REPORT TO THE TWENTY-FOURTH LEGISLATURE
REGULAR SESSION OF 2008
RELATING TO PUBLIC LAND LIABILITY

Prepared by

THE STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE
Na Ala Hele Trail and Access Program

In response to Section 4 of Act 82, Session Laws of Hawaii 2003 –

Honolulu, Hawaii
November 2007
Purpose

This report is in response to Section 4 of Act 82, Session Laws of Hawaii (SLH) 2003. Act 82, SLH 2003 established a risk assessment working group comprised of both state and county officials, and a person knowledgeable in signs, and that a report be submitted with recommendations and of the consultation provided to the Board of Land and Natural Resources (Board), including a list of warning signs, devices, and systems on improved and unimproved public lands subsequently approved or disapproved by the Board, to the Legislature.

Background Information

- The members of the Risk Assessment Working Group (RAWG) (Appendix 1) reviewed ocean safety signs established through Act 190, SLH 1996, as well the most current warning sign standards from the American National Standards Institute. Using the current ANSI guidelines, RAWG designed safety signs to address the following priority natural hazards: flash floods, falling rocks, hazardous cliffs, submerged hazards as well as ancillary uniform management signs (end of trail, end of road, area closed). (See Attachment 1)

- In 2004, five public informational meetings were conducted statewide to solicit input on the proposed design of the signs. Comments were received and a few specific aspects related to sign design were revised accordingly.

- In 2004, the Department of Land and Natural Resources (the Department) completed the first draft of the proposed Hawaii Administrative Rules (HAR) for the Design and Placement of Warning Signs on Improved Public Lands mandated by Act 82, SLH 2003.

- In February of 2005, the Board approved the draft HAR and the release of the draft document for public hearings.

- In May 2005, Governor Lingle approved the proposed HAR for public hearing.

- On August 23, 2005, the Department conducted a public hearing at the Kalanimoku Building, Oahu. Oral and written comments were received from the public and minor revisions proposed - there were no substantive changes requested by the public.

- On November 18, 2005, the Board approved the staff’s revision based upon public hearing comments and recommended approval of the proposed Chapter 13-8, HAR, to the Governor.
On January 6, 2006, the draft HAR were approved as to form by the Department of the Attorney General.

On January 23, 2006, the Governor approved the proposed HAR and the finalized rule was filed on February 4, 2006.

On February 9, 2007, the Board approved the design of the warning and ancillary management signs (Exhibit 1) as required by rules.

On February 23, 2007, the Board approved the placement of signs at Manoa Falls Trail on Oahu and at Kealakekua State Historical Park on the Island of Hawaii. (Exhibit 2)

On August 10, 2007, the Board approved the placement of signs at Makena Beach State Park, Maui, and at Diamond Head and Kuilei Cliffs County Beach Parks on Oahu.

A sign installation and inspection sheet has been prepared for use by the Department's staff for the installation and subsequent inspection of the respective signage. (Exhibit 3)

September 2007, the Department's Division of State Parks prepared the sign specification based on the approved images and process for sign production, appurtenant hardware and distribution based on a $50,000 Capitol Improvement Program appropriation.

Recommendations

1. Process Board approval of placement of additional warning signs on any trails and Parks as dangerous natural conditions are discovered.

2. Pursue funding for requisition and installation of additional warning and informational signs.
Exhibit 1

Entrance Hazard Sign Codes

**WARNING**

Falling Rocks!
This trail or area contains this hazard. If you proceed be alert! Rocks may fall without warning causing serious injury or death.

WFRE

**WARNING**

Hazardous Cliff!
This trail or area contains this hazard. The ground may break off without warning and you could be seriously injured or killed.

WHCE

**WARNING**

Flash Flood!
This trail or area contains this hazard. Fast moving water may result in serious injury or death.

WFFE

**DANGER**

No Diving or Jumping!
This trail or area contains this hazard. You may strike submerged objects and be seriously injured or killed.

DNDE
Exhibit 1

Site-Specific Hazard Sign Codes

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**WARNING**

**Falling Rocks!**
If you proceed, be alert! Rocks may fall without warning causing serious injury or death.

**Hazardous Cliff!**
The ground may break off without warning and you could be seriously injured or killed.

**Flash Flood!**
Be alert, water may rise without warning.
Fast moving water may result in serious injury or death.

**WFRS**  **WHCS**  **WFFS**

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**DANGER**

**Falling Rocks!**
Do not go beyond this point!
Rocks may fall without warning causing serious injury or death.

**No Diving or Jumping!**
You may strike submerged objects and be seriously injured or killed.

**Flash Flood!**
Be alert, water may rise without warning.
Fast moving water in this stream has killed people.

**DFRS**  **DNDS**  **DFFS**
Site-Specific Management Sign Codes

**NOTICE**
End Of Trail!
Do not go beyond this sign - please turn back.

**NOTICE**
End Of Road!
No motor vehicles beyond this sign.

**NOTICE**
Area Closed!
Do not go beyond this sign.

**CAUTION**
End of Maintained Trail!
The trail beyond this sign is not maintained.

**NETS**

**NERS**

**NACS**

**CEMS**
Exhibit 2

DLNR Division: DOFAW  Island: Oahu  Trail Name: Manoa Falls

Exposure to natural conditions: Stream crossings, falling rocks

Entrance hazard signs:
Station: OA00001  Warning - Falling Rocks  (WFRE)
Warning - Flash Flood  (WFFE)

Site-specific hazard signs:
Station: OA00002  Warning - Flash Floods  (WFFS)
Station: OA00003  Danger - Falling Rocks  (WFRS)

Site-specific management signs:
Station: OA00003  End of Trail  (NETS)
Area Closed  (NACS)
Exhibit 2
DLNR Division: State Parks  Island: Hawaii  Park: Kealakekua Bay
State Historical Park

Exposure to natural conditions: **Falling rocks**

**Entrance Hazard Signs:**
Station: HA00001  Warning-Falling Rocks  (WFRE)

**Site Specific Hazard Signs:**
Station: HA00002  Warning-Falling Rocks  (WFRS)
Station: HA00003  Warning-Falling Rocks  (WFRS)
Station: HA00004  Danger-Falling Rocks  (DFRS)
Station: HA00005  Danger-Falling Rocks  (DFRS)
Station: HA00006  Danger-Falling Rocks  (DFRS)
Station: HA00007  Danger-Falling Rocks  (DFRS)
Station: HA00008  Danger-Falling Rocks  (DFRS)
Station: HA00009  Danger-Falling Rocks  (DFRS)
Station: HA00010  Danger-Falling Rocks  (DFRS)
Station: HA00011  Danger-Falling Rocks  (DFRS)
Station: HA00012  Danger-Falling Rocks  (DFRS)
Exhibit 3

Sign Installation and Inspection Sheet
(Act 82 Warning and/or Management Signs)

Island ____________   Trail / Park  ____________________
Station # ____________  Sign code ________

Exposure to dangerous natural condition:
☐ Falling rocks ☐ Hazardous cliff ☐ Submerged hazard ☐ Flashflood

Management Condition:
☐ Area closed ☐ End of trail ☐ End of maintained trail ☐ End of road

BLNR approval date: _________________
Initial installation date: _________________
Inspection date: _________________
Replacement date: _________________

Reason for sign replacement:
☐ Missing ☐ Illegible ☐ Other

Comments:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Inspected / Replaced by: _________________________  Date: ___________
(Print Name)