

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

September 26, 2014

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

Kauai

Amend Prior Board Action “Issuance of a Right-of-Entry Permit to the Department of Accounting and General Services on State Encumbered Lands, Dams and Reservoirs on Kauai; Dam Maintenance and Remediation Improvements for Aahoaka, Hanamaulu Field 21, Wailua, Upper Kapahi and Lower Kapahi Dams and Reservoirs, in Wailua, Kapaia, and Kapahi, Kauai; Tax Map Keys: (4) 3-9-2:1, 20; 4-2-1:4, 5, 8; 4-6-7:11; 4-4-4:4; 4-6-6:7; 4-6-32:22”, approved as amended on September 22, 2010, under Agenda Item D-1, to revise the Declaration for Exemption from the Preparation of an Environmental Assessment for the Upper Kapahi Reservoir, located on Tax Map Key No.: (4) 4-6-007:011.

BACKGROUND:

At its meeting on September 22, 2010, under Agenda Item D-1, approved as amended, the Board approved the issuance of a right-of-entry to the Department of Accounting and General Services for the purposes of executing dam maintenance and remediation improvements for several dams and reservoirs on Kauai, including the subject Upper Kapahi reservoir, located on the parcel identified as Tax Map Key No.: (4) 4-6-007:011. Pursuant to this approval, the project was declared exempt from preparation of an environmental assessment. The submittal is attached as Exhibit A.

REMARKS:

Subsequent to the aforementioned approval, the Upper Kapahi project has been revised from a “remediation” to a “removal” of the dam structure from service. Currently the structure is classified as a “regulated structure” according to dam safety regulations. The dam structure has also been determined to have a hazard potential of “high”. The necessary remediation and ongoing maintenance required to keep the dam in service would be cost prohibitive. The revised project contemplates breaching the dam structure, alleviating the public health and safety issues as well as no longer being classified as a regulated structure. Pending the Board’s approval of this request, DLNR Engineering Division through its Dam Safety program will seek Board approval of a revised dam safety permit for this project.

The structure will be removed by breaching the dam through the installation of a concrete box culvert system in the spillway area to adequately pass the appropriate design flood. The project will include demolishing a 200-ft section of Kainahola Road, excavation through the

embankment, construction of a 138-ft long box culvert spillway through the open excavation, backfilling the embankment, and reconstruction of Kainahola Road and access roads and other support structures. The road will be rebuilt on top of the culvert to allow for continued roadway access.

The project will not result in significant alterations to the condition of the land, water or vegetation, as the dam structure will remain in place and unaltered, aside from the installation of the box culverts. In addition, alterations to the roadway resulting from the installation of the box culverts will be remediated through reconstruction. A copy of the proposed Exemption Notice is attached as Exhibit B.

Aside from the approval of the new exemption notice, all other terms and conditions of the September 22, 2010 approval shall remain the same.

RECOMMENDATION:

That the Board:

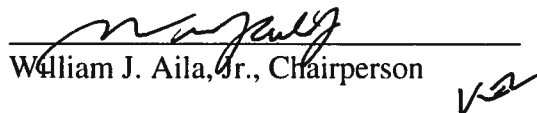
- 1) Amend the prior Board action approved as amended on September 22, 2010 by declaring that, after considering the potential effects of the proposed project as provided by Chapter 343, HRs and Chapter 11-200, HAR as discussed above, this project will have minimal or no significant impact on the environment and is therefore exempt from the preparation of an environmental assessment.
- 2) All other terms and conditions of its September 22, 2010 approval to remain the same.

Respectfully Submitted,



Ian Hirokawa
Special Projects Coordinator

APPROVED FOR SUBMITTAL



William J. Aila, Jr., Chairperson

B-1

AMENDED

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

September 22, 2010

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

Kauai

Issuance of a Right-of-Entry Permit to the Department of Accounting and General Services on State Encumbered Lands, Dams and Reservoirs on Kauai; Dam Maintenance and Remediation Improvements for Aahoaka, Hanamaulu Field 21, Wailua, Upper Kapahi and Lower Kapahi Dams and Reservoirs, in Wailua, Kapaia, and Kapahi, Kauai; Tax Map Keys: (4) 3-9-2:1, 20; 4-2-1:4, 5, 8; 4-6-7:11; 4-4-4:4; 4-6-6:7; 4-6-32:22

APPLICANT:

Department of Accounting and General Services (D.A.G.S.), whose business and mailing address is: 1151 Punchbowl Street; Honolulu, Hawaii 96813, on behalf of the Department of Land and Natural Resources (DLNR).

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portions of Government lands, Dams and Reservoirs on Kauai; Dam Maintenance and Remediation Improvements for Aahoaka, Hanamaulu Field 21, Wailua, Upper Kapahi and Lower Kapahi Dams and Reservoirs, in Wailua, Kapaia, and Kapahi, Kauai; Tax Map Keys: (4) 3-9-2:1, 20; 4-2-1:4, 5, 8; 4-4-4:4; 4-6-7:11; 4-6-6:7; 4-6-32:22, as shown on the attached maps labeled Exhibit A.

AREA:

5,656.77 acres, more or less

ZONING:

State Land Use District: Agriculture
County of Kauai CZO: Agriculture / Open

TRUST LAND STATUS:

Section 5(B) lands of the Hawaii Admission Act

As Amended
APPROVED BY THE BOARD OF
LAND AND NATURAL RESOURCES
AT ITS MEETING HELD ON
September 22, 2010
D-1

EXHIBIT "A"

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:

YES NO

CURRENT USE STATUS:

Tax Map Key	Document	Tenant	Purpose
3-9-02:1; 02:20	GEO 4328*	Agribusiness Development Corp.	Agriculture and related purposes
4-2 and 4-6	RP 7310	East Kauai Water Users Cooperative ("EKWUC")	Operation, repair and maintenance of irrigation water diversions and transportation infrastructure system including the right to divert, store, take, draw off, conduct away and dispose thereof government owned water from streams and rivers in the drainage area for irrigation purposes.
4-2-1:4	GEO 1389	DOFAW	Public hunting ground & upland game bird reserve
4-2-1; 4-4-4	GL 3911	KIUC	Electrical transmission lines
4-2-1:8	RP 5567	UH College of Tropical Ag	Agricultural experimental purposes
4-4-4:4	GL 5660**	Sanchez, William & Alison	Pasture purposes
4-6-6:7			
4-6-32:22	LOD 28120	Rodrigues, Gary & John	Access & utility easement

*Pending transfer of Revocable Permits to Agribusiness Development Corporation pursuant to Board approval on April 25, 2008, agenda item D-1.

**GL 5660 covers multiple parcels.

CHARACTER OF USE:

Capital Improvement purposes.

TERM OF RIGHT-OF-ENTRY:

Two (2) years.

CONSIDERATION:

Gratis.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with the Division of Land Management's Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986, the subject requests are exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1 and Exemption Class No. 9. Also, in accordance with Hawaii Administrative Rules, Section 11-200-8(a), the subject request is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1. See Exhibit B.

DCCA VERIFICATION:

Government agency; not applicable.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Obtain written concurrence from tenants prior to any activity on the subject lands.

REMARKS:

Act 213, SLH 2007, Item K-6, as amended by Act 158, SLH 2008 appropriated \$14,530,000 for the Dam Assessments, Maintenance and Remediation Improvements, Statewide, for the purpose of satisfying the State's obligations under Act 262, the "Hawaii Dam and Reservoir Safety Act of 2007".

Governor's Memorandum, dated December 18, 2008, delegated this funding to D.A.G.S. Since DLNR, through its Engineering Division's Dam Safety Program, is responsible for the inspection and regulation of all of the State's dams and reservoirs, D.A.G.S. Public Works Division was delegated the responsibility for managing the assessment, repair, alteration and/or removal of the dams and reservoirs under the Department's jurisdiction because there appeared to be the potential for a "conflict of interest" for DLNR to also be responsible for the party conducting the actual assessment and remediation of these dams and reservoirs.

Part of this \$14,530,000 funding is to remediate five (5) dams and reservoirs on Kauai: Aahoaka, Hanamaulu Field 21, Wailua, Upper Kapahi and Lower Kapahi Dams and Reservoirs. To complete the design and construction of these capital improvements, the D.A.G.S. is requesting a right-of-entry for two (2) years. See Exhibit C.

Comments were solicited from the Office of Conservation and Coastal Lands and the State Historic Preservation Division, and they had no objections.

Staff recommends gratis consideration for the issuance of the requested right-of-entry permit since the applicant is a government agency.

There are no pertinent issues or concerns.

Staff is recommending authorizing the Chairperson to extend the right-of-entry beyond the 2-year term, in the event that D.A.G.S. projects experience unanticipated delays.

RECOMMENDATION:

That the Board, subject to the Applicant fulfilling the Applicant requirements above, authorize the issuance of a right-of-entry permit to the Department of Accounting and General Services covering the subject areas under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

1. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State; and
3. In the event the projects experience unanticipated delays, authorize the Chairperson to extend the right-of-entry.

Respectfully Submitted,



Lydia M. Morikawa
Special Projects and Development Specialist

APPROVED FOR SUBMITTAL:

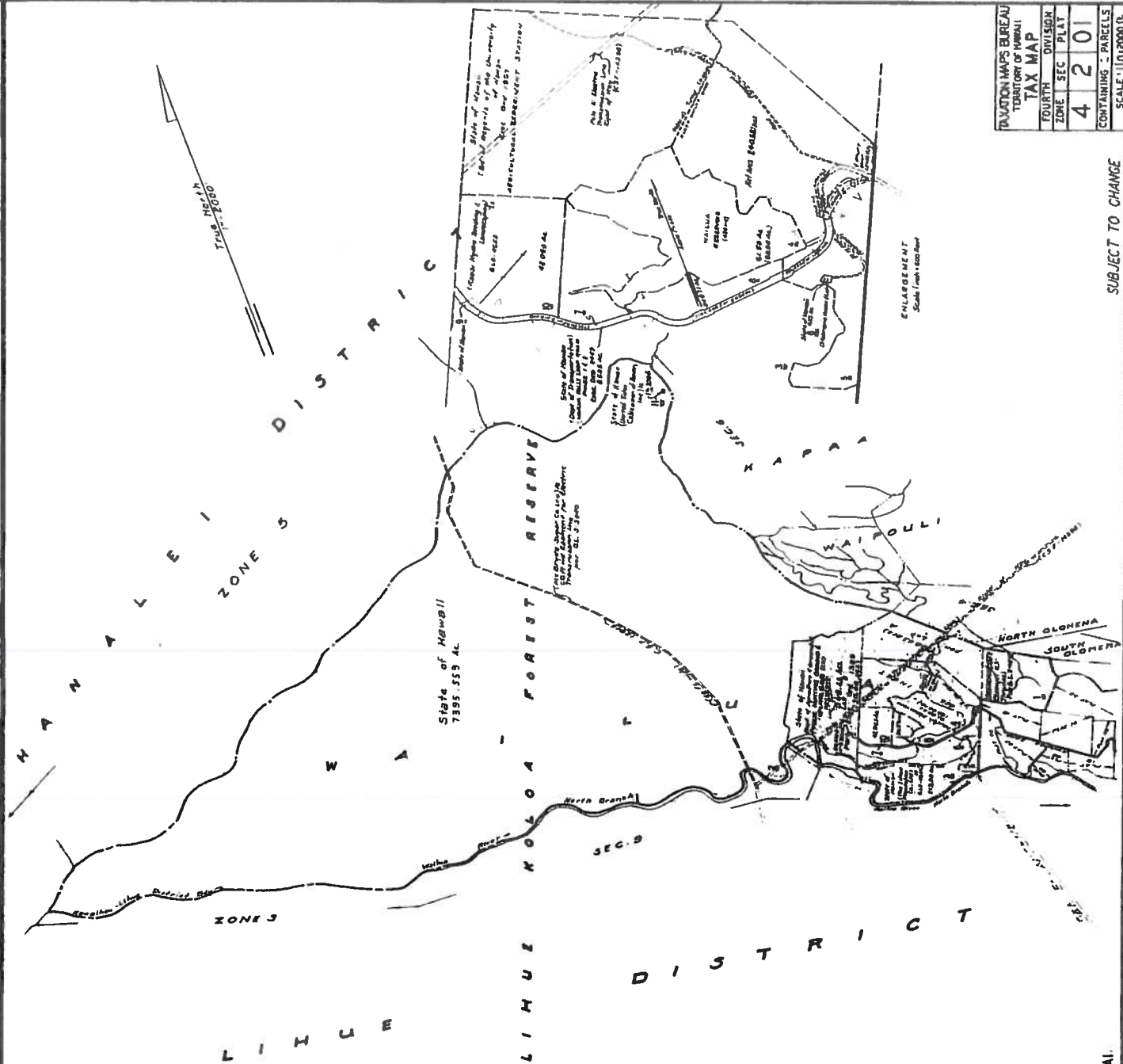


Laura H. Thielen, Chairperson

Land Board Meeting September 22, 2010; D-1

Attachments

The Land Board amended the submittal by: changing the term of the right-of-entry permit from two (2) years to one (1) year, renewable annually as needed. Otherwise, the Land Board Approved staff's recommendations as submitted.



TAXATION MAPS BUREAU TERRITORY OF HAWAII			
TAX MAP			
FOURTH	DIVISION	PLAT	
4	2	01	
CONTAINING - PARCELS			
SCALE - 1 in. = 2000 ft.			

SUBJECT TO CHANGE

2911
 Source: Tax Maps Bureau of Survey Dept.
 L.H.C. R.I.D.
 August, 1936

2911
 Source: Tax Maps Bureau of Survey Dept.
 L.H.C. R.I.D.
 August, 1936

EXHIBIT "A"

PORTION OF WAILUA, KAWAIHAU, KAUAI.

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSIONER OF WATER RESOURCES MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 3, 2010

EXEMPTION NOTIFICATION

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

Project Title: DLNR Dams and Reservoirs on Kauai
Maintenance and Remediation Improvements

Project / Reference No.: D.A.G.S. Job No. 14-23-7391

Project Location: Upper Kapahi Reservoir (State ID #KA-0013)
Kapahi, Kauai County, Hawaii
TMK No.: (4) 4-6-007:011

Project Description: Design and repair of the deficiencies of this reservoir – upstream / downstream slope stabilization, improvements to the spillway, vegetation clearing on the upstream slope, crest and downstream slope of the dam – to insure public safety.

Chapter 343 Trigger(s): Use of State funds and on State lands

Exemption Class No. and Description: 1
In accordance with the Division of Land Management's Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986, the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states: "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

The maintenance and improvement project consists of vegetation clearing on the upstream slope, crest, and downstream slope of the dam, stabilizing the upstream slope

EXHIBIT " B "

with rock-filled buttresses, and furnishing and placing rock slope protection, adding earthen extension on the downstream slope for stabilization and future on-going maintenance, and excavating and constructing a new box culvert spillway structure to meet standard dam safety requirements. A portion of the roadway on the dam crest that will be removed for the construction of the box culvert spillway will be replaced, as well as the guardrails on the dam crest.

The maintenance and improvement project is a single action and not a component or incremental action of a larger total undertaking. There is no cumulative impact as this project will serve to ensure that the Dam will continue to function safely as it has been historically, and it will also be in compliance with the Hawaii Dam Safety Act of 2007. Upon repair, the Dam will serve to maintain a safe environment and simultaneously continue to provide an effective water supply.

Exempt Item and Description
from Agency Exemption List:

5

Routine and emergency repair and restoration of existing structures and facilities on State lands involving negligible or no expansion or change or use beyond that previously existing.

Recommendation:

It is recommended that the Board find that this request will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Laura H. Thielen, Chairperson

Date



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 3, 2010

EXEMPTION NOTIFICATION

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

Project Title: DLNR Dams and Reservoirs on Kauai
Maintenance and Remediation Improvements

Project / Reference No.: D.A.G.S. Job No. 14-23-7392

Project Location: Lower Kapahi Reservoir (State ID #KA-0061)
Kapahi, Kauai County, Hawaii
TMK Nos.: (4) 6-006:007, 008:999, and 032:022

Project Description: Design plans are to remove this reservoir from jurisdiction. It has been empty for more than 15 years. A cast-in-place box culvert spillway will be constructed and a portion of the roadway that is on the dam crest will be removed to accommodate the box culvert spillway and rebuilt.

Chapter 343 Trigger(s): Use of State funds and on State lands

Exemption Class No. and Description: 9
In accordance with the Division of Land Management's Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986, the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 9, that states: "Demolition of structures, except those structures located on any historic site as designated in the National Register or Hawaii Register as provided for in the historic Preservation Act of 1966, Public Law 89-665, or Chapter 6, Hawaii Revised Statutes."

The maintenance and improvement project consists of the

EXHIBIT " B "

construction of a cast-in-place box culvert spillway so the this Structure will not be able to impound water and to meet dam safety requirements. A portion of the roadway on the dam crest that will be removed for the construction of the box culvert spillway and will be replaced to provide County-requested access.

The removal project is a single action and not a component or incremental action of a larger total undertaking. There is no cumulative impact as this project will serve to ensure that the Dam will no longer be able to impound water and will also be in compliance with the Hawaii Dam Safety Act of 2007. Upon completion, the Reservoir will serve to maintain a safe environment for the public.

Exempt Item and Description
from Agency Exemption List:

1

Demolition and removal of unusable structures from state lands controlled by the State.

Recommendation:

It is recommended that the Board find that this request will probably have minimal or not significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Laura H. Thielen, Chairperson

Date

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. HIFELIN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSIONER WATER RESOURCES MANAGEMENT



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 3, 2010

EXEMPTION NOTIFICATION

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

Project Title: DLNR Dams and Reservoirs on Kauai
Maintenance and Remediation Improvements

Project / Reference No.: D.A.G.S. Job No. 14-23-7393

Project Location: Aahoaka Dam & Reservoir (State ID #KA-0063)
Wailua, Kauai County, Hawaii
TMK No.: (4) 3-9-002:001

Project Description: Design and repair of the deficiencies of this reservoir –
vegetation removal on the upstream slope, crest and
downstream slope of the dam, reconstruction of the spillway
and installation of a new outlet to meet dam safety
requirements - to insure public safety.

Chapter 343 Trigger(s): Use of State funds and on State lands

**Exemption Class No. and
Description:** 1
In accordance with the Division of Land Management's
Environmental Impact Statement Exemption List, approved by
the Environmental Council and dated April 28, 1986, the
subject project is considered to be exempt from the preparation
of an environmental assessment pursuant to Exemption Class
No. 1, that states: "Operations, repairs or maintenance of
existing structures, facilities, equipment or topographical
features, involving negligible or no expansion or change of use
beyond that previously existing."

The maintenance and improvement project consists of
vegetation clearing on the upstream /downstream slopes and

EXHIBIT "B"

crest of the dam and the spillway, installing a new outlet, and constructing an invert culvert as the new spillway to reduce storage capacity to meet standard dam safety requirements.

The maintenance and improvement project is a single action and not a component or incremental action of a larger total undertaking. There is no cumulative impact as this project will serve to ensure that the Dam will continue to function safely as it has been historically, and it will also be in compliance with the Hawaii Dam Safety Act of 2007. Upon repair, the Dam will serve to maintain a safe environment and simultaneously continue to provide an effective water supply.

Exempt Item and Description
from Agency Exemption List:

5

Routine and emergency repair and restoration of existing structures and facilities on State lands involving negligible or no expansion or change or use beyond that previously existing.

Recommendation:

It is recommended that the Board find that this request will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Laura H. Thielen, Chairperson

Date

LINDA LINGLE
GOVERNOR OF HAWAII



LAURA H. THELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSIONER OF WATER RESOURCES MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 3, 2010

EXEMPTION NOTIFICATION

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

Project Title: DLNR Dams and Reservoirs on Kauai
Maintenance and Remediation Improvements

Project / Reference No.: D.A.G.S. Job No. 14-23-7394

Project Location: Wailua Reservoir (State ID #KA-0060)
Wailua, Kauai County, Hawaii
TMK No.: (4) 4-2-001:004, 005 & 008

Project Description: Design and repair of the deficiencies of this reservoir – expand and improve the spillway to pass the probable maximum flood (PMF), provide compacted embankment fill for near vertical eroded areas of the upstream slope, and vegetation removal from the dam crest, upstream/downstream slopes and spillway – to insure public safety.

Chapter 343 Trigger(s): Use of State funds and on State lands

Exemption Class No. and Description: 1
In accordance with Hawaii Administrative Rules, Section 11-200-8(a), the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states: "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

The maintenance and improvement project consists of vegetation clearing on the upstream /downstream slopes and crest of the dam and the spillway, repairing the near vertical

EXHIBIT " B "

eroded areas of the upstream slope by providing compacted embankment fill and covering with rock fill protection with a 1.7:1 slope, and expanding and improving the spillway to pass the probable maximum flood (PMF) to meet standard dam safety requirements.

The maintenance and improvement project is a single action and not a component or incremental action of a larger total undertaking. There is no cumulative impact as this project will serve to ensure that the Dam will continue to function safely as it has been historically, and it will also be in compliance with the Hawaii Dam Safety Act of 2007. Upon repair, the Dam will serve to maintain a safe environment and simultaneously continue to provide an effective water supply.

Consulted Parties: State of Hawaii, Dam Safety Program

Recommendation: It is recommended that the Board find that this request will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Laura H. Thielen, Chairperson

Date

LINDA LINGLE
GOVERNOR OF HAWAII



Laura H. Thiflen
Chairperson
Board of Land and Natural Resources
Commissioner for Water Resource Management



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 3, 2010

EXEMPTION NOTIFICATION

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

Project Title: DLNR Dams and Reservoirs on Kauai
Maintenance and Remediation Improvements

Project / Reference No.: D.A.G.S. Job No. 14-23-7395

Project Location: Hanamaulu Field 21 Reservoir (State ID #KA-0135)
Kapaia, Kauai County, Hawaii
TMK No.: (4) 3-9-002:020

Project Description: Design and repair of the deficiencies of this reservoir – spillway alteration to reduce storage capacity to non-regulatory jurisdiction, and repair the outlet - to insure public safety.

Chapter 343 Trigger(s): Use of State funds and on State lands

Exemption Class No. and Description: 1
In accordance with the Division of Land Management's Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986, the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states: "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

The maintenance and improvement project consists of spillway alteration to reduce storage capacity to non-regulatory jurisdiction, and outlet repairs to control storage capacity and divert water, as necessary. Vegetation clearing on the dam

EXHIBIT "B"

crest and in the spillway is also planned.

The maintenance and improvement project is a single action and not a component or incremental action of a larger total undertaking. There is no cumulative impact as this project will serve to ensure that the Dam will continue to function safely as it has been historically, and it will also be in compliance with the Hawaii Dam Safety Act of 2007. Upon repair, the Dam will serve to maintain a safe environment and simultaneously continue to provide an effective water supply.

Exempt Item and Description
from Agency Exemption List

5

Routine and emergency repair and restoration of existing structures and facilities on State lands involving negligible or no expansion or change or use beyond that previously existing.

Recommendation:

It is recommended that the Board find that this request will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Laura H. Thielen, Chairperson

Date

CAPITAL PROJECT INFORMATION AND JUSTIFICATION SHEET

TABLE 1. - J

EXPENDING AGENCY: DLNR	
USER PROGRAM ID	CAPITAL PROJECT
DEPT NUMBER	NUMBER
LNR 101	J42A

PROJECT TITLE: Dam Assessments, Maintenance and Remediation, Statewide

PROJECT DESCRIPTION: Plans, design and construction for assessments, maintenance and remediation of dams under the jurisdiction of the Department of Land and Natural Resources

TOTAL ESTIMATED PROJECT COST (in Thousands of Dollars)														
COST ELEMENT	PRIOR APPROPRIATIONS (including MOF)						APPROPRIATIONS (including MOF)						TOTAL PROJECT COST	
	ACT	YR	ITEM	ACT	YR	ITEM	ACT	YR	ITEM	ACT	YR	ITEM		FUTURE YEARS
PLANS	213	07	K-6	158	08	K-6								
LAND														
DESIGN														
CONSTRUCT														
EQUIPMENT														
TOTALS														

PROJECT INFORMATION AND JUSTIFICATION (use back if necessary):

- a. Total Scope of Project.
This project will perform assessments, maintenance and remediation work on the 10 regulated dams under the jurisdiction of the Department.
- b. Identification of Need and Evaluation of Existing Situation.
This project will address the needs of 10 regulated dams under the jurisdiction of the Department:
Assessments - hydraulic, stability/seepage and seismic analyses, and preparation of Emergency Action Plans (EAPs)
Initial annual maintenance of non-leased dams
Remediation - design and construction of required improvements, which may include new outlet and/or spillway structure, embankment modification, vegetation removal, spillway repairs or new catwalk
- c. Alternatives Considered and Impact if Project is Deferred.
if deferred, public safety may be compromised.
- d. Discuss What Improvements Will Take Place When Project Completed (including benefits to be derived and/or deficiencies this project intends to correct).
This project will correct deficiencies in the dams under DLNR jurisdiction and bring them up to current standards.
The breach of Kaloko Dam, with its consequent loss of lives and property damage, draws attention to the critical need for activities to address dam safety.
- e. Impact Upon Future Operating Requirements (show initial and ongoing funding requirements by cost element, including position count, means of financing, fiscal year).
Future annual maintenance costs will be sought within the operating budget.
- f. Additional Information:

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000's)			
				FISCAL YEAR 2007-08	M O F	FISCAL YEAR 2008-09	M O F
AGS131 - INFORMATION PROCESSING SERVICES							
4	Q102	LUMP SUM HEALTH AND SAFETY, INFORMATION AND COMMUNICATION SERVICES DIVISION, STATEWIDE					
		PLANS, LAND ACQUISITION, DESIGN, CONSTRUCTION, AND EQUIPMENT FOR REPAIRS, UPGRADES AND EXPANSION OF CRITICAL COMMUNICATIONS BACKBONE SYSTEMS, INCLUDING THE STATEWIDE ANUENUE AND HAWAIIAN MICROWAVE SYSTEMS AND THE WINDWARD, NORTH SHORE, AND CENTRAL OAHU RADIO SITES.					
		PLANS		598			24
		LAND		3			1
		DESIGN		922			125
		CONSTRUCTION		3,801			1,800
		EQUIPMENT		871			950
		TOTAL FUNDING	AGS	6,195 C			2,900 C
LNR101 - PUBLIC LANDS MANAGEMENT							
5.	E00A	WAIKIKI BEACH IMPROVEMENTS, OAHU					
		PLANS AND DESIGN FOR IMPROVEMENTS TO WAIKIKI BEACH.					
		PLANS		500			
		DESIGN		500			
		TOTAL FUNDING	LNR	500B			B
			LNR	250R			R
			LNR	250S			S
6.	J42	DAM ASSESSMENTS, MAINTENANCE AND REMEDIATION, STATEWIDE					
		PLANS, DESIGN, AND CONSTRUCTION FOR ASSESSMENTS, MAINTENANCE, AND REMEDIATION OF DAMS UNDER THE JURISDICTION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES. SPECIAL FUNDS FROM THE SPECIAL LAND AND DEVELOPMENT FUND.					
		PLANS		1,140			
		DESIGN		2,540			
		CONSTRUCTION		50			16,800
		TOTAL FUNDING	LNR	3,730B			2,270B
			LNR	C			14,530C
7.	J42B	ROCKFALL MITIGATION, KAUAI					
		DESIGN AND CONSTRUCTION FOR ROCKFALL MITIGATION AT VARIOUS LOCATIONS, KAUAI.					
		DESIGN		100			
		CONSTRUCTION		700			
		TOTAL FUNDING	LNR	800C			
8.	J43A	EWA AND KEKAHA PESTICIDE REMEDIATION, STATEWIDE					
		PLANS, DESIGN, AND CONSTRUCTION TO MITIGATE RISK OF EXPOSURE TO HAZARDOUS					

CAPITAL IMPROVEMENT PROJECTS

ITEM NO.	CAPITAL PROJECT NO.	TITLE	EXPENDING AGENCY	APPROPRIATIONS (IN 000'S)	
				FISCAL M YEAR O 2007-2008 F	FISCAL M YEAR O 2008-2009 P
		LAND		3	1
		DESIGN		922	125
		CONSTRUCTION		3,801	1,800
		EQUIPMENT		871	950
		TOTAL FUNDING	AGS	6,195 C	2,900 C
LNR101 - PUBLIC LANDS MANAGEMENT					
5.	E00A	WAIKIKI BEACH IMPROVEMENTS, OAHU			
		PLANS AND DESIGN FOR IMPROVEMENTS TO WAIKIKI BEACH.			
		PLANS		500	
		DESIGN		500	
		TOTAL FUNDING	LNR	500 B	B
				LNR	250 R
				LNR	250 S
6.	J42	DAM ASSESSMENTS, MAINTENANCE AND REMEDIATION, STATEWIDE			
		PLANS, DESIGN AND CONSTRUCTION FOR ASSESSMENTS, MAINTENANCE, AND REMEDIATION OF DAMS UNDER THE JURISDICTION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES. SPECIAL FUNDS FROM THE SPECIAL LAND AND DEVELOPMENT FUND.			
		PLANS		1,140	
		DESIGN		2,540	
		CONSTRUCTION		50	16,800
		TOTAL FUNDING	LNR	3,730 B	2,270 B
				LNR	C
7.	J42B	ROCKFALL MITIGATION, KAUAI			
		DESIGN AND CONSTRUCTION FOR ROCKFALL MITIGATION AT VARIOUS LOCATIONS, KAUAI.			
		DESIGN		100	
		CONSTRUCTION		700	
		TOTAL FUNDING	LNR	800 C	C
8.	J43A	EWA AND KEKAHA PESTICIDE REMEDIATION, STATEWIDE			
		PLANS, DESIGN, AND CONSTRUCTION TO MITIGATE RISK OF EXPOSURE TO HAZARDOUS MATERIALS AT FORMER PESTICIDE MIXING SITES IN EWA, OAHU AND KEKAHA, KAUAI.			
		PLANS		80	
		DESIGN		20	
		CONSTRUCTION		150	
		TOTAL FUNDING	LNR	250 C	C
9.	J43B	LAND MAINTENANCE BASEYARD, HALAWA, OAHU			
		DESIGN AND CONSTRUCTION FOR BASEYARD FOR LAND MAINTENANCE CREW.			
		DESIGN		50	
		CONSTRUCTION		560	
		TOTAL FUNDING	LNR	610 C	C

Governor Linda Lingle
Request to Delegate \$14,530,000 for Dam Assessments, Maintenance and Remediation
Page 2

If there are any questions, please contact Mr. Morris M. Atta, Administrator, Land Division at (808) 587-0422.

cc: DLNR – Fiscal Office
DLNR – Engineering
DAGS - PWD

Attachment

RECOMMEND:

APPROVAL

DISAPPROVAL

APPROVED

DISAPPROVED



GEORGINA KAWAMURA, Director of Finance
Department of Budget and Finance

1/27/09

Date



LINDA LINGLE, Governor
State of Hawaii

1/28/09

Date

Department Land and Natural Resources - Land Division

County	INV ID	DAM NAME	Proposed Hazard Classification	Assessment / Reports on File			Annual Maintenance	Deficiency Description / Comments	Proposed Remediation			OWNER	
				Hydraulic	Stability / Seepage	Systems			Q&M	EAP	Remediation		Engineering
Kauai	H00013	UPPER KAPAHU RESERVOIR	H	COE			25,000	Sewer is undersized heavy vegetation, steep slope, utility issues	New Outlet / Spillway Modify Embankment Vegetation Removal	420,000	3,500,000	STATE - DUJR (lease East Kauai Water Users Cooperative)	3,820,000
Maua	H00055	WAHRAUUI RESERVOIR	H				25,000	Spillway deteriorating, Heavy Vegetation	Spillway Repairs Vegetation Removal	320,000	3,000,000	West Maui Land Co / State DUJR	7,240,000
Hawaii	H00050	HAWAII 3 RESERVOIR	H			4/17/06	25,000	Heavy vegetation, outlet works needs repair	Vegetation Removal	320,000	2,000,000	KAMEHAMEHA SCHOOLS / State - DUJR (lease Boroana)	9,550,000
Kauai	H00135	HALAMANU FIELD 21	L/H	COE			25,000	Spillway possibly undersized, outlet gate needs to be replaced should give to either DNR or State Parks	Auxiliary Spillway Outlet Vegetation Removal	520,000	3,000,000	STATE - DUJR (lease East Kauai Water Users Cooperative)	13,080,000
Kauai	H00061	LOWER KAPAHU RESERVOIR	H	Herab	Hints		25,000	No Spillway outlet is small and dam has deteriorated seriously. Heavy vegetation on downstream side, ponding water on top	New Outlet Spillway (Concept) Vegetation Removal	420,000	2,000,000	STATE - DUJR	14,530,000
Kauai	H00060	WAILUA RESERVOIR	H	COE			25,000	Heavy vegetation, possible seepage on top	Vegetation Removal	420,000	1,000,000	STATE - DUJR (lease East Kauai Water Users Cooperative)	
Maua	H00067	KOLEA RESERVOIR	L			3/2/06	25,000	Should be removed if not utilized. Heavy Vegetation no spillway	Vegetation Removal	320,000	1,500,000	EAST MAUI IRRIGATION CO (Lessee) / State DUJR Land	
Hawaii	H00051	HAWAII 3 RESERVOIR	H				25,000	Heavy vegetation, outlet works needs repair	New Spillway Vegetation Removal	420,000	2,000,000	SURETY/KOHALA CORP (lease Pookaa-Pookaa #1)	
Kauai	H00063	KAHOONA RESERVOIR	H				25,000	Vegetation Removal	Vegetation Removal Modify Embankment (Address Seepage)	320,000	2,000,000	STATE - DUJR (lease East Kauai Water Users Cooperative)	
Hawaii	H00043	PUUKAPU WATERSHED RETARDING DAM R 1	H				25,000			100,000	100,000	STATE - DUJR	

FY09 CIP Request	FY10	FY11
Remediation	3,580,000	2,000,000
Design	20,100,000	8,600,000
Construction		4,100,000
	23,680,000	10,500,000

14,530,000	
9,150,000	
200,000	

Annual Maintenance

LINDA LINGLE
GOVERNOR



RECEIVED - DAGS
OF PUBLIC WORKS

2004 JUL 10 A 10:13

RUSS K. SAITO
COMPTROLLER

BARBARA A. ANNIS
DEPUTY COMPTROLLER

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810

AP 03 0001
S-075.9

JUN 30 2009

DIVISION OF PUBLIC WORKS

PERMISSION TO ADVERTISE FOR BIDS
AND ALLOTMENT REQUEST

TO:	INITIAL:	FOR:
<input type="checkbox"/> PW Adm	<input checked="" type="checkbox"/>	Approval
<input type="checkbox"/> PW Sec	<input type="checkbox"/>	Signature
<input checked="" type="checkbox"/> Staff Svcs Office	<input checked="" type="checkbox"/>	Information
<input type="checkbox"/> Planning Br	<input type="checkbox"/>	Your File
<input type="checkbox"/> Proj Mgmt Br	<input type="checkbox"/>	See Me
<input type="checkbox"/> Construction Mgmt Br	<input type="checkbox"/>	Comments
<input type="checkbox"/> Technical Svcs Office	<input type="checkbox"/>	Investigate &
<input type="checkbox"/> Leasing Br	<input type="checkbox"/>	Report

TO: The Honorable Linda Lingle
Governor of Hawaii

THROUGH: The Honorable Georgina K. Kawamura
Director of Finance

FROM: Russ K. Saito
State Comptroller *Russ K Saito*

SUBJECT: Request Permission to Advertise for Bids and Release of the Design and Construction Funds for the Department of Land and Natural Resources (DLNR) Dams and Reservoirs. Maintenance and Remediation Improvements. Statewide. as Authorized by Act 213, SLH 2007, Item K-6, as Amended by Act 158, SLH 2008

Permission is requested to advertise for bids and for the release of \$14,530,000 in general obligation bond funds to finance the design and construction of the following three projects:

Project 1: DLNR Dams and Reservoirs on Hawaii
Maintenance and Remediation Improvements
DAGS Job No. 11-23-7381

1. This request seeks allotments of \$840,000 in design funds to finance the design and \$2,235,000 in construction funds to finance the construction of this project. The total cost of this project is estimated to be \$4,940,000.
2. The Department of Accounting and General Services' (DAGS) design support cost is \$20,000 and inspection support cost is \$5,000.

Project 2: DLNR Dams and Reservoirs on Kauai
Maintenance and Remediation Improvements
DAGS Job No. 14-23-7382

1. This request seeks allotments of \$2,090,000 in design funds to finance the design and \$6,269,000 in construction funds to finance the construction of this project. The total cost of this project is estimated to be \$13,600,000.

EXHIBIT "C"

The Honorable Linda Lingle
Letter No. S-075.9
Page Two

2. DAGS' design support cost is \$30,000 and inspection support cost is \$1,000.

Project 3: DLNR Dams and Reservoirs on Maui
Maintenance and Remediation Improvements
DAGS Job No. 15-23-7383

1. This request seeks allotments of \$640,000 in design funds to finance the design and \$2,456,000 in construction funds to finance the construction of this project. The total cost of this project is estimated to be \$5,140,000.
2. DAGS' design support cost is \$20,000 and inspection support cost is \$5,000.

Additional information or comments:

1. The DLNR high priority projects shown on Attachment "A" will involve design and construction of maintenance and remediation improvements for dam and reservoir facilities on the islands of Hawaii (3 sites), Kauai (5 sites), and Maui (2 sites). The work could also include any other projects that may become necessary although they are not currently listed. These DLNR projects are needed to address public safety issues and to maintain functional operations of the dam and reservoir facilities in accordance with the "Hawaii Dam and Reservoir Safety Act of 2007."
2. The work will include the development of "Operation and Maintenance (O&M)" manuals for the ten high priority DLNR dam and reservoir facilities.
3. The work will also include the implementation of Quality Assurance Programs by specialty consultants during the construction of the DLNR dam and reservoir remediation improvement projects.
4. The primary alternative would be to defer such work. However, the future costs will increase as the conditions further deteriorate and the costs of materials and labor increase. The risk to public safety from flooding damage will continue to increase if the remediation improvements are not done. DLNR staff need the O&M manuals to mitigate against their dams and reservoirs experiencing functional and/or operational failures. The required remediation improvements need to be done properly to address the public safety issues, as well as facilitate continued functional operations of the DLNR dams and reservoirs.
5. By allotting the funds for the subject projects, we understand that you are signifying your approval for DAGS to:

- a. Use its discretion and best judgment to supplement any project that may need additional funds to be completed and in the evaluation of bid results for the completion of as many projects as possible with the total allotted construction funds.
 - b. Award construction contracts and give notice to proceed to the lowest responsive and responsible bidders if DAGS, in coordination with DLNR, determines that their bids are justified and/or reasonable. We will not award the construction contracts for projects that we determine will exceed the total allotted construction funds and, in that case, we will notify you immediately to recommend suitable funding alternative.
6. DAGS' design and inspection support costs are needed to print bid sets, addenda, change orders, as-built sepia, and advertisements. The costs will also include motor pool rental/mileage, airline tickets, car rental, per diem, office supplies, field supplies, delivery services, and other miscellaneous expenses.
 7. The total cost for all of the DLNR high priority projects is estimated to be \$23,680,000. Of that amount, \$14,530,000 have been delegated from DLNR to DAGS (see the attached letter dated December 18, 2008 labeled as Attachment B which was approved by you on January 28, 2009) and that amount is now being requested for allotment.

The DLNR's Land Division Administrator has requested that these projects be started and ensures that there are adequate funds currently appropriated for the design of these projects. Since \$14,530,000 are currently appropriated and being requested for these projects, an additional \$9,150,000 will probably be required to complete the construction of these projects. The DLNR Land Division ensures that the additional CIP funds required to complete the construction work for the ten high priority dam and reservoir facilities have been included in their executive budget request for fiscal year 2009-2010.

The Public Works Administrator ensures that upon completion, these projects will comply with the applicable County's building permit requirements.

Department contact: Mr. Joseph Earing at 586-0486

Attachment

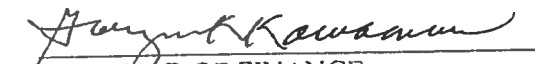
c: DBF
DAGS-TSO
DAGS-PWD, PB
DLNR-Land Division

The Honorable Linda Lingle
Letter No. S-075.9
Page Four

Department of Land and Natural Resources Dams and Reservoirs
Maintenance and Remediation Improvements, Statewide
DAGS Job Nos. 11-23-7381, 14-23-7382, 15-23-7383

RECOMMEND:

APPROVAL DISAPPROVAL



DIRECTOR OF FINANCE

Date: 7/8/09

APPROVED DISAPPROVED



GOVERNOR OF HAWAII

Date: 7/8/09

SUMMARY OF PROPOSED EXPENDITURES FOR D.A.G.S. JOB NO. 11-23-7381
 PROJECT: DLNR DAMS AND RESERVOIRS ON HAWAII
 TITLE: MAINTENANCE AND REMEDIATION IMPROVEMENTS

DATE: 6/26/2009
 DEPT. PRIORITY NO.: N/A
 CAPITAL PROJECT NO. J42
 BRANCH: PM

COST ELEMENTS / SOURCE OF FUNDS	TRANSFER IN [DESIGN]	TRANSFER IN [CONSTR.]	FUTURE CIP FUNDS [CONSTR.]	TOTALS
1. LAND ACQUISITION	\$0	\$0	\$0	\$0
A. Land				
B. Consultant Services				
C. Staff Support				
2. DESIGN	\$840,000	\$0	\$0	\$840,000
A. Consultant Services 1	\$820,000			\$820,000
B. Staff Support	\$20,000			\$20,000
3. CONSTRUCTION	\$0	\$2,235,000	\$1,865,000	\$4,100,000
A. Building	\$0	\$2,133,000	\$1,807,000	\$3,940,000
(1) Basic Bid		\$2,033,000	\$1,720,000	\$3,753,000
(2) Alternates				\$0
(3) Contingency		\$100,000	\$87,000	\$187,000
C. Utilities				\$0
D. Consultant Services 2		\$97,000	\$58,000	\$155,000
E. Staff Support		\$5,000		\$5,000
4. WORKS OF ART				\$0
TOTAL PROJECT COST	\$840,000	\$2,235,000	\$1,865,000	\$4,940,000
ALLOTTED PROGRAMMED *				\$0
ALLOTMENT REQUEST	\$840,000	\$2,235,000		\$3,075,000
UNALLOTTED PROGRAMMED			\$1,865,000	\$1,865,000
FUNDS APPROPRIATED	\$840,000	\$2,235,000	\$0	\$3,075,000
ALLOTTED UNPROGRAMMED *				\$0

COMMENTS:

- 1) INCLUDES SERVICES FOR ASSESSMENTS, SPECIAL PERMITTING, AND O&M MANUAL.
- 2) INCLUDES SERVICES FOR QUALITY ASSURANCE PROGRAM.
- 3) TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTTED \$840,000 } AS AUTHORIZED BY SECTIONS 152 & 160 OF THE SPECIAL PROV. THROUGH: 158/08, 5, K-6, B08-828M (C)
 TO: 158/08, 5, K-6, B08-828M (D);
- 4) TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTTED \$2,235,000 } AS AUTHORIZED BY SECTION 160 OF THE SPECIAL PROVISIONS TO: 158/08, 5, K-6, B08-828M (C).

BID AWARD DATE: 6/2010

DESIGN	AA NOS. AND DATES	START DATES	COMPLETION DATES
CONSTR.		Jul-09 Sep-10	Mar-10 ** Dec-11

DPW FORM 17 (Revised 7/2004)

** THIS IS ALSO THE ADVERTISEMENT FOR BIDS DATE

JOB I.D. # 13508

SUMMARY OF PROPOSED EXPENDITURES FOR D.A.G.S. JOB NO. 14-23-7382
 PROJECT: DLNR DAMS AND RESERVOIRS ON KAUA'I
 TITLE: MAINTENANCE AND REMEDIATION IMPROVEMENTS

DATE: 6/26/2009
 DEPT. PRIORITY NO. N/A
 CAPITAL PROJECT NO. J42
 BRANCH: PM

COST ELEMENTS / SOURCE OF FUNDS	TRANSFER IN [DESIGN]	TRANSFER IN [CONSTR.]	FUTURE CIP FUNDS [CONSTR.]	TOTALS
1. LAND ACQUISITION	\$0	\$0	\$0	\$0
A. Land				
B. Consultant Services				
C. Staff Support				
2. DESIGN	\$2,090,000	\$0	\$0	\$2,090,000
A. Consultant Services 1]	\$2,060,000			\$2,060,000
B. Staff Support	\$30,000			\$30,000
3. CONSTRUCTION	\$0	\$6,269,000	\$5,241,000	\$11,510,000
A. Building	\$0	\$5,918,000	\$5,078,000	\$10,996,000
(1) Basic Bid		\$5,636,000	\$4,836,000	\$10,472,000
(2) Alternates				\$0
(3) Contingency		\$282,000	\$242,000	\$524,000
C. Utilities				\$0
D. Consultant Services 2]		\$350,000	\$163,000	\$513,000
E. Staff Support		\$1,000		\$1,000
4. WORKS OF ART				\$0
TOTAL PROJECT COST	\$2,090,000	\$6,269,000	\$5,241,000	\$13,600,000
ALLOTTED PROGRAMMED *				\$0
ALLOTMENT REQUEST	\$2,090,000	\$6,269,000		\$8,359,000
UNALLOTTED PROGRAMMED			\$5,241,000	\$5,241,000
FUNDS APPROPRIATED	\$2,090,000	\$6,269,000	\$0	\$8,359,000
ALLOTTED UNPROGRAMMED *				\$0

COMMENTS:

3] 4] INCLUDES SERVICES FOR ASSESSMENTS, SPECIAL PERMITTING, AND O&M MANUAL.

1] INCLUDES SERVICES FOR QUALITY ASSURANCE PROGRAM.

2] TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTTED \$2,090,000 } AS AUTHORIZED BY SECTIONS 152 & 160 OF THE SPECIAL PROVISIONS THROUGH: 158/08, 5, K-6, B08-828M (C)

3] TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTTED \$6,269,000 } AS AUTHORIZED BY SECTION 160 OF THE SPECIAL PROVISIONS THROUGH: 158/08, 5, K-6, B08-828M (C)

4] TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTTED \$6,269,000 } AS AUTHORIZED BY SECTION 160 OF THE SPECIAL PROVISIONS THROUGH: 158/08, 5, K-6, B08-828M (C)

BID AWARD DATE: 6/2010

DESIGN	AA NOS. AND DATES	START DATES	COMPLETION DATES
CONSTR.		Jul-09	Mar-10 **
		Sep-10	Dec-11

DPW FORM 17 (Revised 7/2004) ** THIS IS ALSO THE ADVERTISEMENT FOR BIDS DATE JOB I.D. # 13509

SUMMARY OF PROPOSED EXPENDITURES FOR D.A.G.S. JOB NO. 15-23-7383 DATE: 6/26/2009 BRANCH: PM.
 PROJECT: DLNR DAMS AND RESERVOIRS ON MAUI DEPT. PRIORITY NO N/A
 TITLE: MAINTENANCE AND REMEDIATION IMPROVEMENTS CAPITAL PROJECT NO. J42

COST ELEMENTS / SOURCE OF FUNDS	TRANSFER IN [DESIGN]	TRANSFER IN [CONSTR.]	FUTURE CIP FUNDS [CONSTR.]	TOTALS
1. LAND ACQUISITION	\$0	\$0	\$0	\$0
A. Land				
B. Consultant Services				
C. Staff Support				
2. DESIGN	\$640,000	\$0	\$0	\$640,000
A. Consultant Services 1	\$620,000			\$620,000
B. Staff Support	\$20,000			\$20,000
3. CONSTRUCTION	\$0	\$2,456,000	\$0	\$2,456,000
A. Building	\$0	\$2,380,000	\$0	\$2,380,000
(1) Basic Bid		\$2,267,000		\$2,267,000
(2) Alternates				\$1,886,000
(3) Contingency				\$94,000
C. Utilities		\$113,000		\$113,000
D. Consultant Services 2		\$71,000		\$71,000
E. Staff Support		\$5,000		\$5,000
4. WORKS OF ART				
TOTAL PROJECT COST	\$640,000	\$2,456,000	\$0	\$5,140,000
ALLOTMENT REQUEST	\$640,000	\$2,456,000		\$3,096,000
UNALLOTED REQUEST			\$2,044,000	\$2,044,000
FUNDS APPROPRIATED	\$640,000	\$2,456,000	\$0	\$3,096,000
ALLOTED UNPROGRAMMED *				\$0

COMMENTS:

3] INCLUDES SERVICES FOR ASSESSMENTS, SPECIAL PERMITTING, AND O&M MANUAL.

4] INCLUDES SERVICES FOR QUALITY ASSURANCE PROGRAM.

3] TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTED \$640,000 } AS AUTHORIZED BY SECTIONS 152 & 160 OF THE SPECIAL PROV. THROUGH: 158/08, 5, K-6, B08-828M (C) TO: 158/08, 5, K-6, B08-929M (D).

4] TRANSFER IN FROM: 158/08, 5, K-6, B08-430C (C), UNALLOTED \$2,456,000 } AS AUTHORIZED BY SECTION 160 OF THE SPECIAL PROVISIONS TO: 158/08, 5, K-6, B08-828M (C).

BID AWARD DATE: 6/2010

AA NOS. AND DATES	START DATES	COMPLETION DATES
	Jul-09	Mar-10 **
	Sep-10	Dec-11

DPW FORM 17 (Revised 7/2004) ** THIS IS ALSO THE ADVERTISEMENT FOR BIDS DATE JOB I.D. # 13510



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 26, 2014

EXEMPTION NOTIFICATION

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

Project Title: Application for a Revised DLNR Dam Safety Construction/Alteration Permit- Permit No. 44 Upper Kapahi Reservoir, Dam Removal, Kapaa, Kauai

Project / Reference No.: KA-0013

Project Location: Kapaa, Kauai, TMK (4) 4-6-007:011

Project Description: Revised Dam Safety permit for removal of Upper Kapahi Reservoir dam structure.

Chap. 343 Trigger(s): Use of State funds and State land.

Exemption Class No.: Exemption Class 9, Item 1

In accordance with the Division of Land Management's Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986, the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class no. 9: "Demolition of structures, except those structures located on any historic site at designated in the National Register or Hawaii Register as provided for in the Historic Preservation Act of 1966, Public Law 89-665, or Chapter 6, Hawaii Revised Statutes.", Item 1: "Demolition and removal of unusable structures from state lands controlled by the State".

The regulated dam structure will be removed by breaching the dam through the installation of a box culvert system to adequately pass the appropriate design flood. The project will include demolishing a 200-ft section of Kainahola Road, excavation through the embankment, construction of a 138-ft long box culvert spillway through the open excavation, backfilling the embankment, and

EXHIBIT "B"

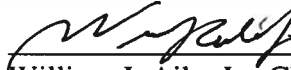
reconstruction of Kainahola Road and access roads and other support structures. The road will be rebuilt on top of the culvert to allow for continued roadway access.


The project will not result in significant alterations to the condition of the land, water or vegetation, as the dam structure will remain in place and unaltered, aside from the installation of the box culverts. In addition, alterations to the roadway resulting from the installation of the box culverts will be remediated through reconstruction.

The removal project is a single action and not a component or incremental action of a larger total undertaking. There is no cumulative impact as this project will serve to ensure that the dam will no longer be able to impound water and will also be in compliance with the Hawaii Dam Safety Act of 2007. Upon completion, the reservoir will serve to maintain a safe environment for the public.

Recommendation:

It is recommended that the Board find that this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



William J. Aila Jr., Chairperson 



Date