

**Shall the Authority Authorize the Interim Executive Director to Expend
General Obligation Bond Funds (B-14.408) in an Amount Not to Exceed
\$767,883.00 for the Construction of Kewalo Basin Harbor Jetty Repairs in
the Kakaako Community Development District?**

Staff Report
February 3, 2016

Background: The Kewalo Basin Harbor Jetty is located on the eastern side of the boat entrance to Kewalo Basin Harbor, as shown in Exhibit A, and is constructed of boulders with a concrete topping. In addition to protecting the harbor, the jetty provides access to the ocean for surfers and fishermen, and is an attractive lookout point for visitors to Kewalo Basin Park.

Constant wave action, especially during seasonal high surf, has dislodged several boulders under the concrete topping. As a result, a large void has been created beneath the concrete topping, as shown in Exhibit B. Staff believes that repairs are necessary as this condition will continue to worsen over time and is a public safety hazard.

Discussion: On December 4, 2013, the Authority authorized the Executive Director to execute a professional services contract to engage an engineering design consultant to prepare specifications and construction drawings for the Kewalo Basin Harbor Jetty Repairs (Project). The consultant scope of work also includes obtaining government approvals and permits necessary for the construction, as well as post-design services, such as construction observation and monitoring. In accordance with the State Procurement Code, Sea Engineering, Inc. was contracted and has been proceeding with the work.

Staff notes that the proposed repairs will not expand the existing footprint of the jetty. As such, an Environmental Assessment Exemption Declaration for the Project was submitted to the State Department of Health, Office of Environmental Quality Control (OEQC) on November 17, 2014, in accordance with Chapter 11-200, Hawaii Administrative Rules (HAR). The basis of the declaration is that the proposed repairs qualify as an exempt class of action as prescribed in Section 11-200-8(a)(1), HAR, which lists as an exempt class of action:

- “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 exemption declaration for the Project was published in the OEQC The Environmental Notice, dated December 8, 2014. To date, no comments in opposition to the declaration have been received.

The following other government agencies and organizations have been contacted about the project and all agency comments have been complied with or responded to:

- U.S. Army Corps of Engineers (Corps of Engineers),
- U.S. Environmental Protection Agency,
- U.S. Fish and Wildlife Service,
- National Oceanographic and Atmospheric Agency, National Marine Fisheries,
- State Department of Land and Natural Resources – Office of Conservation and Coastal Lands; Boating and Ocean Recreation Division; Historic Preservation Division,
- State Department of Health, Clean Water Branch,
- State Office of Hawaiian Affairs,
- State Department of Transportation, Harbors Division,
- State Office of Planning,
- City and County of Honolulu, Department of Planning and Permitting,
- The Howard Hughes Corporation, and
- Friends of Kewalo.

The Corps of Engineers has issued a Provisional Nationwide Permit Verification for the Project, subject to the issuance of a Section 401 Water Quality Certification from State Department of Health, Clean Water Branch (DOH-CWB). The DOH-CWB is currently reviewing the Project application for the Section 401 Water Quality Certification. The State Office of Planning has approved a Special Management Area Minor permit for the Project.

SEI is currently preparing bid documents in anticipation of soliciting competitive sealed bids for the construction of the Project. A pre-final set of construction drawings is attached as Exhibit C.

General obligation bond funds, B-14.208, for the construction of the Project in the amount of \$700,000.00 were released by the Governor on September 11, 2014. A portion of the remaining, unencumbered general obligation bond funds, B-14.407, for the design in the amount \$67,883.00 was reallocated to the construction funds on May 12, 2015. Therefore, the

total amount of available funds for construction is \$767,883.00. The funds will lapse on June 30, 2016.

Recommendation: Staff recommends that the Authority authorize the Interim Executive Director to expend general obligation bond funds (B-14.408) in an amount not to exceed \$767,883.00 for the construction of Kewalo Basin Harbor Jetty Repairs in the Kakaako Community Development District.

Attachments: Exhibit A – Photograph of Kewalo Basin Harbor Jetty and Boat Entrance
Exhibit B – Photographs of Damage in Kewalo Basin Jetty
Exhibit C – Pre-final Construction Drawings for Kewalo Basin Harbor Jetty Repairs



Exhibit B