DEPARTMENT OF PUBLIC WORKS

### CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET HONOLULU, HAWAII 96813

FRANK F. FASI MAYOR



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SAM CALLEJO ECTOR AND CHIEF ENGINEER

'91 JUL 30 P1:23

IN REPLY REFER TO: 91-12-0334

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OLL TO THE

July 30, 1991

Mr. Brian Choy, Director
Office of Environmental Quality Control
State of Hawaii
220 South King Street, 4th Floor
Honolulu, Hawaii 96813

Dear Mr. Choy:

Subject:

Negative Declaration for Drainage Improvements Along Kaneohe Bay Drive, Kaneohe, Oahu, Hawaii, Tax Map Key: 4-4-22: 23 and 24

This letter is a notice of Negative Declaration by the proposing agency, the City and County of Honolulu, Department of Public Works. The subject action has been assessed according to Title 11, Chapter 200, Environmental Impact Statement Rules, and Chapter 343, HRS.

A determination has been made that an environmental impact statement is not required based on an environmental assessment which was prepared by the Department of Public Works. Four copies of the environmental assessment are enclosed.

The pertinent information for this notice of determination is summarized below.

- 1. Proposing Agency. City and County of Honolulu, Department of Public Works.
- 2. <u>Description of the Proposed Action</u>. The proposed action is to install a drain pipe in the existing drainage ditch, backfill and construct a swale between Tax Map Key: 4-4-22: 23 and 4-4-22: 24. The improvement project will include replacing an existing 36" diameter drain pipe and 3' x 3' box culvert with a 30" diameter reinforced concrete pipe, constructing a new catch basin, headwall and fencing.

The anticipated cost is \$130,000 which will be funded by the City's Capital Improvement Program and \$19,162.50 which will be funded by two private landowners.

3. <u>Determination</u>. After consulting other agencies and completing the environmental assessment, we have determined that the proposed improvement will not have a significant impact on the environment; therefore, an environmental impact statement is not required.

184

Mr. Brian Choy July 30, 1991 Page 2

#### 4. Reasons Supporting the Determination.

- a. The proposed action does not affect the economic or social welfare of the community.
- b. The proposed action does not change the existing land use and zoning.
- c. No rare or endangered wildlife or plantlife exists in the affected area.
- d. There is no conflict with the State's long-term environmental policies or goals.
- e. No historical or archaeological sites will be affected.
- 5. Contact Person.

Laverne Higa
Division of Engineering
Department of Public Works
Honolulu Municipal Building, 15th Floor
650 South King Street

Honolulu, Hawaii 96813

Phone: 527-6246

Very truly yours,

Director and Chief Engineer

Encl.

FILE COPY

### DEPARTMENT OF PUBLIC WORKS CITY AND COUNTY OF HONOLULU

#### **ENVIRONMENTAL ASSESSMENT**

FOR

\* DRAINAGE IMPROVEMENTS ALONG KANEOHE BAY DRIVE KANEOHE, OAHU, HAWAII \*

TAX MAP KEY: 4-4-22: 23 AND 4-4-22: 24

This environmental document was prepared pursuant to Chapter 343, HRS.

Proposing Agency: Department of Public Works
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Responsible Official: C. Clickal Struct	OFC.	7/30	21	
SAM CALLEJO Director and Chief Engineer	JE CHYSON ALITY CON	Date 30 P	RECEIV	
Prepared by Division of Engineering Department of Public Works	:	1:23	·•	

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Comments and Recommendations to the Proposed Project

#### I. Description of Proposal Action

#### A. Introduction

The Drainage Improvements along Kaneohe Bay Drive is located on the Windward side of Oahu in Kaneohe (see Figure 1). The existing drainage system consists of a box culvert which collects surface water mauka of Kaneohe Bay Drive and conveys the water to an open ditch makai of Kaneohe Bay Drive (see Figure 2). The ditch daylights to Kaneohe Bay.

#### B. Proposed Action and Objectives

The proposed action is to replace an existing 36" diameter drain pipe and a 3'x3' box culvert with a 30" diameter reinforced concrete pipe, install a new catch basin and install 135 feet of 30" diameter reinforced concrete pipe. The total cost is estimated to be \$130,000 which will be funded by the City's Capital Improvement Program and \$19,162.50 which will be funded by two private landowners. The objective is to fill the existing open ditch and convey storm water through the 30" diameter drain pipe.

#### C. Basis for the Proposed Action

The basis for the proposed action is a result of a court action. See Exhibit 1.

#### II. Description of Affected Area

#### A. Location

The Drainage Improvements along Kaneohe Bay Drive project is located in Kaneohe, District of Koolaupoko, on the island of Oahu. The project is bounded by Kaneohe Bay Drive and Kaneohe Bay as shown on Figure 1.

#### B. Population

The affected area is part of Census Tract (CT) 107.01 (see Figure 3). The resident population for CT107.01 in April 1980 was 3,680 and in July 1988 the number increased to 3,884.

#### C. Land Use

The project area is classified as residential according to the Land Use Ordinance and Land Use Development Plan.

#### D. Historic and Cultural Sites

Based on observations made by the personnel of the State Historic Site Division, there are no known archaeological sites nor any significant historic sites which are eligible for or listed on the Hawaii or National Register of Historic Places.

#### E. Wildlife and Flora

Wildlife does not exist in the proposed project area. There are a few trees, shrubs and ground cover in the project area.

#### F. Flood Hazard Area

The proposed project is in Zone D area according to the latest Flood Insurance Rate Map.

#### III. Summary of Impacts and Proposed Mitigating Measures

#### A. Short Term Impacts

#### 1. Air Pollution

Construction activities will temporarily generate dust from clearing, grading, excavation and backfilling operations which will affect residential area within the proposed project area. Air quality will be affected by higher than normal concentrations of particulate matter. The only use of conventional construction equipment is anticipated and exhaust fumes should not be adverse. The contractor will be required to conform to dust control measures incorporated in the contract documents to minimize this problem so that such impacts will be temporary and no long term air quality impairments would result.

#### 2. Noise

Residents in the project area will be subject to noise generated by the operation of conventional construction equipment such as earth moving vehicles and generator/compressor units. The noise disturbance will be temporary and construction operations will be restricted to certain days and hours to minimize disturbance.

The contractor will be required to meet all applicable noise control measure of the State Department of Health.

#### 3. Traffic

Traffic will be restricted in the vicinity of construction activity. This impact can be reduced by requiring the contractor to perform construction activity during non-peak traffic hours. Furthermore, the contractor will be required to comply with State and Federal regulations concerning public safety and construction along streets.

#### B. Long Term Impacts

Land Use and zoning in the project area will not be changed because of the proposed action. The area will remain residential.

#### C. Proposed Mitigating Measures

Short term construction related impacts will be mitigated by appropriate measures as previously discussed in Subsection III. A. Dust abatement shall be achieved by watering excavated areas and roadways.

The distress to adjacent residents caused by noise from construction equipment will be controlled by limiting operations to normal working hours and enforcing City and State noise regulations.

Existing roadways will remain open to local traffic during construction. Traffic control to safeguard public safety will be provided at all times by either flagmen, police or barricades.

#### IV. Consultation of Agencies

The following governmental agencies were consulted as part of the assessment process:

Department of the Corporation Counsel
Department of Public Works, Division of Wastewater Management
Department of General Planning
Department of Land Utilization

Department of Transportation Services
Board of Water Supply
Department of Land and Natural Resources, State Historic Preservation Division

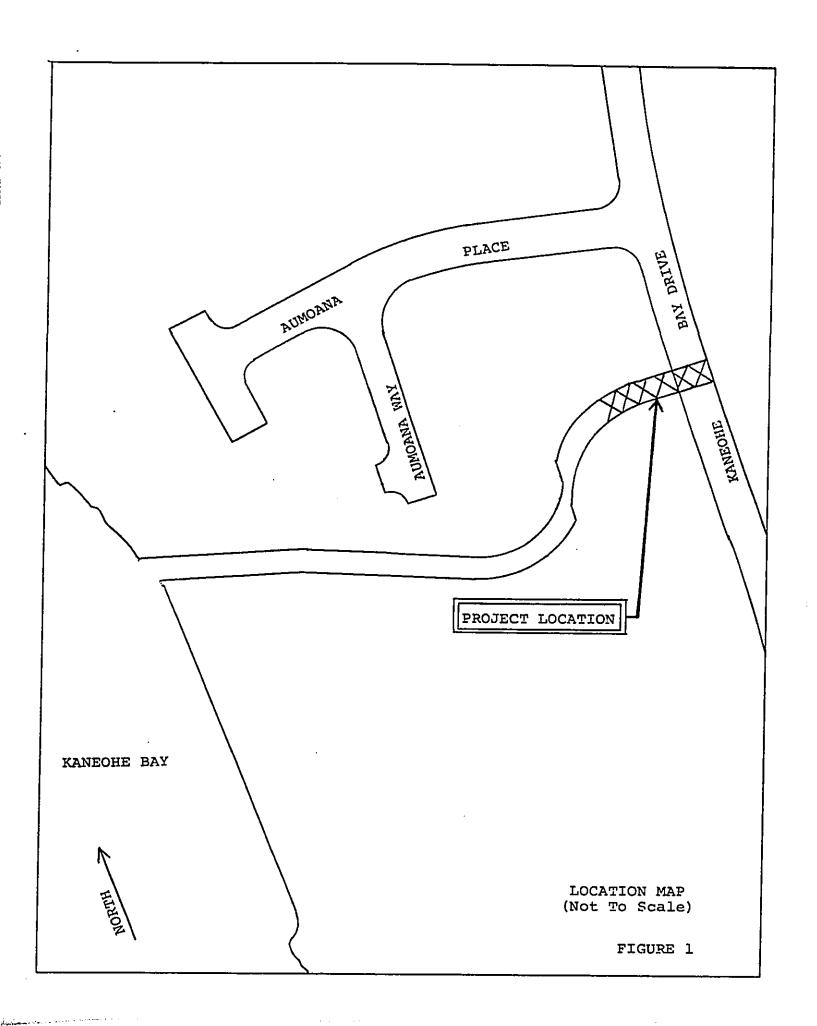
#### V. Alternative

If the proposed action is not implemented, the City and County of Honolulu will be fined for non-performance. There are no other alternatives except for the proposed project.

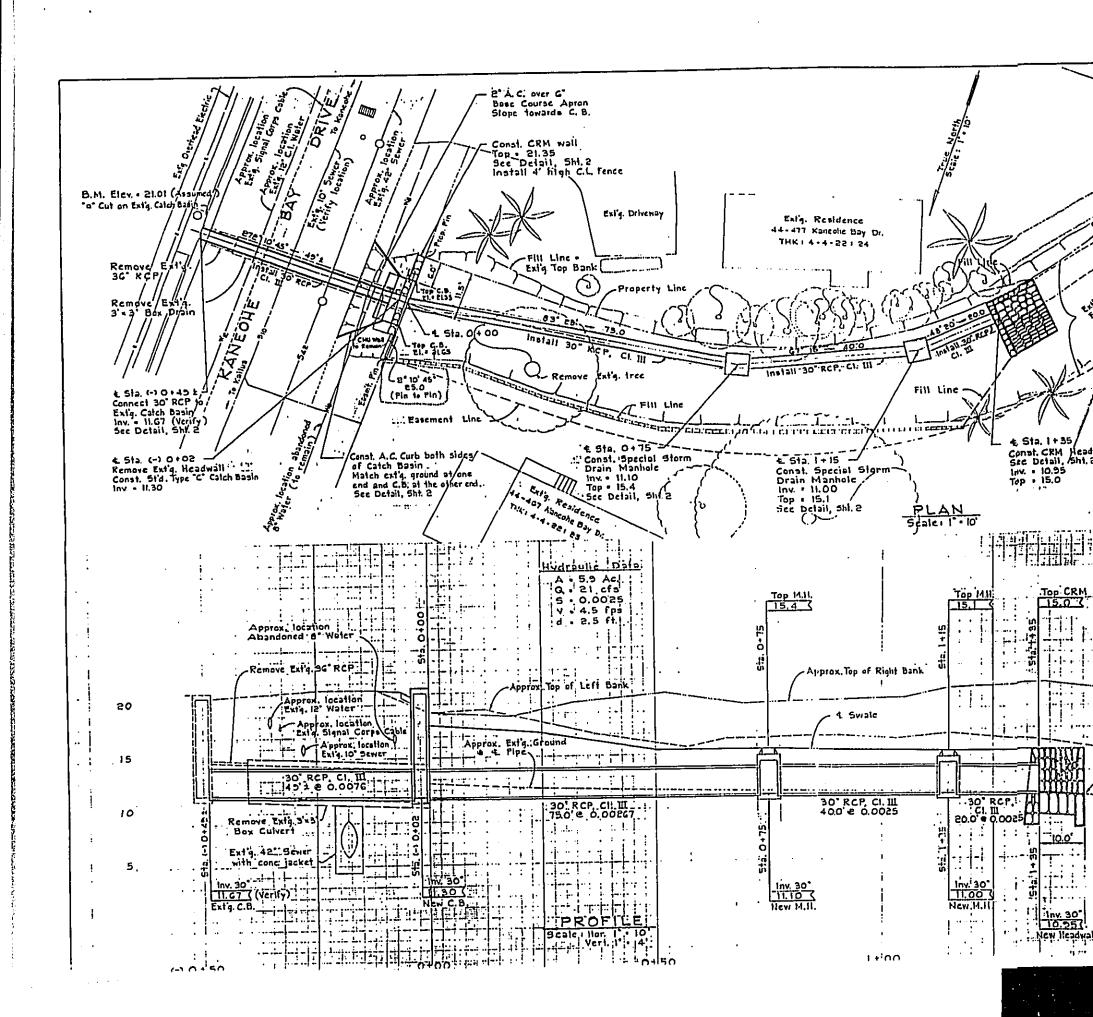
#### VI. Determination

We have determined, based on our assessment, that the proposed project will not have any short or long term adverse effects on the environment. Therefore, we will not be preparing an environmental impact statement. The following findings and reasons listed below support the determination that there will be no significant effect on the environment as the result of the drainage improvements.

- A. The proposed project does not affect the economic or social welfare of the community or State.
- B. The proposed project does not affect rare, threatened or endangered species of animal, plant or habitat, as only improved properties will be affected.
- C. The proposed project does not involve an irrevocable commitment to loss or destruction of any natural or cultural resource.
- D. The proposed project does not detrimentally affect air quality or ambient noise levels.
- E. The proposed project does not irrevocably affect the aesthetic quality of the neighborhood.
- F. The proposed project does not adversely affect any national or State historical site.
- G. The proposed project does not impact population or public facilities.



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## DOCUMENT CAPTURED AS RECEIVED

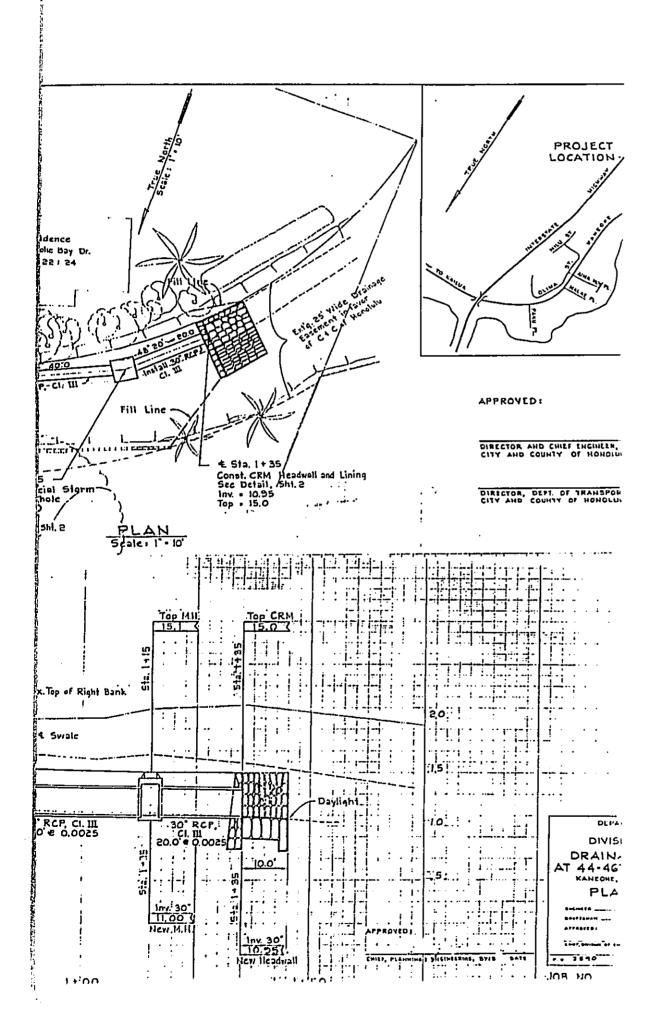
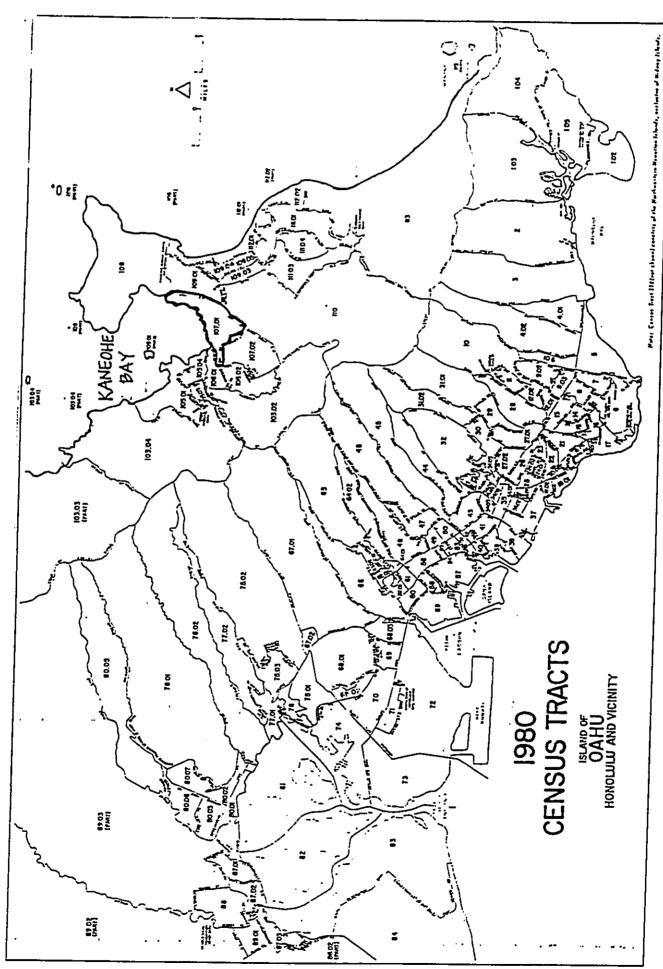


FIGURE 2



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RONALD B. MUN 1205
Corporation Counsel
ALEXANDER W. THOENE, JR. 4034
Deputy Corporation Counsel
City and County of Honolulu
Honolulu, Hawaii 96813
Telephone: 523-4657

OLFEK

Attorneys for Defendants City and County of Honolulu

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

NORMAN YETT, PATRICIA SMITH, and DENNIS W. MOORE,

Plaintiffs,

vs.

CITY AND COUNTY OF HONOLULU, JOHN DOES 1-10, JANE DOES 1-10, DOE PARTNERSHIPS 1-10, DOE CORPORATIONS 1-10, and DOE GOVERNMENTAL ENTITIES 1-10,

Defendants.

CIVIL NO. 86-0320

(OTHER CIVIL ACTION)

STIPULATION FOR DISMISSAL WITH PREJUDICE AS TO ALL CLAIMS AND ALL PARTIES; EXHIBIT A

Trial Date: None Set

SCF Judge:

Frank T. Takao

## STIPULATION FOR DISMISSAL WITH PREJUDICE AS TO ALL CLAIMS AND ALL PARTIES

IT IS HEREBY STIPULATED AND AGREED by and between the Plaintiffs NORMAN YETT and BARRY J. LaBonte, substituting for Dennis W. Moore (hereinafter "Plaintiffs") and Defendant City and County of Honolulu (hereinafter "City"), the

I do hereby certify that this is a full, true, and correct caps of the original on file in this office.

Clerk, Carbott Court, First Cacout

parties hereto, through their respective counsel, that pursuant to Rule 41(a)(1)(B) of the Hawaii Rules of Civil Procedure, the Complaint in the above-entitled matter, be and hereby is dismissed with prejudice, with each party to bear its own costs and attorney's fees.

IT IS FURTHER STIPULATED AND AGREED by and between the parties to this action, through their respective counsel, that the Plaintiffs Norman Yett and Barry J. LaBonte, in consideration of and as settlement for dismissing this action, Civil No. 86-0320 with prejudice, shall each pay to Defendant City the sum of \$9581.25 in U.S. currency, for a total of \$19,162.50 made payable to the City Director of Finance to be placed into the budget of the City Department of Public Works to offset the cost of construction and installation of a pipe storm drain in the existing open dirt storm drain that runs through and between Plaintiffs' properties and as evidenced in Exhibit A attached hereto and by reference incorporated herein and made a part of this agreement.

IT IS FURTHER STIPULATED AND AGREED by and between the parties to this action, through their respective counsel, that Defendant City in consideration of and as settlement for stipulating to dismiss this cause of action with prejudice, and upon payment of \$19,162.50 from the

Plaintiffs in this action Civil No. 86-0320, Yett v. City and County of Honolulu et al., to the City Director of Finance, shall begin preparing plans, necessary budgeting and other work that is needed to construct, install and cover a pipe storm drain in the existing open dirt storm drain as evidenced by Exhibit A.

IT IS FURTHER STIPULATED AND AGREED by and between the parties to this action, through their respective counsel, that the construction and installation of a pipe storm drain in the existing open dirt storm drain (Exhibit A) by Defendant City is not an admission of any negligence, liability, or fault of any kind whatsoever by compromises and settles any and all disputes between the parties, their heirs, executors, administrators, assigns, successors, employees and agents, for the purpose of avoiding further controversy, litigation, and expense and that said payment by each Plaintiff and said construction and installation of a pipe storm drain by Defendant City is the final consideration of this release and no other payment or consideration has been promised or will be paid.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties to this action, through their respective counsel that the Plaintiffs release Defendant City from all further

liability arising out of any matter that is the subject of this action.

All appearing parties have signed this Stipulation for Dismissal with Prejudice. There are no remaining parties or causes of action in this action. MAY 1 0 1991

DATED: Honolulu, Hawaii,

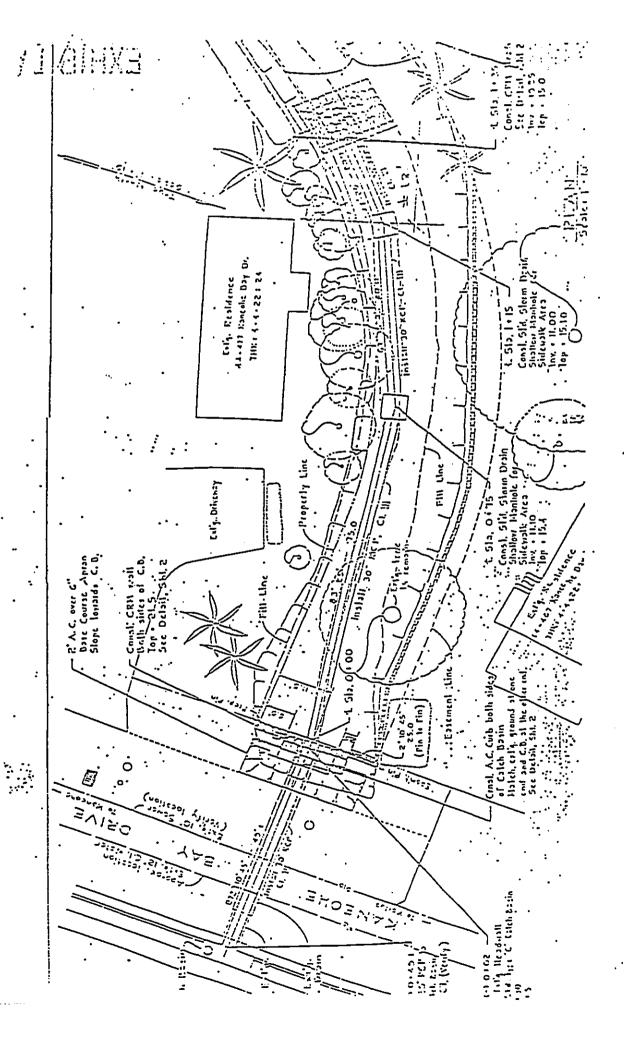
RONALD B. MUN Corporation Counsel

Вy

ALEXANDER W. THOENE, JR. Deputy Corporation Counsel Attorneys for Defendant
City and County of
Honolylu

STUART M. COWAN
Suite 1600, Grosvenor Ctr.
PRI Tower, 733 Bishop St.
Honolulu, Hawaii 96813
Attorney for Plaintiffs
Norman Yett and Barry J. LaBonte (substituting for Dennis W. Moore)

Civil No. 86-0320, Yett v. City and County of Honolulu STIPULATION FOR DISMISSAL WITH PREJUDICE AS TO ALL CLAIMS AND ALL PARTIES; EXHIBIT A



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#### APPENDIX A

COMMENTS AND RECOMMENDATIONS TO THE PROPOSED PROJECT

DEPARTMENT OF THE CORPORATION COUNSEL

## CITY AND COUNTY OF HONOLULU HONOLULU HANAII HTEFT (IF FUEL TO HUMF). FAX NUMBER (808) 223-4583

FRANK PIFASI PAROK

JUN 18 5 34 PH 19!

June 18, 1991

TO:

SAM CALLEJO, DIRECTOR AND CHIEF ENGINEER

DEPARTMENT OF PUBLIC WORKS

FROM:

ALIKA THOENE, DEPUTY CORPORATION COUNSEL DEPARTMENT OF THE CORPORATION COUNSEL

SUBJECT:

ENVIRONMENTAL ASSESSMENT FOR DRAINAGE IMPROVEMENTS ALONG KANEOHE BAY DRIVE TMK: 4-4-22:23 AND 4-4-22:24; CIVIL NO. 86-0320, YETT V. CITY AND COUNTY OF HONOLULU

In response to your June 10, 1991 memorandum regarding comments of the preliminary copy of the environmental assessment for drainage improvements along Kaneohe Bay Drive, the Department of the Corporation Counsel concurs with the preliminary report specifically Section I.C. and Section IV I.C. and Section IV.

Accordingly, our department does not recommend any changes to your report.

ALIKA THOENE

Deputy Corporation Counsel

AT:dn

DEPARTMENT OF PUBLIC WORKS

### CITY AND COUNTY OF HONOLULU

RECENTED DIVISION OF WASTEWATER MANAGEMENT

MATOR

2::12 4 5 :: 5:



SAM CALLEJO DIRECTOR AND CHIEF ENGINEER

GEORGE M. UYEMA

WPP 91-269

June 19, 1991

#### MEMORANDUM

TO:

MR. MARVIN T. FUKAGAWA, CHIEF

DIVISION OF ENGINEERING

FROM:

GEORGE M. UYEMA, CHIEF

DIVISION OF WASTEWATER MANAGEMENT

SUBJECT:

ENVIRONMENTAL ASSESSMENT FOR DRAINAGE IMPROVEMENTS ALONG KANEOHE BAY DRIVE

(91-12-0264)TMK: 4-4-22: 23 AND 24

We have no objections to the proposed action to replace the existing 36-inch drain pipe and 3'x 3' box culvert with a 30-inch reinforced concrete pipe on Kaneohe Bay Drive. Construction plans should be sent to us for review.

If there are any questions, please call Jay Hamai at extension 4653.

GEORGE M. UYEMA

Chief

DEPARTMENT OF GENERAL PLANNING

# 

July 12 y as in y

JL 12 2 12 PH 91

ROLAND D LIBBY, JR

ET 6/91-2054

July 11, 1991

#### **MEMORANDUM**

TO:

FRAMP F FASI

SAM CALLEJO, DIRECTOR AND CHIEF ENGINEER DEPARTMENT OF PUBLIC WORKS

FROM:

ROLAND D. LIBBY, JR., ACTING CHIEF PLANNING OFFICER DEPARTMENT OF GENERAL PLANNING

SUBJECT:

ENVIRONMENTAL ASSESSMENT FOR DRAINAGE IMPROVEMENTS ALONG KANEOHE BAY DRIVE, KANEOHE, OAHU, HAWAII,

TMK: 4-4-22: 23 AND 4-4-22: 24

This is in response to your letter of June 10, 1991 requesting comment on the drainage improvements along Kaneohe Bay Drive. The anticipated effects of the proposed action based on its environmental assessment (EA) are not significant enough to warrant preparation of an Environmental Impact Statement (EIS) as determined by the criteria of Section 11-200-12 of the EIS Rules to warrant preparation of an EIS. We therefore concur with your determination of a negative declaration for this project.

you have any questions, please contact Eugene Takahashi at 527-6022. Thank you for the opportunity to comment on this EA. Should

Acting Chief Planning Officer

RDL: js

DEPARTMENT OF LAND UTILIZATION

## CITY AND COUNTY OF HONOLULU RECEIVED 650 SOUTH KING STREET HONOLULU HONOLUL

91-2819

FRANK F. FASI

JUL 23 3 46 PH '9!

July 23, 1991

DONALD A. CLEGG DIRECTOR

LORETTA K.C. CHEE

LU 06/91-5318(AC)

#### **MEMORANDUM**

TO:

SAM CALLEJO, DIRECTOR AND CHIEF ENGINEER

DEPARTMENT OF PUBLIC WORKS

ATTN:

DIVISION OF ENGINEERING

DIVISION OF WASTEWATER MANAGEMENT

DIVISION OF REFUSE COLLECTION AND DISPOSAL

FROM:

DONALD A. CLEGG, DIRECTOR

SUBJECT:

COMMENTS ON DRAFT ENVIRONMENTAL ASSESSMENT (EA) PROPOSED DRAINAGE IMPROVEMENTS ALONG KANEOHE BAY DRIVE, KANEOHE, OAHU, HAWAII, TAX MAP KEY: 4-4-22: 23 AND 4-4-22: 24

We have reviewed the subject EA, and have no comments at this time on the proposed development, in the subject area.

Thank you for the opportunity to comment. Should you have any questions, please contact Art Challacombe at 523-4107.

Director of Land Utilization

DAC: 1g

<u>:</u> :

₹,

DEPARTMENT OF TRANSPORTATION SERVICES

CITY AND COUNTY OF HONOLULU

HONOLULU MUNICIPAL BUILDING
SSO SOUTH KING STREET
HONOLULU, HAWAII 96813

FRANK F FASI



AMAR CARRA

June 24, 1991

TE-3288 PL91.1.200 91-12-0264

MEMORANDUM

TO:

LLEJO, DIRECTOR AND CHIEF ENGINEER ARTMENT OF PUBLIC WORKS

FROM:

JÓSEPH M. MAGALDI, JR., DIRECTOR

SUBJECT: KANEOHE BAY DRIVE DRAINAGE IMPROVEMENTS ENVIRONMENTAL ASSESSMENT (EA)

TAX MAP KEY: 4-4-22: 23 & 24

This is in response to your memorandum dated June 10, 1991 requesting our comments on the subject project.

Based on our review, we have no objections to the proposed drainage improvements at this time. However, construction plans for all work within the City's right-of-way should be submitted to us for review. A traffic control plan showing temporary detours should be included in these plans.

Should you have any questions, please contact Lance Watanabe of my staff at local 4199.

MAGALDI, JR.

July 8, 1991

#### **MEMORANDUM**

TO:

MR. JOSEPH M. MAGALDI, JR., DIRECTOR

DEPARTMENT OF TRANSPORTATION SERVICES

FROM:

SAM CALLEJO, DIRECTOR AND CHIEF ENGINEER

DEPARTMENT OF PUBLIC WORKS

SUBJECT:

ENVIRONMENTAL ASSESSMENT FOR DRAINAGE IMPROVEMENTS

ALONG KANEOHE BAY DRIVE, KANEOHE, OAHU, HAWAII

TAX MAP KEY: 4-4-22: 23 AND 24

Thank you for your memorandum dated June 24, 1991, regarding the subject environmental assessment. We will conform to the requirements outlined in your memo.

C. Michael Street

SAM CALLEJO
Director and Chief Engineer

LH:RS:tt

BOARD OF WATER SUPPLY...

CITY AND COUNTY OF HONOLULU

630 SOUTH BERETANIA STREET

HONOLULU, HAWAII 96843

July 11, 1991

DONNA B GOTH Chairman WALTER O. WATSON JF VICE Charmar SAM CALLEDO STARRY Y CRANCE OTALANAY H EDIRUAM

NAZU mANASHIDA Manageriand Criwr Engineer

T0:

SAM CALLEJO, DIRECTOR AND CHIEF ENGINEER DEPARTMENT OF PUBLIC WORKS

FROM:

KAZU HAYASHIDA, MANAGER AND CHIEF ENGINEER HOLD BOARD OF WATER SUPPLY

SUBJECT:

YOUR MEMORANDUM OF JUNE 10, 1991 ON THE ENVIRONMENTAL ASSESSMENT (EA) FOR DRAINAGE IMPROVEMENTS ALONG

KANEOHE BAY DRIVE, KANEOHE, OAHU - TMK: 4-4-22: 23, 24

Thank you for the opportunity to review and comment on the EA for the proposed drainage project.

We have the following comments to offer:

- 1. The construction plans should be submitted for our review and approval.
- 2. The Board of Water Supply (BWS) will not be responsible for any costs associated with the relocation of BWS facilities during construction of the project.

If you have any questions, please contact Bert Kuioka at 527-5235.

#### July 18, 1991

#### **MEMORANDUM**

TO:

MR. KAZU HAYASHIDA, MANAGER AND CHIEF ENGINEER

BOARD OF WATER SUPPLY

FROM:

SAM CALLEJO, DIRECTOR AND CHIEF ENGINEER

DEPARTMENT OF PUBLIC WORKS

SUBJECT:

ENVIRONMENTAL ASSESSMENT FOR DRAINAGE IMPROVEMENTS

ALONG KANEOHE BAY DRIVE, KANEOHE, OAHU, HAWAII

TAX MAP KEY: 4-4-22: 23 AND 24

Thank you for your memorandum dated July 11, 1991, regarding the subject environmental assessment. We will conform to the requirements outlined in your memo.

SAM CALLEJO

Director and Chief Engineer

ĻH:RS:tt

JOHN WAIHEE

DEPT OF PURITY WORK



July 12 11

91.2624 WILLIAM W. PATY. CHAIRPERSON NOARD OF LAND AND NATURAL RESOURCES

DEPUTIES

KEITH W. AHUE MANABU TAGOMORI DAN T. KOCHI

ADUACULTURE DEVELOPMENT
PROGRAM
ADUATIC RESOURCES
CONSERVATION AND
ENVIRONMENTAL AFFAIRS
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
MISTORIC PRESERVATION
PROGRAM
LAND MANAGEMENT
STATE PARKS
WATER RESOURCE MANAGEMENT

STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES STATE HISTORIC PRESERVATION DIVISION

33 SOUTH KING STREET, 6TH FLOOR HONOLULU, HAWAII 96813

July 5, 1991

Mr. Sam Callejo
Director and Chief Engineer
Department of Public Works
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Dear Mr. Callejo:

SUBJECT:

Environmental Assessment for Drainage Improvements

along Kaneohe Bay Drive Kaneohe, Koolaupoko, O'ahu TMK: 4-4-22: 23 & 24

This project proposes to fill an existing open ditch and convey storm water through 135 feet of 30" drain pipe. A review of our records shows that there are no historic sites known for these parcels and that the parcels have not been inventoried. However, the pipe will be laid along the route of the existing ditch, so it is unlikely that subsurface deposits, if present, will be disturbed. Thus, we believe that this project will have "no effect" on historic sites.

If historic remains such as artifacts, shell or charcoal deposits, burials, and stone platforms, pavings, or walls are found during construction, please stop work in the immediate area and contact the State Historic Preservation Division at 587-0047 immediately. Our office will assess the situation and make recommendations for mitigative action, if needed.

If you have any questions please contact Tom Dye at 587-0014.

Sincerely,

DON HIBBARD. Administrator

State Historic Preservation Division