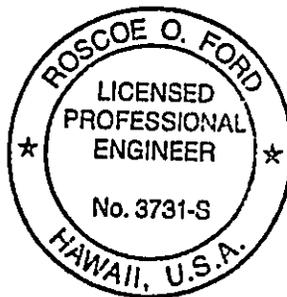
Exhibit 4

Project description

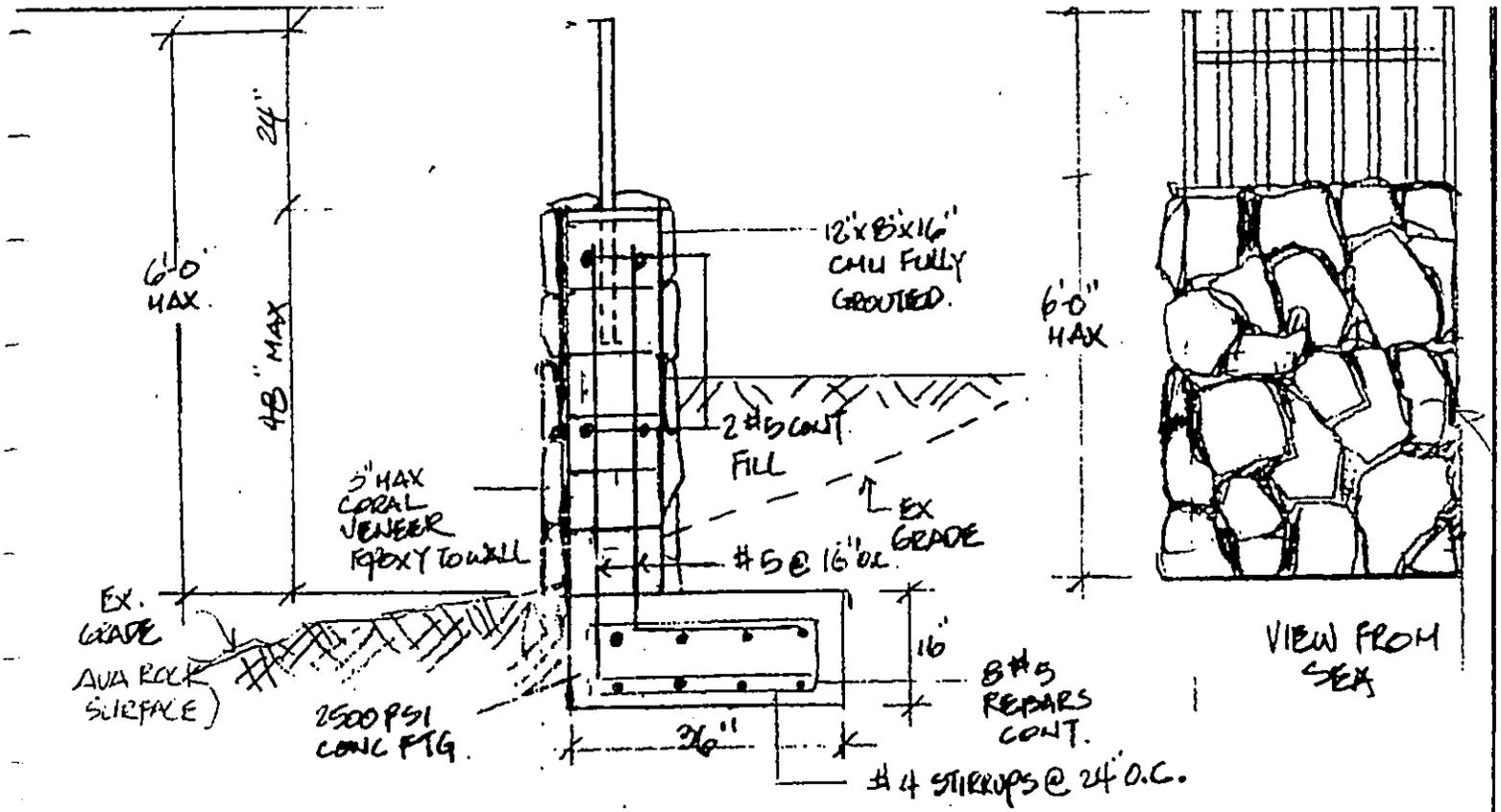
- (a) Construction of a 48" high rock wall with 24" open metal fence on top, extending 55.63 feet along the certified shoreline, including a gate.
- (b) Top soil fill behind the wall to a depth of two feet. The fill will extend approximately 30 feet mauka to level the property. The area will be landscaped with grass and shrubs.
- (c) A 24" redwood fence on top of a 48" rock wall within the 40 ft. shoreline setback area on the Kaena Point side of the property.
- (d) Construction of a 24" rock wall with a 48" wood fence within the shoreline setback area along the Ewa property line. The wall and fence will extend 10 feet mauka from the certified shoreline.
- (e) A 24" rock wall and 48" fence along the Ewa property line mauka from the end of the new wall 30 feet to the shoreline setback line.

LEGEND.

- (a) 
- (b) 
- (c) 
- (d) 
- (e) 



This work was prepared by me or under my supervision and construction of this project will be under my observation as defined in Section 1.2 of the Rules and Regulations of the Hawaii Board of Registration of Professional Engineers, Architects, Land Surveyors, and Landscape Architects.

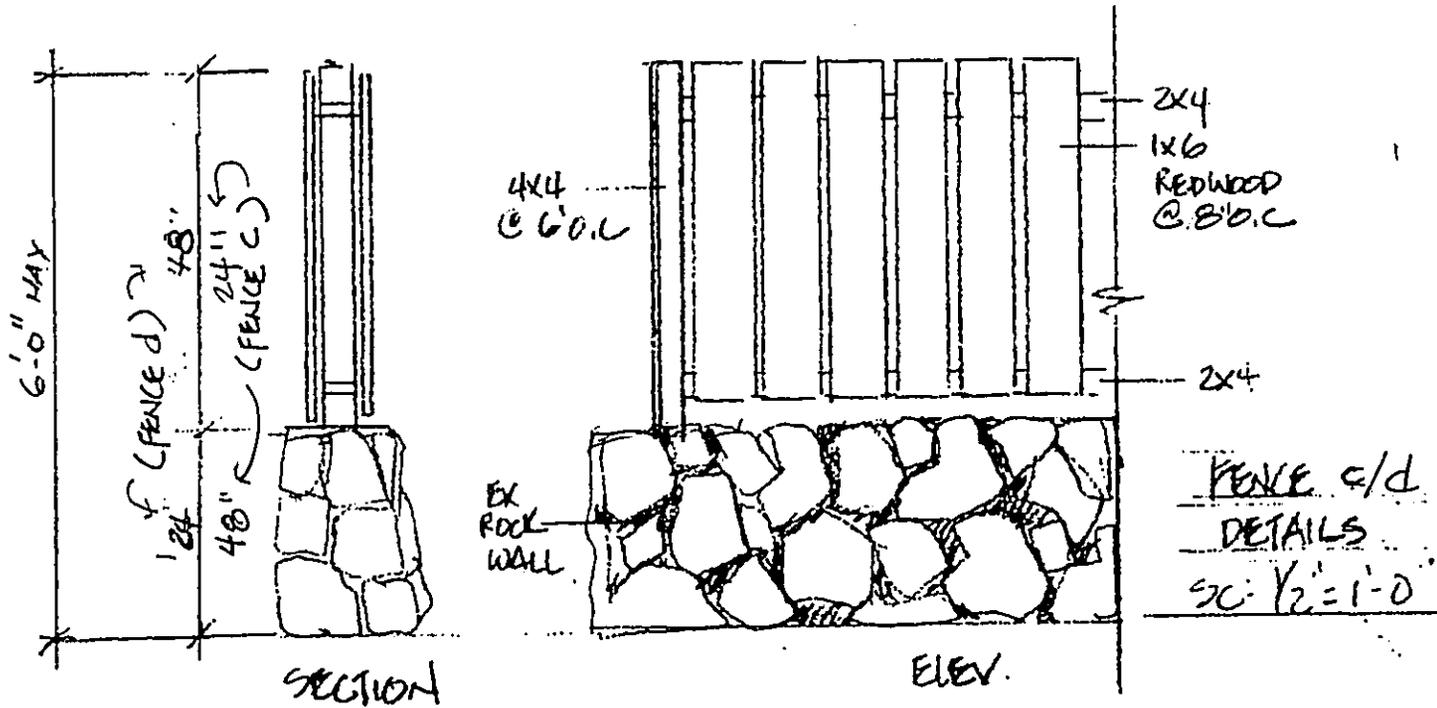


SECTION @ SEAWALL A

SC: 1/2" = 1'-0"

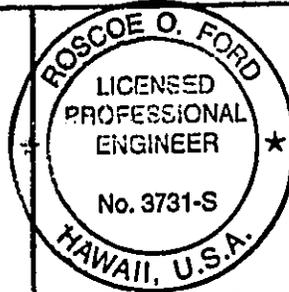
SEAWALL A ELEV

SC: 1/2" = 1'-0"



SECTION

ELEV.



This work was prepared by me or under my supervision and construction of this project will be under my observation as defined in Section 1.2 of the Rules and Regulations of the Hawaii Board of Registration of Professional Engineers, Architects, Land Surveyors, and Landscape Architects.

FLOOD HAZARD DISTRICTS CERTIFICATION
(Section 21-9.10 of the Land Use Ordinance)

Exempted Projects and Improvements (except Accessory Structures) including repairs, maintenance, reconstruction, additions, and alterations pursuant to Sections 21-9.10-12 and 21-9.10-13 of the Land Use Ordinance.

EXEMPTED PROJECTS IN FLOODWAY OR COASTAL HIGH HAZARD DISTRICTS

Project Description: Construction of walls within the shoreline setback area.

Address: 84-197 Makau

City Waianae State Hawaii Zip 96792

Tax Map Key: (1) 8-4-010:001

Section I - Flood Insurance Rate Map Information

COMMUNITY NO.	PANEL NO	SUFFIX	DATE OF FIRM	FIRM ZONE	REGULATORY FLOOD ELEV (in AO Zone use depth)	COMMUNITY ESTIMATED REG. FLOOD ELEVATION ESTABLISHED FOR ZONE A IF AVAILABLE
65 of 135	150001 0065 C	C	9/30/95	VE	12	none

Section II - Certification Statement

I certify that based upon development and/or review of design, specifications, and plans for construction, the design and methods of construction are in accordance with accepted standards of practice and:

1. Within the Coastal High Hazard District, the structures and improvements would not affect the regulatory flood nor aggravate existing flood related erosion hazards.
2. Within the Floodway District, the structures and improvements would not result in increase of the regulatory flood levels.

Section III - Certification

This certification is conditioned upon the actual construction of the project being in strict accordance with the plans and specifications as stamped and signed by me.

Certifier's Name Roscoe O. Ford
(print or type)

Title STRUCTURAL/CIVIL ENGINEER

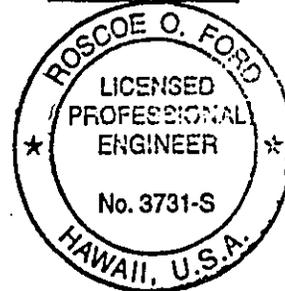
Company Name _____

Street Address 780 DIMITRI ST PW3

City Honolulu State HI Zip 96814

Signature Roscoe O Ford Date 8/24/00

Affix Seal Below



Engineer or
Architect



Federal Emergency Management Agency

Washington, D.C. 20472

CERTIFICATION OF A "NO-RISE" DETERMINATION

FOR A PROPOSED FLOODWAY DEVELOPMENT

Waianae, Oahu, Hawaii
Community Name

Diedrick Property 84-197 Makau
Development Name

TMK: (1) 8-4-010:001

Lot/Property Designation

Roscoe O. Ford
Property Owner

I hereby certify that the proposed remedial measures, in combination with the property development designated above, will result in no loss of flow conveyance during the occurrence of the 1 percent annual chance of exceedence (100-year flood) discharge.

I further certify that the data submitted herewith in support of this request are accurate to the best of my knowledge, that the analyses have been performed correctly and in accordance with sound engineering practice, and that the proposed structural works are designed in accordance with sound engineering practice.

August 24, 2006
Date

Roscoe O. Ford
Registered Professional Engineer

Seal

