

# **LAW AND POLICY ON DATA IN DECISION MAKING**

PRESENTED BY: Deputy Attorney General  
Bryan C. Yee

# Two Cases for Discussion

- (1) Diamond v. Board of Land and Natural Resources, 112 Hawaii 161, 145 P.3d 704 (2006); and
- (2) Diamond v. Dobbin, 132 Hawaii 9, 319 P.3d 1017 (2014).

# Definition of Shoreline

- “Shoreline” means the upper reaches of the wash of the waves, other than storm and seismic waves, at high tide during the season of the year in which the highest wash of the waves occurs, usually evidenced by the edge of vegetation growth, or the upper limit of debris left by the wash of the waves.

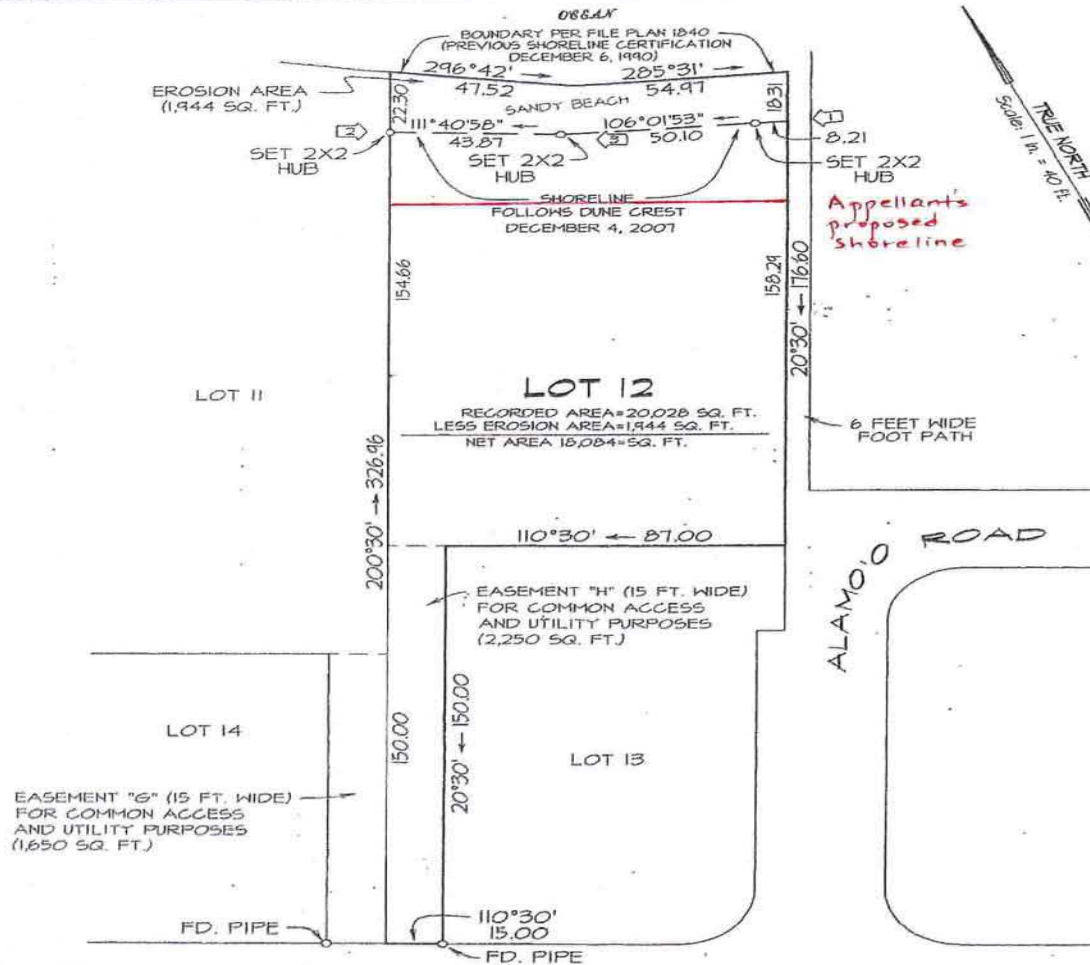
HRS § 205A-1

# Diamond v. Board of Land and Natural Resources

- July 2001 – First Survey
- May 2002 – Second Survey
- August 2003 – Third Survey

# Diamond v. Dobbin

- 2005 Shoreline Certification Application
- 2008 Shoreline Certification Application



PREPARED FOR:  
GRAIG DOBBIN  
1 ELM PLACE  
ST. JOHN'S NL  
CANADA, A1B 2S4

DECEMBER 26, 2007

NOTE:

1. FEATURES SHOWN HEREON  
REPRESENT CONDITIONS EXISTING  
ON DECEMBER 4, 2007
2. [3] DENOTES POSITION  
AND NUMBER OF PHOTO TAKEN



Wagner Engineering Services, Inc.

P.O. Box 851 Honolulu, HI 96714 (808) 826-7255

SHORELINE CERTIFICATION MAP OF

LOT 12

WAINIHA SUBDIVISION II  
(FILE PLAN 1840)

BEING A PORTION OF  
R.P. 7194, L.C. AN. 11,216:5  
TO M. KEKAUONOHI  
AT WAINIHA, KAUAI, HAWAII



THIS MAP WAS PREPARED BY ME OR  
UNDER MY SUPERVISION

RONALD J. WAGNER  
Licensed Professional Land Surveyor  
Certificate No. 5074 Exp. 4/30/08

Project No. 4469.1

Tax Map Key: (4) 5-8-09:51

EXHIBIT "A"



SHORELINE CERTIFICATION  
PHOTOGRAPHS  
**LOT 12**  
WAINIHA SUBDIVISION II  
(FILE PLAN 1840)  
BEING A PORTION OF  
R.P. 7194, L.C. AW. 11,216:5  
TO M. KEKAUONOHI  
AT WAINIHA, KAUAI, HAWAII

③ Denotes number of pictures taken

DECEMBER 4, 2007  
TIME: 11:50 AM



Wagner Engineering Services, Inc.

P.O. Box 851 Hanalei, HI 96714 (808) 826-7256

Tax Map Key: (4) 5-8-09:51

Project No. 4469.1

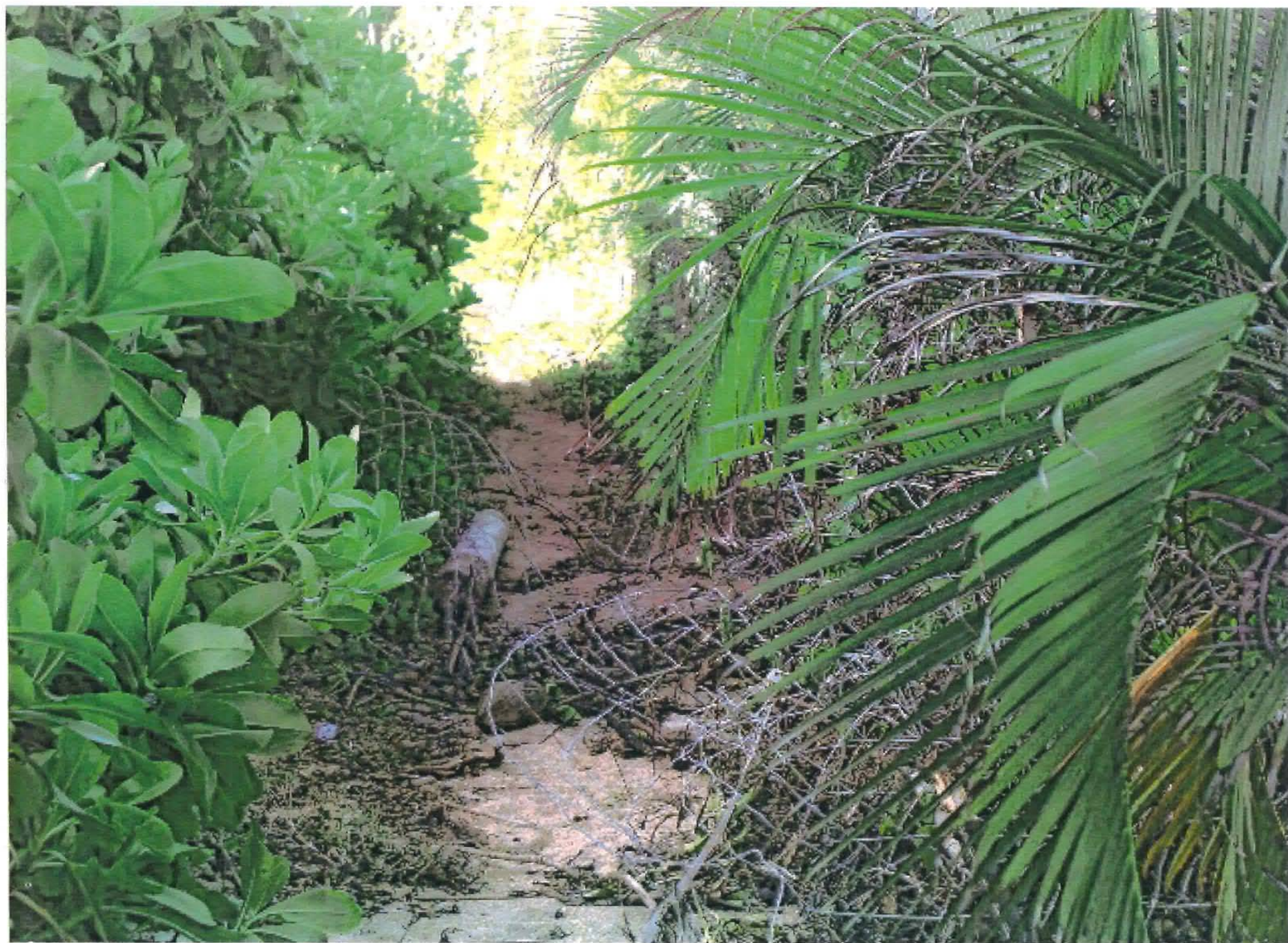






















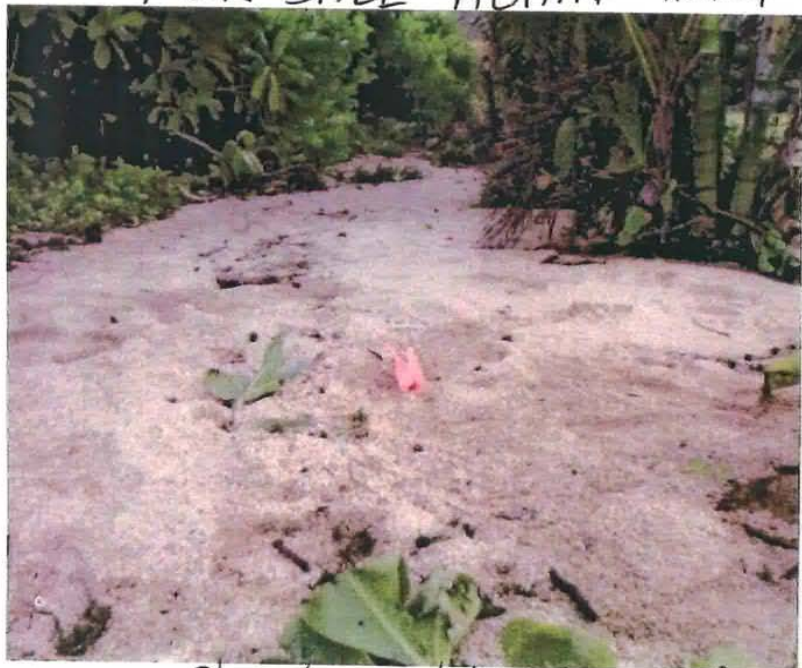




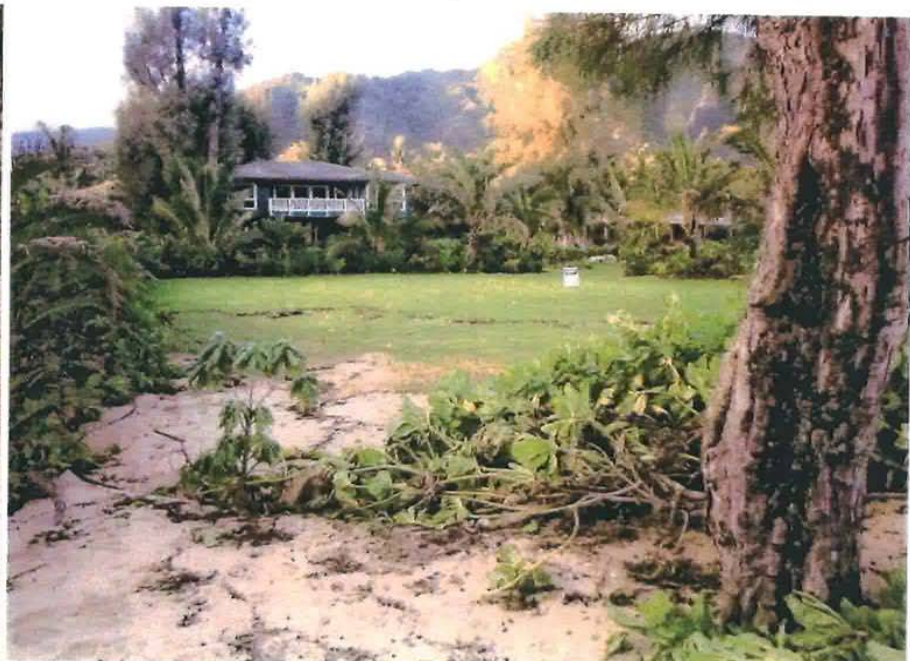
FOR SALE AGAIN 11/11/04



new Arica palms



Shoreline stake in ground



new beach heliotrope just planted



















