

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of State Parks  
Honolulu, Hawaii 96813

October 26, 2012

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

**SUBJECT: REQUEST FOR APPROVAL OF THE PLACEMENT OF  
ACT 82, SLH 2003 SIGNS AT WAILUKU RIVER STATE PARK-  
BOILING POTS AND RAINBOW FALLS SECTIONS AND LAVA  
TREE STATE MONUMENT, HAWAII**

**Background information on Act 82, SLH 03, Warning Signs:**

Act 82, 2003 Session Laws Hawaii, relating to Public Land Liability, established a process for installing and maintaining warning signs on improved public lands, and provides the State and Counties with protection from liability for damages caused by the dangerous natural conditions that are identified through the signage. Pursuant to Act 82, the Board is to review and approve of the design and placement of these types of signs. The Board, following the recommendations of a Risk Assessment Working Group (RAWG) reviewed and approved the sign design as dictated by Chapter 13-8, Hawaii Administrative Rules (HAR). All subsequent sign placement at park and trail locations under the Department and County jurisdiction are submitted for review by the RAWG and approved by the Board.

Sign Placement Criteria: Pursuant to Chapter 13-8, HAR, the following guidelines have been used for determination of the placement of signage:

§ 13-8-9 Public use and exposure. (a) Traffic patterns and managed access points of people accessing the improved public lands shall be considered when placing signs. (b) The type, frequency, and location of incidents or potential public exposure relating to specific dangerous natural conditions when known on the improved public lands shall be considered when placing signs.

§13-8-10 Placement. Sign(s) shall be placed at or near access points; i.e., along vehicle and pedestrian traffic corridors in clearly visible locations placed as close as possible to the potentially dangerous natural conditions on improved public lands and at managed and designated entrances where the signs will be seen as users enter improved public lands. View sheds, aesthetics, and feasibility of installation shall be considered in the placement of the signs. Signs shall be installed with consideration for the average

adult line-of-sight but outside of the general path of travel to avoid physical contact with the signs. Signs may be attached to posts or by any other method of installation depending on the nature of the location and terrain.

The Division of State Parks (DSP) has circulated the proposed sign locations to the RAWG and there were no recommendations for revisions. DSP is now requesting Board approval for the placement of Act 82 warning and management signs at the managed and improved Wailuku River State Park - Boiling Pots and Rainbow Falls section, and Lava Tree State Monument on the island of Hawaii as follows:

**Wailuku River State Park - Boiling Pots** section is used by both visitors and residents. There have been a number of drownings over the years in this area. Sign approval is requested to warn of the potential exposure to flash floods along the stream, exposure to submerged rocks hazard and therefore no jumping or diving off the banks of the river or rock formations along side the river or in the flow of water. Exhibit 1 and Map 1 is attached.

The proposed signs include "DANGER-FLASH FLOOD," "WARNING-FLASH FLOOD," "WARNING-HAZARDOUS CLIFF" and "DANGER-NO DIVING OR JUMPING." A "NOTICE-AREA CLOSED" sign shall be placed where a trail leads down to the river bank where people may have entered the water.

Other proposed Site Specific sign locations cover areas where people have gone around safety railings.

There is a sign that was installed in the area by the County of Hawaii along with Civil Defense. The signs read "DANGER DIVING, SWIMMING, WADING FORD/CULVERT CROSSING IN THIS RIVER IS DANGEROUS River is subject to sudden rise, submerged rocks, undertows and turbulence." Our suggestion is to leave this sign in place. Although not an approved Act 82 sign, it does provide warning and information specific to this location.

State Parks proposes signs for the **Wailuku River State Park-Rainbow Falls** section as shown on Exhibit 2 and Map 2. This area of the park has also had its share of water related incidents including a drowning earlier this year. There are three County of Hawaii installed signs identical to the sign at Boiling Pots. Our recommendation is to leave these signs in place.

Locations for the requested signs include two entry locations. One leading to the main lower lookout area and the second entry sign location would be under a tree lined section of the park that pedestrians access from Rainbow Drive.

The Site Specific sign locations include areas below the main lookout where there are dangerous cliff areas, and the end of the top lookout area.

The third park location for proposed signs is at **Lava Tree State Monument**. There is a deep crevice next to the comfort station and another lava tube on the other side of the walkway closer to the main pavilion. Although both of these areas are fenced, we propose to add "Area Closed" signs to these sections. Exhibit 3 and Map 3 are attached.

Maps are included as follows: Wailuku River State Park-Boiling Pots section Map 1, Wailuku River State Park-Rainbow Falls section Map 2 and Lava Tree State Monument Map 3.

State Parks has determined that this project will have minimal or no significant effect on the environment and is, therefore, exempt from the preparation of an environmental assessment under Chapter 343, Hawaii Revised Statutes (HRS) and Chapter 11-200, Hawaii Administrative Rules (HAR). This action falls within Exemption Class 5 under §11-200-8(a)(5), HAR and within Exemption Class 5, Number 10 of the State Parks Exemption List which exempts construction of safety signs within park boundaries [February 5, 1976].

**RECOMMENDATION:**

- 1) That the Board approve the additional placement of warning signs at Wailuku River State Park – Boiling Pots and Rainbow Falls sections and Lava Tree State Monument as shown on Exhibits 1, 2, and 3.
- 2) That the Board find the activity will have minimal or no significant effect on the environment and is, therefore, exempt from the preparation of an environmental assessment under Chapter 343, Hawaii Revised Statutes (HRS) and Chapter 11-200, Hawaii Administrative Rules (HAR).

Respectfully submitted,



DANIEL S. QUINN  
State Parks Administrator

APPROVED FOR SUBMITTAL:



for WILLIAM J. AILA, JR., Chairperson

Attachments:

**Exhibit 1: Legend and Map depicting placement of signs at Wailuku River State Park – Boiling Pots section**

**Exhibit 2: Legend and Map depicting placement of signs at Wailuku River State Park - Rainbow Falls section**

**Exhibit 3: Legend and Map depicting placement of signs at Lava Tree State Monument**

**Exhibit 1**

**Hawaii DSP Act 82 Sign Stations**

**Island: Hawaii**      **Park: Wailuku River State Park-Boiling Pots section**

**Exposure to natural conditions: Flash Flood, No Diving or Jumping and Hazardous Cliff**

**Entrance Hazard Sign:**

Station: HA000013	Warning – Flash Flood Danger - No Diving or Jumping Warning – Hazardous Cliff	(WFFE) (DNDE) (WHCE)	Walkway entry from parking lot
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**Site Specific Hazard Signs:**

Station: HA000014	Notice – Area Closed Danger – No Diving or Jumping Danger – Flash Flood Warning – Hazardous Cliff	(NACS) (DNDS) (DFFS) (WHCS)	Right (East) side of lookout
Station: HA000018	Notice – Area Closed Danger – Flash Flood	(NACS) (DFFS)	West side of lookout
Station: HA000019	Notice – Area Closed Warning – Hazardous Cliff	(NACS) (WHCS)	East of the lookout heading downstream. Cliff area.



# MAP 1 BOILING POTTS STATE PARK

**Exhibit 2**

**Hawaii DSP Act 82 Sign Stations**

**Island: Hawaii**      **Park: Wailuku River State Park-Rainbow Falls section**

**Exposure to natural conditions: Flash Flood, No Diving or Jumping and Hazardous Cliff**

**Entrance Hazard Sign:**

Station: HA000022	Warning – Flash Flood Danger - No Diving or Jumping Warning – Hazardous Cliff	(WFFE) (DNDE) (WHCE)	Walkway entry to the main lower lookout
Station: HA000023	Warning – Flash Flood Danger - No Diving or Jumping Warning – Hazardous Cliff	(WFFE) (DNDE) (WHCE)	Entry from roadside. Walking across a stone bridge walkway

**Site Specific Hazard Signs:**

Station: HA000024	Notice – Area Closed Danger – Flash Flood Danger – No Diving or Jumping Warning – Hazardous Cliff	(NACS) (DFFS) (DNDS) (WHCS)	Down and right (East) side of lookout
Station: HA000026	Warning – Flash Flood Danger - No Diving or Jumping Warning – Hazardous Cliff	(WFFS) (DNDS) (WHCS)	At the end of the top viewing area



HA000024 NACS, DFFS, DNDS, WHCS

HA000026 DFFS, DNDS, WHCS

HA000022 WFFE, DNDE, WHCE

HA000023 WFFE, DNDE, WHCE

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200m

Lat: 18.71884 Lon: -155.102757 elev: 333 ft

Google earth

Eye alt: 1250 ft

## MAP 2 RAINBOW FALLS STATE PARK



**Exhibit 3**

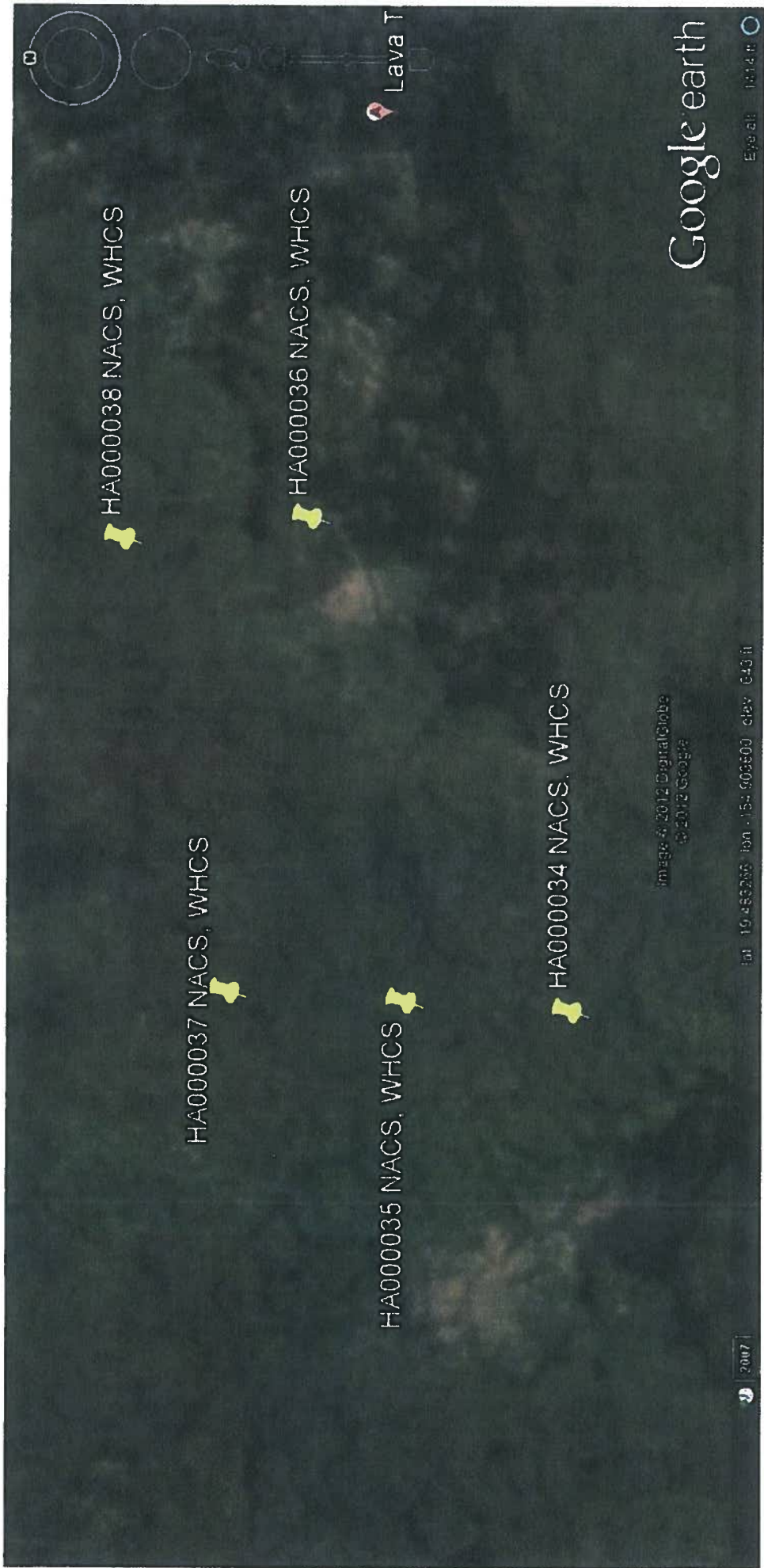
**Hawaii DSP Act 82 Sign Stations**

**Island: Hawaii**      **Park: Lava Tree State Monument**

**Exposure to natural conditions: Hazardous Cliff**

**Site Specific Hazard Signs:**

Station: HA000034	Notice – Area Closed Warning – Hazardous Cliff	(NACS) (WHCS) On of fence surrounding the deep crevice near the comfort station
Station: HA000035	Notice – Area Closed Warning – Hazardous Cliff	(NACS) (WHCS) On the Southwest corner of the fence surrounding the lava tube enclosure between the comfort station and pavilion
Station: HA000036	Notice – Area Closed Warning – Hazardous Cliff	(NACS) (WHCS) On the Southeast corner of the fence surrounding the lava tube enclosure between the comfort station and pavilion
Station: HA000037	Notice – Area Closed Warning – Hazardous Cliff	(NACS) (WHCS) On the Northwest corner of the fence surrounding the lava tube enclosure between the comfort station and pavilion
Station: HA000038	Notice – Area Closed Warning – Hazardous Cliff	(NACS) (WHCS) On the Northeast corner of the fence surrounding the lava tube enclosure between the comfort station and pavilion



MAP 3 LAVA TREE STATE MONUMENT



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

DIVISION OF STATE PARKS  
POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

October 26, 2012

**WILLIAM J. AILA, JR.**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ESTHER P. KIAAINA**  
FIRST DEPUTY DIRECTOR


**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
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COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**EXEMPTION NOTIFICATION**

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

- PROJECT TITLE:** Request for Approval of the Placement of Act 82, SLH 2003 Signs at Wailuku River State Park – Boiling Pots and Rainbow Falls Sections and Lava Tree State Monument, Hawaii
- PROJECT DESCRIPTION:** Installation of signs
- CHAP. 343 TRIGGER(S)** Use of State Land
- EXEMPTION CLASS NO.:** In accordance with Hawaii Administrative Rule Section 11-200, the subject request is exempt from the preparation of an environmental assessment pursuant to State Parks Exemption Class No. 3 (10) which exempts; “Construction of park directional identifications, safety and interpretive signs”. The proposed exemption applies as this action is installation of signs within State Parks.
- RECOMMENDATION:** That the Board find that this project will probably have minimal or no significant effect on the environment and, therefore, is exempt from the preparation of an environmental assessment.

*for*  
  
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WILLIAM J. AILA, JR., Chairperson  
Date 10/17/12