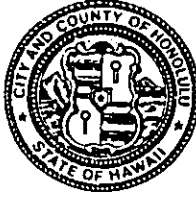


DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

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

JEREMY HARRIS  
MAYOR



RECEIVED

RANDALL K. FUJIKI, AIA  
DIRECTOR

LORETTA K.C. CHEE  
DEPUTY DIRECTOR

'00 NOV 14 A8:45 2000/ED-4 (ST)  
2000/SV-5

(OFC. OF ENVIRONMENT,  
QUALITY CONTROL)

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

Dear Ms. Salmonson:

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

Applicant/Owner : Calvin Y. & Helen T. Kamada  
Agent : Analytical Planning Consultants  
Location : 84-849 Moua Street, Makaha  
Tax Map Keys : 8-4-6: 17  
Request : After-the-fact Shoreline Setback Variance  
for retention of a 30-inch concrete rubble  
masonry (CRM) seawall, 70 cubic yards of  
backfill; construction of a new wrought  
iron fence and 4-foot and 2-foot concrete  
masonry unit (CMU) fence walls  
Determination : A Finding of No Significant Impact is  
Issued

Attached and incorporated by reference is the Final EA prepared by the applicant for the project. Based on the significance criteria outlined in Title 11, Chapter 200, Hawaii Administrative Rules, we have determined that preparation of an Environmental Impact Statement is not required. We have enclosed a completed OEQC Bulletin Publication Form and four copies of the Final EA.

If you have any questions, please contact Steve Tagawa of our staff at 523-4817.

Sincerely yours,

*Randall K. Fujiki*

RANDALL K. FUJIKI, AIA  
Director of Planning  
and Permitting

RKF:lg  
Attachments  
DN63561

143

2000-11-23-0A-FEA-Kamada

NOV 23 2000

FILE COPY

FINAL ENVIRONMENTAL ASSESSMENT FOR A  
(SHORELINE SETBACK VARIANCE)

NOV 23 11 33 AM '00  
RECEIVED

I. GENERAL INFORMATION

**Applicant:** Calvin Y. Kamada  
3745 Maunaloa Avenue  
Honolulu, Hawaii 96816  
Tel: 527-8237

**Recorded Fee Owner:** Calvin Y. & Helen T. Kamada  
3745 Maunaloa Avenue  
Honolulu, Hawaii 96816  
Tel: 527-8237

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

DEPT OF PLANNING & PERMITTING  
CITY OF HONOLULU

NOV 27 PM 3:47

RECEIVED

**Property Profile:**

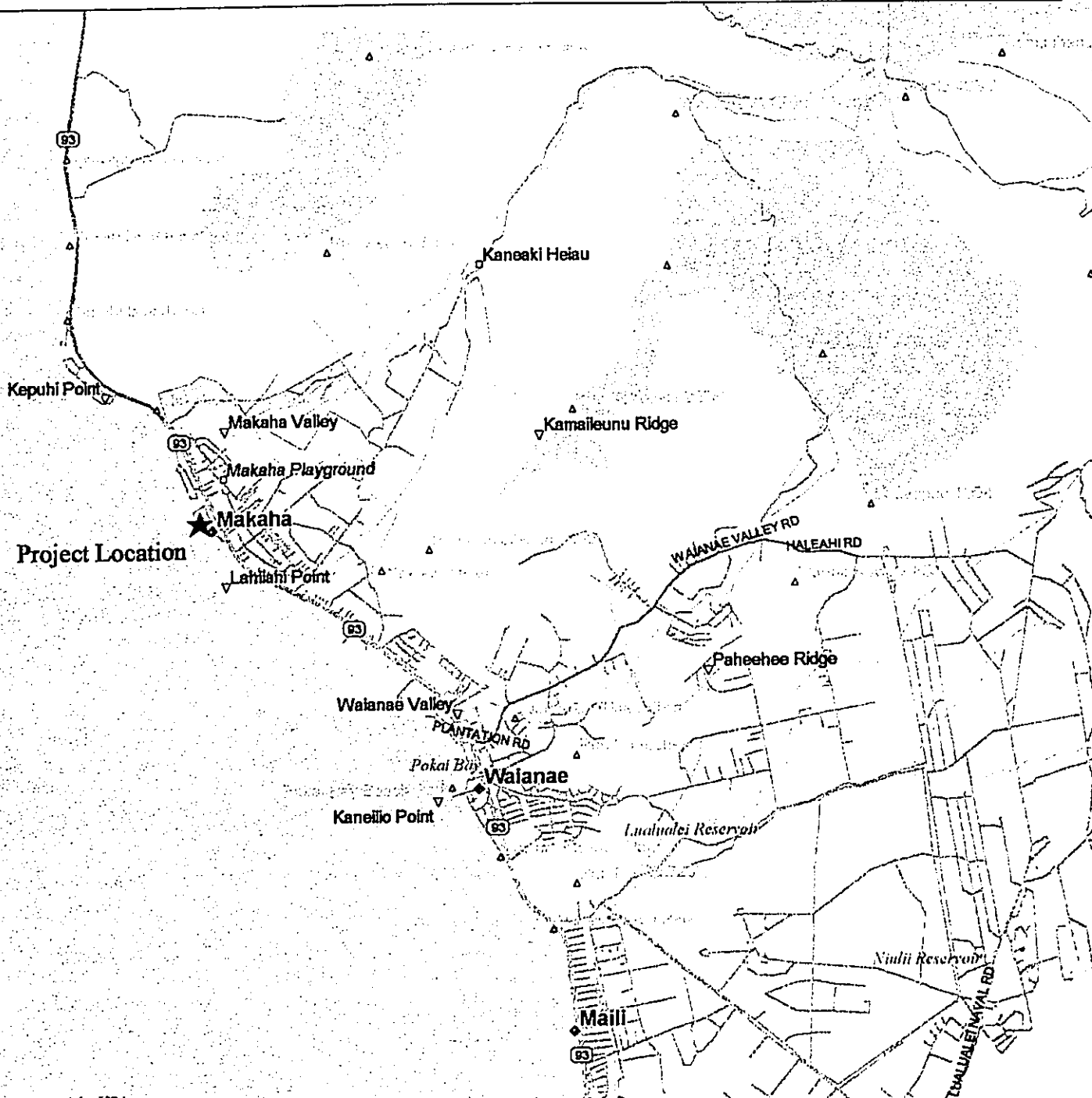
**Location:** Makaha/Waianae, Hawaii  
**Site Address:** 84-849 Moua  
Waianae, Hawaii  
**TMK and Lot Area:** (1) 8-4-005:017 13,475 sq. ft.  
**State Land Use:** Urban  
**Development Plan:** Residential  
**Zoning (LUO):** R-10 Residential District  
**Special District:** No  
**Special Management Area:** Yes (Private Residence)  
**Flood Zone:** "AE" & "VE"

**Additional Permits Required:** Building Permits

**Agencies Consulted:** Department of Planning & Permitting, City & County of Honolulu

Office of Environmental Quality Control, State of Hawaii

# Kamada Residence 84-849 Moua Street



© 1999 DeLorme, Street Atlas USA

Mag 13.00

Fri Jan 28 13:55 2000

Scale 1:62,500 (at center)

1 Miles

2 KM

- |  |                           |  |                    |
|--|---------------------------|--|--------------------|
|  | Local Road                |  | Point of Interest  |
|  | Major Connector           |  | Small Town         |
|  | State Route               |  | Summit             |
|  | Primary State Route       |  | Geographic Feature |
|  | Walkway/Stairway          |  | Park/Reservation   |
|  | Trail                     |  | Lake               |
|  | Interstate/Limited Access |  | Land               |
|  | Railroad                  |  | Water              |

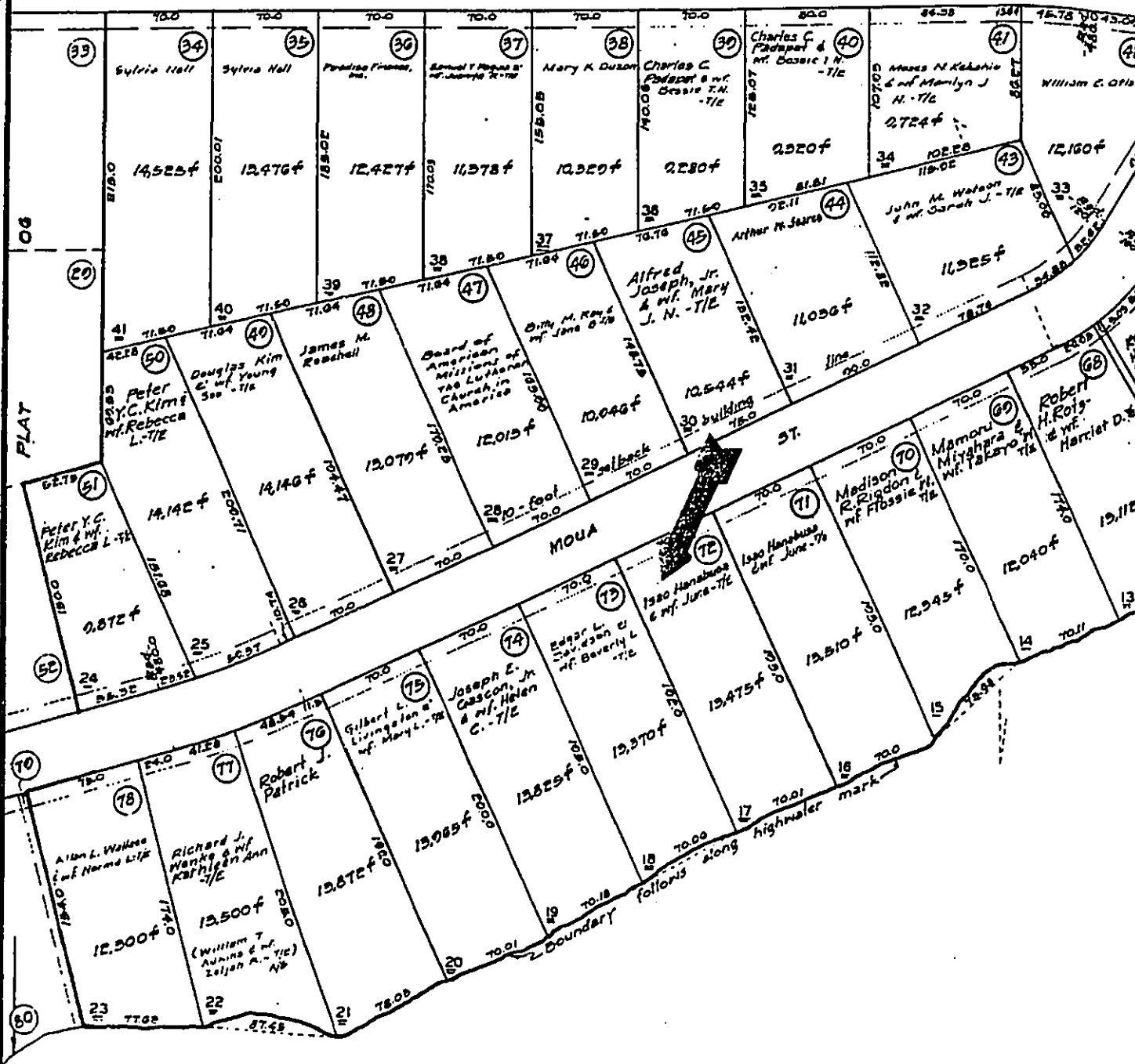
Makua

FARRINGTON

B - 4 - 01 - por 3

46 70.00 (1400f) 70.0	45 70.00 (1400f) 70.0	44 70.00 (1400f) 70.0	43 70.00 (1400f) 70.0	42 70.00 (1400f) 70.0	41 70.00 (1400f) 70.0	40 70.00 (1400f) 70.0	39 70.00 (1400f) 70.0	38 70.00 (1400f) 70.0	37 70.00 (1400f) 70.0	36 70.00 (1400f) 70.0
Francisca P. Juneman - 4/4 Conception Olayon Coronel & Enrique Olayon - 4/4 10,500f (0,100f) CCICL/Amos 42 cis #7338	Chrysolgas Flores, George O. Flores - 4/4 10,500f (0,100f)	Robert K. Tona & wf. Florence - 7/2 10,500f (0,100f)	Stanley Farren & wf. Minnie K. - 7/2 10,500f (0,100f)	Bryce Lindsay & wf. Lillian S. - 7/2 10,500f (0,100f)	Kaichi Yokoyama & wf. Setsu - 7/2 10,500f (0,100f)	Betty M. Shirima & Doris A. Higa - 4/4 10,500f (0,100f)	Alcent Sosa & wf. Foulme - 7/2 10,500f (0,100f)	James I. P. Kekahuna - 4/4 10,500f (0,100f)	Alexander Kekahuna (Charles O. Smith & wf. Namie - 7/2) 10,500f (0,100f)	10,776f (0,376f)
43	44	45	46	47	48	49	50	51	52	53

FRICKE ST

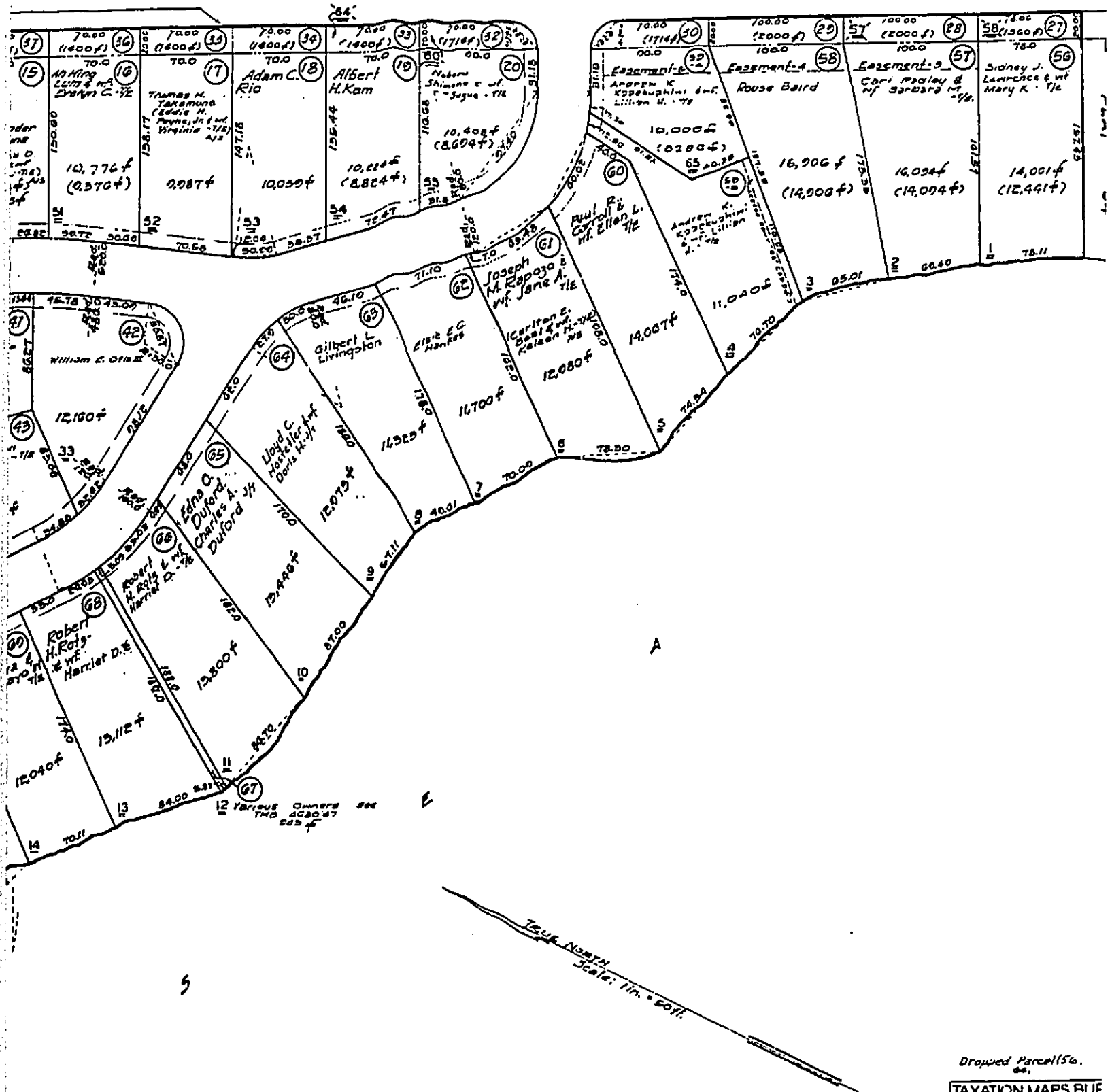


3090  
Map-5 Ld. Ct. App. 1052. Date: August 1947.  
M.N. I. E.T.T.  
Dwg. No. 5  
Sources:  
By:  
AUG 2  
2 L. 375  
6 1977

FOR MAKAHA, MAIANAE, OAHU, T.H.  
LD. CT. APP. 1052 Map-5.

HIGHWAY

To Hainae



Dropped Parcel(s).

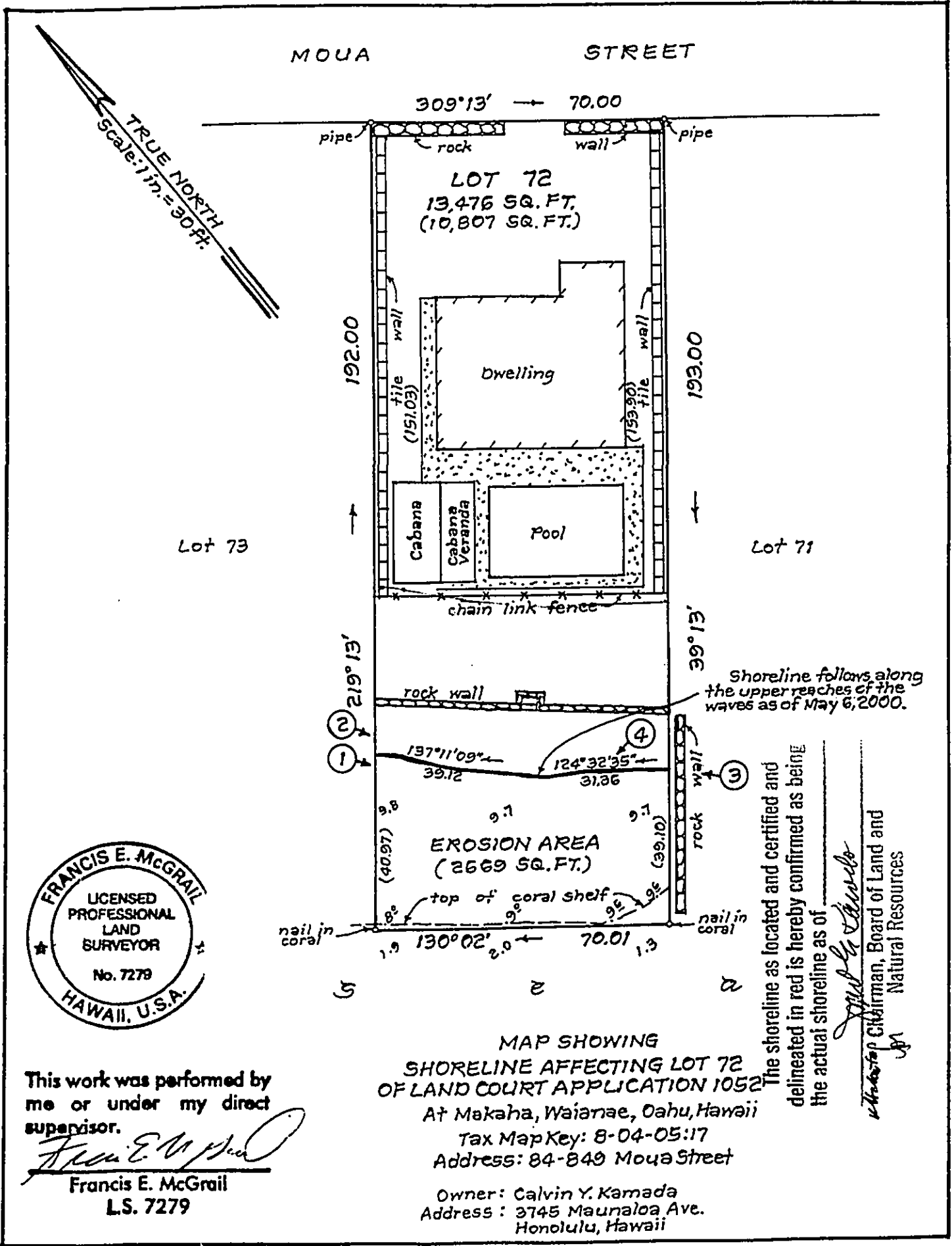
TERRITORY OF HAWAII		
TAX MAP		
FIRST	DIVISION	
ZONE	SEC.	PL.
8	4	C
CONTAINING PARC		
SCALE: 1 IN. = 50		

NOTICE: Owner's, lessees and vendee's names recorded on this tax map print may not be current.

SUBJECT TO CHANGE

FEB 28 200

Exhibit 2



This work was performed by me or under my direct supervisor.

*Francis E. McGrail*

Francis E. McGrail  
L.S. 7279

MAP SHOWING  
SHORELINE AFFECTING LOT 72  
OF LAND COURT APPLICATION 1052  
At Makaha, Waiānae, Oahu, Hawaii  
Tax Map Key: 8-04-05:17  
Address: 84-840 Moua Street

Owner: Calvin Y. Kamada  
Address: 3745 Maunaloa Ave.  
Honolulu, Hawaii

Shoreline follows along the upper reaches of the waves as of May 6, 2000.

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

*Michael Y. Daniels*  
Chairman, Board of Land and Natural Resources

TECHNICAL FIELD DATA SERVICES, INC.  
44-023 Aina Moi Place  
Kaneohe, Hawaii 96744

May 11, 2000  
Rev. Aug. 21, 2000

Exhibit 3

## II. DESCRIPTION OF THE PROPOSED ACTION

### A. General Description

#### (1) Proposed Project

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

1. An after-the-fact 30 inch high 70 foot long grouted lava rock wall within the shoreline setback, parallel to the shore (Wall "C"). The wall is located approximately 12-16 feet mauka of a the certified shore line.
2. Construction of an open metal fence 3' 6" high on top of Wall "C".
3. Construction of a 4 foot concrete block wall with a 2 foot open metal fence on top for a distance of 25 feet within the shoreline setback area, along the Kaena Point side of the property. (Wall "A")
4. Construction of a 2' concrete block wall with a 4' open metal fence on top, for a distance of 25' 6" within the shoreline setback area along the Waianae side of the property. (Wall "B")
5. Fill mauka of Wall "C" with crushed coral for a distance of approximately 25 feet to the end of the shoreline setback area. The fill will be approximately 2 feet deep at the rear of the wall and approximately 1 foot deep at the edge of the shoreline setback area,

It should be noted that on July 16, 1998, the DPP approved an open metal fence six feet high as a minor shoreline structure. The fence was to be in the same location along the shoreline and on the side property lines as the wall/fences being requested by this application. The difference is the addition of a concrete block base on which to install the open metal fence.

(2) Shoreline Setback Area Requirements

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

Chapter 23 also states that the shoreline setback line shall be established 40 feet inland from the certified shoreline and that structures and activities are prohibited within the shoreline area. This application and environmental assessment requests approval for a variance from these regulations, provides a description of the action, and addresses the potential impacts of the shoreline structure to the coastal environment.

The seaward boundary of the property extends for approximately 35 to 40 feet makai of the certified shoreline. The edge of the lava rock surface extends beyond the makai boundary of the property before dropping off into the ocean. The certified shoreline survey is dated August 21, 2000. Short of a cataclysmic event the shoreline will remain stable.

(3) Land Use Approvals Required

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

B. Technical Characteristics

(1) Use Characteristics

The property is rectangular and extends from the edge of the ocean to Moua Street. It has an area of 13,476 sq. ft. and is approximately 70 feet wide by 193 feet long. The property was vacant until it was purchased by the applicant;



and, to the best of our knowledge there were no previous structures on the property. The house was constructed between March 1999 and December 1999. It is 114 feet from the ocean and 33 feet from Moua Street. The swimming pool is 83 feet from the ocean edge and 7 feet from the mauka boundary of the shoreline setback area. A cabana measuring 11 feet by 24 feet is located on the Kaena side of the property next to the pool. The cabana is 83 feet from the ocean edge and 3 feet from the shoreline setback area.

Wall "C", parallel to the shoreline, was constructed during the month of November 1999 and took two days to complete. The owner mistakenly thought that structures up to 30 inches in height were permitted in the shoreline setback area. He incorrectly applied the permitted structure height for yard setbacks where structures up to 30 inches in height are permitted. The applicant was subsequently cited by the Department of Planning and Permitting Building Division City and County of Honolulu on November 15, 1999 for construction of the wall as being in violation of the shoreline setback area (Citation No. BV99-11-10).

The purpose of the "sea wall" wall is to protect the property from storm generated coastal wave action and to stop runoff of dirt and debris into the ocean as a result of that wave action. The wall is located between 12 and 16 feet mauka of the certified shoreline, and 52 feet from the waters edge. The rules and regulations for the shoreline setback ordinance define a shoreline protection structure as one that artificially fixes the location of the shoreline.

The shoreline was determined by an independent analysis by a licensed surveyor and certified by the State to be located as shown on Exhibit 3, without the presence of a wall. The certified shoreline is located at the upper wash of the waves resulting from normal tidal action and not at the high wash of the waves resulting from storm surges. If the latter were the case, certified shorelines throughout the State would be placed at the high wash of the waves from hurricanes such as Iwa and Iniki. Quite correctly, this is not the current practice.

The rules and regulations for shoreline setbacks defines a "shoreline protection structure" as one that artificially fixes the location of shoreline, including but not limited to groins, sea walls and revetments. The owner has constructed a 30 inch high wall, 12-16 feet mauka of the certified shoreline, hence the wall does not fix the

shoreline and by definition is not a shoreline protection structure. Nevertheless, the plans for the seawall and the side walls and fences have been prepared by a registered professional engineer.

(2) Physical Characteristics

Photo 13, shows the kind of wave action resulting from offshore storms that can cover the lava outcropping. The effect is greater when storm surges occur during high tides. The photo shows the potential impact of these waves on the property and why a wall is needed.

The subject wall structure is located along the 70 foot shoreline frontage of the Kamada property which is 13,476 sq. ft. in area. This section of the Makaha coastline is not sandy beach but lava rock. The shore surface itself is solid lava rock and hence is stable and unchanging. As shown on the certified shoreline survey map, there is what is labeled as the "erosion area" which extends 36 to 40 feet makai of the shoreline. The term "erosion area" is misleading. The property is not experiencing erosion in the sense that part of the property is being washed into the sea such that the property is being diminished in size. Very likely, "erosion" is not the correct term to use to describe this type of ocean process. Rather, when the water covers the land during these storm surges, it carries surface soil and debris into the ocean as each wave recedes. Water does not cover the surface of the land during the normal tidal wave action.

As can be seen from the photographs, the area is made up of solid lava rock with pools that fill up during heavy wave action. The brown color is a result of siltation from runoff caused by rain and waves that inundate the shoreline above the rocks. To protect the property from wave action a 2 ½ foot wall has been built approximately 12-16 feet mauka of the certified shoreline parallel to the shoreline.

The aerial photograph (#14) of the area, taken in October 1969, shows that the ocean edge has not changed appreciably since that time. The wall on the property on the Waianae side, as shown in photo's 2 and 10, is also shown in the 1969 photo. Similarly the wall on the second property from the applicants property on the Kaena Point side, as shown in photo's 5, 8, and 9, can be seen in the 1969 photo. The old photo shows a quonset hut on the property and two parked cars. There appears to be some kind of a protective structure on the seaward end of the

property. It should be noted that at this date most properties along this coast line have protective sea walls.

(3) Construction Characteristics

The wall, which runs the length of the shoreline frontage of the parcel, connects to the existing walls of the adjoining properties (see photos). The wall is fully grouted and utilizes dark brown lava rock boulders. It is similar to the other walls along the shoreline both in height and appearance. The top of the seawall is 18 inches wide but it varies slightly in height, depending on the contours of the lava rock. There is a 24 inch wide mortar bed foundation supporting the wall. In the center are 3 stone steps leading down to the lava rock shoreline. It is planned that there will be a 3 ½ foot high open metal fence on top of the wall (similar to "Wall B" on the Ewa property line) with a gate at the steps. The area mauka of the wall has been graded and filled with approximately 70 cu. yds. Of crushed coral. The area will be landscaped. The finished grade will be to the top of the wall.

A 4 foot high concrete block wall with a 2 foot open metal fence on top will be constructed for a distance of 27 feet within the shoreline setback area, along the Kaena Point side of the property.

A 2' high concrete block wall with a 4' high open metal fence on top, will be constructed for a distance of 25 feet within the shoreline setback area along the Waianae side of the property.

### III. AFFECTED ENVIRONMENT

#### A. Site & Surrounding Area

The property at 84-849 Moua Street is one of many private residences situated makai of Farrington Highway along the Makaha coast between Makaha Beach Park and Lahilahi Point.

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

#### B. Flood Hazard District

The subject property is located in the flood hazard area "AE" and "VE" where base flood elevations have been determined at 15 feet for both areas. Coastal flood with velocity hazard wave action may occur in the "VE" zone. The makai wall along the certified shoreline is in the "VE" zone with a flood elevation of 15 feet. The base of the wall will rest on the lava rock outcrop which has an elevation of 13 to 14 feet above the mean sea level, very close to the flood elevation. During storm surges water, water will hit the wall and be deflected. This is the purpose for the wall. It appears that all of the shoreline setback area is in the VE.

The walls will serve to protect the property from wave action and to stem run off into the ocean from the land along the shoreline frontage which will not only protect the residence on this property but also adjoining properties and inland areas. All structures that are a part of the house comply with the Federal Flood Insurance Program.

A flood hazard district certification by a licensed engineer is included certifying that the structures and improvements will not affect the regulatory flood not aggravate existing flood related erosion hazards, and the

structures and improvements would not result in increase of the regulatory flood levels.

**C. Coastal Views**

The project site is private residential property along the Makaha coast. Due to the nature of the shoreline there is little pedestrian activity. The construction of a 2 ½ foot vertical seawall with a 3 ½ foot open iron grillwork fence will not obstruct or detract from any coastal views. The wall is built of dark brown lava rock and has a natural appearance and is similar in aesthetic condition to the surrounding parcels with shoreline structures.

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

The nearest public beach park is Makaha Beach Park approximately .66 mile west of the property. Public access to the shore is not affected by the shoreline structure. There is lateral access along this shoreline which is used mainly by local fisherman and its recreational use will not be diminished by the proposed action. An access to the ocean exists approximately 280 feet on the Ewa side of the property (see enclosed tax map).

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

**E. Location maps, site plans and photos included**

#### IV. PROJECT IMPACTS and MITIGATION MEASURES

All the property owners along this portion of the Makaha shoreline have had to construct protective walls to prevent damage to structures as shown in photo's 2, 4 and 5. Thus, there are existing walls on adjacent properties to the east and west. The effect of the walls on shoreline processes at this location has been negligible because the walls are generally located on a natural rock outcropping well above the level of the ocean.

In fact, speculation would lead to the conclusion that there would be no measurable impacts on the sea floor from the wall. It is only necessary to review the total environment of the area.

The ocean is approximately 6 feet deep at the edge of the rock outcrop. The outcrop is approximately 9 feet above the ocean surface. Thus the face of the lava outcrop, which is essentially vertical, is 15 feet in height. During normal sea conditions waves hit the face of the lava outcropping and bounce back seaward. This could have a considerable influence on the sea floor substrate characteristics.

During storm surge conditions waves hit the lava rock face with such force that water is projected onto the surface of the rock outcrop, and travels 50 feet where it will meet the surface of the 30 inch high wall and be reflected back another 50 feet along the surface of the rock outcrop, and fall 9 feet into the ocean. It is difficult to accept that the water reflected by the proposed 30 inch wall will have any measurable impact on the ocean processes or the sea floor substrate characteristics when compared to the impacts caused by the ocean waves hitting the face of the lava rock.

#### Mitigation measures

A number of mitigative measures are proposed to reduce or eliminate the potential impacts of the wall construction.

The wall has been constructed of natural rock material which is more visually appealing than the standard CMU wall or concrete-faced seawall structure.

Best management practices were used for existing

construction and will be continued during all phases of construction. This will include the following actions.

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

V. ALTERNATIVES CONSIDERED

(1) No action - Remove Wall Structure. The wall could be removed leaving the shoreline frontage of the lot unprotected. This action would expose the property to storm wave action making the makai 80 feet of the property unuseable. The residence on the property would potentially be exposed to storm wave run-up and damage. It would also contribute to the silting of the ocean at the shore from dirt and debris. The no-action alternative is therefore not considered reasonable.

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

(3) A third alternative has been suggested which is to construct a wall at the makai edge of the swimming pool. This places the wall more than forty feet from the certified shoreline hence, a shoreline setback variance is not needed to construct a wall at this location. Construction of a wall outside of the 40 foot shoreline setback is the same as a "no action" alternative because there are no shoreline setback issues associated with this action.



VI. COMMENTS RECEIVED ON THE DRAFT ENVIRONMENTAL ASSESSMENT

The draft EA was published in the April 8, 2000 OEQC Bulletin. Copies of the EA were submitted for review and comment to the OEQC, Waianae Public Library and Neighborhood Board, Various Agencies for the City and County of Honolulu Department of Planning and Permitting, State of Hawaii Department of Land and Natural Resources, the Office of Environmental Quality Control, and the University of Hawaii Environmental Center.

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

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

STATE OF HAWAII DEPARTMENT OF HEALTH

1. Letter dated 5/22/2000 (after the deadline for comments) with no comment.

RESPONSE: None required.

STATE OF HAWAII DEPARTMENT OF LAND & NATURAL RESOURCES

1. Letter dated 5/31/2000 (after the deadline for comments) stating that as the improvements are located mauka of the certified shoreline they have no jurisdiction. They expressed concern that the landowner respect County laws regarding building within the shoreline setback area and that lateral public access is not impeded. They noted that this does not appear to be a shoreline that is subject to the forces of erosion or accretion.

RESPONSE: None required.

2. Letter dated 6/1/00 (after the deadline for comments) stating that they had informed the applicant to revise the submitted survey map. They had no other comments.

RESPONSE: None required.

BENJAMIN J. CAVETANO  
GOVERNOR OF HAWAII



BRUCE S. ANDERSON, PH.D., M.P.H.  
DIRECTOR OF HEALTH

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

In reply, please refer to  
File

May 22, 2000

00-067/epo

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

30 MAY 25 PM 2 25  
CITY & COUNTY OF HONOLULU

Dear Mr. Fujiki:

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

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

Sincerely,

  
GARY GILL  
Deputy Director for  
Environmental Health

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



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

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

Ref:PB:SL

MAY 31 2000

MEMORANDUM:

TO: Nick Vaccaro, Land Agent  
Land Division  
*Sam Lembo*

FROM: Sam Lembo, Senior Staff Planner  
Land Division

SUBJECT: After-the-Fact Shoreline Setback Variance for a Concrete Wall at Makaha, Oahu

We have reviewed the subject project and have the following comments. A shoreline certification was completed for the subject property in 1998, prior to the construction of the wall. If the improvements are located on the mauka side of the 1998 certified shoreline, then we have no jurisdiction over the matter.

This does not appear to be a shoreline that is subject to the forces of erosion or accretion. However, over the long term, sea level rise or subsidence would likely dictate shoreline location. Our only concern is that the landowner respect County laws regarding building within the shoreline setback area and that lateral public access is not impeded by the abutting owner(s).

Mahalo

DEPT. OF PLANNING  
& PERMITTING  
CITY & COUNTY OF HONOLULU  
JUN 5 PM 2 41



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

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

June 1, 2000

LD/NAV  
Ref.: 2000SV5.RCM

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

Dear Mr. Fujiki:

SUBJECT: Application for After-the-Fact Shoreline Setback Variance  
Calvin Y. & Helen T. Kamada TMK: 8-4-5-: 17

Thank you for the opportunity to review and comment on the subject matter.

Attached herewith is a copy of our Land Division Planning and Technical Services comments.

Furthermore, we had recently received an application for shoreline certification of the subject property. We had informed the applicant to revise the submitted shoreline survey map. Therefore, our processing of the applicant's application is being held in abeyance until we receive the revised shoreline map.

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

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

Very truly yours,

DEAN Y. UCHIDA  
Administrator

C: Oahu District Land Office

00 JUN 5 PM 2 41  
CITY & COUNTY OF HONOLULU

BENJAMIN J. CAYETANO  
GOVERNOR OF HAWAII



STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION  
Kekuhihewa Building, Room 555  
601 Kamehale Boulevard  
Kapolei, Hawaii 98707

TIMOTHY E. JOHNS, CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES

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HISTORIC PRESERVATION  
LAND  
STATE PARKS  
WATER RESOURCE MANAGEMENT

April 26, 2000

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

00 MAY 5 PM 1 52

DEPT OF PLANNING  
and PERMITTING  
CITY & COUNTY OF HONOLULU

LOG NO: 25272 ✓  
DOC NO: 0004EJ13

Dear Mr. Fujiki:

**SUBJECT: Chapter 6E-42 Historic Preservation Review - Application for an After-the-Fact Shoreline Setback Variance Retention of a 30-inch High Concrete Rubble Masonry (CRM) Retaining Wall and Construction of New Wrought Iron Fence within the 40-foot Shoreline Setback 84-849 Moua Street Makaha, Wai`anae, O`ahu  
TMK: 8-4-5:17**

Thank you for the opportunity to comment on this after-the-fact shoreline setback variance. Our review is based on historic reports, maps, and aerial photographs maintained at the State Historic Preservation Division; no field inspection was made of the project areas.

A review of our records shows that there are no known historic sites at this location. No historic sites were reported during construction of the retaining wall. Because this is an after-the-fact permit and no new construction is proposed we believe that approval of this variance will have "no effect" on historic sites.

Should you have any questions, please feel free to call Elaine Jourdan at 692-8027.

Aloha,

Don Hibbard, Administrator  
State Historic Preservation Division

EJ:jk

00 MAY 6  
DEPT OF PLANNING  
AND PERMITTING  
CITY & COUNTY OF HONOLULU

Post-It® Fax Note	7671	Date	10/25/00	# of Pages	3
To	Lon Clegg	From	Steve Tagawa		
Co./Dept.		Co.			
Phone #	DNR's is late	Phone #	523-4817		
Fax #	599-1553	Fax #	527-6743		



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

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

October 25, 2000

Mr. Don Hibbard, Administrator  
State Historic Preservation Division  
Department of Land & Natural Resources  
Kakuhikawa Building, Room 555  
601 Kamokula Blvd.  
Kapolei, Hawaii 96707

Dear Mr. Hibbard,

Thank you for responding to the Environmental Assessment which was submitted to the Department of Planning and Permitting for the seawall in the shoreline setback area 84-849 Moua in Waianae on the island of Oahu (TMK: 8-4-005:017).

Your letter, in which you stated that approval of the variance will have "no-effect" on historic sites, has been included in the Final Environmental Assessment.

If there are any questions please contact me at 536-5695.

Sincerely,

Donald Clegg  
President



## University of Hawai'i at Mānoa

Environmental Center  
A Unit of Water Resources Research Center  
2550 Campus Road - Crawford 317 · Honolulu, Hawai'i 96822  
Telephone: (808) 956-7381 · Facsimile: (808) 956-3900

May 5, 2000

EA: 00210

Calvin and Helen Kamada  
3745 Maunaloa Avenue  
Honolulu, HI 96816

Dear Mr. & Mrs. Kamada,

Kamada After-the-Fact Shoreline Setback Variance  
Environmental Assessment  
Waianae, Oahu

The applicants are proposing an after-the-fact shoreline setback variance to retain a 30-inch high concrete rubble masonry (CPM) retaining wall (with steps) constructed within the 40 ft shoreline setback. Additionally, the applicants propose to construct a 3' 6" wrought iron fence along the wall. The wall is intended to provide protection against seasonal wave action.

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

### General Major Comments

The structure(s), being protected by the illegal seawall are built too close to the ocean, because they are threatened by seasonal wave action, winter storms and hurricanes. Building a wall is not the appropriate response to these coastal hazards. The shoreline in question is considered one of the most hazardous in Oahu. Large waves in winter and inter-annual hurricanes are natural processes can be expected to occur and threaten the property. There is an obvious risk taken by the property owner when they decide to build near the shoreline and it should not be used, after-the-fact as a justification for shoreline armoring. This is the reason why there is a shoreline setback law. Granting after-the-fact permits is in effect encouraging construction of personal assets in a hazardous area.

There seems to be a misconception that a rocky shoreline is a dead environment; these shorelines are natural, legitimate coastal environments and are disturbed by the energy created by such vertical barriers. Additionally, the progressive erosion along this shoreline is a natural process. Walls built will interfere with this natural process because the erosion is not due to the removal of sand budgets.

An Equal Opportunity/Affirmative Action Institution

Mr. & Mrs. Kamada  
May 5, 2000  
P. 2

Our reviewers would also like to point out an inconsistency in the EA. On page 4 at the bottom it is claimed that the shoreline is stable therefore the seawall would have no effect. However, on page 6, it is claimed that it was necessary to construct sea walls to protect property, indicating the shoreline is not stable. It is in fact eroding. The owners of this property should have been aware of the hazards prior to building, and examined alternative siting to protect structures from damage. This is a problem that should have been transparent before construction of structures by the evidence of neighboring seawalls. It appears from the photographs that the house is still under construction, therefore, it may not be too late to consider other options. The assertion that the applicant deserves a wall because the neighbors have them is not an effective argument. There is no rationale for repeating past mistakes. In addition, the variance should be denied for the practical reason that the wall is highly likely to encourage further construction near the wall and around pool area, which, may increase the amount of damage to the property in the event of a storm or hurricane.

Other Comments

The argument regarding protection from siltation on page 8 is weak. Silting is only a problem because of soil fills that support properties. It is landscaping and development that causes silt. Additionally, public access may be decreased by walls and other structures built along the shoreline.

In summary, our reviewers discourage the permitting of shoreline armoring and would like to suggest that property owners consider voluntarily building farther back from the shoreline setback as a precaution. The shoreline setback limits are not necessarily equally applicable for all shorelines and until a variable shoreline setback is adopted by the State of Hawaii, it is up to landowners to take their own precautions.

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

Sincerely,



Peter Rappa  
Environmental Review Coordinator

CC. OEQC  
James Moncur, Water Resources Resource Center  
Steve Tagawa, C & C of Honolulu, Planning  
Donald Clegg, Analytical Planning Consultants, Inc.  
Charles Fletcher, Geol. & Geophys.  
Jolie Wanger, Environmental Center





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

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

May 15, 2000

Mr. Peter Rappa  
Environmental Review Coordinator  
Environmental Center  
University of Hawaii  
2550 Campus Road - Crawford 317  
Honolulu, HI 96822

Dear Mr. Rappa:

This letter is in response to the comments by the Environmental Center on the Draft Environmental Assessment (DEA) for a 30 inch high retaining wall constructed in the 40 foot shoreline set back area (TMK: 8-4-005:017). Your letter and our comments, as outlined below, have been included in the Final Environmental Assessment.

1. The house is located too close to the ocean.

The house is appropriately located on the property. It is 120 feet from the ocean edge of the property and 25 feet from the street property line.

2. The granting of after the fact permits is in effect encouraging construction of personal assets in a hazardous area.

The after the fact nature of the request is unfortunate but unintentional. The owner was unaware of the shore line set back regulations. The wall was constructed at 30 inches to meet what he thought was the requirement in the Land Use Ordinance (LUO) for structures in the yard setbacks. Under these circumstances, granting the variance will not encourage or justify others to construct walls in the shore line without a variance.

3. The rocky shoreline is not a dead environment.

The DEA did not state or assume that the rocky shoreline is a dead environment. The DEA stated that the shoreline in this area was stable and essentially not subject to erosion

as a result of ocean processes. As such the wall will not contribute to erosion or the removal of sand.

4. Inconsistency in statements in the DEA on Page 4 and page 6.

On page 4 it was stated that the shoreline was stable and therefor the seawall will have no effect, and on page 6 the statement is made that it is necessary to construct sea walls to protect property. The reviewer concluded that because a sea wall is necessary to protect the property that the shoreline is not stable and in fact is eroding. While the reviewer stated the facts correctly the conclusion is in error. The wall is needed to protect the property from storm generated surges of water that flow onto the property not to protect the property from erosion. A site visit by the reviewer would have clarified the issue.

5. Public access may be decreased.

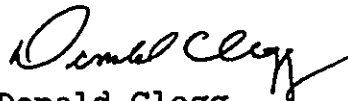
While this may be true in other circumstances it is not true here. Again, a site visit would have clarified the issue. Public access to the shore line is available close to the property and the wall does not inhibit lateral access along the shoreline. It should be pointed out that the applicants property extends to the waters edge hence lateral public access will be across the applicants property.

6. The argument regarding protection from siltation is weak.

Siltation of the ocean from land resources does not only occur because of soil fills. Rain and resultant surface flow to the ocean causes considerable siltation. This has been the case here. The wall will protect the ocean area in front of the property from further siltation whether due to natural flows or from soil fills on the property.

Many of the comments appear to be generic in nature in general opposition to sea walls. The comments may be appropriate in other locations: but, are not applicable or appropriate to this location. It does not appear that the reviewers made a site visit,

Sincerely,

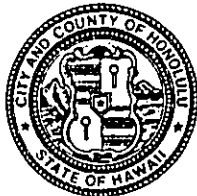


Donald Clegg  
President

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

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

JEREMY HARRIS  
MAYOR



RANDALL K. FUJIKI, AIA  
DIRECTOR

LORETTA K. C. CHEE  
DEPUTY DIRECTOR

2000/CLOG-1980 (ST)

May 10, 2000

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

Dear Mr. Clegg:

Draft Environmental Assessment (DEA)  
After-the-fact Shoreline Setback Variance  
30-inch CRM wall, Fence and Gate  
84-849 Moua Street, Waianae, Oahu  
Tax Map Key 8-4-5: 17

We have reviewed the DEA for the above-referenced project received on March 29, 2000, and find the following additions/revisions are required:

**SECTION II**

**A. General Description**

1. Proposed Project - A more complete background of this property should be provided. This section should disclose that the applicant applied for and received, a Minor Shoreline Structure Permit (No. 98/MSS-15) to construct a 6-foot high open-work wrought iron fence within the shoreline setback area on July 16, 1999. This section should also disclose when the unauthorized C.M. wall was constructed, and how long its construction took to complete.
2. Shoreline Setback Area Requirements - The data and/or analysis which would support the statement of "the extreme stability of the shoreline along this area of Oahu . . ." must be provided. Contrary to statements made in this section, Department photographic records indicate that the shoreline in this area has been subject to changes over the past several decades.

## B. Technical Characteristics

1. Use Characteristics - There are contradictory statements in this section which should be resolved in the Final EA. The purpose of the CRM wall is said "to protect the property from ocean wave action and to stop runoff of dirt and debris into the ocean." This same section states the wall "is not a shoreline protection structure as it does not artificially fix the location of the shoreline nor does it impact any shoreline processes." However, insofar as wave energy and erosion are both shoreline processes, this CRM wall must be considered a shoreline protection structure.

This section must also be expanded to provide a more complete description of the current use of the property, including other structures present (ie., dwelling, swimming pool, cabana, etc.), and their general dimensions and distance from the shoreline. A brief history of the use of this property should also be included (ie., when the property was subdivided, were any structures previously located there, etc.).

2. Physical Characteristics - This section must be expanded to provide a better description of the existing physical characteristics of the property, including soil types, existing elevations, etc.

We note that this section attempts to clarify the document's apparent contradiction with the "erosion area" displayed on the certified shoreline survey. We again suggest that the Final EA include data and/or analysis which would support statements made in this section.

3. Construction Characteristics - This section should be expanded to clearly describe the additional construction which is proposed, including the length of additional CRM walls on either side of the property, as well as the type of fence to be located on the top of these walls and how they would be installed.

This section must also be expanded to disclose the amount, type and source of fill used to backfill the yard area behind the CRM wall.

Mr. Donald A. Clegg  
Page 3  
May 10, 2000

**SECTION III. AFFECTED ENVIRONMENT**

Site & Surrounding Area - This section must be expanded to explain how the determination was made that the shoreline in this area was "not considered to be an unstable shoreline..." and that this construction would have "little or no impact" on existing shoreline conditions. It should cite previous shoreline studies utilized or photographic data analyzed.

**SECTION IV. PROJECT IMPACTS AND MITIGATION MEASURES**

This section should be expanded to disclose what actual practices or measures were used during construction of the CRM wall to mitigate the impact of its construction.

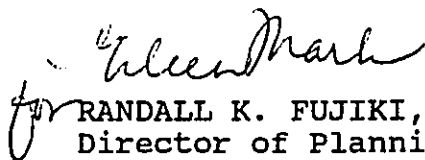
The Final EA must be expanded to provide an additional section which addresses each of the significance criteria pursuant to the EIS regulations, Section 11-200-12, Hawaii Revised Statutes (HAR).

**SECTION VI. HARDSHIP**

We strongly recommend that this section be significantly expanded to more thoroughly discuss each of the criteria necessary for granting a Shoreline Setback Variance.

Should you have any questions, please contact Steve Tagawa of our Land Use Approvals Branch at 523-4817.

Sincerely yours,

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

RKF:lg  
cc: Office of Environmental Quality Control

DN37236



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

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

September, 2000

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

Dear Mr. Fujiki

Thank you for responding to the Environmental Assessment which was submitted to the Department of Planning and Permitting for the proposed seawall in the shoreline setback area 84-849 Moua in Waianae on the island of Oahu (TMK: 8-4-005:017). Your letter and our comments, as outlined below, have been included in the Final Environmental Assessment.

General Description

a) A more complete background of this property should be provided.

RESPONSE: Additional information is provided in this section and in the Technical Characteristics section.

b) Supply data and/or analysis that supports statements about the extreme stability of the shoreline along this area of Oahu. Photographic records indicate that the shoreline in this area has been subject to changes over the past several decades.

RESPONSE: The stability of the shoreline and the issue of "erosion" is discussed more fully in the Physical Characteristics section under Technical Characteristics. We cannot find any photographic evidence that the shoreline has been subject to changes over the past several decades. If there have been changes they have not been as a result of any actions on the part of property owners along the shore.

Technical Characteristics

a) There are contradictory statements in this section that should be resolved in the final EA. Provide a more complete description of the current use of the property including

other structures and their general dimensions and distance from the shoreline.

RESPONSE: A discussion of the "contradictory" statements is included in an expansion of this section. A more complete description of the current property is included along with a new certified shoreline map that shows the structures on the property.

b) A better description of the physical characteristics of property should be included, including soil types and elevations.

RESPONSE: The physical characteristics description has been expanded. Elevations are shown on the new Certified Shoreline map.

c) The construction characteristics description needs to be expanded to describe additional construction proposed including the length of the side yard walls and the type of fence that will be placed on the walls. Also included should be the amount and type of fill used in the yard area behind the wall.

RESPONSE: This information has been included in the FEA.

#### Affected Environment

The section must be expanded to explain how the determination was made that the shoreline in this area was "not considered to be an unstable shoreline..." and that this construction would have "little or no impact" on existing shoreline conditions. It should cite previous shoreline studies utilized or photographic data analyzed.

RESPONSE: The stability of the shoreline has been discussed in a number of the sections of the FEA. A discussion of the impacts of the wall on existing shoreline conditions and the ocean processes in is included in section IV on Project Impacts and Mitigation Measures. The stability of this shoreline is self evident. A lava rock flow extends into the ocean and there is no beach. Shorelines such as this result in a stable interface between the shoreline and the ocean. Any changes that may have occurred have been the result of severe natural processes not the result of actions by the property owners to protect their property with walls.

#### Project Impacts and Mitigation Measures

This section should be expanded to disclose what actual

practices or measures were used during construction of the CRM wall to mitigate the impact of its construction.

RESPONSE: Mitigation measures that were taken and which will be followed with future construction are discussed in this section of the FEA.

The final EA must be expanded to provide an additional section which addresses each of the significance criteria pursuant to the EIS regulations Section 11-200-12 HRS.

RESPONSE: This has been included in the FEA.

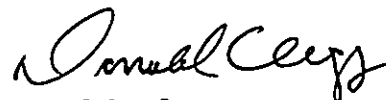
#### Hardship

The section on hardship must be expanded to more thoroughly discuss each of the criteria necessary for granting a shoreline setback variance.

RESPONSE: The section on hardship in the FEA discusses each of the criteria and thoroughly explains the hardship that will be placed on the applicant if the actions requested in this variance are denied. The information is provided in a very straight forward manner and is commensurate with the level of impacts that might result from approval of the actions requested.

If there are any questions please contact me at 536-5695.

Sincerely,



Donald Clegg  
President





**WAI'ANAE COAST NEIGHBORHOOD BOARD NO. 24**

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

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

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

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

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

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

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

ANY DISABLED PERSON REQUIRING ACCOMMODATION TO PARTICIPATE AT THIS MEETING  
MAY CALL THE NEIGHBORHOOD COMMISSION OFFICE AT 523-4089 OR 527-5749 FOR ASSISTANCE



Oahu's Neighborhood Board System - Established 1973


**WAIANAE COAST NEIGHBORHOOD BOARD NO. 24**

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

**MINUTES OF REGULAR MEETING  
JUNE 8, 2000  
WAI ANAE COMMUNITY CENTER**

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

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

**MEMBERS ABSENT:** Karen Awana, Paulette Dibibar, Regina Keawe, Sunday Paris, Albert H. Silva.

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

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

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

**REPORTS AND ANNOUNCEMENTS:**

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

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

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

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



Oahu's Neighborhood Board System - Established 1973

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

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

**UNFINISHED BUSINESS:**

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

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

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

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

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

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

Don Clegg, consultant from Analytical Planning, provided handouts and explained the shoreline setback laws. The 30-inch high wall will have an additional 3 1/2-foot wrought iron fence. No beach processes or access will be modified or impacted since the shoreline has lava rocks and no sand. All neighboring houses have sea walls.

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

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

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

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

# Oahu Notices

APRIL 8, 2000

The applicant, Hawai'i Housing Development Corporation, proposes to develop an eight-story elderly affordable rental apartment building in accordance with the requirements of Chapter 201G of the Hawai'i Revised Statutes (HRS), as amended. The eight-story building will provide 80 1-bedroom affordable rental apartment units, one resident manager's unit and 40 at grade parking stalls for elderly residents (62 and older) who earn at or below 30% and 60% of the area median income (AMI). This Draft Environmental Assessment Report for the development of this multi-story affordable rental apartment building is prepared pursuant to and in accordance with the requirements of Chapter 343 HRS and Chapter 200 of Title 11, Administrative Rules - Environmental Impact Statement Rules. The action that triggers this assessment is the proposed development at 1620 and 1628 Kalakaua Avenue, O'ahu, and the possible use of State and City funds for the project.

The proposed elderly affordable apartment use is permitted in the BMX-3 Community Business Mixed Use District of Honolulu under the Land Use Ordinance (Section 7.80-4).

The 17,211 square foot property at 1620 and 1628 Kalakaua Avenue is located on two adjacent parcels of vacant land. The property is bounded by a low-rise commercial building to the north; a low-rise mixed use (commercial/residential) development to the south; the Makiki Drainage Ditch and residential properties to the west; and Kalakaua Avenue to the east.

## (3) Kamada After-the-Fact Shoreline Setback Variance

**District:** Wai'anae  
**TMK:** 8-4-5:17  
**Applicant:** Calvin & Helen Kamada  
3745 Maunaloa Avenue  
Honolulu, Hawai'i 96816

**Approving Agency/Accepting Authority:** City and County of Honolulu  
Department of Planning and Permitting  
650 South King Street  
Honolulu, Hawai'i 96813  
Contact: Steve Tagawa (527-5349)

**Consultant:** Analytical Planning Consultants, Inc.  
928 Nuuanu Avenue, Suite 502  
Honolulu, Hawai'i 96817  
Contact: Donald Clegg (536-5695)

## Public Comment

**Deadline:** May 8, 2000  
**Status:** DEA First Notice pending public comment. Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

## Permits

**Required:** SSV

The applicants propose to retain a 30-inch high concrete rubble masonry (CPM) retaining wall (with steps) and backfill constructed within the 40-foot shoreline setback at their single-family residence at 84-849 Moua Street in Makaha. The CRM wall is approximately 70 feet long and approximately 20 feet d from the last certified shoreline (a re-certification is currently being sought). The applicants also propose to construct a 3' 6" high wrought iron fence along the top of this CRM wall. The shoreline in this area consists of rocky lava outcropping extending approximately 40 feet beyond the unauthorized wall.

According to the applicant, the purpose of the wall is to provide the residence with protection from seasonal wave action that can inundate the property. This portion of the property is located in VE 15' Coastal flood with velocity hazard (base elevation of 15 feet) on the Federal Emergency Management Agency's (FENLA) Flood Insurance Rate Map (FIRM).

Pursuant to Chapter 23, Revised Ordinances of Honolulu (ROH), these improvements are prohibited from being built within 40 feet of the certified shoreline (as determined by the State of Hawai'i) without first obtaining a Shoreline Setback Variance (SV). A citation for violating this regulation was issued to the applicants on November 15, 1999 (BV 99-11-IO), which requires approval of an SV, or removal of unauthorized improvements, in order to be resolved.

## (4) Kane'ohē Bay Drive Improvements

**District:** Ko'olaupoko  
**TMK:** 4-5-34 & 48  
**Applicant:** Department of Transportation  
601 Kamokila Blvd., Room 609  
Kapolei, Hawai'i 96707  
Contact: Ross Hironaka (692-7575)

**Approving Agency/Accepting Authority:** Same as above.

**Public Comment**  
**Deadline:** May 8, 2000

## VII. DETERMINATION AND REASONS SUPPORTING THE DETERMINATION

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

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

The shoreline along this section of the Makaha coast is composed of lava rock and is therefore considered to be a stable shoreline. There will be no destruction of natural resources due to the proposed action and no archeological or historical sites are known to exist at this site.

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

The project will occupy a developed residential property. There will be no curtailment of beneficial use of the environment by the construction of the makai wall or additions to the side walls.

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

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

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

The proposed action will have no effect on the economic and social well being of the community or

state.

**5. Substantially affects public health;**

There is no public health impact caused by this project. Public access to the shoreline is 280 feet away from the site.

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

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

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

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

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

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

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

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

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

There will be no detrimental impact on air quality, water quality, or ambient noise levels. The purpose of the proposed makai wall is to

protect the property from coastal wave action and to stop runoff of dirt and debris into the ocean. During construction of the walls, best management practices will be employed. Any grading needed will be done in accordance with Chapter 14 ROH. Graded areas will be kept moist to ensure minimal dust and any possible impact to near-shore ecosystems resulting from surface runoff. Any noise associated with construction will cease upon completion of the walls.

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

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

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

The walls are all constructed of a cement block or rock base with an open, iron, grillwork fence on top. They are located on a private residential parcel of property on the Waianae coast. There are no scenic vistas or view plains which will be affected by the proposed project. The project is approximately 440 feet from Farrington Highway and will not be visible by the general public or from persons traveling along the highway.

13. **Requires substantial energy consumption.**

The project will utilize some energy during construction; however, after it is completed, no energy will be consumed.

### VIII. HARDSHIP CRITERIA FOR SHORELINE SETBACK VARIANCE

Variance Hardship Standards A structure may be granted a variance upon grounds of hardship if:

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

The applicants property is located on a lava outcropping that drops off into the ocean. During high surf or storm conditions waves from the ocean wash over the makai portion of the property causing erosion of the surface soil which is deposited on the outcropping makai of the property or in the ocean. See pictures 1 and 2.

Under extreme, but not unusual ocean activity, waves could endanger the house which is 80 feet mauka of the certified shoreline, and inundate the swimming pool which is also mauka of the shoreline setback area. This wave action would deprive the applicant of reasonable use of his property.

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

The proposed walls along the sides of the property will extend for approximately 25'6" on the Waianae side of the property and 25 feet along the Kaena Point side. The cement block footing is necessary to provide the structural strength to survive the anticipated wave action. Further this is a relatively isolated area on Oahu with a history of security issues. The side walls and fence will secure the property and provide some protection for the residents. The fill behind the makai wall is on the lava rock outcropping. Without this fill, landscaping would not be possible.



- (b) The applicant's proposal is due to unique circumstances and does not draw into question the reasonableness of Chapter 23 ROH and the shoreline setback rules.

The applicants proposal is due to the unique circumstances of the wave action on this section of the Waianae coast. Ocean swells generated by storm action to the south of Oahu are particularly vicious along this stretch of coast. There is virtually no reef protection, permitting the waves to pound and flood the shoreline. The proposed side walls and fence which extend only to the seawall provide for closure and security which is considered to be prudent for this area on Oahu. The reasonableness of Chapter 23 ROH and the shoreline setback rules as applied to other areas on Oahu are not drawn into question.

- (c) The proposal is the practical alternative which best conforms to the purpose of Chapter 23 ROH and the shoreline setback rules.

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

Chapter 23 also states that the shoreline setback line shall be established 40 feet inland from the certified shoreline and that structures and activities are prohibited within the shoreline area.

The applicant is requesting a variance from the shoreline setback requirements and approval of a 30" grouted stone masonry wall between 12 and 16 feet mauka of the certified shoreline. The purpose of the wall is to provide protection from the wave action. Several alternatives were considered including:

- (1) No action - Remove Wall Structure. The wall could be removed leaving the shoreline frontage of the lot unprotected. This action would expose the property to storm wave run-up and damage making the makai 80 feet of the

property unuseable. As it is a secondary policy of the city to reduce hazards to property from coastal floods, the no-action alternative is not considered reasonable. It would also contribute to the silting of the ocean at the shore from dirt and debris.

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

(3) A third alternative has been suggested which is to construct a wall at the makai edge of the swimming pool. This places the wall more than forty feet from the certified shoreline hence, a shoreline setback variance is not needed to construct a wall at this location. Construction of a wall outside of the 40 foot shoreline setback is the same as a "no action" alternative because there are no shoreline setback issues associated with this action.

The wall is a practical alternative that conforms to the purpose of chapter 23 RON, the shoreline setback rules and the variance criteria.

No variance shall be granted unless appropriate conditions are imposed to maintain access to and along the shoreline or adequately compensate for its loss.

The wall is far enough mauka of the ocean edge (50 to 54 feet) to provide for adequate unimpeded lateral public access to the ocean.

No variance shall be granted unless appropriate conditions are imposed to minimize risk of adverse impacts on beach processes.

The wall is approximately 50 to 54 feet from an approximately 9 foot drop off to the ocean. There is no beach in the area and no beach processes will be affected. The wall will limit erosion of surface debris into the ocean and protect the property from wave damage. Note the dirt on the lava rock in photo's 1, 2, and 3. This dirt has been washed from the shore by wave action and will eventually be washed into the ocean. The wall will retard

silting into the ocean at this location.

The wall will continue the protection of the shore from wave action and the ocean from silting that is provided by sea walls on neighboring properties. Similar walls have been constructed on virtually every property along this stretch of shoreline. As noted on the photo's, larger more imposing walls have been constructed much closer to the ocean on the abutting properties. Note the buttressed wall in photo #8.

No variance shall be granted unless appropriate conditions are imposed to minimize risk of existing legal or proposed structures falling and becoming loose rocks or rubble on public property.

The wall is constructed totally on private property and was designed by a licensed structural engineer to withstand normal wave action.

No variance shall be granted unless appropriate conditions are imposed to minimize adverse impacts on public views to, from and along the shoreline.

The wall is not visible from the street and will not materially affect views looking mauka or makai. The 30" rock wall will appear "natural" from the makai side and the open 3' 6" iron grill fence on top of the rock wall provides for clear views mauka and makai.

For security purposes the applicant is requesting approval to place a 3' 6" wrought iron fence on top of the 30" rock wall. The walls and fence along the side property lines which stop at the wall, will provide the necessary security for the property and will not impede mauka or makai views. There are no beaches that are impacted, and the side walls conform to the intent to chapter 23 ROE and the shoreline rules and regulations.

IX. CONCLUSION

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

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

#### PHOTOGRAPHIC REVIEW

Picture No.1 shows the rock wall for which a shoreline setback variance is being requested. The wall is 2 to 3 feet high and runs the width of the property parallel to the ocean.

Picture No.2 shows the rock wall of the neighboring property to the right or Ewa side of the applicants property which is perpendicular to the applicants wall extends seaward of the applicants wall.

Picture No. 3 is a composite that shows most of the applicants seawall including stairs to the lava rock. This is shown as wall "C" on the site plan.

Picture No. 4 shows the abutting neighbors wall on the Kaena Point or left side of the applicants property looking mauka from the makai end of the property. The applicants property line is at the chain link fence as indicated by the arrow.

Picture No. .5 shows the (hand)END of the neighbors wall shown in picture No. 4 and continues with the next neighbor on the Kaena point side. This neighbor has a wall perpendicular to the abutting wall that extends makai. In all of these pictures note the brownish color of the lava rocks. This is a layer of dirt that has washed from the land and will eventually be washed into the ocean.

Picture No. 6 is taken from the applicants property looking directly makai. Note the water in the pools indicating that the ocean waves wash over the lava rocks when the ocean is stormy.

Picture No. 7 shows the applicants property looking towards Kaena point. The applicants is requesting, as a part of the variance, to construct a security wall along where the chain the fence now exists the type fence requested his shown in picture 12. A scale drawing of the fence is also submitted with this application.

Picture No. 8, taken with a telephoto lens, shows the second neighbors wall and fence on the cayenne point side. Note the three rock buttresses constructed to reinforce the sea wall against the waves.

Picture No. 9 is taken from the applicants property and shows his sea wall and the walls around the second neighbors property. Picture 8 is a close-up of that neighbors walls.

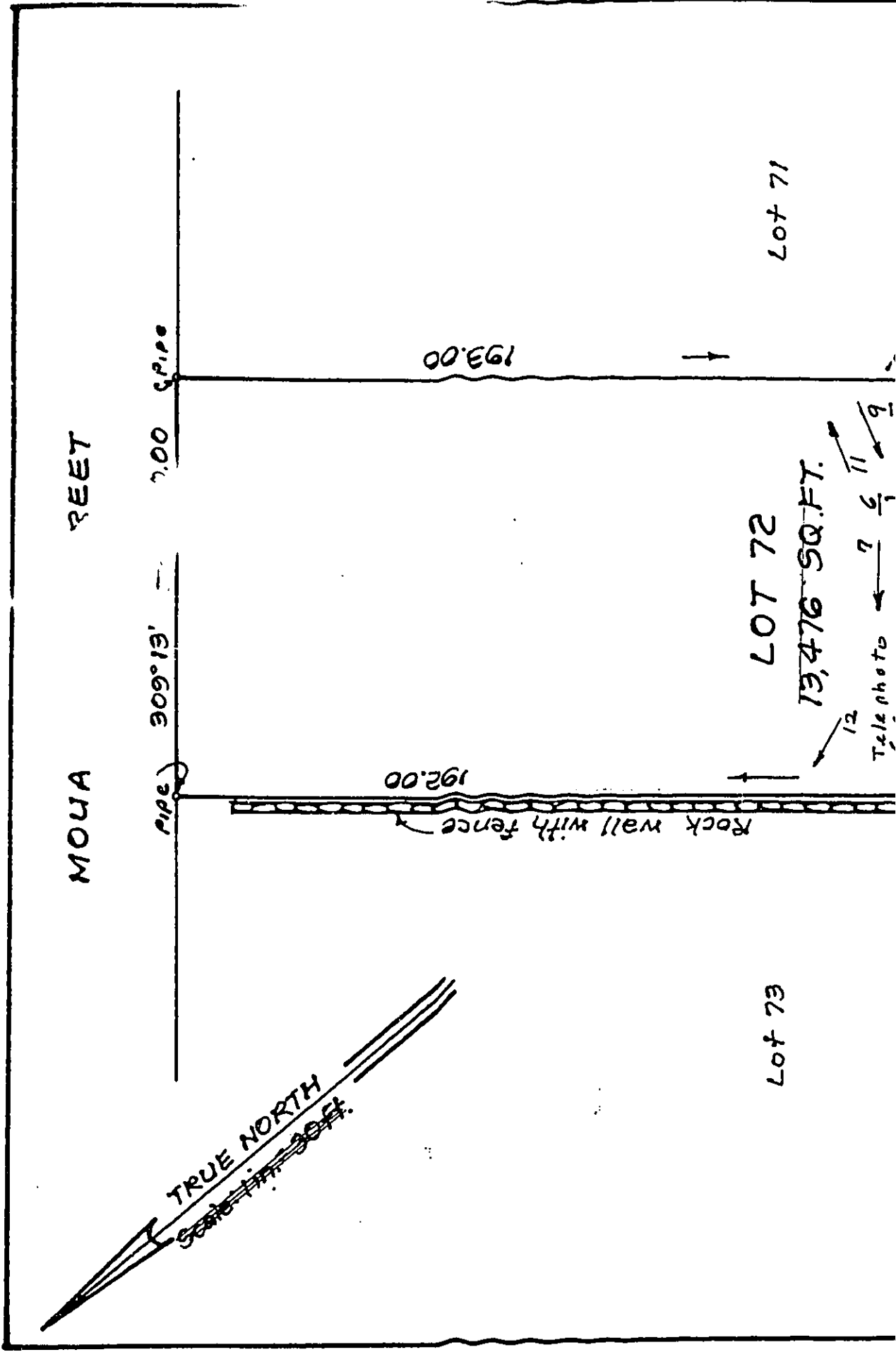
Picture No.10 per shows the neighbors property on the Ewa side. Note the neighbors wall extending makai from the applicants wall and then Ewa along the ocean front. This is the same wall shown in picture No. 2

Picture No. 11 shows the fence that the applicants requesting along the Ewa side of his property to his sea wall. This is shown as wall "B" on the site plan

Picture No. 12 shows the existing fence along the Kaena Point side of his property. The section of the fence, which lies within the shoreline setback area and will connect to the sea wall, will be 6 feet high and look like the fence in Picture No. 11. This is shown as wall "A" on the site plan.

Picture No. 13 shows typical winter wave action along this section of the Makaha coast.

Picture No. 14 is an aerial photo taken in 1969. The photo shows existing walls along the shoreline.



REET

MOUA

7.00 SPIRE

309°13' pipe

193.00

192.00

Rock wall with fence

LOT 72

21,476 SQ.FT.

Telephoto

Lot 73

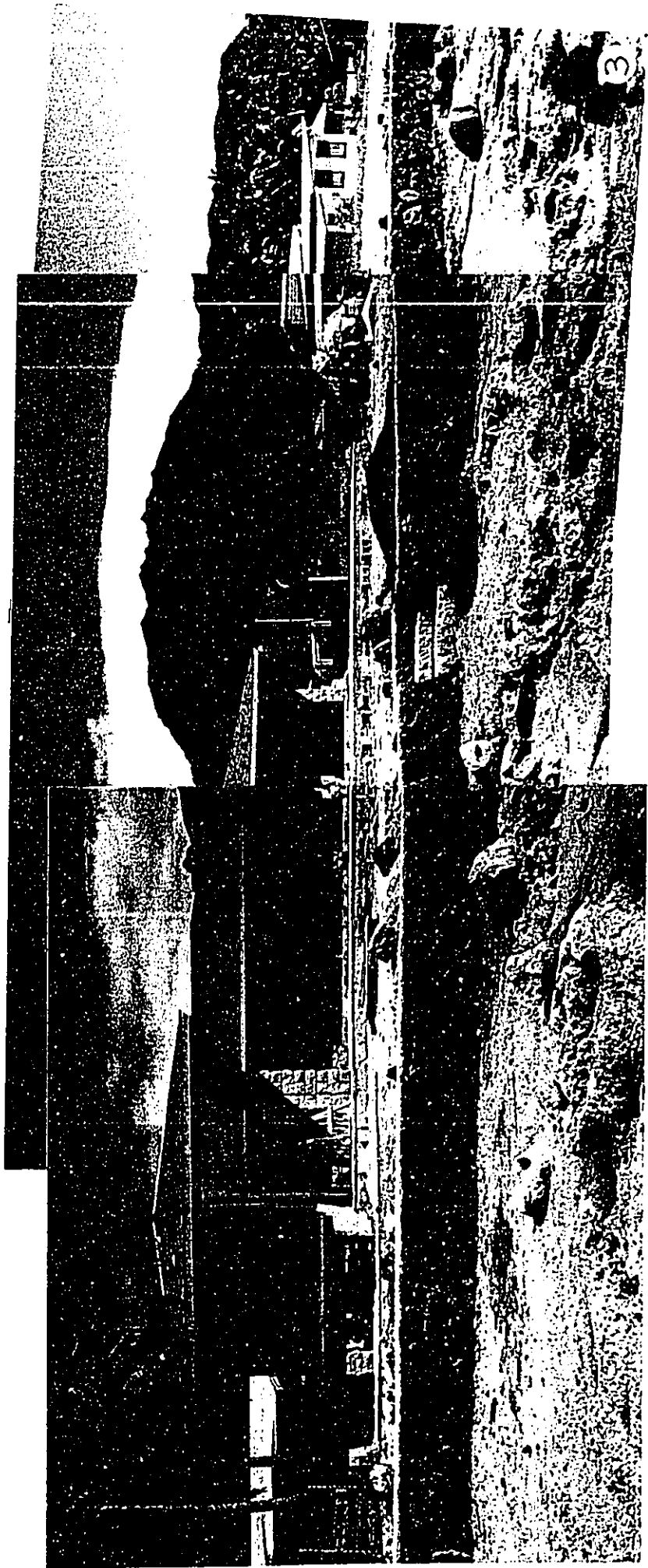
Lot 71

TRUE NORTH  
50°13' 300.00

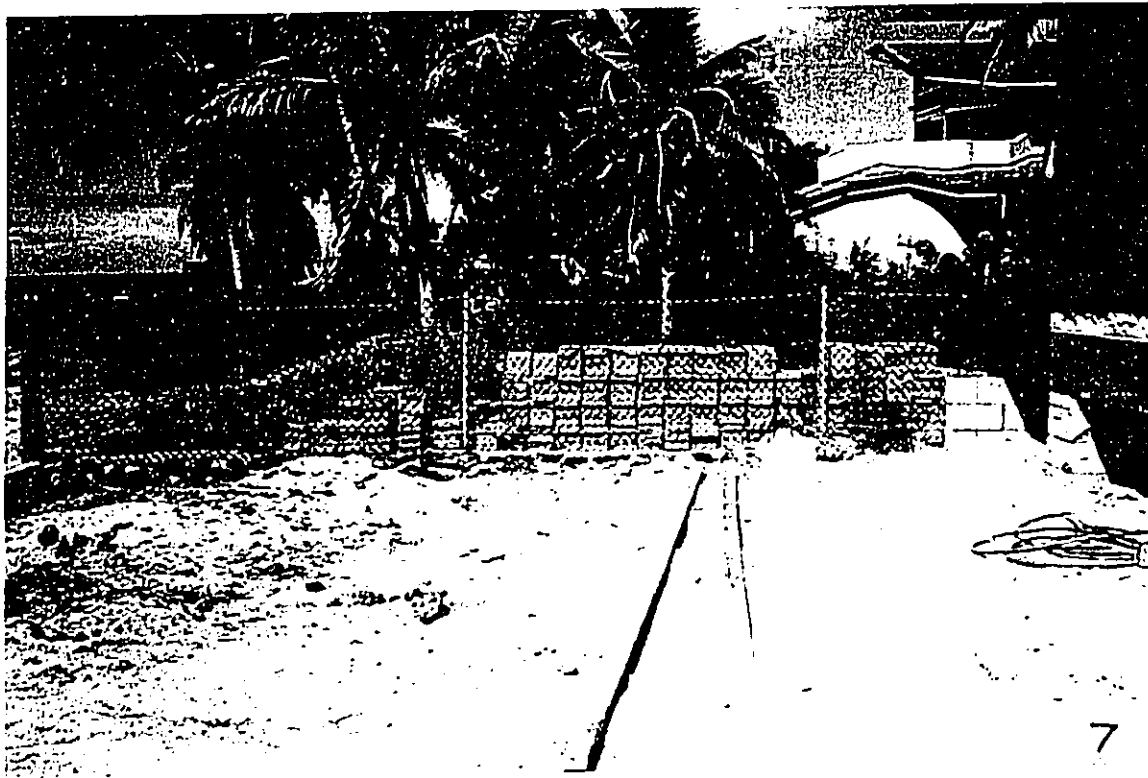


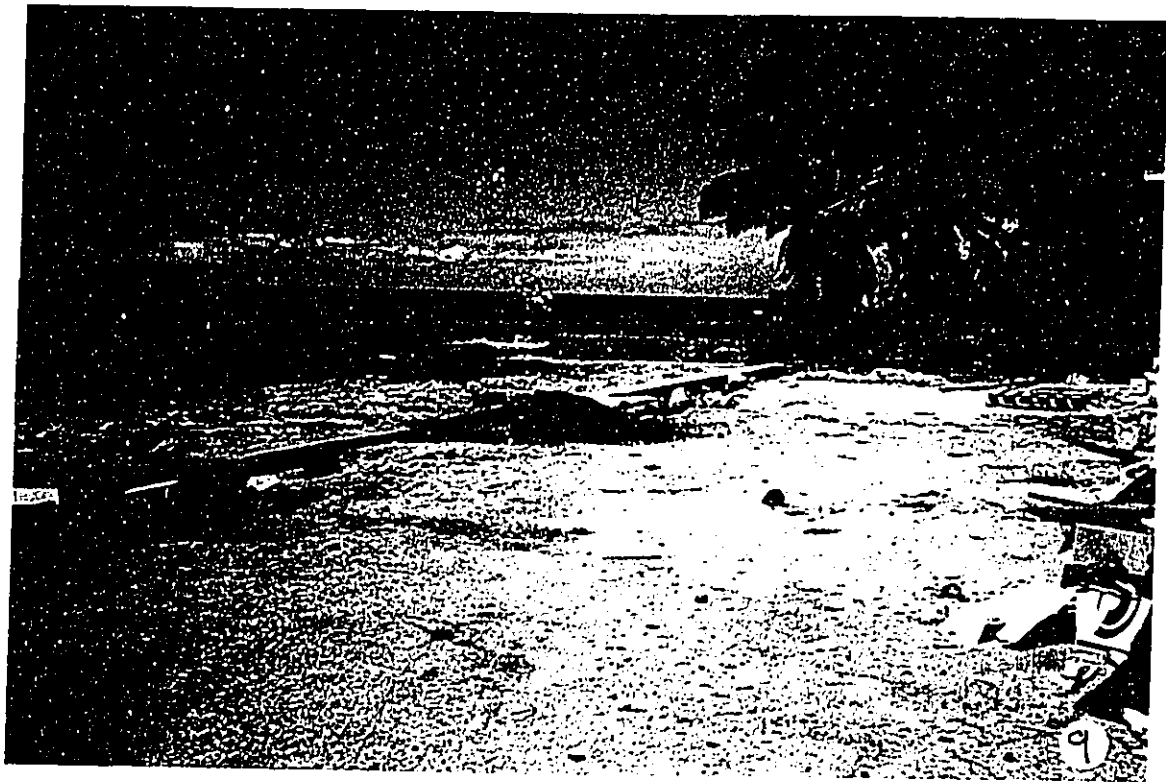
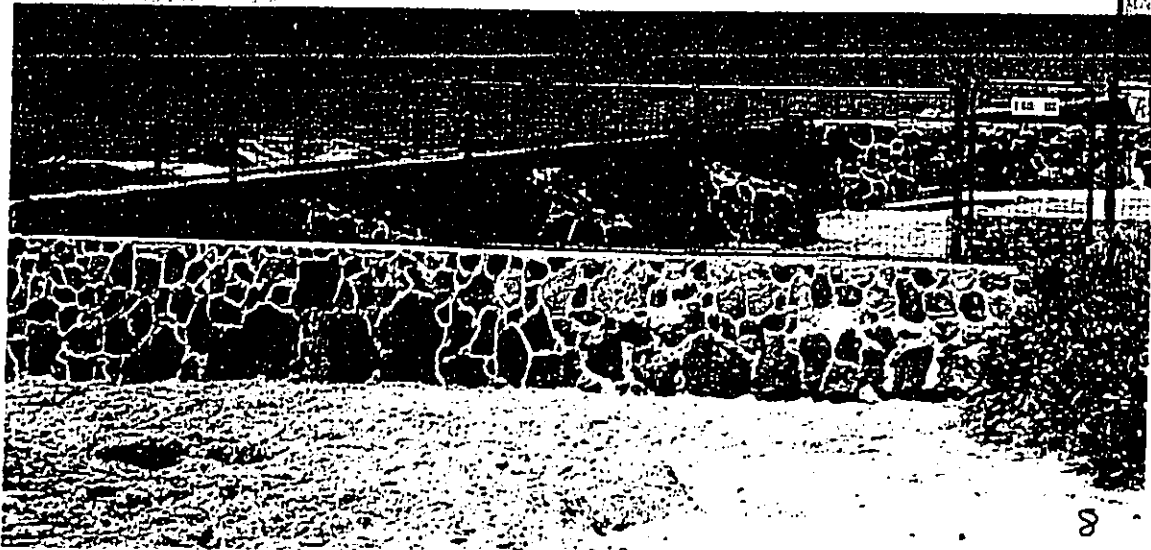


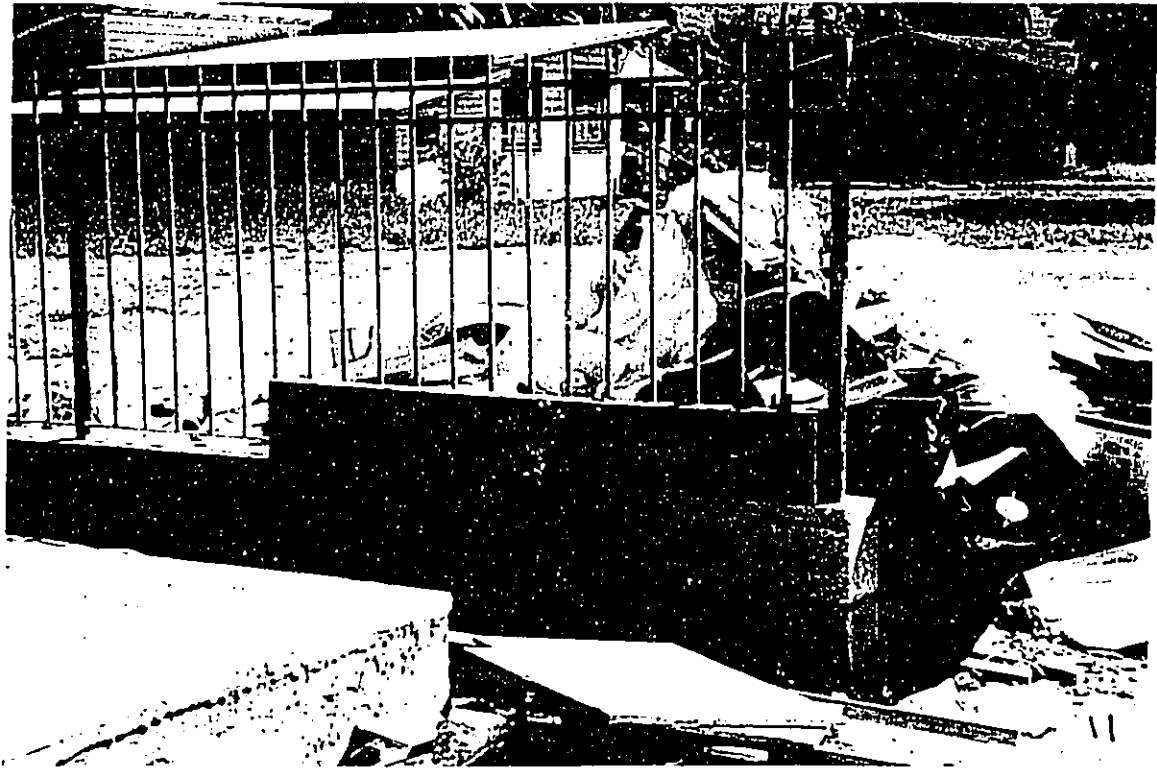
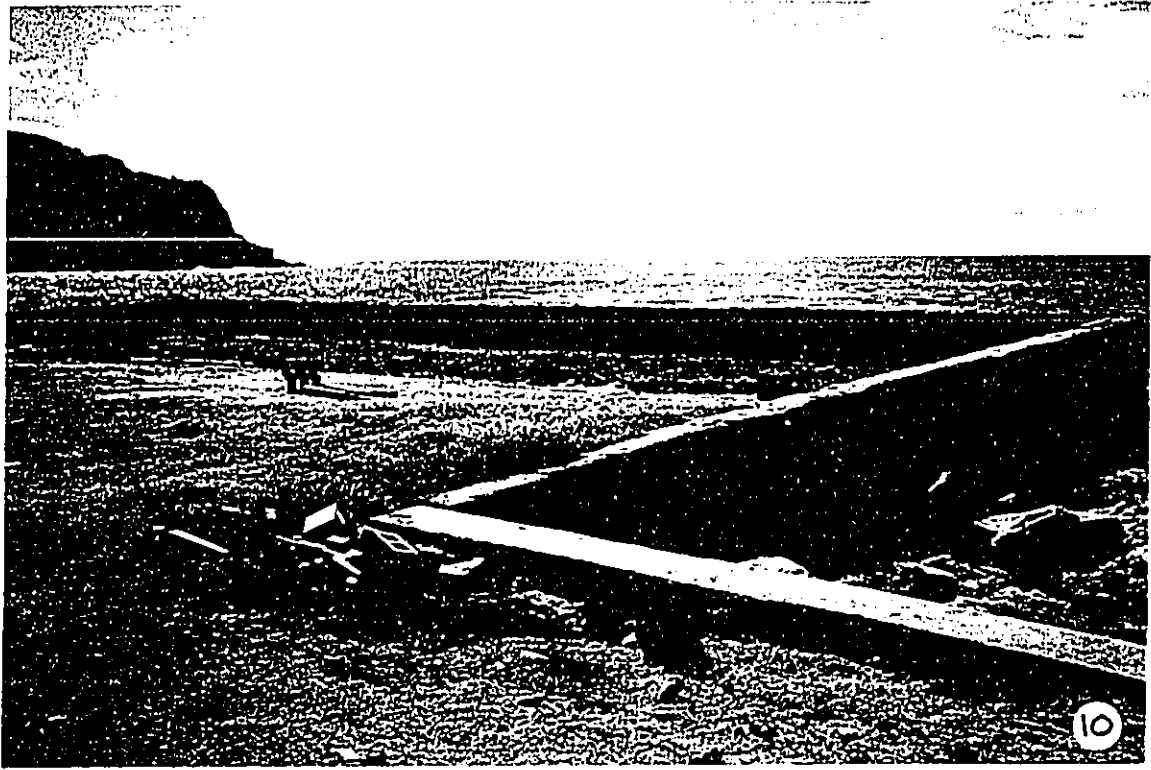










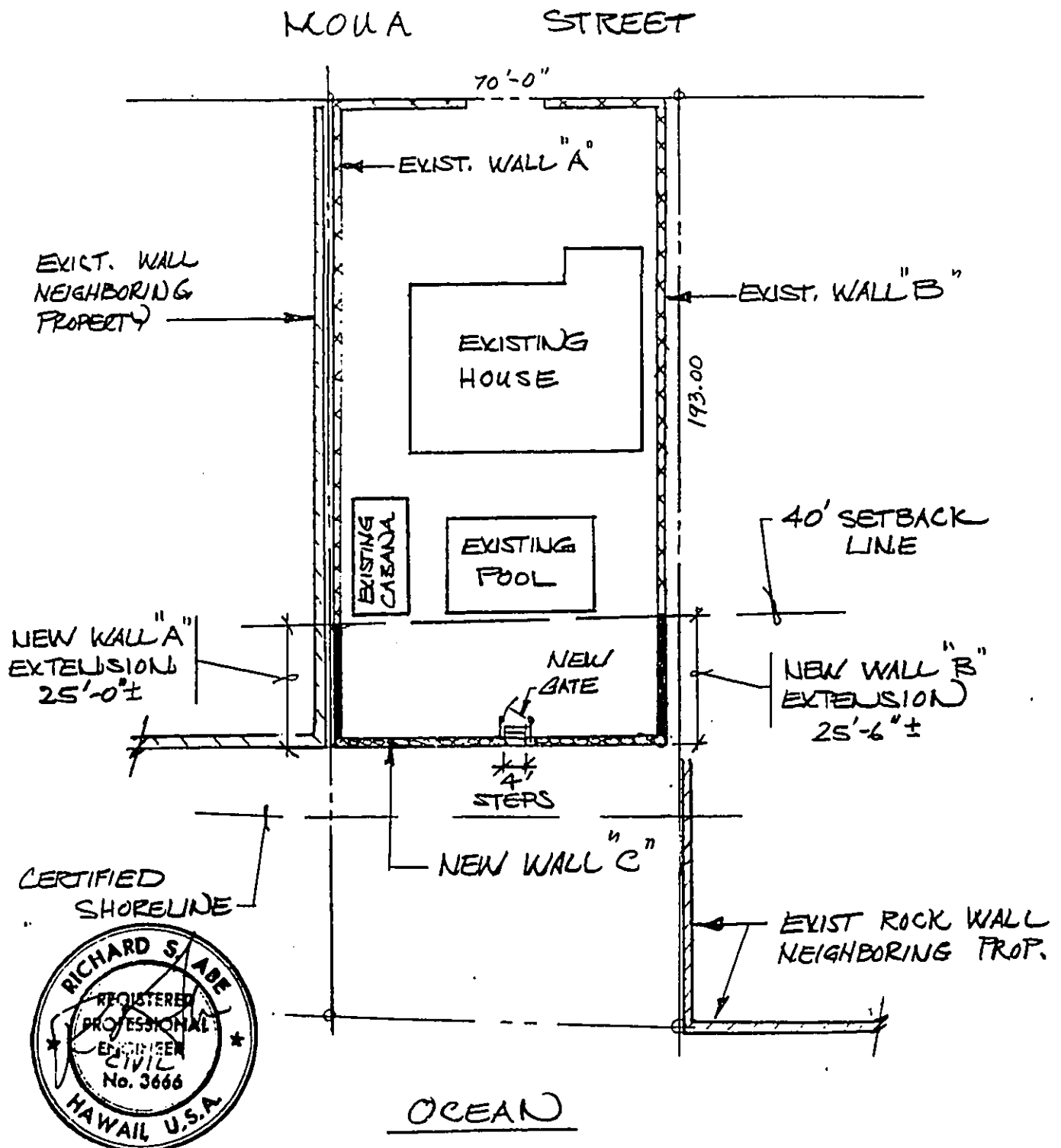






Photograph #14

TOWARDS HONOLULU



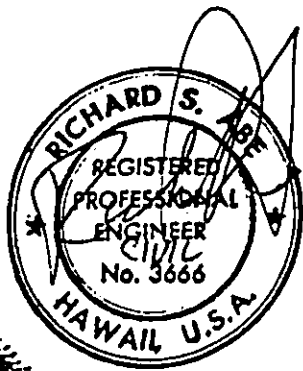
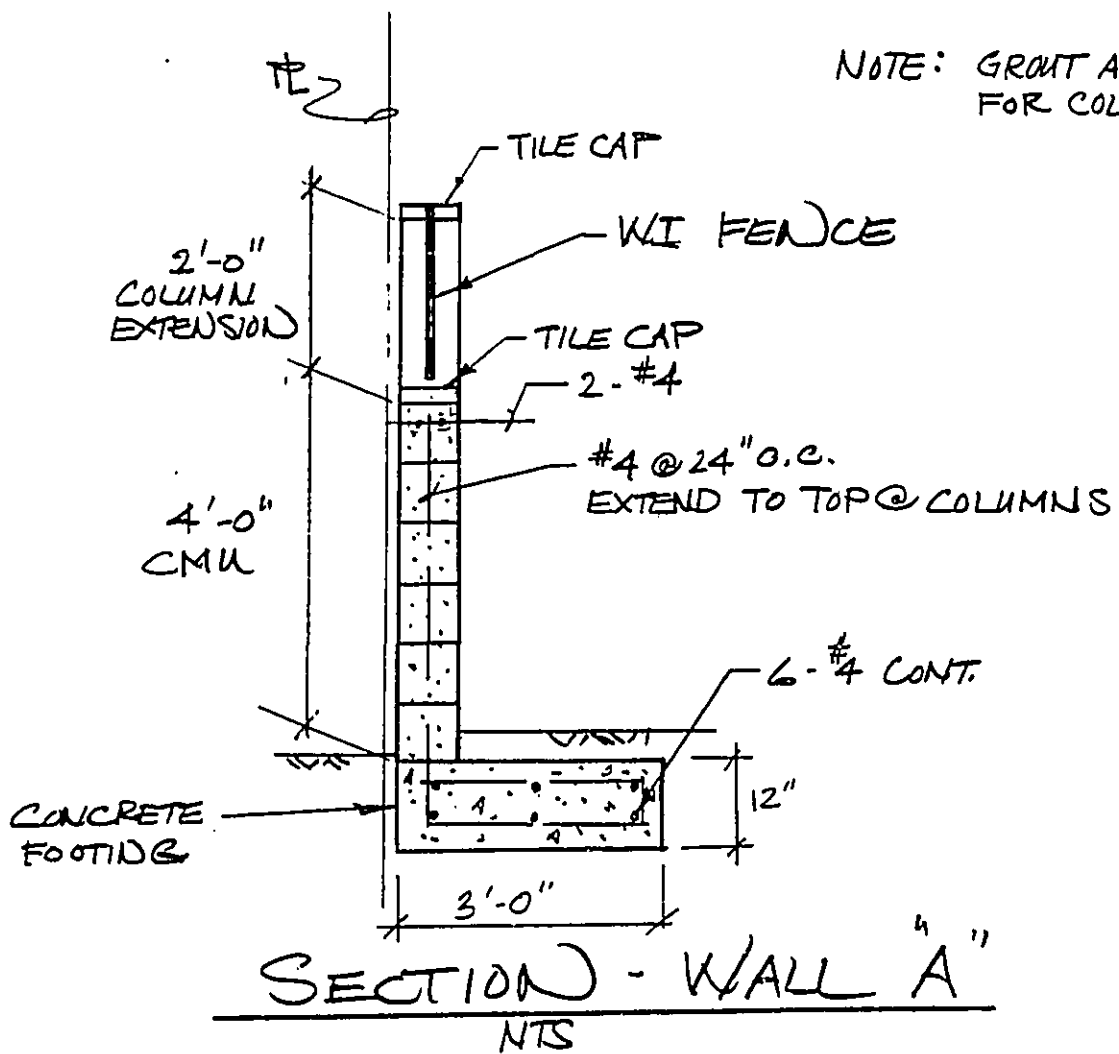
NEW WALLS - KAMADA RESIDENCE

84-849 MOUA ST.

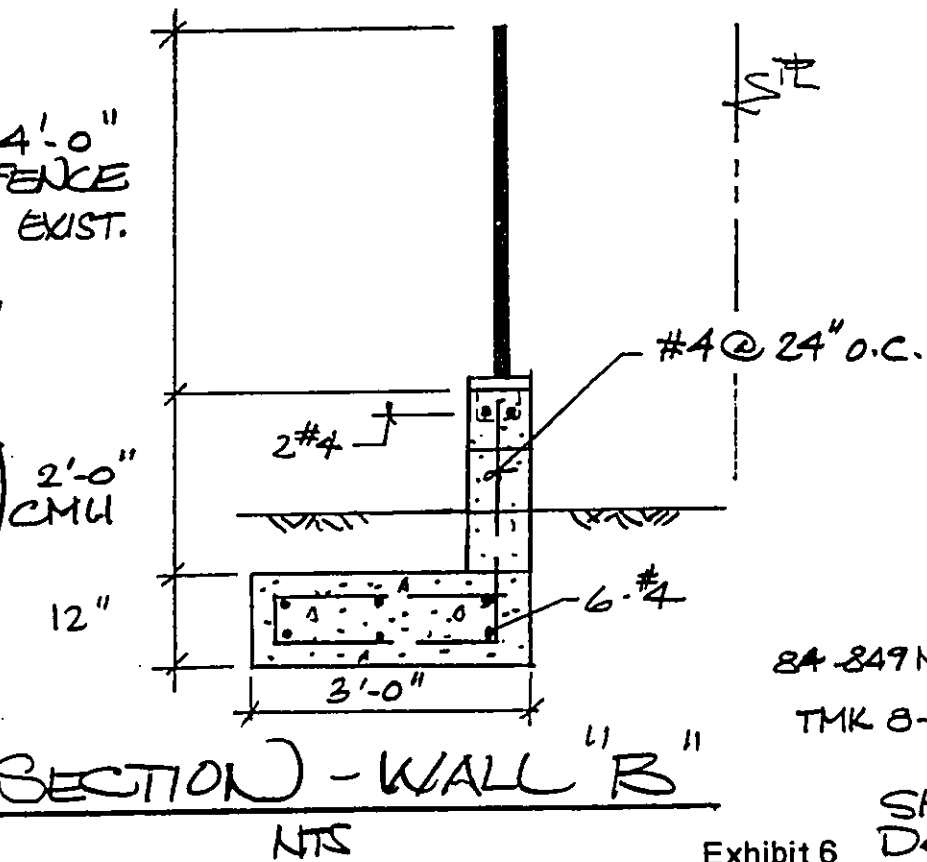
TMK 8-4-5-17

Exhibit 5 SHT 1 of 3  
Dec 1999



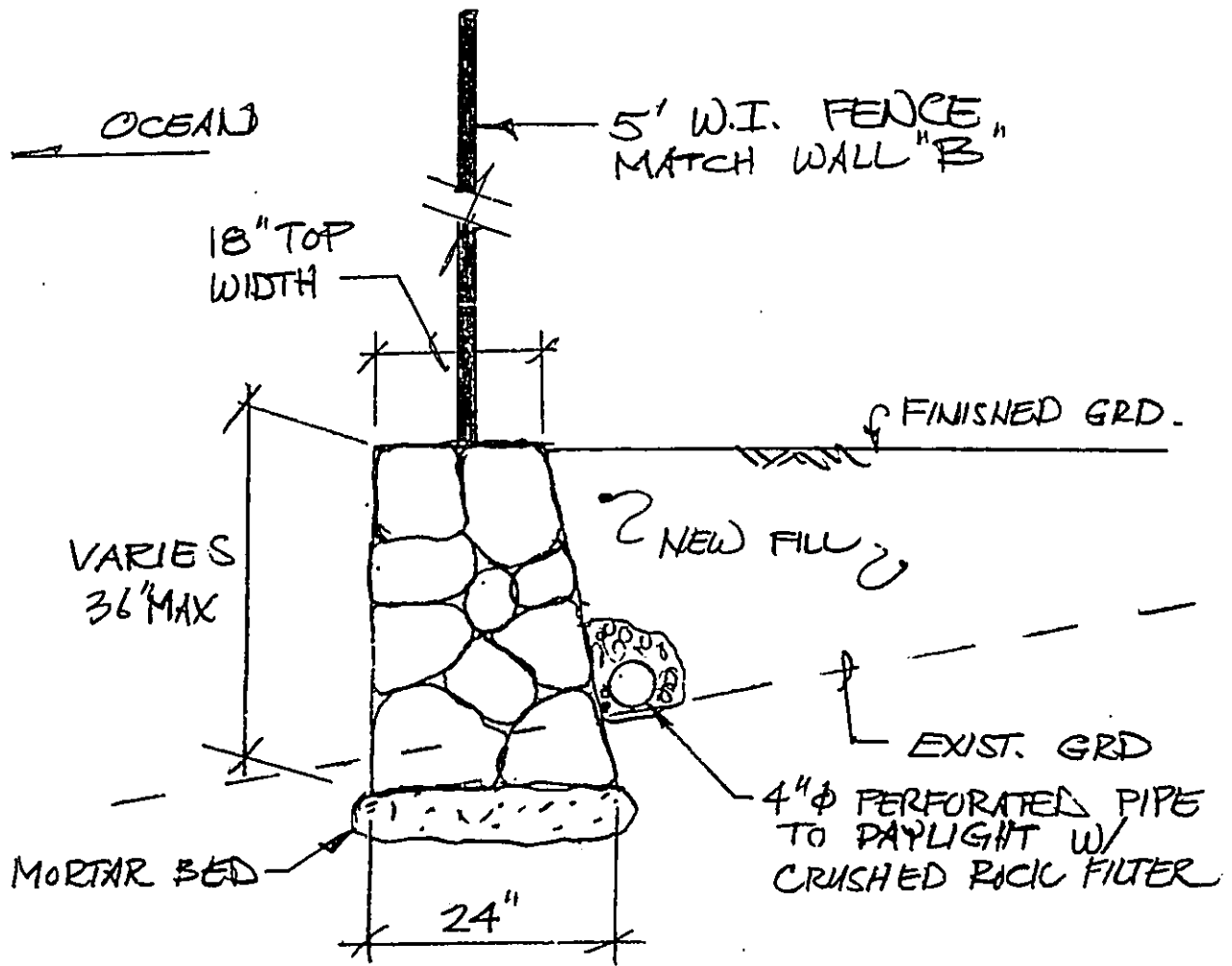


4'-0" W.I. FENCE MATCH EXIST.



84 849 MOUA ST.  
TMK 8-4-5-17

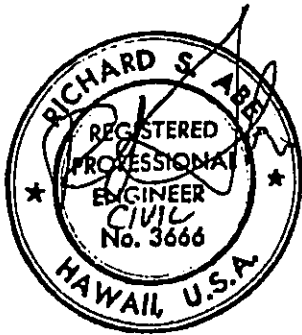
SHT 2 of 3  
Dec 1999  
Exhibit 6



SECTION - WALL "C"

(STONE MASONRY - FULLY GRouted)

NTS



84-849 MOUA ST.

TMK 8-4-5-17

SHT 3 of 3

Exhibit 7

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

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

**EXEMPTED PROJECTS IN FLOODWAY OR COASTAL HIGH HAZARD DISTRICTS**

Project Description: Construction of walls within the Shoreline Setback Area

Address: 84-849 Moua

City Waianae State Hawaii Zip 96792

Tax Map Key: (1) 8-4-005:017

**Section I - Flood Insurance Rate Map Information**

COMMUNITY NO.	PANEL NO	SUFFIX	DATE OF FIRM	FIRM ZONE	REGULATORY FLOOD ELEV (in AO Zone use depth)	COMMUNITY ESTIMATED REG. FLOOD ELEVATION ESTABLISHED FOR ZONE A IF AVAILABLE
65 of 135	150001 0065 C	C	9/30/95	VE	15	None

**Section II - Certification Statement**

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

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

**Section III - Certification**

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

Certifier's Name GREGG ICHIMURA  
(print or type)

Title Engineer

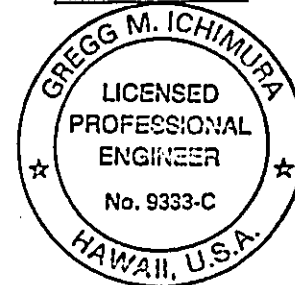
Company Name \_\_\_\_\_

Street Address 5448 Opith Street

City Hon. State HI Zip 96821

Signature \_\_\_\_\_ Date 9/6/00

Affix Seal Below



Engineer or Architect

a:\xldwy\cohi.sdd  
reprinted 7/2000

Proposed Project

1. An after-the-fact 30 inch high 70 foot long grouted lava rock wall within the shoreline setback, parallel to the shore (Wall "C"). The wall is located approximately 12-16 feet mauka of a the certified shore line.
2. Construction of an open metal fence 3' 6" high on top of Wall "C".
3. Construction of a 4 foot concrete block wall with a 2 foot open metal fence on top for a distance of 25 feet within the shoreline setback area, along the Kaena Point side of the property. (Wall "A")
4. Construction of a 2' concrete block wall with a 4' open metal fence on top, for a distance of 25' 6" within the shoreline setback area along the Waianae side of the property. (Wall "B")
5. Fill mauka of Wall "C" with crushed coral for a distance of approximately 25 feet to the end of the shoreline setback area. The fill will be approximately 2 feet deep at the rear of the wall and approximately 1 foot deep at the edge of the shoreline setback area.

'98 JUL 10 AM 10 37

MSS0001  
MSS MINOR 98-04449  
MSS 04/19 PM 4:30

DEPT OF PLANNING  
and PERMITTING  
CITY & COUNTY OF HONOLULU

**SHORELINE SETBACK APPROVAL FORM**  
**FOR MINOR STRUCTURES AND ACTIVITIES**

DEPT OF LAND UTILIZATION  
CITY & COUNTY OF HONOLULU

Part 2, Chapter 15, Department of Land Utilization Administrative Rules

COMPLETE THIS APPLICATION AND ATTACH THE FOLLOWING:

- A current, certified Shoreline Survey (certified within the past 12 months).
- A plot plan drawn to scale showing the location of the proposed activity or structure relative to the certified shoreline and the lot boundaries. Identify existing and proposed structures.
- Plans and elevations of the proposed structure drawn to scale.

PROJECT INFORMATION

TAX MAP KEY(S): B-4-5-1T

STREET ADDRESS/LOCATION OF PROPERTY: B4-849 MOVA STREET, WAIANAHE

DATE OF SHORELINE CERTIFICATION: APRIL 29, 1998

RECORDED FEE OWNER:

Name Calvin Y. Kamada  
 Mailing Address 3745 Maunaloa Ave  
Honolulu, HI 96816  
 Phone Number 7351187  
 Signature [Signature]

APPLICANT:

Name Helen T. Kamada  
 Mailing Address Same  
 Phone Number Same  
 Signature [Signature]

PRESENT USE OF PROPERTY:

SINGLE FAMILY RESIDENCE

AUTHORIZED AGENT/CONTACT PERSON:

Name HOU-WEN LIANG  
 Mailing Address 2226 KONO MAI DR.  
P.O. HI 96702  
 Phone Number 435-1113 or 266-2993  
 Signature [Signature]

PROJECT PROPOSAL (Briefly describe the proposed activity or project): MINOR SHORELINE FEENCES TO BE BUILT WITHIN 40' SHORELINE SETBACKS

CONDITIONS

I/We agree to the following conditions:

1. If the director or other governmental agency having jurisdiction determines that, due to beach erosion or other cause, the approved structure may affect beach processes or public access or has become located seaward of the shoreline, the structure shall be removed at my expense.
2. Any other conditions that the director may impose, relating to the purpose of the rules relating to shoreline setbacks and the special management area (attached).

Please Sign Here: [Signature]  
Recorded Fee Owner

FOR DEPARTMENT USE ONLY

File No. 98/MSS-15

THIS COPY, WHEN SIGNED BELOW, IS NOTIFICATION THAT THIS APPLICATION IS APPROVED.

[Signature] for Director 7/16/98  
 Signature Title Date

The above approval does not constitute approval of any other required permits, such as building permits.

FOR DEPARTMENT USE ONLY

19 07 78 08 00 00

APPLICANT: Helen Kamada  
 PROPOSAL: Construction of open-work metal fence no more than 6 feet in height, with individual post foundations no more than four inches in diameter.

§15-1(b):

Check applicable number for structure or activities:

- |                                       |                      |          |
|---------------------------------------|----------------------|----------|
| 1 <input checked="" type="checkbox"/> | 6 <sup>a</sup> _____ | 11 _____ |
| 2 <sup>b</sup> _____                  | 7 <sup>b</sup> _____ | 12 _____ |
| 3 <sup>a</sup> _____                  | 8 <sup>a</sup> _____ | 13 _____ |
| 4 <sup>a</sup> _____                  | 9 <sup>b</sup> _____ | 14 _____ |
| 5 <sup>a</sup> _____                  | 10 _____             | 15 _____ |

<sup>a</sup> Director's approval not required

<sup>b</sup> Provide square footage totals and percent lot coverage calculations below:

Exempt Class:

Chapter 343, HRS (See Environmental Check List)

Check appropriate boxes if the proposal will:

- |                            | Yes                      | No                                  |                           | Yes                      | No                                  |
|----------------------------|--------------------------|-------------------------------------|---------------------------|--------------------------|-------------------------------------|
| Affect Beach Processes     | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Endanger Public           | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Artificially Fix Shoreline | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Health, Safety or Welfare | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Interfere With:            |                          |                                     | Exclude:                  |                          |                                     |
| Public Access              | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Roof Structures           | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Public Views               | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Swimming Pools            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Open Space                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Wastewater Treatment      | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Approval  Denial

Chris Steiner  
 Planner

Branch Chief