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New anti-hazard law gives residents hope

Potentially affected are rocks, stream and trees owned by Japanese tycoon

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KAHALU'U — A new law that gives neighbors an avenue for relief from environmental hazards has the state Civil Defense agency looking into 39 cases throughout the state since the law took effect last year.

The hazards include rocks, stream debris and drainage. But 21 of the reported hazards are from overhanging trees, and 13 of these are in Kahalu'u on property owned by Japanese billionaire Genshiro Kawamoto.

Under Act 76, the governor can direct a state employee to resolve a hazardous situation, with trees, rocks, soil and streams, said Ed Teixeira, vice director of Civil Defense.

"Quite frankly what we found is that Act 76 has really brought out a lot of neighbor-to-neighbor disputes of long standing, and we've got ourselves in the middle," Teixeira said.

Kawamoto's trees are an example. Neighbors have tried for years to get him to trim the trees that he owns on 131 acres of land on Mai'ele'ele Ridge between He'eia and Kahalu'u. His property borders more than 50 homes, and branches have already fallen and caused damages.

Jeff Schade, an Iuiu Street resident, said a limb from Kawamoto's tree fell on his truck several years ago and that was resolved, but now the trees are growing back.

"They're going to fall again and do damage to my property or my children, or me or my wife," Schade said.

Dale Hebel, an Iuiu Street resident, said he fears that a huge monkeypod tree that sits on a slope above his home will uproot and smash into his house.

The tree sits on Kawamoto's property, and every year, rain runoff exposes more roots of the tree, Hebel said, adding that neighbors have been trying to reach Kawamoto for four or five years.

"He is just a nonresponsive landlord," said Hebel. "You can never get a hold of him directly. You always have to go through some intermediary, and once you contact them, they rarely contact you back."

Kawamoto could not be reached for comment for this story.

In late January, Civil Defense officials sent Kawamoto a letter through his attorney asking if he intends to trim the trees. If nothing is done after a reasonable time period, the governor can send someone onto the property to fix the problem and charge the landowner for the work.

A drive along Iuiu revealed dozens of monkeypod and other trees on sloping grounds standing high above homes, overshadowing many properties.

State Rep. Jessica Wooley, D-47, (Lā'ie to Kāne'ohe) said she introduced the bill because neighbors had failed at other options to get the problem resolved.

"They've had this hazard hanging over their heads for so long, so I'm just hopeful that the letter itself will convince the property owner to take care of it himself."

Art Machado, Kahalu'u Neighborhood Board member who helped spearhead passage of the law, said the new law is helping people throughout the state — not just in Kahalu'u.

But people can't expect results overnight, he said.

"I have some faith in what's going on," said Machado, whose home is also beneath a Kawamoto tree. "But I'm a believer that sometimes you gotta stay on it and follow up. Too often, people think all they gotta do is say something one time and it's going to happen. It doesn't, because we always get down to the priority list, what's more important."

Some people have had positive results with Kawamoto, who apparently trimmed some trees in the area, Teixeira said.

"Success is on the low side, because when you look at what needs to be done it's really a lot of neighbor-to- neighbor," he said.

However the city did respond to Civil Defense when it cleared a stream bed in Mānoa, Teixeira said.

No money came with the new law, and the staff handling the complaints is small, he said, adding that he hopes to get the law amended to allow counties to do some of the investigative work.
