

MINUTES OF THE
MEETING OF THE
BOARD OF LAND AND NATURAL RESOURCES

DATE: June 13, 1975
TIME: 10:00 A. M.
PLACE: Conference Room
State Office Building
Wailuku, Maui

ROLL
CALL

Chairman Christopher Cobb called the meeting of the Board of Land and Natural Resources to order at 10:30 A. M.

MEMBERS

PRESENT

Mr. Christopher Cobb
Mr. Moses W. Kealoha
Mr. Larry Mehau (excused at 2:30 P. M.)
Mr. Manuel Moniz, Jr. (arrived at 11 A. M.)
Mr. Hisao Munechika
Mr. Shinichi Nakagawa

STAFF

Mr. Edgar A. Hamasu
Mr. Johnson Wong
Mr. Tom Tagawa
Mr. Michio Takata
Mr. Robert T. Chuck
Mr. Gene Renard
Mrs. Esther Ueda
Mrs. Joan K. Moriyama

OTHERS

Mr. Peter Garcia (DOT)
Mr. Richard Chang and Mr. Hiram
Kamaka (F-26)
Mr. Wendell F. Crockett (H-2)
Mr. Herbert Grieco (H-3)

ITEM H-11 CONSERVATION DISTRICT USE APPLICATION FOR EXTENSION OF PRIVATE
DRAINLINE, WAIALAE, OAHU (KAHALA HILTON)

ACTION The Board, by unanimous action, approved the Findings of Fact and Decision and Order for the subject application as submitted.

portions.

The reef top sediment is generally a thin layer that gives the algae and coral rubble a "dusty" appearance.

No organisms were seen on top of the silt in the swimming lagoon, however, the presence of many holes in the silt indicated the presence of large numbers of polychaete worms, alpheid shrimps and portunid crabs.

The reef top does not have a great variety or number of fish and crustaceans. It appears that the general smoothness of the reef top provides little habitat space for fishes and crustaceans and therefore numbers are sparse (Fishes - 6 species, 31 individuals; Crustaceans - 2 species, 11 individuals). A few other invertebrates were observed on the reef top and include sea urchin (3 species), sea cucumbers (2 species), brittle stars (1 species), molluscs (3 species) and one tiny (2") colony of coral. Several small coral colonies of Pocillopora meandrina were observed along the top edge of the dredge cut away from the project area along the swimming area.

Frustrated algae appeared to be the dominant aspect of the reef top area. Algae belonging to 14 different genera were common on nearly all hard surfaces of the reef top.

Description of Proposed Use:

The proposed project consists of extending the existing 24" lagoon drain 230 feet into the ocean. The purpose of the drain extension is to eliminate a dangerous condition at the existing outlet. The present outlet is submerged approximately four feet below the sandy beach resulting in a "sand boil" that is very hazardous and dangerous, especially to young children who are attracted by the boil. The manager of the hotel has seen a very young child disappear completely into the hole - only quick action by her father possibly averted a serious situation. The owners (Kahala Hilton) intend to construct the drain as soon as all designs, approvals and permits are completed or obtained. Estimated construction time is 30 calendar days. The discharge from the drainline is approximately 1,500 to 2,000 gallons per minute. The rate of flow will remain essentially unchanged with the extension.

The applicant points out that there should be no change in the impact on water quality after completion of the project. There will be temporary impact during the construction period. Water quality may be slightly disturbed caused by the digging and placing of the drainline extension. Some trash could enter the water during construction. Steps will be taken to minimize the above effects.

The character of material along the drainline extension is sand, silt and mud for approximately 130 feet, then reef coral to the outlet. The contractor will be required to keep his work area down to a minimum and his contract time will be such that the work will be accomplished as expeditiously as possible to minimize adverse construction impact. Estimated excavation totals 127 cubic yards with backfill at 66 cubic yards. All surplus material will be hauled to an approved landfill site. Upon completion, maintenance should be reduced to a bare minimum.

In accordance with Act 246, the Department has determined that an EIS is not required for the project on the basis that the proposed pipeline expansion is not significant.

Summary of Comments Received:

The Department of Land Utilization of the City and County of Honolulu states that they have examined the proposal under the Shoreline Setback Rules and Regulations. The drawings and text provided do not indicate that construction is contemplated mauka of the Shoreline. If this interpretation is correct, the Dept. of Land Utilization has no objections to nor comments on the proposal. The applicant should be aware, however, that any grading or construction activity contemplated within the shoreline setback would require prior approval in the form of a variance by the Zoning Board of Appeals.

The Board of Water Supply has no objections to the proposal.

The Department of Health has no objections, on the basis that the applicant will comply with all applicable Public Health Regulations.

The Dept. of Transportation has issued Harbors Division Shorewaters Construction Permit No. 1590 for this project.

The Corps of Engineers comments that they are currently processing a permit application, PODCO-O 1161-SD, for this work.

The Division of Land Management points out that Kahala Hilton will need to acquire a drainage easement for the project.

State Parks has no known park interests.

DOWALD has no objections to the proposal.

The Division of Forestry states that the project site is far removed from forestry's activity and should have no adverse effect on their program.

The Division of Fish and Game responds that the project will destroy a small amount of reef-flat habitat in the area of the trenching. Also, temporary turbidity and siltation will occur due to the trenching.

They further point out that during a site visit, it was observed that ocean organisms along the shoreline consisted mostly of algal vegetation. Although one small school of goatfish was noticed, animal species in the area of the algal covered reef were sparse. For the most part, the bottom was composed of coral rubble, fine sand and mud. Due to the fine particulate bottom material, even slight agitation produced heavy turbidity.

Since the drain effluent originates from the lagoon which supports porpoises and reef fish, the discharge quality should be compatible with the reef environment.

Also, extension of the drain will serve to remove a dangerous condition from the beach area.

Fish and Game recommends that maximum effort be expended during the construction to insure that turbidity and siltation be kept to a minimum.

Summary of Public Hearing:

In accordance with Section 183-41 HRS and Section (4) and (5) of Regulation No. 4, a public hearing was held on May 9, 1975, to receive testimony on the application.

The only persons to testify on the application were George Higashima, Chief Engineer at the Kahala Hilton and Henry Hoshide, engineer for the project.

Mr. Higashima pointed out that the well on the property is located about 200 feet from the hotel's waterfall. The well has a flow of about 2700 gpm. Brackish water from the well goes through the air conditioning system, over the waterfall, into the lagoon and out the drain. Mr. Higashima submitted a water analysis of the lagoon and ocean water taken in November, 1974.

Mr. Hoshide, pointed out that they had submitted an application to the Corps of Engineers including an environmental assessment. With respect to turbidity, he pointed out that the beach area is important to the hotel therefore, they will do everything they can to keep turbidity down.

Staff Analysis and Recommendation:

The proposed drain extension will alleviate an existing dangerous situation along the shoreline which is used for recreational purposes. Comments and testimonies on the application indicate that no significant adverse environmental effects are anticipated from the proposed project.

Staff recommends approval of the Drainline Extension Use, subject to the following conditions:

1. The applicant shall comply with Sections 2C and 2F of Regulation No. 4.
2. The applicant shall notify the Division of Forestry upon the commencement and at the completion of all work.

3. The applicant shall obtain approval from the City and County for any work to be performed within the Shoreline Setback area.
4. The applicant shall take appropriate preventative measures prior to and during construction of the project to prevent degradation of the offshore waters of the State.
5. Prior to commencing any work or activity on State owned lands, proper clearances and permits shall be obtained from the Division of Land Management.
6. The applicant, its successors and assigns shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury and death arising out of any act or omission, and not occasioned through the fault of the State, of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit and also any loss, liability, claim or demand for property damage, personal injury and death arising out of or relating to or connected with the granting of this permit, and not occasioned through the fault of the State.

II. DECISION AND ORDER

Based on the above Findings of Fact, it is the decision of the Board of Land and Natural Resources that the application for the Private Drainline Extension Use be approved subject to the conditions as recommended by staff.

I hereby certify that the foregoing is the Findings of Fact, and Decision and Order rendered by the Board of Land and Natural Resources on June 13, 1975.

Dated at Honolulu, Hawaii, this 20th day of June, 1975.

C Cobb

CHRISTOPHER COBB
Chairman of the Board