

STATE OF HAWAII
HAWAII COMMUNITY DEVELOPMENT AUTHORITY
Kalaeloa Community Development District
Honolulu, Hawaii 96813

September 6, 2017

Chairperson and Members
Hawaii Community Development Authority
State of Hawaii
Honolulu, Hawaii

HCDA Board Members:

SUBJECT: Findings and Recommendations of the Task Force to Resolve the Stockpile at the Kalaeloa Heritage Park.

SUMMARY:

Based on its review of the matter involving the stockpiled material at the Kalaeloa Heritage and Legacy Foundation (KHLF) Site the task force finds as follow:

1. KHLF is a domestic nonprofit corporation registered to do business in Hawaii and in good standing with the Department of Commerce and Consumer Affairs (DCCA).
2. KHLF has been registered with DCCA since 2012.
3. KHLF has a board of nine members that include Shad Kane, the KHLF point of contact in this matter.
4. The property at issue is held in fee by HCDA and leased to KHLF at a nominal rent for 40 years starting on December 1, 2015 and ending on November 30, 2055, with an option to extend for an additional 20 years, to develop and operate a multi-purpose cultural center with the objective of preserving and maintaining archaeological, cultural, and natural resources in the Kalaeloa Heritage Park.
5. A citation was issued by the City and County of Honolulu, Department of Planning and Permitting (DPP) to the HCDA for the unpermitted stockpile.
6. KHLF was in control of the property when the stockpile occurred and subsequently discovered by DPP.
7. Current measures put in place by KHLF in conjunction with the HCDA adequately addresses stockpile concerns by the Department of Health (DOH) and DPP; however, action must be taken to clear the DPP violation to resolve the issue of fines.
8. KHLF alone does not have adequate funds to pursue the necessary corrective action.

Based on a review of staff recommendations on resolving the stockpile and alternatives presented by KHLF, the task force makes the following recommendations:

1. The HCDA should continue to work in collaboration with KHLF in resolving the stockpile.
2. Work with the local development community to identify a party interested in fill material.

3. KHLF should pay any and all fines resulting from the stockpile.
4. The HCDA should pay for remediation costs, subject to reimbursement from KHLF for 50% of costs incurred. This agreement should be memorialized in a separate agreement that includes a payment schedule with an agreed upon date for final payment.

The accompanying background information and analysis are essential component the findings and recommendations summarized above.

AUTHORITY:

Permitted interactions of a group of board members is governed by Hawaii Revised Statutes (HRS) § 92-2.5(b), which states that two or more members of a board, but less than the number of members which would constitute a quorum may be assigned to:

- (1) Investigate a matter relating to the official business of their board, provided that:
 - (A) The scope of the investigation and the scope of each members authority are defined at a meeting of the board;
 - (B) All resulting findings and recommendations are presented to the board at a meeting of the board; and
 - (C) Deliberation and decision-making on the matter investigated, if any, occurs only at a duly noticed meeting of the board held subsequent to the meeting at which the findings and recommendations of the investigation were presented to the board.

The task force was formed at the July 5, 2017 Kalaeloa Community Development District Board meeting to:

1. Review the matter involving stockpiled material; and
2. Make a recommendation on a proposed course of action.

This report of findings and recommendations is intended to satisfy the second of three required meetings: presentation for subsequent deliberation and decision-making. A third meeting must be held to adopt these recommendations.

BACKGROUND:

The task force met on July 26, 2017 and August 23, 2017.

At its July meeting, the task force was provided a timeline and was briefed on the circumstances resulting in the stockpile and subsequent notice of violation. A timeline that summarizes these circumstances is included as Attachment 1.

At its July meeting the task force was also presented with options for dealing with the stockpiled material from staff in a staff report dated July 21, 2017, included as Attachment 2. The task force also requested remediation alternatives from KHLF that was also reviewed and is included as Attachment 3. Based on the alternatives presented.

On August 17, 2017, staff met with KHLF as directed and reported back to the task force that KHLF met with a local developer who is interested and can utilize the stockpiled material and would waive what the HCDA would otherwise incur as a tipping charge upon disposal with the exception of certain materials (scrap metal, painted concrete, re-bar, green waste). The HCDA/KHLF however would be responsible for loading and hauling the material to its site in Kapolei. This expense may be reduced or waived pending further discussion by KHLF with developers.

The local developer's proposal was discussed at length at the August meeting of the task force.

FINDINGS:

In its investigation of the matter involving the stockpile as summarized in Attachment 1 and other inquiries of staff the task force makes the following findings.

Finding 1 - The HCDA should share in the cost of correcting the violation:

- a. The original right of entry between the HCDA and KHLF, explicitly indicates that, "KHL(F) will work in partnership with HCDA to further the development of Kalaeloa Heritage Park..."
- b. KHLF entered in an oral agreement with a trucking and equipment operator with the intent of utilizing its equipment and donated fill material to grade a portion of the property to allow the placement of the Green Lanai, a structure used by the Sony Open for enclosed, climate controlled spectator seating.
- c. The idea of using the Green Lanai was proposed by the previous HCDA executive director, which was subsequently cancelled by the owner of the Green Lanai.
- d. The HCDA was aware that the KHLF had sub-let a portion of its property to an equipment operator.
- e. The HCDA did not pursue timely action to avert the Notice of Order when notified by the City and County of Honolulu Department of Planning and Permitting (DPP) on the initial notice of violation.

Finding 2 - KHLF should share in the cost of correcting the violation:

- a. The KHLF violated its right of entry with HCDA:
 - i. KHLF proceeded to sublet a portion of its property to a trucking/equipment operation;
 - ii. KHLF allowed trucking operation to engage in stockpiling and dumping on the site; and
 - iii. KHLF did not take action restore the site at the conclusion of its right of entry.
- b. The KHLF allowed trucking operation to leave the stockpiled material without further action.
- c. The KHLF did not obtain necessary permits for:
 - i. The stockpile resulting in the Notice of Violation from DPP; and
 - ii. Grading as required for site preparation to take possession of the Green Lanai.

- d. The KHLF, in its lease, committed to resolve the stockpile within one year of its lease that commenced on December 1, 2015.

Finding 3 - Current measures put in place by KHLF in conjunction with the HCDA adequately address stockpile concerns; however, action must be taken to clear the violation and get a final account of the accrued fines.

- a. With a stockpiling permit, the stockpile is a permitted stockpile whereas the original violation was for an illegal stockpile.
- b. KHLF contracted consultants to address Department of Health concerns resulting in:
 - i. The installation of a bio-sock and vegetation to contain the stockpile; and
 - ii. Testing of stockpiled materials for contaminants (no significant levels of contaminants were identified).
- c. Resolution under the current permit is limited to removal of the stockpile.

Finding 4 - The KHLF alone does not have adequate funds to pursue the necessary corrective action.

- a. KHLF has disclosed this in its remediation alternatives.
- b. In its meetings with staff, KHLF has also disclosed that it is behind in fundraising and overall business plan.
- c. KHLF's previous commitment to resolve the stockpile within one year was based on a commitment from a construction contractor that has gone out of business.

RECOMMENDATIONS:

The emphasis of the recommendations provided by the task force is to move forward and resolve the stockpile violation.

Recommendation 1 - The HCDA should continue to work in collaboration with KHLF in resolving the stockpile.

Both parties are motivated to bring this matter to a close so we can gain efficiencies working together.

KHLF has a considerable amount of goodwill in the community with several commercial entities willing to assist them. This could result in reduced costs and other opportunities not otherwise available to the State. KHLF has worked to identify two local developers with projects in Kapolei that may be interested in the stockpile material as fill which would reduce hauling charges and tipping fees compared to other alternatives. KHLF has also secured a verbal agreement from the landfill for reduced tipping fees.

The HCDA otherwise has no staff expertise to provide KHLF in-house support to ensure the disposition of the material is done properly. Also, based on Finding 4, the HCDA will need to provide any necessary financial support to resolve the matter.

Recommendation 2 - Work with the local development community to identify a party interested in fill material.

This alternative is presented by the KHLF as Alternative 2 in Attachment 3. This alternative yields several efficiencies, including cost savings, over other alternatives presented:

1. Material handling charges are reduced as local developers are willing to accept material without sifting the material as large boulders, concrete and asphalt chunks may be used to fill deep voids.
2. Tipping fees for a significant portion of the stockpiled materials could be avoided or greatly reduced thru negotiations.
3. Hauling charges would be greatly reduced as materials would be charged over a shorter distance with a site in Kapolei, instead of the landfill.
4. Work could start immediately as additional clearance is not required to remove stockpiled materials.

Appropriate measures should be taken to ensure that the local developer has all the requisite regulatory clearances to accept and use the fill material. Appropriate measures should also be taken at the KHLF site to ensure that the work is done properly to resolve the stockpile matter.

Recommendation 3 - KHLF should pay for any and all fines resulting from the stockpile.

In securing the lease, KHLF committed to resolving the stockpile within one year of the lease, which is included in Section 1.3 of General Lease No. 15-05 between the HCDA and KHLF. The resolution of the matters identified in this section should also include the resolution of fines.

The matter regarding KHLF's non-compliance with Section 1.3 of General Lease No. 15-05 is otherwise discussed in Recommendation 4.

Recommendation 4 - The HCDA should pay for remediation costs, subject to reimbursement from KHLF for 50% of costs incurred. This agreement should be memorialized in a separate agreement that includes a payment schedule with an agreed upon date for final payment.

A cost sharing arrangement is consistent with Findings 1 and 2 of the task force. To allow for the expedient resolution of the matter, it is recommended that remediation costs are paid for by the HCDA subject to reimbursement by KHLF at a later date. As established in Finding 4, KHLF does not currently have adequate funds to take the necessary corrective action in the near-term.

The cost-sharing arrangement between would be a financing agreement and therefore should not be included in the lease and memorialized in a separate agreement. The agreement should reference the lease, acknowledging KHLF non-compliance with Section 1.3 and reserving HCDA's right to terminate the lease for non-payment. The agreement would include a payment schedule and final payment date. The HCDA may also consider including in this agreement, enhanced reporting requirements to monitor collectability.

The payment schedule for the cost-sharing agreement would be based on updated strategic plans from KHLF. As identified in Finding 4, KHLF realizes that it is behind on its plans and is

currently working to update them. The HCDA should consider strategic plan elements such as a capital campaigns, plan milestones and financial forecasts in developing the payment schedule and any other covenants.

As the Kalaeloa Community Development Revolving Fund does not have adequate funds to address remediation costs and costs would not to be transferred from the Hawaii Community Development Revolving Fund. All funds recaptured under this proposed agreement should be returned the Hawaii Community Development Revolving Fund.

Attachment 1 – Kalaeloa Heritage and Legacy Foundation Notice of Violation Timeline

Attachment 2 – HCDA Staff Report on Stockpile Remediation Alternatives

Attachment 3 – KHLF Report to the HCDA Task Force

Attachment 1

Kalaeloa Heritage and Legacy Foundation Notice of Violation Timeline

9-May-11	HCDA issued a Right-of-Entry (ROE) to the Kalaeloa Heritage and Legacy Foundation (KHLF) to steward the archaeological sites and to eventually develop the Kalaeloa Heritage Park (KHP).
9-May-12	HCDA issued ROE extension to KHLF.
26-Jul-12	HCDA met with the KHLF members to discuss the potential for locating the sustainable trailer office known as the Green Side Lanai (Trailer) at the KHP.
11-Aug-12	KHLF entered into "hand-shake" agreement with private trucking company allowing passive storage of heavy equipment on KHP site in exchange for use of equipment. KHLF did not secure any regulatory permit; KHLF did not consult or secure HCDA consent to agreement.
Nov-12	HCDA met with the KHLF at KHP site to discuss location for the Trailer and prep work. HCDA notified KHLF the Trailer will be brought to the KHP in December.
9-May-13	HCDA issued ROE extension to KHLF.
23-Sep-13	Department of Planning and Permitting (DPP) issued landowner, HCDA, a Notice of Violation (NOV), No. 2013/NOV-09-085 for stockpiling without a permit. Compliance required by December 2013.
30-Sep-13	HCDA met with KHLF and confirmed stockpiling activity. HCDA notified KHLF of NOV and gave directive to comply with DPP.
23-Oct-13	Department of Health (DOH) issued a warning letter to landowner, HCDA, regarding the stockpiling material at the KHP.
24-Oct-13	HCDA notified KHLF of the DOH warning letter and gave directive to comply with DOH
25-Oct-13	KHLF submitted stockpiling permit application to DPP and due to the size of the property, the DPP required engineering plans.
19-Dec-13	DPP issued landowner, HCDA NOV No. 2013/NOO-262 for failure to timely correct the violation as required by DPP.
15-Jan-14	KHLF contracted Community Planning and Engineering (CPE) to prepare engineering plans to submit with stockpiling permit application.
Apr-14	CPE submitted engineering plans and resubmitted permit application. CPE notified KHLF about DPP's requirement for a performance bond. KHLF attempted to secure the necessary bond.
Sep-14	KHLF was unable to secure bonding. KHLF met with HCDA requesting assistance.
Nov-14	HCDA assisted and found bonding was not required since HCDA was a State of Hawaii entity. CPE resubmitted application as HCDA as the applicant. KHLF funded work.
Dec-14	CPE submitted HCDA permit application with engineering plans to DPP and was notified of DPP's requirement for State Historic Preservation Division (SHPD) review.
30-Dec-14	CPE submitted plans to SHPD for review and comment.
8-Jan-15	HCDA issued letter to City Corporation Counsel with chronology of events and requested a waiver for fines.
2-Feb-15	City Corporation Counsel granted HCDA extension until May 31, 2015, to comply with NOV; HCDA request for waiver of fines were denied.
10-Feb-15	HCDA emailed SHPD to inquire on status of review.
18-Feb-15	SHPD replied apologizing for delay and their intent to comment.
19-Mar-15	HCDA emailed SHPD to inquire on status of review.
20-Mar-15	SHPD conducted site visit and obtained necessary information for their review.

Kalaeloa Heritage and Legacy Foundation Notice of Violation Timeline

24-Mar-15	HCDA conducted site visit with KHLF and inspected existing condition of stockpile. Observed vegetation growing over stockpiled material and some biosocks were placed around perimeter of stockpile site.
6-Apr-15	HCDA received copy of letter from SHPD to DPP outlining conditions and concluding, "...the violation resulted in no historic properties affected."
13-Apr-15	CPE submitted HCDA application and engineering plans to DPP for final approval.
23-Apr-15	CPE informed HCDA that DPP is now requiring a letter stating all conditions outlined by SHPD will be met.
5-May-15	HCDA issued letter to DPP affirming all conditions outlined by SHPD will be met.
7-May-15	DPP issued landowner, HCDA, Stockpiling permit number GP2015-05-0218.
13-May-15	CPE delivered stockpiling permit to HCDA for signature. CPE then hand delivered signed permit to DPP.
20-May-15	DPP NOV file closed; fine remained outstanding.
13-May-15	KHLF contracted Environmental Consultant to conduct soil testing report and file findings report with DOH.
15-Sep-15	KHLF contracted Environmental Engineering company for the installation of biosocks and grass over stockpile material to prevent runoff per environmental report and DOH requirements.
1-Dec-15	HCDA issued Lease to KHLF conditioned on KHLF compliance to NOV by end of first year.
15-Apr-16	DOH issued letter to KHLF and concured with finding in Environmental report of no hazardous materials.
May-17	DPP issued landowner, HCDA, Stockpiling Permit extension to May 2018.

Attachment 2

Staff Report on Stockpile Remediation Alternatives

July 21, 2017

Background

Since September 2013, approximately 2,259 cubic yards of material has been stockpiled on the Kalaeloa Heritage Park site. In September 2013, the City Department of Planning and Permitting (DPP) issued the HCDA, as landowner, a Notice of Violation for stockpiling without a permit, for which in May 2015, the HCDA obtained a stockpiling permit to stop further fines from accumulating.

In 2014 the State Department of Health (DOH) issued an inquiry about the stockpile. In response to the inquiry, in 2015, the stockpiled material was tested and action was taken to control run-off from the stockpiles. The DOH subsequently requested from the HCDA, its plans to resolve the stockpile to ensure compliance with DOH regulations.

Summary

Essentially there are two alternatives (or a combination of the two) for the disposition of the stockpiled material:

1. Haul away and disposal; or
2. Leaving the material on site under an approved plan.

The HCDA has worked with Frank Camacho of Community Planning & Engineering (CPE) to develop the timeframes, cost estimates and key action steps identified in this report. CPE was previously engaged by KHLF to assist with its preliminary efforts and is familiar with the situation.

With an estimated range of \$500,000 to \$800,000, Alternative 1 is the most expedient, however most costly way of dealing with the stock piled material. Alternative 2 is estimated between \$225,000 and \$400,000 however has several additional steps that take will take twice as long as Alternative 1. The wide range in the cost estimate for each alternative provides a contingency due to the limited knowledge of the composition of the stock pile. These cost estimates do *not* include the payment of any fines associated with the Notice of Violation.

Alternative 1 - Haul Away and Disposal

The key steps and timing for this alternative follow:

1. Procure a consultant with project specific expertise (three (3) months) to:
 - a. Develop a plan for DOH/DPP comment;
 - b. Develop specifications for haul away and disposal services;
 - c. Project management; and
 - d. Additional work as identified by DOH/DPP or related to project contingencies.
2. Procure for haul away and disposal – three (3) months.
3. Performance of work – one (1) month.

The actual work would involve engaging a trucking and heavy equipment company to haul the material to the PVT landfill for disposal. If this alternative is selected, the HCDA should consider sifting the material and pulverizing some of the smaller debris as disposal rates for “soil” is much lower than waste disposal rates. See PVT rates, included as Attachment 1.

When presented with a plan, DPP *may* require additional work such as a Grading Permit supported by a grading plan and possibly a topographical survey to ensure all material has been removed. Similarly, DOH *may* require additional testing to ensure the site is “clean.” While initial testing performed in 2015 indicated the material was “clean” it was limited. Time for the additional work is not considered, in the timeline presented above.

The estimated range for Alternative 1 is between \$500,000 and \$800,000. The contingency included in this range is primarily to account for landfill disposal of the stockpiled material which is based on weight. The actual weight and composition of the stockpile is unknown and therefore difficult to estimate.

Alternative 2 – Leave the Material on Site under an Approved Plan

Using a Grading Permit, the stockpiled material could be left on site whether spread over a large area or concentrated in a berm or series of berms. Regardless, the key steps and timing for this alternative follow:

1. Procure a consultant with project specific expertise to (three (3) months):
 - a. Develop a plan for DOH/DPP comment;
 - b. Draft necessary grading plan, secure necessary permits, obtain necessary supporting surveys/reports;
 - c. Develop specifications to implement grading plan;
 - d. Project management; and
 - e. Additional work as identified by DOH/DPP or related to project contingencies
2. Secure necessary permits and studies (eight (8) months) including:
 - a. Grading permit;
 - b. Topographical survey; and
 - c. Additional environmental testing of stockpile.
3. Procurement of grading services – three (3) months.
4. Performance of work – three (3) month.

The actual work would involve sifting the material and sorting it, with coarse material pulverized and included in the fill, or disposed of off-site (e.g. scrap metal, re-bar, etc.), and spread over the area identified in the plan. If berms are utilized there is a possibility that coarse material that cannot be pulverized could be encapsulated within a berm if there is adequate fill.

The estimated range for Alternative 2 is between \$225,000 and \$400,000. The contingency included in this range is primarily to account for the material handling as the actual composition of the stockpile is unknown. Significant savings are realized by avoiding disposal fees.

Attachment 1 – PVT Fee Schedule



37-2 21 Farrington Highway • Waianae, Hawaii 96792 • Tel: 808-663-4541 • Fax: 808-663-1368 • Website: www.pvtland.com

New Fee Schedule (Effective July 1, 2017):

Landfill

- All trucks: semis, tandems and bins: \$53 per ton (minimum charge \$265.00)
- All flatbeds trailers: \$53 per ton (minimum charge \$212.00)
- Pickup trucks, vans less than 2 tons: \$76.00 per load

Landfill with LEED tracking (*Leadership in Energy and Environmental Design*)

- All trucks: semis, tandems & bins: \$57 per ton (minimum charge \$285.00)
- All flatbeds trailers: \$57 per ton (minimum charge \$228.00)

Asbestos

\$95 per ton plus \$95 per load handling fee
(minimum charge \$190)

Special Waste Disposal

\$97 per ton plus \$97 per load handling (\$194 min)

Select Concrete Pricing:

- Clean concrete loads (Not mixed waste) \$53 per ton
 - Lead painted concrete must be separate from clean concrete
- Concrete with Lead Base Painted Surfaces: \$53 per ton
 - TCLP required for all residential and commercial demolition and all commercial renovation projects that contain lead base paint.

Mixed loads of concrete:

\$53 per ton (minimum charge \$265.00)

Screened Dirt & Co-Plane:

No Charge: Call Office for Approval

Carpets:

\$98 per ton (minimum charge \$294.00)

Additional Handling Fee for Unacceptable Materials:

- Lead-acid batteries \$40.00 per battery
- Tires up to regular size auto \$40.00 per tire
- Mattresses \$50.00 per mattress
- Tires up to bus size tires \$80.00 per tire

Additional Service Fees:

- Assistance to empty wedged or trapped debris \$150.00 minimum
- Assistance to reload unacceptable material \$98.00 minimum
- Hydraulic fluid spills on landfill \$196.00 minimum
- Onsite Inspection fee (effective 08/17/2015) \$100.00 minimum

TREE STUMPS ONLY UPON APPROVAL

Call for Information

ADD GENERAL EXCISE TAX (GET 4.712%) TO ABOVE FEE SCHEDULE

Attachment 3

 KALAELOA HERITAGE AND LEGACY FOUNDATION

P.O. Box 75447 Kapolei, HI 96707

Dwight Victor
President

19 July 2017

Wendy Nihoa
Vice President

Aedward Los Banos
Administrative Service Officer
Hawai'i Community Development Authority
547 Queen St
Honolulu HI 96813

Richard Storaasli
Treasurer

Valerie Kane
Secretary

Welina e Aedward,

Shad Kane
Director

Per the request of the Task Force, please find attached the potential plans for the stockpile as generated by the Kalaeloa Heritage & Legacy Foundation.

Dan Lyman
Director

Should you or the Task Force have any questions, please do not hesitate to contact us directly.

Eric Matanane
Director

Mahalo nō,

Kawika Shook
Director



Dwight Victor
President

Linda Victor
Director

The Kalaeloa Heritage and Legacy Foundation
Report to HCDA Task Force



The Kalaeloa Heritage and Legacy Foundation (KHLF), is a 501(c)3 community based organization dedicated to preserving and protecting Native Hawaiian cultural and historical sites of Kalaeloa.

The KHLF seeks to establish and operate the Kalaeloa Heritage Park (Park) on 77 acres of land in Kapolei it leases from the Hawai'i Community Development Authority (HCDA). The Park would preserve and protect the historical sites and mo'olelo of Kalaeloa, ensuring that the cultural traditions and practices are perpetuated.



Figure 1 - Kalaeloa Heritage Park Conceptual Plan

Per the 07 July 2017 request – received via email from Aedward Los Banos, Administrative Services Officer, on behalf of the Task Force established by the HCDA – we present the following three (3) options for addressing the stockpiles on the grounds of the Kalaeloa Heritage Park.

General Assumptions

1. Three (3) discrete stockpiles (permit # GP2017-05-0228):
 - a. One (1) stockpile containing Class B unrestricted fill material.
 - b. Two (2) stockpiles containing mixed earthen materials and construction debris/waste (e.g., pavement, rocks, etc.)
2. Any deviation from the 10 March 2016 soil use report will require:
 - a. Retainer of environmental consultant to review 30 December 2015 soil stockpile sampling findings report
 - b. Recommendation by aforementioned consultant following Department of Health Hazard Evaluation and Emergency Response Office's "Guidance for the Evaluation of Imported and Exported Fill Material, Including Contaminant Characterization of Stockpiles (October 2011)."
3. PVT Landfill, via Memorandum of Agreement, would provide discounted disposal of concrete and construction materials and free disposal of soil/earthen material.
4. All time and cost information are estimates based on best efforts & aggregated cost data without any guarantee of accuracy.

Option 1 – Reuse all stockpiled materials onsite

This option best aligns with the KHLF plans to establish a permanent visitor center, parking, and other facilities per our existing conceptual plan. Stockpiles 2 and 3 would be screened of construction debris to produce earthen materials consistent with fill material. A grading plan would be developed, a grading permit would be secured, and all three screened stockpiles would be graded onsite.

MILESTONES	#	TASKS	WHO	TIME		ESTIMATED COST	
				low	high	low	high
Obtain clearance from Department of Health.	1	Retain Consultant to develop plan.	KHLF	1	2	\$ 8,000.00	\$ 10,000.00
	2	Generate and submit report to DOH in accordance with requirements stipulated by DOH SWS.	Consultant	1	2		
	3	Receive clearance from DOH.	KHLF	2	3	\$ 150.00	\$ 300.00
Obtain grading permit from C&C of Honolulu.	1	Retain Engineer to develop grading plan.	KHLF	1	2	\$ 50,000.00	\$ 60,000.00
	2	Generate grading plan and permit application.	Engineer	3	4		
	3	Submit grading plan and permit application to DPP.	Engineer	1	2	\$ 15,000.00	\$ 30,000.00
	4	Receive grading permit from DPP.		2	3	\$ 150.00	\$ 300.00
Remove Stockpile.	1	Retain Contract Manager	KHLF	1	2		\$ 10,000.00
	2	Screening stockpiles 2 & 3.	Contractor	1	2	\$ 25,000.00	\$ 30,000.00
	3	Removal (hauling) of debris.	Contractor	1	2	\$ 20,000.00	\$ 75,000.00
	4	Disposal at PVT Land Company, LTD.	Contractor			\$ 30,000.00	\$ 60,000.00
	5	Grading of clean soil at Heritage Park.	Contractor	1	2	\$ 20,000.00	\$ 25,000.00
				15	26	\$ 168,300.00	\$ 300,600.00

Figure 2 - Option 1

Option 2 – Donate all stockpiled materials to local developer(s)

This option would leverage existing KHLF partnerships with local developers. The KHLF would donate all of the screened stockpile materials to local developers who would utilize the material as fill at their construction sites. The expectation is that the KHLF would have to screen the stockpiles, the developers would haul the materials to their construction sites, and KHLF would arrange for the disposal of the resulting screened construction debris/waste.

MILESTONES	#	TASKS	WHO	TIME		ESTIMATED COST	
				low	high	low	high
Obtain agreement from local	1	Identify interested developer(s).	KHLF	1	3		
	2	Obtain MOU.	KHLF	1	2		
Obtain clearance from Department of Health.	1	Retain Consultant to develop plan.	KHLF	1	2	\$ 8,000.00	\$ 10,000.00
	2	Generate and submit report to DOH in accordance with requirements stipulated by DOH SWS.	Consultant	1	2		
	3	Receive clearance from DOH.	KHLF	2	3	\$ 150.00	\$ 300.00
Remove Stockpile.	1	Retain Contract Manager	KHLF	1	2		\$ 10,000.00
	2	Screening stockpiles 2 & 3.	Contractor	1	2	\$ 25,000.00	\$ 30,000.00
	3	Removal (hauling) of debris.	Contractor	1	2	\$ 20,000.00	\$ 75,000.00
	4	Disposal at PVT Land Company, LTD.	Contractor			\$ 30,000.00	\$ 60,000.00
	5	Removal (hauling) to developer(s) site.	Contractor	1	2	\$ 20,000.00	\$ 25,000.00
				10	20	\$ 103,150.00	\$ 210,300.00

Figure 3 - Option 2

Option 3 – Utilize one stockpile and dispose of remainder

This option is similar to option 1 except KHLF adheres to the original stockpiling plan and only utilizes stockpile 3 onsite. Stockpiles 1 and 2 are taken to PVT for disposal. The costs associated with screening and removing/hauling stockpiles 1 and 2 would be minimized by KHLF entering into a Memorandum of Understanding with a sublease tenant and exchanging the value of a month-to-month sublease for screening and hauling services. It is expected that this option would result in an extended time to complete due to the limitations of the sublease tenant.

MILESTONES	#	TASKS	WHO	TIME		ESTIMATED COST	
				low	high	low	high
Obtain grading permit from C&C of Honolulu.	1	Retain Engineer to develop grading plan.	KHLF	1	2	\$ 50,000.00	\$ 60,000.00
	2	Generate grading plan and permit application.	Engineer	3	4		
	3	Submit grading plan and permit application to DPP.	Engineer	1	2	\$ 15,000.00	\$ 30,000.00
	4	Receive grading permit from DPP.		2	3	\$ 150.00	\$ 300.00
Remove Stockpile.	1	Retain Contract Manager	KHLF	1	2		\$ 10,000.00
	2	Screening stockpiles 2 & 3.	Contractor	1	2		
	3	Removal (hauling) of debris.	Contractor	1	2		
	4	Disposal at PVT Land Company, LTD.	Contractor			\$ 30,000.00	\$ 60,000.00
	5	Grading of clean soil at Heritage Park.	Contractor	1	2	\$ 20,000.00	\$ 25,000.00
				11	19	\$ 115,150.00	\$ 185,300.00

Figure 4 - Option 3

The Officers and Board of Directors of the KHLF look forward to working with the HCDA Task Force to reach a mutually agreeable solution to the stockpile issues. We remain ready to enter into further discussions on the way ahead.

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