Mr. Gary Gill, Director  
Office of Environmental Quality Control  
220 South King Street, 4th Floor  
Honolulu, Hawaii 96813  

Dear Mr. Gill:  

Subject: Negative Declaration for the Construction of the Wiliwilinui Public Access Hiking Trail at East Honolulu, Oahu, TMK: 3-5-21: 003  

The Department of Land and Natural Resources has reviewed the comments received during the 30-day public comment period which began on February 8, 1995. The agency has determined that this project will not have significant environmental effect and has issued a negative declaration. Please publish this notice in the OEQC Bulletin as soon as possible.  

We have enclosed a completed OEQC Bulletin Publication Form and four copies of the final EA. Please contact Sam Lemmo at 587-0377 if you have any questions.  

Aloha,  

MICHAEL D. WILSON  

Attachment
FINAL ENVIRONMENTAL ASSESSMENT

PUBLIC ACCESS HIKING TRAIL
ON WILIWILINUI RIDGE

Prepared by
Gentry Waialae Iki V Partners
April 1995
DRAFT & FINAL ENVIRONMENTAL ASSESSMENT CHECKLIST
§11-200-10)

DRAFT ENVIRONMENTAL ASSESSMENT

Document Title: Wai'iliwilinai Ridge Public Access Trail

Document Received: 1/17/95  Submittal Deadline: ___________  OEQC Review Deadline: ___________

Was the "OEQC Bulletin Publication Form" completed? ______  Is EA a complete and separate document? ______

Conditions which triggered the EIS Law: Check all that apply:

____ Use of State or County Land or Funds
____ Use of Conservation District Lands
____ Use of Shoreline Setback Area
____ Use of Historic Site or District
____ Use of lands in the Waikiki Special District
____ Amendment to a County General Plan
____ Reclassification of Conservation Lands
____ Construction or Modif. of Helicopter Facilities
____ City & County of Honolulu
____ Special Management Area
____ Other

Comments/Recommendation/Justification: Provides access to existing trails

APPROVED FOR PUBLICATION IN OEQC BULLETIN: [Signature]  DATE OF PUBLICATION: 2-8-95

APPROVED BY SENIOR PLANNER: [Signature]  DATE OF PUBLICATION: 3-10-95

DRAFT EA COMMENT DEADLINE: ___________

FINAL ENVIRONMENTAL ASSESSMENT (Negative Declaration)

Document Received: 5-12-95  Submittal Deadline: ___________  OEQC Review Deadline: ___________

Was the "OEQC Bulletin Publication Form" completed?  YES  Has the Final EA been revised?  YES

Comments/Recommendation/Justification: Comment letter & adequate response

APPROVED FOR PUBLICATION IN OEQC BULLETIN: [Signature]

APPROVED BY SENIOR PLANNER: [Signature]  DATE OF PUBLICATION: 6-8-95

Draft & Final EA Checklist

Revised: April 2, 1995
FINAL ENVIRONMENTAL ASSESSMENT

PUBLIC ACCESS HIKING TRAIL
ON WILIWINIUI RIDGE

Prepared by
Gentry Waialae Iki V Partners
April 1995
CORRECTION

THE PRECEDING DOCUMENT(S) HAS BEEN REPHOTOGRAPHED TO ASSURE LEGIBILITY
SEE FRAME(S) IMMEDIATELY FOLLOWING
OEQC Number: ____  Assigned to: ____

DRAFT & FINAL ENVIRONMENTAL ASSESSMENT CHECKLIST  
(S11-200-10)

DRAFT ENVIRONMENTAL ASSESSMENT

Document Title: Wiliwilinui Ridge Public Access Trail

Document Received: 1-17-95  Submittal Deadline:  ____  OEQC Review Deadline:  ____

Was the "OEQC Bulletin Publication Form" completed?  ____  Is EA a complete and separate document?  ____

Conditions which triggered the EIS Law. Check all that apply:

- Use of State or County Land or Funds
- Use of Conservation District Lands
- Use of Shoreline Setback Area
- Use of Historic Site or District
- Use of lands in the Waikiki Special District
- Amendment to a County General Plan
- Reclassification of Conservation Lands
- Construction or Modif. of Helicopter Facilities
- City & County of Honolulu Special Management Area
- Other

Comments/Recommendation/Justification: Provides access to existing trails.

APPROVED FOR PUBLICATION IN OEQC BULLETIN:  __________

APPROVED BY SENIOR PLANNER:  __________  DATE OF PUBLICATION:  2-8-95

DRAFT EA COMMENT DEADLINE:  __________

FINAL ENVIRONMENTAL ASSESSMENT (Negative Declaration)

Document Received: 5-12-95  Submittal Deadline:  ____  OEQC Review Deadline:  ____

Was the "OEQC Bulletin Publication Form" completed?  ____  Has the Final EA been revised?  ____

Comments/Recommendation/Justification: Recommend Letter & adequate responses

APPROVED FOR PUBLICATION IN OEQC BULLETIN:  __________

APPROVED BY SENIOR PLANNER:  __________  DATE OF PUBLICATION:  6-8-95

Draft & Final EA Checklist  Revised: April 2, 1995
1. Identify the Applicant or Agency proposing the action.
   - DLNR

2. Identify the Approving Agency.
   - DLNR

3. Agencys consulted and comments received.

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- Was applicable county planning office or were any community groups notified of project?

- Is the project in the Conservation District, Special Management Area, Shoreline Setback? Has appropriate agency been contacted (concerning dual purpose EA)?

4. General description of the proposed action:
   - Technical - ½ mile foot trail
   - Economic: Proposed timing or phasing of project? Project cost? State and County projects - NA
   - Social: How does the project affect the community? - provides trail access, parking
   - Environmental characteristics §11-200-12(b)(11) - yes

Is the project located in an environmentally sensitive zone? - no

5. Summary description of the affected environment including:
   - Site location map (U.S.G.S. Topographic map preferred)

6. Summary of the major impacts: §11-200-12(b)
   - Short Term: Construction Impacts
   - Long Term: Significant effect on water, air, archaeological and historic district/sites, or flora and fauna resources? Have noise, traffic, and visual impacts been determined? - Nuisance to neighbors

7. Alternatives considered (if any). Other routes less parking, near nuisance.

8. Mitigation measures proposed (if any). BMP

9. Agency letter of submittal. Status of any other necessary approvals or permits? Jan 12, 95 DLNR

10. Findings and reasons to support the determination (preliminary).

FINAL ENVIRONMENTAL ASSESSMENT (Negative Declaration)

11. Agency letter stating negative declaration determination. 5/12/95 DLNR, CCA

12. Agencies consulted and comments received. Were comment letters and responses included? Were comments adequately addressed?

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<td>Private Individuals</td>
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13. Findings and reasons to support the determination.

- If this EA concerns only a portion of the overall project, has a previous EA/EIS been filed?

- Does project have a significant effect on environment? Re: Significance Criteria §11-200-12(b)

Draft & Final EA Checklist  Revised: April 2, 1993
FINAL ENVIRONMENTAL ASSESSMENT

PUBLIC ACCESS HIKING TRAIL
ON WILIWILINUI RIDGE

Prepared by
Gentry Waialae Iki V Partners
April 1995
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DRAFT ENVIRONMENTAL ASSESSMENT FOR THE
CONSTRUCTION OF A TRAIL ON WILIWI LI NUI RIDGE

APPLICANT: Gentry Waialae iki V Partners
P.O. Box 295
Honolulu, Hawaii 96809-0295

ACCEPTING/ APPROVING AGENCY: State Department of Land and Natural Resources
(DLNR), Division of Forestry and Wildlife (DOFAW)

AGENCIES AND CITIZEN GROUPS CONSULTED: In addition to the agencies included on OEQC’s Pre-
Assessment Consultation List for Environmental Assessments, the following agencies, citizens groups,
and individuals were consulted:

Kamehameha Schools/Bishop Estate
DLNR, DOFAW, Na Ala Hele Program, Oahu District
Waialae Iki V Community Association
Landowners of parcels on Halakau Street
Waialae-Kahala Neighborhood Board #3
Honolulu Fire Department
The Honorable Donna Ikeda
The Honorable Barbara Marumoto
The Honorable John Henry Felix

GENERAL DESCRIPTION OF PROJECT:

Technical Characteristics

Chapter 46-6.5, Hawaii Revised Statutes, and Amended Ordinance No.
4311 of the City and County of Honolulu, require the dedication of public
access to shoreline and mountain areas as a condition of subdivision
approval. In accordance with these laws, Gentry Waialae iki V Partners is
proposing to develop, in conjunction with the State’s Na Ala Hele
Program, a public access easement trail on Wiliwilinui Ridge. The trail will
be built on conservation lands owned by Kamehameha Schools/Bishop
Estate (KS/BE), and once completed, will be maintained by Na Ala Hele,
Department of Land and Natural Resources (DLNR), State of Hawaii.
pursuant to a Memorandum of Agreement (MOA) executed by and
between KS/BE and DLNR. The MOA will also indemnify and hold KS/BE
harmless against any loss, liability, or claim for personal injury, death, or
property damage caused by or resulting from the use of the trail within
the project area, as authorized in Chapter 198D, Hawaii Revised Statutes.

The project site is located in TMK No. 3-5-24; por. 3, and is on the eastern
ridge line bordering the Waialae ahupua’a claimed by Abner Paki, father
to Bernice Pauahi, in LCA number 10613. (See Exhibit A.)

The proposed project will consist of construction of a foot trail that is
approximately 1/3 to 1/2 mile long. The trail will follow Na Ala Hele trail
and access specifications: 3 foot walking tread, approximately 2 foot lateral and 7 foot vertical clearing. Brush clearing and minor excavation will occur to establish the correct walking tread width, along with the incorporation of Best Management Practices for erosion control in the preparation of the grading plan. In addition, Na Ala Hele will be maintaining the trail on a periodic basis to ensure that soil erosion and accelerated runoff are kept to a minimum. It is anticipated that the trail will be cleared in the following ways: (1) by hand with weedwackers, chainsaws, and other handheld tools; (2) with a small bobcat or similar equipment; or (3) a combination of the two. Approximately 2/3 of the trail will follow an existing roadbed.

The access point will be located on Halakau Street in the Waialae Iki V subdivision. Upon completion of construction, redwood and metal trail signs bearing the Na Ala Hele logo, trail name, and directional arrows will be installed to provide adequate information to the trail user. Exhibit B depicts the access point and an approximate alignment of the proposed Wiliwili Trail. Exhibit C shows the public access easement through the Waialae Iki V subdivision, as well as the location of the security guard station.

In addition to the trail, Gentry will also construct a 10-space parking area at the foot of the trail on non-Conservation lands. In order to mitigate concerns about the potential lack of accessibility to the trail when the parking area is fully occupied, the applicant proposes that the public be allowed to drop off hikers at the trailhead if the parking lot is full, and to allow the passage of foot traffic from the security guard station to the trail head. Additionally, to address concerns regarding monitoring of the parking area, the guard would be required to show his or her records to the public as verification that the parking lot is fully occupied.

Socio-Economic Characteristics

It is anticipated that there will be no significant economic impacts resulting from this project. However, the project will benefit the immediate community, as well as the community at large, through the expansion of outdoor recreational opportunities, such as hiking, running, mountain biking, hunting, bird watching, photography, and nature study.

Hiking as a pastime is becoming increasingly popular in Hawaii. According to a 1989 survey conducted by the State Department of Land and Natural Resources, one percent of the Hawaii residents surveyed used hiking trails at least once during the previous two weekend days. (1992 State of Hawaii Data Book, Department of Business and Economic Development, Table 224.)

Environmental Characteristics

The project site is located on forested lands in the Resource Subzone. There are no structures immediately adjacent to the proposed hiking trail, although there is a World War II bunker in the vicinity. (See section on
historical/archaeological sites.) Slopes in the project area range from approximately 10 to 20 percent.

Bordering the project site are urban areas comprised of the Waialae Iki subdivisions, and consisting of architect designed, custom built single family homes. Immediately adjacent to the project site is the partially developed Waialae Iki V subdivision. Waialae Iki V is the last developable subdivision on Williwiniti Ridge and is being developed by Gentry Waialae Iki V Partners.

It is anticipated that there will be no significant effect on air and water quality, and once the trail is completed, noise impacts should be minimal. However, there will be an increase in ambient noise levels during the construction of the project. Noise levels at 50 feet, generated by workers and small motorized equipment (chain saws and weed eaters), can range from 5 to 100 decibels.

It is also anticipated that there will be a modest increase in the amount of traffic through the Waialae Iki subdivisions during construction of the trail and once the trail is opened to the public. Based on the current number of cars driving up to a similar trail on Hawaii Loa Ridge, there could be an increase of approximately 25 to 50 cars per month.¹

**AFFECTED ENVIRONMENT**

The project site is located on Williwiniti Ridge (TMK No. 3-5-24: por. 3), and is on the eastern ridge line bordering the Waialae ahupua'a claimed by Abner Paki, father to Bernice Pauahi, in LCA number 10613. (See Exhibit A.)

The proposed project will meet Na Ala Hele trail standards and will consist of construction of a foot trail that is approximately 1/3 to 1/2 mile long. The access point will be located on Halakau Street in the Waialae Iki V subdivision. Upon completion of construction, the trail will be maintained by the State's Na Ala Hele program. Exhibit B depicts the access point and an approximate alignment of the proposed Williwiniti trail.

Flora - Biological surveys of the proposed trail alignment were carried out in December 1994. No candidate, proposed, or listed as threatened, endangered species in the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543), are known from this area nor were any found. The vegetation type found along this proposed trail alignment consists primarily of mixed introduced scrub, including the following: swamp mahogany (Eucalyptus robusta Sm.), strawberry guava (Psidium cattleianum Sabine), Formosan koa trees (Acacia confusa Merr.), molasses grass (Melinis minutiflora P. Beauv.), Guinean grass (Panicum

¹According to records kept by the management office of Hawaii Loa Ridge, there were 50 trail users in October 1994. This number increased to 98, 92, and 95 trail users in January, February, and March of 1995, respectively. (Information was not available for November and December of 1994.) The estimated 25 to 50 vehicles was based on 2 to 4 trail users per vehicle. It is likely that there will be an increase in the number of trail users during the later spring and summer months.
maximum Jacq.), basket grass (Opilissenus hirtellus (L.) P. Beauv.), mixed ferns and forbs. Along the proposed trail pathway were also seen some Malayan ground orchid (Spathoglottis plicata Blume) plants, and several native species. Among the native taxa were two ohia lehua trees (Metrosideros polymorpha Gaud.), large numbers of fragrant alahe'e (Canthium odoratum (G. Forst.) Seem.) and some ulei shrubs (Ostemeles anthyllidifolia (Sm.) Lindl.).

**Fauna** - A survey of the avian population found along the proposed trail alignment was conducted in December 1994. The vegetation of this area has been extensively modified from its original state and, as stated above, consists of mixed, introduced scrub which includes trees, shrubs, grasses, and forbs. This type of vegetation supports only introduced birds. Six species of birds were found, all of which are common in the disturbed lowland environment of the Hawaiian Islands. The six species are: Zosterops japonicus (white-eyes); Passer domesticus (house sparrow); Acridotheres tristis (common myna); Cardinalis cardinalis (northern cardinal); Carpodacus mexicanus (house finch); and Pluvialis dominica (lesser golden plover).

**Significant habitats** - There were no significant habitats identified along the trail.

**Historical/archeological sites** - Scientific Consultant Services, Inc. identified a single historic site in the vicinity of the project area during an archaeological assessment of the proposed trail project: a World War II bunker of concrete and iron construction (State Site Number 50-80-15-4811). The proposed trail alignment will pass near this site, but will have no adverse effect on it. No additional archaeological sites were observed in the project area.

**Cultural sites** - There are no significant cultural sites identified adjacent to the project site.

**MAJOR IMPACTS**

**Positive impacts** - The project will have the positive effect of expanding outdoor recreational opportunities, including hiking, running, mountain biking, hunting, bird watching, photography, and nature study.

**Negative impacts** - Although hordes of trail users are not anticipated, the proposed project may have a negative impact on residents of the Wai'ula subdivision because of slightly increased traffic and noise. The developer will take measures to minimize the adverse impact on surrounding residents, including creation of a separate off-street parking area so as to minimize the nuisance to nearby residents. Other mitigative measures include heavily landscaping the parking area and placing a limit on the number of cars allowed to the project area to coincide with the number of parking spaces available.
ALTERNATIVES CONSIDERED

1) Alternative public access easement

An alternative public access easement through Okoa Street on the easterly mauka end of the Wai'alea Iki V project was also considered. However, the realigned easement through Halakau Street (which is being discussed herein) is deemed more favorable for several reasons, including those listed below. The Halakau Street easement has been approved by both KS/BE and DLNR.

a) Convenient, less obtrusive parking lot. The Okoa Street easement would have required the development of a 6-space parking area carved out of the main street, which would have created disturbances to surrounding neighbors. This parking area would have also encroached into one of the residential lots as a public access easement for parking purposes.

In contrast, under the proposed Halakau Street easement, Gentry proposes to build a separate subdivided 10-space parking area situated at the foot of the new trail. This parking area will not only be convenient for the trail users, but will also be less obtrusive to the neighboring residents.

b) Easier, more convenient access. The Okoa Street easement would have run, in part, through a large lot subdivision, Phase 2-C, at the very top of the Wai'alea Iki V project. Tentatively approved subdivision plans will allow Phase 2-C to be protected by an unmanned carded security gate at the project entrance, and permitting public access through the carded security gate entry would be difficult to implement. The proposed public access easement and trail will provide an easier, more convenient access for trail users.

c) Less vandalism of BWS property. The Okoa Street public access trail leads to a Board of Water Supply (BWS) tank, and therefore may create concerns about potential vandalism. The proposed trail would divert the public away from the BWS tank, thereby reducing such concerns.

2) No action alternative

This alternative would be in violation of State and City laws which require public access to the mountains.

PROPOSED MITIGATION MEASURES

The utilization of proper trail construction techniques, as well as proper monitoring and maintenance, will help to ensure that the trail would have a minimal direct impact to the surrounding environment. Best Management Practices for erosion control will be incorporated in the preparation of the
grading plan, and Na Ala Hele will be maintaining the trail on a periodic basis to ensure that soil erosion and accelerated runoff are kept to a minimum.

In addition, the developer will take measures to minimize the adverse impact on surrounding residents. The creation of a separate off-street parking area will help to minimize any adverse impacts on the residents of Halakau Street. Additional mitigation measures include heavy landscaping around the parking area, and having the sentry at the security guard station limit access to no more than ten cars at any given time (to coincide with the number of parking spaces available).

In order to mitigate concerns about the potential lack of accessibility to the trail when the parking area is fully occupied, the applicant proposes that the public be allowed to drop off hikers at the trailhead if the parking lot is full, and to allow the passage of foot traffic from the guard station to the trail head. Additionally, to address concerns regarding monitoring of the parking area, the guard would be required to show his or her records to the public as verification that the parking lot is fully occupied.

DETERMINATION

The accepting agency has determined that the action will not have significant impacts on the environment.

FINDINGS AND REASONS SUPPORTING DETERMINATION

There are no endangered, threatened or rare flora or fauna encountered on the proposed trail corridor and all of the native plants occurring along the proposed trail are found in the surrounding area and generally occur in the Koolau Mountains. The archaeological inventory survey indicates that no changes in the proposed alignment of the trail corridor or any further archaeological work in association with trail construction is recommended. As a result, the Office of Conservation and Environmental Affairs, Department of Land and Natural Resources, recommends that an Environmental Impact Statement not be required.
SUBJECT AREA
PROPOSED WILIWILINUI HIKING TRAIL ACCESS EASEMENT
EXHIBIT C
PUBLIC ACCESS EASEMENT MAP
EXHIBIT D

PUBLIC COMMENTS

AND

APPLICANTS' RESPONSES
Public Comments

Comments on the proposed Wiliwilinui Trail were received from the following individuals and groups. Written comments and the applicant's responses to those comments are included herein.

Community Groups/Area Residents
- Waialae Iki V Community Association
- Harold Nakaoka (area resident)
- Thomas S. Witten, ASLA (area resident)

City Agencies
- Division of Public Works, City and County of Honolulu
- Honolulu Fire Department (stated via telephone that HFD has no comments)
- Honolulu Police Department
- Planning Department, City and County of Honolulu

State Agencies
- State Department of Land and Natural Resources, Division of Forestry and Wildlife
- State Department of Land and Natural Resources, State Historic Preservation Division
- State Department of Land and Natural Resources, Division of State Parks
- University of Hawaii Sea Grant Extension Program
January 20, 1995

Mr. Samuel J. Lummis, Planner
State Department of Land and Natural Resources
Office of Conservation and Environmental Affairs
1151 Punchbowl St., Room 325
Honolulu, Hi. 96813

Re: Wiliwilinui Ridge Hiking Trail

Dear Mr. Lummis:

We recently received notice from Gentry Waianae Iki V Partnership of its Conservation District Use Application for public access hiking trail on Wiliwilinui Ridge above the Waianae Iki V subdivision. The Waianae Iki V Community Association owns the easements through the private Waianae Iki V subdivision that lead to the trail (portions of Lualualei Street, Nani Street and Halakau Street). It is also anticipated that the Association will own the parking area that is being built by Gentry. As such, we have the following comments and concerns:

a. In consideration of the residents in this subdivision, the Association should be able to impose reasonable restrictions on access to the hiking trail. We would like to be able to limit the number of cars to the number of marked parking stalls and restrict access to the hours between 7 a.m. and 6 p.m. In addition, since the cars will be parking on private roads, we would like to be able to require that all persons requesting access to the hiking trail register at the guardhouse and that all drivers show a current drivers license, a valid pass-back card and car registration. We would also like to require those parking through Association property to sign an acknowledgment that the Association is not responsible for the trail or the parking area and agreeing to indemnify the Association against loss, damage or liability arising out of the person’s use of the trail, easements and parking area.

b. We understand that the State has agreed to maintain the parking area after it has been built by Gentry. We would like confirmation of that arrangement.

c. We would appreciate a written statement of whether hiking will or will not be allowed on the Wiliwilinui Ridge Trail. Since access to the trail through a private residential area, we would prefer that hiking not be allowed on or around the trail.

Thank you for your consideration of these comments. We look forward to working with the State on these matters. Please call me at 373-5222 if you have any questions.

Waianae Iki V Community Association,

was signed by Toshi Chong and mailed on 1/20

Toshi Chong
President

c: Board Members
Gentry Waianae Iki V Partnership
Attn: Mr. Tony Haseoka

The Gentry Companies

April 13, 1995

Waianae Iki V Community Association
Board of Directors

c/o Ron Kaka
1939 Lualualei Street
Honolulu, Hawaii 96821

Dear Board Members:

RE: Conservation District Use Application, Public Access Hiking Trail at Wiliwilinui Ridge (Gentry Waianae Iki V Partnership) (File No. OA-2264)

We appreciate your comments on the subject Conservation District Use Application.

We have reviewed your comments and respond as follows:

1) Restrictions on access to the hiking trail. We believe that the restriction that you are proposing regarding limitation on the number of cars to the number of parking spaces available is a reasonable one. We also concur with your suggestion that all persons requesting access to the hiking trail register with the security guard and sign an agreement indemnifying the Association against loss, damage, or liability arising out of the personal use of the trail, easements and parking area, and that all drivers be required to show a current drivers license, a valid pass-back card and vehicle registration.

To address the issue of allowing the public to access the trail when the parking lot is full, we are preparing to allow drivers to drop off hikers at the trail head, and to allow the passage of foot-traffic from the guard station to the trail head. We believe this would be a preferable alternative to allowing overflow parking on Hakalau Street.

With respect to restricting access to the hours between 7:00 a.m. and 6:00 p.m., we comment as follows: State trails are generally open from "dawn to dusk," which is considerably longer than the hours being proposed. We are discussing your proposal with staff of the Department of Land and Natural Resources and hope to obtain a favorable response.
2) Maintenance of the parking area. Your understanding that the State had verbally agreed to maintain the parking area was correct one at the time your letter was drafted. Subsequently, however, DLNR notified us in writing that it will maintain the actual trail, but not the parking area because the parking area is not a State or a City requirement, and that it is being built strictly for the benefit of the WIV area residents who objected to trail users parking along Haloaka Street. If the parking lot was not built, the trail users would have to park along Haloaka Street. DLNR and the City Parks Department thus feel that the responsibility of maintaining the parking lot should rest with the WIV Community Association.

On the plus side, DLNR has pointed out that they anticipate very little maintenance of the parking area will be needed. The parking lot will probably be constructed of reinforced concrete which would not require much maintenance. As for trash pick up, according to DLNR, none of the State trails have trash bins, and so far there haven't been problems with trash. Hikers are generally very conscientious about the environment and carry their trash away with them.

Finally, as the owner and provider of maintenance of the parking lot, the Association would be able to exercise more control over the use of the parking lot (subject, of course, to DLNR approval), such as chaining a gate over the entrance to the parking area at the appointed time for it to close.

If the Waialae Iki V Community Association is not willing to take on the responsibility of maintaining the parking area, then DLNR has indicated that the cars may have to park along Haloaka Street.

3) Hunting on the trail. Hunting will be allowed only in the designated hunting area in the State forest reserve and will not be allowed on the trail itself, nor on any of the Bishop Estate lands leading up to the forest reserve. Both the City Parks Department and the State Department of Land and Natural Resources have confirmed that we would not be able to prohibit hunters from using the public access trail to get to the hunting grounds.

It has also been pointed out to us by State and City representatives that:

- Hunting dogs must be on leashes until they get to the designated hunting area on State lands.
- Hunting dogs are generally very well trained. Hunters sometimes pay $5,000 or more to acquire their dogs because of the dogs' special training.

C) Pig hunters actually help the environment because pigs, if left unchecked, could be very damaging to the flora. Additionally, if hunting is prohibited outright, the population of wild pigs may increase to the point where they may eventually start coming down closer to the residential area, and

The actual hunting grounds are generally down in the valley on the other side of the ridge. We understand that most hunters would probably prefer to access the hunting grounds through the adjacent Aina Haina valley or by way of Hawai‘i Loa Ridge.

Thank you again for your comments. If you have any questions, please call me at 599-8300 or Debbie Luning at 599-8370.

Sincerely,

GENTRY WAIALAE IKI V PARTNERS

Tosh Hosoda
C. Samuel Lemoa
Mr. Samuel Lemno  
Department of Land and Natural Resources  
Office of Conservation and Environmental Affairs  
1151 Punchbowl Street, Room 325  
Honolulu, Hawaii 96813

January 19, 1995

Dear Mr. Lemno

This letter is in reference to Gentry Waialae Iki V Partners’ application for a public access hiking trail on Waikeleou Ridge.

Being a new owner at Waialae Iki V, I am not knowledgeable of the alternatives that were considered in developing the proposed project. However, I am now being given the opportunity to comment. I would like to note that the three reasons given in justifying the alternative chosen are flawed.

The reasons given by Gentry and my comments are as follows:

1. Convenience, less obtrusive parking lot. The approved easement would have required the development of a 6-space parking area carved out of the main street, which would have created disturbances to surrounding neighbors. This parking area would have also encroached into one of the residential lots at a public easement for parking purposes. In contrast, under the proposed easement, Gentry proposes to build a separate 10-space parking area situated at the foot of the new trail. This parking area will not only be convenient for the trail users, but will also be less obtrusive to the neighboring residents.

Gentry’s proposal to create a dedicated parking lot off of the street mitigates parking conflicts however, in solving parking conflicts the proposed location at Halakau St. creates additional problems and no means addresses obtrusive traffic.

(1) Since traffic cannot be eliminated without denying access, a means of mitigating obtrusive traffic is to direct it onto the main thoroughfare, Laiakau St. and not onto a side street such as Halakau St.

(2) The proposed parking lot location combined with the proposed landscaping creates a security problem for neighboring residents. The parking lot is hidden from view and being situated on a lightly traveled side street combined with landscaping creates favorable conditions for vandalism. This concern can be mitigated by relocating the parking lot closer to major traffic areas and in areas with wider buffers between residential lots. The proposed parking lot, located next to a residential lot, will create undue hardship on the owner. A more appropriate location would be in the vicinity of the Phase 2-C subdivision, which Gentry characterizes as “large lots”. Because of the larger lots, more buffer space is available in Phase 2-C to separate parking from houses than the smaller lots at Haleakau St.

(3) If more than ten cars seek access to the trail, overflow parking will end up on the Halakau St. cul de sac and create inconveniences and traffic safety problems. This potential problem is further exacerbated since Halakau St. is a narrow side street. In order to mitigate overflow parking Gentry proposes to limit the number of cars being admitted to the trail area. However, I doubt if this is permissible. By limiting access to ten cars, Gentry will be in effect denying access to the public, thereby violating a law that they are mandated to comply with.

b. Easier, more convenient access. The alternative easement would have run, in part, through a large lot subdivision, Phase 2-C, at the very top of the Waialae Iki V project. Tentatively-approved subdivision plans will allow Phase 2-C to be protected by an unmanned carded security gate at the project entrance. In 1985, the carded security gate entry would be difficult to implement. The proposed public access easement and trail will provide easier, more convenient access to trail users.

The inconvenience stated here, the carded security gate, is easily overcome. Owners of Phase 2-C will not doubt have visitors who will be faced with the same dilemma as trail users, which is driving past the carded security gate without an access card. To permit access to visitors the developers of Phase 2-C will probably install an intercom access system such as those utilized in condominiums. These systems relay voice communications and are capable of activating the gate through the telephone system. Visitors of Phase 2-C owners would first register with the security guard at the main gate and proceed to the carded security gate. They would use the intercom to announce their arrival at the carded gate to their owner friend, the owner would then activate the gate to permit access into the Phase 2-C subdivision.

Similarly the intercom can be programmed for trail users. After registering with the security guards the trail users would proceed to the carded security gate. The intercom system could be programmed to ring back to the security guards who will then activate the gate. By doing so the security guard is also assured that the trail user is actually entering onto the Waialae Iki V property for the stated reason and not for other unauthorized purposes. This check would serve as a added security feature for the residents of Waialae Iki V. If used in this manner the carded security gate is a security feature and supports relocation of the proposed parking lot.

c. Less vandalism of BWS property. The alternative public access trail leads to a Board of Water Supply (BWS) tank, and therefore may create concerns about potential vandalism. The proposed trail would divert the public away from the BWS tank, thereby reducing such concerns.

The proposed trail may have diverted the public away from a BWS tank but instead aided the parking lot immediately next to another BWS tank located on Halakau St. This
location coupled with the landscaping only increases the potential for vandalism not only to the BWS tank but to adjoining residential lots. If reducing the potential of vandalism to any BWS tank is a concern the parking lot should also be located away from the BWS tank. Relocating the parking lot away from Halakau St. would only require minor modifications to the access trail and would still divert the public away from both BWS tanks thereby reducing potential vandalism.

In closing I would also like to note that I live on Halakau St. Although this is another reason for my objection to the Halakau St. location for the parking lot, my objections are motivated primarily because the stated reasons do not adequately support the proposed location of the parking lot. I believe that a more favorable location is available and should be evaluated more fully.

Sincerely,

Harold Nakasaka
2255 Halakau St.
March 9, 1995

Mr. Harold Nakoka
2255 Halakau Street
Honolulu, Hawaii 96821

Dear Mr. Nakoka:

RE: Conservation District Use Application, Public Access Hiking Trail at Wiliwilinui Ridge (Gentry Waialae Iki V Partners) (File No. OA-8761)
Waikiki, Kona, Oahu
TMHC 3-5-273

Thank you for taking the time to respond in such depth to the proposed public access trail. We have reviewed your comments and respond as follows:

1) Parking lot. First of all, it should be pointed out that Gentry is not required by law to build a parking lot. The State statutes and City ordinance merely require us to provide public access. Thus, if we were to allow public parking along Halakau Street, we would still be in compliance with the law. We do, however, feel a sense of obligation to the surrounding homeowners to build the parking area in an effort to minimize the potential nuisance created by the trailheads. In the past, it was expressed to us by a number of Halakau Street homeowners that building an enclosed parking lot at the trailhead would be much more desirable and less intrusive than having motor or other trail users park along the street.

2) Overflow parking on Halakau Street. We received several comments like yours regarding the accessibility of the trailhead to the general public. As a proposed solution, two respondents suggested that the public be allowed to drop off hikers at the trailhead if the parking lot is full, and allow passage of foot traffic from the guard station to the trailhead. This appears to be a fair compromise solution to both trail users and the residents, and would be a preferred alternative to allowing overflow parking on Halakau Street.

3) Access through carded gate entry. We agree that your suggestion to resolve the carded security gate entry could be workable from a strictly practical standpoint. However, we do not believe it to be an appropriate solution for the owners in Phase 2-C. One of the reasons that buyers would choose to purchase a lot in Phase 2-C is the added security feature. This added security would be effectively nullified if public access were to be allowed through the project.

4) BWS tank. Although the parking area is located adjacent to the Board of Water Supply property, it is actually a considerable distance away from the tank itself. It would be much more difficult for vehicles to do harm to the Halakau Street facilities because of the openness of the facilities.

Again, thank you for sharing your concerns and opinions with us.

Sincerely,

GENTRY WAIALAE IKI V PARTNERS

Toshi Hosoda

cc: Samuel Lasuca, OCEA
February 27, 1995

Department of Land and Natural Resources
Office of Conservation and Environmental Affairs
1151 Punchbowl Street, Room 325
Honolulu, Hawaii 96813

Attention: Sam Lemmo

SUBJECT: WIIWIWIHUI RIDGE PUBLIC ACCESS TRAIL
WAIALAE KI V, OAHU

Dear Mr. Lemmo:

I support the recent Grant Waiakea Ki V Partnership plan to construct a off-street parking area and new trail to connect to the Wiliwilinui Ridge trail. Accessed via Halakau Street, the proposed off-street parking area will not be visible from the existing residences and is a greatly improved solution to those previously considered at the cul-de-sac of Halakau Street.

As a resident of Waialae Ki V and located within 600 feet of the proposed off-street parking area, I request that the following conditions of approval be considered:

1. Access be limited to hikers and no bicycles be permitted. Due to the proximity to a residential area there are concerns for the safety of residents and recreational hikers should be adequately addressed.

2. Restrict access to daylight hours 7 a.m. to 5 p.m.

3. Require hikers to provide identification and proof of automobile insurance (as applicable) to security guard at entry to Waiakea Ki V.

4. Intensify Waiakea Ki V Community Association of any liability related to those gaining access to Wiliwilinui Trail and related parking area.

5. Limit parking area to 6 stalls consistent with the previously approved easement. What is the basis for increasing the parking requirement by over 60% to 10 stalls?

Thank you in advance for your consideration of these concerns. Regarding the increase in number of parking stalls, could you please provide me the information requested.

Sincerely,

[Signature]
Thomas S. Witen, ASLA
2277 Halakau Street
Honolulu, Hawaii 96821
March 9, 1995

Mr. Thomas S. Witten, ASLA
2277 Halakea Street
Honolulu, Hawaii 96821

Dear Mr. Witten:

RE: Conservation District Use Application, Public Access Hiking Trail at Waaakala Ridge (Gentry Waialae Iki V Partners) (File No. OA-2761)
Waialae, Kona, O'ahu
TMK: 3-5-27:3

Thank you for your letter expressing your support of the proposed public access trail and parking area. We have reviewed your suggestions and respond as follows:

1) Limited access. Although we, too, are in favor of limited access to non-hunting activities, the law states that public access shall be provided to the mountains where there are existing facilities for hiking, hunting, fruit picking, slides and other recreational purposes. We have been informed by the Department of Land and Natural Resources, Division of Forestry and Wildlife, that hunting must be permitted as an activity since there are existing hunting facilities within the State forest reserve.

To help allay your fears regarding the potential dangers of hunters, we would like to share with you the following excerpt from a letter that we sent to a number of Halakea Street residents who share your concerns:

"It appears that your major concern relates to hunters and the 'potential danger to the community' that would be created. We have been informed by the Division of Wildlife and Forestry, Department of Land and Natural Resources, that there has been no documented incident involving rifles or hunting dogs along public access trails adjacent to residences. Hunting would be permitted only in the public hunting area much farther inland and would be prohibited on Bishop Estate lands.

In addition, your fear regarding hunting dogs is unfounded. Hunting dogs, as well as other types of dogs, cannot be brought to the trail without a leash. That must be the law. Further, it is unfair to equate all hunting dogs as vicious creatures who attack indiscriminately without fear of provocation. This is simply untrue. Hunting dogs are no different from other types of dogs except that they are usually better trained."

2) Restrict hours from 7:00 a.m. to 5:00 p.m. We concur with your suggestion and will work with Na Ali Iki in restricting access hours.

3) Require hikers to provide identification to security guard. We concur. At Hawaii Loa Ridge, prior to allowing access, the security guard collects pertinent information about trail users and ensures that each person has signed a waiver of liability agreement. The guard also takes down pertinent information on the vehicle and issues a parking permit for the parking area near the trailhead. A similar procedure could be established for Waialae Iki V.

4) Indemnify Waialae Iki V Community Association. We discussed this matter with staff of the Na Ali Iki Trails Program at DLNR and had hoped that the State would be willing to enter into an indemnification agreement with the Community Association. However, as much as the State did not enter into such an agreement with Hawaii Loa Ridge, they were unwilling to do so for Waialae Iki V. To address the liability issue, the Hawaii Loa Community Association requires each hiker, when they check in at the security guard station, to sign an agreement which indemnifies the Association from any liability. A similar procedure could be established for the WIV Community Association.

5) Limit parking area to 6 stalls. Staff of DLNR has expressed a concern that a six-stall parking area may be insufficient once word gets out that the Waaakala Ridge has been opened. Thus we decided that a 10-stall parking area would be preferable, albeit more costly, to build. This would lessen the number of trail users who would have to park on the public streets outside the guard house and walk up the trail head whenever the parking lot is fully occupied.

We hope that we have adequately addressed your comments. Again, thank you for your thought on this matter.

Sincerely,

GENTRY WAIALAE IKI V PARTNERS

[Signature]

[Name]

c: Samuel Lennon, OCEA
Mr. Michael D. Wilson
Chairperson
Department of Land and Natural Resources
State of Hawaii
P.O. Box 603
Honolulu, Hawaii 96809

Dear Mr. Wilson:

Subject: Your Letter of January 13, 1995, Regarding a Conservation District Use Application No. DA-2763 for a Public Access Hiking Trail at Wawaiula Ridge, E. Honolulu, Oahu, Tax Map Ekn: 2-5-24; Par. 60

We have reviewed the application and have the following comments:

Engineering:

Graded area could be up to 0.9 acres with no planting. Include Best Management Practices (BMPs) for erosion control to prevent silt from reaching the stream. Refer to page 4, third paragraph of the application and page 1, third paragraph under "Technical Characteristics" of the draft environmental assessment.

Should there be any questions regarding this matter, please call Gerald Takayama at 527-6104.

Refuse Collection:

None.

Very truly yours,

[Signature]

Acting Director and Chief Engineer

April 10, 1995

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

Dear Mr. Sprague:

RE: Conservation District Use Application, Public Access Hiking Trail at Wawaiula Ridge (Gentry Wai'iahi Iki V Partners) (File No. DA-2763)
Waikiki, Oahu, O'ahu - TMSK: 3-5-2713

Thank you for your comments on the subject Conservation District Use Application. As you have recommended, we will incorporate Best Management Practices (BMPs) for erosion control in the preparation of our grading plans. In addition, once the trail is constructed, Na Ala Hele will be maintaining it on a periodic basis to ensure that soil erosion is kept to a minimum.

Sincerely,

[Signature]

Tosh Honolulu

c: Samuel Lemo
February 1, 1995

State Department of Land and Natural Resources
Office of Conservation and Environmental Affairs
Attention: Mr. Samuel Leano
1151 Punchbowl Street, Room 325
Honolulu, Hawaii 96813

Dear Mr. Leano:

This is in response to your letter dated January 25, 1995, requesting for comments on the planned public access hiking trail on Wiliwilinui Ridge.

We approve of the proposed trail, which will be a valuable addition to the city's recreational resources. However, we have some concerns about the security for the hikers' vehicles that will be parked in the trailhead, off-street parking area.

We would suggest that the lot not be so isolated that their cars become easy targets for vandals or thieves. The parking area for hikers to Honua Falls presents problems precisely because of its isolation.

We would recommend that the parking lot be visible enough to nearby residents and to street traffic to discourage potential criminals. Perhaps a way can be found to provide this security in a manner that will not disturb nearby residents.

Thank you for the opportunity to review this document.

Sincerely,

MICHAEL S. NAKAMURA
Chief of Police

By

EUGENE ULENA, Assistant Chief
Administrative Bureau
DEPARTMENT OF LAND & NATURAL RESOURCES
Division of Forestry and Wildlife

MEMORANDUM: January 30, 1995

TO: Roger Evans, OCEA
FROM: Michael G. Buck, Administrator

We have reviewed File No. OA-2761 and have the following comments and recommendations:

1) Access should NOT be restricted or limited to the number of parking spaces available. Should there be a problem, overflow parking can be accommodated along Halaau Street.

2) DOFAW's Na A'a Hele Trails & Access Program will maintain the trail after it is constructed by the applicant pending the applicant's public access negotiations with Kamehameha Schools/Bishop Estate.

3) The construction and maintenance of the parking lot is the responsibility of the applicant.

4) A fire contingency plan is required as part of the conditions to the approved CDUA.

c: Oahu Branch
   NAH Program Manager
Mr. Michael G. Buck  
March 9, 1995

Mr. Michael G. Buck, Administrator  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
1531 Punchbowl Street  
Room 323  
Honolulu, Hawaii 96813

Dear Mr. Buck:

RE: Conservation District Use Application, Public Access Hiking Trail at  
Williamina Ridge (Gentry Waialae Iki V Partners) (File No. OAA-2761)  
Wai'anae, Oahu  
TMK: 3-5-2713

Thank you for your comments on the subject Conservation District Use Application.

We have reviewed your recommendations and respond as follows:

1) Not restricting or limiting access to the number of parking spaces available;  
accommodate overflow parking on Halihau Street. We received several comments  
regarding the accessibility of the trailhead to the general public. As a proposed solution,  
two respondents suggested that the public be allowed to drop off hikers at the trailhead if  
the ten-space parking lot is full, and allow the passage of foot-traffic from the guard station  
to the trailhead. This solution should reduce any disturbance to the Halihau Street  
residents. We concur that this would be a fair compromise solution to both trail users and the  
residents, and that this would be a preferred alternative to allowing overflow parking  
on Halihau Street.

2) Construction and maintenance of the trail. Your comments are noted.

3) Construction and maintenance of the parking lot. Although it is not required  
by law, we have agreed to construct the parking lot. Maintenance of the parking lot is still  
being discussed.

4) A fire contingency plan. A fire contingency plan will be developed and included  
as part of the CDUA.

Thank you again for your comments. We will continue working with your Na Ala Hele  
staff in getting this trail built.

Sincerely,

GENTRY WAI ALAE I KI V PARTNERS

Toshi Hosoda

cc: Samuel Leonno
MEMORANDUM

TO: Roger C. Evans, Administrator
Office of Conservation and Environmental Affairs

FROM: Don Hibbard, Administrator
Historic Preservation Division

SUBJECT: Conservation District Use Application, Public Access Hiking Trail at Waimanalo Ridge (Gentry Wahala Iki V Partners) (File No. OA-2761) Waikiki, Kona, O'ahu

TMK: 3-5-24

January 20, 1995

LOG NO: 13476
DOC NO: 9001TD14

THE GENTRY COMPANIES

March 9, 1995

Mr. Don Hibbard, Administrator
Historic Preservation Division
State Department of Land and Natural Resources
33 South King Street, 6th Floor
Honolulu, Hawaii 96813

Dear Mr. Hibbard:

RE: Conservation District Use Application, Public Access Hiking Trail at Waimanalo Ridge (Gentry Wahala Iki V Partners) (File No. OA-2761) Waikiki, Kona, O'ahu

TMK: 3-5-2713

Thank you for your comments on the subject Conservation District Use Application.

Your stated belief that "the hiking trail will have no effect on site 4811, or on historic sites generally" is particularly noted.

Sincerely,

DON HIBBARD
Administrator,
Historic Preservation Division

GENTRY WAILAE IKI V PARTNERS

Tosh Hinojosa

cc: Samuel Lemmo, OCEA
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF STATE PARKS

January 20, 1995

MEMORANDUM

TO: Mr. Roger Evans, Administrator
Office of Conservation and Environmental Affairs

FROM: Ralston Nagata
State Parks Administrator

SUBJECT: Public Access Hiking Trail Wiliwilii Ridge, E. Honolulu, Oahu
Conservation District Use Application (OA-2761)

We wish to offer comments regarding the relative availability/accessibility of this trailhead to the general public:

Assuming this facility becomes public knowledge via Na Ala Hele or related maps put out by DLNR, or County public access staff, the public may be effectively discouraged to get to the 10 stall parking lot. Should the community association wish to discourage such public use, the guard booth at the entry to Wai'alea lki V subdivision could easily turn away hikers (or vehicles) by indicating that the lot is full. Would the hiker be able to park the car in the vicinity of the subdivision entry and walk the 1/2 mile or so to the trailhead? What recourse would the hiker then have, if the 10 stall parking area is unoccupied or nearly so when he walks in?

In order to protect the public's right to access, we recommend an appropriate welcoming trial access sign be also posted in the vicinity of the guard booth, if the guard is to restrict vehicles based on reaching the 10 vehicle capacity, then the guard should be able to disclose a record noting vehicle number, entry and exit times, and trail head as destination.

We have been involved in similar situations where required public access across private development eventually is "lost" to the public, because the development tries to hide or discourage the public traversing their property to get to the public access, as in this case, located at the far end of the property. While discouragement may turn out not to be the case with this development, it is better to work things out at the outset, when the applicant tends to be most receptive to conditions imposed.

RALSTON NAGATA

THE GENTRY COMPANIES

March 9, 1995

Mr. Ralston Nagata
State Parks Administrator
Departments of Land and Natural Resources
1151 Punchbowl Street, Room 310
Honolulu, Hawaii 96813

Dear Mr. Nagata:

RE: Conservation District Use Application, Public Access Hiking Trail at Wiliwilii Ridge (Gentry Wai'alea lki V Partners) (File No. OA-2761)
Waikiki, Oahu, O'ahu TRMC: 3-5-2713

Thank you for your comments on the subject Conservation District Use Application. We have reviewed your comments and suggestions and respond as follows:

1) We received your comments similar to yours regarding the accessibility of the trailhead to the general public. We believe that your suggestion is a good one, i.e., to allow the public to park at the trailhead if the ten-stall parking lot is full, and to allow the passage of two-traffic from the guard station to the trailhead. This appears to be a fair compromise solution to both trail users and the residents, and would be a preferred alternative to allowing overflow parking on Hakakau Street.

2) The posting of an appropriate welcoming trial access sign in the vicinity of the guard booth should not be a problem. We will work with the Wai'alea lki V Community Association on implementing this suggestion.

3) We are open to your suggestion in which the guard would show his or her records to the public as verification that the parking lot is fully occupied.

Thank you again for your suggestions and comments.

Sincerely,

GENTRY WAIALAE IKI V PARTNERS

Tosh Honda
Samuel Lemke
2 March 1995

Mr. Sam Lesno
Department of Land and Natural Resources
Office of Conservation and Environmental Affairs
1101 Punchbowl Street, Room 335
Honolulu, Hawaii 96813

SUBJECT: Review of Century Malaei Iki V Partners Draft Environmental Assessment (DEA)

Dear Mr. Lesno,

First and foremost, I want to thank you for sending a copy of the above document to me ("Conservation District Use Application for Public Access Hiking Trail on Wiliwili Ridge"). I have reviewed this document and have several concerns that I believe should be addressed before this application be considered to be complete and allowed to move forward. These are discussed below.

By way of background, the DEE proposes to develop a 10-car parking area at the end of Halsike Street for public use and a 1/2 to 1 mile long trail to connect into the existing trail on Wiliwili Ridge. This is commendable in light of the fact that the area has been effectively off-limits to the public for some time (I use to hike the area in the middle 90's).

The rationale for the proposed trail development is given in part on pages 5, 6 and 7 of the DEA; as noted on page 5 of the DEE:

1. Consistency with the purpose of the Conservation District:

"Among the purposes of the Conservation District are the conservation of necessary forest growth, the conservation and development of land and natural resources adequate for present and future needs, and the conservation and protection of open space areas for public use and enjoyment.

(Emphasis added.) The proposed trail is intended to allow the public to enjoy the open space and scenic natural beauty of Conservation District lands on Wiliwili Ridge.

Thus, a purpose for the development of the trail is to meet regulations regarding the public's right to enjoy the scenic hiking resources of Wiliwili Ridge. It should be remembered that this right has not been allowed under the present development. Moreover, as is noted below, the general public's right of entry will be severely limited under the proposed development.

Additionally on page 6 of the DEE:

4. No substantial adverse impact to the existing natural resources within the surrounding area, community or region:

"There will be negligible impact to the existing natural resources. Brush clearing and minor excavation will occur to establish the correct walking tread width, along with the accelerated runoff. In addition, mitigation measures including creation of a separate parking lot area, will be taken to ensure that there will be a minimal impact on the majority of Hailea Street residents. Placing a limit on the number of cars being admitted to the trail area, and heavily landscaping the parking lot will help to ensure that there will be no substantial adverse impact within the surrounding area."

We note further in the DEA on page 2, the following:

"It is anticipated that there will be a modest increase in the amount of traffic through the Hailea Iki subdivisions during construction of the trail and once the trail is open to the public, based on the number of cars driving up to a similar trail on Hailea Los Ridge, there will be an increase of approximately 50 cars per month."

Based on the number of cars during the month of October 1994, it is likely that there would be more trail users during the spring and summer months and fewer hikers during the winter months.

These are the only data provided in the DEA regarding how the figure for the number of parking stalls was determined. The DEE's analysis of a single month's use of a similar trail on Hailea Los Ridge as a database is not explained in the DEA and it should be considered by the consultant to use data from both the summer and winter months in determining KMMPER usage levels."
To objectively determine the present usage levels, the consultant should utilize data (i.e., number of daily users, cars, etc.) from a number of well-known (e.g., Manoa Falls, etc.) and lesser-known trailheads (such as the Hawaii Lo Ridge trail) for both weekdays as well as weekends. These data should be presented in a table and the methods used in determining how many parking stalls for the proposed development should be given in detail. Anything short of this is inadequate.

The DEA makes the assumption that 10 stalls will be adequate for the hiking public of Oahu. It is questionable whether 10 stalls would be sufficient, especially in light of the statistics in the State of Hawaii Data Book - 1992, Table 224, which notes that in a 1989 survey one percent of all Hawaii's residents used hiking trails at least once during the last two weekend days as well as one percent of the polled residents used hiking trails once during the last five weekdays. Visitors have a higher rate of usage of our hiking trails; fully 16 percent of all visitors polled use a hiking trail once during their stay. In 1990 the population of Oahu was about 830,000 (from State Data Book) and one percent would be 8,300 people using a hiking trail once every 5 days or once every weekend. This translates into more than 1,650 people using Oahu's hiking trails every weekend day or more than 4,105 people using these trails on any given weekend day.

With respect to visitors, the numbers are higher; in 1990 Oahu received approximately 5,350,000 visitors (State Data Book). If 16 percent of these people used a hiking trail, this would amount to 856,000 individuals using trails over the year or 2,245 people per day hiking on one of Oahu's trailheads.

Ten parking stalls is based on the premise of very low usage patterns taken from one month's worth of data at the Hawaii Lo Ridge trailhead. As stated above, this is inadequate and it should be addressed in the DEA especially in light of the data available in the State Data Book regarding the size of the hiking population. The Hawaii Lo Ridge trailhead is not well known and may not be the most appropriate to use. In a call to the State Division of Forestry, I found out that the Hawaii Lo Ridge trail has not been officially opened nor has a parking area been developed. Thus, the adequacy of ten stalls is questionable. The DEA should address this in detail.

The DEA does not address the issue of growth in the hiking population with the passage of time and the adequacy of ten

Finally, on page 4 of the DEA we note:

"Negative impacts - Although horde of trailblazers are not anticipated, the proposed project may have a negative impact on residents of the Waialae Iki subdivisions because of slightly increased traffic and noise. The developer will take measures to minimize the adverse impact on surrounding residents, including creation of a separate off-street parking area so as to minimize the nuisance to nearby residents. Other mitigative measures include heavily landscaping the parking area and placing a limit on the number of cars allowed to the project area to coincide with the number of parking spaces available."

The above statement clearly shows the intent of the developer to provide access to only ten automobiles at a time to the trailhead. The Waialae Iki trail is a reasonably long hike, taking the better part of a day. Thus the proposed public entry scenario will potentially exclude many hikers. This issue is not adequately addressed in the DEA and it should be.

The DEA should address the issue of how many cars in the parking area will be monitored. As the document now reads, the number of cars in the lot will be determined by the guards at the bottom (makai end) of the Waialae Iki subdivision. What is to prevent guards from turning hikers away by saying that the parking lot is full? How will this be reliably monitored? These issues must be addressed in the DEA.

Furthermore, the developer should remember that the Waialae Iki trail was in place and was used well before the development of the Waialae Iki subdivision. Trails in Hawaii should be open to all who wish to use them.

The DEA should consider other alternatives. Perhaps the solution to some of the issues raised above would be to allow the drop-off of hikers at the trailhead if the ten-stall parking lot is full and allow the passage of foot-traffic from the guardhouse to the trailhead. This would not be an "ideal" solution to either hikers or residents, but it would allow the public access to trailhead if the parking area were full. It would also ad-
Mr. Sam Leamo
Page 5
2 March 1995

dress the question of whether the parking lot was full or not as well as handle future growth in the hiking petition. This scenario would probably not disturb the area residents much because of the relatively long distance (about 1.4 mile) between the trailhead and guard house would insure all but the most die-hard hiker would consider walking back up to the trailhead after parking his car outside of the Waialae Kiki V subdivision. This alternative (or solution) should be considered in the DEA. As a hiker, I find this scenario to be acceptable and believe that many others would also. I commend Bishop Estate and the developer in taking the initiative to make this trailhead available to the public.

I do hope that my comments will be given consideration in the DEA and any negotiations that may occur between the developer and DLNR. Thank you for the opportunity to comment and if you have any questions regarding my comments, I may be reached at 956-2859 during the day.

Sincerely yours,

Richard Brook, Ph.D.

cc: Dr. John Harrison
University of Hawaii Environmental Center
March 9, 1995

Richard Brock, Ph.D.
University of Hawaii
Sea Grant Extension Service
1000 Pope Road, Room 225
Honolulu, Hawaii 96822

Dear Dr. Brock:

RE: Conservation District Use Application, Public Access Hiking Trail at Waimanalo Ridge (Gentry Waimale Iki V Partners) (File No. OA-2761) Waikiki, Oahu

TMK: 3-5-27-3

Thank you for responding to our request for comments on our Conservation District Use Application. We have reviewed your extensive comments and respond as follows:

1) First of all, we would like to clarify that the Conservation District Use Application for which we are applying does not include the parking area. It is for the public access trail only. The parking area is outside of the Conservation District and is located in the Urban District. That is why we did not focus much discussion on the parking lot.

Additionally, please note that we are not required to build a parking lot. The State agencies and City ordinance merely require us to provide public access. Thus, if we were to allow public parking along Halakau Street, we would still be in compliance with the law. We do, however, feel a sense of obligation to the surrounding homeowners to build the parking area in an effort to minimize the potential nuisance created by the trail users. In the past, it was expressed to us by a number of Halakau Street homeowners that building an isolated parking lot at the trailhead would be much more desirous and less intrusive than having hunters or other trail users park along their street.

2) We note your concern about the potential lack of accessibility to the trail when the parking area is fully occupied. We think that your suggestion is a good one, i.e., to allow the public to the drop-off busses at the trailhead if the parking lot is full, and to allow the passage of foot traffic from the guard station to the trailhead. This appears to be a fair compromise solution to both trail users and the residents, and one which we are willing to support.

3) We will attempt to retrieve more information on usage of the Hawaii Loa Ridge trail and other trails as you have suggested and include the information in the Final Environmental Assessment. We would also like to point out that the Hawaii Loa Ridge trail has been open to the public for quite some time now and that there is a parking area near the trailhead.

4) Your concern regarding monitoring of the parking area will be addressed in the EA. We are open to a suggestion made by another respondent in which the guard would show his or her records to the public as verification that the parking lot is fully occupied.

We hope that this adequately responds to your concerns. Thank you again for your comments.

Sincerely,

GENTRY WAIMALE IKI V PARTNERS

Tosh Honda

cc: Samuel Lemno, OCEA
AFFECTED ENVIRONMENT

Soils - Soils in the project area consist of rock land (RKL) and Helemano silty clay, 30 to 90 percent slopes (HLMG). Rock land is made up of areas where exposed rock covers 25 to 90 percent of the surface. The rock outcrops and very shallow soils are the main characteristics. The rock outcrops are mainly basalt and andesite. This land type is nearly level to very steep. Elevations range from nearly sea level to more than 6,000 feet. The annual rainfall amounts to 15 to 60 inches.

Rockland is used for pasture, wildlife habitat, and water supply. The natural vegetation in the lower elevations consists mainly of klawe, klu, pilggrass, Japanese tea, and koa haole. Lantana, guava, Natal redtop, and molassesgrass are dominant at the higher elevations. This land type is also used for urban development. In many areas, especially on the island of Oahu, the soil material associated with the rock outcrops is very sticky and very plastic. It also has high shrink-swell potential.

The Helemano series consists of well-drained soils on alluvial fans and colluvial slopes on the sides of gulches. These soils are on the island of Oahu. They developed in alluvium and colluvium derived from basic igneous rock and are steep to extremely steep. Elevations range from 300 to 1,200 feet. The annual rainfall dominantly amounts to 30 to 60 inches, and the mean annual soil temperature is 72°F. These soils are used for pasture, woodland, and wildlife habitat. The natural vegetation consists of bermudagrass, Christmas berry, eucalyptus, Formosan koa, guava, Japanese tea, Java plurn, and koa haole.

Helemano silty clay, 30 to 90 percent slopes, is on the sides of V-shaped gulches. The surface layer is generally dark reddish-brown silty clay about 10 inches thick. The sub-soil, about 50 inches thick, is dark reddish-brown and dark-red silty clay that has subangular blocky structure. The substratum is soft, highly weathered basic igneous rock. The soil is neutral in the surface layer and neutral to slightly acid in the subsoil. Permeability is moderately rapid. Runoff is medium to very rapid, and the erosion hazard is severe to very severe.

The attached map depicts the classification of soils found in the project area as determined by the Soil Conservation Services, U.S. Department of Agriculture, in cooperation with Hawaii Agricultural Experiment Station, University of Hawaii.
Types of Soils to be Found on the Project Site

SUBJECT AREA
GENERAL PROVISIONS 46-6.5

to and the circumstances under which the requirements therein shall or shall not be applicable to subdivisions.

(1) For purposes of this section certain terms used herein shall be defined as follows:

(1) “Approval” means the final approval granted to a proposed subdivision where the actual division of land into smaller parcels is sought, provided that where construction of a building or buildings is proposed without further subdividing an existing parcel of land the term “approval” shall refer to the issuance of the building permit.

(2) “Dwelling unit” means a room or rooms connected together, constituting an independent housekeeping unit for a family and containing a single kitchen.

(3) “Lodging unit” means a room or rooms connected together, constituting an independent housekeeping unit for a family which does not contain any kitchen.

(4) “Parks and playgrounds” mean areas used for active or passive recreational pursuits.

(5) “Subdivider” means any person who divides land as specified under the definition of subdivision or who constructs a building or group of buildings containing or divided into three or more dwelling units or lodging units.

(6) “Subdivision” means the division of improved or unimproved land into two or more lots, parcels, sites, or other divisions of land and for the purpose, whether immediate or future, of sale, lease, rental, transfer of title to, or interest in, any or all such lots, parcels, sites, or division of land. The term includes redivision, and when appropriate to the context, shall relate to the land subdivided. The term also includes a building or group of buildings, other than a hotel, containing or divided into three or more dwelling units or lodging units.

(7) “Privately owned parks and playgrounds” mean parks or playgrounds and their facilities which are not provided in perpetuity or dedicated but which are owned and maintained by or on behalf of the ultimate users of the subdivision pursuant to recorded restrictive covenants. Where the privately owned park is a part of the lot or lots on which a building or group of buildings containing or divided into three or more dwelling units or lodging units is constructed, it shall not be required that the private park or playground meet county subdivision standards nor shall the area of the private park or playground be deducted from the area of the lot or lots for purposes of zoning or building requirements. [L 1967, c 294, §1; HRS §46-6; am L 1970, c 140, §1; am L 1977, c 208, §1; am L 1979, c 105, §3 and c 199, §1; am imp L 1984, c 90, §1]

[46-6.5] Public access. (a) Each county shall adopt ordinances which shall require a subdivider or developer, as a condition precedent to final approval of a subdivision, in cases where public access is not already provided, to dedicate land for public access by right-of-way or easement for pedestrian travel from a public highway or public streets to the land below the high-water mark on any coastal shoreline, and to dedicate land for public access by right of way from a public highway to areas in the mountains where there are existing
COUNTIES

facilities for hiking, hunting, fruit-picking, ski-leaf sliding, and other recreational purposes, and where there are existing mountain trails.

(b) These ordinances shall be adopted within one year of May 22, 1973.

(c) Upon the dedication of land for a right-of-way, as required by this section and acceptance by the county, the county concerned shall thereafter assume the cost of improvements for and the maintenance of the right-of-way, and the subdivider shall accordingly be relieved from such costs.

(d) For the purposes of this section, "subdivision" means any land which is divided or is proposed to be divided for the purpose of disposition into six or more lots, parcels, units, or interests and also includes any land whether contiguous or not, if six or more lots are offered as part of a common promotional plan of advertising and sale.

(e) The right-of-way shall be clearly designated on the final map of the subdivision or development.

(f) This section shall apply to the plan of any subdivision or development which has not been approved by the respective counties prior to July 1, 1973. [L 1973, c 143, §2]

Revision Note

"May 22, 1973" substituted for "the effective date of this Act".

§46-7 Agreements with federal government; use of funds. The governing body or the planning commission or department of the various counties, with the consent of the council, may enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with the federal government or any other public body or bodies respecting action to be taken pursuant to any of the powers granted to it by law and furnish, expend, and receive any funds or other assistance in connection with projects being or to be undertaken pursuant to the powers. [L 1957, c 139, §1; Supp, §138-11.5; HRS §46-7]

§46-8 State and county co-sponsorship of programs. The governor may enter into agreements with the council of any county providing for the co-sponsorship and joint development and maintenance of programs and projects, within and for the county, which have been authorized by the legislature or for which moneys have been appropriated by the legislature. [L 1965, c 158, §1; Supp, §138-63; HRS §46-8]

§46-9 Expenditures of money for sister-city relationships. Any other law to the contrary notwithstanding, any county, including the city and county of Honolulu, may make expenditures of public funds, whenever the funds are available, in order to further the ties of friendship, understanding, and goodwill existing under sister-city relationships entered into by resolution duly adopted by the respective legislative bodies of each county, including the city and county of Honolulu. [L 1963, c 86, §1; Supp, §138-52; HRS §46-9]

§46-10 County bands; travel. The county council or city council of any county having a county band may authorize its band to travel to any other county or abroad for the purpose of creating goodwill. Notwithstanding any law to the contrary, county bands are authorized to receive donations from private persons or entities for travel expenses, or to have said expenses underwritten by private persons or entities, or the band itself may raise funds by engaging in
SUBDIVISION OF LAND

Sec. 22-5.7 Penalty.
Any person, firm or corporation which violates the provisions of this article shall be fined not more than $1,000.00 or imprisoned not more than one year, or both. (Sec. 22-5.7, R.O. 1978 (1983 Ed.))

Article 6. Public Access to Shoreline and Mountain Areas

Sections:
22-6.1 Statutory authority.
22-6.2 Definitions.
22-6.3 Scope.
22-6.4 Requirements.
22-6.5 Dedication of access—Approval of subdivision.

Sec. 22-6.1 Statutory authority.
This article is enacted pursuant to the authority granted by HRS Section 46-6.5, as amended. (Sec. 22-6.1, R.O. 1978 (1983 Ed.))

Sec. 22-6.2 Definitions.
For the purpose of this article, unless it is plainly evident from the context that a different meaning is intended, certain words used herein are defined as follows:
“Approval” means the final approval granted to a proposed subdivision where the actual division of land into smaller parcels is sought; provided that, where construction of a building or buildings is proposed without further subdividing an existing parcel of land, the term “approval” shall refer to the issuance of the building permit.
“City” means the City and County of Honolulu. The geographical limit shall include all that portion of the State of Hawaii commonly known as the Island of Oahu and all other islands in the State of Hawaii and the waters adjacent thereto not included in any other county.
“Director” means the director of land utilization of the City and County of Honolulu.
“Dedication” means the conveyance of land in fee simple or easement.
“Easement” means a grant of the right to use a strip of land for specific purpose.
“Multiple-family development” means a development of a building or group of buildings, placed on a zoning lot containing or divided into six or more dwelling or lodging units.
“Public access” for pedestrian travel means a public right-of-way in fee or easement for pedestrian traffic, and may also be used as a bikeway, utility easement or for restricted vehicular traffic.
“Shoreline” is defined as determined under the shoreline setback rules and regulations of the City and County of Honolulu and pursuant to the authority of HRS Chapter 205, as amended.
“Subdivision,” for the purpose of this article, means any land which is divided or proposed to be divided for the purpose of disposition into six or more lots, parcels, units or interests and also includes any land whether contiguous or not, if six or more lots are offered as part of a common promotional plan of advertising and sale.
“Units” means dwelling units and lodging units as defined in the land use ordinance of the city.
“Zoning lot” is defined in the land use ordinance of the city. (Sec. 22-6.2, R.O. 1978 (1983 Ed.))

Sec. 22-6.3 Scope.
In cases where adequate public access is not already provided, every subdivider or developer as a condition precedent to final approval of a subdivision or issuance of a building permit for a multiple-family development shall dedicate land for public access by right-of-way in fee or easement for pedestrian travel from a public highway or public street to the following:
(a) The land below the shoreline; and
(b) The mountains where there are existing facilities for hiking, hunting, fruit picking, ti-leaf sliding and other recreational purposes, and where there are existing mountain trails.
The provisions of this article shall apply to all subdivisions and to multiple-family development.

22-9
22-6.3

REVISED ORDINANCES OF HONOLULU

The provisions of this article shall apply to an existing multiple-family development approved prior to the effective date of this article when six or more units are added to the existing development.

All subdivisions and multiple-family developments affecting public access, whether separated from the shoreline or mountain areas by intervening parcels, subdivisions or developments, shall be subject to the provisions of this article.

Upon the acceptance of the dedication of land for a right-of-way in fee or easement by the city, the city shall thereafter assume the cost of improvements for and the maintenance of the public access.

(Sec. 22-6.3, R.O. 1978 (1983 Ed.))

Sec. 22-6.4 Requirements.

(a) Location and Alignment. The location and alignment shall be consistent with the intent and purpose of this article and shall implement the intent and purpose of the general plan and development plan of the city; and consider the topography; other existing access locations; lot layout; access connections; zoning and uses of the properties on and within the surrounding area; safety; traffic circulation; effect on the surrounding area; and/alternatives traffic and conform to the standards and requirements of the department of parks and recreation of the city.

(b) Subdivision of Land. The director shall determine the location and alignment of the public access for pedestrian travel on subdivision of land, upon consultation with the director of parks and recreation or other governmental agencies affected by such public access.

(c) Multiple-Family Development. All multiple-family development building permits along or affecting public access near the shoreline or mountain areas shall be reviewed by the director of parks and recreation of the city.

When it is determined by the director of parks and recreation that adequate public access is already provided, the director of parks and recreation shall notify the building superintendent for approval of the building permit.

When it is determined that adequate access is not provided, the developer shall dedicate land for public access by right-of-way in fee or easement as a condition precedent to approval of the building permit.

(d) Width of Public Access. The minimum width of such public access shall be 12 feet, except as otherwise approved by the director upon consultation with the director of parks and recreation.

(Sec. 22-6.4, R.O. 1978 (1983 Ed.))

Sec. 22-6.5 Dedication of access—Approval of subdivision.

(a) Subdivision of Land. When it is determined that public access must be provided upon review of a subdivision application, the subdivider shall file the necessary deeds of conveyance with the department of parks and recreation or other governmental agency responsible for the maintenance and improvement of public access. Upon written notification from the director of parks and recreation or other agency that the dedication documents have been reviewed and approved as to form and content, the director shall grant approval to the subdivision in accordance with the subdivision rules and regulations of the city. The public access for pedestrian travel shall be clearly designated on the final map of the subdivision in accordance with the subdivision rules and regulations.

Upon approval of the subdivision, the subdivider shall file the executed deeds of dedication for conveyance of the public access, free and clear of all encumbrances, within 30 days to the city. Failure to file this document within the 30-day period, or such extension as may be granted by the director of parks and recreation, shall be a violation of the provisions of this article. Conveyance shall be in conformity with all applicable statutes, ordinances and regulations.

(b) Multiple-Family Development. When it is determined that public access must be provided upon review of a multiple-family development, the developer shall file a subdivision application to create the public access right-of-way or easement in accordance with the subdivision rules and regulations. The subdivider shall file the necessary deeds of conveyance with the department of parks and recreation. Upon written notification from the director of parks and recreation that the dedication documents have been reviewed and approved as to form and content, the director shall grant approval to the subdivision in accordance with the subdivision rules and regulations.

The subdivider shall file the executed deeds of conveyance free and clear of all encumbrances upon approval.

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of the subdivision. Upon acceptance by the city of the dedication, the director of parks and recreation shall notify the building superintendent for approval of the building permit. The right-of-way shall be clearly designated on the multiple-family development plan.

(Sec. 22-6.5, R.O. 1978 (1983 Ed.))

Article 7. Parks and Playgrounds

Sections:
22-7.1 Statutory authority.
22-7.2 Definitions.
22-7.3 Scope.
22-7.4 Exceptions.
22-7.5 Land area required for parks and playgrounds.
22-7.6 In-lieu payment—Combination in-lieu payment and dedication.
22-7.7 In-lieu payment—Determination of amount.
22-7.8 Credit for parks and playgrounds.
22-7.9 Rules and regulations.
22-7.10 Appeals.
22-7.11 Refund of fees.
22-7.12 Violations and penalties.

Sec. 22-7.1 Statutory authority.
This article is enacted pursuant to the authority granted by HRS Section 46-6, as amended. (Sec. 22-7.1, R.O. 1978 (1983 Ed.))

Sec. 22-7.2 Definitions.
For the purpose of this article, unless it is plainly evident from the context that a different meaning is intended, certain words and phrases used herein are defined as follows:

“Approval” means the final approval granted to a proposed subdivision where the actual division of land into smaller parcels is sought; provided that, where construction of a building or buildings is proposed without further subdividing an existing parcel of land, the term “approval” shall refer to the issuance of the building permit.

“City” means the City and County of Honolulu. The geographical limit shall include all that portion of the State of Hawaii commonly known as the island of Oahu and all other islands in the State of Hawaii and the waters adjacent thereto not included in any other county.

“Dedication” means conveyance of land in fee simple.

“Director” means the director of land utilization of the City and County of Honolulu.

“Dwelling unit” is as defined in the land use ordinance of the city.

“Hotel” is as defined in the land use ordinance of the city.

“Lodging unit” is as defined in the land use ordinance of the city.

“Multiple-family development” means a building or group of buildings, other than a hotel, placed on a zoning lot and containing or divided into three or more dwelling or lodging units, including planned development and cluster projects under the land use ordinance containing or divided into three more dwelling or lodging units.

“Parks and playgrounds” means areas, including beach parks, used for active or passive recreational pursuits.

The areas include parks and playgrounds which implement the intent and purpose of the general plan of the city.

“Provide land in perpetuity” means conveyance of land in fee simple with the option on the part of the grantor to provide for reversionary interest.

“Subdivider” means any person who divides land as specified under the definition of subdivision or who constructs a building or group of buildings containing or divided into three or more dwelling or lodging units.

“Subdivision” means the division of improved or unimproved land into two or more lots, parcels, sites or other divisions of land for residential purposes and for the purpose, whether immediate or future, of sale, lease, rental, or transfer of title to or interest in any or all such lots, parcels, sites or division of land. The term includes resubdivision, and when appropriate to the context, shall relate to the land subdivided. The term also includes a
INFORMATION ABOUT THE WAIALAE IKI V TRAIL
Provided by Gentry Waialae Iki V Partners (5/12/95)

Gentry Waialae Iki V Partners has heard from a number of Waialae Iki V owners over the past few weeks, asking for more information about the public access easement to the trail above Waialae Iki V. The following are the questions that have been asked most frequently.

Why do we have to provide access through Waialae Iki V?
State law (Hawaii Revised Statute Sec. 46-6.5) and City ordinance (Revised Ordinances of Honolulu Sec. 22-6.1 to 22-6.5) require that developers of land “dedicate land for public access by right of way from a public highway to areas in the mountains where there are existing facilities for hiking, hunting, fruit-picking, ti-leaf sliding, and other recreational purposes, and where there are existing mountain trails.” Copies of the statute and ordinance are attached for your information.

Are there any other private communities that are required to provide public access?
Yes. Hawaii Loa Ridge is likewise required to provide access to public lands, and a public access easement has been provided through their project. Vehicles are required to stop at the guardhouse and each individual is required to sign a waiver of liability form. According to the property manager, there have been no disturbing incidents resulting from allowing public access to the trail.

I'm really concerned about hunters being able to use our roadways. Is there anything we can do about that?
Gentry has asked the State Department of Land and Natural Resources (DLNR) and the City Parks Department if hunting could be barred in the area above Waialae Iki V. Both have advised Gentry that because State law requires that access be allowed for “hiking, hunting, fruit picking, ti-leaf sliding and other recreational purposes”, hunters would not be barred from using the access trail to get to the designated hunting grounds on State lands. The access trail itself would be a safety zone and no hunting would be allowed on it or on any of the Bishop Estate lands leading up to the forest reserve. It was also pointed out that reconnaissance by the Division of Forestry and Wildlife (DOFAW) indicates that the pig population is very low along the ridge at this time and it would therefore not be a prime hunting ground. Most of the wild pigs live down in the valley where food and water are more abundant. Thus, it is not anticipated that hunters would heavily utilize the Wiliwilinui trail since most hunters would prefer to access the public hunting area where pigs may be more plentiful through the adjacent Aina Haina valley.

However, because of concerns raised by Gentry and the Halakaua Street residents and because the area is not a popular hunting grounds, DLNR has agreed to prohibit access for hunting dogs, except during controlled hunts. Controlled hunts are held only at times that are designated by the DLNR, when they seek help from pig hunters to reduce the wild pig population. This restriction on hunting dogs should alleviate some of the main concerns raised by WIV residents. Because of the prohibition on hunting dogs (other than controlled hunts), it is unlikely that many hunters would opt to use the trail.

I understand that there is already a public access easement in Waialae Iki V. Is that true?
Public access easements were designated in Phases 1A, 1B, and 2A after applications were submitted to the City to privatize the roads in those phases. The easements were designated over and across the Laukahi Street right-of-way and at the intersection of Laukahi and Oko’s Street. At the time Phase 2C was subdivided, a temporary public access easement was designated that runs through Oko’s Street and up to the Board of Water Supply access road.
I don't remember seeing hikers going through Waialae Iki V. Have they been using the public access easement?

Many of you may not remember that hikers were allowed access through Waialae Iki V during the earlier years of the project (from about 1986 to 1990). Bishop Estate was voluntarily allowing hikers to go through their property to reach the Williwilinui Trail. If a hiker had a permit from Bishop Estate and signed a disclaimer with the Association, he was allowed to pass through the Waialae Iki V project up to the hiking trail. In July 1988, Bishop Estate decided to discontinue issuing permits for access through their property because of liability concerns. Nonetheless, the public was still allowed access through the WIV project, proceeding onto Bishop Estate's property at their own risk.

When sitework construction of Phases 2B and 2C started in 1990, access to the trail was restricted because of the on-going construction work. As a result, public access through the project has been significantly limited since 1990, pending designation of the public access easement.

The public access easement did not have to be finalized until the final subdivision that was adjacent to the conservation land was processed. This occurred in 1991, when the Phase 2B and Phase 2C lots were first subdivided. At that time, the public access easement was temporarily designated through Oko’a Street and then up to the Board of Water Supply access road. Although the City approved that easement, it was with the understanding that the location was temporary pending relocation to Halakau Street. Hence, the grant of public access easement has not been finalized pending relocation of the easement, and access has not been allowed through Waialae Iki V during this time.

If there is already an access easement ending at Oko’a Street, why is it being changed?

The public access easement that runs along Oko’a Street was a temporary easement that was subject to change. The master plan for Waialae Iki V contemplated that the access would run from Laukahie Street to Nuna and then up Halakau Street. Gentry consulted with the Na Ala Hele Advisory Council, Bishop Estate (which owns the land above Waialae Iki V), the DLNR and the City Department of Land Utilization and Parks Department in determining the proposed location of the easement. All of those parties have approved the location of the public access easement off of Halakau Street. The Board of Water Supply also indicated that it prefers the Halakau Street access to lessen the possibility of damage to its reservoir and facilities. One of the reasons that the Na Ala Hele Advisory Council opted to support the Halakau Street access is that the path from this access will be a winding, more scenic trail than the existing dirt roadway off of Oko’a Street, and thus will offer an enjoyable hiking experience. In addition, access from Oko’a Street would have required passage through the gate entry at the entrance to Phase 2-C. This would have been inconvenient to everyone involved, including the hikers, the security guards (who are not posted at the Phase 2-C entry), and the WIV owners.

Why wasn't I notified earlier about the easement off of Halakau Street?

Owners of lots at the upper portion of Halakau Street were notified at the time of sale that the public access easement was planned along their street. Although the roadways in Waialae Iki V are private, they were conveyed to the Community Association with a reservation of access and utility easements. Gentry, as the subdivider of the lots, was responsible for designating the public access easement. After Bishop Estate and the Na Ala Hele Advisory Council had both approved the designation of the access easement off of Halakau Street in November 1994, Gentry submitted a Conservation District Use Application to the Board of Land and Natural Resources requesting use of the conservation lands above Waialae Iki V for public access to the Williwilinui Trail. As part of that process, Gentry notified the Waialae Iki V Board and owners of lots on the upper portion of Halakau Street in January 1995. Notice was not given at that time to the other owners of Waialae Iki V because of issues of general community interest, Gentry usually deals directly with the Board, as the official representative of the Association.
Since a number of owners have raised questions and seem to have a lot of misinformation about the trail and access easement, we are distributing this information directly to all owners.

If the trail access is moved to the end of Halakau Street, won’t there be a lot of excavation and destruction of natural habitat to build a new trail? I heard that there are drain culverts on the BWS access road that may cause flooding on the trail. What about erosion? At least two-thirds of the access trail off of Halakau Street are an existing roadbed and trail which would require very little grading or excavation. The remaining portion of the trail which will require clearing and grading is comprised of vegetation which, in fact, is detrimental to a native forest. There will be negligible amounts of erosion associated with the trail and no flooding whatsoever associated with the construction of the trail. Best Management Practices for erosion control will be incorporated into the preparation of the grading plan. Grading and construction plans for the trail must be prepared by a licensed engineer and will be subject to approval by the DLNR.

There are two culverts on the BWS access road which channel water flows down to the area in the vicinity of the trail. One of the culverts will not affect the trail. Water from the other culvert has caused minimal erosion in the area, and to address any potential problems and prevent further erosion, Gentry plans to put in a small bridge-like crossing over the flow at the point where the water from the drainage outlet crosses the proposed trail alignment.

Has Gentry considered alternative alignments instead of building the new trail? Several alternative alignments were recently suggested to Gentry by some of the homeowners. An attached map shows the various alternatives. Gentry is still evaluating them, but preliminary reviews by Gentry’s engineers indicate that they are less feasible for the following reasons:

Alternative 1 calls for the use of an existing trail that starts from the end of Halakau Street and runs through lot 78 up to the upper BWS access road. Unfortunately, this access trail would cut through Lot 10, as well as a central portion of lot 78, which would significantly diminish its saleability and value.

Alternative 2 would leave the 10-stall parking area where it is planned on lot 78 and have a trail start at the end of the parking area and zigzag up to the BWS access road. This was Gentry’s original plan, and although it would utilize the existing BWS access road to a large extent, it would require much more clearing of the existing forest than the proposed trail, which takes advantage of an existing roadbed and trail. It would also be more costly, more difficult to implement, and more susceptible to erosion.

Another similar alternative was also considered, which involved the construction of a trail from the lot 78 parking area directly to the BWS road. Because of the steep grade, the parking area will be situated approximately 10 to 18 feet below the grade of the rest of lot 78. Steps and railings would have to be built in order to accommodate pedestrian traffic, and privacy walls would have to be installed for lot 78. This was not viewed as an attractive alternative.

Alternative 3 would utilize an existing trail off Oko’a Place which runs parallel to Oko’a Street. Gentry does not find this to be a feasible solution because access would be through Phase 2-C and would cut through at least three lots in Phase 2-C.

Another alternative that Gentry previously explored was the possibility of obtaining land from the Board of Water Supply or Bishop Estate for the parking area. Both Bishop Estate and BWS have advised Gentry that they are not willing to allow that use. Approval would also have to be obtained from the DLNR for use of conservation lands for parking. Because this issue was again raised by residents within the last week, Gentry is approaching both Bishop Estate and BWS again, but given their previous denials, we do not anticipate a change in their position.
Who is going to build the trail? Who will maintain it?
Gentry, with technical assistance from Na Ala Hele, will construct the portion of the access that is not already a trailbed and will clear remaining portions. Pursuant to a memorandum of agreement to be executed with Bishop Estate, the State will be responsible for maintaining the trail. The State estimates that it will cost about $400 a year to maintain the trail.

Where will the bikers and hunters park?
Because a number of Halakau Street residents raised concerns about the trail, Gentry has offered to give to the Waialae Iki V Community Association a portion of one of the house lots for a ten-stall parking lot for users of the trail. (See attached map.) Gentry would construct the parking area, and it is proposed that the Waialae Iki V Community Association maintain the lot once it is built. If the Association owns the parking area, it will be able to impose more restrictions and enforce monitoring of the lot. If the Association elects not to own and maintain the lot, Gentry may elect to not build the parking lot, in which case the trail users will be allowed to park on Halakau Street in designated parking areas. [The public access law does not require a separate parking lot for trail users, and the City and State have indicated that designated street parking would be acceptable. Gentry has offered to build the parking area because of the concerns raised by WIV residents.]

Can we restrict access to the trail?
On January 20, 1995, the WIV Board submitted a request to the DLNR that it be allowed to impose certain restrictions in connection with the use of the parking area, including limiting access to daytime hours, requiring users to provide identification and to sign waivers at the guardshack, and restricting the number of cars to the number of available parking stalls. Similar restrictions are imposed for people crossing the Hawaii Loa Ridge project for public access to the trail on that ridge. It appears likely that DLNR will approve the imposition of certain reasonable restrictions.

Won't we be liable for any accidents that hikers or hunters have in connection with the trail and public access?
The trail itself will not be on WIV land; only the public access easement that runs over WIV roadways and the parking area. The Grant of Public Access Easement provides for indemnification by the City as to certain property damage, personal injury or death arising out of the public’s use of the public access. In addition, HRS Chapter 520 significantly limits liability of private landowners who make their land available to the public for recreational use.

What's the story with the separate gate at the Phase 2C entry?
Phase 2C, which includes 14 estate size lots, is intended to be a tasteful, upscale development at the top of the ridge, which will have the benefit of added privacy and panoramic views. The concept of the large lot subdivision at the top of Waialae Iki arose out of the fact that the area is fairly steep, mountainous terrain, making it unsuitable for the lots that typify the rest of Waialae Iki. These lots are a part of Waialae Iki V, and Gentry has been paying the association dues for the lots since July 1993. Approved subdivision plans provide for a gate at the entry to these lots, which will restrict vehicular access but not pedestrian access. Residents of Waialae Iki V will still be allowed to walk through that area. An agreement between Gentry and the Waialae Iki V Community Association provides that the owners of Phase 2C will be responsible for the cost of maintaining the entry gate and landscaping, as well as any additional costs relating to the maintenance and repair of the Phase 2C roadways (attributable to the different construction of those roads).
Was I told about the hiking trail at the time I bought my lot?
People who bought lots along the upper portion of Halakau Street (Phase 2B) in 1992 through 1994 were notified in their sales contract that the public access route through Waialae Iki V to Wiliwilinui Trail was planned to be up Laukahi Street to Nuna Street to Halakau Street. In addition, buyers were given disclosures regarding the possibility of hunters using the trail and the fact that parking for users of the trail might be located on Halakau Street.

At the time Phases 1A and 1B were developed and sold, it was still being contemplated that the roadways would be public, and not private. The sales contracts included a reservation by Gentry to designate the roadways as either private or public. If the roadways had been dedicated to the City, a public access easement would not have been necessary because the access would have been over public roads.

Although private roads were being considered in the late 1980's, the public access easement had not yet been designated.

When would the trail be open to the public?
After all of the governmental agencies have formally approved the public access easement and trail, there would still be a number of actions which would have to be taken, including design, subdividing the parking area (if it is approved) and public access easement, and construction of the parking area and trailhead. Gentry anticipates that it will take at least nine to twelve months before all necessary plans are prepared and construction is completed.

Thank you for your interest and for sharing your concerns. We hope this has provided you with more accurate information about the public access easement and trail. If you have other questions, please call Debbie Luning at Gentry (599-8370). If you would like to submit comments to the DLNR regarding the proposed public access easement off Halakau Street, you are welcome to submit them to:

Mr. Sam Lemno
State Department of Land and Natural Resources
Office of Conservation and Environmental Affairs
1151 Punchbowl Street, Room 325
Honolulu, HI 96813

WRITTEN COMMENTS SHOULD BE SUBMITTED NO LATER THAN MAY 31, 1995 IN ORDER TO BE CONSIDERED BY THE BOARD OF LAND AND NATURAL RESOURCES. For further information about the Board's meeting, please call Sam Lemno (587-0377) at the Department of Land and Natural Resources.
CERTIFICATION

I HEREBY CERTIFY THAT THE MICROPHOTOGRAPH APPEARING IN THIS REEL OF FILM ARE TRUE COPIES OF THE ORIGINAL DOCUMENTS.

2004
DATE

SIGNED A. NAKAMURA
SIGNATURE OF OPERATOR