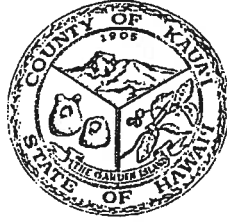


Bernard P. Carvalho, Jr.
Mayor



Leonard A. Rapozo, Jr.
Director

Gary K. Heu
Managing Director

Ian K. Costa
Deputy Director

DEPARTMENT OF PARKS & RECREATION

County of Kaua'i, State of Hawai'i

4444 Rice Street, Suite 105, Līhu'e, Hawai'i 96766
TEL (808) 241-4460 FAX (808) 241-5126

December 14, 2012

Honorable Jay Furfaro, Council Chairman
And Members of the County Council
3371-A Wilcox Road
Līhu'e, Kaua'i, Hawai'i 96766

ATTENTION: Jay Furfaro, Council Chair

FROM: Leonard A. Rapozo, Jr., Director
Department of Parks & Recreation

VIA: Gary K. Heu, Managing Director

SUBJECT: **FOLLOW-UP QUESTIONS RELATING TO WAILUA BEACH
EROSION AND Kaua'i MULTI-USE PATH**

Dear Council Chair Furfaro:

Thank you for your follow up questions relating to Wailua Beach Erosion and Kaua'i Multi-Use Path. With respect to your questions I am responding with the following responses:

1. *Copies of the SMA permit and any amendments and/or extensions, including, but not limited to, the dates of approval and expiration for these applications.*
(Attachment #1)
2. *What is the justification for allowing construction of the Multi-Use Path to occur inside of the shoreline setback boundary?*

The Commission, along with the SMA Use Permit, granted a Shoreline Setback Variance (SSV-2008-1), and those justifications presented by the applicant and reviewed and accepted by the Commission should also apply to construction within the shoreline setback boundary.

3. ***What is the itemized cost for a) removal of the existing wall and b) construction of the new barrier along the Wailua corridor?*** (Attachment #2)

Attached is a copy of the contractor's bid for the work along the Wailua corridor. The direct cost for removal of the existing wall is covered by Bid Item No. 202.0104 at \$8,000. The direct cost for the new wall is covered by Bid Item Nos. 503.1000, 503.1100, 510.0100, 602.0700, and 602.080 for a total of \$585,000.

4. ***Please provide a complete background of the critical dates to be met for completion of the Wailua Corridor portion of the Multi-Use Path.***

The original construction contract completion date for the Wailua corridor was December 28, 2012 and there is a pending contract time extension of 178 calendar days. The contract extension request is related to delayed Department of Health permit, night work restriction, and utility pole issues.

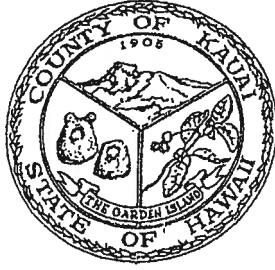
5. ***What is the Administration's plans to remediate the erosion, i.e., has sand replenishment been considered, is there available moneys in the Capital Improvements Projects (CIP) Budget for sand replenishment at Wailua Beach, has a landscaping plan been developed to mitigate erosion, etc.***

The multi-use path project focuses on the construction of the path along the coast fronting the Wailua Beach. The plan for remediation of the beach erosion is to allow the natural beach process to continue. There has already been considerable accretion of the beach since the recent episodic erosion event. We are researching potential landscaping for mitigating beach erosion, but it is unlikely landscaping could mitigate the episodic erosion of Wailua Beach. Typically landscaping in the coastal dune environment is used to encourage containment of wind driven sand.

6. ***A culvert is being constructed near the old Seashell Restaurant that appears to drain onto the sand. Please check into the purpose of the culvert and provide a report as to what is being diverted onto the sand. If there are any hazardous situations that need mitigating, what efforts are being undertaken to ensure the health and safety of the public.***

The culvert being constructed near the old Seashell Restaurant is part of improvements to the existing Kuhio Highway drainage system. The improvements to the system include a pretreatment drainage manhole which should reduce the level of pollutants from the existing system.

BRYAN J. BAPTISTE
MAYOR



ATTACHMENT #1

IAN K. COSTA
DIRECTOR OF PLANNING

GARY K. HEU
ADMINISTRATIVE ASSISTANT

IMAIKALANI P. AIU
DEPUTY DIRECTOR OF PLANNING

COUNTY OF KAUA'I
PLANNING DEPARTMENT
4444 RICE STREET
KAPULE BUILDING, SUITE A473
LIHU'E, KAUA'I, HAWAII 96766-1326

TEL (808) 241-6677 FAX (808) 241-6699

COPY

September 11, 2007

Doug Haigh
Dept. of Public Works, Building Division
4444 Rice Street
Lihue, Hawaii 96766

Subject: Special Management Area Use Permit SMA(U)-2008-1
Shoreline Setback Variance Permit SSV-2008-1
TMK 4-6-14: por. 26, Kauai

The Planning Commission, at its meeting held on September 11, 2007, amended and approved the subject permits to establish a shared use path from Lydgate Park to the Lihi Park at the Waikaea Canal in Kapaa. Approval is subject to the following conditions:

1. The applicant shall comply with the requirements and recommendations of the applicable County and State agencies.
2. An approved archaeological monitoring plan shall be submitted to the State Historic Preservation Division. Archaeological monitoring shall take place during all subsurface construction work due to the high probability of finding human burials. A draft monitoring report shall be submitted 90 days after the completion of fieldwork for review and approval to the State Historic Preservation Division.
3. In order to minimize adverse impacts on the Federally Listed Threatened Species, Newell's Shearwater and other seabirds, any external lighting shall be only of the following types: shielded lights, cut-off luminaries, or indirect lighting. Spotlights aimed upward or spotlighting of structures shall not be permitted.
4. Prior to the commencement of construction, the following shall be provided, for Planning Director review and approval:
 - a. A work plan showing the location of any areas to be used for temporary staging for the storage of materials, supplies, equipment, employee parking,

7. *What is the Administration's official position regarding seeking a realignment of the Wailua Corridor portion of the Kaua'i Multi-Use Path?*

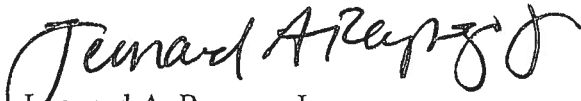
The DOPR will continue to pursue the current proposal of the alignment of the Wailua Corridor that was presented to the Council.

8. *What is the Administration's official position regarding seeking a realignment of the Wailua Corridor portion of the Kaua'i Multi-Use Path to be completely off Wailua Beach and onto the highway, or onto the right-of-way, mauka of the highway?*

The DOPR maintains the current route of the multi-use path alignment. It is the position of the DOPR that the multi-use path will not further impact the ground which has already been disturbed by the construction of the highway.

Should you have further questions regarding this matter please do not hesitate to contact me at 241-4456.

Sincerely,



Leonard A. Rapozo, Jr.
Director

and supplemental public beach parking.

- b. Construction schedule for the commencement of activities, including any alternative traffic measures to be implemented.
 - c. A shoreline map certified by the State of Hawaii within 6 months of construction document approval by the Planning Director, for the Moanakai Road and Lihi Park project areas. Any reduction of the setback, from the shoreline to the makai edge of the bike/pedestrian path, from this application shall require approval by the Planning Commission.
 - d. An agreement or MOU with the State of Hawaii, Department of Land and Natural Resources, outlining the expectations and responsibilities of both the State and County regarding the transiting of heavy equipment through the south Wailua Beach parking lot in order for the State to maintain the Wailua Rivermouth.
 - e. A to-scale site plan for the north and south parking lots at Wailua Beach, reflecting the parking lot layout, location of boulder barriers, and location of the boardwalk between parking lots. The makai edge of these improvements shall be surveyed and staked out in the field for confirmation by the Planning Department. If necessary, in the field adjustments, subject to approval by the Planning Director, will be made in order to address coastal erosion or public beach access or parking concerns.
5. The Applicant is made aware that conditions may be added, modified or deleted while in the process of resolving matters discussed in the work plan. Any revisions to the conditions will require the review and approval of the Planning Commission.
 6. The Planning Commission reserves the right to revise, modify or add conditions of approval should the development or its schedule be found to be creating adverse impacts to the surrounding neighborhood or environment.
 7. The applicant is advised that prior to construction and use, additional government agency conditions may be imposed. It shall be the applicant's responsibility to resolve those conditions with the respective agency(ies).
 8. The applicant shall develop and utilize Best Management Practices during all phases of development in order to minimize erosion, dust, drainage and sedimentation impacts of the project to abutting properties.
 9. No other improvements or structures such as comfort stations, rest pavilions, or picnic areas are authorized by the approval of the subject permits.
 10. Applicant shall commence construction of the proposed project within 2 years from the

date of Planning Commission approval of this Special Management Area permit, and complete construction within 4 years. Applicant shall request a time extension no less than 2 months prior to the expiration of the SMA permit if difficulties arise beyond the control of the applicant that substantially delay this project.

Should there be any questions regarding the above, please contact planner Michael Laureta at 808-241-6690.

A handwritten signature in black ink, appearing to read 'IAN K. COSTA', written over a horizontal line.

IAN K. COSTA
Planning Director

cc: DPW Engineering Div.
Water Dept.
State Health Dept.
DLNR-Historic Preservation Div.
Fire Dept.
Finance Dept., Real Property Div.
DOT Hwys

BERNARD P. CARVALHO, JR.
MAYOR



IAN K. COSTA
DIRECTOR OF PLANNING

GARY K. HEU
ADMINISTRATIVE ASSISTANT

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COUNTY OF KAUA'I
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KAPULE BUILDING, SUITE A473
LIHU'E, KAUA'I, HAWAII 96766-1326

TEL (808) 241-4050 FAX (808) 241-6699

July 15, 2009


Doug Haigh
Dept. of Public Works, Building Division
4444 Rice Street
Lihue, Hawaii 96766

Subject: Request to Modify
Special Management Area Use Permit SMA (U)-2008-1
Shoreline Setback Variance SSV-2008-1
TMKs 3-9-6; 4-1-3 to 4-1-5; 4-3-1 to 4-3-9; 4-5-1 to 4-5-8, 4-5-10 to 4-5-13;
4-6-14; and 4-6-15, Wailua Beach Park to the Lihi Park in Kapa'a.

The Planning Commission, at its meeting held on July 14, 2009, amended and approved the subject permits to allow for the inclusion of TMK 4-3-2: 2 (Kapa'a Sands) and 10 (Lae Nani), and 4-1-5: 6 (Wailua Bay View). This modification was necessary to incorporate the existing public sidewalks that are located on the private property of Wailua Bay View and Lae Nani, and to correct the irregular road right-of-way alignment at Kapa'a Sands.

Said modification does not alter or change the shared use path project or its concept in any way. Further, all conditions of approval imposed on the subject permits on September 11, 2007 are still applicable, including the resolution of DLNR-SHPD requirements.

Should there be any questions regarding the above, please contact planner Michael Laureta at 808-241-6690.


IAN K. COSTA
Planning Director

PROPOSAL SCHEDULE - ADDITIVE ALTERNATE 1 (A1)
 WAILUA BEACH

ITEM NO.	ITEM	APPROX. QUANTITY	UNIT	UNIT PRICE	AMOUNT
201.0100	Clearing and Grubbing	L.S.	L.S.	L.S.	\$ 50,000 ⁻
202.0100	Removal of Existing Roadway	L.S.	L.S.	L.S.	\$ 12,000 ⁻
202.0102	Removal of Existing Concrete Pavement	L.S.	L.S.	L.S.	\$ 4,000 ⁻
202.0103	Removal of Existing Crash Attenuator and Concrete Slab	L.S.	L.S.	L.S.	\$ 4,000 ⁻
202.0104	Removal of Existing CRM Walls from Sta. 9+81.14 to 13+21.58 Path A-1	L.S.	L.S.	L.S.	\$ 8,000 ⁻
202.0105	Removal of Existing Concrete Stairs	L.S.	L.S.	L.S.	\$ 1,000 ⁻
202.0109	Removal of Traffic Control, Regulatory, and Miscellaneous Signs	L.S.	L.S.	L.S.	\$ 1,000 ⁻
203.0100	Roadway Excavation	441	C.Y.	\$ 90 ⁻	\$ 39,690 ⁻
203.0200	Selected Material for Decorative Boulders	L.S.	L.S.	L.S.	\$ 1,000 ⁻
209.0100	Installation, Maintenance, Monitoring, and Removal of BMP	L.S.	L.S.	L.S.	\$ 76,000 ⁻
209.0200	Additional Water Pollution, Dust, and Erosion Control	F.A.	F.A.	F.A.	\$ 42,500.00
305.0100	Aggregate Subbase	23	C.Y.	\$ 125 ⁻	\$ 2,875 ⁻
312.0100	Hot Mix Glassphalt Base Course	64	TON	\$ 250 ⁻	\$ 16,000 ⁻
401.0100	HMA Pavement, Mix No. IV	68	TON	\$ 250 ⁻	\$ 17,000 ⁻
503.1000	Concrete for Barrier Wall No. 1	L.S.	L.S.	L.S.	\$ 125,000 ⁻

PROPOSAL SCHEDULE - ADDITIVE ALTERNATE 1 (A1)
WAILUA BEACH

ITEM NO.	ITEM	APPROX. QUANTITY	UNIT	UNIT PRICE	AMOUNT
503.1100	Concrete for Barrier Wall No. 1 Foundation	L.S.	L.S.	L.S.	\$ 85,000 -
503.1200	Concrete for Type II Traffic Signal Light Pole Foundation	L.S.	L.S.	L.S.	\$ 7,000 -
507.1000	Concrete End Post Railing	L.S.	L.S.	L.S.	\$ 17,000 -
510.0100	Rock Facing	L.S.	L.S.	L.S.	\$ 230,000 -
602.0700	Reinforcing Steel for Barrier Wall No. 1	L.S.	L.S.	L.S.	\$ 70,000 -
602.0800	Reinforcing Steel for Barrier Wall No. 1 Footing	L.S.	L.S.	L.S.	\$ 75,000 -
602.0900	Reinforcing Steel for Type II Traffic Signal Light Pole Foundation	L.S.	L.S.	L.S.	\$ 2,000 -
610.0200	(6-inch) Reinforced Concrete Driveway	L.S.	L.S.	L.S.	\$ 15,000 -
615.0100	Temporary Portable Concrete Barrier	L.S.	L.S.	L.S.	\$ 175,000 -
616.0200	Temporary Irrigation System	L.S.	L.S.	L.S.	\$ 8,000 -
619.0900	Tree (Beach Heliotrope, 25 Gallon)	L.S.	L.S.	L.S.	\$ 4,000 -
619.1000	Tree (Green Hala, 25 Gallon)	L.S.	L.S.	L.S.	\$ 4,000 -
619.1800	Shrub (Naupaka, 1 Gallon)	L.S.	L.S.	L.S.	\$ 10,000 -
619.2300	Grass (Seashore Paspalum Seed, S.F.)	L.S.	L.S.	L.S.	\$ 15,000 -
623.0100	Traffic Signal System Lump Sum	L.S.	L.S.	L.S.	\$ 58,000 -
629.0100	4-inch Pavement Striping (Tape, Type II or Thermoplastic Extrusion)	L.S.	L.S.	L.S.	\$ 13,000 -
629.0103	8-inch Pavement Striping (Tape, Type II or Thermoplastic Extrusion)	L.S.	L.S.	L.S.	\$ 20,000 -
629.0104	12-inch Pavement Striping (Thermoplastic Extrusion)	L.S.	L.S.	L.S.	\$ 3,000 -

PROPOSAL SCHEDULE - ADDITIVE ALTERNATE 1 (A1)
WAILUA BEACH

ITEM NO.	ITEM	APPROX. QUANTITY	UNIT	UNIT PRICE	AMOUNT
629.0210	Type A Pavement Markers	L.S.	L.S.	L.S.	\$ 2000-
629.2030	Type C Pavement Markers	L.S.	L.S.	L.S.	\$ 2000-
629.2040	Type D Pavement Markers	L.S.	L.S.	L.S.	\$ 2000-
629.2050	Type H Pavement Markers	L.S.	L.S.	L.S.	\$ 2000-
631.0100	Regulatory Sign (10 Square Feet or Less)	L.S.	L.S.	L.S.	\$ 4500-
631.0300	Strong Current Sign	L.S.	L.S.	L.S.	\$ 1500-
631.0301	Dangerous Shorebreak Sign	L.S.	L.S.	L.S.	\$ 1500-
632.0100	Mile Post Marker, Highway Route Number Plate and Post	L.S.	L.S.	L.S.	\$ 1500-
634.0100	Portland Cement Concrete Bike Path	L.S.	L.S.	L.S.	\$ 100,000-
636.0100	Signs for Bike Path	L.S.	L.S.	L.S.	\$ 4000-
641.0100	Hydro-Mulch Seeding	L.S.	L.S.	L.S.	\$ 6000-
645.0100	Traffic Control	L.S.	L.S.	L.S.	\$ 135,000-
645.0200	Additional Police Officers, Additional Traffic Control Devices, and Advertisement	F.A.	F.A.	F.A.	\$ 42,500.00
648.0100	Field Posted Drawings	L.S.	L.S.	L.S.	\$ 3500-
670.0100	Archeological Monitoring	F.A.	F.A.	F.A.	\$ 25,000.00